



City of White House, Tennessee

Planning and Codes Department

105 College Street • White House, TN 37188

www.cityofwhitehouse.com/yourgovernment/planning-and-codes

Phone (615) 672-4350 ext. 2121 • Fax (615) 616-1050

"Valuing our Future while Protecting our Heritage"

MEMORANDUM

Subject: Regulation Study Session

Project Scope

The City of White House has initiated an update to its Zoning Ordinance, Design Standards and Subdivision Regulations to streamline zoning classifications, enhance regulatory consistency, and improve development standards. These updates aim to address evolving land use needs, clarify existing regulations, and align local policies with best practices.

This study session will provide an overview of the updates made to the regulations. A final study session will be scheduled for March, before presenting the complete document to the Planning Commission.

During this session, we will review key updates, including the consolidation of zoning districts, revisions to use tables, and updates to parking and loading standards. We will also discuss strengthened landscaping and open space requirements, the introduction of Agricultural and Gasoline Station Overlays, and improvements to development review processes.

Additionally, we will cover proposed changes to the sign ordinance. This will be a discussion (no material included in packet). Another topic of discussion will be parking on grass surfaces, where we will examine existing restrictions, potential allowances for temporary parking, and considerations for enforcement.

Your participation and input are highly valuable as we refine these regulations. If you have any questions or specific topics you'd like to address in advance, please feel free to reach out. I look forward to your participation.

Summary of Changes

The following outlines core recommended amendments to the City's Unified Development Ordinance (UDO), developed in coordination with City staff and subject to review and approval by the Planning Commission and Board of Mayor and Alderman:

- **Zoning Districts Consolidation:** Merged various residential, commercial, and industrial zoning districts to simplify regulations and streamline classification.
- **Enhanced Use Table and Standards:** Reformatted and standardized the Use Table for improved clarity and consistency.
- **Agriculture District Overlay:** Introduced an AG Overlay to support agricultural activities and preserve agricultural values.
- **Gasoline Service Station Overlay:** Established specific development standards for service stations along major commercial corridors.

The City of White House is working towards the daily pursuit of excellence in management and delivery of services; while balancing the preservation of our small town atmosphere by nurturing orderly, proactive growth.



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- **Improved Parking Standards:** Adjusted parking requirements to ensure appropriately sized parking solutions for various zoning districts.
- **Incorporation of TCA Standards for Wineries:** Integrated Tennessee Code Annotated (TCA) regulations for winery operations.
- **Updated Processes and Procedures:** Restructured and clarified decision-making processes in zoning and development reviews.
- **Centralized Recreation and Open Space Requirements:** Consolidated all open space and recreation standards into a single section for better reference and enforcement.
- **Expanded Landscaping and Tree Preservation Standards:** Enhanced guidelines for landscaping and tree conservation to promote sustainable development.

Specific Section Updates

Use Standards (Section 2.6)

- Reformatted the section for consistency with the Use Table.
- Clarified provisions regarding mixed-use developments.
- Strengthened criteria for Special Exception Uses, including additional design parameters.

Nonconformities (Section 3.1 & 3.2)

- Expanded criteria for determining legal nonconforming uses.
- Established stricter guidelines on discontinuation and abandonment of nonconforming uses.
- Created a pathway for limited expansion under specific circumstances that provide public benefit.

Landscaping (Section 4.3)

- Strengthened screening and buffer yard requirements.
- Introduced allowances for alternative compliance methods, such as green infrastructure.
- Increased minimum planting requirements for new developments.

Open Space (Section 4.6)

- Defined new open space categories, including Pocket Parks and Active Use Areas.
- Established clear maintenance requirements for private and public open spaces.
- Required connectivity between open spaces where feasible.



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Conclusion

These updates aim to modernize the City of White House's zoning regulations, ensure clarity in land use policies, and promote sustainable growth. Please review the attached amendments and provide feedback as necessary.

For further questions, contact Ceagus Clark at 615-672-4350 ext. *2119 or at cclark@whitehousetn.gov.



White House

Tennessee

February 11, 2025

The following outlines a summary of core recommended amendments to the City's current Unified Development Ordinance (UDO). These are being prepared in concert with City Staff and are subject to review and approval by the City Council and Board of Mayor and Alderman.

- **Zoning Districts:** Merged various residential, commercial, and industrial zoning districts to streamline zoning classifications and simplify regulations.
- **Enhanced Use Table and Standards:** Updated the Use table and Use standards into a more readable and uniform format. This consolidation ensures consistency in how different uses are regulated within the City of White House.
- **Agriculture District Overlay:** Introduced an Agriculture District (AG) Overlay to support agricultural activities, promote agricultural values, and enhance the general welfare of the City.
- **Gasoline Service Station Overlay:** Introduced regulations for Gasoline Service Stations, including specific development standards to be applied along major commercial thoroughfares.
- **Improved Parking Standards:** Revised parking standards to align more closely with the specific needs and uses of each zoning district, ensuring right sized parking solutions.
- **Incorporation of TCA Standards for Wineries:** Integrated new standards for wineries based on the latest Tennessee Code Annotated (TCA) regulations.
- **Updated Processes and Procedures, Including Decision Making:** Recommended updates and re-arrangement of the City's various review procedures.
- **Centralized Recreation and Open Space Requirements:** Created a single, comprehensive section dedicated to Recreation and Open Space requirements, facilitating easier reference and enforcement.
- **Expanded Landscaping and Tree Preservation Standards:** Combined and expanded the Landscaping Standards and Tree Preservation sections to provide clearer guidelines and improved conservation efforts.

For any further questions, please contact Ceagus Clark, GISP at 615-672-4350 ext. *2119 or at cclark@whitehousetn.gov.



White House Tennessee

UNIFIED DEVELOPMENT ORDINANCE (UDO) FREQUENTLY ASKED QUESTIONS

1. What is Zoning?

Zoning is a land use control that regulates the development standards of a property. Development standards typically include: uses allowed on the property, lot sizes, setbacks, building/structure heights, and density and/or intensity – density is typically represented at dwelling unit per acre (DU/A) and intensity is often represented as Floor Area Ratio (FAR).

2. What is the Zoning Map and why is the City adopting a new one?

The Zoning Map reflects where zoning districts are located within the City of White House. The map is a tool to communicate what development standards are applicable to what properties. The LDRs includes new zoning districts with updated development standards, so the Zoning Map will be adopted to implement the Code.

3. What land area does the UDO regulate?

The regulations of the UDO are only applicable to properties within the corporate limits of the City of White House, as reflected on the official Zoning Map.

4. Does my zoning district affect my taxes?

The zoning of your property does not affect or impact property taxes. Zoning determines the development standards such as the allowable uses of the property, but zoning itself does not factor into the property value assessment that determines property taxes.

5. Why does the City need to update its Zoning Ordinance and Zoning Map?

The City has experienced significant growth but the existing standards have not kept pace. There have been modifications and additions to the Codes over the years, but the new UDO provides an opportunity for full review and update of existing standards. The City desires a set of Standards that is user-friendly, consistent with state and federal laws, and reflects contemporary zoning and subdivision practices.

6. What is the relation between the White House Comprehensive Plan and the UDO?

The Comprehensive Plan serves as a long-range guide that established development-related vision statements and action items. The UDO will serve as an implementation tool for many of the goals and recommendations set forth in the Comprehensive Plan and Future Land Use Map.

7. Will the Zoning of my property change as a result of the new UDO? What happens to my previous approvals?

The Zoning of your property will not change as part of the updates to the UDO and the Zoning Map, and any prior approvals granted by the City are still in effect.



Welcome!

PROJECT BACKGROUND

The City of White House has partnered with Kimley-Horn and Associates to conduct a review and update of the Town's Zoning Regulations. Town Staff, Kimley-Horn and the designated Steering Committee, have undertaken a holistic review and update of the code.

The recommended changes have resulted in the 2024-2025 update of the City of White House Unified Development Ordinance (UDO) Update. This update will implement the vision from The City's Comprehensive Plan, removes inconsistencies in the regulations, provides updated standards including compliance with recently adopted State legislative changes, added clarity, and includes a robust series of illustrations and graphics that help convey key development standards and terms.

The resulting UDO will provide a clear path forward for development and redevelopment in a more efficient and effective manner.

Zoning District Transition

EXISTING ZONING DISTRICTS		*PROPOSED* ZONING DISTRICTS
Residential Districts		
Agriculture: SFD/1 Acre Lots (A)	➔	Agriculture / Rural Residential (AR)
Large Lot Residential (R-40)	➔	Low Density Residential (RL)
Low Density Residential (R-20)	➔	Medium Density Residential (RM)
Medium Density Residential (R-15)		
High Density Residential (R-10)	➔	High Density Residential (RH)
High Density Town Center (R-TC)		
Nonresidential Districts		
Central Business Service (C-1)	➔	Central Business Service (CBS)
General Commercial (C-2)	➔	General Commercial (CG)
Neighborhood Service (C-3)		
Office/Professional (C-4)	➔	Office/Professional (OP)
Limited Office/Professional Service (C-5)		
Gateway Infill Residential (C-1R)	➔	Mixed-Use Commercial (MUC)
Town Center Commercial District (C-6)		
Light Industrial (I-1)	➔	Industrial - Light (IL)
Heavy Industrial (I-2)	➔	Industrial - Heavy (IH)
Industrial Special (I-3)		
Planned Development Districts		
Suburban Residential PUD (SRPUD)	➔	Planned Development Residential (PDR)
Neighborhood Center PUD (NCRPUD)	➔	Planned Development Commercial (PDC)
Commercial PUD (CPUD)		

QUESTIONS? COMMENTS?

CONTACT CEAGUS CLARK, GISP

☎ (615) 672-4350

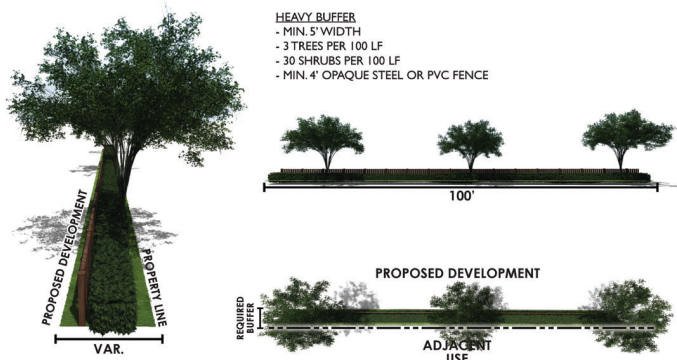
✉ cclark@cityofwhitehouse.com

What's Changed?

- Updated application processes and reviews to be consistent with Tennessee Code Annotated.
- Zoning districts were simplified, and additional overlays were created. Created overlays include an Agriculture District Overlay and a Gasoline Service Station Overlay.
- Revised and simplified the Use Table and Use Standards for each Zoning District.
- Updated standards for wineries from Tennessee Code Annotated
- Parking, Loading, and Access Standards were updated to align with the specific needs of uses, and now include the addition of an “Alternative Parking Plan”.
- Combined and expanded the Landscaping Standards and Tree Preservation Standards.
- Consolidated Recreation requirements and Open Space requirements in one section.
- Graphics were updated for Architectural Standards; Landscape Standards; Parking, Loading, and Access Standards; Signs; and Engineering Standards.



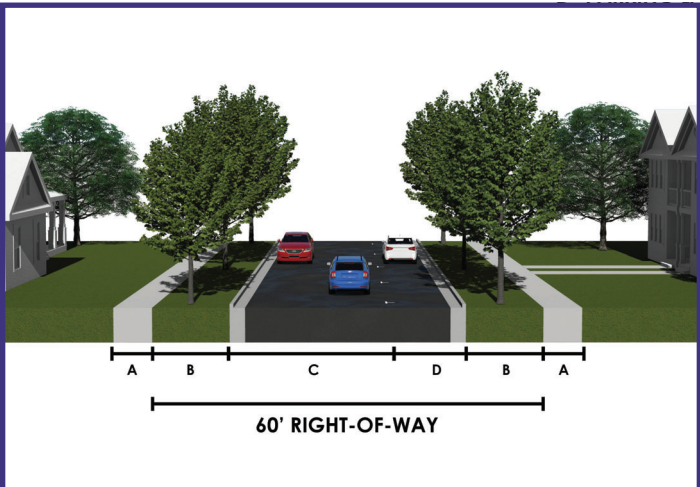
Signs. Sign Graphics and regulations were updated to be consistent with Tennessee Code Annotated and applicable case law.



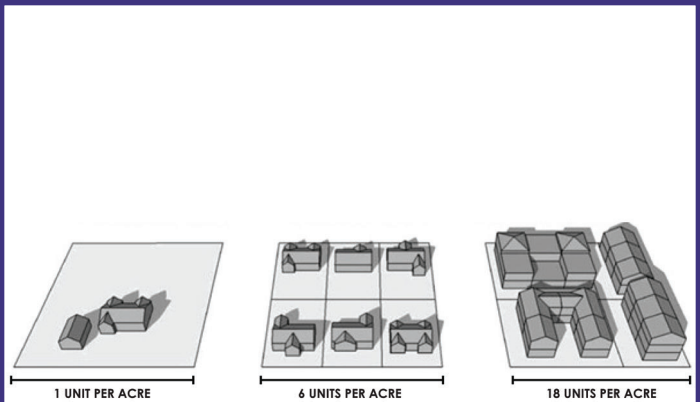
Landscape Standards. Updated graphics and requirements.



Code Graphics. Updated existing and added additional graphics in the UDO.



Street Sections. Revised the Street Section Standards and updated the graphic examples.



Standards of Measurement. Added a section on how density, intensity, and other general standards are calculated.



Architectural Standards. Created updated design guidelines for non-residential and multifamily development.

SECTION 2.5 DIMENSIONAL REQUIREMENTS

The purpose of the Dimensional Requirements section is to “Provide the minimum requirements for the configuration of multifamily, non-residential (commercial, office, and industrial) developments. These standards are designed to provide the City of White House’s clear expectations for the quality and locational requirements for certain development using density, height, setbacks, and measurements. This Section is intended to provide flexibility in the development of compatible mixed uses and other non-residential areas.”

2.5.2 DENSITY AND INTENSITY

2.5.2 A | Calculation of Density

Residential density shall be measured by dwelling units per gross acre (du/ac) (See *Figure 2.5.1: Density*). For example, if a development of one hundred (100) acres is entitled to ten (10) dwelling units per acre, the maximum permitted density within the development is one thousand (1,000) dwelling units.

1. Subdivision, zoning, and site plan review criteria and procedures shall assure that density is consistent with established residential development patterns and provides equitable use of the land.
2. For legal lots of record existing as of the effective date of this UDO, densities less than the minimum density requirements defined in the White House Comprehensive Plan are permitted. The appropriate allocation of density shall encourage sustainable development.
3. Residential density is calculated as gross density, where the gross acreage includes all lands within the parcel boundaries.

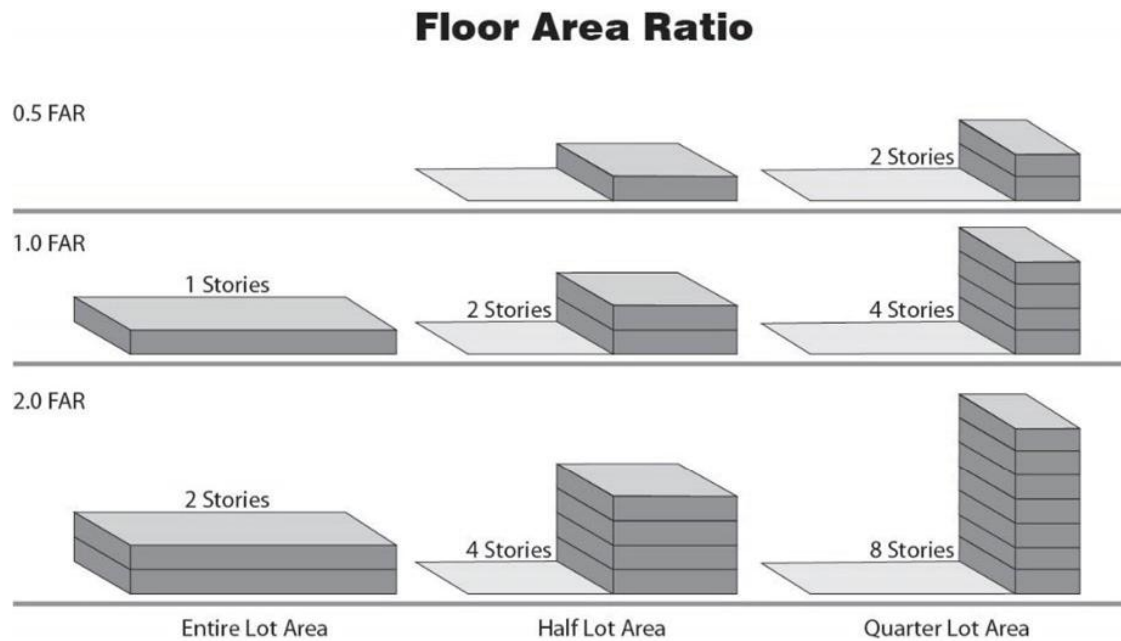
Figure 2.5.1: Density



2.5.2 B | Non-Residential Intensity Defined. Floor Area Ratio (FAR)

Non-Residential Development (“intensity”) is measured in Floor Area Ratio (FAR) (See *Figure 2.5.2: Floor Area Ratio (FAR)*). FAR is calculated by dividing the total size of the building/structure (in square feet) by the total size (in square feet) of the lot on which the building is located. For example, a 5,000-square foot building on a 10,000 square-foot lot equals an FAR of 0.5.

Figure 2.5.2: Floor Area Ratio (FAR)



2.5.3 Standards of General Applicability

2.5.3 C | Building Placement (Setbacks)

Building Placement (Setbacks), shall be measured from the nearest part of the applicable building, structure or sign including overhangs, measured perpendicularly to the lot line or street right-of-way line. Setbacks are designated by a front setback requirement, side setback requirements, and a rear setback requirement. Provisions for setbacks for accessory structures are made in each respective district below, or in “Article II Section 2 Uses”, of the UDO for each respective use It is understood, for the purpose of calculating setback requirements and yards, three configurations of lots exist: interior lots, corner lots, and through lots as generally illustrated in the graphic below. Each of the respective lot types are further discussed herein.

Figure 2.5.4: Lot Types

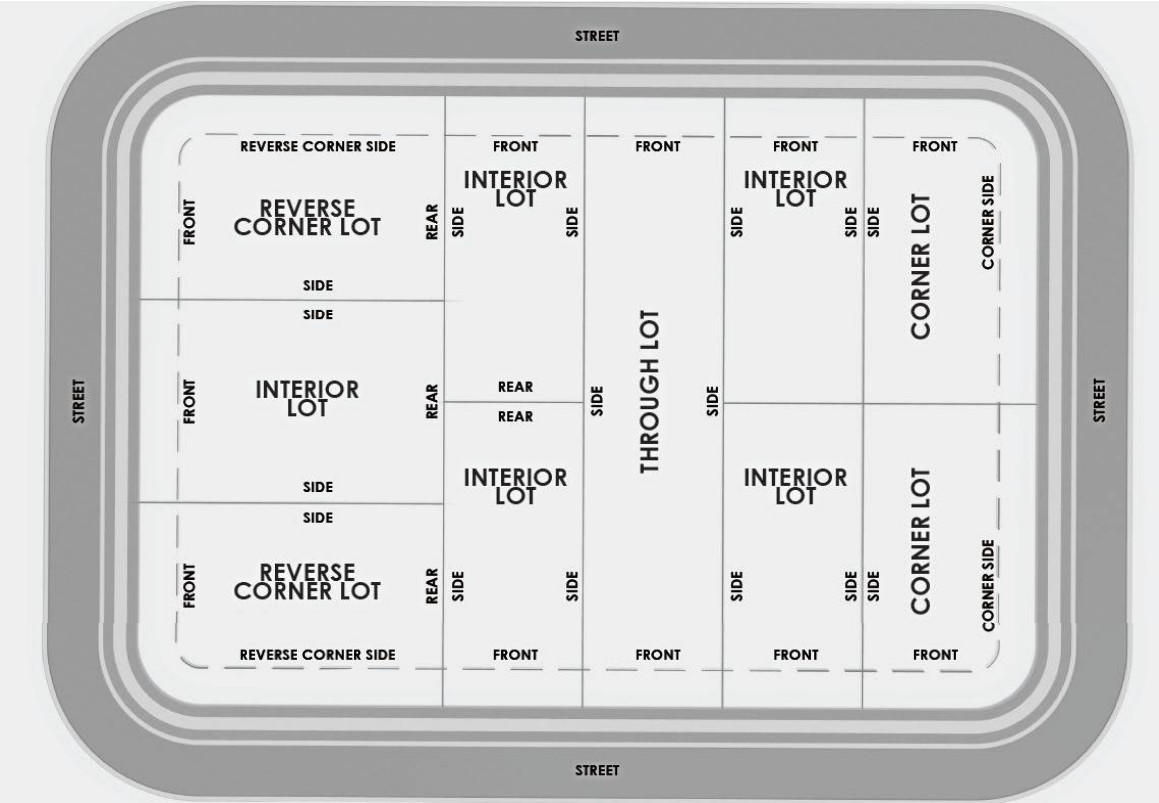


Table 1: Use Table			Residential Districts				Commercial Districts				Industrial Districts		PUD	
		Sec. Ref.	AG-RR AGRICULTURAL/ RURAL RESIDENTIAL	RL LOW DENSITY RESIDENTIAL	RM MEDIUM DENSITY RESIDENTIAL	RH HIGH DENSITY RESIDENTIAL	CBS CENTRAL BUSINESS SERVICE	GC GENERAL COMMERCIAL	OP OFFICE PROFESSIONAL	MUC MIXED-USE COMMERCIAL	IL LIGHT INDUSTRIAL	IH HEAVY INDUSTRIAL	PDR RESIDENTIAL PLANNED UNIT DEVELOPMENT	PDC COMMERCIAL PLANNED UNIT DEVELOPMENT
Key: P = Permitted; P* = Permitted w/ Development Standards; SE = Special Exception														
Residential														
Adult Day Care					SE	SE		P	P				P	P
Bed and Breakfast				SE	SE	SE								
Boarding and Rooming Houses							P			P				
Dwelling, Single Family Attached					P	P			SE					P
Dwelling, Single Family Detached			P	P	P	P							P	P
Dwelling, Two-Family House					SE	P							P	
Dwelling, Multiplex					SE	P							P	
Dwelling, Townhouse					SE	P							P	
Dwelling, Stacked Townhouse					SE	P							P	
Dwelling, Multi-Family						P		P					P	P
Ind./Assisted Living/Nursing Home/Hospice				P			P	P	P	P				
Manufactured Home, Individual Lot			P	SE						P				

Manufactured Home Park			SE		P														
Short Term Rentals Primary						SE				SE									
Short Term Rentals, Owner Occupied															SE		SE		
Non-Residential																			
Agricultural																			
Agricultural, Crop Production		P																	
Agricultural, Livestock		P											P						
Animal Feeder/Breeder		P																	
Nursery/Greenhouse/Garden Center		P						SE				P							
Civic																			
General Assembly								P*											
Public School: Pre K to Junior High			P	P	P	P*	P*												
Private School: Pre K to Junior High			P	P	P	P*	P*												
Public School: High School			P	P	P	P*	P*												
Private School: High School			P	P	P	P*	P*												
Higher Education (College, Junior College, University, Technical)						P	SE	P											
Educational Services						P	P		P			P							
Cemeteries		SE	SE	SE			P												
Cultural, Library and Museum Facilities					P	P		P											
Religious Institutions		SE	SE	SE	SE	P	P								P		P		
Governmental/ Essential Services/Buildings		P		P	P	P	P		P	P	P								
Post Office						P	P	P	P									P	
Social Services		SE	SE	SE	SE	P	P	P	P						SE		P		
Special Institutional Care Facilities (Added by Ordinance No. 97-15, December 20)													SE	SE					
Retail and Commerical																			
Adult Oriented Business															P				
Animal Shelter/Kennel													P	P					
Crematoriums and Mortuaries						P	P												
Child Day Care						SE	SE	P	SE									SE	
Funeral Home							P	P											
Vehicle Supply Shop (Parts)						SE	P					P							

Vehicle, Truck, and Trailer Minor Repair/Sales/Rental						SE	P			P			
Financial Service						P	P	P	P				P
Personal Service						P	P	P	P				P
Radio and TV Studio							SE	P					
Retail, Neighborhood (< 5,000 sq ft)							P		P				P
Retail, General (> 5,000 < 30,000 sq ft)						P	P		P				P
Retail, Large Scale (> 30,000 sq ft)						P	P		P				P
Department Store (> 15,000 sq ft)						P*	P		P				P
Musical Instrument Repair and Sales						P	P		P				P
Equipment Repair and Sales										P	P		
Pawn Shop							P						
Restaurant, Full Service						P	P		P				P
Restaurant, Fast Casual						SE	P		P				P
Restaurant, w/ Drive Through						SE	P		P				P
Winery		P											
Hotel/Motel						P	P		P				P
Dry Cleaning/Laundry Establishment						P	P		P				P
Liquor Store						P*	P		P*				P
Private Clubs						P	P	P	P				P
Car Wash							P*		P*				P*
Convenience Store w/ Fuel Sales						P	P	SE	P				SE
Convenience Store w/o Fuel Sales						P*	P		P				SE
Recreation and Entertainment													
Recreation, Indoor						P	SE		P	SE			P
Recreation, Outdoor		SE					SE		SE	SE			P
Campgrounds		SE											
Movie Theater						P	P		P				P
Events Facility						SE	SE		P				P
Office and Medical													
Hospital							P	P	SE				SE
Medical/Dental Facility						P	P	P	P				P
Professional Office								P	P				P
Veterinarian							P	P	P	P	P		

Veterinarian w/ Overnight Stay						SE	SE	SE		SE	SE		
Rehabilitation Facility								P	SE				
Industrial and Manufacturing													
Manufacturing										P	P		
Artisan Food and Beverage Manufacturing										P	P		
Flex Facility										P	P		
Industrial, Heavy											P		
Industrial, Light										P	P		
Warehouse and Distribution										P			
Recording, Sound, or Film Studio							P		P				
Junkyard and Salvage Yard											P*		
Recycling and Waste Related Services										SE	P		
Mini-Storage/Self Storage							P*			P	P		
Landfill										SE	P		
Utilities and Other													
Airport											P		
Truck Terminals										SE	P		
Infrastructure and Utilities		P	P	P	P	P	P	P	P	P	P	P	P
Wireless Telecommunication Facilities		P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*
Parking Lots and Structures						SE	SE	SE	SE	SE	SE		SE

2.6 Use Standards

2.6.1 | GENERAL REQUIREMENTS

Use Standards as provided in this Section are understood to include definitions for specific uses (identified in the Use Table included in Section XXX) followed by additional standards for development and/or redevelopment. Each use is defined in Section XXX.

1. This Section outlines the Uses of land regulated in this UDO.
2. **Intent.** This Section outlines the Uses of land regulated in this UDO.
3. **General Provisions.** The following general provisions apply to the uses outlined in this UDO.
 - a. A Parcel of land may contain more than one (1) Use.
 - b. Uses are either permitted by-right in a district, permitted by-right with specific development or design parameters, or are Special Exceptions, which require a Special Exception Permit (refer to Section XXX Special Exception to be developed.
 - c. Table XXX Use Table identifies the permitted Uses; Table XXX identifies the permitted Accessory Uses.
4. **Organization.** The uses are grouped into general categories, which may contain lists or clusters of additional uses.
5. If a use is not listed, but meets the criteria detailed in the category description, or other info as may be provided, the Planning and Codes Director may interpret the use as appropriate and may attach certain conditions and or standards as deemed necessary to achieve the purpose and intent of these Regulations.
6. If a use is not listed and does not meet the criteria in the category description, the Planning and Codes Director shall interpret the use as inappropriate; this use shall only be permitted through amendment of this UDO. A Variance of use is not permitted.

2.6.1 A | Residential Uses

1. **Adult Day Care.**
 - a. **Standards (except where otherwise regulated by the State).**
 - i. **Space Requirements.** At least fifty (50) square feet of heated space per person enrolled or space sufficient to meet State standards, whichever is greater, shall be provided.

- ii. **Capacity.** Five (5) or fewer adults.
 - iii. **Hours of Outdoor Activities.** Outdoor activities shall be limited between 8:00 a.m. and 8:00 p.m.
 - iv. **Operating Hours.** Operating hours shall be limited to between 6:00 a.m. and 8:00 p.m.
 - v. **Passenger Loading Space.** At least one off-street passenger loading and unloading space separate from the parking area, plus adequate turnaround areas, shall be provided for every twenty (20) persons.
 - vi. **Certification.** TCA 71.2.402.
2. **Bed and Breakfast.** An owner-occupied or manager-occupied residential structure providing rooms for overnight lodging, or lodging and meals, that includes no more than five (5) rooms.
- a. **Standards.** In the districts where a bed and breakfast requires a Special Exception Permit (Section XXX Special Exception) ("SE"), the following apply:
 - i. No more than six (6) bedrooms for guests are permitted.
 - ii. No more than two (2) non-resident employees are permitted.
 - iii. A Type A Side and Rear Buffer of ten (10) feet is required regardless of the adjacent Zoning District (refer to Section XXX Light Landscape Screen Requirements).
 - iv. Parking shall be located on site; offsite parking is not permitted. Parking standards are provided in Section XXX Parking.
3. **Boarding and Rooming Houses.** A building and accessories principally used, designed, or adapted to provide living accommodations for not more than six (6) occupants and having common cooking and dining facilities.
4. **Dwelling, Single-Family Attached.** A Single-Family Dwelling Unit located horizontally adjacent to another Single-Family Dwelling Unit that share common wall(s) located on separate lots.
5. **Dwelling, Single-Family Detached.** One (1) Dwelling Unit located within the Principal Structure of a Lot. A Modular Home is considered a Single-Family home for the purposes of this UDO; a Manufactured Home is not.
6. **Dwelling, Two-Family House.** A two-family house is two units in a single structure on a single lot or parcel (often called a duplex). The units may be located on separate floors or side-by-side. Where an alley is provided, all garage access must take place from the alley.
7. **Dwelling, Multiplex.** A multiplex is a series of three (3) or more units, usually under single ownership, consolidated into a single structure. A multiplex is typically on a single lot and contains common walls. The multiples units may be two stories in

height, however, units are not vertically mixed. Parking is often consolidated even where garages or carports are used. Where an alley is provided, all garage access must take place from the alley.

8. **Dwelling, Townhouse.** A townhouse is a building made up of three (3) or more attached units where the units are lined up in a row and share side walls. Access to garages may be from the front or rear, although front-access townhouses must be on a wider lot. Where an alley is provided, all garage access must take place from the alley.
9. **Dwelling, Stacked Townhouse.** A stacked townhouse is a building made up of attached units where the units are lined up in a row and share side walls. A first-floor unit is accessed at grade, while a stair serves a unit comprising one or two stories above. Where an alley is provided, all garage access must take place from the alley.
10. **Dwelling, Multifamily.** Multiple Dwelling Units located in the Principal Structure of a single Lot in which the units may or may not share a common wall with the adjacent (horizontally or vertically) unit(s), or share a common entrance.
11. **Ind./Assisted Living/Nursing Home/Hospice.** Residential facilities with on-site 24-hour medical care for seniors. This use category describes building or buildings, section or distinct part of a building, private home, home for the aged, or other residential facilities, whether operated for profit or not, which undertakes through its ownership or management to provide housing, meals, and one (1) or more personal services for a period exceeding 24 hours to one (1) or more adults who are not relatives of the owner or administrator. This included nursing homes.
 - a. **Examples.** The following uses are considered under the ind./assisted living/nursing home/hospice use:
 - i. Nursing homes
 - ii. Skilled nursing facilities
 - iii. Assisted living facilities
 - iv. Convalescent care facilities
 - b. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to recreational activities, cafeteria, café, dining hall, hobbies, parking of the occupants' vehicles, and facilities for staff.
 - c. **Standards.**
 - i. Residential care facilities are permitted rooming units equal to two (2) times the density of the applicable district. For example, if ten (10) units per acre is permitted, the residential care facility may have twenty (20) rooming units.

- ii. Structures shall demonstrate a pedestrian circulation plan, including internal walkways, and shall include provisions for alternative transportation options for residents of the facility.
- iii. Residential care facilities shall be designed and used to serve its residents and their guests only.

12. Manufactured Home, Individual Lot. Any structure, transportable in one (1) or more sections, which, in the traveling mode, is eight (8) or more feet in width or forty (40) or more feet in length, or when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. TCA § 47-9-102.

13. Manufactured Home Park. Refer to Section XXX for Manufactured Home Park development standards.

14. Short Term Rentals Primary.

- a. **Standards.** In addition to the requirements for the applicable district, the following conditions shall be met prior to issuing a Special Exception permit:
 - i. No more than four (4) bedrooms or sleeping rooms in the residential dwelling unit is permitted.
 - ii. Dwelling shall be rented wholly and shall not include partial or individual room rentals.
 - iii. Property owner to continuously maintain current licenses and permits as required by local and state agencies. A building and fire safety inspection shall be required with the city licensing process.
 - iv. No food preparation or cooking for guests shall be conducted within any sleeping room made available for rent. Only one shared kitchen facility is permitted.
 - v. One (1) off-street parking space shall be provided for each rentable sleeping room.
 - vi. Special Exception application to include plans to show building floor plans and parking area. If application is approved, the City's site plan process of the Zoning Ordinance and Commercial Design Standards is required for all building and parking lot alterations and expansions.

15. Short Term Rentals, Owner Occupied (except where otherwise regulated by the State).

- a. **Standards.** In addition to the requirements for the applicable district, the following conditions shall be met prior to issuing a Special Exception permit:

- i. A property owner must reside permanently in the single-family dwelling in order for a single-family dwelling to include no more than two (2) rooms available for rental.
- ii. Property owner shall continuously maintain current licenses and permits as required by local and state agencies. A building and fire safety inspection shall be required with the city licensing process.
- iii. No food preparation or cooking for guests shall be conducted within any room made available for rent. The room for rent shall not be an independent dwelling unit that includes a kitchen.
- iv. Rooms used for sleeping shall be part of the primary residential structure and not located in a detached or accessory building.
- v. One (1) off-street parking space shall be provided for each rentable room in addition to the parking required for the single-family dwelling.
- vi. Modification of the structure or grounds may be made only if such changes are compatible with the character of the area or neighborhood, and the intent of the zoning district which it is located.
- vii. The Special Exception application shall include plans to show rental room locations and set-up and parking area.
- viii. The Board shall review the existing neighborhood character, including property sizes and street conditions and layout, to determine if the use would be compatible with the neighborhood.

2.6.1 B | Agriculture Uses

1. **Agricultural, Crop Production.** The use of land for the primary purpose of raising and harvesting row, field, or tree crops on a commercial basis; includes bona fide agriculture uses as defined and regulated by the State. May also include aquiculture subject to a one hundred (100)-foot setback and Buffer Type C. The growing and sale of agricultural crops on premises shall not constitute agricultural crop production.
 - a. **Standards.**
 - i. Site shall contain a minimum of three (3) acres.
 - ii. Greenhouses used in the agricultural operation shall not exceed eight (8) feet in height and sixteen (16) feet in width.
 - iii. There shall be no retail sales on the site.
 - iv. Except for agriculture uses existing prior to residential development, a minimum setback of fifty (50) feet and Buffer Type A shall be required

- v. Greenhouses and other structures and equipment used in agricultural operations shall be screened from view of rights-of-way and adjacent residentially zoned land.
 - vi. Noise from machinery or activities used in agricultural crop production shall not impact adjacent residentially zoned land; mitigation shall be by means of muffling or setting back the source of noise an adequate distance from the adjacent property.
 - vii. The Zoning Board of Adjustment is encouraged to approve any special use permit for applicants meeting these requirements without a maximum time limit.
2. **Agricultural, Livestock.** The use of land for the primary purpose of breeding, raising, and caring for domestic animals including horses.
- a. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to troughs, feed mechanisms, and storage.
 - b. **Standards.**
 - i. Property used for livestock shall be a minimum of five (5) acres in size.
 - ii. Accessory uses shall be setback a minimum of one hundred (100) feet from any property line.
 - iii. The maximum number of large animals permitted for each acre shall not exceed five (5). Large animals shall include horses, swine, cattle, goats, and sheep. An enclosed structure with one stall for each large animal is required when the total number of large animals exceed three (3) per acre.
 - iv. The maximum number of small animals permitted for each acre shall not exceed one hundred (100). Small animals shall include rabbits and fowl, excluding peafowl. Small animals shall be permitted in addition to large animals.
 - v. The use shall assure that there is no incompatibility with surrounding land uses. In the event that an incompatibility exists, the applicant shall satisfactorily mitigate the incompatibility prior to receiving final approval.
3. **Animal Feeder/Breeder.**
- a. **Standards.**
 - i. The minimum site size for an animal feeding operation is three (3) acres.
 - ii. All structures, buildings or enclosed areas used for housing of poultry, hogs, cattle, or other livestock, shall be a minimum of one hundred (100) feet from all property lines.
 - iii. Fish hatcheries require a Special Exception granted by the Board of Zoning Appeals.

4. **Nursery/Greenhouse/Garden Center.** The sale of horticultural specialties such as flowers, shrubs, sod, trees, and mulch and accessory hardscape materials such as decorative stones intended for ornamental or landscaping purposes.
- a. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to outdoor storage.
- b. **Standards.**
- i. Equipment used in the normal daily use shall be parked (stored) overnight in a designated storage area and not parked in customer or publicly accessible parking areas.
 - ii. Parking, driveways and aisles and the like shall be constructed with asphalt, concrete or another durable surface as may be approved by the City Engineer.
 - iii. Mulch, stone, or other loose materials shall not be stored within 50 feet of a residential district and shall be screened from view using a fence, wall or similar; in no case shall the material storage height exceed the fence / wall height. The Director may make an administrative determination that additional heights are allowed subject to additional buffering, setbacks or similar.
 - iv. Greenhouses, barns, sheds or other accessory structures uses shall be setback a minimum of 100 feet from any residential zoning district.

2.6.1 C | Civic Uses

1. General Assembly.

- a. **Standards.** In the districts where General Assembly is permitted with development standards ("P*"), the following apply:
- i. Requires a minimum Lot Width of seventy (70) feet.
 - ii. Shall be located on a Rural Minor Collector, Minor Collector, Scenic Corridor, or Major Collector Street Type. General Assembly may be permitted by Special Exception on local roads subject to review of traffic impacts, turning movements, connectivity with other uses, setbacks/buffers, and other characteristics of the surrounding uses.
 - iii. Type D side and rear yard buffer is required when adjacent to any residential Zoning District (refer to Section XXX Side and Rear Buffer).
 - iv. All other Uses located on the site, including but not limited to, offices, classrooms, or daycare, shall be incidental and associated directly with the Principal Use.
 - v. In all districts, a School or Office Use on the site of more than 10,000 square feet requires a Special Exception (Section XXX Special Exception).

2. School.

a. Uses Include:

- i. **Pre K to Junior High.** A public education facility for pre-kindergarten through eighth (8) grade, including associated facilities such as ball fields, ball courts, gymnasium, and auditorium.
- ii. **Private School: Pre K to Junior High.** A private education facility for pre-kindergarten through eighth (8) grade, including associated facilities such as ball fields, ball courts, gymnasium, and auditorium.
- iii. **Public School: High School.** A public education facility for grades nine (9) through twelve (12), including associated facilities such as ball fields, ball courts, gymnasium, and auditorium.
- iv. **Private School: High School.** A private education facility for grades nine (9) through twelve (12), including associated facilities such as ball fields, ball courts, gymnasium, and auditorium.
- v. **Higher Education (College, Junior College, University, Technical).** An education facility offering post-secondary school educational activities and programs and may also include technical, vocational, and or trade school, which may or may not be tied to a degree program; may also include associated facilities such as ball fields, ball courts, gymnasium, and auditorium.

b. Standards.

- i. No such facility shall be permitted on a zone lot unless it contains at least two (2) acres. No day care center shall be permitted on a zone lot unless it contains at least one (1) acre.
- ii. Such facilities shall be located only on arterial and collector streets as shown on the official major thoroughfare plan.
- iii. The minimum lot dimensions are: Lot width at building setback, one hundred-fifty (150) feet; front yard setback forty (40) feet; rear yard setback twenty-five (25) feet; and side yard setback twenty (20) feet. Day Care Center may be placed on properties with lot width at building setback of one hundred (100) feet.
- iv. Accessory buildings and uses shall be prohibited in the front yard.
- v. A minimum of twenty-five (25) percent of the required parking is permitted in the front yard.
- vi. A fifteen (15) foot minimum landscape buffer shall be required around the perimeter of the property.

- vii. The exterior of the facility shall be designed and constructed of typical traditional residential materials and meet provisions of commercial design standards.
- 3. **Educational Services.** Educational Services include but are not limited to test prep, tutoring, professional licensing, specialty services (i.e., nursing) or similar. Uses are understood to be limited in nature both in size and number of students.
 - a. **Standards.**
 - i. Such facilities may be stand-alone or within a shopping center or inline retail plaza.
 - ii. Shall not include uses generally associated with vocational training unless otherwise approved by the Director (welding, construction, mechanic) or uses which require the outdoor storage of goods and materials or outdoor workstations.
- 4. **Cemeteries.**
 - a. **Standards.**
 - i. When a Special Exception is required, it is the Applicant's burden to prove that granting the permit will not negatively impact the neighborhood or that the site is designed in such a way as to mitigate any such impacts, including traffic, noise, and light.
 - ii. A Cemetery may only be in the Park Open Space Type.
- 5. **Cultural, Library and Museum Facilities.** A facility or site open to the public for cultural services and events operated by the government or a certified non-profit entity.
 - 1. **Examples.** The following uses are considered under the cultural, library and museum facilities use:
 - (1) Community centers
 - (2) Libraries
 - (3) Museums
 - (4) Historical societies
 - a. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to cafeterias, snack bars, parking, ancillary assembly, retail, or restaurant.
- 6. **Religious Institutions.** A facility intended as a house of worship that hosts organized religious services.
 - a. **Examples.** The following uses are considered under the religious institutions use:
 - i. Church
 - ii. Temple
 - iii. Mosque

b. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to cafeterias, snack bars, parking ancillary assembly, retail or restaurant

c. **Standards.**

- i. No such facility shall be permitted on a zone lot unless it contains at least two (2) acres. No day care center shall be permitted on a zone lot unless it contains at least one (1) acre.
- ii. Such facilities shall be located only on arterial and collector streets as shown on the official major thoroughfare plan.
- iii. The minimum lot dimensions are: Lot width at building setback, one hundred-fifty (150) feet; front yard setback forty (40) feet; rear yard setback twenty-five (25) feet; and side yard setback twenty (20) feet. Day Care Center may be placed on properties with lot width at building setback of one hundred (100) feet.
- iv. Accessory buildings and uses shall be prohibited in the front yard.
- v. A minimum of twenty-five (25) percent of the required parking is permitted in the front yard.
- vi. A fifteen (15) foot minimum landscape buffer shall be required around the perimeter of the property.
- vii. The exterior of the facility shall be designed and constructed of typical traditional residential materials and meet provisions of commercial design standards.

7. **Governmental/Essential Services/Buildings.** A building, or portion of a building, wherein government activities are performed involving predominately administrative, record keeping, professional, and/or clerical operations and where professional services are rendered. For the purpose of this ordinance “government” includes local, state, and federal government agencies.

a. **Examples.** The following uses are to be considered under the government/essential services/buildings use:

- i. City hall buildings
- ii. Government offices
- iii. Court houses
- iv. Public work facilities
- v. Municipal government buildings
- vi. Police and Fire
- vii. Emergency shelters

- b. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.
 - c. **Standards.**
 - i. Gun ranges as an accessory use require a Special Exception (See Section XXX Special Exceptions) associated with this use.
8. **Post Office.** Any facility which accepts customers to mail or deliver letters, packages, and goods. May be publicly or privately owned.
- a. **Examples.** The following uses are to be considered under the post office use:
 - i. United States Postal Services Facilities
 - ii. FedEx
 - iii. UPS
 - b. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to cafeteria for staff, parking for workers and customers, parking area for mail or delivery trucks.
 - c. **Exclusions.** Mail kiosks, lockers and mailboxes are not subject to use standards and may be permitted as accessory structures.
9. **Social Services.** Facilities that provide psychosocial rehabilitation, skill development activities, temporary sleeping facilities for displaced persons, employment services and pre-vocational training.
- a. **Examples.** The following uses are to be considered under the social services use:
 - i. Temporary shelters
 - ii. Rehabilitation facilities
 - iii. Work training centers for displaced persons
 - b. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to cafeteria, soup kitchens, maintenance facilities, caretaker's quarters, and parking.
 - c. **Exceptions.** Jails or detention centers and facilities which provide only rehabilitation from substances.
 - d. **Standards.**
 - i. An employee or volunteer must maintain continuous on-site supervision during operation hours.
 - ii. May not be within 500 feet of a school or another social services establishment.
 - iii. A six (6) foot fence or wall shall be required along any outdoor recreation areas, in addition to any required landscape buffer.

10. Special Institutional Care Facilities (Added by Ordinance No. 97-15, December 20, 1997).

- a. **Standards.** These standards are in addition to other requirements of the zoning ordinance and subdivision regulations. All special care facilities must receive a special exception from the White House Board of Zoning Appeals. Special care facilities are subject to the following standards:
- i. The location, size and design of such facilities shall be such that the proposed development shall be compatible with the development within the surrounding area, thus reducing the impact upon the surrounding areas.
 - ii. The traffic generated by such facility shall be safely accommodated along designated arterial or collector streets as shown on the official major thoroughfare plan without traversing local minor streets.
 - iii. The purpose(s) of the facility must be clearly established by the agency responsible and the appropriate staff services must be provided to achieve the stated purpose(s).
 - iv. The facility providing residence facilities shall have resident twenty-four (24) hour staff and appropriate professional services shall be supplied.
 - v. The off-street parking requirements shall be determined by the Board of Zoning Appeals.
 - vi. The minimum side and rear yards shall be one hundred (100) feet for a one (1) and two (2) story building, increased by ten (10) feet for each additional story.
 - vii. All public utilities including a central sewage collection and treatment system (as defined by this ordinance) shall be available to the site.
 - viii. No facility permitted under the provisions of the section shall be located with one thousand (1,000) feet of any church, day care center, nursery school, or public park, or public and private educational institutions. The distance shall be measured by a straight line from the nearest corner of the building of the potential licensee to the nearest corner of the main entrance of the church, day care center, nursery school or public park, where the centerline intersects with the margin of the public road.

2.6.1 D | Retail and Commercial Uses

1. **Adult Oriented Business.** Refer to Section XXX Adult Oriented Business for standards for Adult Oriented Businesses.

2. **Animal Shelter/Kennel.** The use of land for the purpose of boarding animals. May include a pet resort which provides day care for pets in addition to grooming and training/classes.
 - a. **Examples.** The following uses are to be considered under the animal shelter/kennel use:
 - i. Animal Kennel
 - ii. Boarding Facility
 - iii. Animal Shelter
 - b. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to outdoor play areas for animals, office, indoor storage, limited retail sales of pet associated items.
 - c. **Standards.**
 - i. All outdoor areas intended for animal use shall be fenced with a minimum six (6) foot fence.
 - ii. Animals shall be kept within an enclosed building between the hours of 10:00 PM and 6:00 AM.
 - iii. Animal waste shall not be stored closer than ten (10) feet from the property line.
3. **Crematoriums and Mortuaries.** A facility with a furnace for cremating dead bodies, either animal or human.
4. **Child Day Care.**
 - a. **Standards.**
 - (1) No such facility shall be permitted on a zone lot unless it contains at least two (2) acres. No day care center shall be permitted on a zone lot unless it contains at least one (1) acre.
 - (2) Such facilities shall be located only on arterial and collector streets as shown on the official major thoroughfare plan.
 - (3) The minimum lot dimensions are: Lot width at building setback, one hundred-fifty (150) feet; front yard setback forty (40) feet; rear yard setback twenty-five (25) feet; and side yard setback twenty (20) feet. Day Care Center may be placed on properties with lot width at building setback of one hundred (100) feet.
 - (4) Accessory buildings and uses shall be prohibited in the front yard.
 - (5) A minimum of twenty-five (25) percent of the required parking is permitted in the front yard.
 - (6) A fifteen (15) foot minimum landscape buffer shall be required around the perimeter of the property.

- (7) The exterior of the facility shall be designed and constructed of typical traditional residential materials and meet provisions of commercial design standards.
5. **Funeral Home.** A facility used for the preparation of the deceased and the display of the deceased for funeral services. The facility may include space and facilities for embalming and preparation of the dead for burial, performance of autopsies, the storage of caskets and funeral supplies.
- a. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to ancillary indoor storage, associated office, parking, storage of funeral vehicles, cemetery
- b. **Standards.**
- i. Crematoriums require a Special Exception (See Section XXX Special Exception) in all zoning districts which the use is permitted and must meet all related laws and regulations.
6. **Vehicle Supply Shop (Parts).** Refer to Retail, General (>5,000<30,000 sq ft) for vehicle supply shop (parts) standards.
7. **Vehicle, Truck, and Trailer Minor Repair/Sales/Rental.**
- a. In the district where Vehicle Service requires a Special Exception (Section XXX Special Exception) (“SE”), the following apply:
- i. When a Special Exception is required, it is the Applicant’s burden to prove that granting the permit will not negatively impact the neighborhood or that the site is designed in such a way as to mitigate any such impacts, including traffic, noise, and light.
- b. **Use Standards.**
- i. **Limitation.** Repair and wash facilities for semi-trucks, recreational vehicles, boats, and other oversized vehicles are only permitted in the GC District.
- ii. **Structures: Principal Structure.** Principal Structures shall be constructed using one of the permitted Building Types in the District.
- iii. **Structures: Canopies.** Canopies shall be developed using the following:
- 1) Canopies, including the roof, shall be no taller than twenty-eight (28) feet.
- 2) Canopy roof structures shall match the roof structure of the Principal Structure on the Lot.
- iv. Columns shall be located on the outer edges of the pump islands, outside of and partially screening the pumps.
- v. Columns shall be a minimum of 18” in width in all directions and a maximum of fifteen (15) feet in height.

- vi. Column and canopy materials shall meet the requirements of the underlying zoning district.
- vii. **Service Bays.** Vehicular service bays, including garages and car wash bays, shall not be located on the Street Facing Facade.
- viii. **Outdoor Storage.** Disabled or inoperable vehicles and those awaiting pick-up may be stored outdoors if:
 - 1) The vehicles are not stored for more than two days.
 - 2) The storage area is in the Rear Yard screened from view of the Front and Side Property Line including where visible from a public right-of-way.
 - 3) The storage area is screened using the Type C Side or Rear Yard Buffer outlined in Section XXX regardless of the adjacent land Uses. Where adjacent to residential or agricultural zoned land, the Director may require at a minimum of 1.5 times a Buffer Type C.
- ix. Vehicle sales are not permitted.
- x. **Outdoor Activities.**
 - 1) All repairs or washing activities shall occur inside an enclosed building.
 - 2) Vacuuming activities may occur in open air, but shall be in the Side or Rear Yards except where located adjacent to residentially zoned properties, screened from the Front Property Line.
 - 3) No sound production or reproduction machine or device (including, but not limited to loud-speakers, and sound amplifiers) shall be used
 - 4) Outdoor sales are prohibited except for temporary outdoor display of seasonal items, such as windshield wiper fluid or salt, permitted during business hours under the canopy and adjacent to the Principal Structure.
- xi. Vehicular Service shall be located within 500 feet of the intersection of two (2) arterials or the intersection of an arterial and collector.
- xii. Vehicular Service shall not be located adjacent to a residential, open space, or conservation lot, unless approved as part of a planned development. If approved as a part of a planned development a solid fence or wall of at least six (6) feet in height shall be erected along all property lines separating the site from any lot allowed to have a residential use, open space, or conservation area and along all alley property lines where the property opposite allows for residential uses.
- xiii. The primary building shall have a useable/active pedestrian entrance on the arterial façade.
- xiv. Motor vehicle service and fuel center canopies and their associated columns and supports shall be removed at such time that the fuel center pumps and

tanks are removed. New uses of the property, other than those for motor vehicle service and fuel centers, shall not be allowed to utilize the canopies previously constructed. New uses of the property, other than those for motor vehicle service and fuel centers, shall remove the canopies and their associated support columns and supports previously constructed prior to being allowed to occupy the site with the new use.

8. Financial Service.

- a. **Examples.** The following uses are to be considered under the banks/financial institutions use:
 - i. Bank.
 - ii. Financial Institution.
 - iii. Credit Union.
- b. **Accessibility and Safety.** Drive-through shall be designed so as not to obstruct the movement of pedestrians along sidewalks or between the building entrance and customer parking spaces.
- c. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.
- d. **Prohibited Uses.** Prohibited uses may include but are not limited to drive-through windows, speaker boxes, and ordering stations shall not be adjacent to any residential use or district.
- e. **Traffic Flow.** A bypass lane in drive-throughs is require to ensure free flow of traffic.
- f. **Drive-thru,** call boxes, etc., shall not be located in the front yard or immediately adjacent to a single family residential district.

9. Personal Service.

- a. **Examples.** The following uses are considered under the personal service use:
 - i. Clothing alterations and repair
 - ii. Tanning salon
 - iii. Beauty/Barber Shop (Esthetician/Manicurist/Cosmetologist/Barber)
 - iv. Licensed Massage Therapy
- b. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to offices, storage or repackaging of goods for on-site sale, and parking.

10. Radio and TV Studio. Any facility which deals in the broadcasting of television, radio, or satellite programming.

- a. **Examples.** The following is considered an example under the radio and tv studio use:
 - i. TV broadcasting station

b. **Permitted Accessory Uses.** Permitted accessory uses may include but are not limited to associated offices and parking.

11. **Retail, Neighborhood (<5,000 sq ft).** A singular retail Use involving the Small-Scale sale of goods or merchandise to residents in adjacent neighborhoods. A Use in this category occupies an area of less than 5,000 square feet (combined up to 10,000 square feet on a single lot or within a unified development).

a. **Examples.** The following are considered under the retail, neighborhood use:

- i. Specialty retail; art and education supplies
- ii. Convenience store with or without gas pumps
- iii. Drug store and/or pharmacy
- iv. Grocery store
- v. Hardware store
- vi. Hobby shop
- vii. Supply shop
- viii. Cafe, coffee, or sandwich shop

12. **Retail, General (>5,000<30,000 sq ft).** A singular retail Use involving the medium-scale sale of goods or merchandise to residents living in the community. A Use in this category occupies an area between 5,000 and 30,000 square feet.

a. **Examples.** The following are considered under the retail, general use:

- i. Appliance and electronic sales, repair, and service
- ii. Computer software repair, sales, and leasing
- iii. Department store
- iv. Equipment repair and sales
- v. Home furnishings and accessory sales and medical supply store and rental
- vi. Musical instrument repair and sales
- vii. Pawn shop
- viii. Vehicle supply shop (parts)
- ix. Automobile, truck, and trailer minor repair, sales, and rental.

13. **Retail, Large Scale (>30,000 sq ft).** A singular retail Use involving the Large- Scale sale of goods to residents living within the region. It is typically known as a shopping center and is almost exclusively accessed by automobile and therefore additional consideration shall be given to parking and traffic issues when developing this Use. The goods or merchandise sold may be of the same type or a variety of types as General Retail and occupy a space greater than 30,000 square feet.

14. **Department Store (>15,000 sq ft).** A store of 15,000 or more square feet of gross floor area selling a wide variety of retail goods arranged in general departments.

a. Standards.

- i. In zoning districts which the use requires a Special Exception “SE”, the department store is subject to the size limitations of the Retail, Neighborhood.
15. **Musical Instrument Repair and Sales.** Refer to Retail, General (>5,000<30,000 sq ft) for musical instrument repair and sales standards.
16. **Equipment Repair and Sales.** Refer to Retail, General (>5,000<30,000 sq ft) for musical instrument repair and sales standards.
17. **Pawn Shop.** The retail sales of secondhand merchandise and may offer personal loans secured by consumer goods or other personal property.
- a. **Examples.** The following are considered under the pawn shop use:
 - i. Shops dealing with coins, jewelry and secondhand merchandise
 - ii. Shops dealing with personal loans secured by personal property
 - b. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to retail sales.
18. **Restaurant, Full Service.** Establishments that prepare and sell food for on-premises consumption or off premises consumption. Includes a customer service area consisting of tables, chairs, or customer counters.
- a. **Examples.** The following uses are considered under the restaurant, full-service use:
 - i. Diner
 - ii. Café
 - iii. Fine dining restaurant
 - b. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to ancillary indoor storage, associated office, deck, patio for outdoor seating or dining and entertainment, parking valet parking facility, bar seating, and limited catering.
 - c. **Prohibited Uses.** Prohibited uses may include but are not limited to drive-throughs are classified in Restaurant, w/ Drive Through
19. **Restaurant, Fast Casual.** Establishments that prepare and sell food for on-premises consumption or off premises consumption may include a drive-through. Includes a customer service area consisting of tables, chairs, or customer counters.
- a. **Examples.** The following uses are considered under the restaurant, fast casual use:
 - i. Pizza delivery shops
 - ii. Takeout eating places
 - iii. Fast-food restaurants
 - iv. Limited-service restaurants

- b. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to ancillary indoor storage, associated office, deck, patio for outdoor seating or dining and entertainment, parking valet parking facility, bar seating, and limited catering.
20. **Restaurant, w/ Drive Through.** Establishments that prepare and sell food for on-premises consumption or off premises consumption including a drive-through. Includes a customer service area consisting of tables, chairs, customer counters.
- a. **Examples.** The following uses are considered under the restaurant, w/ drive through use:
 - i. Fast casual
 - ii. Fast food
 - iii. Any restaurant featuring a drive-through lane
 - b. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to ancillary indoor storage, associated office, deck, patio for outdoor seating or dining and entertainment, parking valet parking facility, bar seating, limited catering, and canopies or vehicular cover structures.
 - c. **Use Standards.**
 - i. Drive-through windows, speaker boxes, and ordering stations shall not be adjacent to any residential use or district.
 - ii. Outdoor speakers associated with a drive-through shall be at least fifty (50) feet from any property line.
 - iii. Menu boards shall be a maximum of thirty-two (32) square feet.
 - iv. Drive-throughs shall comply with the standards of Section XXX: Stacking Requirements.
 - v. Streetwalls are required at the boundaries of drive aisles along drive-through lanes. Streetwalls shall meet the requirements of Section XXX: Pedestrian Considerations.
 - vi. Accessory structures such as canopies shall comply with building setback standards per the respective district standards.
21. **Winery.** Refer to Section XXX for winery standards; regulated per TCA 6-54-126, and TCA 57-3-207. Such facilities shall comply with the Tennessee Grape and Wine Law, TCA 57-3-207.
22. **Hotel/Motel.** A facility offering temporary lodging consisting of sleeping rooms with or without in-room kitchen facilities to the public. Secondary service uses may also be provided, such as restaurants, meeting rooms, entertainment, and recreational facilities.
23. **Dry Cleaning/Laundry Establishment.**

- a. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to ancillary indoor storage, associated office, and parking.
- b. **Prohibited Uses.** Prohibited uses may include but are not limited to wholesale laundry cleaning facilities.

24. Liquor Store.

- a. **Standards.** In the districts where Liquor Store is permitted with development standards (“P*”), the following applies subject to the provisions of TCA Title 57, Chapter 3, Part 8 as may be amended:
 - i. No Liquor Store shall be located within five hundred (500) feet of any church, school, daycare, public park, public building, or any residential property, measured from the nearest point of the building housing the liquor store to the nearest point of the building housing any of the Uses listed herein.
 - ii. The number of liquor stores in the city at any time shall be limited to one (1) per each five thousand (5000) residents as measured by the most recent official decennial census or certified special census, not to exceed three (3) liquor stores.

25. Private Clubs. An institution, a club, an organization, or place of accommodation that is not in fact open to the general public.

- a. **Examples.** The following uses are to be considered under the private clubs use:
 - i. Fraternal organizations
 - ii. Country clubs
- b. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to offices, meeting areas, clubhouses, parking, and restaurants open only to members of the private club.
- c. **Prohibited Uses.** Prohibited uses may include but are not limited to event centers or convention centers catering to outside groups or audiences.
- d. **Use Standards.**
 - i. Meals or beverages may be sold to members and their guests only.

26. Car wash.

- a. **Prohibited Districts.** Car washes shall not be permitted as primary or accessory uses in districts adjacent to residential districts.
- b. **Accessory Structures.** Accessory structures including but not limited to vacuum facilities, pre-/post wash facilities including dry-down areas shall meet the setback and buffer requirements for principal structures of the current zoning district.
- c. **Vehicle Stacking.** The facility shall be designed to provide for off-street stacking space for five (5) times the number of vehicles which can be accommodated at one time in the facility.

- d. **Traffic Flow.** The facility shall be designed to allow adequate traffic flow for cars to enter and exit the facility safely. No portion of an exit or entrance shall be less than fifty (50) feet from the right-of-way of an intersection.
 - e. **Dry Down Area.**
 - i. **Single Bay or Self-Service Facilities.** Single bay facilities with automated brushes and multiple bay self-service facilities shall provide space for the parking of one car per bay to be used as a dry down area.
 - ii. **Conveyors or Chain Drag Systems.** Facilities utilizing a conveyor or chain drag system for moving motor vehicles through the washing area shall provide adequate space at the building exit to allow for a dry down area of three (3) times the number of vehicles which can be accommodated at one time within the structure.
 - f. **Required Yards.** For standalone facilities, all required yards shall be landscaped with a Buffer Type C.
27. **Convenience Store w/ Fuel Sales.** Retail oriented uses engaged in the sale of fuel for motor vehicles, and convenience items including but not limited to prepackaged food, beverages, tobacco products, lottery, and other similar products as its primary sale.
2. **Examples.** The following uses are to be considered under the convenience store w/ fuel sales use:
- i. Retail establishments not to exceed 10,000 SF accompanied by fueling stations.
 - b. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited offices, food sales, restaurants located within principal building, storage or repacking of goods for on-site sale, parking, and car wash.
 - c. **Use Standards.**
 - i. There shall be a maximum of four (4) fueling stations in all zoning districts which the use is permitted "P".
 - ii. There shall be a maximum of six (6) fueling stations in all zoning districts which the use requires a special exception "SE".
 - iii. No equipment for vehicle fueling (fueling station) shall be closer than fifteen (15) feet to any public right-of-way and ten (10) to any property line.
 - iv. Car wash, vacuum or similar service-related uses may not be located adjacent to single family residentially zoned property in no case located closer than 20 feet to any property line.
 - v. No fueling station shall be designed to encroach upon, restrict, or limit the free flow of vehicles and dedicated drive aisles.

- vi. The outdoor storage of goods including propane or similar shall not be provided along the front of the building and shall not block or reduce the pedestrian sidewalks.
 - vii. Signage shall not be permitted on bollards, fuel stations or areas of the building beyond those permitted by the Sign standards in Section XXX.
28. **Convenience Store w/o Fuel Sales.** Retail oriented uses engaged in the sale of convenience items including but not limited to prepackaged food, beverages, tobacco products, lottery, and other similar products as its primary sale.
- 1. **Examples.** The following uses are to be considered under the convenience store w/o fuel sales use:
 - (1) Retail establishments not to exceed 10,000 SF.
 - 2. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited offices, food sales, restaurants located within principal building, storage or repacking of goods for on-site sale, parking, and car wash.
 - 3. **Use Standards.**
 - (1) Car wash, vacuum or similar service-related uses may not be located adjacent to single family residentially zoned property in no case located closer than 20 feet to any property line.
 - (2) The outdoor storage of goods including propane or similar shall not be provided along the front of the building and shall not block or reduce the pedestrian sidewalks.
 - (3) Signage shall not be permitted on bollards, fuel stations or areas of the building beyond those permitted by the Sign standards in Section XXX.

2.6.1 E | Recreation and Entertainment Uses

- 1. **Recreation, Indoor.** Commercial uses providing daily or regularly scheduled recreation-oriented activities in an indoor setting.
 - a. **Examples.** The following uses are to be considered under the recreation, indoor use:
 - i. Pool hall
 - ii. Bowling alley
 - iii. Health and fitness facilities
 - iv. Indoor sports facilities
 - v. Indoor shooting range
 - vi. Dance studio
 - vii. Movie theater

- b. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to ancillary indoor storage, associated office, concession, dining area or cafeteria, pro-shop and limited sales of goods related to on-site activities.
- 2. **Recreation, Outdoor.** Use of land, publicly or privately managed for active recreation, entertainment, and amusement for residents within the region. Large scale outdoor recreation commonly involves facilities with five (5) or more acres, illuminated for use after dark, ball courts or fields, parking facilities, restrooms, spectator facilities, and food and beverage service.
 - a. **Examples.** The following uses are to be considered under the recreation, outdoor use:
 - i. Amusement/Theme Parks
 - ii. Country Club
 - iii. Golf Course
 - iv. Membership Sports Clubs
 - v. Riding Academy and Stables
 - vi. Shooting and Archery Range
 - vii. Sports and Recreational Camps
 - viii. Swim Club
 - ix. Tennis Courts
 - 3. **Campgrounds.** Refer to Section xxx for campground standards.
 - 4. **Movie Theater.** Refer to Recreation, Indoor for movie theater standards.
 - 5. **Events Facility.** Venues or facilities used by a group of people for temporary events such as conferences, sports, weddings, event halls, concerts, or similar events.
 - a. **Examples.** The following uses are to be considered under the events facility use:
 - i. Convention center
 - ii. Coordinate wedding and banquet halls
 - iii. Sports stadium
 - iv. Concert hall
 - b. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to offices; meeting rooms; indoor restaurant; bar; lounge; cabanas; boat docks; parking; indoor or outdoor recreation such as: swimming pools, tennis courts, fitness center, sauna, and other similar facilities.
 - c. **Standards.**
 - i. Landscape buffer with a Buffer Type C shall be established along any side of the property abutting any residential use or public right-of-way.

2.6.1 F | Office and Medical Uses

1. **Hospital.** A licensed institution providing medical care and health services to the community. These services may be in one (1) building or clustered in several buildings and typically include laboratories, in- and out-patient facilities, training facilities, medical offices, staff residences, food service, and gift shop.
2. **Medical/Dental Facility.** A facility engaged in the examination, diagnosis, and treatment of medical, dental, chiropractic, ophthalmic, pediatric care, or other health care practices.
 - a. **Examples.** The following uses are to be considered under the medical/dental facility use:
 - i. Dentist or orthodontics offices
 - ii. Doctor offices
 - iii. Medical clinics
 - iv. Medical labs
 - v. Outpatient facilities without ambulatory care
 - vi. Blood testing facilities
 - vii. Dental clinics, labs, and surgery centers
 - b. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to parking and offices.
 - c. **Prohibited Uses.** Prohibited uses may include but are not limited to overnight facilities for patients.
 - d. **Standards.**
 - i. Indoor waiting areas are required so that patients are not allowed to queue for services outdoors.
3. **Professional Office.** A building, or portion of a building, wherein activities are performed involving predominately administrative, record keeping, professional, and/or clerical operations and, where in the case of professions such as dentists, physicians, lawyers or engineers, the facility where such professional services are rendered.
 - a. **Examples.** Examples include professional services such as lawyers, PR and advertising, accountants, engineers, architects, real estate agents, travel agencies, employment agencies, data processing, sales offices, and similar uses.
 - b. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to cafeterias, day care facilities, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.
 - c. **Prohibited Uses.** Prohibited uses may include but are not limited to:
 - i. Offices that are part of and/or located with a firm in another category are considered accessory to the firm's principal activity.

- ii. Contractors and others who perform services off-site are included in the office category if equipment and materials are not stored on the site and fabrication, services, or similar work is not carried on at the site.
4. **Veterinarian.** A facility where animals are provided medical care.
- a. **Examples.** The following uses are considered under the veterinarian use:
 - i. Vet clinic
 - ii. Private veterinarian practice
 - iii. Animal hospital
 - b. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to parking, limited retail sales of animal goods, limited sale of medicine and prescriptions for animal use, associated office, ancillary indoor storage.
 - c. **Standards.**
 - i. All outdoor areas for animals must be fenced.
 - ii. Outdoor activity is permitted only during the day.
5. **Veterinarian w/ Overnight Stay.** A facility where animals are provided medical care. Animals may be boarded or stay overnight within a completely enclosed building. Twenty (24) Hour Veterinarian Clinic Accessory Residential Quarter meeting requirements of 4.160, Excluding Medical Clinics. (Added by Ordinance No. 05-09, May 19, 2005).
- a. **Examples.** The following uses are considered under the veterinarian use:
 - i. Vet clinic
 - ii. Private veterinarian practice
 - iii. Animal hospital
 - b. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to parking, limited retail sales of animal goods, limited sale of medicine and prescriptions for animal use, associated office, ancillary indoor storage.
 - c. **Standards.**
 - i. All outdoor areas for animals must be fenced.
 - ii. Outdoor activity is permitted only during the day
6. **Rehabilitation Facility.** A healthcare facility that provides substance abuse treatment and/or mental health services. Such facilities provide overnight, yet short-term, care and treatment and may include sleeping rooms for healthcare providers and members of the patients' families.
- a. **Examples.** The following uses are considered under the rehabilitation facility use:
 - i. Inpatient drug and alcohol treatment facilities
 - ii. Inpatient mental health services

- b. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to recreational activities, cafeteria, café, dining hall, hobbies, parking of the occupants' vehicles, facilities for staff.

2.6.1 G | Industrial and Manufacturing Uses

1. **Manufacturing.** Manufacturing includes use types involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Products may be finished or semi-finished and are generally made for the wholesale market, made for transfer to other plants, or made to order for firms or consumers.
 - a. **Examples.** The following uses are to be considered under the manufacturing use:
 - i. Wholesale fuel distribution
 - b. **Permitted Accessory Uses.** Permitted accessory uses may include limited but are not limited to retail sales and wholesale sales, offices, cafeterias/eating establishments, warehouses, storage areas, repair facilities, truck fleets, parking for employees.
2. **Artisan Food and Beverage Manufacturing.** A small-scale fabrication or production use by skilled workers which involves or assembly of food or goods with no noxious by-products. May include a showroom or ancillary sales of products.
 - a. **Examples.** The following uses are to be considered under the artisan food and beverage manufacturing use:
 - i. Small scale fabrication of arts
 - ii. 3-D printing
 - iii. Crafts
 - iv. Food or beverages for packaged sales
 - v. Welding
 - vi. Sculpting
 - vii. Arts and crafts
 - viii. Pottery
 - ix. Small-batch bakeries.
 - b. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to associated showroom, ancillary indoor storage, associated office, parking or similar; residential unit(s) for employees and or associated services (i.e., night watchman) may not exceed one (1) dwelling unit per acre and shall only be allowed for employees or associated services and not rental to the general community.
 - c. **Standards.**

- i. Establishment size is limited to 15,000 square feet. Any establishment greater than 15,000 square feet shall be considered Industrial, Light.
 - ii. No processes or equipment may be used that creates dust, smoke, fumes, odors, or vibration which can be detected off property.
 - iii. Outdoor storage is prohibited.
 - iv. Deliveries are limited to parcel and small freight carries and is not intended for large tractor trailers.
- 3. **Flex Facility.** Uses which take place within a flex space building, allowing a flexible range of office, warehouse uses, research and development uses. Flex use buildings allow for a combination of offices, wholesale, and light manufacturing with portions of each use subject to needs of a user.
 - a. **Examples.** The following use is to be considered under the flex facility use:
 - i. Buildings typically in an industrial park or business park environment.
 - b. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to associated showroom, ancillary indoor storage, associated office, cafeteria, parking, on-site repair facility, residential unit for security purposes, outdoor storage associated with principal use.
- 4. Any building or space which allows a flexible range of office, warehouse, research, and development uses. Flex buildings allow for a combination of offices, wholesale, and light manufacturing with proportions of each use subject to the needs of a user.
 - a. **Standards.** In those Districts where Warehouse and Distribution including Logistics is permitted, the Director may apply additional design and development standards and criteria based on the nature of the use(s) provided as part of the Flex Facility.
- 5. **Industrial, Heavy.** Any business or establishment that involves dangerous, noxious, offensive uses. Uses may involve smoke, odor, noise, vibration, or threats to safety and general wellbeing of the public.
 - a. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to associated showroom, ancillary indoor storage, associated office, cafeteria, parking, on-site repair facility, residential unit for security purposes, outdoor storage associated with principal use.
 - b. **Standards.**
 - i. All buildings shall be setback a minimum of fifty (50) feet from property line.
 - ii. Outdoor storage yards shall not be located closer than twenty-five (25) feet to any public street or property line. Outdoor storage yards shall be completely enclosed by an opaque fence or wall not less than eight (8) feet. Outdoor

storage yards are not intended to include junkyards or scrap or salvage operations.

6. **Industrial, Light.** Any business or establishment which deals in light industrial uses including light manufacturing (such as assembly, printing, repair), research and development, self-service storage, and allows for small scale industrial uses, manufacturing and assembly.
 1. **Examples.** The following uses are to be considered under the industrial, light use:
 - i. Monument sales and manufacturing
 - ii. Landscaping contractor, clothing manufacturing
 - iii. Publishing firm
 - iv. Bottling
 - v. Lawn or tree service
 - vi. Sheet metal, stone, or concrete products (but not concrete manufacturing)
 - vii. Commercial packing for fruits and vegetables
 - viii. Trailer storage or freight facility
 - ix. Sale or rental of machinery and heavy equipment
 - x. Wholesale fuel distribution
 - b. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to associated showroom, ancillary indoor storage, associated office, cafeteria, parking, on-site repair facility, residential unit for security purposes, outdoor storage associated with principal use.
 - c. **Prohibited Uses.** Heavy industrial or noxious uses such as concrete manufacturing.
 - d. **Standards.**
 - i. Storage shall be in an enclosed building or an outdoor storage area which is screened/fenced. A minimum six (6) feet opaque screen or fence is required around the outdoor storage area.
7. **Warehouse and Distribution.** A facility primarily engaged in the storage and distribution of manufactured product, supplies, and equipment with little to no sales on site. May also include truck terminals or similar where semi-trucks, trailers and or high-cube/box trucks may be utilized for the transportation of goods; may also include areas for truck, trailer, etc., parking and storage.
 - a. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to associated office, outdoor storage associated with primary use, parking.
 - b. **Examples.** The following uses are to be considered under the warehouse and distribution use:

- i. Bulk storage
- ii. Freight storage
- iii. Outdoor storage yard
- iv. Truck terminals
- v. Transfer and storage businesses
- vi. Commercial packing for food items

c. Standards.

- i. Outdoor storage yards shall comply with the architectural design standards adopted as part of these UDO.
- ii. Outdoor storage yards are not intended to include junkyards or scrap or salvage operations.
- iii. Loading and unloading shall not be conducted in areas that abut a residential use or district.
- iv. Outdoor storage may not exceed the maximum fence height of eight (8) feet except where otherwise approved by the MPC.
- v. The Director may impose other conditions and standards as deemed appropriate including but not limited to access, buffering, lighting, traffic circulation or similar.

8. **Recording, Sound, or Film Studio.** Any facility which deals in audio production and postproduction services to produce master recordings.

9. **Junkyard and Salvage Yard.** Any use dedicated to the storage and dismantling of vehicles, scrap metal and associated waste. Refer to Section XXX for Junkyard and Salvage Yard standards.

10. **Recycling and Waste Related Services.** Any facility which deals in the recycling, disposal, or elimination of used materials or waste.

a. **Examples.** The following are to be considered under the recycling and waste related use:

- i. Landfill
- ii. Recyclable material storage
- iii. Recycling facility
- iv. Solid or liquid waste transfer or composting.

b. **Permitted Accessory Uses.** Permitted accessory uses may include but are not limited to associated office, outdoor storage associated with principal use, parking.

c. Standards.

- i. All buildings shall be setback a minimum of fifty (50) feet from property line.

- ii. Outdoor storage yards shall not be located closer than twenty-five (25) feet to any public street or property line.
- iii. Outdoor storage yards shall comply with the standards of Section XXX.
- iv. Any associated outdoor storage yards are not intended to include junkyards or scrap or salvage operations.

11. Mini-Storage/Self Storage. A structure or premises where the principal use is the indoor storage of personally owned items and goods, for a fee or charge.

a. **Permitted Accessory Uses.** Permitted accessory uses may include but are not limited to associated office and parking.

b. **Standards.**

- i. All storage of items shall be within a fully enclosed building.
- ii. Lighting shall be directed away from adjacent residential uses.
- iii. Surfaces including drive aisles, loading/unloading and the like, shall be constructed of asphalt, concrete or other durable surface material; gravel shall not be permitted.
- iv. The Director may require additional landscape and Buffer Type C where the property fronts a public street and or is adjacent to residential uses.

12. Landfill. Any facility for disposal of solid waste on land in a sanitary manner in accordance with the minimum standards of the State of Tennessee wherein “solid waste” as defined by State standards is disposed of by utilizing acceptable landfill engineering technology.

a. **Examples.** The following are to be considered under the landfill use:

- i. **Landfills**
- ii. **Solid or liquid waste transfer**

b. **Permitted Accessory Uses.** Permitted accessory uses may include but are not limited to associated office, outdoor storage associated with primary use, parking.

c. **Standards.**

- i. Direct illumination resulting from the operation shall not fall upon any land not covered by the application.
- ii. Equivalent sound levels at the boundaries of the fill site shall not exceed the following standards;
 - 1) Between 7:00 a.m. and 7:00 p.m., 68 dBA
 - 2) Between 7:00 p.m. and 7:00 a.m., 5 dBA
- iii. Vibration levels at the boundaries of the fill site shall not exceed a maximum peak particle velocity of steady state -1.0 inches/second, and an impact -2.0 inches/second. NOTE: The maximum particle velocity shall be the maximum displacement sums of three mutually perpendicular components, recorded

simultaneously, multiplied by the frequency in cycles per second. For purposes of this section, steady-state vibrations are vibrations which are continuous, or vibrations in discrete impulses more frequent than 60 per minutes. Discrete impulses which do not exceed 60 per minute, shall be considered impact vibrations.

2.6.1 H | Office and Medical Uses

1. Airport.

- a. **Standards and Permits.** All applicable State and federal standards must be met, including but not limited to TDOT, and the respective approvals obtained.
- b. **Landing Strip Setbacks.** The landing strip must be set back at least two hundred (200) feet from any adjacent property zoned AG, RL, RM, and RH.
- c. **Dimensional Requirements.** Hangars and other structures must observe the dimensional requirements for principal buildings in the zoning district.
- d. **Repair and Maintenance Facilities.** Repair and maintenance facilities are limited to those necessary for the aircraft using the private airport. All such facilities, except dual storage and pumps, must be located within the hangar.

2. Truck Terminals.

Refer to Warehouse and Distribution for truck terminal standards.

3. Infrastructure and Utilities.

Public or private infrastructure facilities. May be public or privately provided.

- a. **Examples.** The following uses are to be considered under the infrastructure and utilities use:
 - i. Water and sewer pump stations
 - ii. Water towers
 - iii. Electrical substations
- b. **Permitted Accessory Uses.** Permitted accessory uses include but are not limited to parking, control, monitoring, data, or transmission equipment.
- c. **Prohibited Uses.** Prohibited uses may include but are not limited to utility offices where employees and customers are generally present are classified as professional office or government.
- d. **Use Standards.**
 - i. Any infrastructure and utility facilities shall be screened from view from public rights-of-way and surrounding uses.

4. Wireless Telecommunication Facilities.

In the districts where a Wireless Transmission Facility is permitted with development standards ("P*"), Site Plan review (Section XXX Site Plans) is required, including review by the DRC. Refer to Section XXX Wireless Transmission Facilities.

5. **Parking Lots and Structures.** This Use and following Standards are understood to be applied to commercially oriented parking lots and structures including parking garages and shall not be applied to parking lots and areas associated with a specific use (i.e, facilities for residents and or customers). In all cases, the design and construction of parking areas whether public, private or for commercial purposes shall meet the standards provided in Section XXX except where otherwise provided below for commercial parking facilities.
- a. **Standards.** In the districts where a Parking Lot requires a Special Exception, the following applies:
- i. **Special Exception.** Special Exception additional review standards. It is the Applicant's burden to prove that granting the permit will not negatively impact the neighborhood or that the site is designed in such a way as to mitigate any such impacts, including traffic, noise, and light.
 - ii. **Adjacent Parking Lots.** Two (2) parking Lots cannot be located directly adjacent to one another.
 - iii. **Associated Use.** Parking Lot shall not be associated with an individual Single Family residence.
 - iv. **Distance.** Parking Lot shall be within one (1) Block's distance of the associated use unless an approved parking agreement is in place (refer to Section XXX Alternative Off-Street Parking Standards) or at least seventy-five (75) of spaces are dedicated as a Public Parking Facility.
 - v. **Pedestrian Access.** Shall be connected to associated Use by a Dedicated, public pedestrian pathway.

3 Nonconformities

3.1 | PURPOSE

The purpose of this Section is to regulate and limit the continued existence of nonconforming uses of land, vacant lots, structures, and improvements that were lawfully established before the effective date of this Ordinance, or a subsequent amendment thereto, but that do not conform to the standards and requirements of this Ordinance or subsequent amendment. Such uses of land, vacant lots, structures, and improvements are collectively referred to as “nonconformities.” It is the general policy of the City to allow nonconformities to continue to exist. The purpose and intent of this article is to recognize the interests of property owners in continuing to use the land, but to preclude the expansion of a nonconformity or the reconstruction or reestablishment of a substantially destroyed or discontinued nonconformity unless doing so can serve as an incentive to achievement of even greater public benefit.

Determination of a Nonconformity- The burden of establishing that a nonconformity lawfully exists shall be the responsibility of the person who owns or rents the property upon which the nonconformity exists. Evidence that may be used to prove the legal status as a lawful nonconformity may include approved permits, construction plans, and records of previously approved regulations.

Ownership Changes- No change of title or possession of property shall be construed to prevent the continuance of the nonconformity.

Increases in a Nonconformity- A nonconformity shall not be expanded, intensified, or enlarged except as provided by this Section.

3.2 | NONCONFORMING USES

3.2 A | Definition

A nonconforming use is a use of land, buildings, and/or structures that was lawfully established before the effective date of this Ordinance, or a subsequent amendment thereto, but does not comply with the use standards applied by this Ordinance or the subsequent amendment.

3.2 B | Ordinary Repairs and Maintenance

Normal maintenance and incidental repair may be performed on any structure that is devoted in whole or in part to a non-conforming use, provided it will not create any new non-conformity or increase the degree of non-conformity.

3.2 C | Structural Alterations and Replacements

Structural alterations and complete replacement of any structure devoted to a non-conforming use is permitted, subject to compliance with other terms of this Ordinance.

3.2 D | Expansion of Use

DISCUSS WITH STAFF

3.2 E | Relocation

A non-conforming use of land or a structure that the non-conforming use occupies shall not be relocated, in whole or in part, to any other location on the same lot or parcel. The nonconforming use may only be relocated to another lot or parcel if the use conforms to all regulations of the zoning district in which it is relocated including all use regulations.

3.2 F | Change of Use

A non-conforming use shall not be changed to any other non-conforming use. For the purpose of this Chapter, a use is defined as a use as listed on any single line within the tables of permitted and conditional uses within this Ordinance. For example, a non-conforming retail use may change to another non-conforming retail use, but not to a motor vehicle dealership or to an office. When such a non-conforming use has been changed, in whole or in part, to a permitted use, the whole or part which has been made to conform may not be changed back to a use that is not permitted. A change of use shall be deemed to occur when an existing non-conforming use has been terminated and another use has commenced. Any change in use in violation of this Ordinance shall be deemed an abandonment of the previously existing lawful non-conforming use.

3.2 G | Discontinuation or Abandonment

If a nonconforming use is discontinued or abandoned for 180 days or more, the use shall not be reestablished or resumed. Operation of the use without a license or permit

required by the City or State, for 180 days or more, shall constitute a termination of nonconforming use.

Note: See Chapter X Non-Conforming Signs for Issues Relating to Signs.

3.2 H | Damage or Destruction

If any structure and/or property that is devoted in whole or in part to a nonconforming use is damaged or destroyed, the structure and/or property may be repaired, reconstructed, or restored and the non-conforming use continued, provided that no new nonconformities are created and that the existing degree of non-conformity is not increased. A building permit shall be obtained for such rebuilding, restoration, repair, or reconstruction of a commercial or industrial building within 30 months, and for residential and other noncommercial and non-industrial buildings, within one year of the date of damage or destruction, and construction shall be completed within one year of issuance of the building permit. In the event that the permit is not obtained within the time limits specified above, or that repairs or restoration are not completed within one year of the issuance of the building permit, then the non-conforming use shall not be continued.

3.3 NON-CONFORMING STRUCTURES

3.3.A | Ordinary Repairs and Maintenance, Structural Alterations and Additions

Ordinary repairs and maintenance, structural alterations and additions to non-conforming buildings and structures, including fences, are permitted. The non-conformity may remain. However, the degree of non-conformity shall not be increased. For the purpose of this Chapter, structural alteration may include the removal of a building down to the foundation and re-construction or replacement of the building on the same foundation with the same non-conformity within six months of removal. The degree of nonconformity shall not be increased.

3.3.B | Re-construction and Replacement

Non-conforming buildings and structures shall not be re-constructed or replaced except in conformity with this Ordinance.

3.3.C | Relocation

A non-conforming structure shall not be relocated, in whole or in part, to any other location on the same zoning lot or parcel unless it is made to comply with all terms of this Ordinance. A non-conforming structure may be relocated to another zoning lot or parcel if the structure conforms to all regulations of the zoning district in which it is relocated. (See limitations on relocating buildings.)

3.3.D | Damage

When a building or structure is damaged or destroyed, by any means not within the control of the property owner or tenant, it may be repaired and reconstructed provided that no new nonconformities are created and that the existing degree of non-conformity is not increased. A building permit shall be obtained for such rebuilding, restoration, repair, or reconstruction within 30 months of the date of damage or destruction, and the construction shall be completed within one year of issuance of the building permit. If the building permit is not obtained within one year, or that repairs are not completed within one year of the issuance of the building permit, then the structure shall not be restored unless it conforms to all regulations of the district in which it is located. These time limits shall not apply to repair and re-construction on non-conforming lots.

3.4 NONCONFORMING LOTS

3.4.A | Definitions

A nonconforming lot is a lot that was lawfully created before the effective date of this Ordinance, or a subsequent amendment thereto, but does not conform to the lot standards applied by this Ordinance or the subsequent amendment. Legally established lots (including platted lots) predating the adoption date of this ordinance that do not conform to the minimum lot standards set for in this ordinance may be used as if they are conforming. However, no new use that has a greater lot size requirement than the ordinance established minimum lot size is permissible on a nonconforming lot.

Development on a nonconforming lot shall comply with the following standards:

1. If a structure is legally conforming and meets all standard requirements in this ordinance, the structure may be continued, enlarged, or reconstructed in any way that is in conformance with this ordinance.

2. Nonconforming structures established on nonconforming lot(s) shall follow the provisions of Section 5-4 Nonconforming Structures and Improvements

Changes to Nonconforming Lot- The boundaries, lot lines, shape, or size of a nonconforming lot may only be changed if it makes the lot more conforming.

3.5 NON-CONFORMING DEVELOPMENT FEATURES

3.5.A | Definitions

A nonconforming development feature is any aspect of a development, other than a nonconforming lot or a nonconforming use, that was lawfully established, in accordance with regulations in effect at the time of its establishment but that no longer complies with one or more standards of this ordinance. Common examples of nonconforming development features are buildings that do not comply with current setback or height standards, off-street parking or loading areas that contain fewer spaces than required by current standards, signs that do not comply with location or size standards, or sites that do not comply with current landscaping or buffer yard standards.

3.4.B | Regulations

Nonconforming site features may be continued subject to the following limitations:

1. For development existing (or for which a vested right had been established) before the effective date of this Ordinance, nonconforming site features created by a change in regulations may continue to exist, and structures comprising such nonconforming site features may be reconstructed if demolished or destroyed.
2. For all other nonconforming site features, no action shall be taken that increases the degree or extent of the nonconforming site feature, and no nonconforming site feature shall be extended, expanded, enlarged, or otherwise altered, unless the site feature thereafter conforms to all current requirements of this Ordinance.
3. If a structure or other element of development composing a nonconforming development feature is damaged to the extent of 50 percent or more of its assessed taxable value or current appraised value, it may not be restored, reconstructed, or replaced unless the nonconforming development feature is eliminated or made conforming.

4.2 Parking, Loading and Access Standards

4.2.1 | PURPOSE, INTENT, AND APPLICABILITY

4.2.1 A | Purpose and Intent

The provisions of this section must govern off-street parking and loading areas within the City. The purpose of this section is to ensure the City is served by adequate parking and loading facilities that are proportional to market demands and the generalized need for such uses. This section intends to:

1. Recognize parking and loading demands of uses;
2. Provide a range of adequate parking, vehicular and bicycle, and loading standards, receptive to market demand while providing flexibility to developments;
3. Provide for the safe movement of vehicles and pedestrians through off-street parking areas;
4. Allow for alternative parking options in certain defined circumstances;
5. Minimize (reduce) excessive areas of impervious surfaces dedicated to parking;
6. Provide for compatibility between parking and loading areas and adjacent uses as may be applicable; and
7. Provide for high quality, safe designs that will add to the aesthetic well-being of the City.

4.2.1 B | Applicability

No parking must be altered, replaced, converted, changed, or modified except in accordance with the requirements of this section. Off-street parking and loading areas must comply with the applicability standards below:

1. Off-street parking and loading areas must be provided in accordance with this UDO for all new development and redevelopment.
2. Permitted off-street parking and loading areas must be maintained and continued; modifications must require approval per this section.

3. Surface off-street parking and loading areas shall be constructed of concrete, asphalt or similar materials. Alternative parking surfaces are permitted per the standards within Section XXX.
4. Off-street parking must be located on the same plot or parcel of land it is intended to serve, unless specifically permitted otherwise in this section.
5. No permit for new construction or an addition/expansion may be permitted until the parking requirements of this UDO have been met. If there is an increase in floor area (1,500 square feet or more), number of dwelling units, or seating capacity exceeding ten (10) percent, the required number of parking spaces and loading areas must be provided per requirements of this section.
6. A change in the use of a building must meet the parking requirements for that new use.
7. Maintenance, repair, restriping and similar providing there is no increase in the number of spaces of more than five (5) percent or 20 spaces, whichever is less, must not require improvement of the existing parking facilities to meet the standards of this UDO.

4.2.1 C | Change in Uses

A change in use in a building shall meet the parking requirements for that new use. If the parking requirements of this UDO cannot be met for the new use, the Planning and Development Director may make a determination as to whether or not the current parking can sustain the new proposed use. The Planning and Development Director may request additional information regarding the proposed use, but if such a determination cannot be made with the information provided, the Planning and Development Director may request an Alternative Parking Plan (see Sec. XXX Alternative Parking Plan).

4.2.2 | OFF-STREET PARKING REQUIREMENTS

4.2.2 A | Off-Street Parking Plan

Developments applications subject to the applicability of this section must include a parking plan. Parking plans must include:

1. Number of proposed parking spaces;

2. Location of proposed parking spaces, drive aisles, driveways, and access points;
3. Relation of vehicular use areas, including how parking facilities interface with vehicular, pedestrian, and multi-modal circulation systems.

4.2.2 B | Off-Street Parking Table

Off-street parking must be provided in accordance with Table 4.2.2: Off-Street Parking Table.

1. **Minimum.** Table 4.2.2: Off-Street Parking Table, provides the minimum parking required for permitted uses within the City. For example, under the “Minimum Required” column, “1.0/Dwelling Unit” must be understood to mean at minimum one (1) parking space per dwelling unit is required.
2. **Gross Floor Area.** Parking standards are to be calculated per 1,000 SF (square feet) of gross floor area, unless otherwise noted. Fractional calculations must round to the nearest whole number. When units or measurements determining the number of required parking spaces result in the requirement of a fractional space, then such fraction equal to or greater than one-half (0.5) must require a full off-street parking space. Where the parking standards are based on floor area, it must be understood to be gross floor area, except the following areas of a structure which may be excluded.
 - a. Common restrooms.
 - b. Elevator structures.
 - c. Parking structures.
 - d. Public corridors.
3. **Uses Not Listed.** In situations where a proposed use is not identified in Table 4.2.2, the Director or designee may apply an alternative off-street parking standard based on the use determined to be the most similar to the proposed use. A parking study or similar analysis (Alternative Parking Plan) prepared by a Professional Engineer or Certified Land Use Planner or other recognized professional with experience in parking studies may be provided to the Director which can be used in applying an alternative parking standard.

4.2.2 C | Parking Requirements Table

Parking must be provided in accordance with Table 4.2.2, Parking Requirements.

Table 4.2.2 – Parking Requirements (by use)

USES	MINIMUM REQUIRED	ADDITIONAL STANDARDS
RESIDENTIAL		
Adult Day Care	2.0/1,000 SF	
Bed and Breakfast	1.0/Room	
Boarding and Rooming Houses	2.0/Dwelling Unit	
Dwelling, Single-Family Detached	2.0/Dwelling Unit	Garage excluded from required parking. Minimum driveway length 20 feet unless rear loaded.
Dwelling, Single-Family Attached	2.5/Dwelling Unit	Minimum driveway length 20 feet from face of garage to back of sidewalk/ROW, unless rear loaded.
Accessory Dwelling Unit	1.0/Dwelling Unit	Section XXX Accessory Dwelling Units Standards
Two Family House, Multiplex	2.0/Dwelling Unit	Garage excluded from required parking. Minimum driveway length 20 feet unless rear loaded.
Dwelling, Townhouse, Dwelling, Stacked Townhouse	2.0/Dwelling Unit	
Dwelling, Multi-Family	1.75/Dwelling Unit	
Ind./Assisted Living/Nursing Home/Hospice	0.25 / Bed & 1 / Employee	
Dwelling, Home Occupation	2.0/Dwelling Unit	Section XXX Home Occupations Standards
Dwelling, Manufactured Home, Individual Lot	1.0/Dwelling Unit	

Manufactured Home Park	2.0/Dwelling Unit	Section XXX Manufactured Home Park Standards
Short Term Rentals Primary	2.0/Dwelling Unit	
Short Term Rentals, Owner Occupied	2.0/Dwelling Unit	
AGRICULTURAL		
Agricultural, Crop Production		
Livestock	1.0/1,000 SF	
Animal Feeder/Breeder		
Nursery/Greenhouse/Garden Center	2.0/1,000 SF	
CIVIC		
General Assembly		
Private School: Pre K to Junior High, Public School: Pre K to Junior High	2.0/Classroom	
Private School: High School, Public School: High School	7.0/Classroom	
Higher Education (College, Junior College University, Technical)	5.0/1,000 SF	
Educational Services		
Cemeteries	N/A	
Cultural, Library and Museum Facility	2.0/1,000 SF	
Religious Institutions	1.0/4.0 Seats	Seats in the sanctuary/assembly room must be used for calculation
Government/ Essential Services/Buildings	2.0/1,000 SF	Based on office/public space
Post Office	4.0/1,000 SF	

Social Services	2.0/1,000 SF	
Special Institutional Care Facilities (Added by Ordinance No. 97-15, December 20)		
RETAIL AND COMMERCIAL		
Adult Oriented Business	4.0/1,000 SF	
Animal Shelter/ Kennel	2.0/1,000 SF	
Crematoriums and Mortuaries		
Child Day Care	2.0/1,000 SF	
Funeral Home	2.0/1,000 SF	
Vehicle Supply Shop (Parts)		
Vehicle, Truck, and Trailer Minor Repair/Sales/Rental	4.0/1,000 SF	
Financial Service	2.5/1,000 SF	
Personal Service	2.0/1,000 SF	
Radio and TV Studio		
Retail, Neighborhood (< 5,000 sq ft)	4.0/1,000 SF	
Retail, General (> 5,000 < 30,000 sq ft)	4.0/1,000 SF	Shopping centers will be based on an aggregate of square feet to determine required parking
Retail, Large Scale (> 30,000 sq ft)	4.0/1,000 SF	Shopping centers will be based on an aggregate of square feet to determine required parking
Department Store (> 15,000 sq ft)	4.0/1,000 SF	Shopping centers will be based on an aggregate of square feet to determine required parking

Musical Instrument Repair and Sales	2.0/1,000 SF	
Pawn Shop	2.0/1,000 SF	
Restaurant, Full Service	7.0/1,000 SF	Only customer service areas and outdoor seating areas must be included in calculation
Restaurant, Fast Casual	7.0/1,000 SF	Only customer service areas and outdoor seating areas must be included in calculation
Restaurant, w/ Drive Through	7.0/1,000 SF	Only customer service areas and outdoor seating areas must be included in calculation
Winery	5.0/1,000 SF	Only customer service areas and outdoor seating areas included in calculation.
Hotel/Motel	.05/Room	
Dry Cleaning/Laundry Establishment	2.0/1,000 SF	
Liquor Store	4.0/1,000 SF	
Private Clubs	5.0/1,000 SF	
Car Wash	2.0/1,000 SF	Excludes self-service car washes. Stacking for five vehicles for automatic car wash lane.
Convenience Store w/ Fuel Sales, Convenience Store w/o Fuel Sales	2.0/1,000 SF	Filling station/gas pump must not constitute parking
RECREATION AND ENTERTAINMENT		
Recreation, Indoor	2.5/1000 SF	
Recreation, Outdoor	1.0/5,000 SF	
Campgrounds	.05/Lot	XXX Campgrounds
Movie Theater	2.5/1,000 SF	

Events Facility	5.0/1,000 SF	
OFFICE AND MEDICAL		
Hospital	2.0/1,000 SF	
Medical/Dental Facility	3.0/1,000 SF	
Professional Office	2.5/1,000 SF	
Veterinarian, Veterinarian w/ Overnight Stay	2.0/1,000 SF	
Medical/Dental Facility	3.0/1,000 SF	
Rehabilitation Facility	1.5/Dwelling Unit	
INDUSTRIAL AND MANUFACTURING		
Manufacturing	1.0/1,000 SF	
Artisanal Manufacturing	1.0/1,000 SF	
Flex Facility	1.0/1,000 SF	
Industrial, Heavy	1.0/1,000 SF	
Industrial, Light	1.0/1,000 SF	
Warehouse and Distribution	1.0/1,000 SF	
Recording, Sound, or Film Studio	2.0/1,000 SF	
Junkyard and Salvage Yard	1.0/1,000 SF	Only office facilities must be included in calculation
Recycling and Waste Related Services	1.0/1,000 SF	
Min-Storage/Self Storage	1.0/1,000 SF	
Land Fill	1.0/1,000 SF	Only office facilities must be included in calculation
UTILITIES AND OTHER		

Airport	None	
Truck Terminals		
Infrastructure and Utilities	2.0/1,000 SF	
Wireless Telecommunications Facilities	1.0/1,000 SF	
Parking Lots and Structures	None	

4.2.2 C | Required Accessible Parking

Required Accessible Parking must be provided in accordance with Table 4.2.2.1: Off-Street Parking Table

- 1. Required Accessible Parking. Parking facilities accessible for persons with disabilities shall be in compliance with or better than the standards detailed in Tennessee Code Annotated (T.C.A.) §55-21-105, including quantity, size, location, signage, and accessibility, based on the ADA Accessibility Guidelines (ADAAG).
 - a. Refer to Table 4.2.2.1 Required Accessible Parking Spaces.
 - b. Each accessible space provided shall be included in the overall number of required spaces for a Use.
 - c. Van accessible spaces shall meet ADA requirements. Quantities and design of van accessible spaces shall meet requirements of Tennessee Code Annotated (T.C.A.) §55-21-105.

Table 4.2.2.1 Required Accessible Parking Spaces

Total Spaces	Accessible Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5

151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 percent of total
1,000+	20 plus 1 for each 100, or fraction thereof, over 1,000

4.2.3 | PARKING DESIGN STANDARDS

4.2.3 A | General Design Standards

1. **Parking Plans.** A Parking Plan shall be required for all development and redevelopment with the exception of single-family residential uses. Parking plans shall be reviewed in compliance with Section 4.2.21: Parking Plan. Parking Plans shall include at minimum all items required in Section 3.4.21: Parking Plan, and dimensional standards of parking, including but not limited to those in Section 4.2.3.C: Dimensional Standards.
2. **Arrangement.** Off-street parking shall be arranged so that vehicles may be parked/unparked without moving other vehicles, except for parking structures which may be designed to allow tandem parking and/or valet services.
3. **Encroachment.** No parking space may be designed in such a way to encroach, hinder or otherwise block a public or private roadway, alley, or sidewalk. Parking spaces may be allowed in a setback or build-to-zone (BTZ) as permitted in this UDO.
4. **Overhang.** Where parking spaces are located such that the parked vehicle will overhang a sidewalk, a minimum clear width shall be provided equal to the minimum sidewalk width required. Where the overhang encroaches into a required landscape buffer, additional landscape materials including but not limited to additional width and or numbers of plant materials.
5. **Driveways.** Driveways, drive aisles, and joint access easements shall not be used for parking vehicles except for single family and two-family residential.

6. **Wheel Stops.** Wheel stops shall be prefabricated, concrete or recycled plastic product manufactured specifically for this use. The use of railroad ties or other non-traditional wheel stops shall not be permitted. Facilities shall have curbs or motor vehicle stops or similar devices so as to prevent vehicles from overhanging on or into adjacent property, or from encroaching into required landscaped areas.
7. **Landscaped Parking Islands.** Parking areas shall be visually and functionally segmented using landscaped islands and canopy trees and meet the requirements of Section 4.2.6: Parking Area Buffers, of this UDO. All landscape requirements for parking areas shall be met.
8. **Drainage.** Parking areas shall be drained so as not to cause any nuisance on adjoining or nearby properties.
9. **Access and Maneuvering.** Parking areas shall be arranged for convenient access, maneuvering and safety of pedestrians and vehicles. Parking areas shall be arranged so that no vehicle shall be required to back up from such facilities directly onto designated arterial or collector streets. Parking areas shall be designed, maintained and regulated so that no parking or maneuvering incidental to parking shall be on any public street, sidewalk, or alley.
10. **Marking of Spaces.** All off-street parking area spaces shall be marked.
11. **Storage Prohibited in Parking Areas.** All off- street parking spaces (including driveways, aisles, etc.) shall be dedicated for the parking of vehicles in operating condition and shall not be used for storage or display of vehicles, materials, or goods, unless otherwise stated in this UDO.
12. **Vehicle Repair and Service.** No motor vehicle repair work or service of any kind shall be permitted in association with parking or loading facilities provided in these districts, except for emergency service required to start vehicles or short incidental minor repairs, such as replacement of a battery.

4.2.3 B | Paving

1. **Applicability.** Paving shall be required per the standards of this Section for:
 - a. All new parking, loading, driveways and drive aisles, serving new construction, including expansions to existing uses;

- b. All parking, loading, and driveways and drive aisles, existing and new, serving any use expanded in lot coverage/square footage by more than twenty percent (20%) after the effective date of this ordinance; and
 - c. All existing parking, loading, and driveways and drive aisles, serving a use discontinued for a period of 180 days or longer.
- 2. **All Uses (Except Single family Residential).** All parking, loading, and driveway areas shall be paved and maintained with asphalt or concrete. Single family residential uses are not required to meet this standard.
- 3. **Single Family Residential Uses.** Single family residential shall be required to have a paved driveway off of a public street which provides a continuous paved surface from the edge of pavement or curb line of the public street to the attached or detached garage or carport, if provided, or front building line of the dwelling, if not provided. Such partial pavement shall not in any event be required to extend more than one-hundred (100) feet beyond the edge of pavement or curb line of the public street, except as otherwise stated in the UDO or approved by a variance. All driveways must be at least ten (10) feet in width at their narrowest point.
- 4. **Vehicles, Boats, Manufactured Home, and Equipment Sales, Service, and Leasing Sites, Storage and Display.** All storage and/or display areas shall be paved with asphalt or concrete.
- 5. **Exceptions to Paving Requirements.** Except where otherwise regulated by the City's Development and Design Standards, paving requirements may be waived the Director in the following instances and or uses, however, a Zoning Permit in compliance with Section XXX: Zoning Permit, must be obtained for each of the following parking uses:
 - a. Temporary parking areas used for seasonal or special events.
 - b. Areas of manufacturing and industrial uses which are used for parking and storage of heavy machinery, equipment, and vehicles, provided these areas are constructed with gravel or another comparable all-weather compacted surface.

4.2.3 C | Dimensional Standards

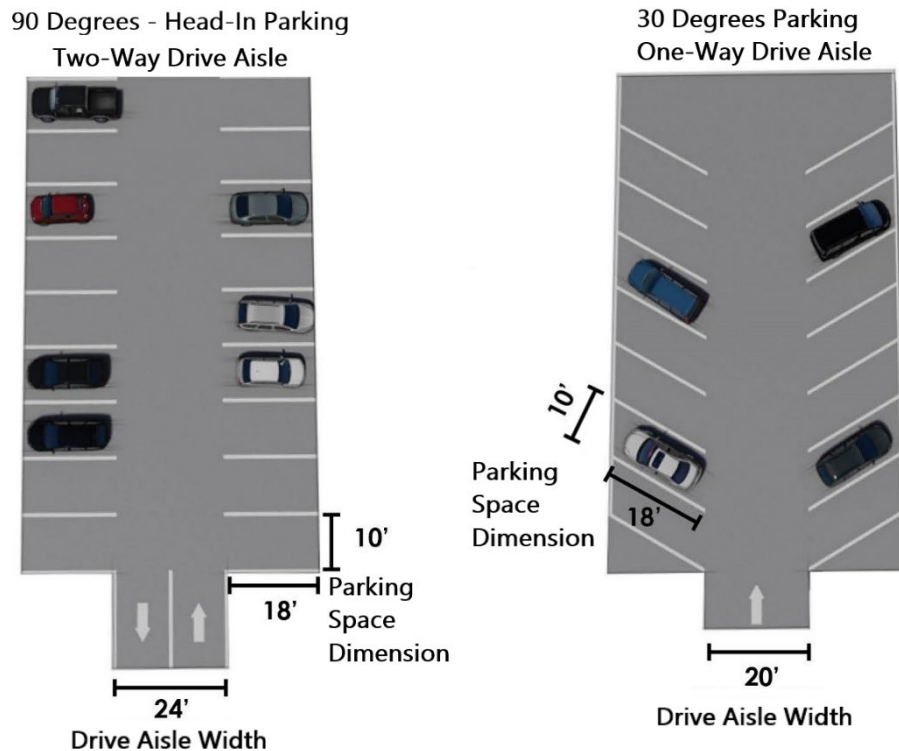
Parking areas shall include parking spaces of a minimum of ten (10) feet in width by eighteen (18) feet in length. Handicapped parking spaces shall comply with all applicable state laws. Minimum drive aisle widths shall comply with Table 3.6.2: Parking Area Dimensional Standards, below. Figure 3.6.3 has been provided as an illustrative example.

Table 4.2.2. Parking Area Dimensional Standards Table

Type of Parking Angle	Minimum Drive Aisle Width (Feet)	
Angle of Parking	One-Way	Two-Way
0 Degrees (Parallel)	20	20
30 Degrees	20	22
45 Degrees	20	22
60 Degrees	20	24
90 Degrees (Head-In)	20	24
Entrance/Exit	20	24

Figure 4.2.3. Parking Area Dimensional Standards Graphic

Note – new graphics pending and being finalized; will be inserted upon completion



4.2.3 D | Demarcation

1. Parking areas of three or more spaces and parallel parking spaces shall be demarcated by painted lines or other methods identifying individual parking spaces, except for single residential.
2. Compact spaces shall be labeled as such on the pavement.
3. Loading areas shall be demarcated by signage, striping, and labeling on the pavement.

4.2.3 E | Surfacing

All off-street loading and parking spaces shall be constructed of a heavy-duty concrete, asphalt, or equivalent conforming to the specifications of the Public Works Department and where applicable the City's Development and Design Standards.

4.2.3 F | Curbs and Wheel Stops

1. Parking and loading areas shall provide curbs or similar devices to prevent vehicle overhang into public right-of-way, sidewalks, adjacent property, or landscape areas.

2. Vehicle wheel stops are permitted only for handicap-accessible spaces or spaces within parking structures.

4.2.3 G | Timing of Construction

1. All required parking and loading areas shall be completed in accordance with approved plans prior to the issuance of a certificate of occupancy for the use they serve.
2. Phased development shall provide parking and loading areas for each portion of the development for which a development plan or site plan is approved.

4.2.3 H | Maintenance

1. Parking and loading areas shall be maintained in good repair and in safe condition at all times so as not to constitute a hazard to public safety or a visual or aesthetic nuisance to surrounding property.
2. Surfacing materials shall be maintained in a smooth, well-graded condition, except for approved pervious paving.
3. Parking and loading areas shall be periodically painted or otherwise maintained to retain clear identification of individual spaces.

4.2.3 I | Renovations and Repairs

1. A building or site may be renovated or repaired without providing additional parking, providing there is no increase in floor area unless the addition in area meets the requirements set forth in this UDO. If there is an increase in floor area, the requisite number of parking spaces shall be provided per requirements of this Section. If additional parking cannot be provided consistent with this Section, the Planning and Development Director may request an Alternative Parking Plan (see Section XXX: Alternative Parking Plan).

4.2.4 | LOCATION OF OFF-STREET PARKING SPACES

4.2.4 A | Residential Uses

1. All required parking spaces for residential uses shall be located on the same lot as the building or use served except for condominiums where the parking may be located on adjacent common open space.

2. For single family and townhome dwelling(s), parking shall be permitted in private driveways, but no such parking may encroach onto the public right-of-way or sidewalk. Parking spaces located within garages or covered carports shall not be utilized in calculating the required number of parking spaces.
3. Parking lots in Old Town Commercial and Old Town Residential districts should be located along the side and/or rear of the buildings rather than in front of the buildings. Parking on the side shall be screened as per Section 4-3 (Landscaping).

4.2.4 B | Non-Residential Uses

1. All required off-street parking areas for non-residential uses shall be located on the same lot as, or within three hundred (300) feet of, the building or use served (see also Satellite Parking standards below). However, off-street parking accessory to a commercial or industrial use shall not be in any residential district except where may be approved as part of a mixed use project.
2. When required off-street parking spaces are provided at an off-site parking area, such off-site parking areas shall be, and remain in, the same possession and ownership as the zoning lot occupied by said building or use. No such off-site parking areas, including land-banked parking, shall be authorized and no Use and Occupancy Permit shall be issued, unless the Planning Department has reviewed the plans and has made findings that common ownership or possession does and will continue to exist with respect to the zoning lot and the land containing the off-site parking areas, and that the off-site parking area will be maintained at all times during the life of the proposed use or building. A covenant to this effect shall be recorded with the County Register of Deeds.
3. Off-street parking spaces are permitted within any yard. However, where a yard abuts a residential district, no off-street parking spaces shall be permitted within ten (10) feet of the lot line abutting the residential district.

4.2.5 | LOADING AND UNLOADING REQUIREMENTS

4.2.5 A | Generally

Whenever the normal operation of any development requires that goods, merchandise, or equipment be routinely delivered to or shipped from that development, a sufficient

off-street loading and unloading area must be provided to accommodate the delivery or shipment operations in a safe and convenient manner.

4.2.5 B | Loading Areas Design Standards

1. **Loading Areas Design Standards.** Loading and unloading areas shall be so located and designed as follows:
 - a. So that vehicles can maneuver safely and conveniently to and from a public right-of-way.
 - b. So that vehicles can complete the loading and unloading operations without obstructing or interfering with any public right-of-way or any parking space or parking lot drive aisle including designated fire lane(s).
 - c. Loading areas shall be located outside of a public right-of-way when practicable and be indicated through signage.
 - d. The size of loading areas shall be based upon the needs of the use in a building. The minimum size of a loading area shall be the same size as the minimum parking space. For uses that require commercial delivery trucks or semi-trailers, loading areas shall be made to accommodate the typical commercial delivery vehicle.
 - e. A minimum of one (1) loading space per development is required, however, loading spaces shall be provided and maintained in sufficient numbers to adequately handle the needs of a nonresidential use. Every application for a site and development plan shall demonstrate sufficient numbers of loading spaces is provided except where a shared loading plan (agreement) is provided and adopted as part of the site plan or other formal approval.
 - f. Loading areas that serve commercial delivery trucks, semi-trailers and similar vehicles shall be designed to include screen walls, landscaping, or other treatments to limit visibility of the loading area.

4.2.5 C | Area Requirements

No area allocated to loading and unloading may be used to satisfy the area requirements for off-street parking, nor shall any portion of any off-street parking area be used to satisfy the area requirements for loading and unloading facilities.

4.2.5 D | Compliance

For lots with existing structures predating the effective date of this UDO, and for a change in use that does not involve any enlargement of a structure, the loading area requirements of this Section need only comply to the extent practicable.

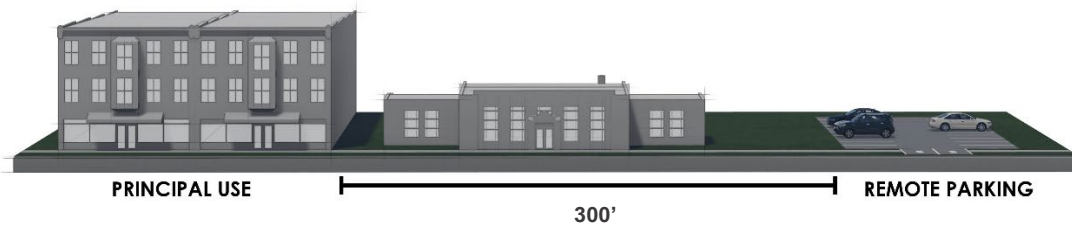
4.2.6 | ALTERNATE OFF-STREET PARKING REQUIREMENTS

4.2.6 A | Private Site Parking

Parking shall be provided on-site, unless otherwise stated in these regulations. Where private off-site parking facilities are approved, such facilities shall be in the same possession as the zoning lot occupied by the building or use to which the parking facilities are accessory.

1. Such possession may be either by deed or lease, guaranteeing availability of the parking commensurate with the Use served by the parking.
2. The providing for the Use of off-site parking, executed by the parties involved, shall be in a form approved by and filed with the MPC.
3. The deed or lease shall require the Owner to maintain the required number of parking facilities for the duration of the Use served or of the deed or lease, whichever shall terminate sooner.
4. Off-Site Parking must be located within 500 feet of the nearest lot line of the principal use.
5. A sidewalk paved pedestrian walkway, and/or crosswalk must be provided to the off-site parking area from the principal use.
6. **Satellite (Remote) Parking.** Satellite (remote) parking lots must abide by all parking design and construction standards set forth within these regulations.
 - a. No more than 25% of parking space requirements may be provided by a satellite parking location.
 - b. Satellite parking must not consist of any required parking of another use unless a shared parking arrangement exists.
 - c. A sidewalk or paved pedestrian walkway must be provided to the satellite parking area from the subject use.

Figure 4.2.2. Satellite (Remote) Parking-Traditional District (Illustrative Example)



4.2.6 B | Valet Parking

Required off-street parking may be located on a separate lot or parcel from which the principal use is located and be operated by a valet service, only if the valet operations and the parking comply with the following standards:

1. The valet service provider must have the same ownership as the principal use, the lessee of the principal use, or a third-party valet service provider that has been contracted by the principal use owner or principal use lessee.
2. To increase the yield of off-street parking facilities utilized solely for valet operations:
3. Spaces may be designed in tandem configurations.
4. Spaces may be reduced to a minimum width of 8' and a minimum length of 38'.
5. If at any time, valet operations are discontinued, the owner must submit an Off-Street Parking Plan to the Planning Director or their designee, if the proposed parking configuration does not meet the standards of Table 3.6.1: Private Off-Premises Parking, the owner must submit an Alternative Parking Plan to the Planning Director or their designee.
6. Valet stands are not permitted within the public right-of-way.
7. Valet operators may utilize facilities that adhere to the standards of Table 3.6.1. Shared Vehicular Parking if proposed uses are served by the shared parking arrangement have different peak parking demands. Tandem parking configurations are not allowed in Shared Parking facilities.

4.2.6 C | On-Street Parking Credit

Where on-street parking is permitted and or provided, up to ten (10) percent of the required off-street parking may be provided through publicly accessible / designated on-

street parking within 500 hundred (500) feet of the building. On-street parking must be accessible via a sidewalk, pedestrian path, or similar.

4.2.6 D | Compact Vehicle Parking

Up to ten (10) percent of the off-street parking spaces required by this Section may be used and designated as compact vehicle parking. Parking spaces used as compact vehicle parking in accordance with subsection a above, must:

1. Be consolidated into group(s) of contiguous spaces where they can be readily identified by compact vehicle operators (e.g. signage or pavement markers);
2. Located near the primary entrance of the principal use; and
3. Be a minimum of 8' in width and a minimum in 16' in length

4.2.6 E | Vehicle Charging Stations

Up to five (5) percent of the off-street parking spaces required by this Section may be used and designated as vehicle charging stations. The Director maintains the authority to approve the use and designation of additional required parking spaces as vehicle charging stations up to the maximum provided.

1. Parking spaces used as vehicle charging stations in accordance with subsection a above, must:
2. Be consolidated into group(s) of contiguous spaces located where they can be readily identified by vehicle drivers (e.g., through signage); and
3. Not be operated for commercial purposes, other than as an accessory use to a principal commercial use.

4.2.6 F | Shared Vehicle Parking

An arrangement in which two (2) or more Uses with different use the same off- street parking spaces to meet their off-street parking requirements. If a development qualifies for shared parking, shared parking reduces the overall required minimum off-street parking by ten (10) percent. An application for shared parking shall require an analysis by a registered Professional Engineer or a Certified Land Use Planner provided to the Planning Director, to reduce the number of required off-street parking spaces.

1. **Shared Parking Analysis.** The shared parking analysis, at minimum, shall include and comply with the following:
 - a. Identification of proposed uses within the development.
 - b. Calculation of the ten (10) percent shared parking reduction that will be applied, per proposed use.
 - c. Proposed uses served by the shared parking arrangement shall have different peak parking demands or operate in a manner that the uses sharing parking have access to the required minimum number of off-street parking spaces when in operation.
 - d. Narrative and calculations shall be provided as part of the shared parking analysis explaining the merit of the shared parking arrangement.
 - e. Cross access agreements (i.e. legal instruments), if required, for the principal property and adjacent properties to ensure shared parking can function shall be provided to the City Manager or their designee.
 - f. Shared parking arrangements shall be a formal legal instrument and be provided to the City Manager or their designee.
 - g. If a shared parking arrangement ceases, parking for the uses shall be recognized as a nonconformity.
2. **Location of Shared Parking.** Any shared parking shall be within six hundred sixty (660) feet, measured from the entrance of the Use to the closest parking space within the shared parking lot along measured along a dedicated pedestrian path.
 - a. No shared parking space shall be located within six hundred and sixty (660) feet of a single-family Lot.
 - b. Reserved Parking Spaces.
 - i. A significant amount of reserved parking is not permissible when utilizing shared parking.
 - ii. Wheelchair accessible spaces shall be provided for each Use separately and shall not be part of a shared parking arrangement.
3. **Dedicated Pedestrian Path Design.** The sites involved in the shared parking agreement shall be connected by a dedicated pedestrian pathway (See requirements in Section XXX).

4. **Signage.** Signage shall be provided in appropriate locations, directing the driver to the appropriate parking lot. Signage located in public ways shall be considered for approval, approval with conditions, disapproval, or other applicable action by the MPC, with a recommendation from the City Engineer.

4.2.6 G | Alternative Parking Plan (APP)

The parking requirements set forth in this Section (Table 4.2.2) may be modified through an APP. The Planning Director may accept an APP in place of the parking requirement for a use if the below requirements are met:

1. A parking study must be submitted that is prepared by a registered Professional Engineer or a Certified Land Use Planner.
2. The study must include the size, type, and use(s) of the development; anticipate peak parking; anticipated normal parking amounts; and a narrative and data as to why the parking requirements of this Code do not accurately reflect the needs of the proposed development. The Director may establish such criteria including establishing a methodology for such APP. Additional, supporting information as may be requested in the APP include information and analysis using recognized sources including AASTO, ITE, ULI, APA or be based on similar, constructed projects.
3. An APP may be requested concurrently with Construction Plan review, as defined in Article XXX, Section XXX.

4.2.7 | SITE ACCESS

4.2.7 A | General Requirements

1. These standards shall supplement the provisions for access provided in Section XXX. Each driveway providing site access from a street, Alley, or other vehicular Right-of- Way shall be designed, constructed, and permanently maintained as follows.
 - a. Exception. Driveways providing access to a designated state route shall adhere to the Rules and Regulations for Constructing Driveways on State Highway Rights-of-Way as issued by the State of Tennessee Department of Transportation (TDOT).

4.2.7 B | Driveways

1. **Quantity.** A platted lot shall be permitted one (1) driveway, unless otherwise approved or required by the City Engineer.
 - a. The Planning Director may consider additional driveways at the recommendation of the City Engineer. Table 4.2.7: Additional Driveways is included to provide criteria to be used in making a determination for arterial streets.
 - i. When more than one (1) drive is permitted for a Lot, the distance between the driveways, measured along the Right-of-Way, shall not be less than twenty-five (25) feet.

Table 4.2.7: Additional Driveways

Site Frontage	Permitted Driveways
200 feet of frontage or less	1
201 feet to 400 feet of frontage	2
401 feet to 600 feet of frontage	3
601 feet to 800 feet of frontage	4

2. **Dimensions and Design.** Driveway width is measured at the Property Line as is illustrated in **Figure (Add figure for driveway dimensions)** Driveway Width.
 - a. All driveways shall have a maximum width at the property line of twenty-two (22) feet except as stated below.
 - i. **Residential Building Types.** Building Types constructed in RE and R1-RM2 districts shall have maximum widths of eleven (11) feet.
 - ii. **Industrial Building Types.** Building Types constructed in M1-M3 shall have maximum widths of thirty (30) feet.
 - iii. **One-Way Driveways.** Maximum width for one-way driveways is eleven (11) feet, except in M1-M3 where a maximum of fifteen (15) feet is permitted.

3. **Shared Access.** Adjacent developments shall share points of access.
 - a. **Shared Driveway Width.** When access is shared between three (3) or more non- residential users, a dedicated turn lane may be constructed, allowing an increase in the maximum driveway from twenty-two (22) feet to thirty-two (32) feet provided that:
 - i. A Traffic Impact Study states its necessity.
 - ii. Access shall be onto a Boulevard (refer to XXX) or Avenue (refer to XXX).
4. **Landscape Center.** Driveways in residential districts may incorporate a center landscape or Semi-Pervious strip to decrease a site's Impervious Coverage.
5. **Drop-Off Drive.** In the RL, RM, and AG_RR Districts and on Corner Lots in RH Districts, a Drop-Off Drive is permitted provided the following.
 - a. The portion of the Drop-Off drive parallel to the street shall not be located closer to the Property Line than the required minimum Setback.
 - b. All driveways shall adhere to the Dimensions and Design standards and Location requirements in III.6.G(3) and (4).
 - c. All driveways shall adhere to the maximum impervious and semi-pervious requirements of the site, per Building Type. Refer to XXX.
6. **Location.**
 - a. Driveways shall be no closer than two (2) feet from a Side or Rear Property Line, unless the driveway is shared.
 - b. Driveways shall be no closer than three (3) feet from the centerline of a hydrant, light standards, traffic signal, utility pole, or other similar facility that affects traffic operation and regulations.
 - c. In non-single-family districts, driveways shall not be closer than fifty (50) feet from the intersection of two streets (corner), unless otherwise stated in this Section or as required by the City Engineer.
 - d. In Single Family Residential Districts, driveways shall not be closer than twenty-five (25) feet from the intersection of two streets (corner), unless otherwise stated in this Section or as required by the City Engineer.
 - e. Driveways for a corner lot shall connect to the street with the lower roadway classification. No access shall be permitted to a local single family residentially zoned street without approval of the City Engineer.

(Refer to Figure: Driveway Width)

(Refer to Figure: Drop-Off Drive)

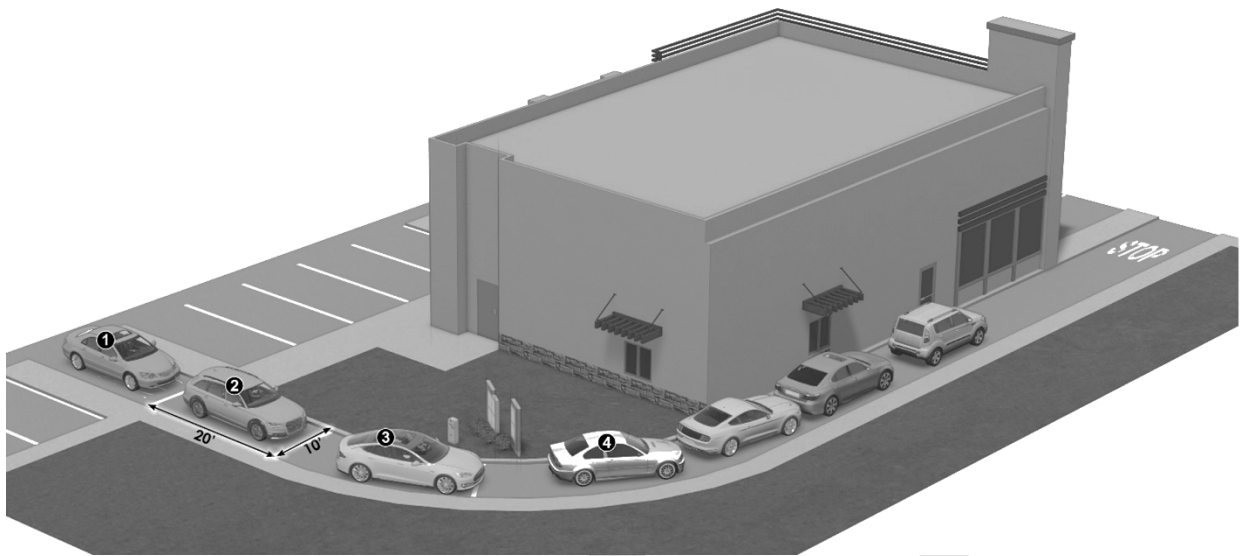
4.2.8 | STACKING REQUIREMENTS

4.2.8 A | Stacking

Whenever a structure or use provides for the off-loading of passengers or involves a drive-through (i.e. allows for a use without exiting the vehicle), stacking spaces shall be provided for and marked on the site. The following requirements shall be met:

1. A stacking space shall be a minimum of ten (10) feet by twenty (20) feet.
2. Stacking spaces shall not obstruct, endanger, or interfere with on-site or off-site access, maneuvering, or traffic patterns.
3. For restaurant drive-through facilities, a minimum of four (4) stacking spaces shall be required. Nothing shall limit providing more than the minimum.
4. All other uses that involve stacking of vehicles, such as banks, pharmacies, and similar uses, shall require a minimum two (2) stacking spaces per dedicated drive-through lane. Nothing shall limit providing more than the minimum.
5. A design alternative may be approved by the Director for a reduced number of stacking spaces if market demand does not require the minimum stacking spaces required per this Section. A narrative and analysis detailing the proposed use and similar establishments within Tennessee shall be required.

Figure 4.2.8. Stacking Requirements



4.2.11 | BICYCLE PARKING

4.2.11 A | Minimum Bicycle Parking

Bicycle parking shall be provided in accordance with the following:

Table 4.2.11 Minimum Bicycle Parking

Principal Use	Minimum Bicycle Parking Spaces
Multifamily	0.05 space per bedroom
Educational Facilities	1 space per 10 students
Office	1 space per 20,000 square feet of gross floor area
Any Other Uses with Parking Areas	1 space per 20 vehicle spaces

4.2.11 | Bicycle Parking Standards

1. Bicycle parking shall be provided using bicycle racks, bicycle lockers, restricted access bicycle enclosures, or similar secured facilities.
2. Bicycle racks shall be securely anchored and easily usable with U-locks and cable locks.
3. Four-foot wide aisles on all sides of bicycle parking spaces shall:
 - a. Be provided for clear and maneuverable access; and

- b. Not encroach into sidewalk areas
- 4. Bicycle parking areas shall be separated from vehicle parking and circulation areas by:
 - a. A physical barrier: or
 - b. A distance sufficient to protect parked bicycles from damage by vehicles, including front and rear overhangs of parked or moving vehicles.
 - c. Bicycle parking shall be located near the building main entrance. Where there is more than one building on a site or where a building has more than one main entrance, the bicycle parking shall be distributed to serve each main entrance.
- 5. If the bicycle parking is located outside, then the following shall apply:
 - a. Bicycle parking areas shall be paved with materials per subsection 3.6.10 B, surfacing;
 - b. The bicycle parking area shall be connected to the internal pedestrian circulation system per section 9.6, Pedestrian Circulation; and
 - c. A curb ramp shall be provided if located next to a street or internal drive.

4.2.12 | PARKING AREA SCREENING AND LANDSCAPING

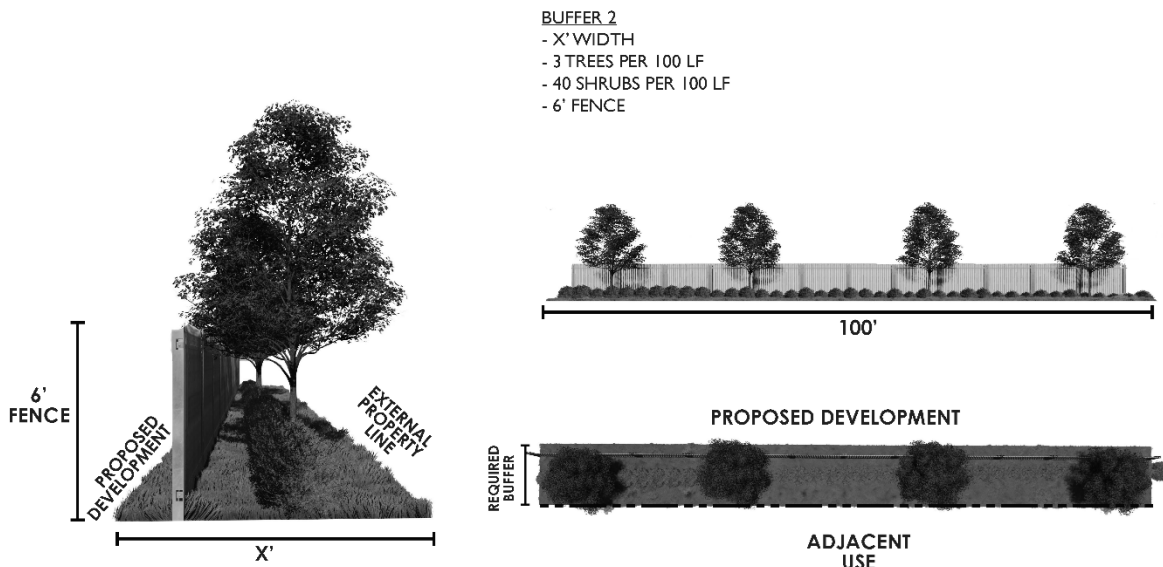
This section aims to reduce the visual and environmental impact of large parking areas on the community by implementing landscaping standards. It sets the minimum requirements for screening parking areas from nearby public streets and properties. Additionally, it outlines landscaping standards for the interiors of parking areas.

The interior parking area landscaping standards outlined in this article apply to all off-street parking facilities that have ten or more parking spaces or are over three thousand five hundred square feet in area.

Required parking area screening and landscaping are not allowed in utility or drainage easements unless approved by the affected utility. If approved, the property owner must execute and record a restrictive covenant agreeing to fully replace any plant materials that the utility may remove while exercising its rights within the easement.

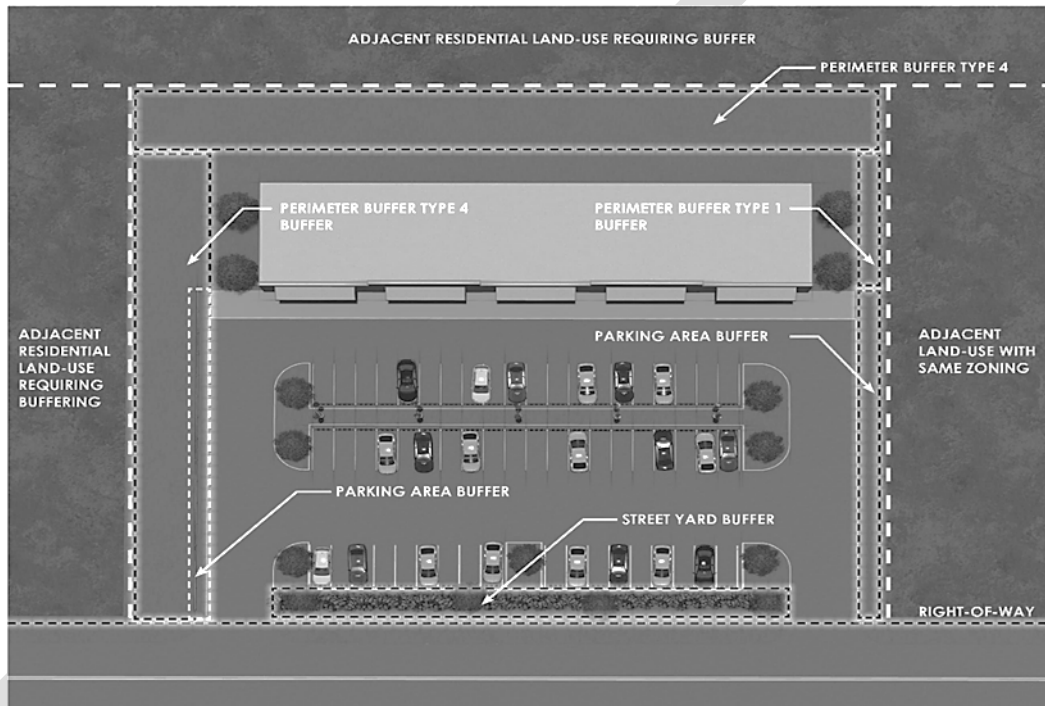
4.2.12 | Perimeter Screening Requirements

1. The perimeter landscape yard must extend along the entire length of the parking lot boundary, except on sides not exposed to the public, and must be protected with raised concrete curbs. Sections of curbing may be removed to accommodate a bioswale as part of an overall water quality and drainage plan.
2. Perimeter landscape screening strip shall be a minimum of seven (7) feet in width and shall require six (6) inch curb; or shall be a minimum of two and one-half (2 1/2) feet in width to accommodate shrubs if all required trees are planted within tree islands located adjacent to the property line.



3. A wall or combination of berm and perennial groundcover shall be a minimum of two and one-half (2 1/2) feet in height. Berms shall not have slopes steeper than 2:1, berms flatter than 4:1 may be stabilized by lawn grasses. Perennial groundcover shall be used to stabilize berms with slopes which range 2:1 to 4:1.
4. Figure 4.2.12 generally illustrates when parking perimeter screening is required. The Director may require additional screening and buffering in the form of increased widths, increased number/types of materials and or variations in plant materials to provide a more pleasing design.

Figure 4.2.12.1 Parking Area Screening Requirements (typical).



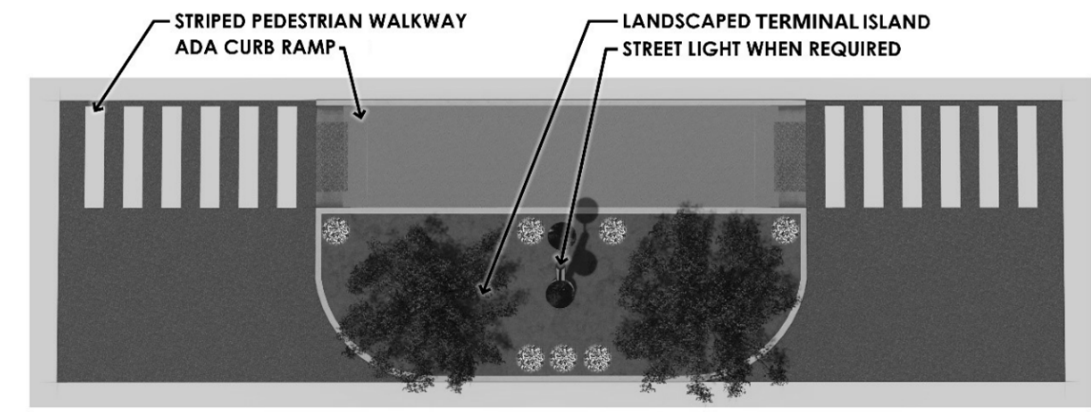
4.2.13 | Perimeter Landscape Material

1. A continuous row of evergreen shrubs which shall be expected to mature at a height not greater than two and one-half (2 1/2) feet, except as modified for berms or walls. Shrubs shall be planted at a maximum of five (5) feet on center, with a minimum distance of three (3) feet from the back-of-curb.
2. A minimum of one tree per fifty feet of parking area perimeter and shall measure a minimum of two inches in caliper and six (6) feet in height.
3. Remainder of the area within all perimeter strips not occupied by trees or shrubs shall be covered by mulches, grasses, groundcover plants or other shrubs.
4. Trees and other landscaping required in the perimeter strip shall be maintained to assure unobstructed corner visibility pursuant to Section XX, Visibility.

4.2.12 C | Parking Area Landscaping Standards

1. **Accessibility.** Nothing in this section shall deny ADA accessibility within parking lots nor deny the placement of crosswalks and sidewalks through parking lots (including terminal islands, interior islands, and divider medians) required for pedestrian safety.
2. **Parking Terminal Islands Standards.** The following standard shall apply to all terminal islands within parking lots:
 - a. Each row of parking spaces shall end with terminal islands to separate parking from adjacent drive lanes.
 - b. Each terminal island shall measure at least two-hundred-seventy-five (275) square feet.
 - c. Within terminal islands, one (1) canopy tree shall be required for every two-hundred (200) square feet (or fraction above one half thereof), with a minimum of one (1) canopy tree required per terminal island. Two (2) understory trees may be used to meet the requirement of this subsection.
 - d. Terminal islands shall be landscaped with shrubs, accent plants, ornamental grasses, and ground cover, excluding sod, which is planted to provide one-hundred (100) percent coverage within two (2) years.
 - e. Landscaping in islands adjacent to parking spaces shall be set back a minimum of two (2) feet behind the back of the curb to provide for pedestrian access to parked vehicles.
 - f. Lighting may be installed in parking terminal islands.
 - g. Parking areas not visible from the street, excluding alleys, shall not be required to install terminal islands.

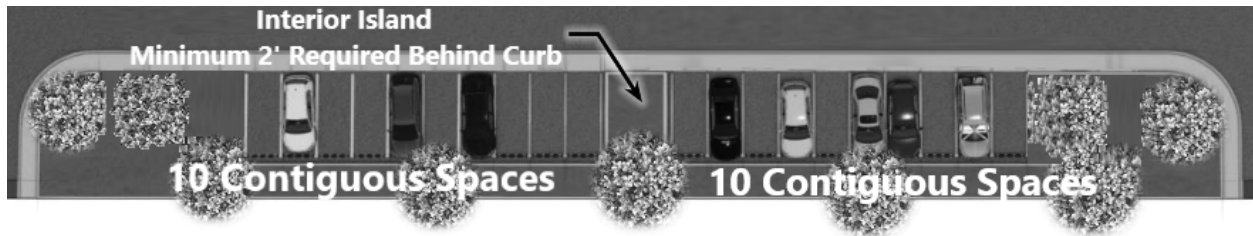
Figure 4.2.12.2 Terminal Island Landscaping Illustrative Example



3. **Parking Interior Islands Standards.** The following standard shall apply to all interior islands:
- a. Interior islands shall be used to ensure there are no more than ten (10) contiguous parking spaces.
 - b. Each interior island shall measure at least ten (8) feet in width by eighteen (18) feet in length, measured from the inside of the curb.
 - c. The Planning Director may reduce the required width and/or length by up to three (3) feet where existing site constraints make compliance impracticable, or where such reduction will allow preservation of existing trees.
 - d. Interior islands less than five (5) feet in width, measured from the inside of the curb, may be utilized but shall not be credited towards interior landscaping.
 - e. Within interior islands, one canopy tree shall be required for every two-hundred (200) square feet (or fraction above one half thereof), with a minimum of one (1) tree required per interior island.
 - f. Landscaping in islands adjacent to parking spaces shall be set back a minimum of two (2) feet behind the back of the curb to provide for pedestrian access to parked vehicles.
 - g. Lighting may be installed in parking interior islands but shall be at least fifteen (15) feet from trees.
 - h. Bioswales, rain gardens, and other forms of low impact development (LID) located within parking lot islands are encouraged to help mitigate

stormwater runoff. These applications should follow best management practices for landscape design and planting

Figure 4.2.12.3 Interior Island Landscaping Illustrative Example



1. **Parking Divider Medians Standards.** The following standard shall apply to all parking divider medians:
 - a. Landscaped divider medians shall form a continuous landscaped strip between abutting rows of parking areas or access drives.
 - b. The minimum width of a divider median shall be a minimum seven (7) feet, measured from the inside of the curb.
 - c. One (1) canopy tree or two (2) small understory trees shall be required for each thirty (30) linear feet of divider median (or fraction above one half thereof).
 - d. Shrubs shall be planted in divider medians which separate parking areas from access drives to form a continuous hedge the full length of the divider median.
 - e. Lighting must be provided within divider median(s).

4.3 Landscaping Standards

4.3.1 | PURPOSE, INTENT, AND APPLICABILITY

4.3.1 A | Purpose and Intent

The purpose of this section is to establish the minimum standards for landscaping within the City. The standards identified in this section intend to:

1. Reduce excessive heat, glare, and accumulation of dust;
2. Lessen visual pollution;
3. Ensure landscaped yards and screening that reduce the negative impacts of visual nuisances, noise, trash, and odors;
4. Enhance the appearance of buildings, parking areas, and sites by requiring landscaping;
5. Allow for innovative, cost-effective, and conservation friendly designs;
6. Aid in stabilizing the environment's ecological balance by contributing to air purification, oxygen regeneration, and limiting stormwater runoff;
7. Safeguard the public health, safety, and welfare; and
8. Ensure that the appearance of the city contributes positively to its growth, economic prosperity, and long-term wellbeing.

4.3.1 B | Applicability

All new development and redevelopment as defined herein shall comply with the standards of this section.

1. **Repair or Renovation.** A building may be repaired or renovated without meeting the requirements of this section, provided there is no increase in gross floor area, seating, parking area/driveways and or access design or change in use.
2. **Minor Site Change.** When a building or site is increased in gross floor area or improved site area by less than twenty-five (25) percent or twenty (20) parking spaces required landscaping is required only for the additional floor area or improved site area. Improved site area shall include site improvements such as utility installations, landscape modifications, additional impervious surfaces (including parking), and/or construction of structures. {editorial note, we will

confirm the percentages and numbers here across other sections including parking, signage, etc.}

3. **Major Site Change.** When a building or site is increased in gross floor area or improved site area by greater than twenty-five (25) percent or twenty (20) parking spaces, both the additional area and existing area must conform to the landscaping standards in this UDO, except for interior parking island standards. Improved site area shall include site improvements such as utility installations, landscape modifications, additional impervious surfaces (including parking), and/or construction of structures.
4. **Change in Use.** A change in principal use may at the discretion of the Director may not require compliance with this section.

4.3.2 | LANDSCAPE PLAN / SUBMITTAL

All applicable developments shall submit and receive approval of a landscape plan as part of the required site plan] and may incorporate the parking/paving plan, provided the scale is not less than 1-inch equals 40 feet. Protection of existing vegetation, trees and plants excluding invasive species is encouraged and may be used to meet requirements of this section where permitted. The landscape plan at a minimum shall include the following:

1. Title of project
2. Dimensions, graphic scale, boundary lines and north arrow;
3. Name of Owner and Title, the identification of the person or firm responsible for the plan;
4. All landscaped areas as well as all required open space;
5. Existing vegetation, indigenous or native and trees which are to be maintained or preserved for credit;
6. Location, installation size, quantity, spacing and scientific / common name of landscaping plants to be installed;
7. Location of proposed structures and storage area;
8. Vehicle use areas, including parking, aisles, driveways, stalls, bays and lanes, paved surfaces and curbs;
9. Roadways, access and entry points;

10. Existing and proposed utility lines [overhead & underground] and easements;
11. Drainage features, proposed contours and 100-year floodplain, if applicable.
12. Tree / Vegetation Protection Plan, if applicable.

4.3.3 | ALTERNATIVE LANDSCAPING PLAN

If due to unique topography, location of site features, or size of a parcel makes the strict compliance of this section impractical, the Planning Director may approve an alternative landscaping plan. In limited cases the {insert if Director or Planning Board} may approve an alternative landscape plan which meets the standards of this section with respect to the type, number/amount of materials and general locations but achieves greater overall design and or takes into consideration of key habitats and <grand/heritage> trees in a meaningful manner. The alternative landscaping plan shall include visual examples of the alternative landscaping proposed and comply with the following:

1. The alternative landscaping plan achieves landscaping that is consistent with the intent of this section;
2. Tree planting requirements are not reduced and no invasive vegetation is included in the alternative landscaping plan;
3. All tree protection requirements of this section are met; and
4. The alternative landscaping plan provides landscaping that is equal or superior to the standards of this section.

4.3.4 | INSTALLATION AND INSPECTIONS

Required landscaping shall comply with the following standards:

1. All required plant materials shall be installed in accordance with the approved landscape plan and requirements of this section before a certificate of occupancy is issued by the city.
2. The City shall inspect landscaping prior to the issuance of a certificate of occupancy [unless a temporary certificate of occupancy or certificate of compliance has been granted]. An as-built plan shall be provided to the city for landscape improvements if the final design varies in substance from the original plan as determined by staff.

3. It is recognized that land development occurs continuously, and that vegetation used in buffers should be planted at certain times of the year to ensure the best chance of survival. In order to ensure compliance with this article and to reduce the potential expense of replacing buffering, landscaping or screening materials which were installed in an untimely or improper fashion, a letter of compliance must be filed with the Director at the time of zoning compliance review. A letter of compliance will allow the issuance of a conditional certificate of occupancy. This letter will acknowledge that the applicant for a certificate of zoning compliance is aware of any buffer, landscaping or screening requirements which may apply to their property and that the applicant will comply with those requirements by a specific date, generally to be within the next planting season, but in no case more than one year after the completion of construction of that portion of the project or building for which the certificate was issued. In no event shall a final certificate of occupancy be issued prior to emplacement and approval of the required buffer, landscaping or screening. Failure to comply with the provisions of this section within the time noted in the letter of compliance will be a violation of the unified development ordinance.

4.3.5 | GENERAL LANDSCAPING STANDARDS

The following general standards shall apply to all landscaping requirements in this article.

4.3.5 A | Purpose and Intent

The purpose of this section is to identify acceptable plant species for landscape, buffer, and screening requirements. Further, this section intends to optimize landscaped areas by approving:

1. Plant species that are suitable for the climate of the City of White House, TN. The type of plants used can be those on the approved "Species List" or plants on the USDA Hardiness List of Plants in Zones 7 & 8.
2. Plant species that are native or non-invasive, providing shelter and/or food to native wildlife species.
3. Plant species that are low maintenance by decreasing the need for irrigation and fertilizer.

4.3.5 B | Placement

The type of plants used can be those on the approved "Species List" or plants on the USDA Hardiness List of Plants in Zones 7 & 8. Required landscaping shall be designed in such a manner as to impart its aesthetic character when viewed from any area accessible to the public or from adjacent properties. The placement of materials may be altered as part of the alternative landscape plan or where necessitated due to the location of utility and drainage easements including overhead powerlines, driveways/access points (as may be required due to access management standards) or where materials may hinder the required sight triangles. Materials may be clustered with no gaps greater than 50 feet to provide a more natural looking design providing the amount of material required in the designated area is not reduced.

4.3.5 C | Plant Material

Plant materials used for installation shall conform to the standards established by the American Association of Nurserymen in the "American Standard for Nursery Stock," for each type (i.e., canopy tree, shrub, etc.) with minimum size as appropriate for the minimum caliper size designated below. Grass sod, when made a part of a buffer, must be healthy, clean and reasonably free of weeds, noxious pests or diseases. Plants shall be chosen from the recommended list.

1. Alternate species may be substituted with the approval of the Planning and Zoning Staff Administrator.
2. In no case shall a plant which has been identifies as invasive be included.

4.3.5 D | Installation

All landscaping/screening shall be installed in a sound, workmanlike manner and according to accepted good planting procedures with the quantity and quality of plant materials as described. All elements of landscaping shall be installed so as to meet all other applicable ordinances and code requirements. All landscaping material shall be installed in a professional manner, and according to accepted planting procedures.

4.3.5 E | Planting Season

It is recommended that all plant material be planted within the fall and/or spring growing seasons. If schedule or weather does not allow for the installation of the plant material

within these windows, a temporary certificate of occupancy may be granted per this section.

4.3.5 F | Species Diversity

Minimum/Maximum Percentages. When twenty (20) or more canopy or understory trees are required to be planted on a site to meet the standards of this UDO, a mix of genera shall be provided as follows:

Table 4.3.6.1 Plant Diversification

TOTAL TREES PLANTED ON SITE	MINIMUM NUMBER OF GENERAL REQUIRED	MAXIMUM PERCENTAGE OF ANY GENERA
20 or less	1	Not applicable
21-50	2	60 percent
51-100	3	50 percent
101 or more	4	40 percent

4.3.5 G | Plant Sizes

All plants used to meet the requirements of this UDO shall adhere to the following size standards.

Table 4.3.6.2 Plant Typologies and General Descriptions

TYPE	SIZE / SPREAD (AT PLANTING)	NOTES
Canopy (Large Shade) Trees		
Deciduous Canopy (≥ 35' height; ≥ 30' spread)	2.5" caliper 8' min. height	Installed along sidewalks in tree lawn / tree pit, parking lots, buffers and may be installed as a building / understory tree

Evergreen Canopy (≥ 18' height; ≥ 25' spread)	2.5" caliper 6' min. height	Installed along sidewalks in tree lawn / tree pit, parking lots, buffers and may be installed as a building / understory tree
*All multi-stem trees shall have at least 3 stalks with a minimum caliper of 2.0"		
Understory (Small/Medium) Trees		
Deciduous Understory/ Ornamental (≥ 15' height; ≥ 15' spread)	2" caliper 8' min. height	Installed along sidewalks May be installed as screening or accent. May be used to replace canopy tree where overhead utilities are present.
Evergreen (≥ 18' height; ≥ 15' spread)	2" caliper 8' min. height	Planted as a buffer between uses or used as screening or accent.
*All multi-stem trees shall have at least 3 stalks with a minimum caliper of 1.5"		
Shrubs		
Evergreen Shrubs	3 gallon or 24" height minimum (unless otherwise required)	
Deciduous / Ornamental Shrubs	2 gallon or 18" height minimum (unless otherwise required)	
Perennials	1 gallon minimum	
Ornamental Grasses	1 gallon minimum	
Ground Cover	4 gallon minimum / 4" pot for vining or spreading plants	

4.3.5 H | Recommended Plant Species

Recommended plant species are included in the table below.

1. Alternate species may be substituted with the approval of the Planning and Zoning Staff Administrator.
2. In no case shall a plant which has been identifies as invasive be included.

Table 4.3.5. Recommended Plant Species

Canopy (Large Shade) Trees		STREET	BUFFER/ SCREENING	PARKING	TENNESSEE NATIVE
Southern Sugar Maple	Acer barbatum		X		
Black Maple	Acer nigrum		X		
Red Maple	Acer rubrum		X		X
Sugar Maple	Acer saccharum		X		X
Ohio Buckeye	Aesculus glabra		X		X
Yellow Buckeye	Aesculus flava		X		X
River Birch	Betula nigra		X		X
Shagbark Hickory	Carya ovata		X		X
Sugarberry	Celtis laevigata		X		
Hackberry	Celtis occidentalis		X		X
Leyland Cypress	Cupressus x leylandii		X		
Katsura Tree	Cercidiphyllum japonicum		X		
American Yellowwood	Cladrastis kentukea		X		
Deodar Cedar	Cedrus deodara		X		
Common Persimmon	Diospora virginiana		X		X
Hardy Rubber Tree	Eucommia ulmoides		X		
American Beech	Fagus grandifolia		X		X
Ginkgo	Ginkgo biloba male cultivars		X		
Honeylocust	Gleditsia triacanthos var. inermis		X		
Kentucky Coffeetree	Gymnocladus dioicus		X		X
Black walnut	Juglans nigra		X		X

Sweetgum	Liquidambar styraciflua		X		X
Yellow Poplar/Tuliptree/T ulip Poplar	Liriodendron tulipifera		X		X
American beech	Fagus grandifolia		X		X
Dawn Redwood	Metasequoia glyptostroboides		X		
Black Gum/Black Tupelo	Nyssa sylvatica		X	X	X
London Planetree	Platanus x acerifolia		X		
Sawtooth Oak	Quercus acutissima		X		
White Oak	Quercus alba		X		
Swamp White Oak	Quercus bicolor		X		
Scarlet Oak	Quercus coccinea		X		X
Southern Red Oak	Quercus falcata		X		X
Cherrybark oak	Quercus pagoda		X		X
Overcup Oak	Quercus lyrata		X		X
Shingle Oak	Quercus imbricaria		X		
Bur Oak	Quercus macrocarpa		X		X
Chinkapin Oak	Quercus muehlenbergii		X		X
Nuttall Oak	Quercus nuttallii (texana)		X		X
Willow Oak	Quercus phellos		X		X
Chestnut Oak	Quercus prinus		X		X
English Oak	Quercus robur		X		
Northern Red Oak	Quercus rubra		X		X
Shumard Oak	Quercus shumardii		X		X
Loblolly Pine	Pinus taeda		X		X
Baldcypress	Taxodium distichum		X	X	X

American Basswood	Tilia americana var. americana		X		
White Basswood	Tilia americana var. heterophylla		X		
Littleleaf Linden	Tilia cordata		X		
Silver Linden	Tilia tomentosa		X		
Pawpaw	Asimina triloba		X		
Winged Elm	Ulmus alata		X		
American Elm	Ulmus americana		X		
Chinese Elm	Ulmus parvifolia 'Bosque'		X	X	
Slippery Elm	Ulmus rubra		X		
September Elm	Ulmus serotina		X		
Japanese Zelkova	Zelkova serrata		X		

Evergreen Trees		STREET	BUFFER/ SCREENING	PARKING	TENNESSEE NATIVE
Cryptomeria	Cryptomeria japonica		X		
American Holly and cultivars	Ilex opaca		X		X
Eastern Redcedar	Juniperus virginiana		X		X
Southern Magnolia	Magnolia grandiflora		X		
Norway Spruce	Picea abies		X		
Shortleaf Pine	Pinus echinate		X		X
Scots Pine	Pinus sylvestris		X		
Japanese Black Pine	Pinus thunbergiana		X		

Evergreen Understory Trees		STREET	BUFFER/ SCREENING	PARKING	TENNESSEE NATIVE
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Foster's Hybrid Hollies	Ilex x attenuate 'Fosteri'			X	
Burford Holly – tree form	Ilex cornuta 'Burfordi'			X	
Nellie R. Stevens Holly	Ilex x 'Nellie R. Stevens'			X	
Little Gem Magnolia	Magnolia grandiflora 'Little Gem'			X	
Cherry Laurel – tree form	Prunus caroliniana			X	

Deciduous Canopy Trees		STREET	BUFFER/ SCREENING	PARKING	TENNESSEE NATIVE
Golden Rain Tree	Koelreuteria paniculata	X	X		
Overcup Oak	Quercus lyrata	X	X		
American Hophornbeam	Ostrya virginiana	X	X		
American Persimmon	Diospyros virginiana	X	X		
Chinese Pistache 'Keith Davey'	Pistacia chinensis "male variety"	X	X		
Lacebark (Allee) Elm	Ulmus parvifolia allee	X	X	X	
Swamp White Oak	Quercus bicolor	X	X		
Ginkgo	Ginkgo biloba "male variety"	X	X		
Japanese Zelkova	Zelkova serrata	X	X		

Deciduous Understory Trees		STREET	BUFFER/ SCREENING	PARKING	TENNESSEE NATIVE
Trident Maple	Acer buergeranum				
Hedge Maple	Acer campestre				
Amur Maple	Acer ginnala				
Paperbark Maple	Acer griseum				
Japanese Maple	Acer palmatum				
Red Buckeye	Aesculus pavia		X		X
Serviceberry	Amelanchier arborea		X		X
Autumn Brilliance Serviceberry	Amelanchier x grandiflora 'Autumn Brilliance'	X	X		
American Hornbeam	Carpinus caroliniana		X		X
Eastern Redbud 'Rising Sun'	Cercis canadensis	X	X		
Eastern Redbud and cultivars	Cercis canadensis	X	X		X
Chinese Fringetree	Chioanthus retusus	X	X		
White Fringetree	Chioanthus virginicus		X		
Flowering Dogwood 'white cultivar'	Cornus florida		X		X
Kousa Dogwood	Cornus kousa		X		
Washington Hawthorn	Crataegus phaenopyrum	X	X		
Crape Myrtle	Crape myrtle 'Natchez'	X		X	
Green Hawthorn	Crataegus viridus		X		
Franklin Tree	Franklinia alatamaha		X		
Possumhaw	Ilex decidua		X		
Saucer Magnolia	Magnolia x soulangiana		X		

Star Magnolia	Magnolia stellata		X		
Sweetbay Magnolia	Magnolia virginiana		X	X	X
Crabapples	Malus cultivars/varieties		X		
Apples (Heirloom)	Malus domestica spp.		X		
American Hophornbeam	Ostrya virginiana		X		X
Sourwood	Oxydendrum arboreum		X		X
Chinese Pistache	Pistacia chinensis		X		
American Plum	Prunus americana		X		
Chickasaw Plum	Prunus augustifolia		X		
Japanese flowering apricot	Prunus mume				
Flowering Cherry	Prunus 'Kanzan'	X	X		
Yoshino Cherry	Prunus x yedoensis		X		
Fruiting Pear	Pyrus spp.		X		
Japanese Snowbell	Styrax japonicus		X		
Japanese Tree Lilac	Syringa reticulata		X		
Littleleaf Linden 'Green Globe'	Tilia cordata 'Green Globe'		X		

Deciduous Shrubs		BUFFER/ SCREENING	TENNESSEE NATIVE
Glossy Abelia	Abelia x grandiflora & cultivars	X	
Red Chokecherry	Aronia arbutifolia & cultivars	X	X
Japanese Barberry	Berberis thunbergia & cultivars	X	

Flowering Quince	Chaenomeles speciosa	X	
Flowering Forsythia	Forsythia x intermedia	X	
Oakleaf Hydrangea	Hydrangea quercifolia & cultivars	X	X
Finetooth Holly	Ilex serrata	X	
Winterberry	Ilex verticillate	X	
Virginia Sweetspire	Ilex virginica	X	
Beauty Bush	Kolkwitzia amabilis	X	
Viburnum	Viburnum species & cultivars	X	

Evergreen Shrubs		BUFFER/ SCREENING	TENNESSEE NATIVE
Chinese Hollies	Ilex cornuta cultivars	X	
Japanese Holly	Ilex crenata	X	
Meserveae hybrid Hollies	Ilex x meserveae	X	
Chinese Juniper	Juniperus chinensis	X	
Leatherleaf Mahonia	Mahonia bealei	X	
Otto Luyken & Schip Laurels	Prunus laurocerasus	X	

Non-Recommended Trees	
Silver Maple	Acer saccharinum
Tree-of-Heaven	Ailanthus altissima
Minosa	Albizia julibrissin

Paper Mulberry	Broussonetia papyrifera, syn. Morus papyrifera L
Sugarberry	Celtis laevigata
Hackberry	Celtus occidentalis
Leyland cypress	Cupressus x leylandii
Russian Olive	Elaeagnus angustifolia
Ash spp. (green, white, blue)	Fraxinus spp.
Chinese Parasol Tree	Firmiana simpex
Goldenrain Tree	Koelreuteria paniculata
China Berry	Melia azedarach
Royal Paulownia/Prince ss Tree	Paulownia tomentosa
White Poplar	Populus alba
Bradford Pear	Pyrus calleryana (all varieties)
Pin Oak	Quercus palustris
Chinese Tallow	Triadica sebifera
Eastern (Canadian) Hemlock	Tsuga canadensis
Siberian Elm	Ulmus pumila

Prohibited Shrubs	
Shrub Althea	Hibiscus syriacus
Nandina/Dwarf Nandina	Nandina domestica

4.3.5 I | Uses Within Landscape Area

1. **Uses Not Permitted.** No buildings or parking areas may be placed within any required buffer, except that driveway entrances from a public street, public sidewalks, and walking/bicycle trails (up to eight (8) feet wide) are permitted.
2. **Uses Permitted.**
 - a. A landscape buffer may be used for passive recreation or open use area.
 - b. Required buffers may contain areas of native habitat and water resources, including stormwater management.
 - c. Appurtenances which may require easy access such as fire hydrants are permitted in a buffer.
 - d. Fences, walls and berms may be installed within a required buffer except where otherwise regulated in this Section and or Section X.X Design Standards.
3. **Site Elements.**
 - a. **Fences/Walls.** All fences and walls are required to comply with the standards of Section 5.5: Fences, Walls, and Berms.
 - b. **Detention and Retention Ponds.** Detention and retention ponds shall be landscaped with trees, shrubs, and turf. Detention ponds shall be considered a service area and shall be screened from public view. Back slopes steeper than 4:1 exposed to public streets shall be screened with trees and shrubs. Structures (such as headwalls and weirs) within ponds located in front and side yards adjacent to public streets shall be faced with brick or stone. Slopes exceeding 3:1 shall be vegetated with plants that do not require frequent mowing. Groundcovers used for this purpose shall be planted with sufficiently tight spacing to provide one hundred percent (100%) coverage within the first year.
 - c. **Planting Beds.** Planting beds shall be mulched with naturally colored shredded hardwood, mushroom compost, or pine needles. Rock, gravel, or synthetic mulches are not acceptable. Planting beds shall be a minimum of five (5) feet in width, except where otherwise stated within this chapter. Trees planted within sidewalk or plaza zones shall be provided a minimum of two hundred (200) cubic feet of soil. A minimum of sixty (60)

square feet of pervious area shall be provided around each tree. Pervious paving may be used for this purpose if used in conjunction with structural soils.

- d. **Planters.** If a development provides planters, the following standards shall apply:
 - i. Minimum height of plant material in the planter shall be six (6) inches at time of planting.
 - ii. Planters shall be constructed of masonry, stone, treated lumber, steel, aluminum, concrete, and similar durable and high-quality materials. Other materials may be approved by the Planning Department.
- e. **Multi-Phased Developments.** Multi-phased development shall install landscaping that is associated with the active phase or phases only, unless an alternative arrangement is otherwise agreed to. An active phase of a development is the one that is subject to permitted and on-going development activity.
- f. **Overhead/Underground Utilities.** Landscaping plans, including plant spacing and species selection shall be such that landscaping required under this article does not conflict with overhead/underground utilities.
- g. **Water Conservation.** Automatic irrigation systems are required for all required landscape areas within commercial and industrial districts as well as multi-family developments and institutional uses. The planning commission may waive automatic irrigation requirements for existing areas with existing vegetation; however, plant material planted within such areas to meet transitional buffering requirements must be within one hundred (100) feet of a hose bib or be provided a temporary above-ground irrigation system. All irrigation systems shall be designed to minimize the use of water. Plans shall be prepared and stamped by a certified irrigation designer, certified irrigation contractor, or landscape architect.
- h. **Maintenance Standards.** Maintenance of landscaping shall be the responsibility of the owner of the property (including Homeowner's Association, Property Owner's Association, or similar entity).

- i. All Landscaping, including landscaping used for buffers and screening purposes, shall be designed, and maintained according to sound landscape and horticultural practices. All plant material shall be maintained in an attractive and healthy condition. All plant material shall meet or exceed size and shape relationships specified in the latest edition of The American Standard for Nursery Stock published by the American Association of Nurserymen.
- ii. All fences/walls shall be maintained in the condition in which they were originally permitted (i.e. in good, clean condition).
- iii. Dead or diseased plant material shall be removed and replaced in accordance with this section. In instances where existing plant material has been disturbed or damaged, replacement of plant material shall comply with the below standards:
- iv. Any tree with a caliper of at least eight (8) inches shall be replaced with one (1) or more trees which have a caliper of at least two (2) and one-half (1/2) inches and a cumulative caliper equal to or greater than one half (1/2) of the original tree.

4.3.6 | TREE PRESERVATION

4.3.6 A | Purpose and Intent

The purpose and intent of this subsection is to protect existing tree cover; facilitate the incremental growth of the city's tree canopy; enhance and preserve the environmental and aesthetic qualities of the city; encourage site design techniques that preserve the natural environment and enhance the developed environment; control erosion, slippage, and sediment runoff into streams and waterways; increase slope stability; improve air quality; protect wildlife habitat and migration corridors; and reduce homeowner energy costs.

4.3.6 B | Applicability

Except as stated herein, the requirements of this section shall apply to all land disturbing activities that require permit for existing and new development.

4.3.6 C | Exemptions

The following developments and activities shall be exempt from this section except where otherwise noted below:

1. Any residential development two or less acres in size;
2. The removal of diseased, dead or naturally fallen trees, or trees that are found by the administrator to be a threat to the public health, safety, or welfare;
3. The selective and limited removal of vegetation or trees under ten inches diameter at breast height necessary to obtain clear visibility at driveways or intersections, or for the purpose of performing authorized field survey work.
4. The selective and limited clearing of utility easements to maintain their intended function

4.3.6 D | Tree Save Area Requirement

At least ten (10) percent of the site area shall be preserved for existing trees.

1. The preserved Tree Save Area must be fully forested. Gaps or clearings in the tree cover must be replanted at a rate of 36 trees per acre.
2. Non- native or invasive plants shall not be used as Tree Save Area.
3. If less than 10 percent of the site area contains existing trees, new trees must be planted in the Tree Save Area at a rate of 36 trees per acre so that the total Tree Save Area equals 10 percent of the site area.

4.3.6 E | Significant Tree Mitigation

Significant trees, defined as trees at least twenty (20) inches diameter at breast height (DBH) and in good health, shall be tagged prior to any site clearance and be preserved if within required buffers or setback areas. Any significant tree removed must be replaced with 1 unit/2" of caliper.

In any case where a significant tree is removed from a required buffer or setback area, it shall be replaced with at least four (4) or more trees of similar species and a minimum caliper of two (2) inches as measured from two and one-half (2½) feet above grade level.

4.3.6 F | Heritage Trees

Trees sixty (60) inches or greater DBH and in good health, regardless of location on site, must be preserved and shall not be removed. [A certified Arborist may be used to certify the health of a tree].

4.3.6 G | Credits and Incentives to Preserve Vegetation

If existing trees are preserved to meet buffer or interior planting requirements, then a reduction in new planting requirements shall be buffer or interior planting requirements, then a reduction in new planting requirements shall be given.

1. Protected trees may be credited toward the landscaping and buffering requirements of this UDO at the following rate:
 - a. 1 tree (6"-12" DBH) = 1 planted tree credit
 - b. 1 tree (12"-20" DBH) = 2 planted tree credits
 - c. 1 tree (over 20" DBH) = 4 planted tree credits
2. Diseased, dead, pine trees, and invasive species cannot count towards the tree credit.
3. In order to receive credit, protected vegetation must be in good health and condition. Trees designated to be protected must be indicated on the site plan and on landscape and grading plans. Protective barriers, if utilized in accordance with section 8 below, must also be shown on the landscape and grading plans. A protected tree shall be replaced with the total number of trees which were credited to the existing tree under the following circumstances:
 - a. When the developer has elected to protect existing trees during construction in accordance with section 8 below, if the protected tree dies within five years of completion of the project;
 - b. When the developer has not elected to protect existing trees in accordance with section 8 below, if the protected tree dies within ten years of completion of the project.

4.3.6 H | Protection of Existing Trees During Construction

The regulations contained in this paragraph shall apply in those circumstances when a developer has elected to protect trees during construction.

1. **Critical Root Zone.** The critical root zone of each preserved tree must be within the protective yard. No tree disturbing activity is permitted within the critical root zone.
2. **Grading.** No grading or other land-disturbing activity can occur on a site with existing trees which are designated to be preserved in order to meet landscaping requirements until protective barriers are installed by the developer and approved by the community development director or a designee appointed by the community development director. Trees designated for preservation which are counted toward the landscape requirements must be protected by barriers, while trees designated for preservation which do not count toward the landscape requirements are encouraged to be protected by barriers. The diameter of the preserved trees and the location of protective barriers must be shown on landscape and grading plans with the dimension between the tree trunk and barrier indicated
3. **Protection.** Barricades shall be placed around the critical root zone of preserved trees that are within 50 feet of any grading or construction activity. The critical root zone is a circle extending around the tree with a one-foot radius for every one inch of tree diameter. For example, a ten-inch diameter tree would have a barricade surrounding it, erected ten feet away from the trunk. All protective barriers must be maintained throughout the building construction process. Protective barriers shall consist of either:
 - a. A fence which is at least three feet high and constructed in a post and rail configuration, using two-by-four posts and one-by-four rails; or
 - b. A fence A fence with two-by-four posts placed no farther than ten feet apart covered with a four-foot orange polyethylene laminar safety fencing.
4. All contractors must be made aware of the areas designated for protection. No disturbance can occur within the tree protection areas including the following:
 - a. Parking and Storage of debris or materials, including topsoil or the disposal of hazardous wastes or concrete washout is prohibited within the dripline of protected trees.
 - b. Attaching of nails, ropes, cables, signs, or fencing to any tree designated for protection.

5. If any area within the critical root zone will be disturbed for any reason, a registered landscape architect or certified arborist, may recommend measures to minimize any potential impact and certify that the activity will not damage the tree under normal circumstances.
6. The developer should coordinate with utility companies early in the design process to resolve potential conflicts about the placement of utilities and landscape requirements. Utilities must either be placed outside of the tree protection area or, with planning department approval, tunneled at least two feet directly below the tree roots, to minimize root damage.
7. If silt fencing is required to control sedimentation, the fencing must be placed along the uphill edge of a tree protection zone in order to prevent sediment from accumulating in the critical root zone area.

4.3.6 I | Maintenance and Replacement

The owner of the property shall be responsible for protecting and maintaining the plants in the designated preservation areas in a healthy, growing condition and for keeping the area free of refuse and debris. The owner of the property shall be responsible for replacing the vegetation if they are destroyed or substantially damaged with trees whose total diameters equals the damaged or destroyed tree or trees at BHD.

4.3.6 J | Protection Plan

A Protection plan may be required as part of any landscaping plan as determined by the Director. Protection plans shall include and comply with the following standards:

1. The Protection plan shall include a location plan and boundary line survey of the property.
2. The Protection plan shall show the areas where trees, vegetation, and soils are to be protected and preserved and the areas where trees, vegetation, and soil are to be removed or modified.
3. The protection plan shall demonstrate compliance with all vegetation protection standards of this section
4. The Protection plan must show there will be no disturbances within critical root zones of trees. A critical root zone shall be protected from encroachment and damage. The preferred method is to restrict access by installing a barrier to keep

materials, people, or equipment out of the critical root zone. The critical root zone area shall remain free of all building materials and debris

5. Once a protection plan has been approved, no preserved tree shall be removed unless the city determines that there is no reasonable way the property can be otherwise developed, improved, or properly maintained, and the tree itself retained.

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4.4 Bufferyard Standards

4.4.1 | PURPOSE, INTENT, AND APPLICABILITY

4.4.1 A | Purpose and Intent

This Chapter establishes standards for the dimensions and improvement requirements of buffer yards between land uses and/or zoning districts. The yard provides transition between incompatible uses by requiring a landscape yard of a minimum specified depth along the shared property line. Buffer yards shall provide a year-round visual, noise, and dust barrier.

In some instances, a buffer yard may not be required by the Planning Commission. These include, but are not limited to, instances where the rear wall of a commercial building is located on the rear property line or where an alley is located between a commercial property that abuts a residential property. Where it proves difficult to meet the buffer yard requirements of this Ordinance due to pre-existing site constraints, the body approving the landscape plan may approve alternative approaches or waive requirements.

4.4.2 B | Applicability

All new development shall comply with the standards of this section.

1. **Repair or Renovation.** A building may be repaired or renovated without requiring buffering per the requirements of this UDO provided there is no increase in gross floor area.
2. **Minor Site Change.** When a building or site is increased in gross floor area or improved site area by twenty-five (25) percent or less, buffering is required only for the additional floor area or improved site area. Improved site area shall include site improvements such as utility installations, landscape modifications, additional impervious surfaces (including parking), and/or construction of structures.
3. **Major Site Change.** When a building or site is increased in gross floor area or improved site area by greater than twenty-five (25) percent, both the additional area and existing area must conform to the buffering standards in this UDO, to the maximum extent possible. Improved site area shall include site improvements

such as utility installations, landscape modifications, additional impervious surfaces (including parking), and/or construction of structures.

4. **Change in Use.** A change in principal use shall not require compliance with this section, unless explicitly stated otherwise in this UDO.
5. **Single-Family Exemption.** Development or redevelopment of individual single-family dwellings, not part of a new subdivision approval, are exempt from the standards of this section.

4.4.2 | BUFFERYARD STANDARDS

4.4.2 A | General Standards

A perimeter buffer (i.e., buffer) area is determined exclusive of any required setback, however perimeter buffers may be located in required setback. Perimeter buffering shall comply with the standards below:

1. Perimeter buffer areas must be located within the outer perimeter of the lot, parallel to and extending to the lot line. Buffers are understood to be located and measured from the property line.
2. Perimeter buffer areas shall consist of a landscaped buffer intended to mitigate and screen the property from adjacent properties. No buildings, structures, principal or accessory uses, nor parking or drive aisles are allowed in the buffer. Uses such as driveways, pedestrian or bicycle trails, utilities, stormwater, parks, and general open space are allowed within required buffers.
3. Perimeter buffers begin at the common property line, immediately abutting the adjacent property.
4. Where there is a perimeter easement (such as a drainage or utility easement) that does not allow for the installation of the buffer, then the required buffer shall be placed as close to the property line, adjacent to the easement, as possible.
5. Required plant material shall be planted within the buffer.
6. Plant material may be planted parallel to the buffer perimeter or may be meandered for aesthetic purposes. Buffers may incorporate greater width and additional plant materials.
7. Fences, walls, and berms shall be installed inside the buffer, not along outer perimeter and / or boundary line. The highest point of any berm shall exist in the

middle of the required buffer. Any required fence or wall shall be installed at the highest point of the berm.

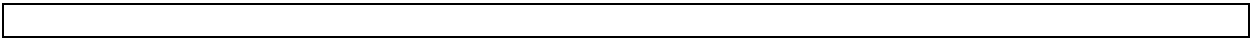
8. Where non-residential uses abut residential uses, required plant material shall be installed in front of any required fence so the required plant material is completely visible from the adjacent property or right-of-way and meet the standards of this UDO. The reverse applies when residential uses abut non-residential.
9. Trees and plants may be clustered. A Maximum ten (10) foot gap between plantings is permitted.
10. Minimum shrubs and hedges may be double staggered.
11. Buffers may be waived in areas where existing vegetated areas will remain undisturbed. Supplemental planting may be required.
12. The minimum width of the required yard may be reduced by up to fifty percent (50%) with the provision of a brick or stone wall at least six (6) feet in height running the length of the reduced width. The quantity of required evergreen trees and shrubs may also be reduced by fifty percent (50%). The quantity of required shade trees shall not be reduced. Fencing may be installed within drainage or utility easements provided it does not interfere with drainage or the utilities within the easement.
13. The minimum width of a required buffer yard may be reduced by up to thirty-three percent (33%) with the provision of a solid wood fence or heavy-duty commercial grade fence at least six (6) feet in height running the length of the shared property boundary. The quantity of required shade trees may not be reduced. Fencing may be installed within drainage or utility easements provided it does not interfere with drainage or the utilities within the easement.
14. The required buffer yard shall not contain any development, impervious surfaces, or site features that do not function to meet the standards of this subchapter or that require removal of existing vegetation, unless otherwise permitted in this Ordinance. The following items shall be permitted within buffer yards provided that, in the opinion of the Planning Commission, the intent of the buffer yard is not compromised and damage to existing vegetation is minimized:
 - a. Sidewalks, trails, and bike paths;
 - b. Fences and walls;

- c. Required landscaping;
 - d. Stormwater retention or detention facilities and best management practices, provided they do not interfere with the performance and maintenance of the buffer area;
 - e. Driveway or parking lot drive aisles provided they cross the buffer yard at a ninety (90) degree angle to the yard or do not encroach into the yard in a parallel fashion for more than thirty-five (35) feet. In the latter instance, a six (6) feet tall brick or stone wall shall be installed within the encroached area.
 - f. In the event that utility lines are installed within a buffer yard in a manner that is parallel to the buffer, additional width shall be added to the yard in an amount equivalent to the amount occupied by the utility lines and any associated easements. Any path cleared by utility installation shall be replaced with plant materials consistent with what was removed.
15. Existing vegetation (excluding exotic or nuisance) located within the required buffer yard and meeting the minimum size requirements in this subchapter may be credited toward the buffer standards. The amount of credit shall be at the discretion of the City’s Landscape Architect, and shall be based on the quality, size, projected longevity and function of the vegetation.
16. When a new residential development will create double frontage lots, the Planning Department may require that a Buffer Type C be placed along the rear of the double frontage lot to screen the rear from the roadway.

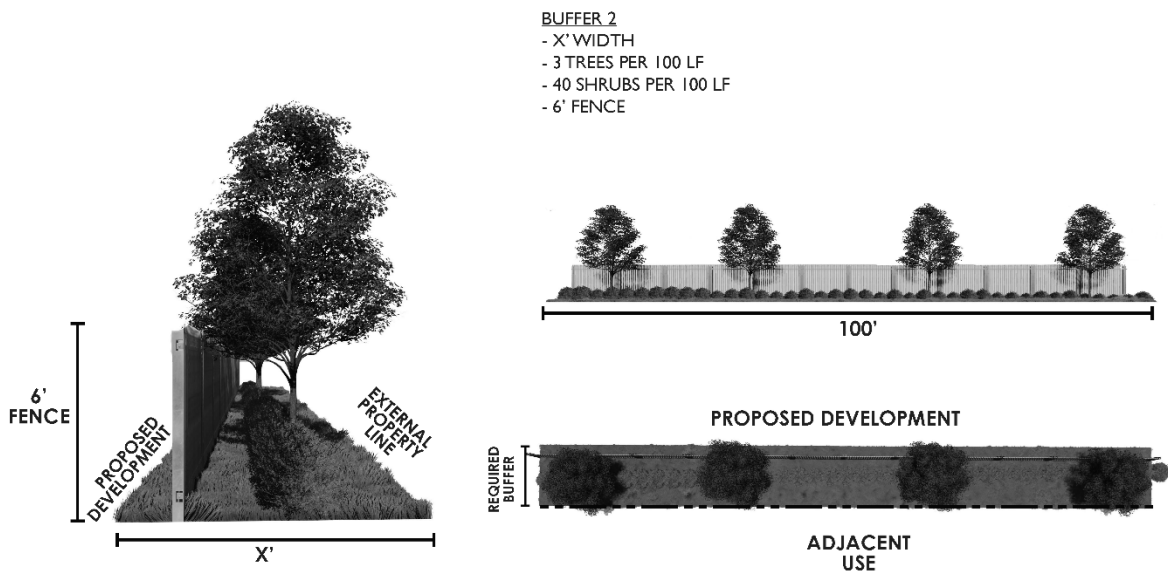
4.4.2 B | Bufferyards Types

Table 4.4.2 Bufferyards

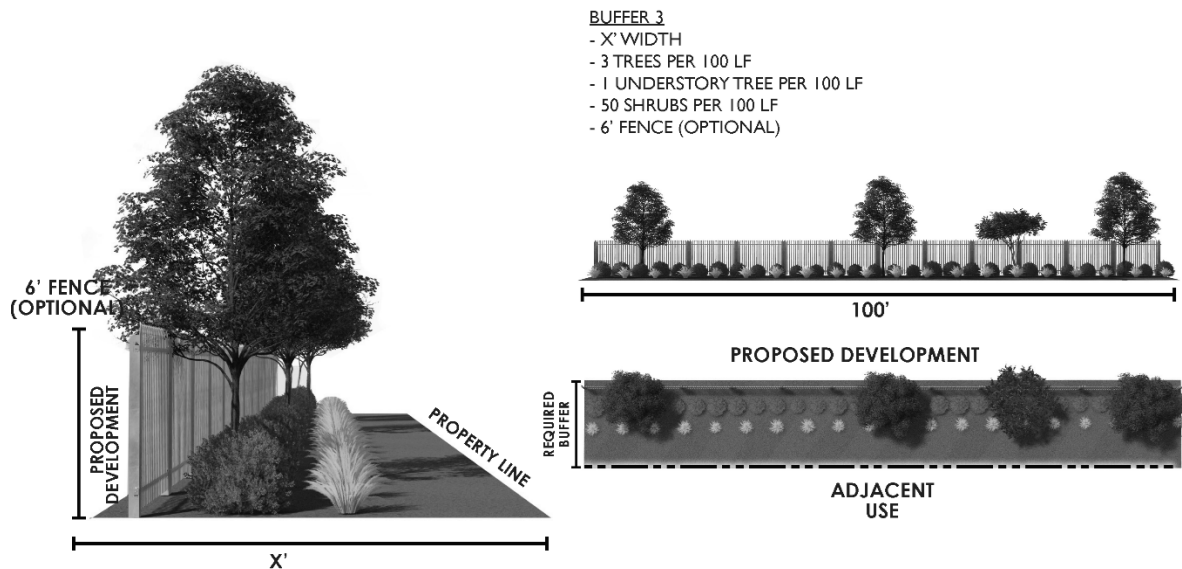
BUFFERYARDS				
	BUFFER A	BUFFER B	BUFFER C	BUFFER TYPE D
WIDTH	10 FT	15 FT	25 FT	50 FT
CANOPY TREES	3	3	4	8
UNDERSTORY TREES	0	1	2	4
SHRUBS	40	50	60	60
FENCE HEIGHT	N/R	6 FT	N/P	N/P
WALL HEIGHT	N/R	N/R	6 FT	8 FT
BERM HEIGHT	N/R	N/R	N/R	5 FT
<u>Notes:</u> N/R = Not Required N/P = Not Permitted Measurements provided are per 100 linear feet and are minimum standards. Plant materials required are quantities.				



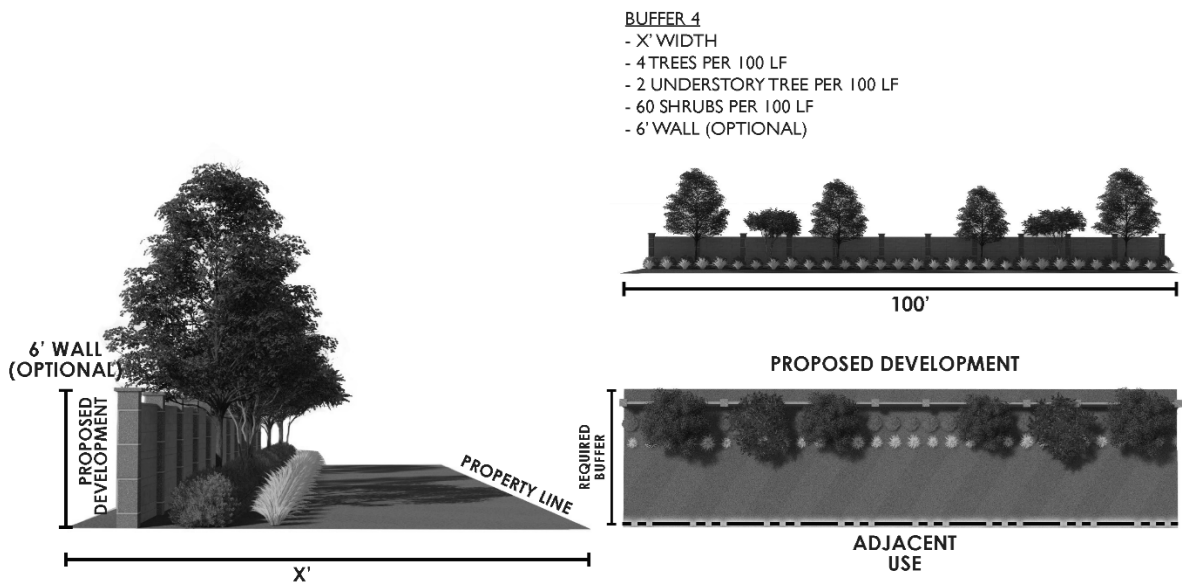
To determine the total number of plants required, the length of each side of the property requiring a landscape buffer yard shall be divided by one hundred and multiplied by the number of plants shown in the illustration. Required plant material shall be planted within the buffer; exceptions may be approved per an alternative planting plan.



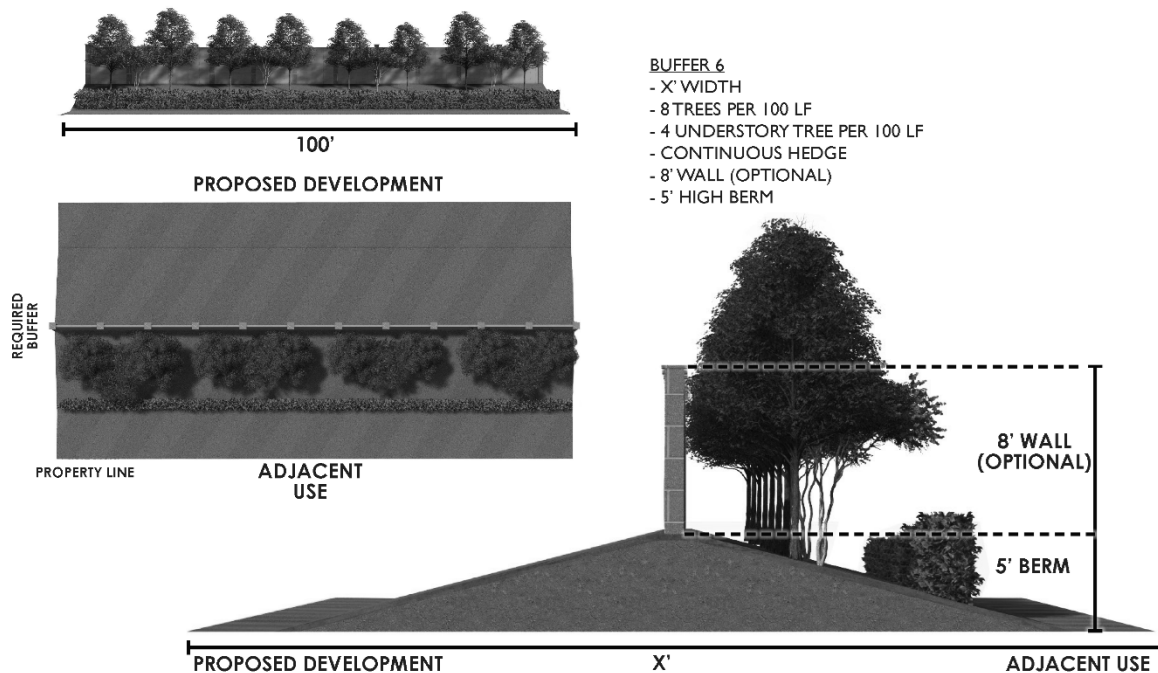
Buffer Type A



Buffer Type B



Buffer Type C



Buffer Type D

4.4.2 C | Frontage Bufferyard Standards

Parking Areas Adjacent to Public Streets. See also Section XXX for specific Parking Area buffer and landscape standards. Where Parking areas adjacent to public streets shall be separated from the edge of the right-of-way by a perimeter landscape strip which shall be landscaped. The public right-of-way and areas reserved for future rights-of-way in compliance with the adopted major street plan shall not be used to satisfy the requirements of this article. Perimeter landscape strips shall be continuous and unbroken except for driveways or sidewalks required to access the parking area. No single driveway/sidewalk penetration shall exceed thirty-five feet.

Perimeter landscape strips adjacent to public streets with four or more travel lanes (as classified by the major street plan) shall be a minimum of ten feet in width, unless: (a) the strip includes a permanent finished wall no less than thirty inches in height; or (b) the required trees are planted in islands between the parking spaces. In such cases the perimeter landscape strip may be reduced to five feet in width.

Perimeter landscape strips adjacent to public streets with less than four travel lanes (as classified by the major street plan) shall be a minimum of five feet in width, unless: (a)

the strip includes a permanent finished wall no less than thirty inches in height; or (b) the required trees are planted in islands between the parking spaces. In such cases the perimeter landscape strip may be reduced to two and one-half feet in width.

Permanent landscape strips which use walls or earthen berms are desirable for the reliability of the screening effect they provide. Berms shall not have slopes steeper than 2:1 (horizontal to vertical). Berms with slopes flatter than 4:1 may be stabilized with lawn grasses, and berms with slopes in the range 2:1 to 4:1 shall be stabilized by a continuous perennial plant groundcover which does not require mowing in order to maintain a neat appearance. The wall or combination of berm and perennial groundcover shall be a minimum of two and one-half feet in height.

4.4.2 C | Bufferyard Types by District

Buffer yards shall be provided according to the matrix shown below. First identify the type of zoning for the proposed development along the left side of the matrix. Find where the zoning type of the proposed development and each adjoining property intersect on the matrix. If a buffer is required, a capital letter will indicate the type of buffer to be applied. If the proposed use within a zone is also listed as a permitted use within a less-intensive zone, the corresponding class for the less intensive zone may be applied. For example, a proposed commercial use within an industrial zone may be classified as a commercial zone for the purposes of the matrix.

Table 4.4.2 Bufferyard Types by District

BUFFERYARD TYPES TABLE												
ZONING DISTRICT OF ADJACENT PROPERTY												
PROPOSED DISTRICT	AG-RR	RL	RM	RH	CBS	MUC	GC	OP	IL	IH	PDR	PDC
AG-RR		A	A	A	B	B	B	B	D	D	A	A
RL	A		C	C	B	B	B	B	D	D	C	B
RM	A	C		C	B	B	B	B	D	D	C	B
RH	A	C	C		B	B	B	B	D	D	C	B
CBS	B	B	B	B					A	A	B	B
MUC	B	B	B	B					A	A	B	B
GC	B	B	B	B					A	A	B	B
OP	B	B	B	B					A	A	B	B
IL	D	D	D	D	A	A	A	A			A	A
IH	D	D	D	D	A	A	A	A			A	A
PDR	A	C	C	C	B	B	B	B	A	A		C
PDC	A	B	B	B	B	B	B	B	A	A	C	

4.4.3 | RESPONSIBILITY FOR BUFFERYARD INSTALLATION

1. Where a developing parcel is adjacent to a vacant parcel, the developing parcel shall provide one hundred percent (100%) of the buffer yard required adjacent to the vacant land.
2. Where a developing parcel is adjacent to an existing use, the developing parcel shall provide the full buffer yard required adjacent to the existing use.
3. Where all or part of a buffer yard exists on the adjacent developed parcel, but the yard does not fully comply with the standards of this subchapter, the developing parcel shall be responsible for providing all the additional planting material required to conform to the above stated buffering requirements. City may require a greater buffer based on proposed use.
4. If the existing developed parcel contains a buffer meeting the standards of this subchapter, then the developing use is not required to provide a buffer.

4.4.4 | ALTERNATIVE BUFFERYARD

4.4.2 A | General Standards

If due to unique topography, location of site features, or size of parcel influences compliance of this section, the Planning Director may approve an alternative landscaping plan. The alternative landscaping plan shall include the following visual examples:

1. The alternative landscaping plan provides landscaping that is consistent with the intent outlined in this section;
2. Tree planting requirements are not reduced and no invasive vegetation is included in the alternative landscaping plan;
3. All tree protection requirements of this section are met
4. The alternative landscaping plan provides landscaping that is equal or superior to the standards of this section.

4.4.5 | SCREENING OF SERVICE AREAS, MECHANICAL EQUIPMENT, AND DISPLAY

4.4.5 A | Purpose and Intent

This section defines the minimum required screening standards for service areas, mechanical equipment and commercial vehicle storage areas within the City of White House. The standards of this section intend to minimize potential nuisances between services areas and mechanical equipment from neighboring properties including noise, pollution, and lights.

4.4.5 B | Applicability

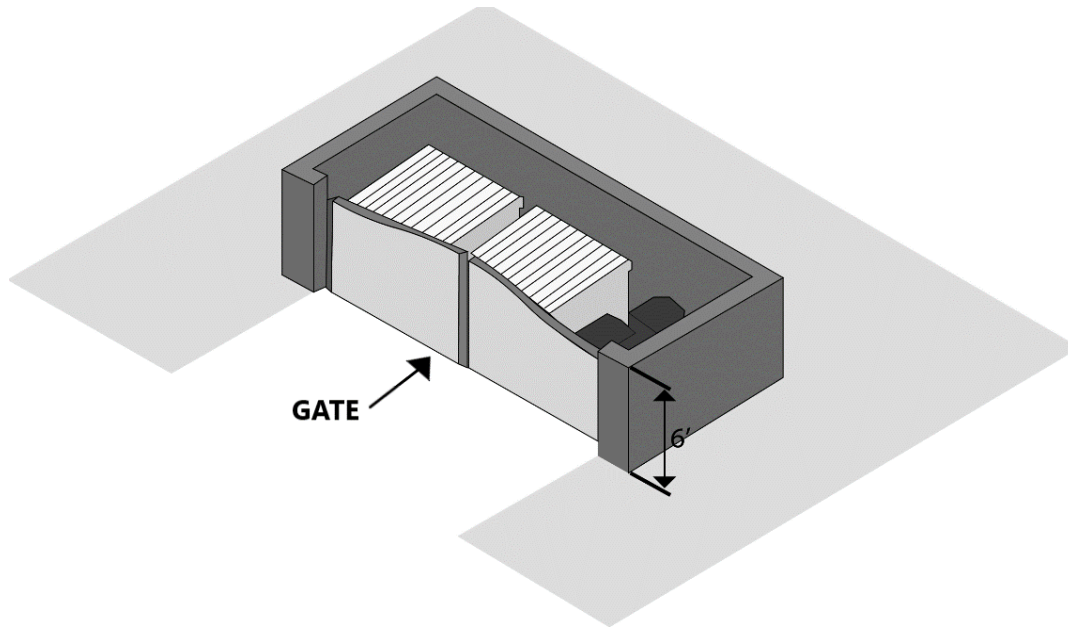
All new service areas, installation of mechanical equipment, and commercial vehicle storage areas shall comply with the standards of this section.

4.4.5 C | Service Area

Service areas shall include all trash and recycling (dumpsters), compactor, and similar areas.

1. Service areas shall only be located on the rear or side of buildings.
2. Service areas shall be screened on three (3) sides by a fence or wall enclosure a minimum six (6) feet in height. The fourth side shall be a solid gate a minimum six (6) feet in height. The fence or wall shall comply with the design and material standards of this UDO.
3. The enclosure and gate shall be maintained in clean, good, working order and be maintained in its permitted state. The gate shall remain closed except when trash pick-up occurs.

Figure 4.4.5.1 Service Area Illustrative Example



4.4.5 D | Roof Mounted Mechanical Equipment

Rooftop mechanical equipment shall comply with the following standards:

1. Be setback from the edge of the roof at least ten (10) feet.
2. Be screened from view of pedestrians at the ground level of the abutting public street or adjacent property through the use of a screen, parapet wall, or architectural element.
3. The required screen, parapet wall, or architectural element shall consist of a design that is similar to the principal building in terms of material, texture, and color.

4.4.5 E | Ground Mechanical Equipment

Mechanical equipment located on ground level, and in-ground dumpsters, shall comply with the following standards:

1. Be located so that equipment is minimally visible from all pedestrian paths and rights-of-way.
2. Not encroach into pedestrian paths or sidewalks.
3. If visible from public rights-of-way or pedestrian path (not including an alley), the mechanical equipment shall be screened by a screen, landscaping, wall, or fence

that meets the standards of this section. The required screen, wall, or fence shall be similar to the principal building in terms of material, texture, and color.

4. Screening of the mechanical equipment shall be equal to or greater than the height of the mechanical equipment.

4.4.5 F | Wall Mounted Equipment

All equipment mounted on the walls of buildings shall comply with the following standards:

1. Unless equipment is required for life-safety, wall mounted equipment shall not be installed on a wall within ten (10) feet of a sidewalk.
2. If visible from public rights-of-way or sidewalk (not including an alley), the mechanical equipment shall be screened by a screen, landscaping, wall, or fence that meets the standards of this section. The required screen, wall, or fence shall be similar to the principal building in terms of material, texture, and color.
3. Screening of the mechanical equipment shall be equal to or greater than the height of the mechanical equipment.

4.4.5 G | Miscellaneous Utility Service Areas

Utility service areas located outside the public right-of-way must be screened from public view. Screening shall consist of landscaping, fence or wall meeting the design requirements of this section. Screening is not required for utility service areas that are related to emergency services (i.e. fire hydrants).

4.4.5 H | Commercial Vehicle Storage Areas

Areas used to store commercial vehicles categorized as class 4 or higher of the Federal Highway Administration 13 Vehicle Category Classification must be screened from public view when viewed from the public right-of-way. Screening shall consist of landscaping, fence or wall meeting the design requirements of this section.

4.6 Open Space

4.6.1 | PURPOSE, INTENT, AND APPLICABILITY

4.6.1 A | Purpose and Intent

The purpose of this section is to provide for open space and that requires preservation of natural features, ensures access to open areas, provides active and passive recreational opportunities, adds to the visual character of a development, and provides other public health benefits. Further, this section intends to:

1. Define minimum open space requirements;
1. Require for maintenance and upkeep of open spaces.
2. Promote open space that is accessible to the public in applicable developments; and
3. Expand opportunities for connectivity and quality of open spaces provided in the City.

4.6.1 B | Applicability

All new development shall comply with the standards of this section

1. **Repair or Renovation.** A building may be repaired or renovated without requiring open space per the requirements of this UDO provided there is no increase in gross floor area.
4. **Minor.** When a building or site is increased in gross floor area or improved site area by twenty-five (25) percent or less, open space is required only for the additional floor area or improved site area. Improved site area shall include site improvements such as utility installations, landscape modifications, additional impervious surfaces (including parking), and/or construction of structures.
5. **Major.** When a building or site is increased in gross floor area or improved site area by greater than twenty-five (25) percent, open space must be provided for the total of the entire property. Improved site area shall include site improvements such as utility installations, landscape modifications, additional impervious surfaces (including parking), and/or construction of structures.
6. **Change in Use.** A change in use shall not require compliance with this section.

4.6.1 C | Exemptions

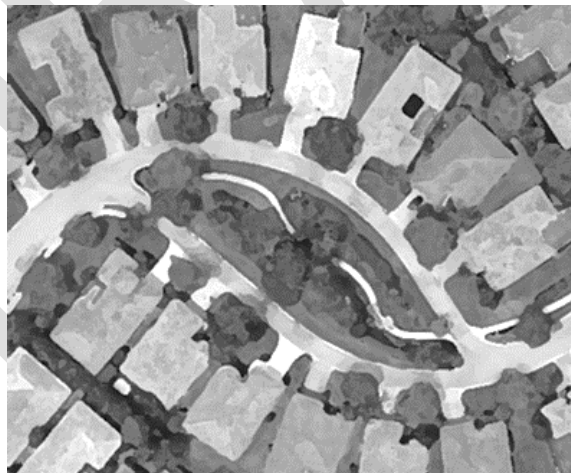
1. **Single-Family.** Development or redevelopment of individual single-family dwellings, not part of a new subdivision approval, are exempt from the standards of this section.

4.6.2 | OPEN SPACE FORMS

Required open space shall be implemented through permitted open space forms identified in this section. Open spaces forms shall allow for public areas, semi-public areas, and / or private outdoor areas. All open space areas shall be landscaped in accordance with this UDO and provide uniform design and coordinated experiences for the user. The following open space forms are identified below:

1. **Small Open Space**

- a. **Pocket Park.** Pocket parks are defined as a small open space. Pocket parks are primarily intended to provide small active or passive recreation opportunities and act as a gathering space for residents or customers. Features may include small shade structures, gazebos, seating areas, multi-purpose lawn space, playgrounds, community gardens, dog parks, trails, or natural elements such as a stream or pond.



- b. **Active Use Areas.** Active use areas are primarily intended to allow for pedestrian activity within nonresidential developments and shall comply with the following standards.

- i. Active use areas shall provide attractive, safe, and functional environments for the gathering of people, eating and drinking, and small-scale outdoor uses in a nonresidential environment.
- ii. Active use areas may include outdoor dining, small outdoor music venues, or flexible urban space.
- iii. Active use areas shall be a minimum one-hundred (100) square feet in area.

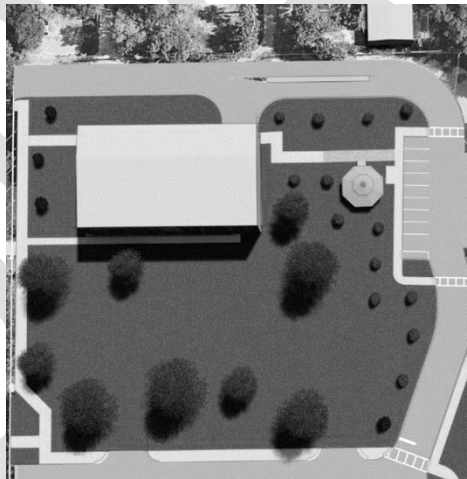


2. Medium Open Space

- a. **Amenity Center.** Amenity centers are defined as small or medium open spaces and include a combination of enclosed and open areas. Amenity centers provide recreational opportunities and are typically included in residential developments. Amenity centers may include features such as pools, splash pads, clubhouse, small scale recreational facilities such as pickleball, soccer, or shuffleboard, lawn games, and pavilions. Pavilions associated with an amenity center are open air structures that typically allow for shade, outdoor concerts, exhibits, and other activities commonly associated with neighborhood events. Designs of amenity centers and pavilions should be similar in architecture and material as the residential development.

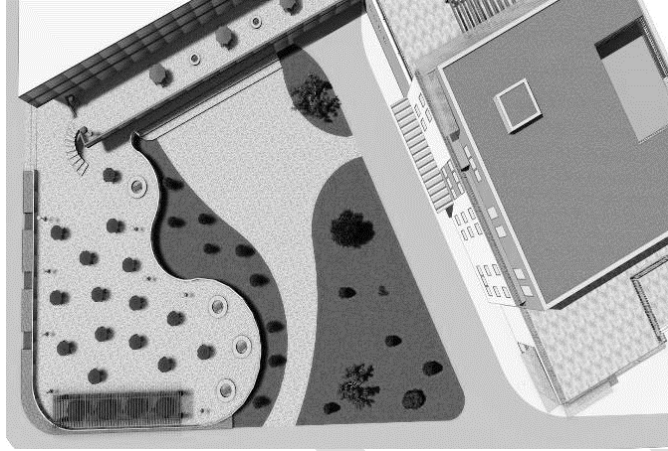


- b. **Green.** Greens are defined as small or medium open spaces. Greens provides more informal, natural spaces supporting active or passive recreation opportunities. Greens are typically bounded by rights-of-ways and the fronts of buildings. Greens may provide features such as multi-purpose lawn space, lawn games, playgrounds or play spaces, and limited small scale recreational facilities such as pickleball or soccer.



- c. **Plaza.** Plazas are defined as small or medium open spaces. Plazas serves as a gathering place for civic, social, and commercial purposes. A plaza may contain a greater amount of impervious coverage than any other open space type. Plazas are typically located in the front or sides of a building or group of buildings and may not be located in the rear of the

building or property. Pedestrian features such as shade structures, benches, tables, fountains, and public art are required.



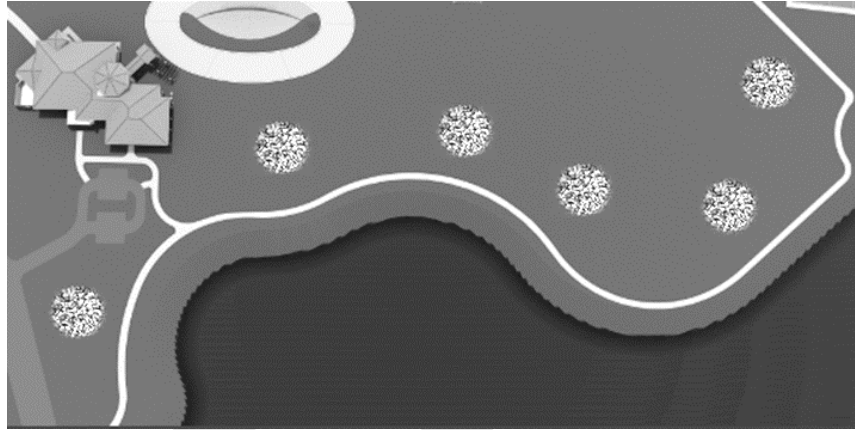
- d. **Square.** Squares are defined as small or medium open spaces. Squares serve as a more formal open space type for gathering for civic, social, and commercial purposes. Squares are typically rectilinear in shape and are bordered on all sides by a vehicular right-of-way (public and private), which, together with building frontages, creates a definition and boundary. Features may include seating areas, pedestrian facilities, play areas, shade structures, gazebos, seating areas, playgrounds, public art, statues, and monuments.



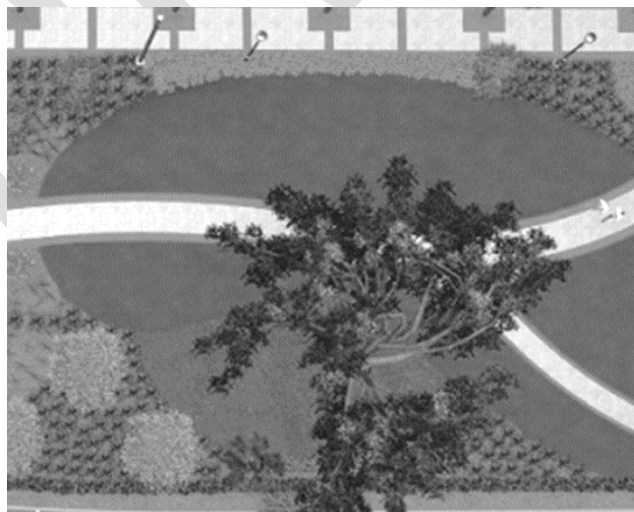
3. Large Open Space

- a. **Linear Park.** Linear parks are defined as medium or large open spaces. Linear parks may be formalized based on function (i.e., provide multimodal

or connectivity opportunities). Linear parks typically take advantage of scenic environmental attributes and follow a natural feature including but not limited to a stream, wetland system, or man-made feature natural feature. Features may include natural environmental features such as streams, benches, picnic tables, lawn games, and shade structures.



- b. **Neighborhood Park.** Neighborhood parks are defined as medium or large open spaces. Neighborhood parks are intended to be a substantial component of a development and provide formal or informal active and passive recreational activities opportunities. Neighborhood parks typically serve as a medium or large open space area for residential subdivisions, planned developments, and mixed-use centers.}



4.6.3 | OPEN SPACE REQUIREMENTS

4.6.3 A | Minimum Open Space Requirement

The minimum amount of open space required in a development shall be in accordance with this Section. Nothing in this Section shall restrict the development from providing more than the minimum required open space than what is required in this Section. The gross square footage of open space area shall be used in the calculation of open space percentage requirements. Vehicle use areas, streets, driveways, and sidewalks required per this UDO may not be used toward open space calculations unless explicitly stated in this Section. The amount of open space required shall be the greater of the following: 0.5 acres or the percentage identified in subsection (1), (2), (3) and (4) below.

1. **Residential Zoning Districts.** All new development subject to this Section within the traditional residential zoning districts as defined in Section 4.2: Residential Zoning Districts, shall require a minimum ten percent (10%) open space of the total development size. The required ten percent (10%) open space shall also comply with the following additional standards:
 - c. **Less Than 50 Acres.** For residential developments less than fifty (50) acres in size, required open space shall include at least one (1) small open space type and one medium open space type, as defined in Section 8.3.3.C: Open Space Types. If the residential development is less than ten (10) acres, the development shall not require one (1) medium open space type, but shall still comply with the minimum ten percent (10%) open space requirement. A design alternative may be permitted by the Planning Director for one (1) large open space type.
 - d. **Greater Than 50 Acres.** For residential developments greater than fifty (50) acres in size, required open space shall include at least one (1) small or medium open space type and one (1) large open space type, or shall include one (1) small open space type and two (2) medium open space types, as defined Section 8.8.3.C: Open Space Types. For residential developments greater than fifty (50) acres in size, in addition to the required open space types, at least fifty (50) percent of homes must be within one-half (1/2) mile of a medium or large open space type.

4. **Mixed-Use Zoning Districts.** All new development subject to this Section within mixed-use districts as defined in Section 5: Mixed-Use Zoning Districts, shall require a minimum of fifteen percent (15%) open space of the total development size. The required fifteen percent (15%) open space shall also comply with the following additional standards:
- a. **Less Than 25 Acres.** For mixed-use developments less than twenty-five (25) acres, required open space shall include at least two (2) small open space types, as defined in Section XXX above.
 - b. **25-50 Acres.** For mixed-use developments greater than twenty-five (25) acres, but less than fifty (50) acres in size, required open space shall include at least two (2) small open space types and one (1) medium open space type, as defined in Section XXX above.
 - c. **Greater Than 50 Acres.** For mixed-use developments greater than fifty (50) acres in size, required open space shall include at least three (3) small open space types and two (2) medium open space types, as defined in Section XXX above. Alternatively, three (3) small open space types may be substituted for one (1) medium open space type, however all percentage requirements shall be met.
5. **Commercial Zoning Districts.** All new development subject to this Section within non-residential districts as defined in Section 4.3: Commercial Zoning Districts, shall require a minimum of five percent (5%) open space of the total development size. The required five percent (5%) open space shall also comply with the following additional standards:
- a. **Less Than 25 Acres.** For commercial developments less than twenty-five (25) acres, required open space shall include at least one (1) small open space type, as defined in Section XXX above.
 - b. **25-50 Acres.** For commercial developments greater than twenty-five (25) acres, but less than fifty (50) acres in size, required open space shall include at least one (1) small open space type and one (1) medium open space type, as defined in Section 8.8.3.C above.
 - c. **Greater Than 50 Acres.** For commercial developments greater than fifty (50) acres in size, required open space shall include at least two (2) small

open space types and one (1) medium open space type, as defined in Section 8.8.3.C above.

6. **Planned Developments.** Planned developments shall comply with this Section and Section X.X: Planned Districts.
- a. **Planned Commerce Development (PCD).** PCD’S shall require a minimum twenty-five percent (25%) open space. PCD’s shall incorporate at least two (2) small open space types and one (1) medium open space type, as defined in Section 8.8.3.3.C above.
 - b. **Planned Unit Development (PUD).** PUD’S shall require a minimum thirty-five percent (35%) open space. PUD’s shall comply with the following additional standards:
 - c. **10-25 Acres.** For PUD’s greater than ten (10) acres, but less than twenty-five (25) acres in size, required open space shall include at least two (2) small open space types and one (1) medium open space types, as defined in Section XXX above.
 - d. **25-50 Acres.** For PUD’s greater than twenty-five (25) acres in size, but less than fifty (50) acres in size, required open space shall include at least two (2) small open space types, two (2) medium open space types, and one (1) large open space type, as defined Section XXX above.
7. **Greater Than 50 Acres.** For PUD’s greater than fifty (50) acres in size, required open space shall include at least four (4) small open space types, three (3) medium open space types, and one (1) large open space type, as defined in Section 8.3.3.C above. At least fifty percent (50%) of homes must be within one-half (1/2) mile of a medium or large park.

QUESTION FOR STAFF: Alternative Approach to this Section

MINIMUM OPEN SPACE REQUIREMENT		
ZONING DISTRICT	MINIMUM OPEN SPACE PERCENTAGE (%)	MINIMUM REQUIRED OPEN SPACE FORM(S)
Residential Districts		
0-10 Acres	10%	1

10-30 Acres	10%	2
Greater Than 30 Acres	20%	3 *1
Nonresidential Districts		
Less Than 25 Acres	5%	1
25-50 Acres	10%	2
Industrial Districts	0%	0
Mixed-Use Districts		
Less Than 25 Acres	10%	2
Greater Than 25 Acres	15%	2
Planned Developments and Design Review Districts are required to meet Open Space standards set forth in Section 2.4		
<u>Notes:</u> *1 - At least fifty (50) percent of dwelling units must be within one-half (½) mile of the majority of open space within the residential development. Cluster Subdivision Developments are subject to Open Space standards set forth in Section 7 – Cluster Subdivision Development.		

4.6.4 | OPEN SPACE DESIGN STANDARDS

The design and incorporation of open space in a development shall comply with the following standards:

1. **Evenly Distributed.** Required open space shall be, to the maximum amount practicable with respect to environmental considerations and subdivision design, evenly distributed throughout the development.
8. **Consolidation.** Required open space requirements shall not be consolidated to meet the standards of this section. It is the intent of this section to require multiple open space forms of varying sizes in each development where required.

- a. If the design, layout, or proposed uses within a development makes consolidation of open space appropriate, the applicant may request a waiver of this requirement from the Planning Director. The applicant shall provide a written narrative and graphical illustrations justifying the request.
9. **Distance.** No two open space forms shall be adjacent or within one-hundred (100) feet of each other. Active use areas are exempted from this standard.
10. **Accessible.** Open space shall be located and designed to be easily accessible for residents and/or users of the development. Open spaces shall make accommodations to provide universal designs that can be enjoyed by different target users and provide for ADA accessibility.
11. **Public Seating.** Public seating shall be required. Public seating shall be appropriate to the intended use of the park area (i.e. benches may be appropriate for active spaces; Adirondack chairs and landscape terraces may be appropriate for passive spaces).
12. **Receptacles.** Refuse and recycling receptacles are required at each entrance and gathering space.
13. **Stormwater.** A maximum fifty (50) percent of total required passive open space may be stormwater facilities if publicly accessible through improved or primitive trail. For the purpose of this section, improved and primitive trails are defined below:
14. **Improved Trail.** An improved trail shall be defined as a clearly marked, paved, impervious trail.
15. **Primitive Trail.** A primitive trail shall be defined as an unpaved, pervious trail that consists of mulch, crushed stone, or similar material.
16. **Environmentally Sensitive/Unique Lands and Floodplains.** A maximum twenty (20) percent of total required passive open space may be environmentally sensitive or unique lands such as wetlands, protected stream buffers, rock outcroppings, and floodplains.
17. **Ponds and Lakes.** A maximum of five (5) percent of total required passive open space may be ponds and lakes not associated with stormwater retention if at least twenty-five (25) percent of the shoreline is a public edge, and public access

is provided that is equivalent to the access provided to private landowners around the lake.

18. Multi-Phased Developments. In multi-phased developments, open space shall be provided for each phase in an amount sufficient to satisfy the open space requirements for the subject phase of development and all preceding phases of development.

19. Areas Not Included in Open Space. The following are not considered open space and cannot be counted toward minimum open space requirements:

- a. Private yards not part of an open space or conservation easement;
- b. Street rights-of-way or private easements
- c. Vehicular parking areas; and
- d. Designated outdoor storage areas

20. Active and Passive Features. Within residential developments, a minimum of twenty-five (25) percent of all required open space (gross square footage) shall be dedicated and designed to allow for active recreation features. Active recreation and passive features are identified in Table 4.6.4.1.

- a. Active recreation is defined as recreational features, often requiring equipment and taking place at prescribed places, sites or fields, which allow for the active recreational needs of residents or users of the development which they serve.
- b. Passive recreation is defined as recreational features that do not require prepared facilities like sports fields or pavilions and require minimal disruption to a site. These include such activities as walking paths and other features defined in Table 4.6.4.1.

Table 4.6.4.1 Active and Passive Features

ACTIVE FEATURES	PASSIVE FEATURES
Lawn Games and Concrete Gaming Tables	Walking Trails
Hard Courts (Pickleball, Tennis, Etc.)	Boardwalks
Playgrounds	Gardens
Swimming Pools and Splash Pads	Greens
Athletic Fields (Pickleball, Baseball, Etc.)	Picnic Areas

Clubhouse, Pavilions, Amenity Centers, Gazebos, Shade Structures	Lakes and Ponds
Exercise Facilities	Lawns and Natural Areas
Plazas	Greenways

4.6.5 | OWNERSHIP OF OPEN SPACE

Open space is intended to remain under private ownership while still being available for public use by residents and users of a development. Ownership of open space shall remain with the owner of the land unless one of the following circumstances exist:

1. Homeowners Association (HOA) / Property Owners Association (POA). Open space may be owned in common by the owners of a development through a recognized homeowners association (or similar ownership association).
2. Nonprofit. Open space may be conveyed to a nonprofit organization (i.e. a conservation ground, land trust, etc.) for management. The nonprofit shall be required to manage and maintain the open space.
3. Dedication. Open space may be dedicated to the city during the review process if an agreement is made between the applicant and city. The city shall have final authority on which lands are dedicated to the city.

4.6.6 | MAINTENANCE OF OPEN SPACE

The owner of open space shall be required to maintain the open space. This shall include regular maintenance of vegetation as well as infrastructure components (stormwater facilities, paths, impervious surfaces, amenities, etc.). Failure to maintain the open space in the condition in which it was approved will result in code enforcement action and potential penalty by the city.

4.7 Cluster Development Standards

4.7.1 | PURPOSE, INTENT, AND APPLICABILITY

4.7.1 A | Cluster Development

Cluster developments are permitted within certain Residential Districts as identified in Section 2.3 Residential Districts. Cluster developments require applicant consent, in writing, and shall be subject to the following standards including Section 2.1. Building and Site Design Standards. Cluster development shall be a minimum five (5) acres in size.

Cluster development allows an applicant to qualify for alternative minimum lot sizes per and a corresponding increase in permitted density to the maximum identified in the respective Residential Districts identified in Section 2.3. A density increase shall only be permitted provided all standards provided below are met; a density bonus shall not be granted if the standards of this Section are proposed for modification or variance. In accordance with Section XXX: Major Subdivision Preliminary Plat, cluster subdivision developments shall meet all requirements for a subdivision, site plan and all other applicable City ordinances and this UDO, except as otherwise provided for in Section XXX.

1. **Open Space.** Cluster developments shall designate at least 30% of the site for contiguous open space as defined in Section 4.6. The locations of the open space shall be reviewed at the time of rezoning and or subdivision and be dependent upon the internal layout of the project and the adjacent uses. Where properties do not require rezoning, open space shall be reviewed as part of the subdivision preliminary plat. Internally located open space may be needed to compliment the overall project open space requirements, while perimeter open space may be needed to provide a transition or separation from an adjacent lower density residential or agricultural use. Open space areas may be used to fulfill the buffering required in Section 4.4 as provided in .XXX .4 below
2. **Building and Design Standards.** The building and design standards for cluster subdivisions are increased to ensure that cluster subdivisions align with the

overall character of and vision for the City of White House. Cluster subdivisions shall comply to the following building and design standards.

- a. **Building Elevations.** Building elevations shall be provided for each housing type within the cluster subdivision. Elevations shall not repeat for every three consecutive structures.
 - b. **Exterior Building Materials:** Exterior building materials shall consist of one of the following:
 - i. Brick or Brick Veneer
 - ii. Stone
 - iii. Vinyl
 - iv. Other materials may be approved upon review and approval by the Director of their designee.
 - c. **Accent Building Materials.** A minimum of two exterior accent materials are required for each structure.
3. **Mixture of Housing (Lot) Types.** Each cluster development shall contain at least three (3) different housing types from Table XXX. No less than 20% and no more than 60% should be provided of one housing type or lot size out of the housing types to be provided:

Table XXX Mix of Housing Types

TYPE	LOT SIZE	MINIMUM LOT WIDTH	LOT ARRANGEMENT/PLACEMENT
AG-RR	20,000 sf – 1 acre	150'	External (perimeter) and Internal permitted
RL	10,000-20,000 sf	75'	External (perimeter) and Internal permitted
RM	8,000-10,000 sf	70'	Internal to site (i.e. not on periphery of boundary of development)
RH	6,500-8,000 sf	60'	Internal to site; no more than 25% of the total housing units
TOWNHOUSES	XX	XX	Internal to site; no more than 40% of the total housing units

4. A Type C Buffer, as defined in Section 4.4: Perimeter Buffer Standards, shall be provided for cluster developments. The Type C Buffer may be counted towards no more than 50% of the required open space percentage. These buffers may also allow pedestrian paths within the buffers. All buffers shall be platted as separate tracts to be owned and maintained by the Homeowner's Association, Property Owner's Association, or similar entity.
 - a. If a Cluster subdivision provides lots equal to or greater than the RL, no buffer shall be required along that property line.