

ARTICLE V
RESIDENTIAL DISTRICT REGULATIONS

SECTIONS

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- 5-102 USES AND STRUCTURES**
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5-101 PURPOSES OF RESIDENTIAL DISTRICTS

5-101.1 General Purposes

The residential districts established in this ordinance are designed to promote and protect the health, safety, morals, convenience, order, prosperity, and other aspects of the general welfare. These goals include, among others, the following:

1. To provide sufficient space in appropriate locations for residential developments to adequately meet the housing needs of the present and expected future population of the urban area, with due allowance to the need for a variety of choices in site selection.
2. To permit improved movement on the public ways and to effectively utilize existing public ways, and, as far as possible, to mitigate the effects of heavy traffic and more particularly all through traffic, in residential areas.
3. To protect residential areas against flood, fire, explosions, toxic and noxious matter, radiation, and other dangers, and against offensive matter, heat, glare, humidity, and other objectionable influences.
4. To protect residential areas against undue congestion, as far as possible, by regulating the density of population, the intensity of activity, and the bulk of buildings in relation to the surrounding land and to one another, and by providing for off-street parking spaces for automotive vehicles.
5. To require the provision of open space in residential areas whenever practicable in order to open up residential areas to light and air, to provide open areas for rest and recreation, and to break up the monotony of continuous building bulk and thereby to provide a more desirable living environment.
6. To provide for access of light and air to windows and for privacy, as far as possible, by controls over the height of buildings and structures.
7. To provide appropriate space for public and private educational, religious, recreational, and similar facilities, and public utilities which serve the needs of nearby residents, which generally perform their own activities

more effectively in a residential environment, and which do not create objectionable influences, and to coordinate the intensity of residential land use with the appropriate community facilities.

8. To provide a zoning framework conducive to freedom of architectural design in order to encourage the development of more attractive and economical building forms.
9. To provide sufficient space in appropriate locations for agricultural activities.
10. To promote the most desirable use of land and direction of building development in accordance with a well considered general plan to promote stability of residential development, to protect the character of the district and its peculiar suitability for particular uses, to conserve the value of land and buildings, and to protect the community's tax revenues.

5-101.2 District Purposes

1. AR, Agricultural/Residential Districts

These districts are designed to provide suitable areas for the growing of crops, animal husbandry, dairying, forestry, and other similar intensive agricultural activities which generally occur and characterize rural rather than urban areas. These districts are designed, furthermore, to provide for very low density residential development generally on unsubdivided tracts of land where public water and sewer service may not be available and where the provision of appropriate urban services can not be physically and economically facilitated. In addition, these districts may include areas and lands not suited by reason of soil, geologic, topographic, or other limitations for development. These districts also include community facilities, public utilities, and open uses which serve specifically the residents of these districts, or that are benefited by an open environment without creating objectionable or undesirable influences that are incompatible with a rural environment. It is the express purpose of this resolution to exclude from these districts all buildings or other structures and uses having commercial characteristics, whether operated for profit or otherwise, except that conditional uses and home occupations specifically provided by these regulations for these districts shall be considered as not having such characteristics if they otherwise conform to the provisions of this resolution.

2. RS-40, Single Family Residential Districts

These districts are designed to provide suitable areas for low density residential development characterized by an open appearance. Generally, the residential development will consist of one family dwellings and accessory structures. These districts also include community facilities, public utilities, and open uses which serve specifically the residents of these districts, or which are benefited by an open residential environment without creating objectionable or undesirable influences upon residential developments. It is the intent of this ordinance that these districts be located in areas where full urban services may not be available

and may not be economically feasible to provide. It is the express purpose of this ordinance to exclude from these districts all buildings or other structures and uses having commercial characteristics, whether operated for profit or otherwise, except that conditional uses and home occupations specifically provided by these regulations for these districts shall be considered as not having such characteristics if they otherwise conform to the provisions of this ordinance.

3. RSM-40, Single Family Residential Districts

These districts are designed to provide suitable areas for low density residential development characterized by an open appearance. Generally, the residential development will consist of one family dwellings and manufactured homes located on individual lots and accessory structures. These districts also include community facilities, public utilities, and open uses which serve specifically the residents of these districts, or which are benefited by an open residential environment without creating objectionable or undesirable influences upon residential developments. Further, it is the intent of this ordinance that these districts be located in areas where full urban services are not available and may not be economically feasible to provide. It is the express purpose of this ordinance to exclude from these districts all buildings and other structures and uses having commercial characteristics whether operated for profit or otherwise, except that conditional uses and home occupations specifically provided by these regulations for these districts shall be considered as not having such characteristics if they otherwise conform to the provisions of this ordinance.

4. R-20, One- and Two-Family Residential Districts

These districts are designed to provide suitable areas for single-family and duplex residential development at medium density. Residential development will consist of single detached dwelling structures and duplexes, except when otherwise permitted as a planned unit, and other structures as are accessory thereto. These districts also include community facilities, public utilities, and open uses which serve specifically the residents of these districts, or that are benefited by an open residential environment without creating objectionable or undesirable influences upon residential developments. Further, it is the intent of this ordinance that these districts be located so that the provision of appropriate urban services can be physically and economically facilitated, and so that provision is made for the orderly expansion and maintenance of urban residential development throughout the planning jurisdiction. It is the express purpose of this ordinance to exclude from these districts all buildings or other structures and uses having commercial characteristics, whether operated for profit or otherwise, except that conditional uses and home occupations specifically provided by these regulations for these districts shall be considered as not having such characteristics if they otherwise conform to the provisions of this ordinance.

5. RS-15, Single Family Residential Districts

These districts are designated to provide suitable areas for medium density residential development characterized by an open appearance. Generally, the residential development will consist of one family dwellings and accessory structures. These districts also include community facilities and public utilities, and open uses which serve specifically the residents of these districts, or which are benefited by an open residential environment. Further, it is the intent of this ordinance that these districts be located so that the provision of appropriate urban services will be physically and economically facilitated and so that provision is made for the orderly expansion and maintenance of urban residential development within the urban area. In order to permit maximum flexibility in the design solutions and ownership mechanisms available within these districts while maintaining necessary control over the development process, any RS-15 District created after adoption of this ordinance **shall not be created as a freestanding district, but shall in all instances be overlain by a planned unit development district.** It is the express purpose of this ordinance to exclude from these districts all buildings and other structures and uses having commercial characteristics, whether operated for profit or otherwise, except that conditional uses and home occupations specifically provided for in these regulations for these districts shall be considered as not having such characteristics if they otherwise conform to the provisions of this ordinance.

6. RM-8 and RM-12, Multi-Family Residential Districts

These districts are designed to provide suitable areas for higher density residential development where sufficient urban facilities are available prior to development. These districts will be characterized by a variety of housing types and such other structures as are accessory, thereto. These districts are intended also to permit community facilities and public utility installations which are necessary to service and do service specifically the residents of these districts, or which are benefited by and compatible with a higher density residential environment. It is the express purpose of this ordinance to exclude from these districts all buildings or other structures and uses having commercial characteristics and not planned as an integral part of a total residential development, whether operated for profit or otherwise, except that conditional uses and home occupations specifically provided for in these regulations for these districts shall be considered as not having such characteristics if they otherwise conform to the provisions of this ordinance.

7. R-MHP, Manufactured Home Park Residential Districts

These districts are designed to provide suitable areas for manufactured home parks where sufficient urban facilities are available prior to development. Manufactured homes and buildings necessary to support the residential occupancy of these structures are permitted. These districts are intended also to permit community facilities and public utility installations which are necessary to service and do service specifically the residents of these districts, or which are benefited by and compatible with

a residential environment. It is the express purpose of this ordinance to exclude from these districts all buildings or other structures and uses having commercial characteristics and not planned as an integral part of a total residential development, whether operated for profit or otherwise, except that conditional uses and home occupations specifically provided for in these regulations for these districts shall be considered as not having such characteristics if they otherwise conform to the provisions of this ordinance.

8. RS-8 and RS-5, Single-Family Residential Districts **(Added by Ordinance No. 509, August 16, 2001)**

These districts are designated to provide suitable areas for higher density residential developments characterized by smaller residential lots located in that portion of the community identified by the General Plan as the Town Center. It is the intent of this ordinance that these districts shall be located only within the Town Center Overlay District. Further, the RS-8 and RS-5 Districts shall only be utilized in conjunction with a corresponding RPUD, Overlay District.

Generally, residential development in these districts will consist of one family dwellings and accessory structures. These districts may also permit selected community facilities, common use areas and public utilities. It is the express purpose of this ordinance to exclude from these districts all buildings and other structures and uses having commercial characteristics, whether operated for profit or otherwise, except that conditional uses and home occupations specifically provided for in these regulations by these districts shall be considered as not having such characteristics if they otherwise conform to the provisions of this ordinance.

9. RM-20, Multi-Family Residential District **(Added by Ordinance No. 509, August 16, 2001)**

This district is designed to provide suitable areas for high density residential development where sufficient urban facilities are available to serve higher concentrations of resident populations, most particularly within suitably designated subdistricts of the Town Center Overlay District. This district generally will be characterized by two and three story condominium or apartment style buildings, and multi-story senior living structures. This district is also intended to permit community facilities and public utility installations complimentary to and compatible within a high density residential environment. It is the express purpose of this ordinance to exclude from these districts all buildings and other structures and uses having commercial characteristics, whether operated for profit or otherwise, except that conditional uses and home occupations specifically provided for in these regulations by these districts shall be considered as not having such characteristics if they otherwise conform to the provisions of this ordinance.

5-102 USES AND STRUCTURES

5-102.1 General Provisions

Principal uses of buildings or other structures and land have been classified and combined into major classes and activity types in Article III, of this ordinance. The procedure for interpreting the classes and type of activities is provided in Article III, Section 3-101. Table 5-102A, presents a tabulation of uses and structures which are classified as "principal permitted" **(P)**, "permitted with supplemental provisions" **(SUP)** or "conditional" **(C)** uses within the various residential districts. The supplemental design provisions with which **(SUP)** and **(C)** uses and activities are required to comply are presented in Article III, Section 3-104 (Supplemental Use Regulations).

5-102.2 Principal Permitted Uses (P)

Principal permitted uses are permitted as a matter of right within the district indicated, subject to the general requirements established for the district wherein the use is located.

5-102.3 Use Permitted with Supplemental Provisions (SUP)

A use permitted with supplemental provisions is an activity, use or structure which is permitted subject to a finding by the Zoning Administrator that the specific standards indicated for the use in question have been met. Only those uses and structures so indicated in Table 5-102A, may be allowed within the districts indicated.

5-102.4 Conditional Uses (C)

A conditional use is an activity, use, or structure which may require large land area, have unique operating, traffic generating or other characteristics that may tend to dominate or adversely affect the area more than do other uses permitted within the same zone district. Because the impacts of these uses cannot be satisfactorily predetermined for every possible location within a zone district, these land uses are permitted only upon approval by the Board of Appeals. Only those uses and structures so indicated in Table 5-102A, may be allowed within the districts indicated.

5-102.5 Accessory Uses

In addition to the principal activities expressed above, each activity type shall be deemed to include activities customarily associated with, and appropriate, incidental, and subordinate to the principal activity when such accessory activity is located on the same zone lot as such principal activity and meets the further conditions set forth in Article III, Section 3-105. Such accessory activities shall be controlled in the same manner as the principal activities within such type, except as otherwise, expressly provided in this ordinance.

(Amended by Ordinance No. 509, August 16, 2001)

TABLE 5-102A

USES AND STRUCTURES ALLOWABLE WITHIN RESIDENTIAL DISTRICTS

PRINCIPAL USES AND ACTIVITIES	AR-15A	AR-5A	RS-40	RSM-40	R-20	RS-5	RS-8	RS-15	R-MHP	RM-8	RM-12	RM-20
I. RESIDENTIAL ACTIVITIES					(1)			(2)				
A. Permanent												
1. Single Family Dwelling	P	P	P	P	P	P	P	P		P		
2. Duplex Dwelling					P					P		
3. Multi-Family Dwelling										P(3)	P(3)	P(3)
4. Mobile Home				P								
5. Mobile Home Park									P(4)			
B. Semi-Transient												
1. Lodging House										P	P	P
II. COMMUNITY FACILITIES ACTIVITIES												
A. Administrative Services												
1. Government Offices												
2. Civil Defense Facilities	P	P	P	P	P	P	P	P	P	P	P	P
3. Court Buildings												
4. Fire Department Facilities	P	P	P	P	P	P	P	P	P	P	P	P
5. Police Department Facilities	P	P	P	P	P	P	P	P	P	P	P	P
6. Post Offices												
B. Child Care Facilities												
1. Child Care Center									C	SUP	SUP	SUP
2. Family Child Care Home	SUP	SUP	SUP	SUP	SUP	C	C	SUP	SUP	SUP	SUP	SUP
3. Group Child Care Home	C	C	C	C	C			C	C	SUP	SUP	SUP
C. Community Assembly												
1. Civic, Social, Fraternal and Philanthropic Associations	C	C	C	C	C			C	C	C	C	C
2. Private (nonprofit) Clubs, Lodges, Meeting Halls, and Recreation Centers	C	C	C	C	C			C	C	C	C	C
D. Cultural and Recreational Services												
1. Art Galleries (noncommercial)												
2. Athletic Associations	C	C	C	C	C			C	C	C	C	C
3. Libraries	C	C	C	C	C			C	C	C	C	C

TABLE 5-102A (Continued)

USES AND STRUCTURES ALLOWABLE WITHIN RESIDENTIAL DISTRICTS

PRINCIPAL USES AND ACTIVITIES	AR-15A	AR-5A	RS-40	RSM-40	R-20	RS-5	RS-8	RS-15	R-MHP	RM-8	RM-12	RM-20
4. Museums												
5. Parks, Playgrounds and Playfields	P	P	P	P	P	P	P	P	P	P	P	P
6. Planetariums and Aquariums												
7. Recreation Centers and Gymnasiums (nonprofit)	C	C	C	C	C	C	C			C	C	C
8. Swimming Pools and Beaches	C	C	C	C	C	C	C			C	C	C
<u>E. Essential Public Transport, Utility and Communication</u>												
1. Gas, Telephone, Television and Water Distribution Lines	C	C	C	C	C	P	P	C	C	C	C	C
2. Pumping Facilities for Water and Sewer Systems	P	P	P	P	P	P	P	P	P	P	P	P
3. Rights-of-Way for All Modes of Transportation	P	P	P	P	P	P	P	P	P	P	P	P
<u>F. Extensive Impact Facilities</u>												
1. Airports, Air Cargo Terminals, Heliports, Helistops and Any Other Aeronautical Device												
2. Electricity Generating Facilities												
3. Garbage Dumps, Including Sanitary Landfills												
4. Major Petroleum and Natural Gas Transmission Lines and Facilities	C	C	C	C	C	C	C	C	C	C	C	C
5. Marine Terminals												
6. Military Bases and Reservations												
7. Railroad, Bus and Transit Terminals												
8. Railroad and Other Transportation Equipment Marshaling and Storage Yards												
9. Water and Sewage Treatment Plants												
<u>G. Health Care Facilities</u>												
1. Center for Observation												

TABLE 5-102A (Continued)

USES AND STRUCTURES ALLOWABLE WITHIN RESIDENTIAL DISTRICTS

PRINCIPAL USES AND ACTIVITIES	AR-15A	AR-5A	RS-40	RSM-40	R-20	RS-5	RS-8	RS-15	R-MHP	RM-8	RM-12	RM-20
2. Hospitals												
3. Medical Clinics												
H. Intermediate Impact Facilities												
1. Cemeteries, Columbariums and Mausoleums	C	C	C	C	C	C	C	C	C	C	C	C
2. Colleges, Junior Colleges and Universities (Excluding for profit business and technical schools)												
3. Commercial Boat Docks, Marinas and Yacht Clubs												
4. Electrical and Gas Substations	C	C	C	C	C	C	C	C	C	C	C	C
5. Golf Courses	C	C	C	C	C	C	C			C	C	C
6. Major Mail Processing Centers												
7. Radio, Telephone and Television Towers and Transmission Facilities	C	C	C	C	C	C	C	C	C	C	C	C
8. Water Storage Tanks and Facilities	C	C	C	C	C	C	C	C	C	C	C	C
I. Religious Facilities	C	C	C	C	C	C	C	C	C	C	C	C
J. Special Personal and Group Care Facilities												
1. Assisted Living Facilities for Elderly or Handicapped Persons	C	C	C	C	C	C	C	C	C	C	C	C
2. Convalescent Homes	C	C	C	C	C	C	C	C	C	C	C	C
3. Day Care Facilities for Elderly Persons	C	C	C	C	C	C	C	C	C	C	C	C
4. Family Care Facilities	C	C	C	C	C	C	C	C	C	C	C	C
5. Group Care Facilities	C	C	C	C	C	C	C	C	C	C	C	C
6. Nursing Homes	C	C	C	C	C	C	C	C	C	C	C	C

TABLE 5-102A (Continued)

USES AND STRUCTURES ALLOWABLE WITHIN RESIDENTIAL DISTRICTS

PRINCIPAL USES AND ACTIVITIES	AR-15A	AR-5A	RS-40	RSM-40	R-20	RS-5	RS-8	RS-15	R-MHP	RM-8	RM-12	RM-20
III. <u>AGRICULTURAL AND EXTRACTIVE</u>												
A. <u>Agriculture- General</u>	P	P										
B. <u>Agriculture-Intensive</u>												
1. Feedlots	C											
2. Poultry and Egg Production Operations	C											
3. Stock Yards												
C. <u>Agricultural Services</u>												
1. Crop Drying, Storage and Processing Services	C											
2. Crop Planting, Cultivation and Protection Services	C											
3. Horticultural Services	C											
4. Soil Preparation Services	C											
5. Veterinary Services for Livestock	C											
D. <u>Mining and Quarrying</u>												
1. Borrow Pits Involving Soil Extraction and Off-Site Use	C											
2. Chemical Fertilizer and Nonmetallic Mineral Mining												
3. Clay, Ceramic and Refractory Materials Mining												
4. Coal Mining												
5. Crude Petroleum and Natural Gas Production												
6. Metal Ore and Mineral Mining												
7. Sand and Gravel Quarrying												
8. Stone Quarrying												
E. <u>Plant and Forest Nurseries</u>												
1. Forest Nursery		P										
2. Plant Nursery	P	P										
3. Sod Farming	P	P										

TABLE 5-102A (Continued)

USES AND STRUCTURES ALLOWABLE WITHIN RESIDENTIAL DISTRICTS

ACCESSORY USES AND ACTIVITIES	AR-15A	AR-5A	RS-40	RSM-40	R-20	RS-5	RS-8	RS-15	R-MHP	RM-8	RM-12	RM-20
Accessory Apartment	ASP	ASP	ASP	ASP	ASP	ASP	ASP	ASP		ASP	ASP	ASP
Bed and Breakfast Establishment	C	C	C	C	C	C	C	C		SUP	SUP	SUP
Farm Buildings	P	P										
Home Child Care	P	P	P	P	P	P	P	P	P	P	P	P
Major home Occupations	C	C	C	C	C	C	C	C	C	C	C	C
Minor Home Occupations	ASP	ASP	ASP	ASP	ASP	ASP	ASP	ASP	ASP	ASP	ASP	ASP
Off-street Parking	C	C	C	C	C	C	C	C	C	P	P	P
Parents Day Out	ASP	ASP	ASP	ASP	ASP	ASP	ASP	ASP	ASP	ASP	ASP	ASP
Private Recreational Facilities	P	P	P	P	P	P	P	P	P	P	P	P

KEY TO INTERPRETING USE CLASSIFICATIONS

- P** = Use permitted by right within the district.
- SUP** = Principal use permitted with supplemental provisions
- C** = Conditional use subject to approval by the Board of Appeals
- ASP** = Accessory use permitted with supplemental provisions

NOTES:

- (1) Following initial adoption of the zoning map, no property proposed for location of duplex dwellings shall be reclassified to the R-20 Zoning District, unless such district is overlain by a Residential Planned Unit Development District.
- (2) Following initial adoption of the zoning map, no property shall be reclassified to the RS-15 Zoning District, unless such district is overlain by a Residential Planned Unit Development District.
- (3) See Subsection 5-104.1.
- (4) See Subsection 5-104.2.

5-102.6 Temporary Uses

The temporary uses and structures specified in Article III, Section 3-106, as permissible within residential districts may be permitted for the limited time periods indicated for each such use or activity.

5-102.7 Uses Not Permitted

Any uses or structures not allowable as permitted uses, conditional uses, temporary uses or accessory uses are prohibited within the various residential districts.

5-102.8 Restriction of Buildings Permitted on Residential Zone Lots

Only one (1) principal building may be permitted on any zone lot, except as may otherwise be approved as follows:

1. As part of a complex of dwellings subject to the provisions of Subsections 5-104.1 or 5-104.2.
2. As part of a planned unit development district as provided in this ordinance.

5-103 BULK REGULATIONS

5-103.1 General

The minimum lot dimensions, maximum lot coverage, maximum density, minimum front, rear, interior and street side yards, maximum building heights and minimum separation between buildings on the same zone lot within any base residential district shall be as indicated in Table 5-103A, (Bulk Regulations for Residential Districts), and the additional bulk regulations specified in this section. For certain uses, alternative bulk regulations may be specified in this article or other articles of this zoning ordinance. Bulk regulations for planned unit development (**PUD**) overlay districts shall be as specified in Article VIII, Subsection 8-102.4.

5-103.2 Lot Dimensions

No lot shall be created and no building permit or zoning approval shall be issued for any lot that does not meet the following minimum dimensional requirements, unless otherwise provided in the preliminary development plan of a planned unit development.

1. Lot Area
 - a. Minimum Area

Within the various residential districts, the minimum horizontal area of a lot shall not be less than the greater of that indicated in Table 5-103A, (Bulk Regulations for Residential Districts), or as required to meet the provisions of Article XII, "Environmental and Performance Standards".

b. 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 dwelling unit, 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.

2. Lot Width

The minimum lot width (measured at the building line) shall not be less than indicated in Table 5-103A, or otherwise specified in this ordinance.

3. Lot Frontage

All lots shall have a minimum of fifty (50) feet of frontage on a publicly dedicated and maintained street or a permanent access easement as defined and regulated by this ordinance, except that lots located along the terminus of a cul-de-sac shall have a minimum of thirty-five (35) feet of frontage.

Within the Town Center Overlay District, minimum required lot frontages shall be established by the governing RPUD, as approved by the Board of Commissioners. **(Added by Ordinance No. 509, August 16, 2001)**

4. Maximum Permitted Lot Coverage

Within the various residential districts, the maximum zone lot coverage by all buildings, principal and accessory, shall not, except as provided in Subsection 5-104.3, exceed the percentage of the total area of the zone lot indicated in Table 5-103A.

5-103.3 Density Regulations

1. Basic Requirement

The residential density permitted upon any zone lot found within the various residential districts is controlled by the development area required for each dwelling or rooming unit permitted to locate thereon. This is determined by dividing the total area of the zone lot by the "development area per dwelling or rooming unit" which is presented in Table 5-103A, for the various residential zoning districts.

2. Adjustment for Lot Area Remainder

In all districts where multi-family dwellings are permitted, if an amount of lot area not allocated to a dwelling unit is less than that required for one (1) additional dwelling, the remaining lot area may be used to satisfy lot area requirements if it represents not less than three-fourths (3/4) of the total required.

(Amended by Ordinance No. 509, August 16, 2001)

TABLE 5-103A

BULK REGULATIONS FOR RESIDENTIAL DISTRICTS

	----- DISTRICTS -----											
	AR-15A	AR-5A	RS-40	RSM-40	R-20	RS-5	RS-8	RS-15	R-MHP	RM-8	RM-12	RM-20
I. MAXIMUM LOT COVERAGE BY ALL BUILDINGS (AS A PERCENT OF LOT AREA)	5	5	15	15	20	50	45	25	(2)	60	60	60
II. MINIMUM ZONE LOT REQUIREMENTS												
A. Area (In Acres or 000 Square Feet)	15ac.	5ac.	40	40	20	5	8	15	(2)	5.4 (1)	5 (1)	5 (1)
B. Width (In Feet Measured at the Building Line)	250	150	150	150	100	40	50	75	(2)	(1)	(1)	(1)
III. Development Area per Dwelling or Rooming Unit (In Acres or Square Feet)	15ac.	5ac.	40	40	10	5	8	15	(2)	5.4	3.6	2.1
IV. Maximum Height (in Feet)	35	35	35	35	35	35	35	35	35	35	35	35
V. Minimum Yard Requirements (In Feet)												
A. Residential Buildings												
1. Front	50	50	50	50	35	15	20	30	(2)	20 (1)	20 (1)	20 (1)
2. Side	25	25	25	25	15	3	5	10	(2)	7.5 (1)	7.5 (1)	5 (1)
3. Rear	50	20	20	20	20	20	20	20	(2)	20 (1)	20 (1)	20 (1)
B. Community Facility and Other Buildings												
1. Front	100	60	60	60	40	30	30	40	30	30	30	30
2. Side	50	30	30	30	25	15	15	20	20	20	20	20
3. Rear	50	30	30	30	25	20	20	20	20	20	20	20
VI. Maximum Impervious Surface Ratio (as Percent of Lot Area)						70	70		60	50	50	70

NOTES:

- (1) See Section 5.104, Subpart A.
- (2) See Subsection 5-103.4, Subpart 3.

3. Special Requirements Pertaining to the Number and Location of Lots Within RS-15 Districts **(Added by Ordinance No. 459, June 15, 1999)**

No RS-15, Zoning District shall be created after the adoption of this amendment, unless such district is overlain by a planned unit development overlay district approved in accordance with standards established in Article VIII, of this ordinance. Lots proposed for location within such zoning districts shall adhere to the following criteria pertaining to their number and location.

a. Minimum Number of Dwelling Units

A minimum of thirty (30) dwelling units shall be required for any RS-15 Zone.

b. Maximum Number of Dwelling Units

A maximum of sixty (60) dwelling units may be located within any portion of an RS-15 Zone.

c. Separation Between Districts

No RS-15 Zone may be located closer than one (1) mile of another RS-15 District at any point.

5-103.4 Height Regulations

1. Basic Requirements

The maximum permitted height for buildings shall not, except as provided in Subpart 2, of this section, exceed that set forth for the various residential districts in Table 5-103A.

2. General Exception to Height Regulations

The height limitation contained in the district regulations does not apply to spires, belfries, cupolas, radio towers, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

5-103.5 Yard Regulations

1. Application of the Lot Line Equivalent to Measurement of Yards

The following provisions shall apply in the determination of a lot line equivalent.

- a. A front lot line equivalent is a straight line joining the foremost points of the side lot lines. In the case of rounded property corners at street intersections, the foremost point of a side lot line shall be assumed to be the point at which the side lot line and the front lot line would have met without such rounding.

- b. A rear lot line equivalent is a straight line joining the rearmost points of the side lot lines.
- c. A side lot line equivalent is a straight line joining the ends of the front yard line and the rear yard line on the same side of the zone lot.

In all residential districts, the width or depth of a yard shall be measured perpendicular to lot line equivalents.

2. Yard Diagrams

The yard diagrams appearing on ILLUSTRATION 2-102.2A, shall be used in clarifying the meaning of the "line" and "yard" definitions of this section.

3. Permitted Obstructions in Required Yards

In all residential districts, the following shall not be considered obstructions when located within a required yard, except that these items shall comply with Subpart 4, of this section, (Obstructions Prohibited at Street Intersections).

a. In Any Yard:

Air conditioning units, provided that no such unit shall extend more than one-half (1/2) the required width of the yard.

Arbors and trellises.

Awnings or canopies projecting from a building wall over a required yard not more than six (6) feet, and having no supports other than provided by the wall or its integral parts.

Chimneys projecting not more than three (3) feet into and not exceeding two (2) percent of the area, of the required yard.

Driveways subject to other specific provisions of this ordinance related directly thereto.

Eaves, gutters, or down spouts, projecting into or over required yards not more than twenty-four (24) inches or twenty (20) percent of the width of such yard, whichever is the lesser distance.

Fire escapes or staircases, the riser of which shall be at least fifty (50) percent open, and whose vertical projection downward onto a required yard does not project more than three (3) feet into, and not exceeding ten (10) percent of the area of the required yard.

Flagpoles having only one structural ground member.

Fountains.

Mailboxes.

Open terraces, including natural plant landscaping.

Sculpture or other similar objects of art.

Street furniture such as, but not limited to, benches, drinking fountains, trash receptacles, ash trays, light standards, or directional signs.

Vehicular parking areas, unless otherwise specifically prohibited by applicable sections of this ordinance.

Vents necessary for use of fallout shelters constructed below grade of such yards, but excluding all other parts of such shelters.

Walls, including retaining walls, or fences not exceeding six (6) feet in height measured from finish grade level at any point along the length of, and on any side of, such walls, including retaining walls, or fences, and not roofed or structurally part of a building.

b. In Any Rear Yard:

Accessory buildings, provided that one (1) such building may be permitted which may occupy a maximum of twenty-five (25) percent of the rear yard area and shall be located at least five (5) feet from the side and rear property line.

Within the RS-8 and RS-5 Districts, accessory structures, including garages and carports, may occupy a maximum of forty-five (45) percent of the rear yard area, shall be located at least five (5) feet from the rear property line and in the RS-5 District shall be at least three (3) feet from a side property line. **(Added by Ordinance No. 509, August 16, 2001)**

Clothes Poles or clothes lines.

Recreational equipment.

4. Obstructions Prohibited at Street Intersections

See Article X, Subsection 10-106.5 (Visibility Areas).

5. Basic Requirements

In all residential districts, the minimum requirement for front, side and rear yards shall be as set forth in Table 5-103A.

6. Special Conditions Affecting Yards

a. Front Yards to be Measured from Future Street Lines

For the purpose of providing adequate space for the future widening of streets, required front yards shall be determined by the right-of-way as shown on the latest official major thoroughfare plan.

b. Rear Yard Exception for Through Lots

In all residential districts, no rear yard regulations shall apply to any through lot which extends less than two hundred fifty (250) feet in depth from street to street. The depth of such lot shall be considered to be the mean length of its side lot lines. In lieu thereof a front yard shall be required for each street frontage.

c. Yard Requirements for Zone Lots of Unusual Shape

In all residential districts, wherever a zone lot is of such unusual shape that the yard provisions of these regulations cannot be specifically applied, the Zoning Administrator may substitute special yard requirements for such lot only to the extent that these regulations are inapplicable and not to exceed the average of the yard requirements on adjacent lots in the district.

d. Special Yard Requirements for Agricultural Activities

Within those residential districts where agricultural activities are permitted there shall be provided a minimum yard from all property lines of not less than one hundred (100) feet for all permitted barns and other structures, including feed lots and pens, where animals are maintained.

e. Special Yard Requirements for Corner Lots

The minimum required width of a side yard abutting a street shall be one-half (1/2) the minimum required front yard depth for the district. Parking within this side yard is prohibited.

f. Minimum Side Yard for Residential Structure with Facade Parallel to a Side Lot Line

For any residential structure constructed with a front and/or rear building facade parallel to a side lot line, the required side yard shall be not less than one-half (1/2) the minimum required front yard depth for the district.

g. Special Provisions for Front Yard Setback **(Amended by Ordinance No. 509, August 16, 2001)**

For all residential districts not located within the Town Center Overlay District, any alteration, addition or construction of a building or structure on a zone lot shall extend no closer to the street which

abuts the designated front yard than the average of the distances of the buildings located within one hundred (100) feet on each side of the lot whereon the alteration, addition or construction is to occur; provided that no building shall be required to provide a front yard of greater than twice the minimum front yard for the district. The average front yard requirement shall not prohibit alterations or additions to an existing structure which has irregular front walls provided said alteration or addition extends no closer to the street than the existing closest front wall to the street. The board of appeals shall have jurisdiction to vary from this strict application upon property where such provision would create an undue hardship.

h. **Special Yards and Setbacks Along District Boundaries (Amended by Ordinance No. 509, August 16, 2001)**

For all residential districts not located within the Town Center Overlay District, along such portion of the boundary of any multi-family or R-MHP District, which coincides with a side or rear lot line of a zone lot in any other residential district, the following shall apply:

(1) **Residential Buffer Yards**

An open area unobstructed from the ground to the sky shall be provided within the multi-family or R-MHP District, said area being at least thirty (30) feet in width or depth. Such open area shall not be used for accessory off-street parking, or for accessory off-street loading, or for storage or processing of any kind.

(2) **Special Front Setbacks**

Regardless of the front yard provisions established for any multi-family or R-MHP District, no building located on any zone lot adjacent to any other residential district shall extend closer to the street than the average of the distances of the buildings located within one hundred (100) feet of the lot; provided that no building shall be required to set back more than twice the minimum front yard applicable within the zoning district wherein it is located.

5-103.6 Separation of Buildings on Same Lot (Amended by Ordinance No. 509, August 16, 2001)

For all residential districts not located within the Town Center Overlay District, in any residential district where more than one (1) principal building may be located upon a single zone lot, the minimum distance between such buildings shall be the greater of thirty (30) feet or the separation required by adopted building and fire codes.

Within a RPUD associated with the City Center Overlay District, the minimum building separation shall be the greater of either the applicable building ordinance or the standard otherwise established by the RPUD, Development Plan, as approved by the Board of Commissioners.

5-103.7 Special Provisions for Party Walls

Within those districts where semi-detached and attached dwellings are permitted the following shall apply:

1. The governing building and fire codes shall apply to all construction details of firewalls.
2. The firewall shall bisect the line dividing each portion of the building or lot so that one-half (1/2) of the firewall is held by each of the abutting properties.
3. If a firewall is destroyed or damaged by fire or other casualty, any owner may restore said wall and if other owners thereafter make use of the wall, they shall contribute to the cost of restoration thereof in proportion to such use without prejudice, however, to the right of any such owner to call for a larger contribution from the others under any rule of law requiring liability for negligent or willful acts and omissions.
4. Each abutter who may share in the ownership of any firewall shall have an easement on the property of any other owner(s) for the purpose of reconstruction and protection of remaining unit(s) from the elements.

5-104 SUPPLEMENTAL DESIGN PROVISIONS

5-104.1 Development Standards for Multi-Family Dwellings

1. Purpose

The special provisions set forth herein are intended to provide design criteria for multi-family dwellings when located within two (2) or more buildings on a zone lot or portion of a zone lot. These provisions shall not apply to developments of multi-family dwellings where such dwellings are individually owned as in the case of condominium or cooperative ownership. All developments involving condominium or cooperative ownership shall be reviewed and approved under the provisions for Planned Unit Developments (See Article VIII).

2. Master Site Development Plan Required

It is the express purpose of these provisions to establish design criteria and to provide for implementation of these provisions by Planning Commission review of the Master Development Plan required for all such development by Article XIV, Subsection 14-104.2.

3. Design Criteria, General

It is the intent that multi-family dwellings where they are permitted:

- a. May be appropriately intermingled with other types of housing;
- b. Developments not located within the Own Center Overlay District shall not contain more than six (6) dwelling units per floor on a single unbroken frontage; and **(Amended by Ordinance No. 509, August 16, 2001)**
- c. Shall constitute groupings making efficient economical, comfortable, and convenient use of land and open space, and serving the public purposes of zoning by means alternative to conventional arrangements of yards and buildable areas.

4. Design Criteria, Detailed

- a. Each dwelling unit shall be provided with reasonable visual and acoustical privacy. For developments not located within the Town Center Overlay District, a fence at least six (6) feet in height shall enclose the boundary of each multi-family development site. A detail of the proposed fence is to be presented with the site development plan. The aesthetic and protective nature of the proposed fence shall be considered an integral element of the overall site design and shall be reviewed as part of the design review process. Where in the judgment of the Planning Commission alternative measures such as landscaping or placing of berms are found to provide equal or superior protection, these measures may be substituted for the fence. **(Amended by Ordinance No. 509, August 16, 2001)**
- b. Paved pedestrian walkways shall be provided for convenient and safe access to all living units and recreational facilities from the streets, driveways, parking courts or garages and for convenient circulation and access to all facilities.
- c. The appearance and character of the site shall be preserved and enhanced by retaining and protecting existing trees and other site features to the maximum extent feasible. Prior to any site clearing or development activity the developer shall submit a landscape plan along with the site development plan. Where necessary to provide both internal and external privacy and to screen out objectionable features such as noise or automobile lights, additional new plant material shall be added.
- d. Existing trees, shrubs, evergreens, and ground cover shall be retained to the extent that they enhance the project, are effective as a screen planting or are useful in protecting slopes from erosion.
- e. An adequate amenity package for occupants of the apartment shall be provided. The amenity package shall as a minimum include the following:

- i. For developments not located within the Town Center Overlay District, exterior sitting areas with a total minimum area of twenty (20) square feet per bedroom, easily accessible by paved walkways to the residents such facilities are designed to serve. Generally, such facilities shall be located no more than seven hundred fifty (750) feet from any residential building it is to serve. All sitting areas shall be equipped, with benches, picnic tables and other passive recreational facilities. All such sites shall be suitably landscaped to enhance their intended function. **(Amended by Ordinance No. 509, August 16, 2001)**
- ii. Play lots and/or playgrounds with a total minimum area of one hundred (100) square feet per bedroom. For RPUD developments located within the Town Center Overlay District, play lots and playgrounds shall be provided at the minimum rate of fifty (50) square feet per bedroom. These areas shall be provided with playground equipment sufficient to meet the needs of children expected to reside within the complex. The individual pieces of playground equipment shall be specified on the site plan. All recreational equipment provided shall be durable commercial grade equipment which shall meet all Consumer Product Safety Commission safety guidelines as well as the ASTM F1487-93, public use playground standard. The playground shall be served by paved pedestrian walks linking individual buildings to the recreational facility. Additional sitting areas may be substituted for playgrounds on a square foot for square foot basis when the development is planned for occupancy only by elderly adults. **(Amended by Ordinance No. 509, August 16, 2001)**
- iii. For developments not located within the Town Center Overlay District, club house facilities shall be located within the development. A minimum floor area of two thousand (2,000) square feet shall be required for any development. In developments containing two hundred (200) or more dwelling units ten (10) square feet of additional floor area shall be provided for each unit thereafter. **(Amended by Ordinance No. 509, August 16, 2001)**
- iv. Centralized refuse (garbage) disposal facilities shall be provided. All dumping cart/bins shall be opaquely screened by either wood or masonry and landscaped.
- v. Street and area lights lighting the entire development.
- f. All private drives, parking areas or other vehicular ways used for the common access for two (2) or more residences shall be suitably paved and maintained as a condition approval of the project.

- g. All dwelling units shall be positioned so as to assure the availability of adequate fire protection. All buildings shall have a fire hydrant located within one hundred fifty (150) feet of the furthest point of each dwelling unit. A flow of two thousand five hundred gallons per minute (2,500 GPM) for one hour duration with a residual pressure of twenty pounds per square inch (20 psi) shall be available to all dwellings. As an alternative to upgrading water mains to fully meet these flow standards, multi-family dwellings may be provided internal protection in the form of sprinkling systems. In the event such systems are provided, the required fire flow may be reduced by fifty (50) percent from that required without such systems..
- h. Every building utilized for multi-family dwellings shall be accessible to fire apparatus by way of access roadways with all-weather driving surfaces of not less than twenty (20) feet of unobstructed width, with adequate roadway turning radius capable of supporting the imposed loads of fire apparatus and having a minimum vertical clearance of thirteen feet six inches (13' 6"). The required width of the access roadway shall not be obstructed in any manner, including the parking of vehicles. No parking signs or other appropriate notice, or of approved obstructions inhibiting parking, may be required and if installed shall be maintained. No barriers may be placed within the development which would prevent emergency vehicles from pulling around or between buildings.

5. Required Improvements

The following shall be required:

a. Internal Streets

- i. In general, internal drives or travelways located within any multi-family development shall be privately constructed and maintained.
- ii. The pavement width and geometric design standards of all internal drives or travelways located within any multi-family development shall be as specified within the subdivision regulations. In any instance where an internal travelway is proposed for dedication as a public street, the pavement design shall meet or exceed that required in the subdivision regulations

b. Public Street Access

For RPUD developments located within the Town Center Overlay District, design of street access points shall be as established by the specific RPUD, Development Plan, as approved by the Board of Commissioners. **(Added by Ordinance No. 509, August 16, 2001)**

- i. The minimum distance between access points along public street frontage, center line to center line shall be two hundred (200) feet.
- ii. The minimum distance between the center line of an access point and the nearest curb line or street line of a public street intersection shall be one hundred (100) feet.

c. Storage of Waste

All refuse disposal areas shall be maintained in such manner as to meet county and city health requirements and shall be screened from view.

d. Service Buildings

Service buildings housing laundry, sanitation or other facilities for use by the occupants shall be permanent structures complying with the applicable codes.

e. Sanitary Sewage Requirements

All development projects approved under this section shall be served by public sanitary sewage systems that meet the standards of the Tennessee Department of Environment and Conservation.

f. Water Metering Requirements

A master meter shall be provided for all multi-family developments which are held under a single ownership. Individual meters shall be provided multi-family dwelling units which are held by individual owners (i.e. condominium units).

g. Utilities Requirement

All cables serving electrical, telephone, television and street lighting shall be placed under ground.

h. Mail Delivery

All multi-family complexes shall develop a plan for mail delivery which meets the criteria developed by the local post office. This plan shall be presented with the master development plan.

6. Parking Space and Traffic Circulation Requirements

- a. For developments not located within the Town Center Overlay District, two (2) off street parking spaces shall be provided for each dwelling unit. **(Amended by Ordinance No. 509, August 16, 2001)**

- b. Off-street parking may be grouped in bays, either adjacent to streets or in the interior of blocks. Such parking areas shall be generally located in close proximity to the dwelling units they are designed to serve. At least one (1) parking space per dwelling unit shall be located so as to provide a maximum walking distance of two hundred (200) feet from the nearest entrance of the dwelling unit it is to serve. Where appropriate, common driveways, parking areas, walks, and steps shall be maintained and lighted for night use. Screening of parking and service areas shall be achieved through ample use of trees, shrubs, hedges, and screening walls.
- c. Each building shall be physically separated from the highway or street by a curb or planting strip at least eight (8) feet wide against unchanneled motor ingress and egress. The complex shall have not more than two (2) accessways to any highway or street without special approval by the Planning Commission.

7. Open Space Requirements

Any common open space provided within a development of multi-family dwellings shall:

- a. Meet the requirements for quality and improvement established in Article VIII, Subsection 8-204.1.
- b. Be protected by covenants as outlined in Article VIII, Subsection 8-204.4, which will insure the improvement and continued maintenance of all such properties.
- c. Serve as recreational area and open space only.

8. Density Permitted

The density, or number of dwelling units permitted within a given area, shall be computed utilizing the development area per dwelling unit for the district in which the multi-family dwellings are to be located. In any instance where a particular development is located in more than one district, the density shall be separately computed for each district and no density may be transferred between districts.

9. Yard and Building Spacing Requirements

For developments not located within the Town Center Overlay District, within any development approved under the provisions of this section, the following yard requirements shall apply: **(Amended by Ordinance No. 509, August 16, 2001)**

- a. For units located entirely within the interior of the site no yards as such are required, however, buildings shall be spaced so that the minimum distance between such buildings shall be the greater of thirty (30) feet or the separation required by adopted building and fire codes.

- b. All buildings located along the periphery of the site shall be setback as provided in Article V, Subsection 5-103.5, Subpart 6, h, (Special Yards and Setbacks Along District Boundaries).

5-104.2 Development Standards for Manufactured Home Parks

1. Purpose

The regulations contained herein are intended to apply to all manufactured home developments as defined by this ordinance. Provided, however, in any instance, whether such developments involve the subdivision and sale of lots or land space for placing of manufactured homes such developments shall be reviewed and approved under the provisions for Planned Unit Developments (See Article VIII).

2. Master Site Development Plan Required

It is the express purpose of these provisions to establish design criteria and to provide for implementation of these provisions by Planning Commission review of the Master Development Plan required for all such development by Article XIV, Subsection 14-104.2.

3. Design Criteria, General

- a. No part of a manufactured home development shall be used for nonresidential purposes, except such uses as are required for the direct servicing and well-being of residents and for the management and maintenance of the development.
- b. Nothing contained in this section shall be deemed as prohibiting the sale of a manufactured home or of the site or lot on which such dwelling is located, provided that all provisions of this ordinance pertaining to such use are met.
- c. A fence at least six (6) feet in height shall enclose the boundary of each manufactured home development site. A detail of the proposed fence is to be presented with the site development plan. The aesthetic and protective nature of the proposed fence shall be considered an integral element of the overall site design and shall be reviewed as part of the design review process. Where in the judgment of the Planning Commission alternative measures such as landscaping or placing of berms are found to provide equal or superior protection, these measures may be substituted for the fence.
- d. The appearance and character of the site shall be preserved and enhanced by retaining and protecting existing trees and other site features to the maximum extent feasible. Prior to any site clearing or development activity the developer shall submit a landscape plan along with the site development plan. Where necessary to

provide both internal and external privacy and to screen out objectionable features such as noise or automobile lights, additional new plant material shall be added.

- e. Existing trees, shrubs, evergreens, and ground cover shall be retained to the extent that they enhance the project, are effective as a screen planting or are useful in protecting slopes from erosion.

4. Minimum Development Size and Density Permitted

No manufactured home development shall be approved which contains less than five (5) acres in area or has less than ten (10) manufactured home spaces.

The density permitted within any manufactured home development shall be as specified in Table 5.103A.

5. Dimensional Requirements for Parks

- a. Buffer yards and setbacks meeting the requirements of Article V, Subsection 5-103.5, Subpart 6, h, shall be provided along the periphery of all manufactured home developments in addition to yards required for individual manufactured homes.
- b. Within the interior portions of the manufactured home development, no yards, except as required to meet the spacing standards of Subpart 6, (Spacing of manufactured homes and site coverage), of this section are required.
- c. No building or structure erected or stationed in a manufactured home park shall have a height greater than two (2) stories or thirty (30) feet.

6. Spacing of Manufactured Homes and Site Coverage

- a. Manufactured homes shall be so harbored on each space such that there shall be at least a twenty (20) foot clearance between manufactured homes; for manufactured homes parked end-to-end, the end-to-end clearance may be less than twenty (20) feet, but not less than fifteen (15) feet. No manufactured home shall be located closer than twenty (20) feet from any building within the park.
- b. There shall be a minimum distance of ten (10) feet between the nearest edge of any manufactured home and an abutting access street.
- c. No manufactured home stand shall occupy an area in excess of twenty-five (25) percent of the respective lot area. The total area occupied by the manufactured home and its accessory structures shall not exceed fifty (50) percent of the respective lot area.

7. The Manufactured Home Lot

- a. The limits of each manufactured home lot shall be marked on the ground by suitable means. Location of lot limits on the ground shall be the same as shown on accepted plans. The minimum area of a manufactured home lot shall be five thousand (5,000) square feet or the area required to meet other provisions of this section.
- b. The manufactured home stands shall be improved to provide adequate support for the placement and tie-down of the manufactured home.
- c. Each manufactured home lot shall be provided with an outdoor living and service area. Such area shall be improved as necessary to assure reasonable privacy and comfort. The minimum outdoor living area shall not be less than two hundred (200) square feet of contiguous area.
- d. Tenant storage shall be provided for each manufactured home, either on the individual lot or site of the dwelling or in a centralized storage facility.
- e. Manufactured homes shall be anchored and supported so as to meet or exceed the standards established in Part 4, "Manufactured Home Anchoring", of Section 68-126, Tennessee Code.

8. Utilities and Other Services

The following shall be required:

- a. Internal Streets
 - i. In general, internal drives or travelways located within any manufactured home development shall be privately constructed and maintained.
 - ii. The pavement width and geometric design standards of all internal drives or travelways located within any manufactured home development shall be as specified within the subdivision regulations. In any instance where an internal travelway is proposed for dedication as a public street, the pavement design shall meet or exceed that required in the subdivision regulations
- b. Public Street Access
 - i. The minimum distance between access points along public street frontage, center line to center line shall be two hundred (200) feet.

ii. The minimum distance between the center line of an access point and the nearest curb line or street line of a public street intersection shall be one hundred (100) feet.

c. Emergency Access

Every manufactured home or building located within a manufactured home development shall be accessible to fire apparatus by way of access roadways with all-weather driving surfaces of not less than twenty (20) feet of unobstructed width, with adequate roadway turning radius capable of supporting the imposed loads of fire apparatus and having a minimum vertical clearance of thirteen (13) feet-six (6) inches. The required width of the access roadway shall not be obstructed in any manner, including the parking of vehicles. No parking signs or other appropriate notice, or of approved obstructions inhibiting parking, may be required and if installed shall be maintained. No barriers may be placed within the development which would prevent emergency vehicles from pulling around or between buildings.

d. Storage of Waste

Centralized refuse (garbage) disposal facilities shall be provided. All dumping cart/bins shall be opaquely screened by either wood or masonry and landscaped.

e. Service Buildings

Service buildings housing laundry, sanitation or other facilities for use by the occupants shall be permanent structures complying with the applicable codes.

f. Water Requirements

Each manufactured home site shall be provided with a connection to a public water supply on trunk lines not less than six (6) inches in diameter. A master meter shall be provided for all manufactured home developments which are held under a single ownership. Individual meters shall be provided manufactured home units which are held by individual owners (i.e. fee simple or condominium units).

g. Fire Hydrant Requirements

Each manufactured home development shall be equipped with fire hydrants capable of providing required fire flow. Hydrants shall be spaced so that the farthest point of any manufactured home, measured by the most directly accessible route, is no more than four hundred (400) feet from a hydrant.

h. Sanitary Sewer Requirements

Each manufactured home site shall be provided with a connection to a public sanitary sewer line.

i. Utilities Requirement

All cables serving electrical, telephone, television and street lighting shall be placed under ground.

j. Mail Delivery

All manufactured home complexes shall develop a plan for mail delivery which meets the criteria developed by the local post office. This plan shall be presented with the master development plan.

9. Parking Space and Traffic Circulation Requirements

a. Two (2) off street parking spaces shall be provided for each dwelling unit.

b. Off-street parking may be grouped in bays, either adjacent to streets or in the interior of blocks. Such parking areas shall be generally located in close proximity to the dwelling units they are designed to serve. At least one (1) parking space per dwelling unit shall be located so as to provide a maximum walking distance of two hundred (200) feet from the nearest entrance of the dwelling unit it is to serve. Where appropriate, common driveways, parking areas, walks, and steps shall be maintained and lighted for night use. Screening of parking and service areas shall be achieved through ample use of trees, shrubs, hedges, and screening walls.

c. All private drives, parking areas or other vehicular ways used for the common access for two (2) or more residences shall be suitably paved and maintained as a condition of approval of the project.

d. Paved pedestrian walkways shall be provided for convenient and safe access to all living units and recreational facilities from the streets, driveways, parking courts or garages and for convenient circulation and access to all facilities.

10. Recreation Facilities

An adequate amenity package for occupants of the manufactured home development shall be provided. The amenity package shall as a minimum include the following:

a. Play lots and/or playgrounds with a total minimum area of one hundred (200) square feet per manufactured home dwelling. These areas shall be provided with playground equipment sufficient

to meet the needs of children expected to reside within the complex. The individual pieces of playground equipment shall be specified on the site plan. All recreational equipment provided shall be durable commercial grade equipment which shall meet all Consumer Product Safety Commission safety guidelines as well as the ASTM F1487-93, Public Use Playground Standard. The playground shall be served by paved pedestrian walks linking individual buildings to the recreational facility. Additional sitting areas may be substituted for playgrounds on a square foot for square foot basis when the development is planned for occupancy only by elderly adults.

- b. Club house facilities shall be located within the development. A minimum floor area of two thousand (2,000) square feet shall be required for any development. In developments containing two hundred (200) or more dwelling units ten (10) square feet of additional floor area shall be provided for each unit thereafter.
- c. All multi-family complexes containing one hundred (100) or more dwelling units shall provide swimming pool facilities for the residents.

5-104.3 Variable Lot Size Residential Development

The purpose of this section is to provide a permissive voluntary alternative procedure to be utilized in the placement of buildings and in the location of open spaces associated therewith. These provisions are intended to provide for variations in lot size and open space requirements within residential districts. The density standards established for individual districts are to be maintained on an overall basis and thereby provide desirable and proper open air space, tree cover, recreation areas or scenic vistas; all with the intent of preserving the natural beauty and environmental integrity of the area, while at the same time maintaining the necessary maximum population density limitations of the base zoning districts.

1. General Provisions

The provisions contained within this section are intended to provide a flexible procedure for locating dwellings upon sites. As such, the provisions do not constitute a use but an alternative procedure for the spacing of buildings and the use of open areas surrounding those buildings. It is necessary, however, that the purposes and intent of this ordinance be assured and that proper light, air, and privacy be made available for each dwelling unit.

The Master Site Development Plan required in Subpart 2 of this section, is intended to provide not only an accurate statement of the development scheme proposed for each such development but an enforceable legal instrument whereby the Planning Commission may be assured that the general purposes, standards, etc., contained in this ordinance are being met.

2. Plans Required

a. Preliminary Concept Plan

A preliminary concept plan for the proposed development shall be presented. This plan shall generally indicate the number and location of lots, the topography of the site (at five (5) foot contour intervals), sizes and proposed routing of all utilities, proposed location of roads and generalized soil information taken from USDA Soil Conservation Service maps and shall in all regards meet the requirements for a sketch plat as required by the Subdivision Regulations. The Planning Commission shall review this plan and recommend changes which it feels would be necessary for the plan to receive final approval.

b. Master Site Development Plan Required

Upon approval of a Preliminary Concept Plan as required by subpart "a" above a Master Site Development Plan containing the information required by the provisions of Article XIV, Subsection 14-103.2, shall be prepared and submitted to the Planning Commission for its review and approval along with a preliminary plat and construction plans as required by the Subdivision Regulations. In addition to the information required to meet the provisions of Subsection 14-103.2, the plat and/or site development plan shall show:

- i. Topographic features, both existing and proposed, with contours of not more than two (2) foot intervals when lots are less than thirty thousand (30,000) square feet in area and five (5) foot intervals when all lots are larger than thirty thousand (30,000) square feet in area.
- ii. Location of any open space that is proposed to be held in common ownership.
- iii. Proposed building envelopes for all lots.
- iv. Where any lot or roadway is proposed for location upon any portion of the site where the natural topography exceeds fifteen (15) percent such alteration shall be evaluated by a licensed geotechnical engineer and a report of findings and recommendations submitted with the plan of development.
- v. Proposed surface drainage.
- vi. Location of all easements, rights-of-way and utilities.
- vii. Location of areas subject to flooding.

- viii. Where subsoil sewage disposal is anticipated, certification from the County's Department of Health and Environment approving each lot for such use.
- ix. Proposals for erosion and siltation control.

Upon receipt of a master site development plan, preliminary plat and construction plans containing information as required above, the Planning Commission may:

- i. Concurrently review the site development plan and preliminary plat;
- ii. Jointly approve, approve with modification, or disapprove these documents; and
- iii. In the instance of approval, or approval with modification, transfer the site development plan to the Building Inspector for enforcement.

c. Enforcement

Upon approval of a Master Site Development Plan the Zoning Administrator shall note the boundary and extent of such development upon the Official Zoning Map and shall become responsible for enforcement of the plan. Final plats of subdivision may be filed and approved, provided that such plats are determined to be in substantial compliance with the Master Development Plan and preliminary plat approved in accordance with Subpart b, above. Only minimal adjustments involving the placement of any structure will be permitted once a site development plan has been approved. Any other change shall require submission of a proposed amendment to the approved plan.

3. Development Standards

The following standards and requirements shall apply to all developments subject to the provisions of this section.

a. General Standards for Development

In the interest of promoting the most appropriate and economical use of the land while assuring that the character of the residential district is maintained, the Planning Commission in its review of a proposed development shall consider the following:

- i. The protection of the character, property values, privacy and other characteristics of the surrounding neighborhood;
- ii. The provision for surface drainage control, sewage disposal, and water supply, recreation and traffic control; and

- iii. The preservation and protection of existing trees, ground cover, top soil, streams, rock outcroppings and scenic or historic sites from dangers and damage caused by excessive and poorly planned grading for streets and building sites.

b. Availability of Public Utilities

Generally all public utilities, specifically including water and a central sewage collection and treatment system shall be available at the site. Where public sewer is not available, no lot or housing site may be created which has less area than the greater of that area specified in Table 5-104.3A or Table 5-104.3B, and all septic fields for each dwelling unit shall be located within the area of fee simple ownership of said dwelling unit.

c. Permitted Density

The density permitted is intended to be within the range of that permitted within more typical developments offering no common open space. The maximum number of dwelling units permitted shall be computed as follows:

- i. From the gross acreage available within the development shall be subtracted: any portion of the site utilized for streets (either public or private) and any portion of the site which lies within a floodway district.
- ii. The area remaining after the above adjustments shall be divided by the minimum lot area per family for the applicable dwelling unit type and zone district in which the dwelling unit is located. For developments located in more than one zoning district the density shall be computed separately for that portion of the development lying within each district. No developmental density may be transferred across zoning district boundaries.

d. Lot Area

Within all developments approved under the provisions of this section the area of lots designated as residential building sites shall be as follows:

i. Minimum Size of Lots Served by Public Sewer

The minimum size of lots served by public sewer shall be as indicated in Table 5-104.3A.

ii. Minimum Size of Lots Served by On-Site Sewage Disposal Systems

The minimum size of lots served by on-site sewage disposal systems shall be the greater of:

- (a) That indicated in Table 5-104.3A, or
- (b) That indicated in Table 5-104.3B.

e. Lot Width and Yard Requirements

Within any development approved under the provisions of this section the following yard requirements shall apply:

i. Lots Adjacent to Conventional Residential Development

All lots located along the periphery of a development site adjacent to or directly across a street from existing conventional residential lots shall have minimum width, measured at the setback line, equal to ninety (90) percent of the width required by the basic provisions established for the district within which the development is located. Such lots shall contain at least eighty (80) percent of the minimum lot area required by the basic provisions established for the district within which the development is located.

ii. All Other Lots

The provisions for spacing of buildings set forth in Subpart f, below, shall apply to all buildings and structures approved under the provisions of this section.

f. Building Spacing

Buildings shall be spaced so that the minimum distance between such buildings meets the minimum distances established in the "Minimum Building Envelope Spacing" standards of Table 5-104.3A.

g. Lot Coverage

The maximum impervious material coverage that shall be allowed on shall be thirty (30) percent of the total lot area or five thousand (5,000) square feet, whichever is smaller, including accessory buildings, patios and driveways. Provided, however, that the Planning commission may approve greater coverage on lots which are thirty thousand (30,000) square feet or greater in area, or on lots located within the Town Center Overlay District. **(Amended by Ordinance No. 509, August 16, 2001)**

(Amended by Ordinance No. 509, August 16, 2001)

TABLE 5-104.3A

**DENSITY AND BULK CRITERIA FOR STANDARD LOTS
WITHIN VARIABLE LOT RESIDENTIAL DEVELOPMENTS**

<u>ZONE DISTRICT</u>	AR-5A	RS-40	RSM-40	R-20	RS-8	RS-5
I. Density (in dwelling units per acre)	.2	1.1	1.1	2.2	5.4	8.7
II. Minimum Lot Size (in 000 sq. ft.)						
Without public water or sewer	80	40	40	40	NA	NA
With public water, but without Public sewer	(1)	(1)	(1)	(1)	NA	NA
With both public water and sewer	55	27	27	15(2)	5	4
III. Minimum Lot Frontage						
On street	50	50	50	50	50	40
On cul-de-sac	35	35	35	35	35	35
IV. Maximum Building Envelope (as % of lot Area)	40	40	40	45	48	55
V. Minimum Building Envelope Spacing (in feet)						
To adjacent lots measured between building envelopes)	50	50	50	30	10	6
To on-site street	35	35	35	35	20	15
To off-site street (3)	50	50	50	50	50	50
To tract boundary (3)	50	50	50	50	50	50
To any lot line	10	10	10	8	5	3
To lake or stream (4)	75	75	75	75	75	75
VI. Maximum Total Lot Disturbance	(5)	(5)	(5)	(5)	(5)	(5)

NOTES TO TABLE 5-104.3A:

- (1) See TABLE 5-034.3B. This provision applies to single family dwellings only.
- (2) No more than twenty (20) percent of the lots located within any R-20 District, may be less than twenty thousand (20,000) square feet.
- (3) Where the provisions of Subpart 3, e, (1), "Lots Adjacent to Conventional Residential Development", apply, setbacks shall be as required for the base zone district.
- (4) This provision shall apply to streams with established floodplains. Along other streams the minimum setback shall be four times the width of the stream, measured from top of bank to top of bank.
- (5) See Subsection 4, a, (Tree Preservation).
- (6) May be waived within the Town Center Overlay

TABLE 5-104.3B

**MINIMUM LOT SIZE REQUIREMENTS FOR LOTS UTILIZING ON SITE
SEWAGE DISPOSAL SYSTEMS BASED UPON SOIL ABSORPTION RATES AND SLOPE**

		30-45 MPI SOILS		
CONVENTIONAL SYSTEM				
SLOPE	1-2 BEDROOMS	3 BEDROOMS	4 BEDROOMS	5 BEDROOMS
0-5%	20,000	25,000	30,000	35,000
5-15%	22,500	25,000	40,000	50,000
15-25%	35,000	40,000	50,000	60,000
ALTERNATIVE SYSTEM				
SLOPE	1-2 BEDROOMS	3 BEDROOMS	4 BEDROOMS	5 BEDROOMS
0-5%	20,000	20,000	25,000	30,000
5-15%	22,500	22,500	25,000	30,000
15-25%	30,000	35,000	45,000	50,000

		60 MPI SOILS		
CONVENTIONAL SYSTEM				
SLOPE	1-2 BEDROOMS	3 BEDROOMS	4 BEDROOMS	5 BEDROOMS
0-5%	25,000	35,000	40,000	45,000
5-15%	25,000	35,000	45,000	50,000
15-25%	35,000	45,000	50,000	60,000
ALTERNATIVE SYSTEM				
SLOPE	1-2 BEDROOMS	3 BEDROOMS	4 BEDROOMS	5 BEDROOMS
0-5%	25,000	30,000	40,000	40,000
5-15%	25,000	30,000	40,000	40,000
15-25%	30,000	45,000	50,000	60,000

		75 MPI SOILS		
CONVENTIONAL SYSTEMS – NOT PERMITTED				
ALTERNATIVE SYSTEM				
SLOPE	1-2 BEDROOMS	3 BEDROOMS	4 BEDROOMS	5 BEDROOMS
0-5%	40,000	45,000	50,000	65,000
5-15%	40,000	45,000	55,000	65,000
15-25%	55,000	60,000	75,000	80,000

h. Access to Dwellings

Access and circulation shall adequately provide for fire fighting, other emergency equipment, service deliveries, furniture moving vans and refuse collection.

i. Pedestrian Circulation

The pedestrian circulation system and its related walkways shall be insulated as completely as possible from the street system in order to provide separation of pedestrian underpasses or overpasses in the vicinity of schools, playgrounds, local shopping areas, and other neighborhood uses which generate a considerable amount of pedestrian traffic.

4. Environmental Protection

The following provisions shall apply within all developments approved under the authority of this section.

a. Tree Preservation

All developments approved under this provision shall fully comply in all regards with the Tree Protection and Planting Ordinance, **(Ordinance No. 501, Adopted May 17, 2001, (A Freestanding Ordinance))**.

b. Slope Protection

It shall be the general policy of the Planning Commission to discourage alteration of slopes where the natural topography exceeds fifteen (15) percent. In particular, toe cuts along the base of such slopes shall be avoided. In any instance where either roads or building sites are proposed upon slopes exceeding fifteen (15) percent, any and all alterations shall be evaluated by a licensed geotechnical engineer and the proposed construction activity certified as stable prior to any clearing or excavation. No portion of any building envelope shall be located on a slope in excess of twenty (20) percent and all portions of any lot which contain slopes in excess of twenty (20) percent shall remain undisturbed.

c. Siltation and Erosion Control

A plan of siltation and erosion control shall be approved for all developments subject to the provisions of this section. Such plan shall be instituted at the time construction activity or land alteration is begun and shall remain in effective operation throughout the entire period when land development is taking place.

d. Floodplain Protection

No portion of any lot proposed as a building site may lie within any area designated in Article VIII, "Land Subject To Flood" as being subject to the floodplain protection provisions of this ordinance.

e. Unstable Geological Areas

A preliminary soil analysis taken from USDA Soil Conservation Service soil mapping shall be required for any development containing natural slopes in excess of ten (10) percent. Where any portion of the development site is found to contain Dellrose Cherty Silt Loam or Bodine-Sulfura Complex soil a detailed geotechnical investigation and report shall be prepared. This report prepared by a Geotechnical Engineer licensed and certified in the State of Tennessee shall certify that the construction techniques proposed adequately mitigate all potential soil hazards identified in the investigation and report. In any instance where unstable soils and/or geological conditions not identified upon USDA soil mapping may be discovered upon any proposed building site, no construction may take place until a detailed geotechnical investigation and report is prepared. This report shall certify that the construction techniques, specifically including an engineered foundation for all buildings adequately mitigate all potential soil hazards.

5. Open Space Requirements

Any common open space provided within a development shall:

- a. Meet the requirements for quality and improvement established in Article VIII, Subsection 8-204.1.
- b. Be protected by covenants as outlined in Article VIII, Subsection 8-204.4, which will insure the improvement and continued maintenance of all such properties.
- c. Serve as recreational area and open space only.
- d. Be transferred to a private maintenance trust at a time and in the manner specified by the Planning Commission as a condition of approval of the project.

5-104.4 Development Standards for Attached Dwellings

1. Purposes

The provisions set forth herein are intended to apply to all attached dwellings, as defined by this ordinance, whether such units are popularly described as town houses, atrium houses, or by any other name. The specific provisions appearing below shall apply to all attached dwellings regardless of the district in which such may be located. Provided,

however, that in any instances where this use is located within a development approved under the provisions of Subsection 5-104.3, (Variable Lot Size Residential Development) of this article or a planned unit development, alternative standards for yards, building spacing and open space may be substituted. It is the express purpose of these provisions to establish design criteria and to provide for implementation of these provisions by Planning Commission review of a Master Development Plan, as specified in Article XIV, Subsection 14-103.3.

2. Design Criteria, General

It is intended that attached dwellings where they are permitted:

- a. May be appropriately intermingled with other types of housing;
- b. Shall not form long, unbroken lines of row housing; and
- c. Shall constitute groupings making efficient economical, comfortable, and convenient use of land and open space, and serving the public purposes of zoning by means alternative to conventional arrangements of yards and buildable areas.

3. Design Criteria, Detailed

- a. The density, or number of dwelling units permitted within a given area, shall be computed utilizing the development area per dwelling unit for the district in which the attached dwellings are to be located. In any instance where a particular development is located in more than one district the density shall be separately computed for each district and no density may be transferred between districts.
- b. The minimum zone lot for any single family attached dwelling not located within a development approved under the provisions of Subsection 5-104.3 (above) or a planned unit development shall be as required to meet basic district provisions.
- c. The maximum lot coverage and impervious surface ratios set forth for the district may be exceeded for a given lot within a development of attached dwellings. However, such ratios shall apply to the project when considered in aggregate (i.e. total building coverage divided by total gross development site area). In any instance where a development may lie within two or more zoning districts the coverage ratio for each district shall apply to all development within it. No transfer of bulk or site coverage shall be permitted among zoning districts.
- d. Minimum width for the portion of the lot on which an attached dwelling is to be constructed shall be twenty-two (22) feet.
- e. Not more than six (6) contiguous dwellings shall be built in a row with the same or approximately the same front line, and not more than twelve (12) dwellings shall be contiguous.

- f. Street sidewalks and on-site walks shall be provided for convenient and safe access to all living units from streets, driveways, parking courts, or garages and for convenient circulation and access to all facilities.

4. Access

Access and circulation shall adequately provide for fire fighting equipment, service deliveries, furniture moving vans, and refuse collection; and pedestrian access shall be provided at the rear of each attached dwelling.

5. Parking

Parking shall be provided in accordance with Article X, Parking, Loading and Access Regulations, of this ordinance. Off-street parking may be grouped in bays, either adjacent to streets or in the interior of blocks. Such parking areas shall generally be located in close proximity to the dwelling units they are designed to serve. At least one (1) parking space per dwelling unit shall be located so as to provide a maximum walking distance of two hundred (200) feet from the nearest entrance of the dwelling unit it is to serve. Where appropriate, common driveways, parking areas, walks and steps shall be maintained and lighted for night use. Screening of parking and service areas shall be encouraged through ample use of trees, shrubs, hedges and screening walls.

6. Open Space Requirements

Attractive outdoor sitting areas shall be provided, appropriate in size, type and number to the needs of the residents. Active recreation areas shall be provided which are appropriate for the needs of the residents. Activities may vary from horseshoe pitching, shuffleboard, swimming, or tennis or golf, horseback riding, and boating in large projects. Well equipped playgrounds of adequate size and number shall be provided where it is anticipated that children will occupy the development. Any common open space provided within a development of attached dwellings shall:

- a. Meet the requirements for quality and improvement established in Article VIII, Subsection 8-204.1.
- b. Be protected by covenants as outlined in Article VIII, Subsection 8-204.4, which will insure the improvement and continued maintenance of all such properties.
- c. Serve as recreational area and open space only.
- d. Be transferred to the private maintenance trust at a time and in the manner specified by the Planning Commission as a condition of approval of the project.

7. Yard Requirements

The basic yard provisions established for the district within which the development is located shall apply along all portions of such lots as may abut the periphery, excepting any portion of such lots as may involve the use of party walls. Except when located within a development approved under Subsection 5-104.3 (Variable Lot Size Residential Development) or a planned unit development, the yard requirements established for the district shall be met, excepting along points of attachment between attached dwellings. Along all points of attachment party walls (see Subsection 5-103.7) shall be provided.