ZONING ORDINANCE

OF

DANDRIDGE, TENNESSEE

Re-printed July 2007

ORDINANCE NO. 06/07-30

Dandridge Municipal Planning Commission Approved on:	**April 26, 2007**
BMA Passed on First Reading:	**May 8, 2007**
BMA Passed on Second Reading:	**May 8, 2007**
BMA Passed on Third Reading:	**June 12, 2007**

(Updated through to Ordinance No.21/22-09, June 14, 2022)

ZONING ORDINANCE

OF

DANDRIDGE, TENNESSEE

DANDRIDGE PLANNING COMMISSION

Barbara McAndrew, Chairman

George Gantte, Mayor

Linda Swann, Vice-Chairman

Cecil Franklin, Secretary

Mike Chambers

Pam Dockery

Jack Hasty

Mark Jackson

Rusty Whillock

Prepared by The
LOCAL PLANNING ASSISTANCE OFFICE
The Department of Economic and Community Development
Knoxville, Tennessee

Adopted December 1990

TABLE OF CONTENTS (needs to be updated with page #'s)

CHAPTER 2 **PAGE**

14-201. Title……6
14-202. Purpose……...6
14-203. Zoning Map……6
14-204. Definitions……..6

CHAPTER 3 - GENERAL PROVISIONS

14-301. Scope……24
14-302. Zoning Affects Every Building and Use……..24
14-303. Continuance of Nonconforming Uses and Structures……..24
14-304. Only One Principal Building on Any Lot……25
14-305. Lot Must Abut a Public Street…….....26
14-306. Reduction in Lot Area Prohibited……26
14-307. Obstruction to Vision at Street Intersection Prohibited……26
14-308. Junked Yards/Dumps……26
14-309. Off-Street Automobile Storage……26
14-310. Access Control……..29
14-311. Off-Street Loading and Unloading Space Required……30
14-312. Maximum Building Height…….....30
14-313. Site Plan Regulations for Commercial, Multi-Family,
Public and Semi-Public Uses……30
14-314. Use of Parking Lots…….....35
14-315. Use of Vacant Lots……...35
14-316. Landscaping Requirements……...35

CHAPTER 4 - ZONING DISTRICTS

14-401. Classification of Districts……43
14-402. Boundaries of Districts……44
14-403. Application of District Regulations……..44
14-404. R-1, Low Density Residential District……44
14-405. R-2, High Density Residential District……46
14-406. R-3, High Density Residential District for Planned Unit
Developments or High-Density Subdivisions…….……48
14-407. B-1, Central Business District……..53
14-408. B-2, General Business District……56
14-409. B-3, Interstate Business District. 57
14-410 B-4, Residential and Commercial Resort District.....59
14-411. M-1, Light Industrial District.....61
14-412. F-1, Flood Plain Management Regulations.....64
14-413. H-1, Historical District.....64

14-414. A-1, Agricultural Residential District……..…64
14-415. Mixed Use (Residential and Commercial Uses) District (MUD)…….65

CHAPTER 5 - EXCEPTIONS AND MODIFICATIONS

14-501. Lot of Record……71
14-502. Adjoining and Substandard Lots of Record.....71
14-503. Rear and Side Yards Abutting a Railroad Siding…….....71
14-504. Height Limits….....71

CHAPTER 6 - SUPPLEMENTARY REGULATIONS APPLYING TO A SPECIFIC, TO SEVERAL, OR ALL DISTRICTS

14-601. Scope……72
14-602. Communication Towers.....72
14-603. Customary Home Occupations. 72
14-604. Signs, Billboards, and Other Advertising Structures. 73
14-605. Swimming Pools. 73
14-606. Mobile Homes and Mobile Home Parks.....73
14-607. Development Standards for Certain Uses. 75
14-608. Automobile, Wrecking, Junk and Salvage Yards. 76
14-609. Location and Development Standards for Travel Trailer Parks.....76
14-610. Scope of Traffic Impact Analysis…….…
14-611. Sober Living Homes…….
14-612. Indoor Sport Shooting Ranges……..
14-613. Mobile Food Truck Parks ……

CHAPTER 7 - ENFORCEMENT

14-701. Enforcing Officer. 81
14-702. Building Permit Required……81
14-703. Issuance of Building Permit.....81
14-704. Certificate of Occupancy. 82
14-705. Records.....82
14-706. Violations and Remedies. 82

CHAPTER 8 - BOARD OF ZONING APPEALS

14-801. Creation and Designation……83
14-802. Procedure. 83
14-803. Appeals, How Taken.....83
14-804. Administrative Reviews.....83
14-805. Special Exceptions. 83
14-806. Procedure for Authorizing Special Exceptions.....84
14-807. Variances.....84

CHAPTER 9 - AMENDMENTS AND LEGAL STATUS

14-901. Amendments…….85
14-902. Legal Status.....85

APPENDICES

Appendix A: Communication Tower Ordinance……...…….....
Appendix B: Municipal Flood Damage Prevention Ordinance……...……..
Appendix C: Official Sign Code……...…….....

Items in "red" are amendments made since the July 2007 re-print.

ZONING CODE

SECTION

14-201. Title
14-202. Purpose
14-203. Zoning Map
14-204. Definitions

14-201. Title. Chapter Two (2) through Nine (9) shall be known as the Zoning Ordinance of the Town of Dandridge.

14-202. Purpose. The zoning regulations and districts as herein set forth, have been made in accordance with a comprehensive plan for the purpose of promoting the public health, safety, convenience, order, prosperity and the general welfare of the community. They have been designed to improve/maintain aesthetics and lessen congestion, to secure safety from fires, flood, panic and other dangers, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. They have been made with reasonable consideration as to the character of each district, and its particular uses, and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the town.

14-203. Zoning Map. The location and boundaries of the zoning districts established by this ordinance are defined as shown on the map entitled "Zoning Map of the Town of Dandridge, Tennessee," adopted on July 26, 2007, and certified by the Town Recorder. This map with all explanatory matter thereon is hereby adopted and made a part of this ordinance.

14-204. Definitions. For the purpose of this zoning code and in order to carry out the provisions and intentions as set forth herein, certain words, terms, abbreviations, and phrases (and their derivatives) shall be used and interpreted as defined hereinafter. Words used in the present tense shall include the future tense; the singular number includes the plural and the plural the singular; the word "person" includes a firm, partnership, or corporation as well as an individual; words in the masculine gender include the feminine; the term "shall" is always mandatory and the term "may" is permissive. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied." Words not defined herein shall have the meaning stated in the Standard Building Code, or Standard Fire Prevention Code. Words not defined in the Standard Codes shall have the meanings stated in the Webster's Eighth New Collegiate Dictionary, as revised.

The following words, terms and phrases are hereby defined as follows and shall be interpreted as such throughout the zoning code. Terms not herein defined shall have the

meaning customarily assigned to them.

1. ACCESS: The right to cross between public and private property, thereby permitting pedestrians and vehicles to enter and leave property.

2. ACCESSORY BUILDING: A use customarily incidental, appropriate and subordinate to the principal use of land or buildings and located on the same lot.

3. ADULT ORIENTED USE: An adult oriented business is one which: (a) at least fifty-one percent (51%) of the floor stock merchandise, whether printed, video or sexual aid devices, are oriented toward the adult population and appeals to prurient interests. Such merchandise generally depicts male or female genitalia and/or breasts/ or sexual acts; (b) the business appeals to prurient interests by offering male or female dancers, models, waiters, waitresses, or bartenders either nude, semi-nude, and/or exposing directly by lack of covering or clothing or transparently by the use of such materials such as pasties, g-strings or similar items/articles which allows the direct or indirect viewing of human genitalia, or breasts as an attraction to the establishments.

4. ADDITION: An extension or increase in floor area or height of a building or structure. It includes any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls is new construction.

5. ADVERTISING: Includes any writing, printing, graphics, painting, display, emblem, drawing, sign, or other device designed, used or intended for advertising, whether placed on the ground, rocks, trees, or other natural features or on buildings, structures, milestones, sign boards, billboards, wall board, roof board, frames, supports, fences or other man-made structure.

   ADVERTISING STRUCTURE OF SIGN: *See sign.*

6. AGRICULTURE USE: This includes all forms of agriculture, growing of crops in the open, dairy farming, grazing, the raising and maintaining of poultry and other livestock, horticulture, viticulture, floriculture, forests and woods, provided, that all health codes of Jefferson County have been met. Commercial feed lots, the raising of fur bearing animals, fish or minnow hatcheries, riding stables or dog kennels shall not be considered as agricultural uses.

7. AGRICULTURE ACCESSORY USE: Those structures or equipment which are normally required in the operation of agricultural uses. These uses shall be on-site of the agricultural use.

8. ALTERATION: As applied to a building or structure, means a change or arrangement in the structural parts, a change in occupancy, or an enlargement,

whether by extending a side or by increasing its height or structural changes, other than repairs, that would affect safety, change its use or function.

9. AND/OR: In a choice of two code or ordinance provisions, signifies that use of both provisions will satisfy the code or ordinance requirement and use of either provision is also acceptable.

10. APARTMENT HOUSE/BUILDING: Any building or portion thereof used as a multiple dwelling for the purpose of providing three (3) or more separate dwelling units.

11. APPLICABLE GOVERNING BODY: The Town of Dandridge or government subdivision or entity (department, commission, official, etc.) authorized to administer and enforce the provisions of this ordinance and the building code, as adopted or amended.

12. AREA, BUILDING: The total areas taken on a horizontal plane at the main grade level of the principal building and all necessary buildings exclusive of uncovered porches, terraces and steps. It is the area included within surrounding exterior walls, or exterior walls and fire walls, exclusive of courts.

13. AREA, NET FLOOR: The area actually occupied not including accessory unoccupied areas such as corridors stairs, closets, thickness of walls, columns, toilet rooms, mechanical area or other feature.

14. AUTOMOBILE WRECKING: The dismantling storage, sale or dumping of used motor vehicles, trailers, or parts thereof.

15. AUTOMOBILE WRECKING, JUNK AND SALVAGE YARD: Any lot or place which is exposed to weather and upon which is more than five (5) motor vehicles of any kind, incapable of being operated and which it would not be economically feasible to make operable, are placed, located, or found. And/or such cars, although titled and even licensed, have deficiencies that to operate such vehicle(s) upon state, federal, county or town roads would result in a violation of state or local traffic laws.

16. AVERAGE GROUND ELEVATION: The elevation of the mean finished grade at the front of the structure.

17. BASEMENT: A story partially or wholly underground. For purposes of height measurement, a basement shall be counted as a story when more than one- half (1/2) of its height is above the lowest elevation or when subdivided and used for commercial purposes.

18. BILLBOARD: Any off-premise structure, sign, or other advertising device which displays or includes any letter, insignia, or representation used as, or in the nature of an announcement, direction or advertisement.

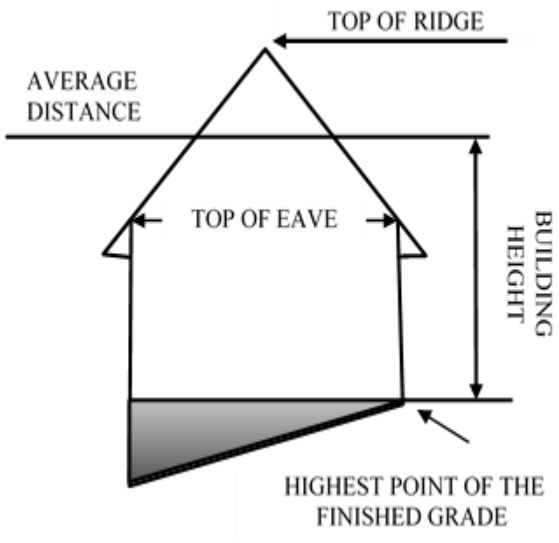
19. BUILDING: Any structure having a roof supported by columns or walls, including tents, lunch wagons, dining cars, mobile or manufactured homes, and similar structures, whether stationary or mobile. Any structure that encloses a space used for sheltering any occupancy.

20. BUILDING AREA OR LOT: That portion of a lot bounded by the required rear yard, side yards, and the building setback line.

21. BUILDING COMMISSIONER, OFFICIAL OR INSPECTOR: The zoning and codes officer or his authorized representative appointed by the Dandridge Board of Mayor and Alderman who is charged with the administration and enforcement of this ordinance and the building code which has been adopted.

22. BUILDING LINE: The line, established by this ordinance, beyond which the building shall not extend, except as specifically provided herein.
    a. *Building Height:* The vertical distance measured at the highest point of the finished grade at the building to the average distance between the highest top of the eaves and the highest top of the ridge.
    b. *Building: Top of Eave:* The point in the roof plane of a structure or building which intersects with the primary exterior wall surface.

Illustration: Building Height



Example: Measuring Building Height

Distance between the Top of Eave and the Top of Ridge	18 ft.
Average distance between the Highest Top of Eave and the Highest Top of Ridge	9 ft.

Distance between the Highest Point of the Finished Grade and the Top of Eave	16 ft.
Building Height	25 ft.

(Per Ordinance No.12/13-03, November 13, 2012)

23. BUILDING SETBACK LINE: A line delineating the minimum allowable distance between the property line and a building on a lot, within which no building or other structure shall be placed except as otherwise provided.

24. BUILDING SETBACK LINE, FRONT: A line delineating the minimum allowable distance between the street right-of-way, or if an official future street right-of-way has been established, from the future street right-of-way line, the front of a building or structure on a lot. The front building setback line extends the full width of the lot and is parallel to or concentric with the street right-of way.

25. BUILDING SETBACK LINE, REAR: A line delineating the minimum distance between the side property lines and the building on a lot (other than for permitted accessory structures) as measured from the side property line sand the rear property line. The rear setback line extends the full width of the lot.

26. BUILDING SETBACK LINE, SIDE: A line delineating the minimum distance between the side property line and the building on a lot. The side setback line extends from the front building setback line to the rear building setback line.

27. CAMPGROUND: A parcel of land used or intended to be used, let, rented for occupancy by campers or for occupancy by camping trailers, tents, movable, or temporary dwellings, including recreational vehicles.

CLINIC: *See Medical Facility.*

28. COMMISSION: The Dandridge Municipal/Regional Planning Commission.

29. COMMUNICATION TOWER: See Appendix A.

30. COVERAGE: The lot area covered by all buildings located therein, including the area covered by all overhanging roofs.

31. COUNTRY CLUB: A chartered, membership club (profit or non-profit), with facilities catering to its membership and providing one or more of the following recreational or social amenities: golf, riding, clubhouse, pool, dining facilities and/or lounge.

32. DAY NURSERY/CHILD CARE CENTER: Any place, home or institution, which receives six (6) or more children, established for conducting the normal activities for exercise, development of skills and play.

33. DEVELOPMENT: Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations or storage of equipment for materials.

34. DISTRICT (ZONING): Any section or sections of the area lying within the corporate limits of the Town of Dandridge, for which the regulations governing the use, density, bulk, height, and coverage of buildings and other structures is in force.

35. DWELLING: A building or part thereof consisting of a single unit on a **permanent foundation** used exclusively for **permanent residential habitation** providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation unless qualified otherwise under one of the following categories:

~~A dwelling unit is a single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.~~

a. Single detached dwelling means a building and accessories thereto principally used, designed, or adapted for use by a single household **in compliance with the International Residential Code for One and Two-Family Dwellings.**

b. Duplex dwelling means a building and accessories thereto principally used, designed or adapted for use by two (2) households, the living quarters of each of which are completely separated and independently functioning **in compliance with the International Residential Code for One and Two-Family Dwellings.** (Per Ordinance No.16/17-04, August 9, 2016)

c. Apartment dwelling means a building and accessories thereto principally used, designed or adapted for use by and occupancy by three (3) or more households, each of which has separate living quarters, each of which are completely separated and independently functioning.

d. Rooming house means a building and accessories thereto principally used, designed or adapted to provide living accommodation for not more than five (5) occupants and without owner-provided cooking and dining facilities.

e. Mobile home, manufactured home, or trailer is a detached single-family dwelling unit with all of the following characteristics:

1. Designed for long-term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems; and,

2. Designed to be transported after fabrication on its own wheels, or on a flatbed, or other trailers or detachable wheels on a single chassis; and,

3. Arriving at the site where it is to be occupied as a dwelling complete, often including major appliances and furniture and ready for occupancy except for assembly operations and anchoring as well as connection to utilities; and,

f. Dormitory means a space in a unit where group sleeping accommodations are provided with or without meals for persons not members of the same family group, in one room or in a series of closely associated rooms under joint occupancy and single management, as in college dormitories, fraternity houses, military barracks and ski lodges.

36. EXCEPTION: A special exception, granted by the Board of Zoning Appeals, which is detailed in each zoning district, and allows, with limitations placed by the Board of Zoning Appeals, a use which is not automatically permitted in that zoning district. Exceptions may not be granted to uses that are prohibited in that zoning district – only those which are specifically mentioned in the district as exceptions or implied as the same general character.

37. EXISITNG CONSTRUCTION: Any structure for which the "start of construction" commenced before the effective date of the Town's zoning ordinance. However, uses, buildings, structures or accessory uses which are not permitted or were illegal under the old zoning ordinances cannot be considered as "grandfathered."

38. FAMILY: One or more persons living together, whether related to each other by birth or not, and having common housekeeping facilities.

39. FARM BUILDINGS: Structures, other than residences and structures appurtenant thereto, for use on farms or in association with agricultural uses (barns, sheds, poultry houses, etc.)

40. FLOOR: The top surface of an enclosed area in a building (including basement), i.e., top of slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

41. FLOOR AREA: The sum of the gross area for each of the several stories under the roof, measured from the exterior limits or faces of a building or structure.

42. FORESTRY USE: Those land uses devoted to the extraction of forestry products, such as timber or timber products, but excluding any activity involving the rearing, trapping, or slaughtering of animals. This also includes commercial clear-cutting.

43. FRONTAGE: All the property measured lying alongside a roadway (street or highway) that has been accepted as a publicly owned and maintained road. Landlocked properties or properties located adjacent to, serviced by or accessed by private easements, private right-of-way, public easements or private alleys shall be deemed to have no road frontage.

44. GASOLINE SERVICE STATION: Any area of land, including structures thereon, that is used for the retail sale of gasoline, (but does not include butane or propane fuels), oil or automobile accessories, and incidental services including facilities for lubricating, hand car washing and cleaning, or otherwise servicing automobiles, but not including painting or major repairs.

45. GASOLINE CONVENIENCE STATION: Any area of land, including structures thereon, that is used for the retail sale of gasoline, but may also include other retail sales such as foodstuffs, magazines and trinkets. Convenience stations do not contain oil, lube and other automobile services.

46. GRADE: A reference plane representing the average of finished ground level adjoining the building at all exterior walls. When the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or between the building and a point six (6) feet from the building, whichever is closer to the building.

47. GRADE, FINISHED: The complete surfaces of lawns, walks and roads brought to grades as shown on official plans or designs relating thereto.

48. HABITABLE SPACE: A space in a structure for living, sleeping, eating or cooking.

49. HEALTH DEPARTMENT: The Jefferson County Health Department.

50. HEIGHT OF BUILDINGS OR STRUCTURES: The vertical distance from grade to the highest finished roof surface in the case of flat roofs or to a point at the average height of the highest roof having a pitch. Height of buildings in stories includes basements, except as specifically provided for elsewhere in this ordinance or the building code (per ordinance 05/06-18).

51. HEIGHT, STORY: The vertical distance from top to top of successive finished floor surfaces.

52. HEIGHT, WALL: The vertical distance from top to top measured from the foundation wall, or from a girder or other immediate support of such wall.

53. HISTORIC STRUCTURE: Any structure that is:

1. Listed individually and/or within the boundary of the H-1 District in the national Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

3. Individually and/or within the boundary of the H-1 District listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or,

4. Individually and/or within the boundaries of the H-1 District on a local inventory of historic places in communities with historic preservation programs that have been certified either:

a. By an approved state program as determined by the Secretary of Interior;

or,

b. Directly by the Secretary of the Interior in states without approved programs

54. HOME OCCUPATION: Any occupation as defined within this code or similar use that is conducted within the confines of a single family residential structure by a resident of that structure, provided that said occupation does not include hazardous chemical operations and does not utilize more than one (1) other employee that does not live within the dwelling.

55. HORIZONTAL SEPARATION: The distance in feet measured from the building face to the closest interior lot line, to the centerline of a street, alley or public way, or an imaginary line between two (2) buildings on the same property.

56. HOSPITAL: See Medical Facilities.

57. HOTEL/MOTEL: Any building containing five (5) or more guest rooms intended or designed to be used, or which are used, rented or hired out to be occupied or which are occupied for sleeping purposes by guests including tourist home(s).

58. HOUSING OFFICIAL: For purposes of this ordinance, it is the building official or zoning officer.

59. INDOOR SPORT SHOOTING RANGE: A fully enclosed building or part of a fully enclosed building specifically designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, archery, or any other shooting activity, but does not include police or military indoor firing ranges operated by any level of government. (Ordinance No.20/21-23, 4/13/21)

60. JUNKYARD OR SALVAGE YARD: A lot, land or structure, or part thereof, used primarily for collecting, storage, and/or sale of wastepaper, rags, scrap metal, or discarded materials or for collecting, dismantling, storing, and salvaging of machinery or vehicles not in running condition or for the sale of parts thereof.

61. LEVEE: A man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from flooding.

62. LEVEE SYSTEM: A flood protection system which consists of a levee or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

63. LIGHT INDUSTRY: Is defined (for the purpose of this ordinance) on the basis of performance in terms of the absence of objectionable noise, smoke, odor, dust, noxious gases, glare, and heat; and of the creation of health and life by reason of fire, effects of industrial wastes, and generation of motor vehicle traffic.

64. LIVERY OR BOARDING STABLE: Any parcel of land which is used to board four (4) or more horses which are owned by persons not residing on the premises.

65. LIVESTOCK: Domestic animals of types customarily raised or kept on farms.

66. LIVESTOCK FEEDING YARDS: An enclosure designed or used for holding livestock for the purpose of sale or transfer by auction, consignment, commercial feed lots, or other means.

67. LOADING SPACE: An area providing for the standing, loading or unloading of a truck or other vehicle.

68. LOT: A piece, plot or parcel of land which may include one (1) or more lots of record, occupied or to be occupied by one (1) principal building and its accessory buildings, including the open spaces required under this ordinance.

69. LOT, AREA: The total surface land area including within lot lines.

70. LOT, CORNER: A lot of which at least two (2) adjoining sides abut on a street.

71. LOT, DEPTH: The average distance from the front property line at the street to the rear of the property line.

72. LOT, FRONTAGE: That dimension of a lot or portion of a lot abutting on a street, excluding the side dimension of a corner lot.

73. LOT, INTERIOR: A lot other than the corner lot.

74. LOT, LINES: The boundary dividing a given lot from the street, an alley, or adjacent lots.

75. LOT OF RECORD: A lot which is part of a subdivision recorded in the office of the county register of deeds, or a lot described by metes and bounds, the description of which has been recorded in the office of the county register of deeds prior to the effective date of this zoning ordinance and was not illegal under previous ordinances.

76. LOT, WIDTH: The width of a lot at the building setback line measured at right angles to its depth.

77. LOWEST FLOOR: The lowest floor of the lowest enclosed area (including basement).

78. MANUFACTURED HOME: A structure, transportable in one (1) or more sections, which is built on a permanent chassis and designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

79. MANUFACTURED HOME PARK or SUBDIVISION: A parcel (or contiguous parcels) of land divided into two (2) or more manufacturing home lots for rent or sale.

80. MARINA: A facility for the docking and servicing of boats.

81. MEDICAL FACILITIES:

a. Convalescent, Rest or Nursing Home: A health facility where persons are housed and furnished with meals and continued nursing care for compensation.

b. Dental Clinic or Medical Clinic: A facility for the examination and treatment of ill and afflicted human out-patients. Patients may not be kept overnight.

c. Hospital: An institution providing services for human in-patient medical care

for the sick or injured and including related facilities such as laboratories, out-patient facilities, emergency medical facilities, and staff offices which are an integral part of the facilities.

d. Public Health Center: A facility used by a health unit for the provision of public health service.

82. METHADONE TREATMENT CLINIC OR FACILITY: A licensed facility for counseling of patients and the distribution of methadone for out-patient, non-residential purposes only. A methadone treatment clinic or facility is not a medical clinic or substance abuse treatment facility as per the Dandridge Zoning Ordinance. (Per Ordinance #11/12-12, February 14, 2012)

83. MINIMUM FLOOR ELEVATION: The lowest elevation permissible for the construction, erection or placement of any floor including a basement floor.

84. MOBILE FOOD TRUCK PARK**:** A "mobile food truck park" is a parcel of land where three or more mobile food establishments congregate to offer food or beverages for sale to the public as the principal use and permanent use of the land. This definition shall not be interpreted to include a congregation of mobile food establishments as a secondary, accessory use, and/or temporary use on existing commercially developed land as regulated under the Dandridge Municipal Code. (Ordinance No.21/22-09, 6/14/22)

85. MOBILE HOME: A mobile home constructed as a single self-contained unit and mounted on a single chassis – TCA 13-24-201 and 68-126-202 (4), (6) and (7).

86. MOBILE HOME/MANUFACTURED HOME OR TRAILER PARK: Any area, tract, site, or plot of land whereupon mobile homes or manufactured homes as herein defined are place, located or maintained, and shall include all accessory buildings used or intended to be used as part of the equipment thereof.

87. MODULAR HOME: A modular home may be factory assembled and consists of two (2) or more units or sections and mounted on two (2) or more chassis.

MOTEL: See Hotel/Motel.

MULTIPLE DWELLING: See Apartment House.

88. NEW CONSTRUCTION: Any structure for which the "start of construction" commenced on or after the effective date of this ordinance for which a permit was given. The term also includes any subsequent improvements to such structure.

89. NONCONFORMING USE: A building, structure or use of land existing at the time of enactment of this ordinance, which does not conform to the regulations of the district in which it is located.

90. NOXIUS MATTER: Material in gaseous, liquid or solid form which is capable of causing injury to living organisms, chemical reactions or detrimental effects upon the social, economic or psychological well-being of individuals.

91. OCCUPANCY: The purpose for which a building, or part thereof, is used or intended to be used.

92. OCCUPANCY, MIXED: A building used for two (2) or more occupancies classified in different occupancy groups.

93. OCCUPANT CONTENT: The actual number of total occupants permitted to occupy a floor area in accordance with the maximum capacity of the exits serving the floor area.

94. OCCUPIABLE ROOM: A room or enclosed space designed for human occupancy in which individuals congregate for amusement, educational or similar purposes, or in which occupants are engaged at labor; and which equipped with means of egress, light, and ventilation facilities meeting the requirements of the standard building code.

95. OPEN SPACE: An area on the same lot with a main building which is open, unoccupied and is unobstructed by structures from the ground to the sky.

96. OWNER: Includes his duly authorized agent, or attorney, devisee, fiduciary, and/or person having a vested and contingent interest in the property in question.

97. PAIN MANAGEMENT CLINIC: A privately owned facility in which a medical doctor, an osteopathic physician, an advanced practice nurse, and/or a physician assistant provides pain management services to patients, a majority of whom are issued a prescription for, or are dispensed, opiods, benzodiazepine, barbiturates, or carisoprodol, but not including suboxone, for more than ninety (90) days in a twelve (12) month period. (Per Ordinance No.11/12-12, February 14, 2012)

98. PARKING LOT: An off-street facility including parking spaces with adequate provisions for drives aisles for maneuvering and obtaining access and for entrance and exit.

99. PARKING SPACE: An off-street space available for parking spaces and adequate provisions for drives aisles for maneuvering and obtaining access and for entrance and exit.

100. PERMIT: An official document or certificate issued by the building official authorizing performance of a specified activity.

101. PERSON: A natural person, his heirs, executors, administrator, or assigns, or a firm, partnership or corporation and its successors or assigns, or agent of any of the aforesaid. It includes any individual, group of individuals, association, or any other entity, including State and local governments and agencies.

102. PLANNING COMMISSION: The Dandridge Municipal/ Regional Planning Commission.

103. PLAT: A map, plan or layout indicating the location and boundaries of individual properties.

104. PRIVATE ROAD/PRIVATE WAY: An easement which allows vehicular access across one (1) or more properties that has not been approved and accepted into a federal state, county or town/city system as an official public road. The easement/way/private road may have been or is used by the general public, but is still considered as private unless or until the road/way/drive/easement has been officially accepted into a governmental road system.

105. PRINCIPAL USE: The specific primary purpose for which land or a building is used.

106. PRIVATE WASTEWATER TREATMENT: Individual subsurface sewerage disposal systems e.g., septic tanks, package treatment plants for individual aeration systems employed for the collection and treatment and/or disposal of wastewater as approved by the local health department. A private wastewater system also includes any wastewater utility other than the Town of Dandridge.

107. PROFESSIONAL OFICE: The office of a physician, dentist, attorney, architect, surveyor, engineer, planner, accountant, the clergy, or similar professions, as designated under state law.

108. PROPERTY LINE, ASSUMED: The centerline of a street where an exterior building wall faces a street, or an imaginary line between the exterior walls of two (2) joined buildings on the same lot.

109. PROPERTY LINE, COMMON: A line dividing one (1) lot from another.

110. PUBLIC SPACE: A legal open space on the premises, accessible to a public way or street, such as yards, courts or open spaces permanently devoted to public use, which abuts the premises and is permanently maintained accessible to the fire department and free of all encumbrances that might interfere with its use by the fire department.

111. PUBLIC USES: Public parks, schools, and administrative, cultural and service buildings including public land or buildings.

112. PUBLIC WAY: Any street, alley or other parcel of land open to the outside air, deeded, dedicated or otherwise permanently appropriated to the public for public use and accepted by the public and maintained.

113. PUBLIC WASEWATER SYTEM: A municipal. Community or utility district sewerage treatment and disposal system of a type approved by the State Department of Public Health and owned by the Town of Dandridge.

114. PUBLIC WATER: A municipal. Community or utility district sewerage treatment and disposal system of a type approved by the State Department of Public Health and owned by the Town of Dandridge OR Shady Grove Utility District.

115. PUD (PLANNED UNIT DEVELOPMENT): A single, planned area of land which, (1) has both individual building sites and a common property such as a park, and (2) is designed and organized to be incapable of satisfactory use and operation as a separate entity without necessarily having the participation of other building sites or other common property; the ownership of the common property may be public or private.

116. RECREATIONAL VEHICLE: A vehicle which is:

1. built on a single chassis;

2. designed to be self-propelled or permanently towable by a light duty truck; and

3. designed not for use as a permanent dwelling, but as temporary living quarters for recreation, camping, travel, or seasonal use.

117. REPAIR: The reconstruction or renewal of any part of an existing building for the purpose of its maintenance.

118. ROADSIDE STAND: A structure used or intended to be used solely by the owner or tenants for the sale of seasonal farm products of the farm on which it is associated.

119. SANITARY LANDFILL: An area or site used by a public or private entity for the disposal of solid waste or refuse in a manner which meets the regulations imposed upon the operation and maintenance of sanitary landfill sites by the State Department of Public Health.

120. SHALL: As used in this ordinance and the standards building code, is mandatory.

121. SIGN, BILLBOARD OR OTHER ADVERTISING DEVICE: Any structure or part thereof or device attached thereto or represented thereon, which shall display or include any letter, model, banner, flag, pennant, insignia, or any representation used as, or which is in the nature of an announcement, direction, or advertisement.

The word "sign" includes the word "billboard" or any other type of advertising device, but does not include the flag, pennant or insignia of any nation, state, city, or other political unit. The specific signs allowed are detailed in this code. (See Appendix C)

122. SIGN, OFF-PREMISE: A sign relating to a product, service, or establishment that is not on the premises on which the sign is located.

123. SIGN, ON-PREMISE: A sign relating to a product, service, or establishment that is on the premises on which the sign is located.

124. SPECIAL EXCEPTION: A use which is specifically permitted if the owner can demonstrate to satisfaction of the board of zoning appeals that it will meet certain standards, enumerated safeguards or qualifying conditions.

125. START OF CONSTRUCTION: Includes substantial improvement, and means the date the building permit was issued. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

126. STORY: That portion of a building included between the upper surface of any floor and the upper surface of the floor next above; or any portion of a building between the topmost floor and the roof which is used for human occupancy in which the floor area with eight (8) feet or more of a head clearance equals fifty percent (50%) or more of the floor area of the next story below. A top floor in which the floor area with eight (8) feet or more of head clearance equals less than fifty percent (50%) of the floor area of the story next below shall be a half-story. A basement shall be considered as a story if more than half of its height is above the average ground level which the "height of building" is measured or if it is subdivided and is used for commercial uses.

127. STREET: A public thoroughfare which constitutes or is designed to constitute the main access to more than one (1) lot and which has been legally dedicated and accepted for public use.

128. STREET LINE: A lot line dividing a lot from a street.

129. STRUCTURAL WORK OR ALTERATION: The installation or assembly of any new structural components, or any change to existing structural components, in a system, building or structure.

130. STRUCTURE: Any combination of materials, including buildings, constructed or erected, the use of which requires location on the ground and including, among other things, signs and billboards. It also means a walled and roofed building that

is principally above ground, a manufactured home, a gas liquid storage tank or other man-made facilities not infrastructure.

131. SUBDIVISION: The division of a tract or parcel of land into two (2) or more lots, plots, sites, or other division of land, for the purpose, whether immediate or future, of sale or building development, and includes re-subdivision and when appropriate to context, relates to the process of subdividing or to the land or area subdivided.

132. SUBSTANTIAL DAMAGE: Damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

133. SUBSTANTIAL IMPROVEMENT: Any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of the improvement. These terms include structures which have incurred "substantial damage", regardless of the actual work repair performed. The term does not, however, include either: (1) Any project or improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."

134. SWIMMING POOLS: An outdoor swimming pool shall be a pool or open tank and containing or normally containing water to a depth at any point greater than one and one-half (1 ½) feet. This shall not include plastic, above ground "kiddie pools."

135. TENANT: Any person, agent, firm, corporation or division, who uses or occupies land, a building or portion of a building by title, under lease, by payment of rent, or who exercises limited control over the space.

TOWN: See Applicable Governing Body.

136. TOXIC MATERIALS: Materials (gaseous, liquid, solid, particulate) which is capable of causing injury to living organisms by chemical reaction even when present in relatively small amounts.

137. TRAVEL TRAILER/MOTOR HOME: A vehicular, portable structure designed as a temporary dwelling for travel, recreational and vacation uses.

138. TRAVEL TRAILER PARK: A plot of land designed and equipped to accommodate travel trailers and/or motor homes for short periods of time.

139. USE: The purpose for which land or a building or other structure is designed, arranged or intended or which it is or may be occupied or maintained.

140. VALUATION OR VALUE: When applied to a building, means the estimated cost to replace the building in kind.

141. VARIANCE: A grant of relief from the requirements of this ordinance which permits construction in a manner otherwise prohibited by this ordinance due to a condition inherent in the property as noted in State law.

142. VIOLATION: The failure of a structure or other development to be fully compliant with the community's zoning, building code, or flood plain management regulations. A structure or other development without the elevation certificate, other certificate, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation I provided.

143. YARD: An open space, other than a court, on the same lot with a principal building, open, unoccupied and unobstructed by buildings from the ground to the sky except as otherwise provided in this ordinance, provided that accessory buildings may be located in a rear yard.

144. YARD, FRONT: The yard extending across the entire width of the lot between the nearest part of the principal building, including covered porches and the front lot line.

145. YARD, REAR: The yard extending across the entire width of the lot between the nearest part of the principal building, including covered porches and the rear lot line.

CHAPTER 3

GENERAL PROVISIONS

SECTION

14-301. Scope
14-302. Zoning Affects Every Building and Use
14-303. Continuance of Nonconforming Uses and Structures
14-304. Only One Principal Building on Any Lot
14-305. Lot Must Abut a Public Street
14-306. Reduction in Lot Area Prohibited
14-307. Obstruction to Vision at Street Intersection Prohibited
14-308. Junked Yards/Dumps
14-309. Off-Street Automobile Storage
14-310. Access Control
14-311. Off-Street Loading and Unloading Space Required
14-312. Maximum Building Height
14-313. Site Plan Requirements
14-314. Use of Parking Lots
14-315. Use of Vacant Lots

14-301. Scope. For the purpose of the zoning ordinance, there are certain provisions which shall apply, noted to the Town as a whole, except as otherwise delineated in this code.

14-302. Zoning Affects Every Building and Use. No building or land shall hereafter be used and no building or part thereof shall be erected, moved, or altered unless for a use explicitly permitted by and in conformity with the regulations for the district in which it is located, except as hereafter noted.

14-303. Continuance of Nonconforming Uses and Structures. It is the intent of the zoning ordinance to recognize that the elimination as expeditiously as is reasonable for the existing building and structures or uses that are not in conformity with the provisions of the zoning ordinance; it is as much a subject of health, safety, and welfare as it is the prevention of the establishment of new uses that would violate the provisions contained herein. It is also the intent of the zoning ordinance to work toward the elimination of nonconforming uses, buildings, structures while avoiding the unreasonable invasion of established property rights. Lawful nonconforming uses, buildings, and structures existing at the time of the passage of the zoning ordinance or any amendment thereto, shall be allowed to remain subject to the following provisions:

1. An existing nonconforming use of a building may be changed to a conforming use or to another nonconforming use of the same classification or to a nonconforming use of a more restricted classification; provided, however, that establishment of another nonconforming use of the same or more restrictive classification shall

be subject to the written approval of the board of zoning appeals and subject to such conditions as the board of zoning appeals may require in order to protect the area.

2. A legal nonconforming use of land shall be restricted to the area occupied by such use as of the effective date of this zoning ordinance. Industrial and commercial uses may be permitted to construct additional facilities provided that there is a reasonable amount of space for such construction on the property owned by such industry or business. "Reasonable amount of space" is defined as that area necessary so that the additional building(s) shall conform to all appropriate provisions of the zoning ordinance and shall not, in the opinion of the board of zoning appeals be detrimental to adjoining property.

3. When a nonconforming use of any structure or land has been discontinued for a period of one (1) year, it shall not be reestablished or changed to any use not in conformity with the provisions of this ordinance.

4. Any nonconforming building or nonconforming use which is damaged by wind, fire or other act of nature, may be reconstructed and used as before if it be done within twelve (12) months of such damage, unless damaged to the extent of more than fifty (50) percent of its fair sales value immediately prior to damage. In the case of buildings or structures which are more than 50 percent damaged, repair or reconstruction will conform to the provisions of the zoning ordinance. If a structure has been used for commercial uses it may be demolished and new facilities necessary to the conduct of such business or industry reconstructed if there is a reasonable amount of such space for such reconstruction on the property owned by such business or industry. "Reasonable amount of space" is defined as that area necessary so that the reconstructed building(s) shall conform to all appropriate provisions of the zoning ordinance, and shall not, in the opinion of the board of zoning appeals be detrimental to adjoining property.

5. A nonconforming building or a building housing a nonconforming use shall not be structurally altered except in conformance with the provisions of the zoning ordinance. This provision shall not be construed to prevent normal maintenance and repairs for structural safety.

14-304. <u>Only One Principal Building on Any Lot.</u> Only one principal building and its customary accessory buildings may be erected on any lot. This provision does not prohibit group housing developments as permitted elsewhere in this ordinance; nor does it prevent condominium developments or apartment buildings. In the case of a shopping center, more than one building shall be permitted on a single lot, providing the requirements for minimum lot size, off-street parking, and fire-resistant wall(s) are met.

Industrial uses may have more than one building on a lot provided that the operations of each building are integral to the whole operation and not a separate facility or type of manufacturing use.

14-305. Lot Must Abut a Public Street. No building shall be erected on a lot which does not abut on at least one publicly approved street, owned and maintained by the federal, state, county or Town government for a distance of at least fifty (50) feet of continuous frontage. Any lot which has fifty feet (50) of access onto a public road must have a minimum of continuous fifty feet wide frontage from the road back to the remaining part of the lot.

14-306. Reduction in Lot Area Prohibited. No lot, even though it may consist of one or more adjacent lots of record, shall be reduced in area so that yards, lot area per family, lot width, building area, or other requirements of the zoning ordinance are not maintained. This section shall not apply when a portion of a lot is acquired for a public purpose by the federal, state, county, or Town government.

14-307. Obstruction to Vision at Street Intersection Prohibited. On a corner lot not in the central business district, within the area formed by the center lines of the intersecting or intercepting streets and a line joining points on such center lines at a distance of thirty (30) feet from their intersection, there shall be no obstruction to vision between the height of three and one-half (3 ½) feet and ten (10) feet above the average grade of each street at the centerline.

14-308. Junked Yards/Dumps. No lot or lots, tracts or parcels within the corporate limits shall have a junked yard. A junked yard shall consist of scrap building materials, metals, dilapidated or broken farm equipment, appliances, brick, concrete, car parts, other household items, car tires or any similar materials in public view as determined by vision at the street giving access. Or whenever such junked yard gives housing to vermin and other potential health problems.

14-309. Off-Street Automobile Storage. In all districts there shall be provided, at such time any building or structure is erected or enlarged or increased in capacity or there is a change in occupancy, off-street parking spaces. The number of parking spaces provided shall meet the minimum requirements for the specific uses as set forth below. For uses not specifically mentioned herein, off-street parking requirements shall be determined by the board of zoning appeals.

a. Single and two-family dwellings. Not less than two (2) spaces for each dwelling unit.
b. Multiple family dwellings. Not less than two (2) spaces per dwelling unit.
c. Boarding houses and rooming houses. Not less than one (1) space for each one (1) room to be rented, plus one space for staff or the owner.
d. Hotels, motels, and other tourist accommodations. Not less than one (1) space for each room to be rented plus one (1) additional space for each employee per shift for a minimum of at least three (3) spaces.

e. Manufacturing or other industrial use. Not less than one (1) space for each person employed on or intended to be employed on a single shift, with a minimum of five (5) spaces provided for any establishment.

f. Commercial building or use. Not less than one (1) space for each two hundred and fifty (250) square feet of floor space, except for Auto Sales, which shall require one (1) space for every two thousand (2,000) square feet of area devoted to the sale, display, lease or rental of vehicles plus one (1) space for each employee. (Per Ordinance No.14/15-05, December 9, 2014)

g. Shopping centers. Not less than one (1) space for each two hundred and fifty (250) square of floor space.

h. Medical or dental clinics. Four (4) spaces per doctor or dentist or one (1) space for each two hundred (200) square feet of floor space.

i. Hospital. One (1) space for each bed intended for patient use, exclusive of bassinets; and not less than one (1) space for each person employed on or intended to be employed on a single shift, with a minimum of five (5) spaces provided for any establishment.

j. Automobile service stations. One (1) space for each bay plus two spaces.

k. Movie theater, convention meeting facility, auditoriums, churches, stadiums or other uses designed to draw an assembly of persons. Not less than one (1) space for each four (4) seating spaces provided in the main meeting hall or place (per ordinance 03/04-23).

l. General or professional offices. One (1) space for each three hundred (300) square feet of office total floor space.

m. Restaurants. One (1) space per four (4) diners with total spaces determined by maximum occupancy capability plus one (1) space per employee per shift. For drive-in restaurants, one (1) space per bay and one space per employee per shift.

n. School. For elementary, junior high and equivalent private or parochial schools, one (1) space for each faculty member and employee; for secondary schools and institutions of higher learning, one (1) space for each faculty member and employee plus one (1) for each ten (10) students.

o. Mobile home parks. Two (2) spaces for each mobile home space provided.

p. Public or private clubs (including country clubs) and swimming pools (per ordinance 05/06-05). One (1) space for each two (200) hundred square feet of total floor area, plus restaurant space, if applicable.

q. Marinas. One (1) space per three (3) boat slips available for use (per ordinance 03/04-23).

r. Tennis clubs and courts. One (1) space per court plus restaurant spaces, if applicable (per ordinance 03/04-23).

s. Golf courses and clubs. Three (3) spaces per golf holes on the course plus restaurant spaces, if applicable (per ordinance 03/04-23).

t. Miniature golf course. One (1) space per golf hole (per ordinance 03/04-23).

u. Nursing Homes. One (1) space for every four (4) beds and one (1) space for every employee per shift. (per ordinance 08/09-08)

1. All other residential and commercial uses shall be required to have the parking spaces as designated in Section 11-309, in accordance with the designated structure or use.

2. All commercial uses mentioned herein must comply with the off-street loading and unloading space requirements of Section 14-311, where applicable.

3. Certification of minimum parking requirements. Each application for a building permit shall include information as to the location and dimensions of off-street parking and loading space and the means of ingress and egress to such space. This information shall be in sufficient detail to enable the building inspector to determine whether or not the requirements are met.

4. Combination of required parking space. The required parking space for any number of separate uses may be combined in one (1) lot; however, the required space assigned to one use may not be assigned to another use, except that the parking space required for churches, theaters, or assembly halls whose peak attendance will be at night or on Sundays may be assigned to a use which will be closed at night or on Sundays. Combination space must be located within two hundred feet of the use to which the spaces will be assigned.

5. Remote parking space. If the off-street parking space required by the zoning ordinance cannot be reasonably provided on the same lot on which the principal use is located, such space may be provided on any land within two hundred (200) feet of any public entrance to such principal use, provided such land is in the same ownership as the principal use. Such land shall be used for no other purpose so long as no other adequate provision of parking space, meeting the requirements of the zoning ordinance, has been made for the principal use.

6. Requirements for design of parking lots.

   a. Except for parcels of land devoted to one and two family residential uses, all areas devoted to off-street parking shall be so designed and be of such size that no vehicle shall back into a public street.

   b. Each parking space shall be no less than two-hundred (200) square feet in area.

   c. Entrances and exits for all off-street parking lots shall comply with the requirements of Section 14-310 of this ordinance.

   d. The parking lot shall be designed in such a manner as to provide adequate drainage and to eliminate the possibility of stagnant pools of

water.

e. Minimum dimensions of parking spaces and maneuvering aisles shall be in accordance with the following requirements:

Parking Pattern	Two-Way Aisle Width	One-Way Aisle Width	Parking Space Width	Parking Space Length
Parallel Parking	15 Ft.	10 Ft.	10 Ft.	20 Ft.
10-45 degree angle	18 Ft.	12 Ft.	10 Ft.	20 Ft.
50-90 degree angle	24 Ft.	12 Ft.	10 Ft.	20 Ft.

f. All parking lots shall be provided with a pavement having an ***asphalt*** or ***concrete binder*** so as to provide a permanent, durable and dustless service. Porous asphalt or concrete is also permitted for parking lots (excluding loading/unloading areas) approved by the planning commission. Paving is not required, once the minimum parking spaces are provided, for spillover parking areas. The Planning Commission has the discretion to alter these standards for common parking areas in the vicinity of Douglas Lake.

g. All parking lots shall be designed in compliance with the landscaping requirements of Section 14-316.

h. All parking lots shall be provided with adequate lighting. Parking lot lighting shall be oriented downward with the light source shielded from direct view so as to minimize excessive light from spilling onto adjacent Residential Districts or uses. Lighting illumination levels (foot-candles) and uniformity ratios shall meet the minimum standards as recommended by the Illuminating Engineering Society of North America (IESNA). The designer shall take in consideration the reduction of visual glare, light trespass onto adjacent properties, excess illumination levels and conserving energy without decreasing safety when designing the system. Lighting controls and allowable watts (lighting power density) shall be in accordance with the International Energy Conservation Code (IECC).

i. All parking lots shall be designed to provide for adequate drainage in accordance with applicable requirements.

j. All off-street parking spaces depicted on an approved site plan shall remain devoted exclusively for parking.

(per Ordinance No.13/14-08, December 10, 2013)

14-310. <u>Access Control.</u> In order to promote the safety of the motorist and pedestrian and to minimize traffic congestion and property damage by reducing the points of conflict, the following regulations shall apply:

1. A point of access for vehicles onto a street shall not exceed forty (40) feet in width

2. There shall be no more than two (2) points of access to any one public street for each four hundred (400) feet of lot frontage, or fraction thereof; provided, however, that lots less than one hundred (100) feet in width shall have no more than one point of access to any one public street, except gasoline stations which shall be allowed two (2) points of access.

3. Where two driveways are provided for one lot frontage, the clear distance between driveways shall not be less than twenty-five (25) feet.

4. No point of access shall be allowed within one hundred and fifty (150) feet of the right-of-way line of any public intersection.

5. No curbs on city streets or rights-of-way shall be cut or altered without written approval of the head of the Dandridge Highway and Street Department, or if a state highway, a permit must be obtained from the Tennessee Department of Highways.

14-311. <u>Off-Street Loading and Unloading Space Required.</u> Every building or structure hereafter constructed and used for industry, business, or trade involving the receiving or distribution of vehicles, materials, or merchandise shall provide space for the loading and unloading of vehicles off the street or public alley. Such space shall have access to a public or private alley, or if there is no alley, to a public street. The minimum required spaces for this provision shall be based on the total usable floor area of each principal building according to the following table:

Total usable floor area in square feet for each principal building

0 to 4,999	One (1) space
5,000 to 9,999	Two (2) spaces
10,000 to 14,999	Three (3) spaces
15,000 to 19,999	Four (4) spaces
Over 20,000	Five (5) spaces plus one (1) space for each additional 20,000 sq. ft.

14-312. <u>Maximum Building Height.</u> No structure shall be erected which exceeds ~~three (3)~~ five (5) stories or ~~thirty-five (35)~~ sixty (60) feet in height, except as provided by Section 14-504 (per ordinance 05/06-18, per Ordinance No. 19/20-03, 9/10/19).

14-313. <u>Site Plan Regulations for Commercial, Multi-Family, Public and Semi-Public Uses.</u> It is the general purpose and intent of this section to require site plans for all new developments or re-developments of commercial, multi-family, public or semi-public uses to provide for a lessening of traffic congestion and for securing adequate light, air and aesthetic conditions for residents of the town. These plans shall be approved

by the planning commission as consistent with this ordinance and with the comprehensive planning program of the town prior to the issuance of grading or building permits. When a project lies within any historic district, the Dandridge Historic Zoning Commission shall be the body which reviews and approves such site plans (per ordinance 03/04-23).

Any commercial, industrial use or apartments consisting of four (4) or more apartment units prior to commencing construction of a new building structure or any addition to an existing building structure shall be required to submit three (3) paper copies and one (1) digital copy of the site plan in PDF form, and obtain approval of a site plan from the Planning Commission prior to the issuance of a building permit to allow commencing the construction of a new structure or addition to an existing structure (per ordinance 05/06-09) (per Ordinance No.18/19-05, 9/11/18)

The planning commission may deny the site plan due to any of the following: lack of utility infrastructure, such as inadequately sized water and/or sewer lines of at least six (6) inches, inadequate fire protection, fire hydrant distance not meeting current fore code, as adopted by the Town's Board of Mayor and Alderman, drainage problems which are not corrected by the site plan, dangerous ingress and or egress where there is not at least two hundred (200) feet site distance visibility clearance measured from the entrance to the development in both directions along the public road giving access, substandard public road giving access due to poor pavement or inadequate width, inadequate parking or parking lot design, inadequate information on the site plan, failure to provide bond, inadequate landscaping or failure to provide a certified drainage plan (per ordinance 05/06-06).

Shopping centers, mobile home parks, travel trailer parks, apartments, condominiums and other similar types of projects shall be developed under the provisions of the Planned Unit Development (PUD) regulations as set out herein; except that, unless specifically altered by the provisions of this section or the use and development regulations contained in this section or any other applicable provision of this ordinance and the Dandridge Subdivision Regulations, all provisions relating to plan preparation and site development contained in this section shall also apply to the plan preparation and site development of all PUD's.

In accordance with the provisions of Section 13-4-104 Tennessee Code Annotated, site plans for any public use including, but not limited to, schools, parks, streets and highways, public buildings and utilities, shall be submitted to the planning commission for review and shall be prepared in accordance with the provisions of this section, as may be applicable.

A site plan shall set forth the proposed development of the total land tract and shall meet the following regulations:

a. General Provisions.

1. All site plans shall be prepared and certified by a licensed engineer, landscape architect, architect and/or surveyor, as may be appropriate, and in accordance with state law regarding the practice of these professions. Drawings shall be at a scale of not less than 1" = 20' for small tracts and 1" = 50' for large tracts.

b. All site plans shall show:

1. Topography of existing and finished grades;

2. Location of all land subject to flooding;

3. Dimensions and calls of property lines and all setbacks (per ordinance 05/06-06);

4. North point, scale, acreage of site and location map;

5. Sizes and square footage of all existing and proposed structures (including signs), dimensions of all setbacks, street right-of-ways, sidewalks, easements and covenants (per ordinance 05/06-06).

6. Dimensions of all existing and proposed structures;

7. Plans for vehicular and pedestrian circulation, utilities, solid waste disposal, landscaping and open space, signs, off-street parking and stormwater discharge.

8. All new construction must comply with the adopted fire code of the town. (per Ordinance No.11/12-14, March 13, 2012)

c. Signs. Sign size and placement shall be governed by the provisions of Section 14-604.

d. Off-Street Parking. The off-street parking and loading/unloading areas, points of ingress/egress and driveways shall be developed in accordance with the provisions of Section 14-309.

e. Waste Disposal. All waste disposal facilities shall be screened by fencing, walls or evergreen plant materials in such a way that they are not visible from any public street or adjoining properties.

f. Site Improvements Bond. Prior to the issuance of a certificate of occupancy, the building official shall make a determination regarding whether or not all site improvements, as set out in this ordinance, and the approved site plan, have been properly installed. If not, prior to issuing a certificate of occupancy, the building official and town manager shall

determine the amount, form and term of surety that must be established and must secure such guarantee for the purpose of ensuring the timely completion of the required site plan improvements.

If the proposed use is commercial, industrial, or multi-family, the side and/or rear yard setbacks for parking areas, structures and buildings shall be twenty-five (25) feet when adjacent land is in a residential district. This twenty-five (25) feet shall be permanently maintained as a landscaped buffer/screening area with a minimum mature height of 20 feet. This landscaped screening shall be planted so as to reduce and minimize negative effects of noise and lights of the establishment on the adjacent land parcel. All plants shall be living (not artificial) and suitable to the East Tennessee area and specific conditions of the site in question.

If the setback area is an unimproved area with existing vegetation acting as a natural buffer, or if the lot orientation is such that there exists already a sufficient natural buffer due to topography or other factors, the planning commission may approve the site plan without requiring additional landscaping for a buffer, so long as the intent of this part is met. (per Ordinance No.18/19-04, 9/11/18)

g. Issuance of Building Permits. No building permit shall be issued until the building official receives a site plan which bears the signed certificates of site plan approval and of application and agreement.

h. Expiration of Approved Site Plans. Approval of a site plan shall expire six (6) months after the date of its approval unless a building permit has been issued and substantial progress has been made toward completion of the project.

A site plan shall set forth the proposed development of the total land tract and shall meet the following regulations: (per Ordinance No.12/13-02, November 13, 2012)

The Dandridge Municipal Planning Commission meets on the fourth Thursday of each month at 7:00 p.m. at the Public Works Building and is open to the public.

Submission deadline for each month's agenda is fourteen **(14) days** (including weekends) prior to the scheduled meeting date.

It is the applicant's responsibility to submit three (3) paper copies and one (1) digital copy of the site plan in PDF form to Town Hall for placement on the Dandridge Municipal Planning Commission's agenda. Only complete site plans with an attached checklist submitted by the deadline will be added to the agenda for review by the planning commission. Site plan requirements are applicable to multi-family, public and semi-public, commercial and industrial uses. Copies of the site plan regulations are contained within the Dandridge Zoning Ordinance and available at the Town Hall.

CHECKLIST FOR SITE PLAN REVIEW & APPROVAL

SITE PLAN REQUIREMENTS:	Applicant YES-NO-N/A	Staff Verification	Staff Comments
Prepared and certified in accordance with Section 14-313a(1)			
Adequate scale (1"=20') or (1"=50')			
Topography of existing & finished grades			
Flood Hazard Identification (if applicable)			
Dimensions, bearings of lot lines & setbacks			
North point & scale			
Location Map & Total Acreage of Tract			
Size & Square footage of Existing & Proposed structures			
Dimensions of setbacks, rights-of-ways, sidewalks, easements and all structures			
Compliance with all fire codes			
Parking Design (Section 14-309)			
Loading/Unloading Zones			
Plans for Utilities, Landscaping & Open Space			
Drainage Plan (Stormwater Discharge)			
Proposed Location, Type & Dimensions of Signage			
Solid Waste Disposal (Section 14-313e)			

Is the applicant requesting any **variances** from the Dandridge Zoning Ordinance?

No _____ Yes _____

If Yes, identify variance being requested.

_____

Zoning Ordinance variances granted: (Authorized by the BZA) No _____ Yes _____

Site Plan Approval Date: _____ Other Comments: _____

_____

14-314. Use of Parking Lots: No parking lot may be used for retail sales of merchandise except for city sanctioned non-profit events, locally grown produce, and sales to only employees of the commercial/industrial establishment whose parking lot is being used. No encroachment of sales or merchandise for sale is permitted in a fire lane, existing parking spaces or vehicular access and parking isles.

14-315. Use of Vacant Lots: No vacant lot may be used for retail sales of merchandise except for city sanctioned non-profit events, and locally grown produce, except per city ordinance.

14-316. Landscaping Requirements: The purpose of these regulations is to promote the reasonable preservation (including existing vegetation and trees) and replenishment in new developments, redevelopment or expansions, of commercial, industrial, multi-family residential (four or more units), and other non-residential uses, safeguard and enhance property value, promote awareness of the benefits of effective landscaping among town departments, utility providers, development organizations, individual businesses and property owners, provide reasonable regulations that are easily understood by all parties and provide a standard guide for plant selection, installation, and placement in the Town of Dandridge, Tennessee.

1. Definitions:

(a) Berm - A mound or bank of earth covered with either grass or other plant material.

(b). Caliper - The diameter of the tree trunk measured at 6" above ground level for a tree trunk having a diameter of 4" or less and the diameter of the tree trunk measured at 12" above ground level for a tree trunk having a diameter exceeding 4".

(c). Deciduous - A plant with foliage that is shed annually.

(d). Shrub - A plant with either foliage that persists and remains green year-around or deciduous. Shrubs must be at least 1.5 feet tall when planted, which customarily attains a mature height of six (6) feet or greater within five (5) years.

(e). Ground Cover - Low plants which grow to form a continuous cover over the ground, such as vinca, English ivy, grass, or like material.

(f). Hardscape - Non-deleterious materials used to augment the beauty of a landscaped area. “Hardscape” may include brick, stone or rock walls, fountains, ponds, pools, planter or retaining walls, but it excludes artificial plants, trees, or other artificial vegetation.

(g). Landscape Area - The unpaved area which contains grass, shrubs, flowers, ground cover, trees or native plant materials of any kind and which may include decorative fixtures or accouterments such as rock, pools, and planters. Does not include artificial plants, trees or vegetation.

(h). Landscape Island - Unpaved area located within or protruding into a parking lot or the center of any entry into a development’s drive or street. The area of a landscaped island is measured from back of inside curb to the back of inside curb.

(i). Landscaping - Any living organic plant material including trees, shrubs, flowers, ground cover, vegetation, vines or grass.

(j). Maintain or Maintenance - In reference to landscaping includes irrigating, pruning, mulching, mowing, spraying, fertilizing, propping, bracing, treating for disease or injury, and any other similar acts which promote the life, growth, health or beauty of the landscape vegetation.

(k) Ornamental Tree - A small to medium flowering tree that has a high visual impact, growing between fifteen (15) to forty (40) feet in height at maturity, has at least a one and one-half (1½) inch caliper, as measured six (6) inches above the ground and the trunk can be easily maintained in a clear condition (no branches) at least five (5) feet above adjacent ground level.

(l) Shade Tree - Any tree in which the height at maturity is expected to exceed thirty (30) feet with an expected crown spread of at least thirty (30) feet; at the time of planting, has at least a two and one-

half (2½) inch caliper, as measured six (6) inches above the ground and the trunk can be easily maintained in a clear condition (no branches) at least five (5) feet above adjacent ground level.

(m). Trees - Any self-supporting woody plant having one (1) or more defined stems or trunks in a diameter of two (2) inches or more and having a defined crown which customarily attains a mature height of six (6) feet or greater.

2. Entrance Plan. The plan shall show all points of ingress/egress as established in Section 14-310.

3. General Landscaping Requirements. These standards shall apply to all areas where landscaping is required by this ordinance.

(a). Required landscaping shall not include artificial plants, trees, or other artificial vegetation.

(b). Landscaping, including berms, shall not obstruct pedestrian and/or vehicular traffic visibility at street intersections within the area formed by the center lines of the intersecting or intercepting streets and a line joining points on such center lines at a distance of thirty (30) feet from their intersection, there shall be no obstruction to vision between the height of three and one-half (3 ½) feet and ten (10) feet above the average grade of each street at the centerline.

(c). All plant material shall be maintained in a healthy and growing condition. If a plant material ceases to exist in a healthy and growing condition in its entirety, the plant material must be replaced by a plant specimen of like kind within thirty (30) days or subsequent spring or autumn under the direction of the town.

(d). Landscaped areas shall be kept free of trash, litter, and weeds.

(e). Anyone desiring to install and maintain landscaping materials, landscape or decorative lighting, or irrigation facilities within the

Town right-of-way must obtain a landscaping permit from the Town of Dandridge Codes Department.

(f). Landscaping trees required in the interior of the parking area are encouraged to be those types of species where the roots will not disturb the paved parking.

(g). Provide calculations of the proposed landscaping.

4. Recommended Plant Lists. To aid in the selection of appropriate trees and shrubs and to help promote the intent of the Town's landscaping requirements, the Planning Commission/Town Staff maintains a list of recommended shade trees, ornamental trees and shrubs. This plant list shall be utilized as the preferred trees and shrubs to be used in landscaping plans.

RECOMMENDED TREE AND SHRUB LISTS

Shade Trees:

Recommended Species

Common Name	Scientific Name
Southern Sugar Maple	*Acer barbatum*
Princeton Am. Elm	*Ulmus americana*
Red Maple	*Acer rubrum and cultivars*
Allee Elm	*Ulmus parvifolia*
Sugar Maple	*Acer saccharum and cultivars*
Athena Elm	*Ulmus parvifolia*
River Birch	*Betula nigra*
Drake Elm	*Ulmus parvifolia*
European Hornbeam	*Carpinus betulus and cultivars*
Japanese Zelkova	*Zelkova serrata*
American Hornbeam	*Caprinus caroliniana*
White Oak	*Quercus alba*
Katsura Tree	*Cercidophyllum japonicam*
Sawtooth Oak	*Quercus acutissima*
Yellowwood	*Cladrastis kentukea*
Swamp White Oak	*Quercus bicolor*
Ginkgo	*Ginkgo biloba* (male)
Scarlet Oak	*Quercus coccinea*
Seedless Honey Locust	*Gleditsia triacanthos* cultivars
Overcup Oak	*Quercus lyrata*
Golden Raintree	*Koelreuteria paniculata*
Water Oak	*Quercus nigra*
Sweetgum	*Liquidambar styraciflua*
Willow Oak	*Quercus phellos*
Black Gum	*Nyssa sylvatica*
Northern Red Oak	*Quercus borealis*
American Hophornbeam	*Ostrya virginiana*
English Oak	*Quercus robur*
Chinese Pistache	*Pistacia chinensis*
Shumard Oak	*Quercus shumardii*
Aristocrat Pear	*Pyrus calleryana* 'Aristocrat'
Pin Oak	*Quercus palustris*
Cleveland Select Pear	*Pyrus calleryana* 'Cleveland Select'
Red Oak	*Quercus rubra*
Japanese Pogodatree	*Sophora japonica*
Littleleaf Linden	*Tilia cordata*
Dawn Redwood	*Metasequoia glyptostroboides*
Silver Linden	*Tilia tomentosa*

5. Applicability. Commercial, Industrial, Multi-Family (Four or more Units), and Other Non-residential uses. Landscaping along Street Right-Of-Way - All non-residential uses with seven (7) off-street parking spaces or more, shall comply with the following streetscape requirements:

a. Landscaped Strip Adjacent to Street. A landscaped strip on private property shall be provided adjacent and along frontages to all streets and entrances. The landscaped strip shall be a minimum width of seven feet (7) feet, exclusive of street right-of-way. Within the landscaped strip, ***one tree (1 1/2" caliper minimum)*** shall be planted per thirty-five (35) - lineal feet of landscaped strip. The number of required trees shall be calculated solely on the linear frontage of the required landscaped strip and shall be rounded to the nearest whole number. Trees may be grouped together or evenly spaced. Ten percent (10%) of the total number of trees calculated for the required landscaped strip(s), rounded to the nearest whole number may be substituted with evergreen shrubs. Two (2) evergreen shrubs may substitute one (1) required tree. The planning commission must approve such substitution.

b. Parking Lots. Standards for landscaped strips adjacent to streets may apply for perimeter parking spaces also adjacent to streets.

i. No parking space shall be more than 60 feet from a tree.

ii. Interior landscaped islands shall be at least five (5) feet wide or eight (8) feet wide if containing trees and be bordered by a wheel stop. Landscaped islands shall contain at least one (1) tree.

iii. The use of terminal landscaped islands is encouraged for the location of the required number of trees. Terminal landscaped islands shall be a minimum width of fifteen (15) feet.

iv. One (1) tree *(2 1/2" caliper minimum)* shall be provided for every twenty (20) parking spaces or any fraction thereof.

c. The Planning Commission may reduce the width or the required landscaped strip during site plan review when the reduction is required for public improvements.

6. Parking Spaces. These shall be designed and constructed in a manner that will prevent damage to the landscaping by vehicles or pedestrian traffic.

7. The landscaping plan shall contain the common and botanical name of plants and methods for care and maintenance and any existing plants to be preserved.

8. Preservation of healthy existing trees may be credited for any of the required trees upon review by the Planning Commission.

9. All landscaping shall be permanently maintained by the property owner in accordance with an approved site plan on record with the Town of Dandridge. Replacement of dying vegetation shall be required following consultation with the Building Official on the timing to install vegetation in order to minimize stress to the plants. The replacement of vegetation shall be completed no later than the next growing season. Failure to maintain landscaping shall be considered a zoning violation in accordance with Section 14-706.

10. No site plan approved by the Planning Commission prior to the effective date *(10/11/05)* of this section shall be required to conform to the landscaping requirements of this section unless the site plan is being resubmitted to the Planning Commission and there is a thirty percent (30%) or more increase in the square footage of building area or parking lot.

11. Alternative Compliance. This procedure allows certain modifications to the regulations of this section, but it is not intended as a waiver. The proposed solution, which must be submitted in writing by the applicant, must equal or exceed existing requirements in terms of quality, effectiveness, durability, hardiness and performance. Requests for approval of an alternative landscaping plan is justified only when one or

more of the following conditions apply:

a. The sites involve limited space limitations or unusually shaped parcels;
b. Topography, soil, vegetation, or other site conditions are such that full compliance is impossible or impractical;
c. Due to a change in use of an existing site, the requirements is greater than can be provided;
d. Safety considerations are involved;
e. A significant natural and/or historical feature will be preserved;
(per Ordinance 05/06-08 & Ordinance 11/12-13, March 13, 2012)

CHAPTER 4

ZONING DISTRICTS

SECTION

14-401. Classification of Districts
14-402. Boundaries of Districts
14-403. Application of District Regulations
14-404. R-1, Low Density Residential District
14-405. R-2, High Density Residential District
14-406. R-3, High Density Residential District for Planned Unit Development of High Density Subdivisions
14-407. B-1, Central Business District
14-408. B-2, General Business District
14-409. B-3, Interstate Business District
14-410. B-4, Residential and Commercial Resort District
14-411. M-1 Light Industrial District
14-412. F-1 Flood Plain District
14-413. H-1 Historical District
14-414. A-1 Agricultural Residential District

14-401. Classification of Districts. For the purposes of this ordinance, the Town of Dandridge, Tennessee, is hereby divided into ten (10) districts, as follows:

R-1, Low Density Residential District
R-2, High Density Residential District
R-3, High Density Planned Unit Development or High-Density Subdivisions
B-1, Central Business District
B-2, General Business District
B-3, Interstate Business District
B-4, Residential and Commercial Resort District
M-1, Light Industrial District
F-1, Floodplain District
H-1, Historic District

All property annexed into the Town's corporate limits shall be classified as R-1. All properties located in the annexed area which do not conform to the regulations of the R-1 zoning district shall be "grandfathered" in and thereafter subject to Chapter 4, Section 303, unless a classification change is requested and granted by the Municipal Planning Commission. (per Ordinance No. 06/07-15)

NOTE: Municipal Code – Title 14 – Chapter 6 – Annexation

Classification of Districts. All property annexed into the Town's corporate limits shall be reviewed by the Dandridge Regional Planning Commission for appropriate zoning.

The Dandridge Regional Planning Commission shall recommend a zoning district within the plan of services. The Board of Mayor and Aldermen shall classify all newly annexed property with a specific zone within the plan of services for annexation. (Per Ordinance No.16/17-06, October 11, 2016)

14-402. Boundaries of Districts. The town is hereby divided into districts, as shown on the official zoning map. The official "Zoning Map of Dandridge, Tennessee," shall be the final authority as to the current zoning status of land and water areas, buildings, and other structures of the town. Unless otherwise indicated, the boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed as following such centerlines. Boundaries which are indicated as following the town limit. Boundaries which are indicated as following Railroad lines shall be construed to be midway between the main tracks. Boundaries which are indicted as approximately following the center lines of streams, lakes, and rivers, shall be construed to follow such centerlines. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map. Questions concerning the exact locations of the district boundaries shall be resolved by the board of zoning appeals.

14-403. Application of District Regulations. The regulations set by this code within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land. No building or structure or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected or altered to exceed the height or bulk; to change occupancy; to accommodate or house a greater number of families; to occupy a greater percentage of lot area; or to have narrower or smaller rear yards, front yards, or other open space; than herein required.

No part of a yard or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this ordinance, shall be included as part of a yard, open space, or off-street parking and loading space similarly required for any other building. No yard or lot existing at the time of passage of this code shall be reduced in dimension or area below the minimum requirements as set forth herein. Yards or lots created after the effective date of this code shall meet at least the minimum requirements established by this code. All requests for a special exception to any residential, business or industrial district regulation shall have a site plan presented to the Board of Zoning Appeals simultaneously with the special exception request (per ordinance 03/04-23).

14-404. R-1, Low Density Residential District. Within the R-1, Residential District, as shown on the Zoning Map of Dandridge, Tennessee, the following regulations plus the other applicable provisions of this zoning code shall apply:

1. Uses permitted:

    a. Single-family with one per lot, but excluding mobile homes.
    b. Accessory uses and buildings, provided that such uses are incidental to the principal use.

c. Bed and Breakfast
d. Single real estate signs advertising the sale, rental, or lease of only the premises on which they are located, provided that they are not over four (4) square feet in area, and placed at least five (5) feet from all lot lines and street rights-of-way. Name plates and single signs identifying home ownership or address.
e. Customary accessory buildings such as storage sheds, garages for the storage of personal items not to exceed 900 square feet. Over 900 square feet, there must be a review and approval of the planning commission.

2. Special Exceptions. The following uses may be permitted after review and approval by the board of zoning appeals.

a. Two-family dwellings (per ordinance 03/04-23), public utilities and facilities, except storage and warehousing areas.

b. Cemeteries, churches, schools and other semi-public uses.

c. Customary Home Occupations provided that the conditions of Section 14-603 are met.

No permit shall be issued except with the written approval of the board of zoning appeals and subject to such conditions as the Board may require in order to preserve and protect the character of the district in which the proposed use is located.

3. Area Regulations. The principal building shall be located so as to comply with the following requirements:

a. Minimum lot area for single family dwellings served by public water and sewer systems: 20,000 square feet. (per Ordinance No.13/14-09, December 10, 2013)
b. Minimum lot area for single family dwellings served by public water, but not public sewer: 22,000 square feet.
c. Minimum lot area for single family dwellings not served by public water and sewer: one (1) acre.
d. Minimum lot width at building setback line: 100 feet.
e. Minimum depth of front yard: 30 feet.
f. Minimum depth of rear yard: 20 feet.
g. Minimum depth of side yards: 15 feet.
h. No building shall exceed three (3) stories or thirty-five feet in height except as provided in Section 14-504.

4. Location of Accessory Buildings

a. No accessory building shall be erected in any required front yard.

Accessory buildings shall not cover more than thirty (30) percent of any required rear yard, and shall be at least five (5) feet from all lot lines and from any other building on the same lot. On corner lots, accessory buildings must be located to the rear of the property and at least fifty (50) feet from either public road.

b. Accessory buildings on corner lots shall conform with front yard setbacks for both intersecting streets.

5. Side Yards on Corner Lots. The minimum width of side yards for dwellings along an intersecting street shall be twenty-five (25) feet for the side facing street, as measured to the eave of the house including gutters.

6. Building Area. On any lot, the area occupied by all buildings shall not exceed forty (40) percent of the total area of such lot.

7. Off-Street Parking. As regulated in Section 14-308.

14-405. <u>R-2, High Density Residential District.</u> Within the R-2, Residential District, as shown on the Zoning Map of Dandridge, Tennessee, the following regulations plus the other applicable provisions of this zoning code shall apply.

1. Uses Permitted.

   a. Single-family and two-family dwelling(s).
   b. Accessory uses and buildings, provided that such uses are incidental to the principal use.
   c. Customary home occupations, provided that the conditions of this code are met.
   d. Single real estate signs advertising the sale, rental, or lease of only the premises on which they are located, provided that they are not over four (4) square feet in area, and placed at least five (5) feet from all lot lines and street rights-of-way. Name plates and single signs identifying home ownership or address, on-premise customary home occupations, provided the requirements of this code are met.
   e. Accessory buildings under 900 square feet. Any accessory building over 900 square feet must have the review and approval of the planning commission.

2. Special Exceptions. The following uses may be permitted after review and approval by the board of zoning appeals.

   a. Public utilities and facilities, except storage and warehousing areas.
   b. Cemeteries, churches, and other semi-public uses.
   c. Hospitals and medical clinics.

d. Philanthropic institutions and clubs, except a club, the chief activity of which is customarily carried out as a business.
e. Public parks and golf courses, and country clubs.
f. Mobile home parks subject to the requirements of Section 14-606.
g. Multi-family uses (apartments): 9,000 square feet for the first unit and 2,000 square feet for each additional unit; must be on public water and sewer; two parking spaces per unit must be provided with each space being at least 9 X 20 feet. A site plan must be submitted to the planning commission which shows: a surveyor's stamp, a drainage plan (certified by a licensed engineer) showing topography and any catch basins or culverts, access cuts (only one per two hundred feet of road frontage permitted), parking spaces, locations and dimension of each unit and building, setbacks, location of water and sewer lines, location of dumpster facilities (required). The minimum distance between buildings may not be closer than twenty (20) feet. The minimum rear and side setbacks shall be twenty-five (25) feet. Five (5) percent of the land area shall be landscaped in permanent plantings. Developments adjacent to an R-1 residential district must have a linear evergreen buffer along the outside parameter adjacent to the R-1 district in addition to the five (5) percent land area requirement. The planning commission may deny the site plan for failure to comply with the site plan requirements or for inadequacies in the site's design.
h. Accessory buildings over 900 square feet with approval of the planning commission.
i. Communication Towers
j. Condominiums

No permit shall be issued except with the written approval of the board of zoning appeals and subject to such conditions as the Board may require in order to preserve and protect the character of the district in which the proposed use is located.

3. Area Regulations. The principal building shall be located so as to comply with the following requirements:

a. Minimum lot area for single family dwellings served by public water and sewer systems: ~~7,500~~ 12,500 square feet. (Previously zoned R-2 property, before the effective date of Ordinance No. 21/22-07 (4/12/22) will be grandfathered in at 7,500 square feet for one year from date of the approved Ordinance.) (Ordinance No.21/22-07, 4/12/22)
b. Minimum lot area for two family dwellings served by public water and sewer systems: 12,500 square feet.
c. No development is permitted without public water and public sewer.
d. Minimum lot width at building setback line: 100 feet.
e. Minimum depth of front yard: 20 feet.
f. Minimum depth of rear yard: 20 feet.
g. Minimum depth of side yard on a corner lot: 10 feet.

h. No building shall exceed ~~three (3)~~ five (5) stories or ~~thirty-five (35)~~ sixty (60) feet in height except as provided in Section 14-504. (per Ordinance No. 19/20-03, 9/10/19)

4. Location of Accessory Buildings.

a. No accessory building shall be erected in any required front yard. Accessory buildings shall not cover more than thirty (30) percent of any required rear yard, and shall be at least five (5) feet from all lot lines and from any other building on the same lot.

b. Accessory buildings on corner lots shall conform with front yard setbacks for both intersecting streets.

5. Building Area. On any lot, the area occupied by all buildings shall not exceed forty (40) percent of the total area of such lot.

~~6. Maximum Building Height. No structure shall be erected which exceeds three (3) stories or thirty-five (35) feet in height, except as provided by Section 14-504 (per ordinance 05/06-18).~~ (Per Ordinance No.19/20-03, 9/10/19)

6. Off-Street Parking. As regulated in Section 14-308.

14-406. <u>R-3, High Density Residential District for Planned Unit Developments or High-Density Subdivisions.</u> It is the intent of this district to provide areas for clustered developments on small lots designed to work with the topographical conditions and/or other environmental constraints. These clustered developments will require common open space and extensive drainage plans, designed for a twenty-five (25) year storm event, as well as recreational amenities for the residents such as swimming pools, paved walking trails, tennis courts, park area.

1. Uses Permitted

a. Single family uses, ~~on individual lots~~ including tiny houses. (Per Ordinance No.16/17-04, August 9, 2016)

b. Apartment complexes, duplexes

c. Condominiums

d. Single real estate signs, provided that they are not over four square feet in area

2. Special Exceptions

a. Accessory buildings on individual lots including garages and personal storage not to exceed five hundred square feet for garages and 120 square feet for accessory buildings. If these buildings are proposed to be added after the original development's final approval, the property owner will have to submit proof by a licensed engineer that the development's

drainage system will handle the potential additional run-off. If it will not, the proposed accessory buildings shall not be approved.

b. Communication Towers

3. Area Regulations. The principal building shall be located so as to comply with the following density requirements:

a. Minimum lot area for single family dwellings on single lots served by public water and sewer systems is ~~7,500~~ 12,500 square feet. (Previously zoned R-3 property, before the effective date of Ordinance No. 21/22-07 (4/12/22) will be grandfathered in at 7,500 square feet for one year from date of the approved Ordinance.) No development shall be approved which does not have public water and sewer as well as fire hydrants every five hundred feet.
Minimum lot area for joined dwelling units with a common fire wall or stacked units on public sewer and public water: ~~7,000~~ 12,500 for the first unit and ~~2,000~~ 3,000 for each additional unit. (Previously zoned R-3 property, before the effective date of Ordinance No. 21/22-07 (4/12/22) will be grandfathered in at 7,500 square feet for one year from date of the approved Ordinance.) (Ordinance No.21/22-07, 4/12/22)

b. Minimum building separation: twenty feet in width as measured from the closest corner to the closest corner of the roof line. Minimum P.U.D. setbacks of twenty-five (25) open feet along the entire periphery of the development. No construction is permitted within the twenty-five feet setback area.

c. Minimum depth of front yard: 25 feet from the building site to the outside line of the right-of-way.

d. Minimum depth of rear yard: 15 feet if on single lots. Clustered lots or planned unit developments must have a twenty-five (25) feet setback.

e. Minimum depth of side yards: 15 feet.

f. **No building shall exceed five (5) stories or sixty (60) feet in height except as provided in Section 14-504.** Maximum height of structures shall conform with Section 14-204, Definition of Height of Building or Structures (per ordinance 03/04-23). (per Ordinance No.19/20-03, 9/10/19)

g. All drainage systems, including guttering, shall be contained underground and run to an approved detention or retention pond.

4. Location of Accessory Buildings. On single lots, accessory buildings must be located in the rear yard and not in the front or side yards and must have an engineered report that the developments drain system will have the additional run-off, if the accessory building(s) were not approved in the original drawing. Accessory buildings shall not cover more than thirty (30) percent of any required rear yard, and shall be at least five (5) feet from any lot line.

5. Planned Unit Development (PUD) Regulations. The purpose of the Planned Unit Development regulations is to provide for diversification in the relationship of uses and structures to their sites and also provide flexibility which will create a more desirable living environment. A PUD shall mean an integrated, professionally prepared design for development of residential, commercial or industrial uses, or as permitted, combinations of such uses, to allow application of new techniques and technology of site and building design and location; this for the purpose of achieving economies in land usage, maintenance, and street and utility systems while providing for attractive open areas, safe circulation and general well-being of the inhabitants (per ordinance 03/04-23).

a. Applicability of PUD Regulations. A PUD may be developed in any district provided that the uses permitted and density requirements of the district allow the development and the PUD plan elements are approved by the planning commission. Residential, commercial, public, semi-public or industrial uses, or combination of these uses where district or special regulations permit, may be developed under the PUD concept. Cluster type subdivisions and condominiums, townhouses, multi-dwelling units, rental developments, multi-use parks, travel trailer parks and multi-use or ownership developments shall be considered as PUD's for the purpose of this ordinance.

b. Relationships of PUD Regulations to District and Site Plan Regulations. Unless specifically altered by any provision of this section, the use and development regulations of this section, or any other applicable provision of this ordinance or the Dandridge Subdivision Regulations shall apply to the development of a Planned Unit Development.

c. General Requirements. All PUD developments shall comply with the following requirements:

(1) Minimum Site. No PUD shall have an area less than that required by the planning commission as adequate for the proposed project; however, the minimum site shall not be less than the minimum lot size required in the district in which the proposed project is to be located.

(2) Structures and Open Space. The planning commission shall require structures and open space to be arranged on the site in such a way that adjacent uses will not be adversely affected.

i. Where feasible, the highest height and intensity of uses shall be toward the interior of the projects.

ii. The distance between freestanding buildings shall be one and one-half (1 ½) times the height of the highest building, said height to be determined by the distance between the

top of the foundation and the highest point of the two (2) building walls joining each other.

iii. Minimum setback and lot width at setback requirements for lots established in this section may be altered upon approval of the planning commission; except that, in no cases shall the setbacks from any exterior project site side or rear property line be less than twenty-five (25) feet.

iv. Landscaping/buffering requirements shall be applied to PUD developments in accordance with the planning commission.

d. Open Space Requirements. Preservation, maintenance, and ownership of open space areas and facilities shall be accomplished by one (1) or more of the following methods, and shall be established in an appropriate legal manner.

(1) Dedication to and acceptance by the public as part of a governmentally administered park and open space system.

(2) A property owner's association.

(3) The developer or management authority of the PUD.

e. Parking and Access Control Requirements. The provisions of this ordinance relating to vehicular access and parking shall be adhered to; except that, the planning commission may alter these requirements in instances in which a superior design alternative is presented which will not be detrimental to the public interest or in conflict with the intent of this ordinance.

f. Density Requirements for Residential PUD. The density (units per gross acre) of dwelling units in a PUD shall be no greater than that allowed in the zoning district within which a PUD is located. The open spaces around public structures, such as schools and churches may be included in the gross acreage of the site for the purpose of calculating the number of residential units allowed within a PUD.

g. Signs. The number, size, type and placement of signs within PUD's shall be governed by the applicable provisions of Section 6 of this ordinance.

h. Street and Utility Construction Standards. Public and common ways for pedestrian and vehicular circulation shall be developed in relationship to other existing or planned streets and ways and with the Dandridge Subdivision Regulations. Whether or not the subdivision of property is

proposed within a PUD, all project street and way improvements shall comply with the construction standards set out in the subdivision regulations. Due to the uniqueness of each PUD, the owner/developer of a PUD may request slight adjustments from widths of streets, ways, utility easements, curbing and similar standards set out in the subdivision regulations; and, upon determination of good cause being shown for such adjustments, the planning commission may permit changes or alterations in standards, provided the spirit and intent of this section can be preserved.

i. Plan Preparation and Review Process.

(1) PUD's Requiring the Subdivision of Property. In PUDs in which property is divided for the purpose of sale or rental, such as a subdivision or mobile home park, the following requirements for a PUD plan preparation shall apply:

i. Preliminary PUD Plan. Prior to submitting a preliminary subdivision plat for review, a preliminary PUD plan shall be submitted to the planning commission which shall include the following:

1. The general location of buildings and uses;
2. General circulation patterns;
3. Open space and recreation areas;
4. Parking areas;
5. Ingress/egress points;
6. Sketch elevations and drainage;
7. The boundary dimensions;
8. Overall density of development;
9. Public uses;
10. Landscaping concepts;
11. Zoning classification; and
12. Other information deemed pertinent by the planning commission.

ii. Final PUD Plan. Following approval of a Preliminary PUD plan, the developer may proceed to prepare a final PUD plan which shall include detailed architectural/engineering plans for the following:

1. Utilities;
2. Vehicular and pedestrian circulation systems;
3. Location of all structures;
4. Topographic intervals at no less than five (5) feet;
5. Minimum elevations and grading;

6. The physical relationship of uses;
7. Parking areas;
8. Open space and recreation areas;
9. Landscaped areas;
10. Buffer or screening materials and locations.
11. Areas proposed for dedication as parks, ways or places;
12. Final drafts of legal documents;
13. Other information deemed pertinent by the planning commission.

Upon approval of the Final PUD plan, a special condition permit may be issued.

j. Staging of Development. The PUD applicant may elect to develop the site in successive stages. The stages and expected development periods shall be shown on the Preliminary PUD development plan. However, each stage given final PUD approval must be substantially complete within itself. The planning commission may also require the development of a PUD project in stages if public facilities are not adequate to handle the entire development initially.

k. Permits. The developer of a PUD shall be entitled to receive appropriate development permits following approval of the final PUD plan and the preliminary subdivision plat, where applicable. However, none of these permits shall be issued until the building official receives a PUD plan which bears the signed certificates of approval and of application and of agreement.

l. Changes and Modifications. A PUD project may be changed or modified under conditions established for minor changes and major changes.

1. Minor changes. The planning commission may approve changes in minor shifts of building locations, proposed streets and ways, utilities and easements, recreation and open spaces or other features on the approved plan. However, these changes shall not increase densities, change exterior boundary lines, change uses, materially change location or amount of land devoted to specific uses or significantly change the exterior features or appearance of buildings and uses shown on the approved plans.

2. Major changes. All changes other than those established as minor shall be considered as major changes to the PUD plan and shall require a new plan submission in accordance with the procedures and requirements for approval of a PUD plan.

14-407. B-1, <u>Central Business District.</u> *It is the intent of this district to protect the unique characteristics of the downtown that has established this area as the traditional town center by encouraging a mixture of business, residential, cultural, recreational and services within a compact, pedestrian friendly area. These regulations are designed to retain this area as a functional activity center while protecting and enhancing the aesthetics and historic character of the downtown.* Within the B-1, Central Business District, as shown on the zoning map of Dandridge, Tennessee, the following regulations plus other appropriate provisions of this zoning code shall apply subject to the requirements of the Historic Zoning District (H-1). (per Ordinance No.13/14-22, February 11, 2014)

1. Uses Permitted (per ordinance 05/06-16).

   a. Antique shops, art and school supply stores, interior decorating shops, art galleries (excluding auction rooms), art, sculptor and composer studios and picture framing store.
   b. Bicycle sales and rental shops, florist shops, food/grocery stores, meat-fish markets, dairy, delis, furniture stores, glass shop, hardware stores, books, stationary and greeting card stores, camera and photographic supply stores, carpet and rug sales, china and glassware stores, clothing sales and rental stores, confectionary stores, drug stores/pharmacies, dry good stores, home furnishing sales, household appliance store, second hand stores, sewing machine sales and service, shoe stores, shoe, clothing and hat repair, sporting goods stores toy shops variety stores and food stores (less than 2,500 square feet floor area).
   c. Blueprinting, Photostatting and copying services, hearing aid stores, millinery shops, office supply and office equipment stores, optical products, sales and service, party supply stores, phonograph, record and cassette stores, including sales of compact discs and sheet music, photograph, including development of film when conducted as part of the retail business, printing shops, recording and sound studios, ticket agencies/amusement and sports sales and travel agents and indoor theaters.
   d. Bed and breakfast or Inn lodging, outdoor dining areas or cafes; provided an area is separated by a fence or other barricade, restaurants; excluding entertainment and dancing and restaurants; carry-out with no food consumed on premises.
   e. Hobby and craft stores, jewelry stores and repairs, including watches, leather goods/luggage stores, locksmith shop, schools for music and dance and martial arts, mail order/catalog store, painting and decorating, pet shops, radio and television sales and repairs, musical instrument sales and service, small animal grooming establishments, tailor shops, tobacco shops taxidermists, telephone answering service, telephone exchange and equipment building, coin and philatelic stores, currency exchange, custom dress making, veterinarians and animal hospitals (excluding outdoor

kennels), bakeries, barber and beauty shops, candy and ice cream shops and funeral homes.

f. Employment agencies, medical and dental clinics and related laboratory facilities, physical therapy, speech therapy and related facilities and offices (professional, business, public or institutional).

g. Post office and express mail agencies and civic and governmental buildings.

h. Temporary uses and uses accessory to permitted uses.

i. Signs as regulated in Section 14-604.3.

j. off-street parking lots and garages in accordance with this ordinance.

2. Special Exceptions. Any use which, in the opinion of the board of zoning appeals is of the same general character of the above permitted uses, and subject to such conditions and safeguards as the board of zoning appeals may specify to preserve the character of the downtown district.

a. Communication Towers

b. Single-family residences, duplexes and multi-family residences as new construction, adaptive reuse of an existing structure <u>or any combination thereof</u> in accordance with all zoning requirements and the historic guidelines.

c. Accessory dwelling units within the same principal building of a non-residential permitted principal use in accordance with the following:

1. Adequate off-street parking is collectively provided for each use or remote parking approved upon review by the planning commission.
2. A minimum square footage per dwelling unit of 650 square feet for one bedroom, 800 square feet for two bedrooms and 1,000 square feet for a three bedroom is provided.
3. The proposed use is in conformance with all municipal and fire codes. (per Ordinance No.13/14-22, February 11, 2014)

3. Uses Prohibited (per ordinance 05/06-16). The following uses are expressly prohibited as well as any use not listed above, unless as the Dandridge Board of Zoning Appeals determines that a proposed use is similar in nature to the uses listed above and is within the intent of the Central Business District.

a. Service stations and gasoline stations

b. Small engine repair

c. Landfills

d. Junk Yards

4. No building permit for construction, alteration, repair, moving or demolition of any structure or any changes or improvements in the townscape within the district shall be issued by the building inspector until it is submitted to and receives approval in writing by the Historic Planning Commission. All proposed projects

must meet the regulations of the Historic Zoning District as well as the Zoning Ordinance (per ordinance 05/06-16).

5. Area Regulations. Buildings and other structures shall be located so as to comply with the following requirements:

   a. Minimum lot width at the building setback line: none.
   b. Minimum front yard setback: none.
   c. Minimum rear yard setback: The minimum rear yard shall be twenty (20) feet.
   d. Minimum width of side yards: none.
   e. There is no minimum lot size.

14-408. <u>B-2, General Business District.</u> Within the B-2, General Business District, as shown on the zoning map of Dandridge, Tennessee, the following regulations plus other appropriate provisions of this zoning code shall apply:

1. Uses Permitted.

   a. Retail trade – general merchandise.
   b. Retail trade – food.
   c. Retail trade – apparel and accessories.
   d. Retail trade – furniture, home furnishings, and equipment.
   e. Retail trade – eating and drinking establishment.
   f. Retail trade – drug and proprietary, antiques, books and stationery, sporting goods, hardware, jewelry, florists, optical and photographic supplies.
   g. Retail and repair services for automobiles, boats, motorcycles and small engines with related services (per ordinance 03/04-23).
   h. Finance, insurance, and real estate services.
   i. Business services.
   j. Personal services including beauty and barber shops.
   k. Personal services for automobile, boats, motorcycles. Small engine repair and similar services.
   l. Professional offices offering professional services. (Per Ordinance No.16/17-03, August 9, 2016)
   m. Governmental services not including correctional institutions and military reservations.
   n. Cultural activities, such as arts and crafts shows, plays, etc.
   o. Religious activities and welfare and charitable services.
   p. Other uses and structures which are customarily accessory and clearly incidental to permitted uses and structures, as determined by the Board of Zoning Appeals.
   q. Outdoor advertising signs as regulated in Section 14-604.
   r. Marinas, camping facilities, travel trailer parks, recreational parks.
   s. Storage and mini-storage for household and recreational items (per

ordinance 03/04-23).

t. Laundromats and drycleaners (per ordinance 03/04-23).
u. Hotels, motels, lodges and bed and breakfast inns (per ordinance 05/06-10).
v. Mechanical (electric or gas) repair shops (per ordinance 05/06-15).
w. Pawn shops (per ordinance 05/06-15).
x. Plumbing showrooms, shops or repair (per ordinance 05/06-15).
y. Lounges and taverns (per ordinance 05/06-15).

2. Special Exceptions:

a. Communication Towers provided that they meet all the requirements as noted in Appendix A.
b. Indoor Sport Shooting Ranges, provided all requirements in Section 14-612 are met (Ordinance No.20/21-23, 4/13/21)
c. Any use similar in nature as uses identified above as determined by the Board of Zoning Appeals.

3. Area Regulations. Buildings shall be located so as to comply with the following requirements:

a. Minimum depth of front yard: thirty (30) feet
b. Minimum depth of rear yard: Ten (10) feet
c. Minimum depth of side yard: Twenty (20) feet except on a corner lot in which the side yard setback is twenty-five (25) feet
d. Minimum Lot Size: 22,000 square feet on public water and sewer. No use is permitted without public water and sewer.
e. Commercial buildings shall be permitted to be built on a common lot line provided there is written mutual consent of the owners of the buildings directly involved and the adjacent walls of the buildings have a fire-resistant rating required in the Standard Fire Code.
f. For shopping centers, no more than one building shall be permitted on each lot, and then only if the requirements for minimum space for lots and the specifications of the Standard Fire Code related to fire walls are met.
g. Off-street loading and unloading areas shall be provided in accordance with Section 14-308 of this code.
h. No building shall exceed five (5) stories or sixty (60) feet in height except as provided in Section 14-504. (per Ordinance No.19/20-03, 9/10/19)

14-409. <u>B-3, Interstate Business District.</u> The purpose of this district is to provide for general commercial activity along major collectors and arterial highways. The regulations are designed to encourage the proper development of commercial areas in such a manner as to discourage the problems normally associated with strip commercial development; to encourage concentrations of commercial activities; and to preserve the traffic carrying

capacity of the major collectors and arterials upon which such uses are located. Within the B-3, Interstate Commercial District, the following regulations shall apply:

1. Uses Permitted.

   a. Retail trade – building materials, hardware, farm equipment.
   b. Retail trade – automotive, marine craft, aircraft and accessories, restaurants, grocery stores, service stations, convenience centers (gas, fuel, restaurants), real estate offices.
   c. Retail trade – fuel and ice.
   d. Repair services – automotive and marine repair services.
   e. Contract construction services.
   f. Educational services.
   g. Indoor facility amusements that are completely contained within the enclosed confines of the structures.
   h. Recreational activities such as golf courses, marinas and public parks, miniature golf, tennis courts and swimming pools.
   i. Utilities not including sewage disposal and solid waste disposal.
   j. Motor vehicle transportation.
   k. Animal husbandry services.
   l. Marinas.
   m. Signs subject to the provisions of Section 14-604.
   n. Public Buildings – owned by governmental agencies or nonprofit organizations.
   o. Any use customarily incidental to the above permitted uses.
   p. Storage and mini-storage for household and recreational items (per ordinance 03/04-23).
   q. Professional offices ~~New automobile retail businesses with repair services in connection therewith~~ (per ordinance 03/04-23) (per ordinance 14/15-04, December 9, 2014) (per ordinance 16/17-03, August 9, 2016)
   r. Laundromats and drycleaners (per ordinance 03/04-23).
   s. Hotels, motels, lodges and bed and breakfast inns (per ordinance 05/06-10)

2. Special Exception. The following uses may be permitted on review by the board of zoning appeals as in accordance with Section 14-805:

   a. Travel trailer parks subject to Section 14-609 of this ordinance.
   b. Communications Towers
   c. Indoor Sport Shooting Ranges, provided all requirements in Section 14 612 are met (Ordinance No.20/21-23, 4/13/21)
   d. Any business or service which, in the opinion of the board of zoning appeals is of the same general nature of the above permitted uses.

3. Area Regulations. Buildings shall be located so as to comply with the following requirements:

   a. Minimum lot width at building line: one hundred and fifty (150) feet.
   b. Minimum depth of front yard: fifty (50) feet.
   c. Minimum width of side yards: twenty-five (25) feet except on a corner lot in which the side yard setback is thirty (30) feet.
   d. Minimum width of rear yard: twenty (20) feet.
   e. Minimum lot size: 40,000 square feet.
   f. Commercial buildings shall be permitted to be built on a common lot line provided there is written mutual consent of the owners of the buildings directly involved and the adjacent walls of the buildings have a fire-resistant rating required in the Standard Fire Code.
   g. No more than one building shall be permitted on a single lot in the case of a shopping center provided that all applicable area and space requirements have been complied with and further provided that such buildings share a common fire-resistant wall. For shopping centers, no more than one building shall be permitted on each lot, and then only if the requirements for minimum space for lots and the specifications of the Standard Fire Code related to fire walls are met.
   h. Off-street loading and unloading areas shall be provided in accordance with Section 14-308 of this code.
   i. No structure shall be erected which exceeds ~~three (3)~~ five (5) stories or ~~thirty-five (35)~~ sixty (60) feet in height, except as provided by Section 14-504 (per ordinance 05/06-18, per Ordinance No.19/20-03, 9/10/19).

14-410. <u>B-4, Residential and Commercial Resort District.</u> The purpose of this district is to establish areas suitable for planned resort developments for the benefit of the citizens, tourists and the general public by providing means of developing property that promotes and encourages open space developments while providing protection to the surrounding environment and land uses. The following uses shall be permitted in addition to the other applicable provisions of this zoning ordinance (per ordinance 04/05-26):

1. Residential uses permitted shall include single-family residences, multi-family residences, condominiums, townhouses, bed and breakfasts and similar developments for rental or home use.

2. Commercial uses permitted shall include:
   a. Marinas;
   b. Boat sales;
   c. Golf courses and clubhouses;
   d. Tennis clubs and courts;
   e. Country clubs;
   f. Miniature golf courses;
   g. Skating rinks (ice or roller)

h. Swimming pools;
i. Motels and hotels;
j. Restaurants;
k. Fitness centers/gymnasiums;
l. Convention type meeting facilities;
m. Hair salon/spas;
n. Retail stores and shops excluding tattoo parlors/studios, pawn shops, body piercing establishments, flea markets, new and uses appliances and adult oriented businesses;
o. Movie theaters.

3. Special exceptions allowed upon review and approval of the Board of Zoning Appeals:

a. Hospitals/medical clinics;
b. Churches;
c. Public buildings;
d. Public utilities and facilities;
e. Schools;
f. Office units for professional services;
g. Planned unit developments, in accordance with the specifications set forth in Section 14-406, as amended for planned unit developments.
h. Travel trailer parks subject to Section 14-609 of this ordinance. (Ord.18/19-10, 5/14/19)
i. Indoor Sport Shooting Ranges, provided all requirements in Section 14-612 are met (Ordinance No.20/21-23, 4/13/21)

4. Area regulations.

a. Minimum lot area for single family dwellings on single lots served by public water and sewer systems is ~~7,500~~ 12,500 square feet. No development shall be approved which does not have public water and sewer as well as fire hydrants every five hundred (500) feet. Minimum lot area for joined dwelling units with a common fire wall or stacked units on public water and sewer is ~~7,000~~ 12,500 square feet for the first unit and ~~2,000~~ 3,000 square feet for each additional unit. (Previously zoned B-4 property, before the effective date of Ordinance No. 21/22-07 (4/12/22) will be grandfathered in at 7,500 square feet for one year from date of the approved Ordinance.) (Ordinance No.21/22-07, 4/12/22)

b. Minimum building separation: twenty (20) feet in width as measured from the closest corner of the roof line. Minimum P.U.D. setbacks of twenty-five (25) open space feet along the entire periphery of the development. No construction is permitted within the twenty-five (25) feet setback area.

c. Minimum depth of front yard: 25 feet from the building site to the outside

line of the right-of-way, except that commercial units may have a ten (10) foot setback if they are located on a frontage road or have parking in the rear or side.

d. Minimum depth of rear yard: 15 feet if on single lots. Clustered lots must have a twenty-five (25) feet setback.

e. Minimum depth of side yards: 10 feet from structure to structure.

f. Minimum depth of side yard on a corner lot: 12 feet.

g. No building shall exceed ~~forty-four (44)~~ sixty (60) feet in height plus twenty (20) feet for the top story vertical wall or the peak of a flat roof or balcony, however, if a parapet or sloped roof is used, the building shall not exceed ~~eighty (80)~~ ninety-six (96) feet from ground to the highest point nor shall any sloped roof exceed an 8/12 pitch. See Ord. 05/06-18. (per Ordinance No.19/20-03, 9/10/19)

h. All drainage systems, including guttering, shall be contained underground and run to an approved detention or retention pond.

5. Location of Accessory Buildings. On single lots, accessory buildings must be located in the rear yard and not in the front or side yards and must have an engineer report that the developments drain system will manage the additional run-off, if the accessory building(s) was not approved in the original drawing. Accessory buildings shall not cover more than thirty (30) percent of any required rear yard and shall be at least five (5) feet from any lot line.

14-411. <u>M-1, Light Industrial District.</u> The M-1, Light Industrial District is established to provide areas for warehousing, manufacturing, and similar light industrial uses. The following regulations shall apply:

1. Uses Permitted.

a. Commercial laundry.
b. Outdoor equipment storage lots and yards except for wrecking, junk, or salvage yards.
c. Communication facilities.
d. Public utilities.
e. Wholesale trade.
f. Retail trade such as building materials, hardware, and farm equipment.
g. Warehousing and storage services.
h. Food and kindred products manufacturing not including meat products.
Manufacturing
i. Textile mill products manufacturing.
j. Agricultural processing not including slaughterhouses or meat

packaging.

k. Apparel and other finished products manufacturing made from fabrics and similar materials.

Materials

l. Furniture and fixtures manufacturing.

m. Printing, publishing, and allied industries.

n. Stone, clay, and glass products manufacturing.

o. Professional, scientific, and controlling instruments manufacturing.

p. Small article manufacturing – jewelry, musical instruments, toys, pens, pencils.

Any use or structure customarily incidental to the above uses.

q. Freighting or trucking yards

r. Communications Towers

s. Public Buildings owned by a governmental entity or a non-profit organization.

2. Special Exceptions. Any use which, in the opinion of the board of zoning appeals, would be of the same character as the above and could not destroy the intent of the code will be permitted:

a. Communication Towers

b. Adult Oriented Businesses

c. TATTOO Parlors, provided:

1). Tattoo parlors provided that the building where the principal use is established is located a minimum of one-thousand (1,000) feet from any public school, church, and/or daycare center.

2). The maximum sign area does not exceed twenty (20) square feet in area and meets all requirements of Section 14-604.

3). Obtaining a Business License, a Health Department Permit and continued compliance with the conditions set forth in the Special Use Permit that is issued.

4). Compliance with all applicable requirements of Section 62-38-201 through 62-38-210 of the *Tennessee Code Annotated.* (per ordinance 08/09-11)

d. Methadone and Pain Management Clinics provided:

1). Obtaining a Business License, a valid Certification by the State of Tennessee Health Department, compliance with all applicable requirements of the Dandridge Municipal Code and continued compliance with the conditions set forth in the Special Use Permit that is issued;

2). The clinic or facility shall be located on and have access to a street classified as a Major Collector or Arterial, as shown on the Dandridge Major Road Plan;

3). Map(s) showing existing land use and zoning within one-quarter (1/4) mile of the proposed site with an accompanying site plan.

4). Compliance with all applicable requirements of Section 62-38-201 through 62-38-210 of the *Tennessee Code Annotated*:

5). The clinic or facility shall not be located within one thousand (1,000) feet of a residential zoning district, a school, day care facility, park, church or hospital.

6). The maximum sign area does not exceed twenty (20) square feet in area and meets all requirements of Section 14-604.

7). Off-Street parking provided at one (1) space for each five hundred (500) square feet of floor space.

8). The site shall not be less than One Thousand (1000) feet from any other methadone treatment clinic or facility.

9). The clinic or facility shall not be located within One Thousand (1,000) feet of any establishment that sells alcoholic beverages for either on-or-off premises consumption or any duly licensed pharmacy of the State of Tennessee (Per Ordinance No.11/12-12, February 14, 2012)

e. Indoor Sport Shooting Ranges, provided all requirements in Section 14-612 are met (Ordinance No.20/21-23, 4/13/21)

3. Uses Prohibited.

a. Meat products and manufacturing.
b. Petroleum refining and related industries.
c. Mining activities and related services, such as quarrying.
d. Other manufacturing, assembling, fabrication, warehousing, and storage uses except those which upon review by the board of zoning appeals are determined to be offensive or obnoxious by reason of emission of odor, dust, smoke, gas, noise, vibration, congestion, and the like, and those uses deemed dangerous due to potential explosion dangers, threat of fire, or poisonous fumes.
e. Lots or yards for scrap or salvage operations or for processing, storage, display, or sales of any scrap, salvage, or second-hand building materials.
f. Automobile wrecking, salvage, or junkyards.
g. Any use similar in nature as the above as determined by the board of zoning appeals.

4. Area Regulations. Buildings shall be located so as to comply with the following requirements:

a. Minimum depth of front yard: Fifty (50) feet.
b. Minimum depth of rear yard: Twenty-five (25) feet.
c. Minimum width of side yards: Twenty-five (25) feet.
d. Industrial buildings shall be permitted to be built on a common lot line provided there is written mutual consent of the owners of the buildings directly involved and the adjacent walls of the buildings have a fire-resistant rating in the Standard Fire Code. However, any building that does

not connect to another building with a fire wall must meet the setbacks for this district.

e. Off-street loading and unloading areas shall be provided in accordance with Section 14-308 of this code.

f. Minimum Lot Size: One acre with public water and sewer. No lots are permitted without public water and public sewer owned and operated by the Town of Dandridge.

g. Side yards for industrial lots adjacent to R-1 and R-2 Districts shall be a minimum of one hundred (100) feet. No yard shall be required for that portion of a lot which fronts on a railroad or a spur line.

h. Fencing is required around hazardous areas such as: detention ponds, open pits, water towers with ladders, discharge areas, boiler blow downs, outdoor warehouse areas, and freight areas. The planning commission may allow variance from this provision upon presentation of data that the potential hazard can be remedied in another manner.

i. Maximum Height: thirty-five (35) feet.

5. Environmental Regulation. The applicant for a building permit in the M-1, Industrial District, must present, as a part of the application, documentation demonstrating that the proposed industry will not represent a hazard to the community safety, health, welfare, or amenity. This includes, but is not limited to, the following:

a. Documentation that a proposed use will be served by adequate publicly owned water and the wastewater are owned by the Town of Dandridge.

b. Documentation that approved means are available for the disposal of all solid waste.

c. Documentation that proposed industrial activities will comply with all applicable federal, state, and local environmental protection laws and/or regulations.

d. Documentation of any and all chemicals used in the industry's operations.

e. Documentation of average noise levels inside the building and air quality standards. No permit shall be issued for the construction of any building or for any use which the building official believes may have the potential to be obnoxious or offensive by reason of emission of odor, dust, smoke, gas, noise, vibration, congestion, and the like, and those uses deemed dangerous due to hazards from potential explosions, threat of fire, and or poisonous fumes, until the plans for such construction or use shall be submitted to the board of zoning appeals. The board may make its approval subject to such conditions and safeguards as may be required by said board to protect the public health, safety, and welfare, and to carry out the intent of this ordinance.

f. A certificate of occupancy maybe withheld or withdrawn for noncompliance with the provisions of this section.

14-412 F-1, <u>Flood Plain Management Regulations:</u> See Appendix B.

14-413 H-1, <u>Historical District.</u> It is the intent of this district to preserve historical buildings and sites in the Town of Dandridge. The requirements of the district are designed to protect and preserve historic and/or architectural value; provide protection from uses that would lessen the significance of the surrounding uses; create an aesthetic atmosphere; stabilize property values; enhance civic beauty; strengthen the economy, and promote education and patriotic heritage for the present and future citizens of the community. In order to achieve the intent of the H-1 (Historical) District, as shown on the Zoning Map of the Town of Dandridge, Tennessee the following uses are permitted.

Any use permitted in the underlying zoning district provided that no building permit for construction, alteration, repair, moving, or demolition of any structure or any changes or demolition of any structure or any changes or improvements in the townscape within the district shall be issued by the building inspector until it is submitted to and receives approval in writing by the Historic Zoning Commission. All proposed projects must meet the regulations of the Historic Zoning District as well as the Zoning Ordinance.

14-414 A-1, <u>Agricultural Residential District.</u> This district is intended to provide areas that are suitable for a compatible mixture of agricultural and low-density single-family residential uses within a rural area.

1. Uses permitted:

    a. General agricultural uses such as farming of crops, dairy, grazing and raising of poultry or livestock, horticulture, viticulture, floriculture forestry and other similar types of uses that adhere to acceptable standards of agriculture.
    b. Single-family dwellings including their respective accessory uses.
    c. Semi-Public and Public uses to include public and private schools, universities, public parks and pools, community centers, cemeteries and churches.
    d. Country clubs, golf courses, civic organization buildings and hospitals.
    e. Customary Home occupations in accordance with Section 14-603.

2. Area Regulations. The principal building shall be located so as to comply with the following requirements:

    a. Minimum lot area with public water and sewer systems: 1 acre.
    b. Minimum lot area with public water only: 60,000 square feet.
    c. Minimum lot area without public water: 80,000 square feet.
    d. Minimum lot width at building setback line: 100 feet (with public water)
    e. Minimum lot width at building setback line: 150 feet. (without public water)
    f. Minimum depth of front yard: 30 feet.
    g. Minimum depth of rear yard: 25 feet.
    h. Minimum depth of side yard: 15 feet except on a corner lot in which the

side yard setback is 25 feet.

i. No building shall exceed three (3) stories or thirty-five (35) feet except as permitted in Section 14-504.

3. No accessory buildings are permitted in the front yard and shall be at least five (5) feet from adjoining lot lines and thirty (30) feet from adjoining rights-of-ways. (Per Ordinance No.11/12-04, 10/11/11)

14-415 Mixed Use (Residential and Commercial Uses) District (MUD). This district is established to provide innovative opportunities for integrating diverse but compatible using into a single development that is unified by distinguishable design features. The Mixed Use District is intended to provide an alternative to the predominant development pattern in Dandridge characterized by unconnected, uncoordinated commercial development along thoroughfares and limited access residential development isolated from places to work and shop. The Mixed-Use District (MUD) may also be used to transition from predominately residential areas to predominately commercial areas as well as to replicated the historic urban development pattern in redevelopment areas. It is further intended to achieve broader goals such as economic land development; consideration of environmental conditions, efficient street systems and utility networks, usable attractive open spaces; and the general well-being of the Town's inhabitants.

1. Uses permitted:
    a. Bakeries
    b. Banks
    c. Barber Shops/Beauty Salons
    d. Bed and Breakfast
    e. Book Store
    f. Candy Store
    g. Clothing Store
    h. Community Center, which may include any or all of the following:
        i. Sales Office pertaining only to the sale and/or lease of residential properties within the planned residential development.
        ii. Meeting Room/Banquet Hall
        iii. Fitness Center/Weight Room
        iv. Laundry Facilities
    i. Community/Neighborhood parks, swimming pools, trails, picnic areas
    j. Customary Home Occupations
    k. Day Care Centers
    l. Delicatessen
    m. Drug Stores/Pharmacies
    n. Dry Cleaning Pick-Up Station
    o. Duplex Residential
    p. Florist Shop
    q. Gas Station/Convenience Store
    r. Golf Courses (public or private)
    s. Grocery Store

t. Hardware Store
u. Health Salon/Fitness Center
v. Hospitals
w. Ice Cream Store
x. Jewelry Store
y. Laundry Facilities
z. Marinas
aa. Multi-Family Residential
bb. New Stand
cc. Nursing Homes (Assisted Living Facilities)
dd. Parking Lot/Garages
ee. Places of Worship
ff. Plant and Flower Nurseries
gg. Private Schools
hh. Professional Offices (artists, architects, dentists, doctors, lawyers, attorneys, psychiatrists, psychologists, engineers, optometrists)
ii. Public Buildings, Parks, and other Public/Governmental Uses
jj. Restaurants
kk. Shoe Store and Repair Shops
ll. Single Family Residential
mm. Tailor Shop
nn. Television and Radio Store/Repair Shop
oo. Utilities
pp. Variety Store

2. Procedural requirements for the establishment of a MUD district
   a. Conceptual Review
      i. This is a scheduled pre-application conference held with the town development services department to discuss requirements, standards and policies prior to the submission of a formal Master Plan.
      ii. The general outline of the proposed mixed-use plan shall be submitted by the applicant for conceptual review. This plan should include the proposed locations, general layout of streets, structures and utilities, and any other applicable information.
      iii. After the conference, the development department shall compile a list of preliminary comments from staff and other agencies to the development to revise the plat prior to an official submittal of a Master Plan.
      iv. The applicant is strongly encouraged to meet with neighboring property owners to discuss the conceptual plan.
   b. Master Plan Approval
      i. An application for a Mixed-Use Master Plan Approval should be submitted into the town Development services department in line with the current deadlines for the Planning Commission. This plan shall include any revisions to the original plan as well as the following:

1. Site Plan (street layout, proposed roads, structures, common area, natural features, landscaping, transition zones, recreational features, hazard areas, drainage areas, etc.)
2. Elevation Plans (Streetscape and Building Elevations)
3. Percentage Narrative (lists the percentage of uses)

ii. Planning Commission shall make a recommendation for the mixed-use development Master Plan to the Dandridge Board of Mayor and Alderman.

iii. The Dandridge Board of Mayor and Alderman will review the plan at their next available meeting and hold a public hearing at that time prior to granting approval or denial of the plan.

c. Preliminary Site Plan Approval – If granted approval for the Master Plan by the Dandridge Mayor and Board of Alderman, the applicant must then submit full construction plans to the City Development Services Department for review. Those plans must meet the requirements of the Dandridge Subdivision Regulations and must be approved by the Planning Commission.

d. Final Plat Approval – Once construction is complete or a bond has been accepted by the town, a final plat must be submitted to the Planning Commission for approval.

3. Requirements for each development within a MUD district

a. Minimum District Size: 5 acres

b. Minimum Size for Each Development: 5 acres; however, if a proposed development is adjacent to an existing MUD district, and the proposed development will have the same design guidelines as the existing MUD, then the proposed development may be smaller in land area.

c. Minimum Frontage (For District): 200 feet adjacent to a public right-of-way

d. MUD District Locations: Must be located adjacent to a public right-of-way that is classified as a collector or arterial street.

e. Minimum Lot Size: N/A

f. Minimum Lot Frontage per Residential Unit: N/A

g. Minimum Lot Frontage per Commercial Business: N/A

h. Mixture of Uses

i. Structures/Master Plans may utilize be horizontal or vertical mixed-use developments

1. Horizontal Mixed Use – two or more different types of uses are placed next to each other (but not attached), planned as a unit, and connected together with pedestrian and vehicular access. For instance, a subdivision containing single family dwellings that is adjacent to a neighborhood commercial development and office complex.
2. Vertical Mixed Use – Where two or more different uses occupy the same building usually on different floors. For instance, retail on the ground floor and office and/or residential uses on the second and/or third floors.

ii. Mixed Uses Developments located adjacent to residential district shall contain a minimum forty percent (40%) residential use for horizontal mixed-use projects and a minimum of twenty percent (20%) for vertical mixed-use projects.

iii. No more than 75% of the required residential component may be located in a single-family detached residential development.

iv. The mixed-use development must always contain a residential use in addition to at least two (2) of the following use categories:

1. Office
2. Commercial
3. Institutional, Quasi-public, Public
4. Entertainment and lodging

v. No use shall occupy more than 60% of the gross project area or gross floor area.

i. Maximum Building Height: 45 feet, or what is determined by the height limitation within the Airport Overlay District, whichever is more strict.

j. Minimum Amount of Open Space: ten percent (10%).

k. Neighborhood Transitions

i. Neighborhood Transitions apply in the Mixed-Use District when the site abuts a district boundary of any residential zoning district.

ii. A Transition area includes the following zones:

1. Zone A (Protective Yard)
   a. Minimum width: 50 ft
   b. Installation Requirements:
      i. A wall or Fence between six and nine feet in height
      ii. Five canopy trees per 100 lineal feet
      iii. Four understory trees per 100 lineal feet
      iv. 30 shrubs per 100 lineal feet
2. Zone B (Use Restricted)
   a. Minimum width: 50 ft
   b. Permitted Uses/Activities
      i. Landscaping, fence wall, garden
      ii. Outdoor dining
      iii. Service area
      iv. Accessory garage, storage area
      v. Park, playground
      vi. Stormwater detention
      vii. Surface parking lot
      viii. Path, walkway, sidewalk, greenway
      ix. Alley
   c. Building and Accessory Structures
      i. An accessory structure can be no more than 14 feet in height.
      ii. Building walls parallel to the district boundary line can be no longer than 75 feet.

3. Zone C (Height and Form)
    a. Minimum width: 50 ft
    b. Permitted Uses/Activities
        All structures and uses are permitted in zone C.
    c. Height
        i. No building or structure can be more than 25 feet in height at the Zone C line.
        ii. Height can increase subject to a 45-degree height plane measured from a height of 25 feet at the Zone C line, extending upward one foot for every additional foot of setback into the site.
    d. Wall Articulation
        Any portion of a rear wall plane cannot exceed 50 feet in length unless the wall is offset a minimum of five feet for a minimum distance of 15 feet.

l. Utilities: All proposed utilities, including but not limited to, cable, gas, electric, water, sewer, and telephone lines, for any new developments must be underground.
m. Signage: A signage plan shall be submitted as part of the Master Plan which identifies all signage opportunities and restrictions as well as providing and way finding signage plan throughout the development.

(Per Ordinance No.13/14-27, July 8, 2014)

CHAPTER 5

EXCEPTIONS AND MODIFICATIONS

SECTION

14-501. **Lot of Record**
14-502. **Adjoining and Substandard Lots of Record**
14-503. **Rear and Side Yards Abutting a Railroad Siding**
14-504. **Height Limits**

14-501. Lot of Record. Where the owner of a lot consisting of one or more adjacent lots of official record at the time of the adoption of the zoning code does not own sufficient land to enable him to conform to the yard or other requirements of the zoning code, an application maybe submitted to the board of zoning appeals for a variance from the terms of the zoning code. Such lot may be used as a building site; provided, however, that the yard and other requirements of the district are complied with as closely, in the opinion of the board of zoning appeals, as possible. No such variance shall be given to any lot which has been subdivided in violation of the subdivision regulations of the Town of Dandridge or Title 13 of the State of Tennessee.

14-502. Adjoining and Substandard Lots of Record. Where two (2) or more substandard adjacent lots of record with a continuous frontage are under the same ownership, or where such substandard lot of record has continuous frontage with a larger tract under the same ownership, such lots shall be considered as combined to form one (1) or more building sites meeting the minimum requirements of the district within which they are located and for purposes of this zoning ordinance.

14-503. Rear and Side Yards Abutting a Railroad Siding. In industrial districts where lot boundaries abut a railroad siding, the board of zoning appeals may grant a variance for the width and depth of side and rear yard requirements.

14-504. Height Limits. Excluded from the height limits of this zoning code are water towers, transmission towers, chimneys, radio towers, barns, silos (per ordinance 11/12-06, 10/11/11) and any other structure that the Board of Zoning Appeals approves as not having an adverse effect on the neighborhood and which does not conflict with Appendix A regulating communication towers (per ordinance 03/04-23).

CHAPTER 6

SUPPLEMENTARY REGULATIONS APPLYING TO A SPECIFIC, TO SEVERAL, OR ALL DISTRICTS

SECTION

14-601. Scope
14-602. Communication Towers
14-603. Customary Home Occupations
14-604. Signs, Billboards, and Other Advertising Structures
14-605. Swimming Pools
14-606. Mobile Home Parks
14-607. Development Standards for Certain Uses
14-608. Automobile, Wrecking, Junk and Salvage Yards
14-609. Location and Development Standards for Travel Trailer Parks
14-610. Scope of Traffic Impact Analysis
14-611. Sober Living Homes
14-612. Indoor Sport Shooting Ranges
14-613. Mobile Food Truck Parks

14-601. Scope. The supplementary regulations are listed and described in this chapter rather than repeated several times throughout this zoning ordinance because they are applicable to specific or to several development project types. The regulations pertain to specific uses, authorize certain exemptions or criteria or are related to unusual conditions.

14-602. Communication Towers. See Appendix A.

14-603. Customary Home Occupations. A customary home occupation is a gainful occupation or profession conducted by members of a family residing on the premises with limited non-residing employee, and entirely conducted within the dwelling. In connection with a home occupation, no stock in trade shall be displayed outside the home, and no alteration to any building shall indicate from the exterior that any part of the building is being used for purposes other than a residential unit. No customary home occupation shall be permitted which has, by the nature of its business, truck delivery truck traffic. No customary home occupation may be conducted in any detached accessory building, including, but not limited to garages (per Ordinance No.10/11-09).

1. Permitted Uses:

   a. Artist, sculptor, author

   b. Barber shop and beauty shop operated by no more than one (1) operator, one (1) of whom shall be a resident of the dwelling, provided no more than two (2) customers are present at one time. A special permit may be issued by the Board of Zoning Appeals to allow a total of two (2) operators and up to four (4) customers providing that the applicant

supplies proof that the on-site/off-street parking will adequately allow for customer parking and no adverse effect shall be recognized by adjoining homes.

c. Dressmaker, milliner, seamstress, tailor.

d. Professional office of an engineer, accountant, surveyor, appraiser, attorney, real estate agent, architect or any similar use within a dwelling occupied by the same, provided that not more than two (2) paid assistants shall be employed.

e. Teaching, including tutoring, musical instruction, or dancing, but limited to four (4) pupils per teacher at any given time.

f. Handicrafts provided that a gift shop is not located on premises.

g. Any other similar use which the board of zoning appeals deems in compliance with the intent of the above restrictions.

2. Uses Prohibited.

a. Tea rooms, tourist homes, convalescent homes, mortuary establishments or animal hospitals.

b. Piece goods where items are pieced together and the product is manufactured or assembled.

c. Stores, trade or businesses of any kind not herein excepted shall not be deemed to be home occupations.

14-604. <u>Signs, Billboard and Other Advertising Structures.</u> See Appendix C. (per Ordinance 09/10-20).

14-605. <u>Swimming Pools.</u> No swimming pool or part thereof, excluding aprons, walks and equipment rooms, shall protrude into any required front or side yard space. The swimming pool area shall be walled or fenced so as to prevent uncontrolled access by children and pets from the street or from adjacent properties. Said fence or wall shall be not less than four (4) feet in height and maintained in good condition.

14-606. <u>Mobile Homes and Mobile Home Parks.</u> The following regulations shall apply to mobile homes and mobile home parks:

1. Applications for mobile home parks: An application for a mobile home park shall be presented to the board of zoning appeals for review and approval prior to the issuance of a building permit for such use. The application, in addition to usual requirements, shall consist of a map

drawn to scale no smaller that 1" = 100' setting forth therein the geographical location, boundaries, drainage, buildings and sanitation facilities such as location of water and sewer line and the number, location, and size of all mobile home spaces.

2. Mobile home parks shall conform to the following standards:

   a. No parcel of land containing less than five (5) acres and less than ten (10) mobile home spaces available at the time of first occupancy shall be used for mobile home parks. All mobile home parks shall be served by a public water and sewer system.

   b. There shall be not less than four thousand (4,000) square feet of lot area for each space provided on the site. For double-wide mobile homes, the minimum lot size shall be seven thousand and five hundred (7,500) square feet.

   c. Ground anchors shall be installed at each mobile home space to tie down mobile homes.

   d. Each mobile home park shall be permitted to display on each street frontage, one (1) accessory business sign maximum size of thirty-two (32) square feet. Said sign shall contain thereon only the name and address of the mobile home park and may be lighted by indirect lighting only.

   e. Each mobile home space shall be at least forty (40) feet wide except that double-wide and expandable units shall be a minimum of seventy-five (75) feet wide.

   f. Individual plot spaces for mobile homes shall be clearly defined and mobile homes parked so that there will be at least fifteen (15) feet of clear space between mobile homes and any attachment thereto, such as a garage. With respect to mobile homes parked end-to-end, clearance shall be not less than twelve (12) feet. Homes shall be located a minimum of twenty (20) feet from any building within the park.

   g. Each mobile home space shall be provided with a pad which shall be a minimum of twelve (12) feet by fifty (50) feet, which shall be constructed of four (4) inches of compacted gravel.

   h. Access roads within a mobile home park shall meet the design and construction specifications of minor residential streets as required in the Town of Dandridge Subdivision Regulations; provided, however, that the actual road width required shall be twenty (20)

feet, curbs shall not be required. Roadways in mobile home parks shall be maintained as private drives and shall not be accepted as public roads by the town.

i. Mobile home shall not be used for commercial, industrial or other nonresidential uses within the park, except that such units may be used to house a management office(s), if necessary.

j. All public health and sanitary requirements prescribed by Sections 533210 through 53-3220, Tennessee Code Annotated and the "Regulations Governing Trailer Courts in Tennessee" of the Tennessee Department of Public Health, must be adhered to and the plans approved by the Jefferson County Health Department prior to the issuance of a building permit for such use.

14-607. <u>Development Standards for Certain Uses.</u> In order to accomplish the purposes of the zoning code, special consideration is hereby given to certain uses. These uses shall comply with the following requirements regardless of the district in which they may be located.

1. Gasoline service stations. The following regulations shall apply to all gasoline service stations:

   a. There shall be a building setback from all street right-of-way lines of a distance of not less than forty (40) feet.

   b. Gasoline pumps shall not be located closer than fifteen (15) feet to any street right-of-way line.

   c. Sign requirements, as established in this ordinance, shall be met.

2. Accessory Building and Use Regulations. Buildings and/or uses which are customarily incidental and subordinate in size and function to the principal use of a site are considered to be accessory buildings and/or uses and are permitted on the same lot with a principal use. The establishment of accessory buildings and/or uses shall be subject to the following provisions and other applicable provisions of this ordinance:

   a. General Provisions.

      1. No accessory structure shall be occupied or used unless the principal structure to which it is accessory is occupied or being used.

      2. If an accessory building shares a structural wall with a principal building, it shall be deemed to be a part of the principal building and shall comply with the requirements

of the ordinance applicable to a principal building, such as setback, height, etc.

3. No accessory building shall be located within any easement.

4. Accessory buildings in residential districts shall comply with Sections 14-404 and 14-405.

3. Business Districts.

a. One (1) accessory building per building is permitted in business districts provided that:

1. Shall not exceed twenty-five percent (25%) of the required rear or side yard.
2. Located no closer than ten (10) feet from the property line.
3. Does not exceed the maximum allowable density of the district.
4. Does not exceed twenty (20) feet in height.
5. Meets all general provision requirements. (Per Ordinance No.11/12-05, 10/11/11)

14-608. Automobile, Wrecking, Junk and Salvage Yards. The following regulations shall apply to all automobile wrecking, junk and salvage yards:

a. No automobile, wrecking, junk or salvage yard shall be permitted closer than three hundred (300) feet from any residential district.

b. All outdoor storage of salvage and wrecking operations shall be conducted entirely within an enclosed opaque fence or wall, except driveway areas, from eight (8) to twelve (12) feet in height. Storage between the street and such fence or wall is expressly prohibited. Any fence or wall erected for screening purposes shall be properly painted or otherwise maintained in good condition.

c. For a vehicle to be considered a junked motor vehicle, see Section 13-301(1) of the Town of Dandridge Municipal Code. (per Ordinance No.10/11-07, 4/12/11)

d. Landscaping is required around the entire perimeter of the fence. The tree plantings required shall be a minimum twelve (12) feet tall evergreen, double-row, off set with lower leaves extending no closer than eighteen (18) inches from the ground after planting.

14-609. <u>Location and Development Standards for Travel Trailer Parks.</u>

1. Minimum size of a travel trailer park. Each parcel of land to be used for a travel trailer park shall have a minimum area of three (3) acres. For all travel trailer parks, a site plan shall be submitted for review and approval by the planning commission and meet all the requirements of this ordinance.

2. Design standards for travel trailer parks.

    a. Density. There shall be no more than twenty-two (22) travel trailer sites per acre of land within the travel trailer park. This shall also apply to any tent camping area.

    b. Streets and Parking:

        (1) Direct vehicular access to the travel trailer park shall be only from an approved street.

        (2) Width of streets. Streets in a travel trailer park shall be private and shall have a minimum paved width of twenty (20) feet;

        (3) Street surfacing. All streets shall meet the paving specifications of the Town of Dandridge Subdivision Regulations.

        (4) Parking. Each travel trailer or tent site shall have paved off-street parking for both travel trailer and towing vehicle.

3. Buffer Strips.

    a. There shall be a suitably landscaped perimeter buffer strip not less than twenty-five (25) feet in depth between travel trailer sites and all public streets abutting the travel trailer park. This buffer requires a minimum of twelve (12) foot tall evergreens, planted in a single line eight (8) feet apart with the lower branches being no more than eighteen (18) inches off the ground.

    b. There shall be a suitable buffer strip of not less than fifteen (15) feet in depth between travel trailer sites and all other boundaries of the park.

4. Design Requirements for Travel Trailer Site.

    a. Minimum Size.

(1). All sites shall have a minimum area of one thousand (1,000) square feet with a minimum width of twenty (20) feet and a minimum length of fifty (50) feet.

(2). Each site shall be designed so that any two (2) camping units will have a minimum distance of ten (10) feet between them.

a. Access. Each travel trailer site shall abut at least one (1) street within the boundaries of the travel trailer park and access to the site shall be only from such internal street.

b. Sewage Disposal. All travel trailer parks shall be served by a public sewer system.

c. Water Facilities.

1. All travel trailer parks must be served by a public water system. Public Restrooms and showers are required.

2. There shall be at least one (1) water hydrant for every five (5) camp sites. Community hydrants shall be no closer that twenty-five (25) feet nor further than two hundred (200) feet from any unit. All hydrants shall have a drain or a sump.

5. Signs. The maximum display surface area shall not exceed twenty-five (25) square feet and only one (1) sign shall be permitted at each vehicular entrance. Such signs shall not be permitted in any required yard and shall be lighted by indirect illumination only. Those signs necessary for directional or safety purposes are permitted.

6. Electricity. All electrical facilities shall be in accordance with all state and local electrical codes and ordinances.

7. Refuse Storage, Collection and Disposal. Each site shall be provided with at least one (1) fly-tight, watertight, rodent-proof container of a capacity not less that four (4) gallons and not more than thirty (30) gallons. However, this may be waived when sites are within two hundred (200) feet of a large covered trash receptacle (e.g., dumpster). All refuse shall be collected at least twice weekly and where public or private collection service is not available, the owner or operator of the travel trailer park

shall dispose of the refuse by transporting it to a disposal area approved by the Jefferson County Health Department. All refuse shall be collected and transported in covered vehicles or covered containers.

8. Maximum Stay Length. Camper sites are for rent only and are not to be sold or leased for a period longer than thirty (30) days. (Ord.18/19-10, 5/14/19)

14-610. <u>Scope of Traffic Impact Analysis.</u>

At a minimum, the Traffic Impact Analysis shall include documentation on the following:

1. Site Location/Study Area – a brief description of the size, general features, and location of the site, including a map of the site in relation to the surrounding vicinity. Generally, a minimum of one-mile radius will be defined as the study area;
2. Existing Zoning District – a description of the existing zoning for the site, including land area by zoning classification and density, square footage, anticipated customer base, number of hotel rooms, dwelling units, etc., as appropriate;
3. Existing Development – a description of any existing development on the site and how it would be affected by the development proposal;
4. Proposed Development/Zoning (if applicable) – a description of the proposed development/zoning for the site, including land area by zoning classification and density, square footage, number of hotel rooms, anticipated customer base, dwelling units, etc., as appropriate;
5. Thoroughfare System – a description and map of existing and planned thoroughfares, traffic signals, pedestrian sidewalks/cross walks, and/or other traffic improvements within the study area;
6. Existing Traffic Volumes – recent traffic counts for existing thoroughfares and major intersections within the study area;
7. Projected Background Traffic Volumes – horizon year background traffic projections for the planned thoroughfare system within the study area;
8. Existing Site Trip Generation – a table displaying trip generation rates and total trips generated by land use category for the AM and PM peak hours and on a daily basis, assuming full development and occupancy based on existing zoning (if applicable), and including all appropriate trip reductions;
9. Proposed Site Trip Generation – a table displaying trip generation rates and total trips generated by land use category for the AM and PM peak hours and on a daily basis, assuming full development and occupancy for the proposed development, and including all appropriate trip reductions;
10. Net Change in Trip Generation – proposed trip generation minus existing trip generation (f applicable);
11. Trip Distribution and Traffic Assignment – trips generated by the proposed development (or net change in trips, if applicable) added to the existing and

projected volumes, as appropriate, with distribution and assignment assumptions, unless computer modeling has been performed;

12. Level of Service (LOS) Evaluations – capacity analyses and volume/capacity (V/C) ratios for AM or PM peak hour (as determined by the Traffic Engineer) and daily traffic for both existing conditions and design year projections;
13. Traffic Signal Evaluations – the need for new signals or signal timing based on the anticipated impact on transportation system performance;
14. Conclusions – identification of all thoroughfares, driveways, and intersections exceeding LOS D, the percentage of change produced by the proposed development, and any operational problems likely to occur;
15. Recommendations – proposed impact mitigation measures; and
16. Other information required for proper review – as requested by the town and/or planning commission;
17. Study Area – In general, the area within a radius of approximately one-mile from the boundaries of the site, to include the next major signalized intersection in each direction for less than 10,000 trips per day. A larger radius could be requested for more than 10,000 trips per day as needed. Study area boundaries may be revised in consultation with the City Traffic Engineer based on characteristics of the proposal and the surrounding area. The study area may include portions of a neighboring city.

(Per Ordinance No.14/15-09, June 9, 2015)

14-611. <u>Sober Living Homes</u>

Sober living homes are residences for those recovering from substance abuse that provide an interim environment between inpatient rehabilitation and reintegration into mainstream society. Per Tennessee state law, sober living homes are defined as "any home classified as a 'single family residence' under 13-24-102 that provides alcohol-free or drug-free housing, promotes independent living, life skill development, and reintegration, and provides structured activities that are directed primarily toward a group of unrelated individuals who are recovering from drug or alcohol addiction and who may be receiving outpatient healthcare services for substance abuse or addiction treatment while living in the home" (T.C.A. 6-54-145). Sober living homes are **not** treatment facilities or rehabilitation centers providing a structured treatment environment.

As is laid out in T.C.A. 13-24-102, "For the purposes of any zoning law in Tennessee, the classification 'single family residence' includes any home in which eight (8) or fewer unrelated persons with disabilities reside, and may include three (3) additional persons acting as support staff or guardians, who need not be related to each other or to any of the persons with disabilities residing in the home."

Furthermore, 'disabled' persons are treated as a 'protected class' under the Federal Fair Housing Act. As such, they cannot be subject to additional zoning or

code restrictions and are to be treated as a single-family residence. This law supersedes any local zoning laws (T.C.A. 13-24-103). For additional information, refer to T.C.A. 13-24-101 through 104 and T.C.A. 6-54-145.

(Per Ordinance No.18/19-13, June 11, 2019)

14-612. Indoor Sport Shooting Ranges

(a) License Required

No person shall conduct, maintain, operate, or cause to be conducted, maintained or operated, any indoor sport shooting range without being licensed through the State of Tennessee Department of Safety and Homeland Security and meet all other applicable state and federal regulations for operating a sport shooting range. Any licenses or permits required for shooting range activity by any level of government shall be submitted as supporting documentation with the site plan.

(b) Standards, Site Plan

All indoor sport shooting ranges shall be planned, constructed and maintained according to standards that are at least as stringent as the standards contained in the National Rifle Association range manual and the standards set forth by the State of Tennessee Department of Safety and Homeland Security Handgun Safety School Firing Range Requirements. The proposed sport shooting range shall be shown on a site plan showing all buildings, firing lines or stations, shooting related activity areas and other areas or structures.

(c) Location

Sport shooting ranges shall be designed to minimize noise to surrounding properties. No indoor sport shooting range shall be located closer than 1,000 feet (measured from property line to property line) from any school, church, hospital, or other indoor sport shooting range, nor in any location that would constitute a nuisance under the Municipal Code, common law or any other applicable law, statute or regulation, or in a location such that the noise from the indoor sport shooting range would constitute such a nuisance or other violation under the Municipal Code.

(d) Hours of Operation

No indoor sport shooting range shall be operated between the hours of 10:00 p.m. and 7:00 a.m.

(e) Safety Rules

In the operation of any indoor sport shooting range, the following safety rules shall at all times be observed:

1. Sport shooting ranges shall contain all projectile and shot fall within the property of the sport shooting range.

2. A lead mitigation plan meeting requirements of the Environmental Protection Agency (EPA) shall be submitted with the site plan.

3. It is the sport shooting range operator's responsibility to determine if a shooter is of appropriate age and has the physical and mental ability to safely utilize the sport shooting range and provide their shooters with appropriate qualified supervision.

4. The sport shooting range shall be properly and adequately ventilated and filtered at all times and comply with all applicable OSHA, NIOSH, EPA standards and any other applicable local, state and federal codes, standards, laws and regulations.

(Ordinance No. 20/21-23, 4/13/21)

14-613. Mobile Food Truck Parks

1. **Mobile Food Truck -** A "mobile food truck" is a business that serves food or beverages from a self-contained unit, either motorized or in a trailer on wheels, and conducts all or part of its operations on premises other than its own and is readily movable, without disassembling, for transport to another location.

   The location where a mobile food vending vehicle originates, and is returned for cleaning, storing, or stocking is the mobile food trucks base of operation. A mobile food vending base of operation shall not include activities associated with the "mobile food truck" as defined in this section.

   A mobile food truck shall follow regulations of the Dandridge Municipal Code under **Title 9, Chapter 1, Section 9-102 Food truck mobile concession stand regulations.**

2. **Mobile Food Truck Park Location –**
   - **a.** Mobile food truck parks shall be permitted in those zoning districts allowing restaurant/prepared food sales (B-1, B-2, B-3, B-4, MUD)
   - **b.** No mobile food truck park shall operate within one hundred feet (100') of a door to a restaurant or town authorized event selling food, unless written consent of the proprietor of such restaurant or town event coordinator.
   - **c.** Each mobile food truck park shall be located at least 150 feet (150') away from any one- or two-family use or one- or two-family district, measured from property line to property line.

d. All the proposed activities will be conducted on private property owned or otherwise controlled by the applicant and none of the activities will occur on any public right-of-way.

e. Mobile food trucks will be allowed to change out daily.

f. Mobile food trucks may not park within the food truck park no more than 72 hours of stationary time.

g. The performance of professional or personal services for sale shall not be provided from a mobile food business.

h. Mobile food truck parks are for the sale of food products only. Retail sale of nonfood items is not permitted.

3. Mobile Food Truck Park Site Development & Performance Standards –

a. The visual and structural integrity of the mobile food establishment must be continuously maintained.

b. No more than ten (10) individual mobile food trucks are permitted per mobile food truck park site (based on needed parking spaces per truck, 10' wide fire lane, and handicap sidewalk).

c. All setback requirements in the underlying zoning district shall be adhered to. No mobile food truck, structures associated with the mobile food truck park, nor any associated seating areas shall be located in a required zoning setback, buffer yard, access easement, drainage easement, floodplain, driveway, utility easement and/or fire lane(s).

d. There shall be a least ten feet (10') of clearance between all individual mobile food trucks and all permanent, accessory or non-accessory structures.

e. Each mobile food truck shall be located on an all-weather surface pad as approved by the building official. Mobile food trucks shall be placed on, at a minimum, compacted gravel base. Mobile food trucks shall not be parked on unimproved surfaces.

f. Hard surface paving at the vehicular entrance to the mobile food truck park is required as to not result in the accumulation of mud or debris on the Town's right-of-way.

g. Mobile food truck off-street parking standards. A minimum of five (5) parking spaces per mobile food truck (of which one (1) per food unit must meet ADA standards) and two (2) parking spaces for each four (4) seats for patron use. Parking lots shall be constructed in accordance with town guidelines. Mobile food trucks shall not interfere with the internal parking lot circulation.

h. Vehicular drive-through service of food and/or beverages shall not be permitted.

i. All mobile food truck related activity, such as seating, must occur within 25 feet from the associated mobile food truck or within a communal arrangement serving all of the mobile food trucks.

j. All mobile food trucks and related activities must be located in compliance with the town's adopted fire code standards regarding the storage and dispensing of flammable combustible liquid or gas.

k. The placement of the mobile food truck shall not impede traffic nor visually impair any motor vehicle operation within a parking lot, driveway or street.

l. A 10 foot (10') wide fire lane shall be provided within a mobile food truck park as required in the town's adopted fire code.

m. All lighting associated with the occupancy shall comply with the town's zoning guidelines.

n. Permanent accessible restrooms must be provided within the boundaries of the mobile food truck park. At a minimum at least one (1) restroom for each sex shall be provided within 500 feet (500') from the mobile food trucks. Port-a-potties may be used as an alternative at the discretion of the Building/Codes Enforcement Officer.

o. Electrical service may be provided to the mobile food trucks by a permitted temporary electrical connection (or other permitted connection provided by an electric utility) or on-board generators. The use of on-board generators shall require sound absorbing devices used to contain or deflect noise from any external generator.

p. Garbage and recycling containers shall be provided by the owner/operator. A minimum of one (1) 100-gallon garbage receptacle shall be provided for each mobile food truck. However, a sufficient quantity of garbage receptacles shall be provided and maintained so the mobile food truck park shall be free of trash, debris and litter at all times. The garbage receptacles shall be maintained as follows:

  i. Such receptacles shall be rodent and bear resistant. Unprotected plastic bags and paper bags, or baled units that contain materials with food residue may not be stored outside.

  ii. Refuse, recyclables, and returnables shall be removed from the premises at a frequency that will minimize the development of objectionable odors and other conditions that attract or harbor insects and rodents.

q. Mobile food trucks providing food services shall be registered, inspected, and permitted by the State of Tennessee Department of Health.

r. No outside sound amplifying equipment, or noisemakers, such as bells, horns, or whistles shall be permitted.

s. Live music will not be performed nor loudspeakers played in the mobile food truck park unless the decibel level is within conformance with the Town of Dandridge **Anti-Noise Regulations Ordinance (Title 11, Chapter 2, Section 11-201)** of the Municipal Code.

t. The noise level of mechanical equipment and generators used in association with a mobile food truck shall not violate the provisions of **Title 11, Chapter 2, Section 11-201 Anti-Noise Regulations** of the Dandridge Municipal Code.

u. No mobile food truck shall operate at any time between the hours of 10:00 p.m. and 6:00 a.m.
v. Mobile food trucks shall be kept in good operating condition, no peeling paint or rust shall be visible.
w. The mobile food truck shall be occupied by the owner or operator thereof at all times while in operation.

4. **Detailed Site Plan Requirements –** A site plan, per Section 14-313 of the Zoning Ordinance of Dandridge, including the following, is required:
    a. The land area included within the site along with the zoning classification.
    b. The location of each proposed permanent structure on the site and pads for mobile food trucks and identification of any proposed outdoor entertainment locations.
    c. The location of any paving, trash enclosures, landscaping, planters, fencing, canopies, umbrellas or other table covers, barriers of any other site requirement by the International Code, or Health Department.
    d. The location and number of provided seating and eating areas.
    e. The circulation of all pedestrian and vehicle traffic on the site.
    f. The off-street parking and loading/unloading areas, points of ingress/egress and driveways in accordance with the provisions of Section 14-309 and 14-310 of the Zoning Ordinance of Dandridge.
    g. Fire lane ingress/egress/circulation.
    h. The mobile food truck park shall not occupy required parking stalls of any primary use of the site without permission from the Regional Planning Commission.
    i. A master sign plan for the mobile food truck park shall be submitted for review and approval. The plan shall provide information relating to permanent signs for the park, as well as individual signs for each business. For purposes of on-premise signs, a mobile food truck park shall be allowed the following:
        i. One (1) on-premise freestanding sign allowed at the entrance identifying the mobile food truck park.
        ii. One (1) sandwich board per mobile food truck that must be placed within ten feet (10’) of the mobile food truck.
        iii. Signs attached to the exterior of the mobile food truck, excluding roof signs, shall be considered wall signage and exempt from permitting.
            1. **Prohibited Signs –**
                a. Temporary signs, including banners.
                b. Off-premise signs.

5. **Permit Required and Procedures –**
    a. A mobile food truck park permit shall be required to ensure conformance with the provisions of this section.

b. Application for a mobile food truck park permit shall be presented to the building codes/enforcement officer on forms furnished by the town and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and specifications of proposed facilities as indicated in this section. Additional information to assist in determining compliance with this section may be required.

i. The applicant should understand that a mobile food truck park permit is only a permit to indicate compliance with this section; a building permit and health permit must be obtained for the construction and operation of the identified improvements.

ii. The mobile food truck park permit application may be filed with the application for a building permit or separately prior to application for a building permit. When filed separately prior to application for a building permit, three (3) complete sets of plans, sealed by a Tennessee registered engineer, architect or land surveyor are required.

iii. The mobile food truck park application shall include the following information:

1. Completed mobile food truck park permit application form.

2. A permit fee of **$50.00.**

6. **Conflict –** Where there is conflict between the code adopted in this section and any town, state, or federal law, the more restrictive requirements shall govern unless the less restrictive requirements are preemptive under state or federal law.

(Ordinance No.21/22-09, 6/14/22)

CHAPTER 7

ENFORCEMENT

SECTION

14-701. **Enforcing Officer**
14-702. **Building Permit Required**
14-703. **Issuance of Building Permit**
14-704. **Certificate of Occupancy**
14-705. **Records**
14-706. **Violations and Remedies**

14-701 Enforcing Officer. The provisions of this ordinance shall be administered and enforced by building inspector who shall have the power to make such inspections of buildings or premises as are necessary to carry out his duties in the enforcement of this ordinance.

NOTE: International Building Code, 2012 Edition adopted December 2013. (See Municipal Code Title 12)

14-702. Building Permit Required. It shall be unlawful to commence the excavation for, or the construction of, any building or structure (including temporary) including accessory buildings, or to commence the moving or alteration of any building, until the building official has issued a building permit for such work.

14-703. Issuance of Building Permit. In applying to the building inspector for a building permit, the applicant for a single-family residence outside the historic district boundaries shall complete the building permit application form along with a dimensional sketch or scale plan indicating the shape, size, height and location of all new or altered structures to be erected, altered or moved. In applying for a single-family residence inside the historic district, commercial or a multiple residential building, the applicant shall complete the building permit application form along with a concept plan showing the design of all sides of the structure which face a street and a dimensional sketch or scale plan indicating the shape, size, height and location of all new or altered structures. The applicant seeking a building permit inside the boundaries of the historic district must appear before the Historic Planning Commission for approval of their concept design and dimensional sketch or scale plan.

A building permit shall become void six (6) months from the date of issuance unless construction of the structure's footers are completed or the Dandridge Regional Planning Commission grants a six (6) month extension due to unforeseeable circumstances with said extension being granted before the original six-month period has expired. All single family residential structures must be substantially completed within one year from the initial date of issuance of the permit. Substantially completed shall mean all areas of the living quarters of the residence shall be completely enclosed and work is continuing on a

daily basis. If any of the above time lines are not met, another site plan review and approval is required. (per ordinance 08/09-18)

NOTE: Building permits and fees. (See Municipal Code, Title 12, Chapter 1 (12-103)

NOTE: Grading permit required. (fees) (See Municipal Code, Title 14, Chapter 5 (14-505)

14-704. Certificate of Occupancy. No land or building hereafter erected or altered in its use, occupancy, or structure shall be used until the building inspector has issued a certificate of occupancy stating that such land, building or part thereof, and the proposed use thereof are found to be in conformity with the provisions of this ordinance and, where applicable, the Standard Building Code.

An inspection fee of $100.00 shall be levied by the Town and paid by any owner and/or developer for each inspection by the Fire Chief of the Town of any commercial building during construction or remodeling which may be required before the issuance of a certificate of occupancy. Said fee shall be paid in advance of inspection to the Town at Town Hall along with the filing of any form prescribed by the Town Administrator and Fire Chief. (Per Ordinance No.14/15-03, November 10, 2014)

Within three (3) business days after notification that a building or premises or part thereof is ready for occupancy or use, it shall be the duty of the building inspector to make a final inspection thereof and to issue a certificate of occupancy if the land, building or part thereof and the proposed use thereof are found to conform with the provisions of this ordinance and/or the Standard Building Code; or, if such certificate is refused, to state such refusal in writing with the
cause.

14-705. Records. A complete record of applications, sketches, inspections, field notes and plans shall be maintained in the office of the building inspector.

14-706. Violations and Remedies. Any person violating any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction, shall be fined under the general penalty clause for this code. In case any building or structure is erected, constructed, re-constructed, altered, repaired, converted or maintained, or any building, structure or land is used in violation of this ordinance, the building inspector or any other appropriate authority, or any adjacent or neighboring property owner who would be damaged by such violation, in addition to other remedies, may institute injunction, mandamus or other appropriate action in proceeding to prevent the occupancy of such building, structure or land.

CHAPTER 8

BOARD OF ZONING APPEALS

SECTION

14-801. **Creation and Designation**
14-802. **Procedure**
14-803. **Appeals, How Taken**
14-804. **Administrative Reviews**
14-805. **Special Exceptions**
14-806. **Procedure for Authorizing Special Exceptions**
14-807. **Variances**

14-801. Creation and Designation. A board of zoning appeals is hereby established in accordance with Sections 13-7-205 through 13-7-207, Tennessee Code Annotated. As permitted by Section 13-7-205 Tennessee Code Annotated, the Dandridge Municipal Planning Commission is hereby designated as the board of zoning appeals.

14-802. Procedure. Meetings of the board of zoning appeals shall be held at the call of the chair and at such other times as the board may determine. All meetings of the board shall be open to the public. The board shall adopt rules of procedure and shall keep records of applications and action thereon. Such records shall be public records.

14-803. Appeals, How Taken. An appeal to the board of zoning appeals may be taken by any person, firm or corporation aggrieved, or by any governmental officer, department, board, or bureau affected by any decision of the building inspector based in whole or part upon the provisions of this ordinance. Such appeal shall be taken by filing with the board of zoning appeals a notice of appeal, specifying the grounds thereof. The building inspector shall transmit to the board all papers constituting the record upon which the action appeal was taken. The board shall fix a reasonable time. Upon the hearing, any person or party may appear in person, by agent or attorney.

14-804. Administrative Reviews. The board of zoning appeals shall have the power to hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, permit, decision, determination or refusal made by the building inspector or other administrative official in the carrying out or enforcement of any provision of this ordinance; and for the interpretation of the zoning map.

14-805. Special Exceptions. The board of zoning appeals shall have the power to hear and decide applications for special exceptions (uses and structures permitted upon review by the board of zoning appeals) as specified in this ordinance and for decisions on any special questions upon which the board of zoning appeals is specifically authorized to pass under this ordinance.

14-806. <u>Procedure for Authorizing Special Exceptions.</u> The following procedure is established to provide for the application of uses permitted as special exception by the board of zoning appeals.

a. Application. An application shall be filed with the board of zoning appeals for review. Said application shall show the location and intended use of the site, the names of the property owners and existing land uses within four hundred (400) feet, and any other material pertinent to the request which the board may require. With the application, there must be a signed statement by each of the property owners certifying that they have been notified. Or, the applicant may produce receipts that the notification has been delivered by registered/certified mail.

b. Restrictions. In the exercise of its approval, the board may impose such conditions regarding the location, character, or other features of the proposed uses or buildings as it may deem advisable in the furtherance of the general purposes of this ordinance.

c. Validity of Plans. All approved plans, conditions, restrictions and rules made apart of the approval of the board shall constitute certification on the part of the applicant that the proposed use shall conform to such regulations at all times.

d. Time Limit. All applications for "special exceptions" shall be decided within forty-five (45) days of the date of application.

14-807. <u>Variances.</u> The board of zoning appeals shall have the power to hear and decide applications for variances from the terms of this zoning code, but only where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property which at the time of adoption of this zoning code was a legal lot of record; or where, by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a piece of property, the strict application of the provisions of this zoning code would result in exceptional practical difficulties to or exceptional and undue hardship upon the owner of such property, provided that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purposes of this ordinance.

In granting a variance, the board may attach thereto such conditions regarding the location, character, and other features or use as it may deem advisable in furtherance of the purpose of this zoning code.

CHAPTER 9

AMENDMENTS AND LEGAL STATUS

SECTION
14-901. Amendments
14-902. Legal Status

14-901. <u>Amendments.</u> Such regulations, restrictions and boundaries as are provided for in this ordinance may be amended, supplemented, changed, modified or repealed by the chief legislative body of the Town of Dandridge, Tennessee and amendments shall be effective only after official notice and public hearing.

No amendment shall become effective unless it is first submitted to and approved by the planning commission, or, if disapproved, shall receive a majority vote of the entire membership of the Board of Mayor and Alderman of the Town of Dandridge, Tennessee.

14-902. <u>Legal Status.</u> In case of conflict between this zoning code or any part thereof, and whole or part of any existing or future ordinance of the Town of Dandridge, Tennessee, the more restrictive provisions shall in all cases apply.

If any section, clause, provision, or portion of this zoning code shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision or portion of this code which is of itself invalid or unconstitutional. This ordinance shall take effect from and after its final passage, the public welfare requiring it.

Passed first Reading: May 8, 2007

Passed second Reading: May 8, 2007

Passed third Reading: June 12, 2007

_____ _____
Mayor Town Recorder

APPENDIX A

COMMUNICATION TOWER ORDINANCE

Ordinance No. 97/98-2

Approved: September 16, 1997

APPENDIX B

MUNICIPAL FLOODPLAIN ZONING ORDINANCE

Ordinance No. 94/95-8
Approved: June 27, 2995

as Amended…..
Ordinance No. 08/09-13
Approved: November 13, 2008

as Amended…..
Ordinance No. 20/21-24
Approved: April 13, 2021

APPENDIX C

OFFICIAL SIGN CODE

Ordinance No. 09/10-20

Approved: July 13, 2010