

ZONING ORDINANCE OF THE TOWN OF CORNERSVILLE, TENNESSEE

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Effective Date: March 3, 2022

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ARTICLE 1
ENACTMENT

SECTION

- 1.1 Authority
- 1.2 Title
- 1.3 Intent and Purpose
- 1.4 Enactment
- 1.5 Applicability
- 1.6 Repeal

1.1 AUTHORITY

An ordinance, in pursuance of the authority granted by Section 13-7-201 through 13-7-210, Tennessee Code Annotated, to regulate, in the Town of Cornersville, Tennessee, the location, height, bulk, number of stories and size of buildings and other structures, the percentage of the lot which may be occupied, the sizes of yards, courts and other open spaces, the density and distribution of population, and the uses of buildings, structures and land for trade, industry, residence, recreation, agricultural, forestry, soil and water conservation, public activities and other purposes including areas subject to flooding; to provide for the orderly and reasonable uses of solar energy in the interest of public health, safety and general welfare; to provide methods of administration of this ordinance, and to prescribe penalties for the violation thereof.

1.2 TITLE

This ordinance shall be known as Zoning Ordinance of the Cornersville, Tennessee. The zoning map shall be referred to as the Official Zoning Map of Cornersville, Tennessee, and all explanatory matter thereon is hereby adopted and made a part of this ordinance.

1.3 INTENT AND PURPOSE

The intent and purpose of this ordinance is to promote the public health, safety, morals, convenience, order, prosperity, and general welfare by:

- A. Enhancing the character and stability of residential, businesses, commercial, and industrial areas, and promoting the orderly and beneficial development of such areas;
- B. Preventing overcrowding of land;
- C. Conserving the value of land and buildings;
- D. Minimizing traffic hazards and congestions;

- E. Preventing undue concentration of population;
- F. Providing for adequate light, air privacy, and sanitation;
- G. Reducing hazards from fire, flood, and other dangers;
- H. Assisting in the economic provision, utilization, and expansion of all services provided by the public, including but not limited to roads, water and sewer service, recreation, schools, and emergency services;
- I. Encouraging the most appropriate uses of land;
- J. Enhancing the natural, man-made and historical amenities of Cornersville, Tennessee.

1.4 ENACTMENT

Except as hereinafter provided, no building shall be erected or structurally altered, nor shall any building or premises be utilized for any purpose, other than those permitted in the zoning district in which the building or premises is located. No land or lot area shall be so reduced or diminished that the yards or open spaces shall be smaller than prescribed herein, nor shall the lot area per family be reduced in any manner, except in conformity with the area regulations hereby established for the district in which such building is located. No yard or other open space provided about any building for the purpose of complying with these regulations shall be considered as providing a yard or other open space for any other building.

1.5 APPLICABILITY

- A. General. The provisions of this zoning ordinance shall apply to the development of all land within the jurisdiction of the Town of Cornersville. No development shall be undertaken without prior authorization pursuant to this zoning ordinance, and no land use may occur that is inconsistent with this zoning ordinance
- B. Minimum Requirements. The requirements of this zoning ordinance shall be considered as the minimum requirements for land use and development within the Town of Cornersville. It is not intended to interfere with or abrogate or annul any easements, covenants, or other agreements between parties. Where this zoning ordinance imposes a greater restriction upon property than that imposed by other regulations, easements or agreements, the provisions of this zoning ordinance shall govern.
- C. New Uses and Development. Upon the adoption of this zoning ordinance or any a subsequent amendment, any new building or structure or tract of land shall be used, constructed, or developed only in accordance with all applicable provisions of this zoning ordinance.

- D. Existing Uses and Development. Any use, lot, building, or structure existing prior to the adoption of this zoning ordinance that does not comply with all of its provisions shall be subject to the regulations of the nonconforming provisions.

1.6 REPEAL

The existing Municipal Zoning Ordinance of the Town of Cornersville, dated November 4, 1993, and all subsequent amendments thereto, are hereby repealed. The adoption of this ordinance, however, shall not affect or prevent any pending or future prosecution of an action to abate any existing violation of said regulations, as amended, if the violation is also a violation of this ordinance.

ARTICLE 2

DEFINITIONS

SECTION

- 2.1 Scope
- 2.2 Definitions

2.1 SCOPE

For the purpose of this ordinance and in order to carry out the provisions and intentions as set forth herein, certain words, terms, and phrases are to be used and interpreted as follows:

- A. The word “person” includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
- B. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
- C. The word “shall” is mandatory.
- D. The word “may” is permissive.
- E. The words “used” or occupied” includes the words “intended”, “designed”, or “arranged to be used” or “occupied”.
- F. The word “lot” includes the words “plot” or “parcel”

2.2 DEFINITIONS

- A. The following words, terms, and phrases are hereby defined as follows and shall be interpreted as such throughout this Zoning Ordinance. Terms not herein defined shall have their standard dictionary definition or such as the context may imply.

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

ACCESSORY BUILDING OR STRUCTURE: A subordinate building, the use of which is incidental to that of a principal building and located on the same lot therewith.

ACCESSORY USE: A use customarily incidental, appropriate, and subordinate to the principal use of land or buildings and located upon the same lot therewith.

ADDITION: Any construction that increases the size of a building or structure in terms of site coverage, height, length, width, or gross floor area.

ADVERTISING: Includes any writing, printing, painting, display, emblem, drawing, sign, or other device designs used or intended for advertising, whether placed on the ground, rocks, trees, tree stumps, or other natural structures or on buildings, structures, milestones, signboards, wallboard, roofboard, frames, supports, fences or other man-made structure, and any such advertising is a structure within the meaning of the word “structure” as utilized in this ordinance.

ADVERTISING SIGN OR STRUCTURE: See SIGN.

ALLEY: A minor right-of-way, dedicated to public use, which affords a secondary means of vehicular access to the back or side of properties otherwise abutting a street, and which may be used for public utility and public service purposes.

ALTERATION: As applied to a building or structure, means a change or rearrangement in the structural parts, or an enlargement, whether by extending a side or by increasing its height or structural changes, other than repairs, that would affect safety. The term “alter” in its various modes and tenses and its practical forms, refers to the making of an alteration.

APPLICANT: The owner or optionee of land proposed to be developed or subdivided or his authorized representative.

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.

ATTACHED: An enclosure having continuing walls, roof and floor.

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

BASEMENT: A story partly or wholly underground. For purposes of height measurement, a basement shall be counted as a story when more than one-half of its height is above the average ground elevation or when subdivided and used for commercial activities.

BLOCK: A block is a tract of land bounded by streets, or a combination of streets and railroad rights-of-way or municipal boundary lines.

BLOCK FACE: That portion of a block or tract of land facing the same side of a single street and lying between the closest intersecting streets.

BOARD OF MAYOR AND ALDERMEN: The legislative body of the Town of Cornersville, Tennessee.

BOARD OF ZONING APPEALS (“BZA”): The Town of Cornersville Board of Zoning Appeals.

BUFFER YARD: A buffer yard is a unit of open space improved with screening and/or landscaping materials used to increase compatibility between commercial or industrial districts adjacent to any residential district, or residential developments of differing densities and/or intensities which may or may not be greater than the required yard areas for the zoning district. Within all commercial or industrial districts adjacent to any residential district, buffer yards shall be required to separate certain activities from others in order to eliminate or minimize potential nuisances such as dirt, litter, noise, glare of lights, signs, and buildings or parking areas, to protect the character of residential areas and conserve property values.

BUILDABLE AREA: The portion of a lot, excluding required setbacks, where a structure or building improvements may be erected.

BUILDING: Any structure having a roof supported by columns or by walls, including tents, lunch wagons, dining cars, mobile homes or trailers, and similar structures whether stationary or movable.

BUILDING CODE: The adopted editions of the International Codes published by the International Code Council (ICC) including amendments administered and enforced by the authority having jurisdiction regarding construction within the Town of Cornersville.

BUILDING COVERAGE: That portion of the lot that is or may be covered by the principal structure and any detached accessory structures.

BUILDING ENVELOPE: The three-dimensional space within which a structure is permitted to be built on a lot and which is defined by regulations governing building setbacks, maximum height, and bulk, by other regulations, and/or by any combination thereof.

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

BUILDING HEIGHT: The vertical distance from the average ground elevation or finished grade at the building line, whichever is the highest, to the highest point of the building or structure.

BUILDING, MAIN OR PRINCIPAL: A building in which is conducted the principal use of the lot on which it is situated. In any residential district any dwelling shall be deemed to be a main building on the lot on which it is situated.

BUILDING PAD: The foundation area of a building.

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.

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 that future street right-of-way line, and the front of a building on a lot. The front building setback line extends the full width of the lot and is parallel to the street right-of-way.

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

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

BULK: Describes the size of buildings or other structures and their relationship to each other and to open areas and lot lines.

CERTIFICATE OF OCCUPANCY: A certificate required by this ordinance that certifies that a use, building, or structure complies with the provision of this zoning ordinance and the building code.

COMMERCIAL USE: A land use classification that permits facilities for the buying and selling of commodities and services; a business use or activity at a scale greater than an incidental home occupation involving retail or wholesale marketing of goods and services for the public.

COVERAGE: The percentage of a lot which is covered by all buildings located therein, including the area covered by all overhanging roofs.

CROSS ACCESS: A vehicular and/or pedestrian connection between abutting properties for the purpose of providing connections from one lot to another without re-entering a public or private street.

CURB LAWN: A strip of grass-covered land located between the sidewalk and curb that may be planted with street trees and other landscaping materials.

DENSITY: A numerical ratio representing the total number of residential dwelling units on a lot divided by the horizontal area of the lot, expressed in terms of “units per acre.”

DEVELOPMENT: The division of a parcel of land into two (2) or more parcels; the construction, reconstruction, renovation, conversion, structural alteration, relocation or enlargement of any buildings or structures; any use or change in use of any buildings, structures or land; any extension of any use of land; or any clearing, grading or other movement of land, for which permission may be required pursuant to this ordinance. This term shall also relate to the consolidation of tracts.

DISTRICT: Any section or sections of the area lying within Cornersville, Tennessee, but outside the corporate limits of any municipality for which the regulations governing the use of land, density, bulk, height, and coverage of buildings and other structures are in force.

DRAINAGE: The removal of surface water or groundwater from land by drains, grading or other means. Drainage includes the control of runoff, to minimize erosion and sedimentation during and after development, and the means necessary for water supply preservation or prevention or alleviation of flooding.

DRAINAGEWAY: Minor watercourses which are defined either by soil type or by the presence of intermittent or perennial streams or topography which indicates a swale where surface sheet flows join. The following areas are drainageways:

1. The land, except where areas are designated as floodplain, on either side of and within fifty (50) feet of the centerline of any intermittent or perennial stream shown on the U.S. Geological Service's (USGS) 7.5-minute quadrangle sheets covering Cornersville.
2. The land, except where areas are designated as floodplain, on either side of and within twenty-five (25) feet of the centerline of any swale identified by topography having a minimum of five (5) acres of upstream area.

DWELLING: A building or part thereof used as habitation under one of the following categories:

1. Single detached dwelling means a building and accessories thereto principally used, designed, or adapted for use by a single household.
2. Duplex dwelling means a building and accessories thereto principally used, designed, or adapted for use by two households, the living quarters of each of which are complete separate.
3. Multi-family apartment or dwelling means a residential structure containing nine or more dwelling units within a structure on a single lot not to exceed a total of sixteen dwelling units per building. A multi-family dwelling does not include a two-family, three-family, or townhouse dwelling. .
4. Rooming house means a building and accessories thereto principally used, designed, or adapted to provide living accommodations for not more than six occupants and without owner-provider cooking and dining facilities.
5. Boarding house means a building and accessories thereto principally used, designed, or adapted to provide living accommodations for not more than six occupants and having common cooking and dining facilities.
6. Townhouse means a residential development consisting of three or more dwelling units not to exceed a total of eight dwelling units per building, where each dwelling unit is connected by a party wall with a separate exterior entrance and yard areas, and where each individual townhouse dwelling unit within a townhouse development is located on a separate lot or created under a condominium form of ownership for each unit. A townhouse dwelling does not include a two-family, three-family, or multi-family dwelling.

7. Condominium means an apartment building or townhouse containing three or more dwelling units separated by a common vertical wall.
8. Mobile home dwelling means a detached one-family dwelling with all the following characteristics:
 - a. 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.
 - b. Constructed as a single self-contained unit and mounted on a single or combined chassis transportable after fabrication on its own wheels or detachable wheels.
 - c. Arriving at the site where it is to be occupied as a dwelling complete, including major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and assembly operations, location on foundation supports connection to utilities, and the like.
9. Prefabricated dwelling means a single detached dwelling constructed primarily offsite, designed to be transported on a flat-bed truck or trailer, provided that it is installed on a permanently enclosed concrete or masonry foundation, with sewer and water connections designed for permanent connection to municipal or sanitary or onsite systems, and permanently connected to such systems. Such structures are distinguished from mobile homes as described elsewhere in this ordinance when they have a minimum gross floor of six hundred square feet and have no horizontal exterior dimensions of less than fifteen feet not including porches or carports. When such a structure meets the above stated requirements it shall qualify as a single detached dwelling.
10. Travel Trailer means a vehicular portable structure designed as a temporary dwelling for travel and recreational purposes only.

DWELLING UNIT: A structure or portion of a structure providing complete, independent living facilities for one household, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

DRIVEWAY: A pathway for motor vehicles extending from a street or alley to a lot used to access parking areas of the lot. A driveway may also serve as parking for single-family detached and two-family dwellings.

EASEMENT: Authorization by a property owner for another party to use or otherwise control one or more property rights for a specified purpose any designated part of his property.

ENCROACHMENT: The extension or placement of any structure, or a component of such, into a required setback or right-of-way.

ERECT: To build, construct, attach, hang, place, suspend, or affix.

EROSION: The detachment and movement of soil or rock fragments by water, wind, ice and/or gravity.

EXTERIOR LIGHTING: The illumination of an outside area or object by any man-made device that produces light by any means.

FAMILY: One or more persons occupying a single dwelling unit, provided that unless all members are related by blood or marriage, no such family (expecting as set forth below) shall contain over five persons, but further provided that domestic servants employed on the premises may be housed on the premises without being counted as a family or families, and that four or less boarders, including roomers, may be accommodated. The term “family” shall not be construed to mean a fraternity, sorority, club, or institutional group. The term “family,” as used in this ordinance, shall also be construed to include any home where groups of eight 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.

FENCE: A structure used as a boundary, screen, separation, means of privacy, protection, barrier, and/or confinement, and is constructed of wood, plastic, metal, wire mesh, masonry, or other similar material.

FLOOD, FLOODPLAIN: See ARTICLE 3, Section 3.10.

FLOOR AREA: The total of the gross horizontal area of all floors, including usable basements and cellars, below the roof and within the outer surface of the main walls of principal or accessory buildings or the center lines of party walls separating such buildings or portions thereof, or within lines drawn parallel to and two feet within the roof line of the building or portions thereof without walls, but excluding in the case of non-residential facilities; arcades, porticoes, and similar open areas which are accessible to the general public, and which are not designed or used as sales, display, storage, service, or production areas.

FLOOR AREA RATIO (FAR): The ratio of the floor area to the area of the lot upon which the building is situated. (For example, a building containing 5,000 square feet of floor area which is located on a lot of 10,000 square feet has a floor area ratio (FAR) of 0.50).

FOOTCANDLE: A unit of illumination produced on a surface, all points of which are one (1) foot from a uniform point source of one (1) candle.

FRONTAGE: All the property on one side of a street between two intersection streets (crossing or terminating) measured along the line of the street, or if the street is dead ended, then all the property abutting on one side between an intersecting street and the dead end of the street.

GARAGE: A structure, either attached or detached, used for the parking and storage of vehicles as an accessory use to a residence. For the purposes of this definition, garage does not include a commercial parking structure.

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

GRADING: Any operation or occurrence by which the existing site elevations are changed by cutting, filling, borrowing or stockpiling, or where any ground cover, landscaping or trees, natural or manmade, is removed, or any buildings or other structures are removed or any watercourse or body of water, either natural or manmade, is relocated on any site, thereby creating an unprotected area.

GREENWAY: A linear park, alternative transportation route, or open space conservation area that provides passive recreational opportunities, pedestrian and/or bicycle paths, and/or the conservation of open spaces or natural areas.

GROSS FLOOR AREA: The sum of the gross horizontal areas of all floors of the structure.

HABITABLE: Any floor of a residential or non-residential building, usable for the purposes of living, working, sleeping, eating, cooking or recreation, or any combination thereof.

HEALTH DEPARTMENT: The State of Tennessee Department of Environment and Conservation Ground Water Protection.

HOME OCCUPATION: An occupation, service, profession, or enterprise employing no more than one employee other than the resident of the home, and located entirely within a residential building, secondary to the use of the building for dwelling purposes, and does not change the essential residential character or appearance of such building. See ARTICLE 5, Section 5.1.

HOUSEHOLD: A group of individuals related by blood, marriage, civil union, or adoption, guardianship, or other custodial relationship, or not more than four persons not so related, living together in a dwelling unit as a single housekeeping unit. For the purposes of zoning law in Tennessee, the classification "single family dwelling" includes shall also be construed to include any home where groups of eight 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.

INCIDENTAL: A secondary land use, on the same lot or tract that is customarily associated with the primary use of the land as regulated by law.

LANDSCAPING: The planting and maintenance of trees, shrubs, lawns, and other ground cover, or materials.

LANDHOLDER: The legal or beneficial owner or owners of all the land proposed to be included in a planned unit development. The holder of an option or contract to purchase, a lessee having a remaining term of not less than fifty years in duration, or other person having an enforceable proprietary interest may be considered a "landholder" for the purpose of this ordinance.

LOADING SPACE: An area ten (10) feet by forty (40) feet with a height clearance of fourteen (14) feet providing for the standing, loading, or unloading of a truck or other vehicle. LOT: A piece, plot, or parcel of land in one ownership, which may include one or more lots of record, occupied or to be occupied by one or more principal building and accessory buildings, including the open spaces required under this ordinance.

LOT: A tract, plot or portion of a subdivision or parcel of land intended as a unit for the purpose, whether immediate or future, for transfer of ownership or for building development.

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

LOT, CORNER: A lot of which at least two adjoining sides abut their full lengths on a street, provided that the interior angle at the intersection of two such sides is less than one hundred thirty-five (135) degrees.

LOT, DEPTH: The average distance from the street line of the lot to its rear line, measured in the general direction of the sidelines of the lot.

LOT, DOUBLE-FRONTAGE: A lot which fronts upon two parallel streets, or which fronts upon two streets which do not intersect at the boundaries of the lot. A double-frontage lot is also called a through lot.

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

LOT, INTERIOR: A lot other than a corner lot.

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

LOT OF RECORD: A lot which is part of a subdivision recorded in the office of the Marshall County Register of Deeds, or a lot described by metes and bounds, the description of which has been recorded in the office of the Marshall County Register of Deeds prior to the effective date of this ordinance.

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

MAJOR THOROUGHFARE PLAN: A transportation plan adopted by the Town of Cornersville identifying and classifying arterial and collector roads and other related transportation improvements.

MEDICAL FACILITIES:

1. Convalescent, Retirement or Nursing Home: A health facility where persons are housed and furnished with meals and continuing nursing care for compensation or fee.

2. Dental Clinic or Medical Clinic: A facility for the examination and treatment of ill and afflicted human out-patients, provided, however, that patients are not kept overnight except under emergency conditions.
3. Hospital: An institution providing health services primarily for human in-patient medical care for sick or injured and including related facilities such as laboratories, out-patient facilities, emergency medical services, and staff offices which are an integral part of the facility.
4. Public Health Center: A facility utilized by a health unit for the provision of public health services.

MIXED-USE DEVELOPMENT: A development that includes primary residential uses and primary nonresidential uses that are part of the same integrated development, whether within the same building or on the same walkable, interconnected site.

MULTI-TENANT RETAIL CENTER: A group of two or more commercial establishments that is planned, owned, and/or managed as a single property. The two main configurations of multi-tenant retail centers are large shopping centers/malls and strip centers.

MURAL: Paintings, images, graphics, mosaics, frescos, or other artwork attached or applied directly to the exterior wall surface of a building. Murals containing a lettered, numbered, symbolic, pictorial, or illuminated visual display designed to identify, announce, direct, inform or promote a business, service, or the sale of a product are considered a sign and will be subject to regulation as such. See also Article 4, Section 4.17.

NONCONFORMING STRUCTURE: A structure that was originally legally constructed, but which now does not meet one or more of the standards or requirements (other than use) of the zoning district in which it is located.

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.

NOXIOUS 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.

OFF-STREET PARKING: The storage space for an automobile on premises other than streets or rights-of-way.

OPEN SPACE: The portion of a site consisting of reserved agricultural, forested or grassland common areas, not including required buffer yards. Open space should clearly be an integral part of the development and remain undeveloped in perpetuity.

OUTDOOR STORAGE: Outdoor storage is defined as any material or item stored outside for more than 24 hours and that is accessory to the use of the property.

OWNER: Any person, including the owner of the title or a mortgage whose interest is shown of record in the mortgage and conveyance records; a person shown as owner in the records of the tax assessor of the county in which the property is situated; or the agent of any such person and those in possession of a dwelling, dwelling unit, or premises.

PARCEL: The area within the boundary lines of a plat.

PARK: An area permanently devoted to recreational uses and generally characterized by its natural, historic, or landscaped features, and used for both passive and active forms of recreation designed to serve the residents or a neighborhood, community, region and/or State.

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

PARKING SPACE: An off-street space available for parking one motor vehicle and having an area of not less than one hundred sixty-two (162) square feet exclusive of passageways and driveways giving access thereto and having access to a street or alley.

PARTY WALL: A wall separating two individual dwelling units which are attached at the wall and which is constructed as a fire separation extending from the footings through the roof assembly without openings and would prohibit the spread of fire from one dwelling unit to another.

PERSON: An individual, firm, partnership, corporation, company, association, joint stock association, or body politic, and includes a trustee, receiver, assignee, administrator, executor, guardian, or other representative.

PLANNED DEVELOPMENT: A land tract in which a variety of land uses may be permitted, designed to facilitate the flexible techniques of land development and site design by providing relief from zone requirements for convention developments. It requires approval of a master, or concept plan, and usually promotes common objectives. Rezoning is required to designate as a Planned Development on the Official Zoning Map.

PLANNING COMMISSION: The Town of Cornersville Municipal Planning Commission.

PRINCIPAL STRUCTURE: A structure in which is conducted the principal use of the lot on which it is situated. In any residential district, any dwelling shall be deemed the principal structure on the lot on which the same is situated. Carports and garages if permanently attached to the principal structure shall be deemed a part of the principal structure. Awnings, porches, patios, or similar attachments shall be deemed a part of the principal structure with two meeting any yard requirements.

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

PUBLIC USES: Public parks, schools, and administrative, cultural, and service buildings, not including public land or buildings devoted solely to storage and maintenance of equipment and materials.

RENOVATION: As applied to a building, structure, or sign, means a change or rearrangement in the structural parts, or an enlargement, whether by extending a side or by increasing its height or structural changes, other than repairs that would affect safety. The term “renovate” in its various modes and tenses and its practical forms, refers to the renovation or “alteration” of any building, structure, or sign.

RESIDENTIAL USE: A land use classification that permits dwellings and their accessory uses that are used primarily for residence.

RIGHT-OF-WAY: A strip of land occupied or intended to be occupied by public facilities such as a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water main, sanitary or storm sewer line or for another special use. Rights-of-way are publicly owned areas of land not to be confused or interpreted as easements.

ROOFLINE: The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or minor projections.

ROADWAY: The actual road surface including necessary road shoulders and drainage facilities including ditches and curbs and gutters, which is used to transport motor vehicles.

SEMI-PUBLIC USE: A use conducted by, or a facility or structure owned or operated by, a non-profit, religious, governmental, academic, or charitable institution that provides educational, cultural, recreational, religious, or other similar types of public services.

SETBACK: The distance a structure must be built from a lot line or road right-of-way in accordance with this zoning ordinance. Required setbacks are also referred to as yards. The following setback types are referenced:

1. Front setback (a.k.a. street setback) - A setback extending along the full length of the lot line abutting a street.
2. Rear setback - A setback extending for the full length of a lot line not abutting a street, on the opposite end of a lot from a front setback.
3. Side setback - A setback extending along a lot line from the front setback to the rear setback.

SHOPPING CENTER: A group of compatible commercial establishments, planned, developed, and managed as a single unit, with an automobile storage area provided on the property; the center must also be related in location, size, and type of businesses to its’ trade area.

SIGN: A lettered, numbered, symbolic, pictorial, or illuminated visual display designed to identify, announce, direct, inform or promote a business, service, or the sale of a product. See also ARTICLE 4, Section 4.16.

SITE PLAN: A graphic depiction of features on a site such as existing and proposed structures, paved areas, ingress/egress points and landscaped areas along with certain information as required in this zoning ordinance.

SPECIAL USE (SPECIAL EXCEPTION OR CONDITIONAL USE): A special use is a use that would not be appropriate generally or without restriction throughout the zoning districts but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Such uses may be permitted in such zoning district as conditional uses, when specific provisions for such use are made in this ordinance. Special uses require approval by the Board of Zoning Appeals. For the purposes of administration of this ordinance, conditional uses shall be construed as synonymous with special exceptions, as controlled by Section 13-7-207, Tennessee Code Annotated.

START OF CONSTRUCTION: Includes substantial improvement and means the date the zoning compliance certificate was issued, provided the actual start of construction, repair, reconstruction, or improvement was within one hundred eighty (180) days of the permit day. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations, or the erection of temporary forms; nor does it include the installation of the property of accessory buildings, such as a garage or shed not occupied as a dwelling unit or not as part of the Principal Structure.

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 feet or more of head clearance equals less than fifty percent of the floor area of the story next below. Provided it is not used as a dwelling unit, a top floor in which the floor area with eight feet or more of head clearance equals less than fifty percent of floor area of the story next below shall be a "half-story". A basement shall be considered as a story if more than one-half (of its height is above the average ground level from which the "height of a building" is measured or if it is used for commercial purposes.

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

STRUCTURE: Any combination of materials, including buildings, constructed or erected, the use of which requires location on the ground or attachment to anything having location on the ground and including among other elements, signs, billboards, and fences.

STRUCTURAL ALTERATION: Any change, other than incidental repairs, which would prolong the life of supporting members of a structure, such as the addition, removal, or alteration of bearing walls, columns, beams, girders or foundations.

SUBDIVISION: Any subdivision or re-division of a parcel of land as defined under Tennessee Code Annotated.

SUBSTANTIAL IMPROVEMENT: Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either (a) before the repair or improvement or (b) before damage occurred. For the purpose of this definition, "Substantial Improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural component of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to ensure safe occupancy or (2) any alternation or restoration of a structure listed on the National Register of Historic Places or a State of Tennessee inventory of historic places.

TEMPORARY USE: Any activity or use on a lot or parcel that is intended to exist on a temporary basis and not become permanent.

TOWER, COMMUNICATIONS OR OTHER: Towers and accessory buildings for transmitting and receiving radio, television, telephone, satellite, and other broadcast signals, including radar surveillance.

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

USE: A function or operation that constitutes an activity occurring on the land.

VARIANCE: Permission granted by the Board of Zoning Appeals to depart from the strict applications of the provisions contained in this ordinance according to the provision of Article 7, Section 7.8.

VESTING OF DEVELOPMENT: See ARTICLE 7, Section 7.5.

YARD: An open space 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 the rear yard.

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

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

YARD, SIDE: The required space unoccupied except as herein provided, measured between the side lot line and the nearest point of the principal building and between the front yard and the rear yard.

ZONING ADMINISTRATOR: The official, employee, or third-party provider responsible for implementing and enforcing the applicable building codes and standards for the Town of Cornersville, Tennessee.

ARTICLE 3

ZONING DISTRICTS

SECTION

- 3.1 Zoning Map
- 3.2 Zoning District Boundaries
- 3.3 Applicability of Map Amendment
- 3.4 Classification of Districts
- 3.5 Use Regulations
- 3.6 Residential Districts
- 3.7 Commercial Districts
- 3.8 Industrial Districts
- 3.9 Reserved
- 3.10 Floodway District
- 3.11 Planned Development
- 3.12 Zoning of Annexed Lands

3.1 ZONING MAP

The location and boundaries of the zoning districts established by this ordinance are bounded and defined as shown on the map, entitled Zoning Map of Cornersville, Tennessee. The zoning map and any amendment thereto shall be dated with the effective date of the ordinance that adopts same. Certified prints of the adopted Zoning map and zoning map amendments shall be maintained in Town Hall, the office of the Zoning Administrator, or in a location designated by the Town and shall be available for inspection by the public at all reasonable times, as long as this ordinance remains in effect.

3.2 ZONING DISTRICT BOUNDARIES

Unless otherwise indicated on the zoning map amendment, the district boundaries are lot lines, center lines of streets or alleys, or the Cornersville corporate boundary lines as they exist at the time of the enactment of the zoning ordinance. Where a district boundary line is shown as being within or along a street, other public or private way, or an extension of any of them, the boundary is the centerline of that street, other public or private way, or extension of any of them. Where a district boundary line is shown as along a lot line, the boundary is that lot line. Questions concerning the exact locations of district boundaries shall be determined by the Board of Zoning Appeals.

Where a district boundary line divides a lot existing at the time this ordinance takes effect, and the major portion of said lot is in the less restricted district, the regulations relative to that district may extend as well to such portion of said lot as is not more than twenty (20) feet within the more restricted district.

3.3 APPLICABILITY OF MAP AMENDMENT

When a map amendment is approved, the ordinance approving such amendment controls the zoning of the lot(s) even if the Official Zoning Map is not immediately updated.

3.4 CLASSIFICATION OF DISTRICTS

For the purpose of this ordinance, the following zoning districts are hereby established in the Town of Cornersville, Tennessee.

A. Residential Districts.

- R-1 Low Density Residential District
- R-2 Medium Density Residential District
- R-3 High Density Residential District

B. Commercial Districts.

- C-1 Central Business District
- C-2 Highway Commercial District
- C-3 Neighborhood Commercial District

C. Industrial Districts.

- I-1 Light Industrial District
- I-2 General Industrial District

D. Floodway District.

- F-1 Floodway District

E. Planned Development.

- PD Planned Development

3.5 USE REGULATIONS

- A. Table 3-1: Use Matrix identifies the principal and temporary uses allowed within each zoning district. For accessory uses, see Article 4. See also Section 3.5 B. for use definitions.

Table 3-1: Use Matrix											
<i>P = Permitted S = Special Exception (Board of Zoning Appeals) Blank = Use not allowed in District</i>											
Principal Use	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2			Use Standard
Agriculture	P	P	P		P	P	P	P			
Animal Care Facility – Large Animal					P		P				
Animal Care Facility – Small Animal					P		P				
Animal Kennel/Breeder					P		P				
Art Gallery				P	P	P					
Art Studio				P	P	P					
Automobile Wrecking								S			
Bar or Tavern				P	P						
Bed and Breakfast	S	S	S								See Sec. 5.1 K.
Broadcast Facility TV/Radio					P		P				
Campground					S						
Car Wash					P						
Cemetery			S		S		S	S			See Sec. 5.1 H.
Children's Home		S	S								
Civic and Institutional		P	P	P	P	P					
Community Center	P	P	P		P						
Contractor's Yard							P	P			
Convenience Sales				P	P	P	S				See Sec. 5.1 B.
Convenience Services				P	P	P	S				
Country Club	P	P	P								
Cultural Facility				P	P						
Customary Home Occupation	P	P	P								See Sec 5.1 A.
Principal Use	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2			Use Standard
Day Care Center	S	S	S		S	S					See Sec. 5.1 N.
Day Care Home	S	S	S			S					See Sec. 5.1 O.
Dwelling – Above the Ground Floor				S							
Dwelling – Accessory Dwelling Unit	P	P	P								See Sec. 5.1 D.
Dwelling – Manufactured Home			S								
Dwelling – Multifamily			P								See Sec. 5.1 C.
Dwelling - Townhouse		P	P								See Sec. 5.1 C.
Dwelling – Single-family	P	P		P							
Dwelling – Two-family (Duplex)		P	P								
Dwelling – Three-family		P	P								
Educational Facility – Primary or Secondary	S	S	S	S	S	S					
Educational Facility – University or College				P	P						
Educational Facility – Vocational				P	P		P				
Financial Institution				P	P	P					
Funeral Home				P	P						
Principal Use	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2			Use Standard
Gasoline Service Station				P	P						
Golf Course/Driving Range					S						
Government Office/Facility	P	P	P	P	P	P	P	P			
Greenhouse/Nursery – Retail					P		P				
Grocery Store				P	P						
Group Home	P	P									See Sec. 5.1 I.
Healthcare Facility/Institution				P	P						
Homeless Shelter					S						
Hotel/Motel				P	P						
Industrial – General								P			
Industrial – Light							P	P			
Automobile Wrecking, Junk and Salvage Yard								P			See Sec. 5.1 G.
Lodging/Meeting Hall				P	P						
Manufactured Home Park			S								See Sec. 5.1 J.

Principal Use	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2			Use Standard
Medical/Dental Office				P	P	P					
Micro-Brewery/Distillery/Winery				S	P		P				
Office				P	P	P	P				
Parking Facility (Principal Use)				P	P						
Personal Service Establishment				P	P	P					
Place of Worship	P	P	P	P	P	P					
Reception Facility		S	S		S						
Recreation Facility		P	P		P						
Recreational Vehicle (RV) Park					S						
Residential Care Facility			S		P						
Restaurant				P	P	P	S				
Retail Goods Establishment				P	P	S					
Retail Liquor Store				P	P						
Sanitary Landfill								S			
Self-Storage Facility							P	P			See Sec. 5.1 M.
Storage Yard							P	P			
Travel Trailer Park					S						
Vehicle Dealership – with Outdoor Storage/Display					P						
Principal Use	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2			Use Standard
Vehicle Rental – Enclosed					P						
Vehicle Rental – with Outdoor Storage/Display					P						
Vehicle Repair/Service				S	P						
Warehouse							P	P			
Wholesale Establishment					P		P				
Wind Energy System					P		P	P			
Adult-Oriented Establishment								S			See Sec. 5.1 L.
Wireless Telecommunications	S	S	S	S	P	S	P	P			See Sec. 5.1 E.
Wireless Telecommunications – Stealth Design Antenna	S	S	S	S	P	S	P	P			See Sec. 5.1 E.
Wireless Telecommunications – DAS Co-Location	P	P	P	P	P	P	P	P			
Wireless Telecommunications – DAS New Pole	P	P	P	P	P	P	P	P			
Temporary Use	R-1	R-2	R-3	C-1	C-2	C-3	I-1	I-2			Use Standard
Farmers Market				T	T	T					See Sec. 5.2 A.
Mobile Food Sales				T	T	T	T	T			See Sec. 5.2 B.
Temporary Contractor Office/Yard	T	T	T	T	T	T	T	T			See Sec. 5.2 D.
Temporary Outdoor Entertainment		T	T	T	T	T					See Sec. 5.2 E.
Temporary Outdoor Sales		T	T	T	T	T	T				See Sec. 5.2 F.
Temporary Real Estate Sales	T	T	T		T						See Sec. 5.2 C.
Temporary Dwelling Unit – Special Hardship	T	T	T								See Sec. 5.2 G.

B. Use Definitions.

All uses within Table 3.1 are defined in this section. Certain uses are defined to be inclusive of many uses. When a use meets a specific definition, it is regulated as such and is not regulated as part of a more inclusive category.

ACCESSORY DWELLING: A detached, self-contained, small dwelling that may be a stand-alone structure or part of a detached garage and located on the same lot as a larger, principal dwelling. An accessory dwelling is incidental to the principal dwelling and is considered to be an accessory building.

ADULT-ORIENTED ESTABLISHMENT: A use type with the same meaning as the term “adult-oriented establishment,” as used in T.C.A. § 7-51-1102, and in construing this term, the definitions contained in T.C.A. § 7-51-1102 (1) – (6) and (9) – (31), are likewise incorporated by reference into and made a part of this ordinance.

AGRICULTURE: Land and associated structures used to grow crops and/or raise livestock for sale, personal food production, donation, and/or educational purposes. The agriculture use includes single-family dwellings and any accessory dwellings that are ancillary to the principal activity of agriculture.

ANIMAL CARE FACILITY – LARGE ANIMAL: An establishment that provides care for large animals, such as horses and cattle, including veterinary offices for the treatment of animals, where animals may be boarded during their convalescence. Animal care facilities do not include animal kennels/breeders.

ANIMAL CARE FACILITY – SMALL ANIMAL: An establishment which provides care for domestic animals, including veterinary offices for the treatment of animals, where animals may be boarded during their convalescence, pet grooming facilities, animal training centers and clubs, and pet boarding facilities, where animals are boarded during the day and/or for short-term stays. Animal care facilities do not include animal kennels/breeders.

ANIMAL KENNEL/BREEDER: An establishment where dogs over six months of age are boarded, bred, raised, and trained for commercial gain. Animal kennel/breeder does not include animal care facilities or shelter and training facilities for canine or equine units of public safety agencies.

ART GALLERY: An establishment that sells, loans and/or displays paintings, sculpture, photographs, video art, or other works of art. Art gallery does not include a cultural facility, such as a library or museum, which may also display paintings, sculpture, photographs, video art, or other works.

ARTS STUDIO: An establishment where an art or activity is taught, studied, or practiced such as dance, martial arts, photography, music, painting, gymnastics, pilates, or yoga. An arts studio also includes private exercise studios for private sessions with trainers and/or private classes.

AUTOMOBILE WRECKING: The dismantling, storage, sale or dumping of used motor vehicles, trailers, or parts thereof. Any lot or place of business which is exposed to weather and upon which more than five motor vehicles of any kind, incapable of being operated, and which it would not be economically feasible to make operative are placed, located, found.

BAR: An establishment where the primary purpose is the sale of alcoholic beverages for consumption on the premises. Snack foods or other prepared food may be available for consumption on the premises as an ancillary use.

BED AND BREAKFAST: A single-family residential dwelling, which may include an accessory dwelling unit, where a resident/owner, who lives on the premises, provides lodging for a daily fee in guest rooms with no in-room cooking facilities, and prepares meals for guests. A bed and breakfast may include dining facilities.

CAMPGROUND: Land used for transient occupancy by camping in tents, camp trailers, travel trailers, motor homes, or similar movable or temporary sleeping quarters.

CAR WASH: An establishment for the washing and cleaning of vehicles or other light duty equipment, whether automatic, by hand, or self-service. The car wash facility may be within an enclosed structure, an open bay structure, or similar configurations.

CEMETERY: Land and structures reserved for the interring of human remains or the interring of animal remains. Cemeteries may include structures for performing religious ceremonies related to the entombment of the deceased, mortuaries, including the sales of items related to the internment of remains, and related accessory structures, such as sheds for the storage of maintenance equipment. Cemeteries may also include crematoriums and embalming facilities.

CIVIC AND INSTITUTIONAL: A civic or institutional use of land, building or structures for a public or non-profit purpose and without limiting the generality of the foregoing, may include such uses as cemeteries, charitable, fraternal or social organizations, clinics, continuum of care facilities, recreation facilities; education facilities, essential services, group homes, hospitals, places of assembly and rehabilitation facilities.

CHILDREN'S HOME: An institutional residential facility that provides housing for and care to minors who are wards of the state, whose parents or guardians are deceased or otherwise unable or unwilling to care for them, or minors housed as an alternative to incarceration. This includes institutions that are located in one or more buildings on contiguous property with one administrative body.

COMMUNITY CENTER: A facility used as a place of meeting, recreation, or social activity, that is open to the public and is not operated for profit and offers a variety of educational and community service activities. A community center may serve as a local "food hub" where regionally grown food, including value added food, can be grown and/or brought for distribution and sale.

CONTRACTOR’S YARD: A facility used for the outdoor storage, repair or maintenance of a contractor's vehicles, equipment or materials commonly used in the individual contractor's type of business and may include the contractor's business office.

COUNTRY CLUB: An establishment open to members, their families, and invited guests organized and operated for social and recreation purposes and which may have indoor and/or outdoor recreation facilities, restaurants and bars, meeting rooms, and similar uses.

CONVENIENCE SALES: The retail sale of small convenience items such as toiletries, tobacco, and magazines. The dispensing of petroleum products may be included as accessory to convenience food products retailing.

CONVENIENCE SERVICES: Services which are typically needed frequently or recurrently, such as barber and beauty care; and includes the operation of self-service Laundromats but excludes other apparel, cleaning, and repair services.

CULTURAL FACILITY: A facility open to the public that provides access to cultural exhibits and activities including, but not limited to, museums, cultural or historical centers, non-commercial galleries, historical societies, and libraries. A cultural facility may include uses such as, but not limited to, retail sales of related items and restaurants as ancillary uses. Cultural facilities may host public or private events and may rent their facilities for such events.

CUSTOMARY HOME OCCUPATION: A business, profession, occupation or trade conducted for gain or support entirely within a residential building which is incidental and secondary to the use of such building for dwelling purposes and which does not change the essential residential character of such building.

DAY CARE CENTER: Any place operated by a person, society, agency, corporation or institution, or any other group wherein are received for pay thirteen (13) or more children under the age of 17 years for group care without the transfer of custody.

DAY CARE HOME: An occupied residence, licensed by the State of Tennessee in which a person provides day care for children other than his/her own family. Such care in a family day care home is limited to that care given between five (5) and 12 children, including children living in the home.

DWELLING – ABOVE THE GROUND FLOOR: Dwelling units located within a single multi-story building located above non-residential uses on the ground floor or to the rear non-residential uses on the ground floor. In the case of dwelling units located behind non-residential uses on the ground floor, non-residential uses must front on the primary street frontage.

DWELLING – ACCESSORY DWELLING UNIT: An additional dwelling unit associated with and incidental to a principal single-family dwelling on the same lot. An accessory

dwelling unit must include separate cooking and sanitary facilities, with its own legal means of ingress and egress, and is a complete, separate dwelling unit. The accessory dwelling unit may be within or attached to the principal dwelling unit structure or within a detached accessory structure, such as a garage, and designed so that the appearance of the principal structure and the lot remains that of a single-family residence.

DWELLING – MANUFACTURED HOME: A manufactured home dwelling is a prefabricated structure that is regulated by the U.S. Department of Housing and Urban Development (HUD), via the Federal National Manufactured Housing Construction and Safety Standards Act of 1974, rather than local building codes. A manufactured home is built in a factory on an attached chassis before being transported to a site. Manufactured homes include those transportable factory built housing units built prior to the Federal National Manufactured Housing and Safety Standards Act (HUD Code), also known as mobile homes. Modular homes are not considered manufactured homes and refer to a method of construction.

DWELLING – MULTI_FAMILY: A residential structure containing nine or more dwelling units within a structure on a single lot not to exceed a total of sixteen dwelling units per building. A multi-family dwelling does not include a two-family, three-family, or townhouse dwelling.

DWELLING – TOWNHOUSE: A residential development consisting of three or more dwelling units not to exceed a total of eight dwelling units per building, where each dwelling unit is connected by a party wall with a separate exterior entrance and yard areas, and where each individual townhouse dwelling unit within a townhouse development is located on a separate lot or created under a condominium form of ownership for each unit. A townhouse dwelling does not include a two-family, three-family, or multi-family dwelling.

DWELLING – SINGLE-FAMILY DETACHED: A structure containing only one dwelling unit on a single lot. Dwelling - Three-Family. A structure containing three dwelling units on a single lot.

DWELLING – THREE-FAMILY: A structure containing three dwelling units on a single lot.

DWELLING – TWO-FAMILY: A structure containing two dwelling units on a single lot.

EDUCATION FACILITY – PRIMARY OR SECONDARY: A public, private, or parochial facility that offers instruction at the elementary, junior high, and/or high school levels.

EDUCATION FACILITY – UNIVERSITY OR COLLEGE: A facility for post-secondary higher learning that grants associate or bachelor degrees. The institution may also have research facilities and/or professional schools that grant master and doctoral degrees. Educational facilities – university or college include ancillary uses such as dormitories, cafeterias, restaurants, retail sales, indoor or outdoor recreational facilities, and similar uses.

EDUCATION FACILITY – VOCATIONAL: A facility that offers instruction in industrial, clerical, computer, managerial, automotive, repair (electrical, plumbing, carpentry, etc.), or commercial skills, or a business conducted as a commercial enterprise, such as a school for general educational development or driving school. Educational facility - vocational also applies to privately operated schools that do not offer a complete educational curriculum.

FARMERS MARKET: Temporary use of structures and/or land for the sale of a variety of fresh fruits, flowers, vegetables, or ornamental plants, and other locally produced farm and food products, including value-added products, directly to consumers from farmers or vendors that have taken such items on consignment for retail sale.

FINANCIAL INSTITUTION: A bank, savings and loan, credit union, or mortgage office.

FOOD TRUCK VENDOR: A motor vehicle, or a food trailer towed by another vehicle, designed, and equipped to sell food and/or beverages directly to consumers. It does not include wholesale food distributors. The vendor physically reports to and operates from an off-site kitchen for servicing, restocking, and maintenance each operating day.

FUNERAL HOME: An establishment where the dead are prepared for burial display and for rituals before burial or cremation, including chapels for the display of the deceased and the conducting of rituals before burial or cremation, and crematoriums.

GASOLINE SERVICE STATION: Any area of land, including structures thereon, that is utilities for the retail sale of gasoline, 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 repair.

GOLF COURSE/DRIVING RANGE: A tract of land design with at least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse, restrooms, snack-bar, and pro-shop as ancillary uses. A driving range may be designed as a standalone facility or included as part of a golf course, which is defined as a tract of land equipped with distance markers, clubs, balls, and tees for practicing the hitting of golf balls.

GOVERNMENT OFFICE/FACILITY: Offices owned, operated, or occupied by a governmental agency to provide a governmental service to the public, such as city offices and post offices. Government offices do not include public safety or public works facilities.

GREENHOUSE/NURSERY – RETAIL: An establishment where flowers, shrubbery, vegetables, trees, and other horticultural and floricultural products are propagated and sold, and may include gardening and landscape supplies and products, such as hardware, garden tools and utensils, paving stones and bricks, and other related items for sale.

GROUP HOME: As per T.C.A. 13-24-102, 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.

HEALTHCARE FACILITY/INSTITUTION: Facilities for primary health services and medical or surgical care to people, primarily in-patient, and including, as an integral part of the institution, related facilities such as laboratories, outpatient facilities, dormitories, or educational facilities, and ancillary uses such as, but not limited to, cafeterias, restaurants, retail sales, and similar uses.

HOMELESS SHELTER: A facility that provides temporary shelter to the homeless in general. Homeless shelters may distinguish populations served by age and/or gender.

HOTEL: A commercial facility that provides sleeping accommodations for a fee and customary lodging services. Related ancillary uses include, but are not limited to, meeting facilities, restaurants, bars, and recreational facilities for the use of guests.

INDUSTRIAL – GENERAL: Manufacturing from processed or unprocessed raw materials, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution of such products. This manufacturing may produce noise, vibrations, illumination, or particulate that is perceptible to adjacent land users. These industrial uses typically have ancillary outdoor storage areas.

INDUSTRIAL – LIGHT: Research and development activities, and the manufacturing, compounding, processing, packaging, storage, assembly, and/or treatment of finished or semi-finished products from previously prepared materials, where such activities are conducted wholly within an enclosed building. A light industrial use may also include a showroom, ancillary sales of products related to the items manufactured or stored on-site, and/or ancillary outdoor storage.

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

LODGING/MEETING HALL: A facility operated by an organization or association for a common purpose, such as, but not limited to, a meeting hall for a fraternal or social organization or a union hall, but not including clubs organized primarily for-profit or to render a service which is customarily carried on as a business.

MANUFACTURED HOME PARK: A parcel of land with single control or unified ownership that has been planned and improved for the placement of manufactured homes for residential use.

MEDICAL/DENTAL OFFICE: Facilities for primary health services and medical, dental, psychological, or surgical care. Medical/dental offices may be in-patient or out-patient, and may include related facilities such as laboratories, dormitories, pharmacies, or educational

facilities. Medical/dental offices also include alternative medicine clinics, such as acupuncture and holistic therapies, and physical therapy offices for physical rehabilitation.

MEDICAL FACILITIES:

1. Convalescent, Retirement or Nursing Home: A health facility where persons are housed and furnished with meals and continuing nursing care for compensation or fee.
2. Dental Clinic or Medical Clinic: A facility for the examination and treatment of ill and afflicted human out-patients, provided, however, that patients are not kept overnight except under emergency conditions.
3. Hospital: An institution providing health services primarily for human in-patient medical care for sick or injured and including related facilities such as laboratories, out-patient facilities, emergency medical services, and staff offices which are an integral part of the facility.
4. Public Health Center: A facility utilized by a health unit for the provision of public health services.

MICRO-BREWERY: A facility for the production and packaging of malt beverages of alcoholic content for wholesale distribution, with a capacity of less than 15,000 barrels per year and may include a tasting room for consumption on-premises. A tasting room allows customers to taste/consume products manufactured on site and purchase beverages manufactured on site and related items. Brewery facilities that exceed this capacity are considered light industrial uses. If a district allows both restaurants and micro-breweries, such uses may be combined into one establishment.

MICRO-DISTILLERY: A facility for the production and packaging of alcoholic spirits in quantities not to exceed 12,000 proof gallons per year and may include a tasting room for consumption on-premises. A tasting room allows customers to taste/consume products manufactured on site and purchase beverages manufactured on site and related items. Distillery facilities that exceed this capacity are considered light industrial uses. If a district allows both restaurants and micro-distilleries, such uses may be combined into one establishment.

MICRO-WINERY: A facility for the production and packaging of any alcoholic beverages obtained by the fermentation of the natural contents of fruits or vegetables, containing sugar, including such beverages when fortified by the addition of alcohol or spirits, in quantities not to exceed 25,000 gallons or 5,000 cases, whichever is greater, per year and may include a tasting room for consumption on-premises. A tasting room allows customers to taste/consume products manufactured on site and purchase beverages manufactured on site and related items. Wineries that exceed this capacity are considered light industrial uses. If a district allows both restaurants and micro-wineries, such uses may be combined into one establishment.

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

OFFICE: An establishment that engages in the processing, manipulation, or application of business information or professional expertise. Such an office may or may not offer services to the public. An office is not materially involved in fabricating, assembling, or warehousing of physical products for the retail or wholesale market, nor engaged in the repair of products or retail services. An office does not include financial institution, government office/facility, or industrial design.

PARKING FACILITY (PRINCIPAL USE): An open, hard-surfaced area, excluding a street or public way, used for the storage of operable vehicles, whether for compensation or at no charge or A structure of two or more levels or floors used for the parking or storage of operable vehicles, whether for compensation or at no charge. A roofed structure of one level of parking is also considered a parking structure.

PERSONAL SERVICE ESTABLISHMENT: An establishment that provides frequent or recurrent needed services of a personal nature. Typical uses include, but are not limited to, beauty shops, barbershops, tanning salons, electronics repair shops, nail salons, laundromats, health clubs, dry cleaners, and tailors. Establishments that offer lessons and private classes are considered art and fitness studios.

PLACE OF WORSHIP: A facility where persons regularly assemble for religious purposes and related social events and may include group housing for persons under religious vows or orders. Places of worship may also include ancillary uses such as day care facilities, meeting rooms, auditoriums, and/or classrooms for weekly religious instruction.

REAL ESTATE PROJECT SALES OFFICE/MODEL UNIT: A residential unit or other structure within a development that is temporarily used for display purposes as an example of dwelling units available for sale or rental in a residential development and/or sales or rental offices for dwellings within the development.

RECEPTION FACILITY: A facility that provides hosting and rental services of a banquet hall or similar facilities for private events including, but not limited to, wedding receptions, holiday parties, and fundraisers, with food and beverages that are prepared and served on-site or by a caterer to invited guests during intermittent dates and hours of operation. Live entertainment may be provided as an ancillary use as part of an event. A reception facility is not operated as a restaurant with regular hours of operation.

RECREATIONAL FACILITY: Land, building or structure designed or intended for passive or active recreational use by the public, and without limiting the generality of the foregoing, may include, but not be limited to, active recreation, swimming pool, commercial recreation, golf course, recreation center, neighborhood amenities, and passive parks and open spaces. The use category does not include a campground, shooting gallery or rifle,

pistol, skeet or trap range, an automobile race track or commercial amusement park or theater.

RECREATIONAL VEHICLE: Any vehicle or boat designed for temporary living quarters, recreation, or temporary human habitation and not used as a commercial vehicle including, but not limited to, the following: boat/watercraft, camper trailer, motorized trailer, off-road vehicle, racing car or cycle, travel trailer, and truck camper.

RECREATIONAL VEHICLE (RV) PARK: Land used for the accommodation of two or more recreational vehicles for transient dwelling purposes.

RESIDENTIAL CARE FACILITY: A licensed care facility that provides 24-hour medical and/or non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living, or for the protection of the individual. A residential care facility includes nursing care, assisted living, hospice care, and continuum of care facilities. Continuum of care facilities may also include independent living facilities as part of the continuum. Residential care facility does not include a residential drug/alcohol treatment facility. This includes institutions that are located in one or more buildings on contiguous property with one administrative body.

RESTAURANT: An establishment where food and drinks are provided to the public for on-premises consumption by seated patrons or for carry-out service.

RETAIL GOODS ESTABLISHMENT. An establishment that provides physical goods, products, or merchandise directly to the consumer, where such goods are typically available for immediate purchase and removal from the premises by the purchaser. Retail goods establishment do not include specialty food service.

RETAIL LIQUOR STORE: An establishment, which requires a license under the provisions of Tennessee Code Annotated, title 57, chapter 3, part 2, to sell liquor, as well as wine and beer.

SANITARY LANDFILL: An area or site utilized by a public or private entity for 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 Environment and Conservation.

SELF-STORAGE FACILITY: A building or group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for self-storage of personal property, with no commercial transactions other than the rental of the storage units.

TEMPORARY CONTRACTOR OFFICE AND CONTRACTOR YARD: A temporary, portable, or modular structure utilized as a watchman's quarters, construction office, or equipment shed during the construction of a new development. This may include a

contractor's yard where materials and equipment are stored in conjunction with a construction project.

TEMPORARY OUTDOOR ENTERTAINMENT: A temporary live entertainment event, such as the performance of live music, revue, or play within an outdoor space. Temporary outdoor entertainment event includes fireworks shows, horse shows, carnivals/circuses, temporary worship services, and others.

TEMPORARY OUTDOOR SALES: Temporary uses, which may include temporary structures, where goods are sold, such as consignment auctions, arts and crafts fairs, flea markets, rummage sales, temporary vehicle sales, and holiday sales, such as Christmas tree lots and pumpkin sales lots. This temporary use category does not include outdoor sales related to a retail goods establishment where such goods are part of the establishment's regular items offered for purchase.

TRAVEL TRAILER: A vehicular, portable structure designed as a temporary dwelling for travel, recreation, and vacation uses.

TRAVEL TRAILER PARK: A plot of land designed and equipped to accommodate travel trailers for short periods of time. **USE:** The purpose for which land or a building or other structure is designed, arranged, or intended, or for which it is or may be occupied or maintained.

VEHICLE DEALERSHIP: An establishment that sells or leases new or used automobiles, vans, motorcycles, and/or all-terrain vehicles (ATV) vehicles, or other similar motorized transportation vehicles. A motor vehicle dealership may maintain an inventory of the vehicles for sale or lease either on-site or at a nearby location and may provide on-site facilities for the repair and service of the vehicles sold or leased by the dealership. Vehicle dealerships do not include truck, trailer, boat, or heavy equipment sales, which are considered heavy retail, rental, and service. A vehicle dealership – with outdoor storage/display displays vehicles for sale or lease outside a completely enclosed structure.

VEHICLE OPERATIONS FACILITY: A facility for the dispatch, storage, and maintenance of emergency medical care vehicles, taxicabs and similar vehicles for hire, school buses, utility vehicles, and similar vehicles. Vehicle operations facility does not include a public works or public safety facility.

VEHICLE RENTAL: An establishment that rents automobiles and vans, including incidental parking and servicing of rental vehicles. A motor vehicle rental establishment may maintain an inventory of the vehicles for sale or lease either on-site or at a nearby location and may provide on-site facilities for the repair and service of the vehicles sold or leased by the dealership. Vehicle rental does not include truck rental establishments or rental of heavy equipment, which is considered part of heavy retail, rental, and service.

VEHICLE REPAIR: A business the provides repair services to motor vehicles, motorcycles, and all-terrain vehicles (ATV) vehicles, recreational vehicles and trailers, towing and

collision service, and reconstruction and/or repairs and restoration services. Services may also include repair or replacement of cooling, electrical, fuel and exhaust systems, brake adjustments, relining and repairs, wheel servicing, alignment and balancing, repair and replacement of shock absorbers, and replacement or adjustment of mufflers and tail pipes, hoses, belts, light bulbs, fuses, windshield wipers/wiper blades, grease retainers, wheel bearings, and the like.

WAREHOUSE: An enclosed facility for the storage and distribution of manufactured products, supplies, and/or equipment.

WHOLESALE ESTABLISHMENT: A business where goods are sold to either retailers, or to industrial, commercial, institutional, or other professional business users, or to other wholesalers and related subordinated services.

WIRELESS TELECOMMUNICATIONS: For a full listing of definitions associated with Wireless Telecommunications see Article 5.

3.6 RESIDENTIAL DISTRICTS

A. Purpose Statements.

1. R-1 Single-Family Residential District. The R-1 District is intended to provide for a neighborhood environment of single-family detached dwellings located on lots of 10,000 square feet or larger. Limited non-residential uses that are compatible with the residential neighborhood may be permitted.
2. R-2 Medium Density Residential District. The R-2 District is intended to accommodate a variety of residential uses, such as single-family attached and detached dwellings and townhouses. The R-2 District is intended for areas where adequate public utilities and other infrastructure exists that can serve moderate density development, as well as areas where such development will not negatively impact lower density residential neighborhoods.
3. R-3 High Density Residential District. The R-3 District accommodates a variety of residential structures, such as two-family dwellings, three-family dwellings, townhouses, and multi-family housing. The R-3 District is intended for areas where adequate public utilities and other infrastructure exists that can serve higher density development, as well as areas where such development will not negatively impact lower density residential neighborhoods. Limited non-residential uses that are compatible with the residential neighborhood may be permitted.

B. Uses.

Permitted and special principal and accessory uses and temporary uses for residential districts shall be as provided in Table 3.1.

C. Dimensional Standards.

Table 3-2: Residential Districts Dimensional Standards establishes the dimensional standards for the residential districts. These regulations apply to all uses within each district unless a different standard is listed for a specific use.

Table 3-2: Residential Districts Dimensional Standards				
	R-1	R-2	R-3	
Bulk				
Minimum Lot Area	SF: 10,000 sf	SF: 10,000 sf 2F: 15,000 sf 3F: 17,500 sf 4F: 20,000 sf TH: 1 Acre	2F: 8,000 sf 3F: 10,000 sf 4F: 12,000 sf TH: 20,000 sf MF: 1 Acre	
Minimum Lot Width	60 ft	100 ft	120 ft	
Maximum Number of Attached Units		8 attached dwellings per building (Townhouse)	8 attached dwellings per building (Townhouse) 16 attached dwellings per building (Multifamily)	
Maximum Building Length (Multifamily)	N/A	175 ft	175 ft	
Maximum Building Height	40 ft	50 ft	50 ft	
Maximum Building Coverage	25%	35%	50%	
Maximum Impervious Surface	50%	60%	70%	
Setbacks				
Maximum Front Setback	35 ft	35 ft	35 ft	
Minimum Interior Side Setback	15 ft	15 ft – one or two-story building; 20 ft – three or more stories	15 ft – one or two-story building; 20 ft – three or more stories	
Minimum Corner Side Setback	22 ft	22 ft	22 ft	
Minimum Rear Setback	30 ft	30 ft	30 ft	

D. General Standards.

1. On-Site Development Standards.

See Article 5 for additional on-site development standards and requirements.

2. On-Site Parking and Loading.

See Article 4 for on-site parking and loading standards and requirements.

3. Landscape.

See Article 4 for landscape standards and requirements.

4. Signs.

See Article 4 for standards governing signs.

3.7 COMMERCIAL DISTRICTS

A. Purpose Statements.

1. C-1 Central Business District. The C-1 District is intended to recognize the historic significance of properties located within the district while facilitating development and redevelopment envisioned in the Town's Comprehensive Plan. Standards focus on preserving and enhancing historic character while also facilitating the creation of vibrant, pedestrian-friendly, mixed-use district identifiable as the center of the Town.
2. C-2 Highway Corridor District. The C-2 District is intended to address the commercial corridors that are primarily oriented toward a mix of retail, personal service, and office uses along the arterials and collectors of the Town. Both mixed-use development and auto-oriented uses can be accommodated in these areas.
3. C-3 Neighborhood Commercial District. The C-3 District is intended for small-scale commercial uses that primarily serve residents in the nearby neighborhoods. This district can be integrated into select residential neighborhoods to achieve the goals of mixed-use neighborhood development while providing convenient, walkable neighborhood settings within which to integrate small-scale commercial uses. Low intensity mixed-use is encouraged, with dwellings above the ground floor allowed in addition to the basic commercial uses. Development standards focus on compatibility with surrounding neighborhoods.

B. Uses.

Permitted and special principal and accessory uses and temporary uses for commercial districts shall be as provided in Table 3-1.

C. Dimensional Standards.

Table 3-3: Commercial Districts Dimensional Standards establishes the dimensional standards for the commercial districts. These regulations apply to all uses within each district unless a different standard is listed for a specific use.

Table 3-3: Commercial District Dimensional Standards				
	C-1	C-2	C-3	
Bulk				
Minimum Lot Area	None	1 Acre	20,000 sf	
Minimum Lot Width	None	100 ft	100 ft	
Maximum Building Height	50 ft	50 ft	40 feet	
Minimum Building Height	20 ft	N/A	N/A	
Maximum Impervious Surface	90%	80%	75%	
Setbacks				
Front Setback	0-10 ft	50 ft	35 ft	
Front Build-to Setback	0-10 ft	N/A	N/A	
Interior Side Setback	0-10 ft	15 ft	15 ft	
Corner Side Setback	N/A	15 ft	20 ft	
Rear Setback	N/A	30 ft	30 ft	

D. Design Standards.

1. The following design standards apply to new construction, substantial repair or rehabilitation meant to remedy damage or deterioration of the exterior façade of an existing structure, or additions to an existing structure in the commercial districts. Review for compliance with these design standards is conducted by the Planning Commission.
2. Table 3-4: Commercial District Design Standards establishes the design standards for the commercial districts. In the table, a “•” indicates that the standard is applicable in the district indicated. The absence of a “•” indicates that the standard does not apply to the district.

Table 3-4: Commercial District Design Standards				
	C-1	C-2	C-3	
Façade Design				
Building façades that abut a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 25 linear feet, measured parallel to the street.	•	•	•	
Building façades in excess of 100 linear feet that abut a public right-of-way, excluding alleys, must include a repeating pattern with no less than two of the following elements: color change, texture change, material module change, or a wall articulation change of no less than 2 feet in depth or projection, such as a reveal, pilaster, or projecting rib. All elements must repeat at intervals of no more than 40 linear feet.	•	•	•	
Buildings should be designed with a defined base and cap.	•	•	•	
All buildings must be oriented to and have a public entrance from the highest street classification that the lot fronts. Public entrances must be visually distinctive from the remaining portions of the façade along which they are located.	•	•	•	
Building materials and visual elements used on the primary building frontage must continue on all building façades unless a buffer yard, per this ordinance, is established.	•	•	•	
Building materials of natural, earth tone colors are required on all façades.	•	•	•	

Doors and Windows				
The ground floor of the front façade must maintain a transparency of 50%, measured between two and ten feet in height from grade.	•	•	•	
Upper floors of the front façade must maintain a transparency of 15% of the wall area of the story.	•	•	•	
Door and window framing systems color should blend with the overall design of the building	•	•	•	
Roof Design				
Parapet walls must feature three-dimensional cornice treatments or other shadow-creating details along their tops to provide visual interest.	•	•	•	
Any roof that is visible from a public right-of-way must be architectural shingle or colored standing seam metal roofing.	•	•	•	
Reflective roof surfaces that produce glare are prohibited, except for solar panels or white roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.	•	•	•	
Commercial Center Site Design				
Development sites with multiple buildings must incorporate a strong visual relationship between buildings. A consistent architectural style or theme should be used throughout a commercial center, and in particular to tie out-lot buildings to the primary/inline building(s). Building entrances are appropriate locations to express individual building character or identity.	•	•	•	
A cohesive character must be established through the use of coordinated hardscape (paving materials, lighting, street furniture, etc.) and landscape treatments within the development.	•	•	•	
Sites must be designed to ensure safe pedestrian access to the center from the public right-of-way, and safe pedestrian circulation within the development.	•	•	•	
Site Design				
Site elements, such as furniture, amenities and public spaces are encouraged within a site to create an authentic sense of place and enhance the visitor's experience.	•	•	•	
When provided, trash receptacles must be coordinated and made of metal, wrought iron, stone or other durable material.	•	•	•	

E. General Standards.

1. On-Site Development Standards.

See Article 5 for additional on-site development standards and requirements.

2. On-Site Parking and Loading.

See Article 4 for on-site parking and loading standards and requirements.

3. Landscape.

See Article 4 for landscape standards and requirements.

4. Signs.

See Article 4 for standards governing signs.

3.8 INDUSTRIAL DISTRICTS

A. Purpose Statements.

1. I-1 Light Industrial District. The I-1 District is intended to provide a wide variety of light manufacturing, fabricating, processing, testing and scientific laboratories, wholesale distributing, and warehousing uses. Light industrial uses are enclosed, low-intensity, non-nuisance light fabrication and assembly-type manufacturing, as well as office and research and development facilities with little to no outside impacts.
2. I-2 General Industrial District. The I-2 District is intended to provide a wide variety of general manufacturing, fabricating, processing, wholesale distributing and warehousing uses. The industrial uses include fabrication, warehousing, and assembly-type manufacturing, as well as office and research and development facilities, which may result in some moderate external effects such as smoke, noise, glare or vibration, and typically include outdoor storage and related outdoor activities.

B. Uses.

Permitted and special principal and accessory uses and temporary uses for industrial districts shall be as provided in Table 3-1.

C. Dimensional Standards.

Table 3-5: Industrial Districts Dimensional Standards establishes the dimensional standards for the industrial districts. These regulations apply to all uses within each district unless a different standard is listed for a specific use.

Table 3-5: Industrial Districts Dimensional Standards			
	I-1	I-2	
Bulk			
Minimum Lot Area	1 Acre	5 Acre	
Minimum Lot Width	100 ft	100 ft	
Maximum Building Height	50 ft	50 ft	
Maximum Impervious Surface	80%	80%	
Setbacks			
Front Setback	50 ft	50 ft	
Interior Side Setback	20 ft; 40 ft – adjoining residential district	20 ft; 40 ft – adjoining residential district	
Corner Side Setback	50 ft	50 ft	
Rear Setback	20 ft; 40 ft – adjoining residential district	20 ft; 40 ft – adjoining residential district	

D. Design Standards.

1. The following design standards apply to new construction, substantial repair or rehabilitation meant to remedy damage or deterioration of the exterior façade of an existing structure, or additions to an existing structure in the industrial districts. Review for compliance with these design standards is conducted by the Planning Commission.
2. Table 3-6: Industrial District Design Standards establishes the design standards for the industrial districts. In the table, a “•” indicates that the standard is applicable in the district indicated. The absence of a “•” indicates that the standard does not apply to the district.

Table 3-6: Industrial District Design Standards				
	I-1	I-2		
Façade Design				
Minimum 40% of front façade of building shall be brick or other masonry approved by the Planning Commission	•	•		
Building Design				
Public entrances and primary building elevations must be oriented toward public streets. Main entrances to the building must be well defined.	•	•		
Roof-mounted mechanical equipment must be screened from all sides by the use of parapet walls or enclosures designed to conceal mechanical equipment.	•	•		
Site Design				
A buffer yard shall be provided along all side and rear yards.	•	•		
All drives and parking areas shall be either concrete or asphalt paving.	•	•		

Parking lots must be adequately buffered from the primary roadway, and no parking is allowed within the required front setback unless sufficiently screened with landscape material.	•	•		
All landscape shall be designed for minimum maintenance.	•	•		
Landscaping shall not interfere with sight line requirements, nor obstruct needed views of buildings or their means of identification.		•		
The land area to rear of building shall be enclosed with a fence not less than six (6) feet in height.	•	•		
Supplies, materials, inventory, goods, and finished products shall be stored within the enclosed fenced area to the rear of the building.	•	•		

E. General Standards.

1. On-Site Development Standards.

See Article 5 for additional on-site development standards and requirements.

2. On-Site Parking and Loading.

See Article 4 for on-site parking and loading standards and requirements.

3. Landscape.

See Article 4 for landscape standards and requirements.

4. Signs.

See Article 4 for standards governing signs.

3.9 RESERVED

3.10 FLOODWAY DISTRICT

The Floodway (F-1) District established by this ordinance is designed to promote the public health, safety, and general welfare and to minimize or eliminate loss of life and property, health and safety hazards, disruption of commerce and government services, unusual public expenditures for flood protection and relief, and impairment of the tax base by provisions designed to prohibit or restrict developments which are dangerous to health, safety, or property in times of flood or which cause undue increases in flood heights or velocities; to require the developments vulnerable to floods, including public facilities which serve such development, shall be protected against flood damage at the time of initial construction; and to protect individuals from purchasing lands which are unsuitable for development purposes because of flood hazard.

A. Statutory Authorization.

The Legislature of the State of Tennessee has in Sections 13-7-201 through 13-7- 210; Tennessee Code Annotated delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Cornersville, Tennessee Mayor and Board of Aldermen, does ordain as follows:

B. Findings of Fact.

1. The Cornersville Mayor and Board of Aldermen wishes to maintain eligibility in the National Flood Insurance Program and in order to do so must meet the requirements of 60.3 of the Federal Insurance Administration Regulations found at 44 CFR Ch. 1 (10-1-04 Edition).
2. Areas of Cornersville are subject to periodic inundation which could result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
3. These flood losses are caused by the cumulative effect of obstructions in floodplains, causing increases in flood heights and velocities; by uses in flood hazard areas which are vulnerable to floods; or construction which is inadequately elevated, flood-proofed, or otherwise unprotected from flood damages.

C. Statement of Purpose.

It is the purpose of this Ordinance to promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas. This Ordinance is designed to:

1. Restrict or prohibit uses which are vulnerable to water or erosion hazards, or which result in damaging increases in erosion, flood heights, or velocities;
2. Require that uses vulnerable to floods, including community facilities, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation floodwaters;
4. Control filling, grading, dredging and other development which may increase flood damage or erosion, and;
5. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

D. Objectives.

The objectives of this Ordinance are:

1. To protect human life, health, and property;
2. To minimize expenditure of public funds for costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, street and bridges located in floodable areas;
6. To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize blight in flood areas;
7. To ensure that potential buyers are notified that property is in a floodable area; and,
8. To establish eligibility for participation in the National Flood Insurance Program.

E. Definitions.

Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted as to give them the meaning they have in common usage and to give this Ordinance it's most reasonable application.

"Accessory Structure" shall represent a subordinate structure to the principal structure and, for the purpose of this section, shall conform to the following:

1. Accessory structures shall not be used for human habitation.
2. Accessory structures shall be designed to have low flood damage potential.
3. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.
4. Accessory structures shall be firmly anchored to prevent flotation which may result in damage to other structures.
5. Service facilities such as electrical and heating equipment shall be elevated or flood proofed.

"Act" means the statutes authorizing the National Flood Insurance Program that are incorporated in 42 U.S.C. 4001-4128.

"Addition (to an existing building)" means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common loadbearing wall other than a firewall. Any walled and roofed addition, which is connected by a firewall or is separated by an independent perimeter loadbearing wall, shall be considered "New Construction".

"Appeal" means a request for a review of the local enforcement officer's interpretation of any provision of this Ordinance or a request for a variance.

"Area of Shallow Flooding" means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate; and where velocity flow may be evident. (Such flooding is characterized by ponding or sheet flow.)

"Area of Special Flood-related Erosion Hazard" is the land within a community which is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area in preparation for publication of the FIRM, Zone E may be further refined.

"Area of Special Flood Hazard" is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the FHBM. After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE or A99.

"Base Flood" means the flood having a one percent chance of being equaled or exceeded in any given year.

"Basement" means that portion of a building having its floor subgrade (below ground level) on all sides.

"Breakaway Wall" means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

"Building", means any structure built for support, shelter, or enclosure for any occupancy or storage (See "Structure").

"Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of equipment or materials.

"Elevated Building" means a non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of fill, solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwater, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

"Emergency Flood Insurance Program" or "Emergency Program" means the program as implemented on an emergency basis in accordance with section 1336 of the Act. It is intended as a program to provide a first layer amount of insurance on all insurable structures before the effective date of the initial FIRM.

"Erosion" means the process of the gradual wearing away of landmasses. This peril is not per se covered under the Program.

"Exception" means a waiver from the provisions of this Ordinance which relieves the applicant from the requirements of a rule, regulation, order, or other determination made or issued pursuant to this Ordinance.

"Existing Construction" means any structure for which the "start of construction" commenced before the effective date of the first floodplain management code or ordinance adopted by the community as a basis for that community's participation in the National Flood Insurance Program (NFIP).

"Existing Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management code or ordinance adopted by the community as a basis for that community's participation in the National Flood Insurance Program (NFIP).

"Existing Structures" see **"Existing Construction"**.

"Expansion to an Existing Manufactured Home Park or Subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"Flood" or "Flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters;
2. The unusual and rapid accumulation or runoff of surface waters from any source.

"Flood Elevation Determination" means a determination by the Zoning Administrator of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.

"Flood Elevation Study" means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) or flood related erosion hazards.

"Flood Hazard Boundary Map (FHBM)" means an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of areas of special flood hazard have been designated as Zone A.

"Flood Insurance Rate Map (FIRM)" means an official map of a community, issued by the Federal Emergency Management Agency, delineating the areas of special flood hazard or the risk premium zones applicable to the community.

"Flood Insurance Study" is the official report provided by the Federal Emergency Management Agency, evaluating flood hazards and containing flood profiles and water surface elevation of the base flood.

"Floodplain" or "Flood-prone Area" means any land area susceptible to being inundated by water from any source (see definition of "flooding").

"Floodplain Management" means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

"Flood Protection System" means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees, or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

"Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

"Flood-related Erosion" means the collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood, or by some similarly unusual and unforeseeable event which results in flooding.

"Flood-related Erosion Area" or "Flood-related Erosion Prone Area" means a land area adjoining the shore of a lake or other body of water, which due to the composition of the shoreline or bank and high water levels or wind-driven currents, is likely to suffer flood-related erosion damage.

"Flood-related Erosion Area Management" means the operation of an overall program of corrective and preventive measures for reducing flood-related erosion damage, including but not limited to emergency preparedness plans, flood-related erosion control works and flood plain management regulations.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

"Floor" means the top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete 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.

"Freeboard" means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings and the hydrological effect of urbanization of the watershed.

"Functionally Dependent Use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

"Highest Adjacent Grade" means the highest natural elevation of the ground surface, prior to construction, adjacent to the proposed walls of a structure.

"Historic Structure" means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminary 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 listed on the Tennessee inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or

4. Individually listed on a local inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
 - a. By an approved state program as determined by the Secretary of the Interior, or
 - b. Directly by the Secretary of the Interior.

"Levee" means 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 temporary flooding.

"Levee System" means 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.

"Lowest Floor" means the lowest floor of the lowest enclosed area, including a basement. An unfinished or flood resistant enclosure used solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Ordinance.

"Manufactured Home" means a structure, transportable in one 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"** unless such transportable structures are placed on a site for 180 consecutive days or longer.

"Manufactured Home Park or Subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"Map" means the Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by the Agency.

"Mean Sea Level" means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For the purposes of this Ordinance, the term is synonymous with National Geodetic Vertical Datum (NGVD) or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

"National Geodetic Vertical Datum (NGVD)" as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

"New Construction" means any structure for which the "start of construction" commenced after the effective date of this ordinance or the effective date of the first floodplain management ordinance and includes any subsequent improvements to such structure.

"New Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed after the effective date of this ordinance or the effective date of the first floodplain management ordinance and includes any subsequent improvements to such structure.

"North American Vertical Datum (NAVD)" as corrected in 1988 is a vertical control used as a reference for establishing varying elevations within the floodplain.

"100-year Flood" see **"Base Flood"**.

"Person" includes any individual or group of individuals, corporation, partnership, association, or any other entity, including State and local governments and agencies.

"Recreational Vehicle" means a vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Regulatory Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

"Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

"Special Hazard Area" means an area having special flood, mudslide (i.e., mudflow) and/or flood-related erosion hazards, and shown on an FHBM or FIRM as Zone A, AO, A1-30, AE, A99, or AH.

"Start of Construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; and includes the placement of a manufactured home on a foundation. (Permanent construction does not include initial land preparation, such as clearing, grading, and filling; nor does it

include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not part of the main structure. 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.

"State Coordinating Agency" The Tennessee Department of Economic and Community Development's, Local Planning Assistance Office as designated by the Governor of the State of Tennessee at the request of the Zoning Administrator to assist in the implementation of the National Flood Insurance Program for the state.

"Structure", for purposes of this section, means a walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.

"Substantial Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

"Substantial Improvement" means any repairs, reconstruction's, rehabilitation's, additions, alterations, or other improvements to a structure, taking place during a five (5) year period, in which the cumulative cost equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed.

For the purpose of this definition, **"Substantial Improvement"** is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been pre-identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions and not solely triggered by an improvement or repair project or; (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

"Substantially Improved Existing Manufactured Home Parks or Subdivisions" is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

"Variance" is a grant of relief from the requirements of this Ordinance which permits construction in a manner otherwise prohibited by this Ordinance where specific enforcement would result in unnecessary hardship.

"Violation" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certification, or other evidence of compliance required in this Ordinance is presumed to be in violation until such time as that documentation is provided.

"Water Surface Elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of riverine areas.

F. General Provisions.

1. Application.

This ordinance shall apply to all areas within the incorporated area of Cornersville, Tennessee.

2. Basis for Establishing Areas of Special Flood Hazard.

The Areas of Special Flood Hazard identified on the Eagleville, Tennessee, Federal Emergency Management Agency, Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM), Community Panel Numbers 470117C0165D, 470117C0235D, 470117C0245D, and 470117C0255D, dated September 28, 2007, along with all supporting technical data, are adopted by reference, and declared to be a part of this Ordinance.

3. Requirement for Development Permit.

A development permit shall be required in conformity with this Ordinance prior to the commencement of any development activity.

4. Compliance.

No land, structure or use shall hereafter be located, extended, converted, or structurally altered without full compliance with the terms of this Ordinance and other applicable regulations.

5. Abrogation and Greater Restrictions.

This Ordinance is not intended to repeal, abrogate, or impair any existing easement, covenant, or deed restriction. However, where this Ordinance conflicts or overlaps with another, whichever imposes the more stringent restrictions shall prevail.

6. Interpretation.

In the interpretation and application of this Ordinance, all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body, and (3) deemed neither to limit nor repeal any other powers granted under Tennessee statutes.

7. Warning and Disclaimer of Liability.

The degree of flood protection required by this Ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Ordinance does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damages. This Ordinance shall not create liability on the part of the Town of Cornersville, Tennessee or by any officer or employee thereof for any flood damages that result from reliance on this Ordinance, or any administrative decision lawfully made hereunder.

8. Penalties for Violation.

Violation of the provisions of this Ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance shall constitute a misdemeanor punishable as other misdemeanors as provided by law. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Town of Cornersville, Tennessee from taking such other lawful actions to prevent or remedy any violation.

G. Administration.

1. Designation of Ordinance Administrator.

The Zoning Administrator is hereby appointed as the administrator to implement the provisions of this Ordinance.

2. Permit Procedures.

Application for a development permit shall be made to the Zoning Administrator on forms furnished by the community prior to any development activities. The development permit may include, but is not limited to the following: plans in duplicate drawn to scale and showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill placement, storage of materials or equipment, and drainage facilities. Specifically, the following information is required:

a. Application Stage.

- 1) Elevation in relation to mean sea level of the proposed lowest floor, including basement, of all buildings where base flood elevations are available, or to the highest adjacent grade when applicable under this Ordinance.
- 2) Elevation in relation to mean sea level to which any non-residential building will be flood-proofed where base flood elevations are available, or to the highest adjacent grade when applicable under this Ordinance.
- 3) Design certificate from a registered professional engineer or architect that the proposed non-residential flood-proofed building will meet the flood-proofing criteria in Section 2.
- 4) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

b. Construction Stage.

Within unnumbered A zones, where flood elevation data are not available, the Zoning Administrator shall record the elevation of the lowest floor on the development permit. The elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building relative to the highest adjacent grade.

For all new construction and substantial improvements, the permit holder shall provide to the Zoning Administrator an as-built certification of the regulatory floor elevation or floodproofing level upon the completion of the lowest floor or floodproofing. Within unnumbered A zones, where flood elevation data is not available, the elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building relative to the highest adjacent grade.

Any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of, a registered land surveyor and certified by same. When floodproofing is utilized for a non-residential building said certification shall be prepared by or under the direct supervision of, a professional engineer or architect and certified by same.

Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The Zoning Administrator shall review the above-referenced certification data. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being allowed to proceed. Failure to submit the certification or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

3. Duties and Responsibilities of Zoning Administrator.

Duties of the Zoning Administrator shall include, but not be limited to:

- a. Review of all development permits to assure that the permit requirements of this Ordinance have been satisfied, and that proposed building sites will be reasonably safe from flooding.
- b. Advice to permittee that additional federal or state permits may be required, and if specific federal or state permit requirements are known, require that copies of such permits be provided and maintained on file with the development permit. This shall include Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U. S. C. 1334.
- c. Notification to adjacent communities and the Tennessee Department of Economic and Community Development, Local Planning Assistance Office, prior to any alteration or relocation of a watercourse, and submission of evidence of such notification to the Federal Emergency Management Agency.
- d. For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to the Federal Emergency Management Agency to ensure accuracy of community flood maps through the Letter of Map Revision process. Assure that the flood carrying capacity within an altered or relocated portion of any watercourse is maintained.
- e. Record the elevation, in relation to mean sea level or the highest adjacent grade, where applicable of the lowest floor including basement of all new or substantially improved buildings, in accordance with Section 3.10 G.2.
- f. Record the actual elevation; in relation to mean sea level or the highest adjacent grade, where applicable to which the new or substantially improved buildings have been flood-proofed, in accordance with Section 3.10 G.2.
- g. When flood proofing is utilized for a structure, the Zoning Administrator shall obtain certification of design criteria from a registered professional engineer or architect, in accordance with Section 3.10 G.2.
- h. Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Zoning Administrator shall make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Ordinance.
- i. When base flood elevation data or floodway data have not been provided by the Federal Emergency Management Agency then the Zoning Administrator shall obtain, review

and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other sources, including data developed as a result of these regulations, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the Community FIRM meet the requirements of this Ordinance.

Within unnumbered A zones, where base flood elevations have not been established and where alternative data is not available, the Zoning Administrator shall require the lowest floor of a building to be elevated or floodproofed to a level of at least three (3) feet above the highest adjacent grade (lowest floor and highest adjacent grade being defined in this Ordinance). All applicable data including elevations or flood proofing certifications shall be recorded as set forth in Section 3.10 G.2.

- j. All records pertaining to the provisions of this Ordinance shall be maintained in the office of the Zoning Administrator and shall be open for public inspection. Permits issued under the provisions of this Ordinance shall be maintained in a separate file or marked for expedited retrieval within combined files.

H. Provisions for Flood Hazard Reduction.

1. General Standards.

In all flood prone areas the following provisions are required:

- a. New construction and substantial improvements to existing buildings shall be anchored to prevent flotation, collapse or lateral movement of the structure;
- b. Manufactured homes shall be elevated and anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces;
- c. New construction and substantial improvements to existing buildings shall be constructed with materials and utility equipment resistant to flood damage;
- d. New construction or substantial improvements to existing buildings shall be constructed by methods and practices that minimize flood damage;
- e. All electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
- f. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

- g. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
- h. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
- i. Any alteration, repair, reconstruction, or improvements to a building that is in compliance with the provisions of this Ordinance, shall meet the requirements of "new construction" as contained in this Ordinance; and,
- j. Any alteration, repair, reconstruction, or improvements to a building that is not in compliance with the provision of this Ordinance, shall be undertaken only if said non-conformity is not further extended or replaced.

2. Specific Standards.

These provisions shall apply to ALL Areas of Special Flood Hazard as provided herein:

- a. Residential Construction. Where base flood elevation data is available, new construction or substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement, elevated no lower than two (2) feet above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls and to ensure unimpeded movement of floodwater shall be provided in accordance with the standards of Section 3.10 H.1.

Within unnumbered A zones, where base flood elevations have not been established and where alternative data is not available, the Zoning Administrator shall require the lowest floor of a building to be elevated or floodproofed to a level of at least three (3) feet above the highest adjacent grade (lowest floor and highest adjacent grade being defined in Section 3.10 E. of this Ordinance). All applicable data including elevations or flood proofing certifications shall be recorded as set forth in Section 3.10 G.2.

- b. Non-Residential Construction. New construction or substantial improvement of any commercial, industrial, or non-residential building, when BFE data is available, shall have the lowest floor, including basement, elevated or floodproofed no lower than two (2) feet above the level of the base flood elevation.

Within unnumbered A zones, where base flood elevations have not been established and where alternative data is not available, the Zoning Administrator shall require the lowest floor of a building to be elevated or floodproofed to a level of at least three (3) feet above the highest adjacent grade (lowest floor and highest adjacent grade being defined in Section 3.10 E. of this Ordinance). All applicable data including elevations or flood proofing certifications shall be recorded as set forth in Section 3.10 G.2.

Buildings located in all A-zones may be flood-proofed, in lieu of being elevated, provided that all areas of the building below the required elevation are watertight, with walls substantially impermeable to the passage of water, and are built with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Zoning Administrator as set forth in Section 3.10 G.2.

- c. Elevated Building. All new construction or substantial improvements to existing buildings that include ANY fully enclosed areas formed by foundation and other exterior walls below the base flood elevation, or required height above the highest adjacent grade, shall be designed to preclude finished living space and designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls.

- 1) Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:
 - a) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - b) The bottom of all openings shall be no higher than one foot above the finish grade; and
 - c) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
- 2) Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the elevated living area (stairway or elevator); and
- 3) The interior portion of such enclosed area shall not be partitioned or finished into separate rooms in such a way as to impede the movement of floodwaters and all such petitions shall comply with the provisions of Section 3.10 H.2 of this Ordinance.

3. Standards for Manufactured and Recreational Vehicles.

- a. All manufactured homes placed, or substantially improved, on: (1) individual lots or parcels, (2) in expansions to existing manufactured home parks or subdivisions, or (3) in new or substantially improved manufactured home parks or subdivisions, must meet all the requirements of new construction, including elevations and anchoring.

- b. All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that either:
 - 1) When base flood elevations are available the lowest floor of the manufactured home is elevated on a permanent foundation no lower than two (2) feet above the level of the base flood elevation; or,
 - 2) Absent base flood elevations the manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements) at least three (3) feet in height above the highest adjacent grade.
- c. Any manufactured home, which has incurred “substantial damage” as the result of a flood or that has substantially improved, must meet the standards of Section 3.10 H.3. of this Ordinance.
- d. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- e. All recreational vehicles placed on identified flood hazard sites must either:
 - 1) Be on the site for fewer than 180 consecutive days;
 - 2) Be fully licensed and ready for highway use. (A recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions);
 - 3) The recreational vehicle must meet all the requirements for new construction, including the anchoring and elevation requirements of this section above if on the site for longer than 180 consecutive days.

4. Standards for Subdivisions.

Subdivisions and other proposed new developments, including manufactured home parks, shall be reviewed to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in a flood-prone area, any such proposals shall be reviewed to ensure that:

- a. All subdivision proposals shall be consistent with the need to minimize flood damage.
- b. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
- c. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.

- d. Base flood elevation data shall be provided for subdivision proposals and other proposed developments (including manufactured home parks and subdivisions) that are greater than fifty lots and/or five acres in area.

5. Standards for Areas of Special Flood Hazard with Established Base Flood Elevations and with Floodways Designated.

Located within the Areas of Special Flood Hazard established in Section 3.10 F.2., are areas designated as floodways. A floodway may be an extremely hazardous area due to the velocity of floodwaters, debris, or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights and velocities. Therefore, the following provisions shall apply:

- a. Encroachments are prohibited, including earthen fill material, new construction, substantial improvements, or other developments within the regulatory floodway. Development may be permitted however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the cumulative effect of the proposed encroachments or new development, when combined with all other existing and anticipated development, shall not result in ANY increase the water surface elevation of the base flood level, velocities or floodway widths during the occurrence of a base flood discharge at any point within the community. A registered professional engineer must provide supporting technical data and certification thereof.
- b. New construction or substantial improvements of buildings shall comply with all applicable flood hazard reduction provisions of Section 3.10 H.

6. Standards for Areas of Special Flood Hazard Zones AE with Established Base Flood Elevations but Without Floodways Designated.

Located within the Areas of Special Flood Hazard established in Section 3.10 F.2., where streams exist with base flood data provided but where no floodways have been designated, (Zones AE) the following provisions apply:

- a. No encroachments, including fill material, new structures or substantial improvements shall be located within areas of special flood hazard, unless certification by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.
- b. New construction or substantial improvements of buildings shall be elevated or flood-proofed to elevations established in accordance with Section 3.10 H.

7. Standards for Streams with Established Base Flood Elevations or Floodways (A Zones).

Located within the Areas of Special Flood Hazard established in Section 3.10 F.2., where streams exist, but no base flood data has been provided (A Zones), OR where a Floodway has not been delineated, the following provisions shall apply:

- a. When base flood elevation data or floodway data have not been provided in accordance with Section 3, then the Zoning Administrator shall obtain, review, and reasonably utilize any scientific or historic base flood elevation and floodway data available from a Federal, State, or other source, in order to administer the provisions of Section 3.10 H. ONLY if data is not available from these sources, then the following provisions (b) & (c) shall apply:
- b. No encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty feet, whichever is greater, measured from the top of the stream bank, unless certification by registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.
- c. In special flood hazard areas without base flood elevation data, new construction or substantial improvements of existing buildings shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than three (3) feet above the highest adjacent grade at the building site. Openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the standards of Section 3.10 H.1., and "Elevated Buildings".

8. Standards for Areas of Shallow Flooding (AO and AH Zones).

Located within the Areas of Special Flood Hazard established in Section 3.10 F.2., are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one to three feet (1'-3') where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore, the following provisions apply:

- a. All new construction and substantial improvements of residential and non-residential buildings shall have the lowest floor, including basement, elevated to at least one (1') foot above the flood depth number specified on the Flood Insurance Rate Map (FIRM), in feet, above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, shall be elevated, at least three (3) feet above the highest adjacent grade. Openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with standards of Section 3.10 H.1., and "Elevated Buildings".

- b. All new construction and substantial improvements of nonresidential buildings may be flood-proofed in lieu of elevation. The structure together with attendant utility and sanitary facilities must be flood proofed and designed watertight to be completely flood-proofed to at least one (1') foot above the specified FIRM flood level, with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. If no depth number is specified, the lowest floor, including basement, shall be flood proofed to at least three (3) feet above the highest adjacent grade. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this Ordinance and shall provide such certification to the Zoning Administrator as set forth above and as required in Section 3.10 G.2.
- c. Adequate drainage paths shall be provided around slopes to guide floodwaters around and away from proposed structures.
- d. The Zoning Administrator shall certify the elevation or the highest adjacent grade, where applicable, and the record shall become a permanent part of the permit file.

9. Standards for Areas Protected by Flood Protection System (A-99 Zones).

Located within the areas of special flood hazard established in Section 3. are areas of the 100-year floodplain protected by a flood protection system but where base flood elevations and flood hazard factors have not been determined. Within these areas (A-99 Zones) all provisions of Section 3.10 G. and Section 3.10 H.1. shall apply.

10. Standards for Unmapped Streams.

Located within Cornersville, Tennessee are unmapped streams where areas of special flood hazard are neither indicated nor identified. Adjacent to such streams the following provisions shall apply:

- a. In areas adjacent to such unmapped streams, no encroachments including fill material or structures shall be located within an area of at least equal to twice the width of the stream, measured from the top of each stream bank, unless certification by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the locality.
- b. When new elevation data is available, new construction or substantial improvements of buildings shall be elevated or flood proofed to elevations established in accordance with Section 3.10 G.

I. Variance Procedures.

1. Board of Zoning Appeals.

- a. The Cornersville Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Ordinance.
- b. Variances may be issued for the repair or rehabilitation of historic structures (see definition) upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum to preserve the historic character and design of the structure.
- c. In passing upon such applications, the Board of Zoning Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Ordinance, and:
 - 1) The danger that materials may be swept onto other property to the injury of others;
 - 2) The danger to life and property due to flooding or erosion;
 - 3) The susceptibility of the proposed facility and its contents to flood damage;
 - 4) The importance of the services provided by the proposed facility to the community;
 - 5) The necessity of the facility to a waterfront location, in the case of a functionally dependent facility;
 - 6) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - 7) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - 8) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - 9) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site, and;
 - 10) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

2. Conditions for Variances.

- a. Variances shall be issued upon a determination that the variance is the minimum relief necessary, considering the flood hazard; and in the instance of a historical building, a determination that the variance is the minimum relief necessary so as not to destroy the historic character and design of the building.
- b. Variances shall only be issued upon: a showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship; or a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or Ordinances.
- c. Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance, and that such construction below the base flood level increases risks to life and property.
- d. The Zoning Administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

3.11 PLANNED DEVELOPMENT

A. Purpose.

Planned Development (PD) is intended to encourage and allow more creative and flexible development of land than is possible under district zoning regulations and should only be applied to further those applications that provide enhanced amenities or design features to the Town. The underlying zoning district dimensional, design, and use regulations apply to a Planned Development unless specifically modified through the approval process. Through the flexibility of the planned development technique, a Planned Development is intended to:

1. Encourage flexibility in the development of land and in the design of structures.
2. Encourage a creative approach to the use of land that results in better development and design than might otherwise be accomplished under the strict application of other sections of this ordinance.
3. Allow for the design of developments that are architecturally and environmentally innovative, and that achieve better utilization of land than is possible through strict application of standard zoning controls.

4. Combine and coordinate architectural styles, building forms, and structural/visual relationships within an environment that allows mixing of different uses in an innovative and functionally efficient manner.
5. Provide for the efficient use of land to facilitate a more effective arrangement of land uses, structures, circulation patterns, and utilities.
6. Encourage land development that, to the greatest extent possible, preserves natural vegetation, respects natural topographic and geologic conditions, and refrains from adversely affecting flooding, soil, drainage, and other natural ecologic conditions.
7. Facilitate the implementation of adopted Town land use policies, particularly with respect to areas planned for potential redevelopment.

B. Initiation.

The entire property proposed for the planned development must be in single ownership or under unified control. All owners of the property must be included as joint applicants on all applications and all approvals will bind all owners.

C. Authorization.

1. A planned development is authorized in all residential and commercial zoning districts with the exception of C-3, Neighborhood Commercial District.
2. A planned development must be granted in accordance with the procedures and standards set forth in this section. Unless specifically approved as part of the planned development approval, the requirements of the underlying zoning district apply.
3. Planned development approval is separate from subdivision approval. Planned development approval may be granted first, whereby subdivision plat approval would be granted subsequently in compliance with the approved lot layout.

D. Exceptions from District Regulations.

1. A planned development is subject to the underlying district dimensional, design, and use regulations unless an exception is specifically granted. The Planning Commission may recommend and the Board of Mayor and Aldermen may grant exceptions to the zoning district dimensional, design, and use regulations where a planned development is located.
2. Exceptions from district regulations may be granted for planned developments, if the exceptions:
 - a. Enhance the overall merit of the planned development.
 - b. Promote the objectives of both the Town and the development.

- c. Enhance the quality of the design of the structures and the site plan.
 - d. Will not cause excessive adverse impact on neighboring properties.
 - e. Are compatible with the adopted Town land use policies and comprehensive plans.
 - f. Provide a measurable public benefit to the Town, as provided in this section.
 - g. Will not cause undue burden upon the Town's public infrastructure systems or ability to serve the property with municipal services.
3. No exceptions can be requested from the Town's Subdivision Regulations unless otherwise provided in this section.
 4. The underlying zoning district dimensional, design, and use regulations apply, unless an exception is granted as part of the planned development approval. Exceptions to district regulations may be granted where it is determined that such modifications do not negatively affect the value and enjoyment of surrounding property, the provision of municipal services, or traffic circulation on-site and off-site. To be granted such exceptions, the applicant must demonstrate superior design and enhanced amenities. In no case may an exception to district regulations be granted unless the applicant demonstrates a substantial benefit to the Town. Design characteristics and amenities to be considered in this determination include, but are not limited to, the following:
 - a. Community amenities including gathering places and pedestrian facilities.
 - b. Improvement of existing public or private on-site and off-site infrastructure.
 - c. Preservation of existing environmental features.
 - d. Preservation of historic features and adaptive reuse of existing buildings.
 - e. New open space and recreational amenities such as recreational open space, including parks and playgrounds, natural water features and conservation areas (excluding stormwater detention basins), active and passive recreational uses, trails and greenways, dog parks, skate parks, and similar recreational features.
 - f. Reduction of impervious surface coverage through the development below the threshold required by the zoning district and incorporation of stormwater best management practices.

E. Coordination with Subdivision Regulations.

The unique nature of each proposal for a Planned Development may require that standards and specifications for which the width and surfacing of streets, public ways, public rights-of-

way, curb and gutter, sidewalks, utilities, stormwater management and other related improvements may be subject to modification from the standards and specifications established in the Subdivision Regulations adopted by the Planning Commission. Modifications from requirements stated in the Subdivision Regulations may be incorporated following review by the Town of Cornersville Planning Commission and ultimate approval by the Town of Cornersville Board of Mayor and Aldermen. It is the intent of this ordinance that subdivision review under the Subdivision Regulations be carried out simultaneously with the review of the Planned Development; therefore, the Preliminary Plan and supporting documentation must be submitted in a form which will satisfy the requirements of the Subdivision Regulations and the Planned Development approval process.

F. Procedure.

The following procedures are required for planned developments. The approval of a planned development includes pre-application consultation, preliminary plan approval, and final plan approval. A concept plan review by the Planning Commission and a neighborhood meeting are each encouraged but not required.

1. Pre-Application Consultation Required.

- a. Prior to formal submittal of an application for planned development, a pre-application conference with the Zoning Administrator or designee from the Town is required. The pre-application conference may include other government officials.
- b. At a pre-application consultation, the applicant must provide information as to the location of the proposed planned development, the proposed uses, proposed improvements, including the public benefits and amenities, anticipated exceptions of this ordinance, and any other information necessary to explain the planned development.
- c. The purpose of such pre-application consultation is to make advice and assistance available to the applicant before preparation of concept plan, so that the applicant may determine whether the proposed planned development is in compliance with the provisions of this ordinance and other applicable regulations, and whether the proposed planned development aligns with the adopted land use policies of the Town.
- d. The pre-application conference does not require formal application, fee, or filing of a planned development application. Any opinions or advice provided by the Town or its consultants is in no way binding with respect to any official action that may be taken on the subsequent formal application.

2. Neighborhood Meeting (Optional).

A prospective applicant, prior to submitting a formal application for a planned development, is encouraged to conduct a neighborhood meeting.

- a. The prospective applicant should provide written notice to all property owners and neighborhood associations located within 500 feet of the subject property at least fifteen (15) calendar days prior to the scheduled neighborhood meeting. The notice should contain a description of the proposed project, meeting place, time, date, and contact information of the prospective applicant.
- b. The notice should be sent through regular mail by the applicant. The application should submit a list of attendees and the list of property owners who were sent notice of the neighborhood meeting, as well as an example of the type of notice sent.
- c. The applicant should present and have available the material required for the concept plan meeting (Item 3 below) to the public.
- d. Following the neighborhood meeting, the applicant should provide to the Zoning Administrator or appropriate Town official a summary of the comments heard at the meeting. Such summary will be provided to the Planning Commission as part of the concept plan (if taken by applicant).
- e. The neighborhood meeting does not require formal application, fee, or filing of a planned development application. Any opinions or advice provided by the public or any officials in attendance are in no way binding with respect to any official action that may be taken on the subsequent formal application.

3. Concept Plan (Optional).

Before submitting a formal application for a planned development, the applicant may present a concept plan before the Planning Commission for the purpose of obtaining information and guidance prior to formal application.

- a. The concept plan will be presented at a public meeting and no notice is required. At a minimum, the concept plan must consist of the following:
 - 1) A scaled map (or maps) in general form contained the proposed land uses, the natural features of the development site, the character and approximate location of all roadways and access drives proposed, the location of all adjacent public streets, public utilities, and schematic drawings showing the size, character, and disposition of buildings on the site.
 - 2) A written statement containing a general explanation of the planned development, including a statement of the present ownership of all the land within said development and the expected schedule for construction.
 - 3) A summary of the comments heard at the neighborhood meeting, if applicable. If the concept plan presented during a neighborhood meeting has been significantly modified, the applicant should consider conducting another neighborhood

meeting so the comments provided from the neighborhood meeting are reflective of the concept plan under consideration by the Planning Commission.

- b. The Planning Commission will review the concept plan, and provide such information and guidance it deems appropriate. Any opinions or advice provided by the Planning Commission is in no way binding with respect to any official action the Planning Commission may take on the subsequent formal application. The review of the concept plan is not a public hearing. No decision will be made on the application and therefore, no vesting is applicable to the concept plan.

4. Preliminary Plan.

a. Action by Zoning Administrator.

An application for a preliminary plan for a planned development must be filed with Zoning Administrator. Once it is determined the application is complete, the Zoning Administrator will schedule a review by Town staff and its consultants prior to scheduling the application for consideration by the Planning Commission.

b. Action by Planning Commission.

- 1) Upon receipt of a complete application, the Planning Commission will consider the preliminary plan at a public meeting.
- 2) The Planning Commission will review the application based upon the evidence presented at the public hearing, pursuant to the approval standards of this section. The Planning Commission may recommend either approval, approval with conditions, or denial of the preliminary plan, table the preliminary plan, or defer the preliminary plan.
- 3) Following the close of the public hearing at which the Planning Commission makes a recommendation, the Planning Commission will forward its recommendation to the Board of Mayor and Aldermen.

c. Action by Board of Mayor and Aldermen.

The Board of Mayor and Aldermen will review the preliminary plan upon receipt of the Planning Commission recommendation, and may approve, approve with conditions, deny, table, or defer the preliminary plan. If the Planning Commission has recommended denial, the Board of Mayor and Aldermen must approve with a favorable two-thirds vote.

d. Conditions.

The Planning Commission may recommend, and the Board of Mayor and Aldermen may impose, such conditions and restrictions upon the establishment, location,

construction, maintenance, and operation of the planned development as may be deemed necessary for the protection of the public health, safety, and welfare. Such conditions and restrictions must be reflected in the final plan.

e. Approval Standards.

The recommendation of the Planning Commission and decision of the Board of Mayor and Aldermen must make a finding that the following standards for a planned development have generally been met.

- 1) The consistency of the proposed planned development with the Town's Comprehensive Plan and any adopted land use policies.
- 2) The proposed planned development meets the purpose of a planned development.
- 3) The proposed planned development will not be injurious to the use and enjoyment of other property in the vicinity.
- 4) The proposed planned development will not impede the normal and orderly development and improvement of surrounding property.
- 5) There is provision for adequate utilities and road infrastructure, drainage, off-street parking and loading, pedestrian access, and all other necessary facilities.
- 6) There is a provision for adequate vehicular ingress and egress designed to minimize traffic congestion upon public streets.
- 7) The location and arrangement of structures, parking areas, walks, landscape, lighting, signs, and other side design elements, and compatible with the surrounding neighborhood and adjacent land uses.

f. Expiration.

The preliminary plan approval expires if a complete application for final plan has not been filed and approved, permits for site preparation received and site preparation commenced, within three (3) years after the date the Board of Mayor and Aldermen grants preliminary plan approval. See also Article 7, Section 7.5, Vesting of Development.

5. Final Plan.

Following the approval of the preliminary plan, an application for a final plan for a planned development must be filed with the Zoning Administrator.

a. Action by Zoning Administrator.

The Zoning Administrator or designee for the Town will review the final plan upon receipt of the complete final plan application and take the following action:

- 1) If the final plan is in substantial compliance with the approved preliminary plan, the Zoning Administrator or designee for the Town will recommend approval of the final plan to the Planning Commission. The Zoning Administrator or designee for the Town will certify to the Planning Commission that the final plan is in substantial conformance with the previously approved preliminary plan including conditions imposed by the Board of Mayor and Aldermen.
- 2) If the final plan is not in substantial conformance with the approved preliminary plan, the Zoning Administrator or designee for the Town must inform the applicant as to the specific areas found not to be in compliance, and the applicant must resubmit the final plan to the Town with changes to those areas found not to be in substantial conformance and the validity of the preliminary plan remains in effect. If the revised final plan remains nonconforming with the approved preliminary plan as determined by the Zoning Administrator or designee for the Town, the applicant may appeal the determination of the Zoning Administrator or designee for the Town to the Planning Commission to make a determination on whether the final plan conforms with the approved preliminary plan.

b. Action by Planning Commission.

Upon receipt of the Zoning Administrator or designee for the Town recommendation, the Planning Commission must review the final plan. The Planning Commission must approve, approve with conditions, or deny the final plan. If denied, the applicant may reapply by submitting a new final plan and the validity of the preliminary plan remains in effect.

c. Effect of Approval.

After final plan approval by the Planning Commission, the final plan will constitute the development regulations applicable to the subject property. The planned development must be developed in accordance with the final plan approved by the Planning Commission, rather than the zoning district regulations otherwise applicable to the property. Violation of any condition is a violation of this ordinance and constitutes grounds for revocation of all approvals granted for the planned development.

d. Expiration.

- 1) Development plan approval expires if the applicant does not obtain and maintain all permits necessary for site preparation, nor commence site preparation within three (3) years from the date of final plan approval. As part of the Planning Commission approval of the final plan, the Planning Commission may extend this

period of time including approval of a phasing plan where the validity period is longer than the three (3) years for the planned development.

- 2) All required actions to retain vesting shall be per Article 7, Section 7.5, Vesting of Development.
- 3) If the planned development is to be developed in phases, the applicant need only file a final plan for the first phase of development within three (3) years, as indicated in the development schedule. The final plan for the remaining phases must be filed in accordance with the development and construction schedule. Multi-phase development vesting of up to fifteen (15) years is available, if required actions, as noted in Article 7, Section 7.5, Vesting of Development, are achieved, and maintained.

G. Planned Development Application Requirements.

Table 3-7: Planned Development Submittal Requirements contains submittal requirements for planned developments. Plans must be drawn in a legible manner, at a scale suitable to the size of the parcel being developed or subdivided. All plans must be drawn at a standard engineering scale and submitted in paper and digital form. All information listed in Table 3-7 must be submitted unless otherwise waived by the Planning Commission and/or Board of Mayor and Aldermen. 1. In Table 3-7, a “•” indicates that the submittal requirement is applicable. The absence of a “•” indicates that the submittal requirement does not apply. The Planning Commission and/or Board of Mayor and Aldermen may request additional information as deemed necessary to ensure the preliminary development plan and/or final development plan comply with this ordinance.

Table 3-7: Planned Development Submittal Requirements		
Submittals	Planned Development	
	Preliminary Plan	Final Plan
General Information		
Name, address, zoning, and property lines of all property owners adjacent to the exterior boundaries of the project	•	•
Name, address, phone numbers of owner(s), developer(s), and representatives	•	•
North arrow, scale, date of preparation, zoning classification, map/parcel numbers, total acreage, and proposed use	•	•
Title block located in the lower right-hand corner indicating the name and type of project, scale, firm/individual preparing drawing, date, and revisions	•	•
Legend containing all symbols and lines shown in the drawing	•	•
A vicinity map of the project with a radius of 1.5 miles from the project, any Major Thoroughfare Plan streets, and the 100-year floodplain boundary	•	•
The location of all existing structures on the property	•	•
Site coverage note indicating the percentage of the site that is currently covered by impervious surface	•	•
Title, name, address, stamp, and signature of the design professional(s) licensed to prepare the required plans and plats	•	•
The effective date of the Zoning Ordinance upon which the application is submitted and preliminary plan is approved.	•	•
Buildings & Structures		
Representative samples of elevations for different models or buildings to illustrate the variety and quality to be provided.	•	•

Building elevations that provide four-sided architecture and labeling of external materials (façade and roofing)	•	•
Show that mechanical equipment is fully screened from public view including roof-mounted and ground-mounted mechanical equipment	•	•
Floodplain/Floodway/Wetlands		
Show 100-year floodplain and/or floodway and base flood elevations. Reference the FIRM panel number and effective date.	•	•
Note and delineate wetlands on the property	•	•
Existing and proposed topographic information with source of information noted	•	•
Show stream buffers (where required)	•	•
Plans showing the nature, location, dimensions, and elevation of any part of the property within a flood prone area; existing or proposed structures or building sites, fill storage of materials and flood proofing measures; the relationship of the above to the location of the stream channel, floodway, floodway fringe, regulatory flood elevations, and the regulatory flood protection elevation; and specifications for building construction and materials, flood proofing, filling, dredging, grading, storage of materials, water supply, and sanitary facilities	•	•
A typical valley cross-section showing the channel of the stream, elevation of land areas adjoining each side of the channel, cross-sectional areas to be occupied by a development in a flood prone area, and high-water information, if required by the Planning Commission	•	•
Tree Protection and Landscaping		
Delineate trees to be retained on-site and the measures to be implemented for their protection	•	•
Depict the limits of soil disturbance to include all areas to be graded both on- and off-site		•
Landscaping proposals for parking lots, streets, greenspace, and required screening or buffer yards, including proposed plant size and species. Show existing and proposed utility lines, and state the method for irrigation.	•	•
Utilities - Existing		
Show, note, and dimension all known existing on- and off-site utilities and easements	•	•
Show invert and rim elevations of all existing sanitary sewer, stormwater drains, and fire hydrants		•
Existing easements must show the name of the easement holder and the purpose of the easement. If an easement is blanket or indeterminate in nature, a note to this effect must be added to the plat/plan		•
Utility capacity analysis as may be required by Town's consultant engineer	•	•
Utilities - Proposed		
Show all storm sewer structures, sanitary sewer structures, and drainage structures. Provide structure locations and types. Provide pipe types and sizes.	•	•
Stormwater drainage plans and calculations	•	•
Sanitary sewer systems: show manhole locations and provide pipe locations, sizes, and types		•
Show invert elevations and connections of all proposed sanitary sewer, stormwater drains, and fire hydrants	•	•
Note the occurrence of previous water, sewer, or storm sewer overflow problems on-site or in the proximity of the site	•	•
If a septic system is to be utilized, provide a table of the acreage and percolation rates		•
Water systems, on or near the site: provide pipe locations, types, and sizes; note the static pressure and flow of the nearest hydrant; show location of proposed fire hydrants and meters		•
Underground or surface utility transmission lines: locations of all related structures; locations of all lines; a note shall be placed where streets will be placed under existing overhead facilities and the approximate change in grade for the proposed street		•

State the width, location, and purpose of all proposed easements or rights-of-way for utilities, drainage, sewers, flood control, ingress/egress, or other public purposes within and adjacent to the project	•	•
Streets/Rights-of-Way/Easements		
Delineate, label, and dimension from centerline existing street right-of-way (ROW) lines and Town's Major Thoroughfare Plan ROW lines	•	•
Delineate, label, and dimension from centerline any required ROW dedication	•	•
Show the location, widths, grades, and names of existing streets, alleys, paths, and other ROW, whether public or private, within and adjacent to the project	•	•
Where a proposed road intersects an existing public way or ways, the elevation along the centerline of the existing public way within 100 feet of the intersection.	•	•
Show the location, widths, grades, and names of proposed streets, alleys, paths, and other ROW, whether public or private, within and adjacent to the project	•	•
Show approximate radii of all curves, lengths of tangents, and central angles on all public ways	•	•
Provide a layout of adjoining property in sufficient detail to show the effect of proposed and existing streets (including those in the Town's Major Thoroughfare Plan), adjoining lots, and off-site easements	•	•
Plans and profiles indicating the locations and typical cross-section of public way pavements, including curbs and gutters, sidewalks, drainage, rights-of-way, manholes, and catch basins	•	•
Location of public way signs, including street extension and speed limit signs	•	•
The location of all existing and proposed streetlights	•	•
Subdivision of Land		
The lot layout, the dimensions of each lot, number of lots, and total area in square footage or acreage to the nearest one-hundredth acre of each lot	•	•
Show the approximate finish grade where pads are proposed for building sites	•	•
Number lots consecutively	•	•
For phased developments, identify all phase lines and the phase sequence	•	•
Site Information		
Identify the location of known existing or abandoned water wells, sumps, cesspools, springs, streams, bodies of water, water impoundments, and underground structures within the project	•	•
Show the location of known existing or proposed ground leases or access agreements (shared parking lots, drives, etcetera)	•	•
The location of any potentially dangerous areas, including areas subject to flooding, slope stability, settlement, excessive noise, previously filled areas, and any means of mitigating hazards	•	•
For residential development, indicate the use and list in a table the number of dwelling units	•	•
For non-residential development, indicate the gross floor area, all proposed uses, and the floor area devoted to each type of use	•	•
Show location and size of existing or proposed signs, if any	•	•
Show general location and size of parking, loading areas, and traffic flow	•	•
Show location, size, and construction details of parking and loading areas.	•	•
Show the location, size, surfacing, landscaping, and arrangement of parking and loading areas. Indicate pattern of traffic flow. Include a table showing the required, provided, and handicapped accessible parking spaces	•	•
Show location and width of curb cuts and driveways. Dimension driveways and curb cuts from side property lines and surrounding intersections	•	•
Show location and dimensions of buffer strips, fences, or walls, if required	•	•
Indicate location of and access to solid waste service	•	•
Provide a description of commonly held areas, if applicable	•	•
Show building setbacks. Provide a note of the current setback requirements for the property/project	•	•
Show location of adjacent parks, cemeteries, structures, development, and historically significant properties	•	•

Show location and dimensions of all property proposed to be set aside for park, playground, or other public/private use, with designation of the purpose and conditions of use	•	•
Show contours at vertical intervals of not more than two feet	•	•
Preliminary grading and drainage plans and reports as required by the Town or its consultant engineer	•	•
Any other data or reports as deemed necessary for project review by the Zoning Administrator, Town's consultant engineer, Planning Commission, or Board of Mayor and Aldermen	•	•
All required signature blocks	•	•

H. Development Standards.

1. Residential Planned Development.

a. Permitted Uses.

Permitted and special principal and accessory uses and temporary uses for residential districts shall be as provided in Table 3.1. Commercial uses shall not be permitted in a residential planned development where the underlying zoning classification is residential.

b. Minimum Acreage.

A residential planned development shall not contain less than five (5) acres.

c. Density Permitted.

- 1) A residential planned development containing only single-family detached dwelling units shall not exceed 6 dwelling units per net acre.
- 2) A residential planned development containing single-family detached and attached dwelling units shall not exceed 12 dwelling units per net acre.
- 3) To calculate net acreage, from the gross site shall be subtracted all land to be utilized as public street right-of-way, any portion of the site lying within a Floodway district, and any portion of the site utilized for stormwater detention or retention. The remaining net development area is then multiplied by the dwelling unit enumerated in Item 1 or 2 above with any fractions of 0.5 or greater rounded to the next whole number.

d. Open Space Requirement.

- 1) Within any residential planned development approved under the provisions of this section, open space shall be provided which is usable land for residents for recreational or passive use and adequate to assure reasonable protection of surrounding land uses from possible negative effects resulting from greater

density or intensity of use which may be permitted within the residential planned development.

- 2) Any open space located within a residential planned development shall be under the direct and continuing control of an individual or homeowner or property owner association created and maintained for the purpose of owning and maintaining said open space.

e. Amenity Requirement.

- 1) All residential planned developments shall contain an amenity package consisting of features that allow recreation and other activities for residents of that development. Amenity features shall be of a type such as greenway trails, playgrounds with permanent equipment, clubhouse, swimming pool, or active and passive open spaces. The amenity features shall be presented with the preliminary plan submitted as to allow proper review by the Planning Commission and Board of Mayor and Aldermen. Equipment listings, sizes, details and supporting documentation describing the amenity improvements to be constructed shall be submitted with the preliminary plan application.
- 2) The amenities shall be required to be constructed and in place for use by the residents of the residential planned development at the point of 50 percent completion of the phase or section containing the proposed amenity. In the case of a residential planned development proposed to be developed in multiple phases, amenities proposed in later phases may be required to be constructed in the initial or earlier phases as determined by the Board of Mayor and Aldermen upon consideration of the preliminary plan in order for use by residents of the residential planned development.

f. Access Requirement.

- 1) Every dwelling unit shall be located on a lot adjacent to a public street, or with access to a private street approved for said lot. All structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection, and required off-street parking.
- 2) Every dwelling unit shall be located on a lot accessible to a pedestrian circulation system comprised of sidewalks, walkways, pathways, and trails connected to all dwelling units and open spaces and amenity features.

g. On-Site Development Standards.

See Article 5 for additional on-site development standards and requirements.

h. On-Site Parking.

See Article 4 for on-site parking standards and requirements.

i. Landscape.

See Article 4 for landscape standards and requirements.

j. Signs.

See Article 4 for standards governing signs.

2. Commercial Planned Development.

a. Permitted Uses.

Permitted and special principal and accessory uses and temporary uses for commercial districts shall be as provided in Table 3.1. A commercial planned development where the underlying base zone is commercial may also include residential uses subject to approval by the Board of Mayor and Aldermen.

b. Minimum Acreage and Location.

- 1) A commercial planned development shall not contain less than five (5) acres.
- 2) A commercial planned development shall be limited to locations which have direct access to arterial or collector streets as defined on the adopted Major Thoroughfare Plan.

c. Bulk Regulations.

The maximum floor area ratio (FAR) shall be calculated so as not to include minimum space for required off-street parking within a building on the site of the commercial planned development. Any parking provided above such required minimum within such a building shall be included in calculating the floor area ratio. The maximum floor area ratio for a commercial planned development shall not exceed 1.00.

d. Open Space Requirement.

- 1) Within any commercial planned development approved under the provisions of this section, open space shall be provided which is usable land and gathering space for patrons and employees of permitted land uses and to assure reasonable protection of surrounding land uses from possible negative effects resulting from greater intensity of use which may be permitted within the commercial planned development.

- 2) Any open space located within a commercial planned development shall be under the direct and continuing control of an individual or property owner association created and maintained for the purpose of owning and maintaining said open space.

e. On-Site Development Standards.

See Article 5 for additional on-site development standards and requirements.

f. On-Site Parking and Loading.

See Article 4 for on-site parking and loading standards and requirements.

g. Landscape.

See Article 4 for landscape standards and requirements.

h. Signs.

See Article 4 for standards governing signs.

I. Modifications to Approved Final Plan.

No modification or adjustment may be made to the approved final plan, except upon application to the Town in accordance with the following.

1. Administrative Modifications.

The Zoning Administrator (or a designee of the Town of Cornersville) may approve the following administrative modifications to an approved final plan when it is determined that such changes are in substantial conformance with the approved final plan. Any changes considered minor modification, as defined in this section in Item 2, cannot be approved as an administrative modification. The Zoning Administrator (or designed of the Town of Cornersville), at his/her sole discretion, may choose to classify a modification that meets the criteria of this section as a minor modification subject to approval by the Planning Commission. No notice is required for an administrative modification.

- a. Changes required during construction when related to final engineering issues such as topography, drainage, underground utilities, structural safety, or vehicular circulation, to be confirmed by the Town of Cornersville or its consultant engineer.
- b. Changes in building location of no more than ten feet that continue to meet the requirements of this ordinance and any conditions of the final plan approval.
- c. Changes in the location of open spaces, walkways, vehicle circulation (public and private streets, alleys, etc.), and parking areas not exceeding ten feet and internal to the

project that continue to meet the requirements of this ordinance and any conditions of the final plan approval.

- d. Changes in building design, including building materials, that continue to meet the requirements of this ordinance and any conditions of the final plan approval.
- e. Modifications of existing accessory structures or the addition of new accessory structures when in conformance with the requirements of this ordinance.
- f. Modifications to the approved landscape plan that do not result in a reduction of the total amount of plant material required and conform with all landscape requirements of this ordinance.
- g. Modification of existing signs or the addition of new signs when in conformance with sign regulations.

2. Minor Modifications.

The Planning Commission may approve the following minor modifications to an approved final plan when it is determined by the Planning Commission that such changes are in general conformance with the approved final plan. No notice is required for minor modifications but, consideration of a request from an applicant for minor modifications must be addressed during a public meeting held by the Planning Commission. When calculating percentages, all fractions are rounded up to the nearest whole number. Upon review of the proposed modifications, the Planning Commission may determine that the proposed modifications constitute a new planned development and the final plan must be resubmitted as a preliminary plan and follow the procedures of approval of this Section.

- a. An increase or decrease in building height of up to 10%.
- b. An increase or decrease in building coverage up to 10%.
- c. A change in the location of walkways, vehicle circulation (public and private streets, alleys, etc.), and parking areas over 10 parking spaces up to 20 feet.
- d. An increase or decrease in the number of parking spaces of up to 10 parking spaces.
- e. A change to the landscape plan that results in a reduction of plant materials but does not violate the landscape requirements of this ordinance.
- f. Altering any final grade by no more than 20% of the originally planned grade.
- g. Any request for an extension of time of the approved final plan.

J. Vested Right.

The preliminary development and final development plan are vested per Article 7, Section 7.5 Vesting of Development. The concept plan for a Planned Development is not a mandatory requirement and therefore is not vested within this ordinance.

3.12 ZONING OF ANNEXED LANDS

All lands which may hereafter be annexed into the Town of Cornersville, shall, unless otherwise specified, be zoned "R-1, Low Density Residential". Such annexed lands shall retain such zoning classification until necessary studies are made by the Planning Commission and the Board of Mayor and Aldermen and the Official Zoning Map is amended in the manner provided by this Ordinance.

ARTICLE 4

GENERAL PROVISIONS

SECTION

- 4.1 Scope
- 4.2 Only One Principal Building on any Residential Lot
- 4.3 Lot Must Access to a Public Road
- 4.4 Reduction in Lot Area Prohibited
- 4.5 Rear Yard Abutting a Public Road
- 4.6 Corner Lots
- 4.7 Lot Drainage
- 4.8 Fences, Walls, and Hedges
- 4.9 Accessory Structures and Uses
- 4.10 Clear View of Intersection Roads
- 4.11 Access Standards
- 4.12 Off-Street Parking and Loading Requirements
- 4.13 Landscape
- 4.14 Exterior Lighting
- 4.15 Buffer Yards
- 4.16 Standards for Signs
- 4.17 Standards for Murals

4.1 SCOPE

For the purpose of the zoning ordinance, the following general provisions which shall apply, except as specifically noted, to parcels located within the Town of Cornersville.

4.2 ONLY ONE PRINCIPAL BUILDING ON ANY RESIDENTIAL LOT

Only one principal building and its accessory structures may thereafter be erected on any residential-zoned lot. This provision shall not apply to townhouses or multifamily residential development, mobile home parks, planned developments, or group housing developments as permitted in this ordinance. On lots used for agricultural purposes which exceed fifteen acres, up to two (2) additional dwelling units may be located for persons employed thereon and their families. The site of each dwelling unit shall meet all minimum lot and yard requirements of the district such that the site can be subdivided from the remaining acreage if necessary.

4.3 LOT MUST ACCESS TO A PUBLIC ROAD

All buildings and building lots shall have permanent access to a public road. No building shall be erected on a lot which does not abut at least one (1) public street for a minimum distance of fifty (50) feet. This section shall not apply to:

- A. Properties abutting a cul-de-sac, which shall abut the street for a minimum distance of thirty (30) feet;
- B. Properties whose access is provided by a private easement; provided, however, that when a permanent easement to a public street is used as access to a lot or tract of land having been or being separated by deed from other property, such easement shall be at least thirty (30) feet in width at all points and shall not be used to provide access to more than one (1) lot or tract of land;
- C. Properties, developments, tracts, lots, etc. and the buildings thereon with permanent access provided by private streets, provided such development is in the form of condominium ownership or such private improvements which has been approved by the Planning Commission and will be in private ownership and control in perpetuity; or
- D. Properties in C-1 zoning district, which may have a lesser frontage requirement when so approved as a part of the site plan by the Planning Commission, considering other variables such as adequacy of ingress/egress and traffic circulation throughout site including access to off-street parking and loading areas.

4.4 REDUCTION IN LOT AREA PROHIBITED

- A. 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.
- B. No part of any yard or other open space or automobile storage area or loading or unloading space provided about any building for the purpose of complying with these regulations shall be considered as providing such space similarly required for any other structure.

4.5 REAR YARD ABUTTING A PUBLIC ROAD

When the rear yard of a lot abuts a public road, all structures built in that rear yard shall observe the same setback as required for adjacent properties which front on that road. In addition, any structure located within twenty-five (25) feet of that setback line shall be no closer to any side property line than the distance required for side yards on adjoining properties fronting on that road.

4.6 CORNER LOTS

For lots adjacent to the intersection of two (2) public streets, each yard abutting a public street shall be considered a front yard and shall meet the front yard setback requirements for that particular district. Furthermore, corner lots shall also have one (1) side yard and one (1) rear yard that will meet those setbacks for the particular district. The rear yard of a corner lot shall be the yard that is opposite the front yard on the public street which provides the address for the lot; the remaining yard shall be the side yard.

4.7 LOT DRAINAGE

Lots shall be laid out so as to provide positive drainage away from all buildings, and individual lot drainage shall be coordinated with the general storm drainage pattern for the area which includes subsurface drainage. Drainage shall be designed so as to avoid concentration of storm drainage water from each lot to adjacent lots or from public streets to adjacent lots. The Zoning Administrator or Town designee reserves the right to set minimum elevations on all floors, patios, porches, garages, storage sheds, or any other structure on a lot.

4.8 FENCES, WALLS, AND HEDGES

Notwithstanding other provisions of this ordinance, fences, walls, and hedges may be permitted in any required yard, or along any lot lines except as prohibited. Only new material, or such material as found to be structurally acceptable to the Zoning Administrator or the Towns designee shall be used. On corner lots where a double front setback is required, and where there is a common rear yard relationship with a lot in the same block, a fence no greater than forty-eight (48) inches in height above the existing grade of the land may be installed along the common street line from the front building setback line to the rear property line.

4.9 ACCESSORY STRUCTURES AND USES

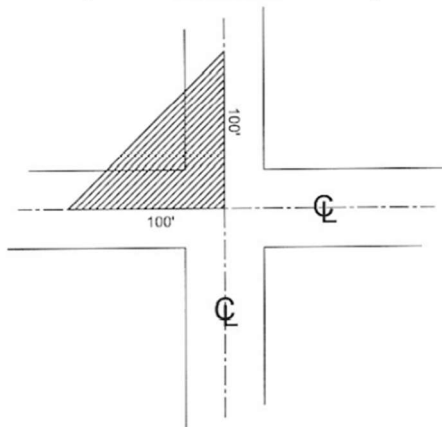
- A. The use of land, buildings, and other structures permitted in each of the districts established by this ordinance are designed by listing the principal uses. In addition to such principal uses, accessory structures which are customarily incidental to the permitted principal uses are also permitted in each district. Each accessory structure and use shall:
 - 1. Be customarily incident to the principal use established on the same lot.
 - 2. Be subordinate to and serve such principal use.
 - 3. Be subordinate in intent and purpose to such principal use.
 - 4. Contribute to the comfort, convenience, or necessity of users of such principal use.
- B. Agricultural accessory buildings which are intended for boarding or raising of livestock or fowl shall not be located within two hundred (200) feet of any adjacent residential or commercial building.

4.10 CLEAR VIEW OF INTERSECTING ROADS

In order to provide a clear view of intersecting roads to motorists, there shall be a triangular area of clear vision formed by the two intersecting roads. The triangular area shall be formed by a point on each road centerline, located 25, 50, or 100 feet from the intersection of the road centerlines, and a third line connecting the two points. The size of the triangular area shall be a function of traffic volume and speed. On any portion of a lot that lies within the triangular area

described and illustrated, nothing shall be erected, placed, planted, or allowed to grow in such a manner that materially impedes vision between a height of 30 inches and eight (8) feet above the grade at the two road centerlines.

Figure 4-1. Clear View Triangle



4.11 ACCESS STANDARDS

- A. General Access Requirements. Access to public roads and highways in Nolensville shall be carefully controlled to ensure that the congestion created by turning movements is reduced to an absolute minimum.
1. Each lot shall have access that is sufficient to afford a reasonable means of ingress and egress for emergency vehicles, as well as for all those likely to need or desire access to the property on a regular basis.
 2. In no case shall a lot with under 100 feet of frontage have more than one access point. In instances where more than one point of access is required because of the site or development size, corner location, or other circumstances, the number shall be minimized by combining access points when possible.
 3. Every development application for site plan review, shall plan for pedestrian access and provide sidewalks to a minimum width of five (5) feet along all public street frontages.
 4. Non-residential development sites which adjoin at side yard lot lines shall provide cross-access to adjacent sites through reserved access easements and subsequent development of cross-access drives.
 5. Access points for uses fronting on major streets within the C-2 district shall be separated from each other and any intersecting street by the greatest distance possible. Where feasible, separation between access points shall not be less than two hundred (200) feet. Parallel access or reverse frontage roads shall be encouraged to increase the distance between intersections to 400 feet wherever possible.

6. The use of alleys that provide rear access, especially for commercial deliveries and employee parking, residential services (i.e., garbage collection), and fire and other emergency services, shall be encouraged.
 7. Uses at the intersection of an arterial or collector street and a local or a less traveled street must derive primary access from the local or less traveled road to reduce traffic impacts upon the arterial or collector street.
- B. Traffic Impact Study. The purpose of a traffic impact study shall be to identify what on-site or off-site improvements, if any, are necessitated to offset the additional traffic generated by a proposed level of development. Such improvements might include the provision of traffic signals, turning lanes, road widening, or any combination of such improvements to mitigate traffic impact.
1. Traffic Impact Study Required. A traffic study shall be required by the Planning Commission for any proposed final site plan or subdivision which contains:
 - a. Residential developments with more than 50 dwelling units;
 - b. Non-residential developments of more than 30,000 square feet;
 - c. Residential uses, non-residential uses or thereof which would be expected to generate 500 vehicle trips or more per day, or 50 or more peak hour trips per day; or
 - d. As may be required by the Planning Commission based upon the proposed development.
 2. Study Requirements. A traffic study shall contain analysis of each access point that the development has to an existing roadway. Access points to be analyzed include public roads, joint permanent access easements and private driveways. The Planning Commission may also require the study to analyze any off-site traffic impacts generated by the proposed development. The Zoning Administrator or the Town's appointed designee or consultant will determine the extent of the study. If the development is to be phased, the sequence and timing of a development shall be incorporated into the traffic impact study. For projects, which include multiple phases and/or multiple buildings, the Planning Commission shall certify the scheduling of traffic improvements through the site plan approval process. If no phasing is identified in the approved traffic impact study, all study recommendations shall be satisfied at the initial phase of development.
 3. Waiver of Traffic Impact Study. A traffic study may be waived in cases where the applicant and Planning Commission agree on the nature and scope of the applicant's responsibilities for mitigating the impacts of traffic generated by the development. The waiver of a traffic impact study must be acted upon during a public meeting of the Planning Commission.
 4. Approval of Traffic Impact Study. The traffic impact study shall be approved by the Planning Commission, with all applicable requirements incorporated into any site, subdivision and building plans.

5. Implementation of Traffic Impact Study. The traffic impact study may take into account any improvements which have been funded and scheduled for construction. Any required traffic improvements shall be completed by the developer unless otherwise agreed upon between the applicant and the Town of Cornersville within the time frame of conditions as established by the Planning Commission. In the case of traffic improvements scheduled to be designed and constructed in phases, the Town may require the applicant to furnish a performance bond or other acceptable form of financial surety approved as to form by the Town Attorney and subsequently approved by the Board of Mayor and Aldermen. Any required financial surety shall be received in full prior to issuance of any permits. When it can be demonstrated that a development will only partially contribute to the need for additional off-site improvements, the Planning Commission may require a pro-rata contribution to be presented to the Town for approval by the Board of Mayor and Aldermen. The Zoning Administrator or designee appointed by the Town will certify that all traffic improvements to be provided by the developer or property owner have been completed before a certificate of occupancy shall be issued unless traffic improvements are scheduled in phases to which a certificate of occupancy may be issued for a portion of the overall development project as provided in the conditions as established by the Planning Commission.
- C. Access Control Plan. To minimize the number of access points on arterial roads, the Town may from time to time prepare and adopt access control plans and policies for various arterial roads. All landowners shall be required to conform to the access control plan and policies. The access plan shall be approved by the Planning Commission and Board of Mayor and Aldermen.
- D. Road Right-of-way Construction. Roads and their rights-of-way shall be designed and constructed in accordance with the Town of Cornersville Subdivision Regulations. In addition, the requirements contained in this section must be met.
- E. Private Roads. In all zoning districts, a minimum 22-foot wide paved surface located within a 50-foot wide access easement shall be required for developments containing lots that can only be accessed by a private road. No more than four (4) parcels may be served by an individual private road easement unless specifically approved by the Planning Commission through a subdivision plat. Gravel surface may be allowed by the Planning Commission for a private road not serving more than two (2) lots. The base and sub-base of such road shall meet the standards contained in the Town of Cornersville Subdivision Regulations for public roads. Construction plans prepared for private road must demonstrate accessibility by fire apparatus including provisions for a turnaround at the terminus of the private road. All private roads must be inspected according to the provisions of the Town of Cornersville Subdivision Regulations for public roads. All lots taking access from the easement will be included in the calculation for permitted lots. Private roads serving developments with less density than one unit per 1.5 acres are permitted for residential developments provided they conform fully to the standards contained in the Town of Cornersville Subdivision Regulations for public roads. All lots shall have a building envelope 200 feet apart or fire hydrants will be required.

- F. Minimum Road Frontage. Each lot, including lots located on a cul-de-sac and lots located on a curve shall have a minimum road frontage equivalent to 75 percent of its minimum required width. A minimum street frontage length of 50 feet shall be required in all districts.
- G. Paved Driveway Apron. All new gravel surface driveways or gravel private roads shall have a paved apron at the connection with a public arterial road. The apron to be paved from the existing pavement edge of public arterial road to the property line, a minimum pavement length of twenty (20) feet and have a minimum ten (10) feet radius. This requirement also applies to existing gravel driveways or private roads that add new lots that share the driveways or private roads to access a public arterial road.

4.12 OFF-STREET PARKING AND LOADING REQUIREMENTS

- A. Purpose. This article is to ensure the provision of adequate off-street parking spaces and associated improvements for each land use.
- B. Applicability.
1. For every use, activity, or structure permitted by this ordinance and for all buildings or structures erected in accordance therewith, there shall be provided sufficient space for access and off-street standing, parking, circulation, unloading, and loading of motor vehicles that may be expected to transport its occupants, whether as patrons, residents, customers, employees, guests, or otherwise, to an establishment, activity, or place of residence at any time under normal conditions for any purpose.
 2. When a use is expanded, accessory off-street parking and loading shall be provided in accordance with the regulations herein for the area or capacity of such expansion in combination with the previously existing uses, structure, or activity.
 3. Developments with legally nonconforming parking, loading and access areas on the effective date of this ordinance shall not increase their level of nonconformance through the acquisition of additional lands, or by modification of the existing layout. Nonconforming developments may bring their properties into conformance at any time.
 4. Number of Parking Spaces Required. Except as otherwise provided in this ordinance, the minimum number of off-street parking spaces to be provided for each use is listed in Table 4-1: Off-Street Parking Requirements.

Table 4-1 – Off-Street Parking Requirements	
Uses	Minimum Number of Spaces
AGRICULTURAL	
Nursery (Retail and Wholesale)	1 space per 250 sf of sales area, plus 1 space per employee
Stables/Animal Boarding Facilities	1 space per 5 horse stalls, plus 1 space per employee
RESIDENTIAL	
Single-family and Two-family (Duplex)	2 spaces per dwelling unit

Townhouses	2 spaces per dwelling unit
Multifamily	2 spaces per dwelling unit, plus 1 guest space per 8 dwelling units
Accessory Dwelling Unit	1 space per dwelling unit
Mobile Home	2 spaces per dwelling unit
Bed & Breakfast	1 space per guest room, plus 2 spaces per dwelling unit
Boarding House	1 space per guest room, plus 2 spaces per dwelling unit
Attached Senior Housing	1.5 spaces per resident unit
INSTITUTIONAL/PUBLIC	
Place of Worship	1 space per 4 seats plus 1 per 1,000sf of any residential living component
Education Facility	3 spaces per each classroom and office
Elementary and Middle School	3 spaces per each classroom and office
High School	6 spaces per classroom plus 4 per office
Adult/Vocational Education	2 spaces per classroom and office plus 1 space per 4 students of maximum enrollment
Day Care Center	1 space per 300sf GFA
Residential Care Facility	
Independent Living Facility	0.75 per dwelling unit
Assisted Living Facility	0.5 per dwelling unit
Nursing Home or Hospice	0.5 per patient room
Group Home (8 or more residents)	1 space per 3 beds
Cemetery	1 space per 200sf of GFA of office and/or chapel/parlor
Funeral Home	1 space per 200sf GFA
Recreation and Athletic Facilities	1 space per 500sf GFA
Community Center	1 space per 500sf GFA
Charitable, Fraternal, or Social Organization	1 space per 500sf GFA
Emergency Services	1 space per 300sf GFA
Government/Civic	1 space per 300sf GFA
COMMERCIAL	
Professional Office	1 space per 300sf GFA
Medical Office	1 space per 300sf GFA
Veterinary Office	1 space per 300sf GFA
Personal Service	1 space per 500sf GFA
Business Service	1 space per 300sf GFA
Financial Institution	1 space per 500sf GFA
Upholstery/Furniture Repair	
Restaurant (including drive-in)	1 space per 100sf GFA for indoor area; when outdoor seating space is provided 1 space per 150sf GFA of the outdoor dining area in addition to required spaces for indoor area
General Retail	1 space per 500sf GFA
Convenience Store w/ gas sales and/or car wash bay	1 space per pump (excluding of pump space) plus 1 per 500sf GFA of retail area plus 2 per service bay of

	accessory motor vehicle service and repair plus 2 stacking spaces for car wash bay
Grocery Store	1 space per 500sf GFA
Building Contractors Supply	1 space per 500sf GFA
Heavy Equipment Sales	1 space per 1,000sf GFA
Automotive Service/Repair	2 spaces per service bay
Automotive Sales/Dealership	1 space per 500sf GFA of indoor sales and display area plus 4 spaces per service bay
Gasoline Sales and/or Service	1 space per pump (excluding of pump space) plus 2 per service bay of accessory motor vehicle service or repair
Car Wash	1 space per car wash bay
Hotel/Motel	2 spaces per room
Entertainment Facility	1 space per 200sf GFA
Home Occupation	Same as principal use
Self-Storage	1 space per 20 storage units
Telecommunication Tower or Facility	1 space per 1,000sf GFA
INDUSTRIAL	
Light Manufacturing	1 space per 1,000sf of GFA up to 40,000sf, then 1 per 2,500 sf for additional GFA above 40,000sf (excludes any outdoor storage)
Heavy Manufacturing	1 space per 1,000sf of GFA up to 40,000sf, then 1 per 2,500 sf for additional GFA above 40,000sf (excludes any outdoor storage)
Warehousing and Wholesaling	1 per 300sf of GFA of office + 1 per 20,000sf of GFA of warehouse area

5. Unlisted Uses. Upon receiving a site plan application for a use not specifically listed in this section, the Zoning Administrator or Town designee shall apply the loading requirements specified for a listed use most similar to the use for which said permit is requested.
6. Multiple Uses Within a Building. When a building contains more than one (1) use, and where the floor area used for each use is below the minimum for required loading spaces but the aggregate total floor area is greater than the minimum, then off-street loading space shall be provided as if the entire building was used for that use in the building for which the most spaces are required.

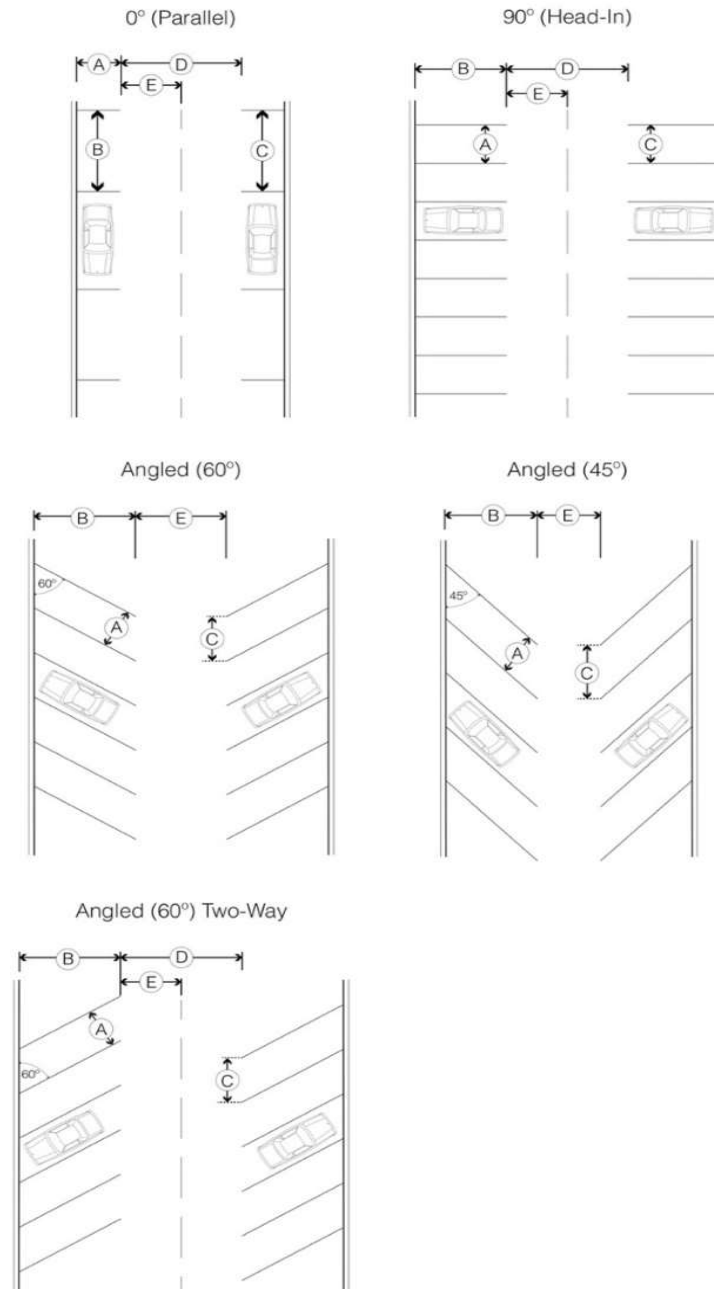
C. Off-Street Parking – Design Standards.

1. Dimensions of Vehicle Parking Spaces. Off-street vehicle parking space dimensions must meet the minimum dimensional standards of Table 4-2: Off-Street Parking Space Minimum Dimensions and Figure 4-2: Off-Street Parking Space Minimum Dimensions. All vehicle parking spaces must have a minimum vertical clearance of seven feet six inches.

2. Circulation Requirements.
 - a. Each off-street vehicle space must open directly upon an aisle or driveway of adequate width to provide access to a vehicle parking space. All off-street parking lots and structures must provide access in a manner that least interferes with traffic movement.
 - b. All required off-street parking facilities must have vehicular access from a street, alley, driveway, or cross-access easement.
3. Striping. Off-street parking areas must delineate spaces by painted lines and be maintained in clearly visible condition. Signs or markers should be used as necessary to ensure efficient and safe circulation within the lot.
4. Curbing and Wheel Stops. Wheel stops or curbing are required when a parking space abuts a pedestrian walkway, landscape area, or fence. Where curbing is used to separate an adjacent pedestrian way, the sidewalk must be a minimum of seven feet in width in order to accommodate two feet of vehicle overhang and maintain a sidewalk clearance a minimum of five feet in width.
5. Surfacing. All parking lots must be surfaced with a durable all-weather material, such as asphaltic concrete pavement, concrete, or other product, as approved by the City. All parking lots of 15 spaces or more must provide a pavement design by a licensed professional engineer.
6. Drainage. Off-street parking facilities must be drained to eliminate standing water and prevent damage to abutting property and/or public rights-of-way.
7. Lighting. Parking lot lighting must meet the exterior lighting standards of Section 4-13.
8. Landscape and Screening. All parking lots must be landscaped and screened in accordance with Section 4-14.
9. Pedestrian Access. Parking areas shall provide clearly delineated pedestrian pathways from the parking area to the primary building entrance to improve safe passageway for pedestrians.
- D. Required Accessible Parking. Parking facilities accessible for persons with disabilities must be compliant with or better than the standards detailed in Tennessee Code Annotated (T.C.A.) §55-21-105, including quantity, size, location, and accessibility, based on the ADA Accessibility Guidelines (ADAAG).

Table 4-2: Off-Street Parking Space Minimum Dimensions						
Parking Angle	Stall Width (A)	Stall Depth (B)	Skew Width (C)	Aisle Width Two-Way (D)	Aisle Width One-Way (E)	Vertical Clearance
0° (Parallel)	9'	22'	18'	22'	12'	7'-6"
90° (Head-in)	9'	18'	9'	25'	25'	7'-6"
60°	9'	21'	10.8'	25'	18'	7'-6"
45°	9'	17'	12'	Prohibited	12.5'	7'-6"

Figure 4-2. Off-Street Parking Space Minimum Dimensions



- E. Off-Street Loading and Unloading Requirements. The number of designated loading and unloading spaces required for a building shall be as indicated in Table 4-3.

Table 4-3: Required Off-Street Loading and Unloading Spaces		
Activity Type/Land Uses	Gross Floor Area (Sqft.)	Loading/Unloading Spaces
Outside Material and Equipment Sales; Restaurant – Full Service; Restaurant – Fast Food; Warehousing, Goods, Transport and Storage	Less Than 2000	None
	2,001 to 10,000	1
	10,001 to 25,000	2
	25,001 to 40,000	3
	40,001 to 60,000	4
	60,001 to 100,000	5
	Each Additional 80,000	1
All Manufacturing	Less than 5,000	None
	5,001 to 20,000	1
	20,001 to 40,000	2
	40,001 to 60,000	3
	60,001 to 100,000	4
	Each Additional 80,000	1
Automotive Sales, Service and Repair	Less than 10,000	None
	10,001 to 25,000	1
	25,001 to 40,000	2
	40,001 to 60,000 6	3
	0,001 to 100,000	4
	Each Additional 80,000	1
Convenience Retail Sales and Services; General Retail Sales and Services; Group Assembly; Commercial Outdoor Recreation	Less than 10,000	None
	10,001 to 25,000	1
	25,001 to 40,000	2
	40,001 to 60,000	3
	60,001 to 100,000	4
	Each Additional 150,000	1
Healthcare Facilities; Professional Services – Medical; Professional Services – Non-Medical	Less than 10,000	None
	10,001 to 100,000	1
	100,001 to 300,000	2
	Each Additional 300,000	1
Community Assembly	Less than 20,000	None
	20,001 to 100,000	1
	100,001 to 300,000	2
	Each Additional 300,000	1

1. Unlisted Uses. Upon receiving a site plan application for a use not specifically listed in this section, the Zoning Administrator or Town designee shall apply the loading requirements specified for a listed use most similar to the use for which said permit is requested.
2. Multiple Uses Within a Building. When a building contains more than one (1) use, and where the floor area used for each use is below the minimum for required loading spaces but the aggregate total floor area is greater than the minimum, then off-street loading space shall be provided as if the entire building was used for that use in the building for which the most spaces are required.

F. Loading and Unloading Area Design Standards.

1. Size of Required Space. The minimum required dimensions of loading spaces, open or enclosed, shall be twelve (12) feet in width by fifty-five (55) feet in length, with a minimum vertical clearance of fifteen (15) feet. Where tractor-trailer units will be using the facility, the minimum length shall be sixty-five (65) feet.
2. Paving Standards. All open off-street loading spaces shall be surfaced with asphalt or concrete, or other hard-surfaced dustless materials, and shall be constructed to provide for adequate drainage.
3. Use of Loading/Unloading Area. Required off-street loading spaces and associated aisles and maneuvering areas shall be used for vehicle loading only. No sales, storage, display of merchandise (including automobiles), repair work or dismantling shall be permitted in such areas.
4. Layout. All off-street loading and unloading spaces shall comply with the following design requirements.
 - a. No off-street loading space shall be located within the right-of-way of a public street. Any loading dock or door shall be set back far enough from the right-of-way so that no portion of the right-of-way is occupied by trucks or other vehicles while loading or unloading.
 - b. The location of the loading area shall not interfere with the free circulation of vehicles in the off-street parking area. Where loading areas are directly adjacent to or integrated with an off-street parking lot, the Town may require installation of physical barriers or other means of separating loading areas from parking areas and pedestrian traffic.
 - c. No loading space shall be located so as to block access by emergency vehicles.

4.13 LANDSCAPE

- A. Landscape Plan Required. A landscape plan prepared by a licensed landscape architect shall accompany any application for site plan approval and shall be subject to all requirements of

this section. The plan shall depict location, size, spacing, species, form, and quality of all proposed materials intended to fulfill the requirements of this section. The landscape plan shall also depict existing trees and proposed tree protection measures to be utilized for those trees to be preserved. Landscape plans shall show the nature and extent of the proposed grading, earth-moving or change in elevation, including existing and proposed contours at two (2) foot intervals. A landscape plan shall not be required for single-family detached or duplex residential land uses except residential subdivisions and planned development or mixed-use developments where landscape plans shall be provided for the entire development project including residential land uses.

1. No certificate of occupancy will be approved before completion of landscaping. A temporary occupancy permit may be issued based upon required landscape being installed within a prescribed period of time not to exceed three (3) months determined by the Zoning Administrator or designee of the Town of Cornersville.

B. Landscape Requirements. The landscaping required by this section shall conform to the following standards:

1. Standards for Form and Quality of Plants. All plant materials must be of good quality and meet American Horticulture Industry Association (AmericanHort) or its ANSI accredited successor's standards for minimum acceptable form, quality, and size for species selected. All species must be capable to withstand the seasonal temperature variations of USDA Hardiness Zones 7a (the plant zone for the Town of Cornersville). A hardiness zone is a geographically defined area in which a specific category of plant life is capable of growing, as defined by climatic conditions, including its ability to withstand the minimum temperatures of the zone. The use of species native or naturalized is required. Drought tolerant species are encouraged.
2. Spacing. Unless specified in this ordinance or required by the Planning Commission regarding minimum or maximum spacing between landscape materials, landscape plantings required under this section may be installed to appear to be irregularly planted and spaced at random to provide a more natural appearance.
3. Installation.
 - a. No landscape should be located within any utility easement, with the exception of lawn grass or other resilient groundcover. If landscape material is located within a utility easement and repair or replacement of the utility is needed, the Town or utility provider is not responsible for the replacement of any landscape that may be damaged.
 - b. All plant materials must be free of disease and installed so that soil of sufficient volume, composition, and nutrient balance are available to sustain healthy growth. Installation of plant materials during the appropriate growing season is encouraged.
 - c. No plantings may be installed to impede water flow.

4. Maintenance of Required Landscape Materials. The property owner shall maintain landscaping required by this section including timely removal of weeds and other noxious vegetation.
 5. Use of Required Landscape Area. No required landscape area shall be used for principal or accessory structures, refuse collection, parking, or any other functional use contrary to the intent and purpose of this section.
 6. Phasing of Development. Where a landscape plan is submitted as part of a phased development, landscape is required to be installed only for the active phase of development. Nothing prohibits the installation of landscape in non-active phases of development provided such landscape is required to comply with the approved landscape plan and shall be maintained according to this section.
 7. Irrigation. A property owner may install irrigation for landscape materials. Irrigation systems should be installed underground with the exception of backflow and other devices that must remain accessible for maintenance and operation. The use of moisture gauges for operation of irrigation systems is encouraged to reduce excessive watering of landscape materials. Irrigation systems shall be properly maintained at all times to avoid leaks and water loss.
 8. Replacement of Dead Landscape Materials. All landscape materials must be maintained in good condition, present a healthy appearance, and be kept free of refuse and debris. Any dead, unhealthy, or missing plants must be replaced within 30 days of notification, unless an extension is approved by the Town. Failure to comply with this requirement shall be deemed a violation of this ordinance.
- C. Parking Areas. A perimeter landscape yard is required for all parking lots that abut a public right-of-way and must be established along the edge of the parking lot to screen vehicle parking. The landscape treatment must run the full length of the parking lot perimeter and must be located between the lot line and the edge of the parking lot.
1. The perimeter parking lot landscape area must be at least ten (15) feet in width along an arterial street, ten (10) feet in width along a collector street, and ten feet when located along a local street or public space. There must be a minimum linear distance of two (2) feet between the landscape area and any wheel stops or curbs to accommodate vehicle bumper overhang, which is not included in the minimum width calculation.
 2. One shrub must be planted for every three feet of perimeter yard length, spaced linearly on-center. Alternatively, a mix of shrubs, perennials, native grasses, and other planting types that provide screening of a minimum of three feet in height may be used.
 3. A minimum of one shade tree must be provided for every 30 linear feet of perimeter landscape yard. Two ornamental trees may be substituted for one shade tree and must be

spaced one ornamental tree every 15 feet. Trees may be spaced linearly on-center or grouped to complement an overall design concept.

4. All parking lots consisting of 15 or more spaces require interior parking lot landscape as described in this section.
 - a. All rows of parking stalls must terminate in a parking lot island or landscape area.
 - b. Where more than 15 parking stalls are provided in a row, one parking lot island must be provided between every 15 parking spaces. As part of the landscape plan approval, parking lot island locations may be varied based on specific site requirements or design scheme, but the total number of islands must be no less than the amount required of one island for every 15 spaces.
 - c. Parking lot islands must be the same dimension as the parking stall. Double rows of parking must provide parking lot islands that are the same dimension as the double row. In no case can the area be less than 160 square feet for a single row of parking or 320 square feet for a double row.
 - d. A minimum of one shade tree must be provided in every parking lot island or landscape area. If a parking lot island extends the width of a double row, then two shade trees are required.
- D. Site Landscape. Within any commercial or industrial district, all sites shall be developed with areas landscaped with trees, shrubbery, ground cover, and grass. Such landscaped areas shall be located on the site in front and side yards so as to provide maximum visibility of the landscaping to surrounding properties and public streets.
 1. Plant materials shall comply with the following standards:
 - a. Landscape materials shall be tolerant of specific site conditions, including but not limited to, heat, drought, and salt.
 - b. Existing healthy plant material may be utilized to satisfy landscaping requirements, provided such plant material meets the minimum plant size required.
 - c. Landscape materials that are used for screening shall be of a size that allows growth to the desired height and screening capacity within three (3) years.
 2. Minimum plant sizes are as follows.
 - a. Evergreen trees must have a minimum height of eight (8) feet.
 - b. Shade trees must have a minimum clear trunk height of four (4) feet above the ground with a three (3) inch caliper.

- c. Single-stem ornamental trees must have a minimum trunk size of 2.5 inches in caliper. Multiple stem ornamental trees must have a minimum height of eight (8) feet.
 - d. Evergreen or deciduous shrubs of thirty (30) inches in height.
- 3. Diversity among required plant material is required for visual interest and to reduce the risk of losing a large population of plants due to illness.
- 4. Areas of any lot that are not covered by structures or pavement must be planted with landscaping. Stone, mulch, or other permeable landscape materials may be used to satisfy this requirement but must not cover more than forty percent (40%) of the landscape area.
- 5. Refuse enclosures shall be screened utilizing a fence or wall and supplemented with landscape around the perimeter. Landscape material to include a mix of evergreen and deciduous types.
- 6. Where multifamily and non-residential (including mixed-use) developments are located ten feet or more from a street lot line foundation landscape around the building foundation visible from the public right-of-way must be planted. This planting is required along a minimum of sixty percent (60%) of the linear façade of the building visible from the public right-of-way. Foundation landscape is not required for buildings where a façade abuts any parking area.
- 7. Non-residential uses require the following landscape strip along interior side or rear lot lines.
 - a. The landscape strip must be a minimum of ten (10) feet in width.
 - b. One (1) shrub must be planted for every three feet of perimeter yard length, spaced linearly or curvilinearly on center. Alternatively, a mix of shrubs, perennials, native grasses, and other planting types that provide screening of a minimum of three (3) feet in height may be used.
 - c. A minimum of one (1) shade tree must be provided for every thirty (30) linear feet of perimeter landscape yard. Two (2) ornamental trees may be substituted for one (1) shade tree and must be spaced one (1) ornamental tree every fifteen (15) feet. Trees may be spaced linearly on-center or grouped to complement an overall design concept.

4.14 EXTERIOR LIGHTING

- A. Exterior Lighting Plan Required. Whenever development approval is sought for which exterior lighting is planned, an exterior lighting plan prepared by a registered professional engineer shall be submitted to the Planning Commission in order to determine whether the requirements of this section have been met, and that adjoining property will not be adversely impacted by the proposed lighting. Residential-scaled lighting on single-family and duplex homes shall be exempt from this requirement. The required lighting plan shall include the proposed location

of all exterior light fixtures including building mounted fixtures, a standard drawing or drawings of the light design for each type of light fixture including color and height of light standard, light coverage information indicating footcandle levels (measured in a grid pattern every twenty-five (25) feet for entire site), and a statement on the plan documentation that lighting shall be maintained in good working order. Additional information may be requested by the Planning Commission.

B. Lighting for Parking Areas. All parking areas having ten (10) or more parking spaces or containing more than 3,500 square feet shall provide exterior lighting. Exterior lighting for parking areas shall meet the following standards:

1. All light fixtures utilized for exterior lighting shall be full cut-off style to reduce the amount of glare onto adjoining property. To be considered a cut-off luminaire, the cut off angle must be 75 degrees or less.
2. Maximum permitted height of a luminary in a residential parking area is twelve (12) feet.
3. Maximum permitted height of a luminary in a non-residential parking area is twenty (20) feet.
4. While lighting is variable, the minimum average illumination of a parking area shall be no lower than 0.75 footcandle.
5. Light locations are to be correlated with adjacent buildings, pedestrian systems and landscape areas of parking areas.
6. Exterior lighting fixtures, standards and exposed accessory lighting shall be compatible with the building design with colors that complement building architectural features and color palette and shall be designed to direct the light downward unless decorative standards are utilized. Black shall be the preferred color of lighting fixtures.
7. Areas intended for pedestrian use including walkways and trails shall be adequately lighted to ensure pedestrian safety.
8. No exterior lighting fixture shall be located within a required buffer yard except on pedestrian sidewalks or walkways permitted within the buffer yard.
9. No illumination in excess of one (1) footcandle shall be permitted across the boundary of any adjacent property or a public street right-of-way.

C. Street Lighting. Every development application for site plan review, shall plan for and provide street lights along all public street frontage. All streets shall meet the following standards:

1. Specific street light design and performance standards shall be determined by the Planning Commission based on the type, density, and zoning district of the proposed development.

2. Street light fixtures shall correspond with the types available from the electric service provider(s) serving the Town of Cornersville.
3. Street lights may be located within the proposed right-of-way.
4. A lighting plan shall be submitted with the site plan application of a proposed development indicating the type and placement of proposed street lights and valuation of street lights and associated costs for installation.
5. The developer/applicant shall be entirely responsible for installation of street lighting and associated improvements and costs associated therewith unless otherwise agreed upon with the Board of Mayor and Aldermen.

D. Lighting for Outdoor Recreational Uses.

1. Maximum permitted height of a luminary is seventy (70) feet, and this height is limited to playing fields requiring such lighting. Parking areas must follow the standards as set forth in this section.
2. Light locations are to be correlated with adjacent buildings, pedestrian connections and landscape areas of parking lots.
3. No light source shall be located within a buffer yard except on pedestrian walkways.
4. The maximum illumination at the interior buffer yard line shall not exceed two (2) footcandles.
5. No illumination in excess of one (1) footcandle shall be permitted across the boundary of any adjacent residential zoned property or a public street.

E. Prohibited Lighting. The following types of exterior lighting shall not be permitted.

1. Semi-cut off or non-cut off luminaires.
2. Flickering or flashing lights. This does not apply to seasonal holiday lighting and that which is used for temporary festivals and events.
3. Moving lights or tubular lighting. Tubular lighting means lighting such as neon, gas, fiber optics, LED, or other similar forms of lighting installed around the exterior building façade, canopy, awning, architectural feature, or any other structural component of the building outside area. This does not apply to seasonal holiday lighting and that which is used for temporary festivals.
4. Searchlights, laser source lights, or any similar high intensity lights are prohibited.
5. Lighting by exposed bulbs.

6. Any lighting that may be confused with emergency services, such as red and blue lighting, and any lighting that may be confused with traffic signals, such as red, yellow, and green lighting.
7. Floodlights attached to a building for the purpose of illuminating parking or pedestrian areas; provided, however, a flood light attached to a building to illuminate service areas is permitted provided the source of illumination is not visible from the public right-of-way. This does not apply to residential uses.

4.15 BUFFER YARD

- A. Definition. A buffer yard is a unit of open space improved with screening and/or landscaping materials used to increase compatibility between commercial or industrial districts adjacent to any residential district, or residential developments of differing densities and/or intensities which may or may not be greater than the required yard areas for the zoning district. Within all commercial or industrial districts adjacent to any residential district, buffer yards shall be required to separate certain activities from others in order to eliminate or minimize potential nuisances such as dirt, litter, noise, glare of lights, signs, and buildings or parking areas, to protect the character of residential areas and conserve property values.
- B. Minimum Buffer Yard Standards. The buffer yard shall be no less than ten (10) feet in width measured from the common property line between the commercial or industrial parcel and the adjoining residential zoned parcel(s). The following are considered to be the minimum standards for Buffer Yards:
 1. The buffer yard shall consist of plantings and physical features sufficient to screen direct view, reduce glare and noise, and provide greater privacy for nearby residential uses. The buffer shall be initially installed for the permanent year-round protection of adjacent property by visually shielding internal activities from adjoining property from ground level view to a minimum height of eight (8) feet. A landscaping plan detailing the type, substance, design, width, height (including height at maturity), growing period to maturity, time schedule for installation, and responsibility for perpetual maintenance of the buffer yard shall be submitted to and approved by the Planning Commission.
 2. The landscaping provisions of this section may be varied or reduced if the proposed plan provides for unique and innovative landscaping treatment or physical features that, in the opinion of the Planning Commission, meet the intent and purpose of this section. In instances where significant physical features exist (e.g., hillsides, preserved wooded areas, etc.) which in the opinion of the Planning Commission provide adequate buffering between land uses, the existing buffers may be used in part or whole to meet the landscaping provisions of this section.
 3. Fences, walls, and berms may also be utilized in the landscaping plan of the buffer yard.

4. The width of a required buffer may be reduced by twenty (20) percent if a wall, fence, or berm is provided that meets the following standards:
 - a. If fences or walls are used, they shall:
 - i. Be a minimum of eight (8) feet in height measured from finished grade, or alternatively be a minimum of six (6) feet high when used in addition to, and in conjunction with a berm that is a minimum of two (20 feet in height;
 - ii. Be constructed of durable material such as brick, stone, other masonry materials, wood posts and planks, or metal or other materials specifically designed as fencing materials (excluding chain link, stock, or barbed wire), or any combination thereof, as may be approved by the Planning Commission;
 - iii. Not create a stockade appearance by the use of solid fencing. Solid fences facing public streets shall have masonry columns located no greater than seventy-five (75) feet on center with off-setting alignment of fencing. The use of evergreen plant material, or other suitable year-round plant material, is encouraged to avoid a stockage appearance.
 - b. Berms shall be a minimum of two (2) feet in height with a maximum slope of three to one (3:1). Berms in excess of six (6) feet in height shall have a maximum slope of four to one (4:1) as measured from the exterior property line.
 - c. Berms shall be landscaped and stabilized to prevent erosion.
 5. Evergreen plant materials shall be planted in clusters as opposed to a single line in order to maximize chances of survival. Conifers may also be used as appropriate.
 6. Buffer yards shall remain in the ownership of the lot owner and shall be adequately maintained by the owner.
 7. Principal buildings, accessory buildings and structures, and parking and loading facilities shall not encroach with required buffer yards.
- C. Alternative Buffer Yard. In the event that the unusual topography or elevation of a development site, the size of the parcel to be developed, the soil or other sub-surface condition on the site would make strict adherence to the requirements of these standards would make it physically impossible to install and maintain the required buffer yard, the Planning Commission may alter the requirements of these standards as long as the existing features of the development site comply with the spirit and intent of these standards. Such an alteration may occur only at the request of the property owner, who shall submit a plan to the Planning Commission showing existing site features that would sufficiently buffer or screen the proposed use and any additional buffer materials the property owner will plant or construct to buffer or screen the proposed use. The Planning Commission shall not alter the requirements

of these standards unless the developer demonstrates that existing site features and any additional buffer materials will sufficiently screen the proposed use. Existing trees or hedgerows, which are proposed to be used to fulfill buffer requirements, shall be shown on the required site plan. Any material in satisfactory condition may be used to satisfy these requirements in whole or in part when, in the opinion of the Planning Commission, such material meets the requirements and achieves the objectives of this section.

4.16 STANDARDS FOR SIGNS

A. Purpose.

The purpose of these regulations is to establish a comprehensive system of sign controls regarding the construction, installation, and maintenance of signs that will:

1. Promote and protect the health, safety, and welfare of the Town by ensuring the compatibility of signs with surrounding structures and land uses.
2. Create a more attractive business and economic climate by enhancing and protecting the orderly and effective display of signs and discouraging sign clutter.
3. Protect the public from hazardous conditions that result from the indiscriminate use and placement of signs, structurally unsafe signs, signs that obscure the vision of pedestrians or motorists, and signs that compete or conflict with necessary traffic signals, government signs, and warning signs.

B. Definitions.

1. Auction Activity Sign. A temporary sign associated with an active auction activity provided the sign area shall not exceed 32 square feet and may be permitted to have two sides and may be installed no earlier than 14 days before the auction event and must be removed promptly following the event.
2. Awning Sign. An awning sign is a sign printed or displayed upon an awning.
3. Balloon Sign. A sign or advertising device designed to be airborne or inflated and tethered to the ground or other structure. This includes any air-inflated signs and any signs that inflate and move via air inflation. This definition also includes any product made with the appearance of a balloon, although it may not require inflation.
4. Billboard Sign. A sign that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.
5. Canopy Sign. A canopy sign is a sign printed, mounted, or installed upon a canopy. A canopy sign may be attached to a building or free-standing.

6. Development Entrance Sign. A ground-mounted sign located at the entrance to a development, typically associated with subdivisions.
7. Directory Sign. A small sign that is flat against the building façade and mounted or applied directly to the building.
8. Electronic Message Sign. A sign designed where a portion of the sign area uses changing light emitting diodes (LEDs), fiber optics, light bulbs, or other illumination devices within the electronic display panel(s) to form a message or messages in text and/or image from where the messages and the rate of change is electronically programmed and can be modified by electronic processes. Time/temperature signs and video display signs are not considered electronic message signs. Also called an electronic message center sign.
9. Feather Flag. (also known as a “Banner Flag” or “Swooper Flag” or “Sail Sign”) shall mean a vertically oriented banner attached to a single pole allowing the fabric to hang loose at one, two, or three of the four corners.
10. Festoon. A sign consisting of a string of ribbons, small flags, or pinwheels. Festoon sign shall also include balloons or umbrellas used for advertising.
11. Government Sign. Sign installed by federal, state, or local government or taxing bodies installed in the public interest in any number, configuration, or size in any district or in the public right-of-way. Such signs may be illuminated as required by the agency. Temporary roadway work, utility work, or emergency information signs may be electronic message signs.
12. Feather Flag. (also known as a “Banner Flag” or “Swooper Flag” or “Sail Sign”) shall mean a vertically oriented banner attached to a single pole allowing the fabric to hang loose at one, two, or three of the four corners.
13. Festoon. A sign consisting of a string of ribbons, small flags, or pinwheels. Festoon sign shall also include balloons or umbrellas used for advertising.
14. Hanging Sign. A sign that is attached to a rigid structure that extends more than 18 inches beyond the surface of the building to which it is attached. A marquee sign is not considered a projecting sign.
15. Menu Board. A sign constructed as part of a drive-through facility.
16. Monument Sign. A ground-mounted sign that is placed upon or supported by the ground and independent of any other structure.
17. Noncommercial Message Sign. A temporary sign used for the expression of noncommercial ideas and messages permitted in all districts. Examples include but are not limited to, signs advocating a public issue, recommending a candidate for public office,

alerts, or warnings. Noncommercial messages may be displayed on any sign authorized to display commercial messages.

18. Not-for-Profit Community Event Sign. A temporary sign placed on a lot for a not-for-profit community event provided the sign area shall not exceed 32 square feet and may be permitted to have two sides and may be installed no earlier than 21 days before the not-for-profit event and must be removed promptly following the event.
19. Off-premise Sign. A sign that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located. An off-premise sign shall not be considered a temporary sign.
20. Portable Reader Board Sign. A sign whose principal supporting structure is intended, by design and construction, to rest upon the ground for support and may be easily moved or relocated for reuse. Portable reader-board signs include, but are not limited to, signs mounted upon a trailer, wheeled carrier, or other non-motorized mobile structure, with wheels or with wheels removed. Portable reader-board signs do not include aframe signs.
21. Real Estate Activity Sign. A temporary sign placed on a lot when a structure or lot is offered for the active sale, lease, or rent that is permitted in all districts but, is limited to one sign per street frontage. Real estate activity signs associated with commercial development or residential subdivision development are limited to a maximum height of six feet and a sign area of 32 square feet and may have two faces and does not apply to individual homes for sale within a residential subdivision. Real estate activity signs shall not be placed within public right-of-way.
22. Roof Sign. A sign that is erected, constructed, and/or maintained on or extending above the roof or roofline, including the parapet of any building.
23. Sandwich Sign. A pair of advertisement boards connected at the top by straps or hinge designed to be placed on the sidewalk in front of a retail storefront or tenant space.
24. Temporary Construction Site Sign. A sign on an active construction site intended for temporary use during the construction period.
25. Temporary Sign. A sign intended for temporary use other than temporary construction site signs and campaign signs.
26. Wall Sign. A sign that is attached directly to an exterior wall of a building or dependent upon a building for support and projects 12 inches or less from the wall of a building with the exposed face of the sign in a plane substantially parallel to the face of the wall. Window signs are not considered wall signs.
27. Window Sign. A sign placed within, affixed to, in contact with, or located within 12 inches of glazing (window) and visible from the exterior.

C. General Provisions.

1. Calculating Sign Area.

- a. The sign area shall be the computed area of the background upon which lettering, insignia, or other devices are placed.
- b. Where the sign area is on the face of a building, the area of the sign shall be determined by the smallest geometric shape that encloses all borders, graphics, and letters as a complete sign.
- c. The supporting structures shall not be included in the area computation unless utilized as part of the total display area.
- d. Figure 4-3 illustrates a sign area determined by drawing a box (indicated by the dashed line) around all letters, graphics, and markings associated with the sign.

Figure 4-3. Calculating Sign Area.



2. Permit Requirement.

A sign permit shall be required for all sign types referenced in Table 4-4: Summary of Permitted Signs.

3. Design and Construction Standards.

a. Placement.

- 1) Signs shall be placed according to the applicable sign type requirements.
- 2) Signs shall not be placed within the public right-of-way except those placed by or on behalf of a governmental entity or unless otherwise provided in this ordinance.
- 3) All other signs placed in the right-of-way shall be forfeited to the public and shall be immediately confiscated by the Zoning Administrator.

- 4) Signs shall not interfere or block the sight of directional, instructional, or warning signs placed by or on behalf of a governmental entity.
 - 5) Signs, along with supports, braces, guys, or anchors shall be placed or constructed so as not to obstruct or interfere with any door, window, fire escape or other means of egress, light, or ventilation. Signs shall be located so they do not obscure the view of pedestrian or vehicular traffic that would endanger safe movement. Signs shall not be placed so as to obscure prominent architectural features on a building.
- b. Materials.
- 1) Building materials for sign backgrounds, frames, supports, and ornamentation shall:
 - a) Be durable and low-maintenance;
 - b) Be of the same or higher quality materials as the principal building; and
 - c) Have compatible design for all parts of the sign.
 - 2) The following materials are prohibited for sign backgrounds, frames, supports, and ornamentation:
 - a) Exposed metal poles; and
 - b) Smooth- or split-faced concrete blocks, whether painted or unpainted.
- c. Internal Illumination.
- 1) Internal illumination of signs shall be limited to light emanating only through the letters, numbers, logos, and accent lines. The remainder of the sign area shall not be illuminated and shall be opaque to prohibit light penetration. The lighting source shall not flash, move, change color, be overly bright, or create a nuisance.
 - 2) In the C-1 District, internally illuminated signs attached to buildings shall only be allowed on the façade facing US-31/Main Street.
 - 3) The sign or light source shall not produce glare or illumination that could distract or interfere with the vision of drivers, cyclists, pedestrians, or adjacent property owners. Illumination shall be shielded in such a manner that no direct glare can be seen from any angle.
 - 4) Exposed neon or LED that is visible are prohibited and shall not be incorporated into the design of a principal building or accessory structure. Window signs may have neon as permitted in this ordinance (see Window Sign).

- 5) Any electrical lights or fixtures shall be installed in accordance with adopted electrical code administered and enforced by the authority having jurisdiction.

d. External Illumination.

- 1) External illumination of signs shall:
 - a) Be achieved by a white, steady, stationary light of reasonable intensity.
 - b) Be aimed and shielded so that direct illumination is focused exclusively on the sign area; and
 - c) Be shielded from adjacent buildings, streets, and internal drives and shall not be so bright as to cause glare on or other nuisances to adjacent properties.
- 2) The sign or light source shall not produce glare or illumination that could distract or interfere with the vision of drivers, cyclists, pedestrians, or adjacent property owners. Illumination shall be shielded in such a manner that no direct glare can be seen from any angle.
- 3) Any electrical lights or fixtures shall be installed in accordance with adopted electrical code administered and enforced by the authority having jurisdiction.

4. Maintenance.

- a. Signs and the premises surrounding them shall be maintained in a clean, sanitary, and inoffensive condition, free and clear of obnoxious substances, rubbish, and weeds.
- b. Signs, together with their supports, braces, guys, and anchors, shall be maintained in good and safe condition, including the periodic application of paint or other weatherproofing materials to prevent rust or other decay. Signs shall not be allowed to deteriorate to a broken, torn, peeling, flaking, or otherwise decayed condition.
- c. Temporary signs and flags shall not be allowed to deteriorate to a tattered, torn, or faded condition. Any banner shall be hung flat and secured at all corners and sides.

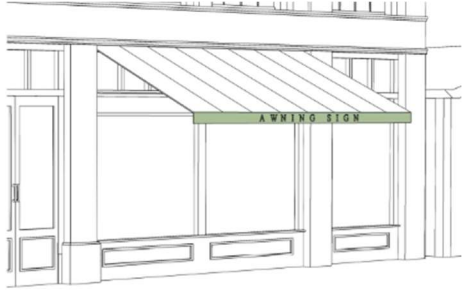
D. Permitted Signs.

1. Summary of Permitted Signs.


Table 4-4: Summary of Permitted Signs, catalogs the types of permitted signs, both permanent and temporary, and indicates whether such sign requires a sign permit.

Table 4-4: Summary of Permitted Signs			
Sign Type	Permitted Locations	Exempt Sign (no permit required)	Sign Permit Required
Awning Sign	C-1, C-2, I-1, I-2		•
Canopy Sign – Attached	C-1, C-2		•
Canopy Sign - Freestanding	C-1, C-2		•
Development Entrance Sign	All districts		•
Directory Sign	C-1, C-2, I-1, I-2	•	
Hanging Sign	C-1, C-2		•
Menu Board	C-1, C-2		•
Monument Sign	C-1, C-2, I-1, I-2		•
Sandwich Board Sign	C-1, C-2	•	
Wall Sign	C-1, C-2, I-1, I-2		•
Window Sign	C-1, C-2	•	
Interstate Business Sign	C-2		•
Temporary Construction Site Sign	All districts		•
Temporary Sign	All districts	•	

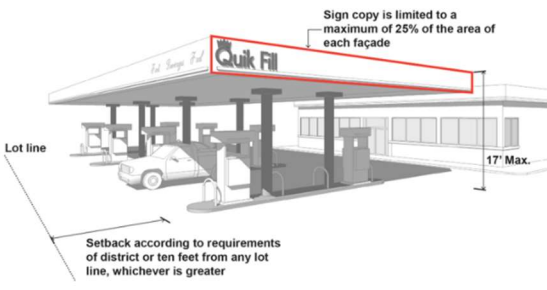
2. Awning Sign.

Awning Sign	
	Description: A sign that is part of or attached to the valance or face of an awning attached to a ground floor retail storefront or tenant space.
	Materials: Opaque canvas, cotton duck, or similar natural materials with lettering painted, screen printed, or appliqued.
	Sign Area: Either a maximum of 60 percent of the awning valance or 25 percent of the awning face, in addition to the allowable wall signage.
Quantity: Maximum of one (1) per main entrance per storefront on the ground floor.	Illumination: External illumination only.
Placement: Either on the awning valance or on the awning face.	Vertical Clearance: Awning signs must maintain a minimum vertical clearance of eight (8) feet.
Height: Freestanding canopy sign is limited to a maximum height of 17 feet.	Projection: Awning signs attached to principal structure may encroach into public right-of-way but must be located at least two feet from curb line.

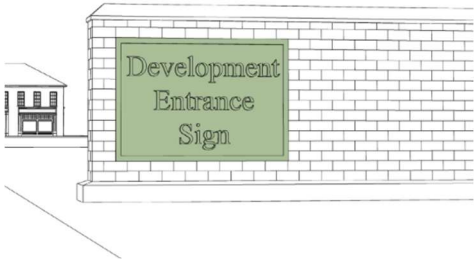
3. Canopy Sign – Attached.

Canopy Sign - Attached	
	Description: A sign that is attached to the front face of a canopy attached to a building.
	Materials: Metal.
	Sign Area: Maximum of 90 percent of the canopy face or 120 square feet, whichever is smaller.
Quantity: Maximum of one sign per canopy per building façade and may be used only if no wall, band, or awning sign exists on the building façade.	Illumination: External illumination only.
Placement: Shall not project above or below the canopy or be located above the building roofline.	Vertical Clearance: Canopy signs must maintain a minimum vertical clearance of ten (10) feet.
Height: Maximum height of 24 inches.	Projection: Canopy signs attached to principal structure may encroach into public right-of-way but must be located at least two feet from curb line. Canopy signs may not extend more than eight feet from the building façade.


4. Canopy Sign – Freestanding.

Canopy Sign - Freestanding	
	Description: Freestanding canopy structure applicable to all gas stations and convenience store types vending gasoline products.
	Materials: Integrate canopy materials to building and site walls for columns and structural elements of canopy. The use of translucent material is discouraged as finishes or applied as treatment to canopy finish.
	Sign Area: The sign area is limited to 25 percent of the area of each façade of the freestanding canopy.
Quantity: Maximum of two freestanding canopies for a gas station or convenience store vending gasoline products.	Illumination: Internally or externally illuminated. Illumination under the canopy (to light the area beneath for patrons) must comply with lighting standards in the ordinance including use of full recess lighting. Light bands or tubes or applied bands of corporate color are discouraged.
Placement: The sign copy is limited to a maximum of 25 percent of the area of each façade. No sign may be mounted above the top of the roof of the freestanding canopy.	Vertical Clearance: Canopy height, as measured from finished grade to the lowest point on the canopy fascia, should not exceed 13'- 9". Clearance height shall be clearly indicated on the structure.
Height: The maximum height of the freestanding canopy shall not exceed seventeen (17) feet.	


5. Development Entrance Sign.

Development Entrance Sign	
	Description: A ground-mounted sign located at the entrance to a development, typically associated with subdivisions.
	Materials: Brick, stone, wood, and metal and may include signs constructed within entrance wall.
	Sign Area: May have up to two sides, with a maximum square footage of 32 square feet per side.
Quantity: Maximum of two per entrance to development.	Illumination: External illumination only, subject to requirements in this ordinance.
Placement: Minimum setback at the property line at the entrance to the development.	Projection: Maximum of 6 feet at the top of the sign area, measured from the centerline of the adjacent right-of-way.
Permitted Districts: All districts.	

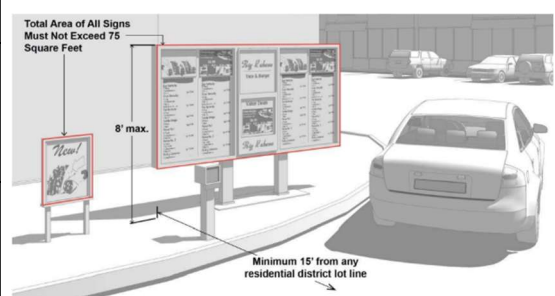
6. Directory Sign.

Directory Sign	
	Description: A small sign that is flat against the building façade and mounted or applied directly to the building.
	Materials: Brick, stone, wood, metal or a composite material that has the same properties.
	Sign Area: Maximum of 4 square feet per building façade in addition to the other permitted signage on the building.
Quantity: Maximum of one per building entrance.	Illumination: External illumination only, subject to requirements in this ordinance.
Permitted Districts: C-1, C-2, I-1, I-2	Projection: Maximum of one foot from the building façade.
Height: Maximum of 6 feet at the top of the sign area.	

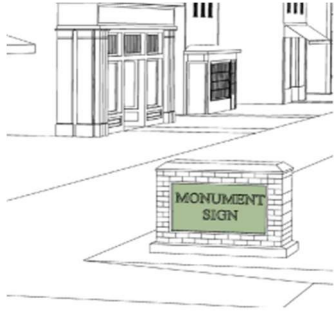
7. Hanging Sign.

Hanging Sign	
	Description: A sign hanging on beams, brackets, or poles projecting from a building.
	Materials: Wood, metal, or a composite material that has the same properties.
	Sign Area: May have up to two sides, with a maximum of 4 square feet per side.
Quantity: Maximum of one per building main entrance, in addition to other building signage.	Illumination: External illumination only, subject to requirements of this ordinance.
Permitted Districts: C-1	Vertical Clearance: A minimum of eight feet.
Height: Maximum height shall be the roofline or window sill of the second story, whichever is less.	


8. Menu Board.

Menu Board	
	Sign Area: Maximum of 75 square feet in sign area.
	Placement: Minimum of 15 feet from all residential property lines measured from sign face to lot line, including any public right-of-way.
	Lighting: Internal illumination only. Menu boards may contain an electronic screen and audio for interaction with a customer.
Description: A sign constructed as part of a drive-through facility.	Quantity: Maximum of two (2) per drive-through lane.
Permitted Districts: C-1, C-2 (Drive-through facilities only)	Height: Maximum of eight (8) feet.


9. Monument Sign.

Monument Sign	
	<p>Description: A ground-mounted sign that is placed upon or supported by the ground and independent of any other structure.</p>
	<p>Materials: Brick, stone, stained split-face block, metal, or a composite material that has the same properties. The sign area shall be surrounded by a brick, natural stone, cultured stone, or concrete frame.</p>
	<p>Additional Standards:</p> <p>The maximum overall area of the sign structure shall be 100 square feet.</p>
	<p>The overall height of the sign structure shall not exceed eight (8) feet, measured from the centerline of the adjacent right-of-way.</p>
	<p>A monument sign for an institutional use (school, public building, etc.) or place of worship may utilize changeable copy within permitted sign area. Illumination of changeable copy sign area may be external or internal. Electronic message sign or LED display screen is not permitted as a changeable copy sign.</p>
<p>Permitted Districts: C-1, C-2, I-1, I-2</p>	
<p>Placement: Minimum setback at the property line.</p>	
<p>Height: Maximum of 6 feet at the top of the sign area, measured from the height of the centerline of the adjacent right-of-way.</p>	
<p>Quantity: Maximum of one per lot per street frontage.</p>	
<p>Illumination: External or internal illumination.</p>	
<p>Sign Area: Maximum of 32 square feet per side and may have up to two sides.</p>	


10. Sandwich Board Sign.

Sandwich Board Sign	
	<p>Description: A pair of advertisement boards connected at the top by straps or hinge designed to be placed on the sidewalk in front of a retail storefront or tenant space.</p>
	<p>Materials: Wood, metal, or a composite material that has the same properties. Plastic, plywood, or unfinished wood are prohibited.</p>
	<p>Sign Area: Maximum of 6 square feet per side and may have up to two sides.</p>
<p>Permitted Districts: C-1, C-2</p>	<p>Placement:</p> <p>One the sidewalk in front of the retail storefront or tenant space and shall maintain a minimum of 48 inches of sidewalk clearance for pedestrian circulation.</p> <p>Placement in the public right-of-way is subject to the Municipal Code.</p>
<p>Quantity: Maximum of one per ground floor retail storefront or tenant space.</p>	
<p>Height: Maximum of four feet at the top of the sign area.</p>	
<p>Illumination: No internal or external lighting permitted.</p>	

11. Wall Sign.

Wall Sign	
 <p>A line drawing of a building facade with a wall sign. The sign is rectangular and mounted on the wall to the left of a set of double doors. The sign has the words 'WALL SIGN' written on it.</p>	<p>Description: A sign that is flat against the building façade and mounted or applied directly to the building.</p>
	<p>Materials: Brick, stone, wood, metal, or a composite material that has the same properties.</p>
	<p>Sign Area: Maximum of one square foot per linear foot of building façade.</p>
<p>Permitted Districts: C-1, C-2, I-1, I-2</p>	<p>Projection: Maximum of one foot from the building façade.</p>
<p>Illumination: External illumination, subject to requirements of this ordinance, or internal illumination, subject to the requirements of this ordinance.</p>	<p>Placement: Maximum height shall be the main roofline of the uppermost full story; maximum height of 16 feet when located within 200 feet of a residential lot.</p>
<p>Quantity: Maximum of one per building facade not to exceed a total of two wall signs per building.</p>	

12. Window Sign.

Window Sign	
 <p>A line drawing of a building facade with a window sign. The sign is rectangular and mounted on the window. The sign has the words 'WINDOW SIGN' written on it.</p>	<p>Description: A sign placed within, affixed to, in contact with, or located within 12 inches of glazing (window) and visible from the exterior.</p>
	<p>Illumination: Retail businesses may have one interior neon sign, by permit only, and shall comply with all standards in this Section. The computation for the sign area shall include the outermost limits of any neon tubing. All other illumination is prohibited.</p>
	<p>Sign Area: Maximum of 15 percent of an individual window area, but shall not exceed five (5) window signs.</p>
	<p>Permitted Districts: C-1, C-2</p>
<p>Placement: Fully within the interior of the building and attached directly to or mounted within 12 inches of the inside of the business.</p>	<p>Materials: Metal, wood, or easily removable paint, paper, cloth, or other like material, or neon tubing as permitted in this section.</p>

13. Interstate Business Sign.

Interstate Business Sign	
Description: A ground-mounted sign that is placed upon or supported by the ground and independent of any other structure.	Sign Area: Maximum of one hundred (100) square feet for a two-sided sign where sign face is oriented perpendicular to road right-of-way or maximum of fifty (50) square feet for one-sided sign where sign face is oriented parallel to road right-of-way.
Permitted Districts: Only C-2 for parcels located within 1,250 linear feet of Interstate 65 measured from the edge of parcel closest to Interstate 65 to the eastern edge of right-of-way of Interstate 65.	Placement: Minimum setback of ten (10) feet at the property line.
Materials: An exposed metal support structure is permitted that provides a maximum of two (2) support poles. A monopole design is preferred. The base of sign shall include a masonry or stone foundation structure surrounding the base pole supports a minimum of four (4) feet in height and not greater than six (6) feet in height. The exposed metal support structure shall be painted finish.	Quantity: A maximum of one (1) sign. A separate monument sign shall not be permitted if an Interstate Business Sign is constructed on the parcel.
	Height: Maximum of twenty-five (25) feet measured from finished grade of parcel.
	Lighting: Internal illumination permitted.

14. Temporary Construction Site Sign.

Temporary Construction Site Sign	
Description: A sign on an active construction site intended for temporary use during the construction period.	Sign Area: Maximum of 32 square feet per side and may have up to two sides.
Permitted Districts: All districts.	Placement: Minimum setback at the property line.
Duration: Signs associated with non-residential and mixed-use development shall be removed upon issuance of a certificate of occupancy. Signs associated with residential development shall be removed after 80 percent build-out, or three (3) years, whichever occurs first.	Quantity: Maximum of three (3) signs per construction site. As an alternative, construction fencing with an opaque screening material may have additional signs printed onto the screening material.
	Height: Maximum of six (6) feet.
Materials: Fabric, canvas, or other comparable material that has same properties.	Lighting: Illumination is prohibited.

15. Temporary Sign.

Temporary Sign	
Description: A sign intended for temporary use other than temporary construction site signs and campaign signs. Campaign signs are regulated by TCA § 2-7-143.	Sign Area: Maximum of 32 square feet per side and may have up to two (2) sides. On residential lots, the size is further limited to a maximum of six (6) square feet per side.
Permitted Districts: All districts.	Height: Freestanding temporary signs shall be a maximum of six (6) feet. Temporary signs on a building shall not exceed the top of the building.
Quantity: Maximum of two (2) signs per lot.	
Lighting: Illumination is prohibited.	Placement: Minimum setback at the property line.

E. Exempt Signs.

The following signs are exempt from requiring a sign permit and shall be permitted in all zoning districts.

1. Government Sign
2. Holiday and Seasonal Decorations
3. Memorial or Historic Event
4. Noncommercial Message
5. Not-for-Profit Community Event
6. Real Estate Activity

F. Prohibited Signs.

All signs not expressly permitted by this ordinance are prohibited. In addition, the following sign types are specifically prohibited:

1. Banners used as permanent signs, including banners wrapped around a permanent sign structure, such as a freestanding sign, projecting sign, or wall sign.
2. Balloon signs that exceed one square foot in area. Inflatable advertising displays designed to inflate or move by use of a fan or blower are considered a balloon sign. Balloons of two square feet in area or less are exempt from a sign permit and are permitted, however they may not be attached to or extend into any public right-of-way or parking aisle or space.
3. Electronic message signs, except as permitted. Also called electronic message center (EMC) signs or LED display screens.
4. Feather Flags and Festoons including balloons or umbrellas used for advertising are generally prohibited, but are allowed within the C-1 and C-2 Commercial districts on a limited basis under the following restrictions:
 - a. Feather Flags and Festoons may only be utilized on site, by a property owner or lawful tenant.
 - b. Feather Flags and Festoons shall be removed from premises by property owner or lawful tenant daily from 9:00 p.m. to 6:00 a.m.
 - c. Feather Flags and Festoons shall be well maintained and if damaged shall be repaired or replaced in a timely manner by property owner or lawful tenant.

5. Flashing or animated signs.
6. Moving signs, including any sign that rotates, revolves, or has any visible moving part, or any sign that gives the appearance of movement, including signs designed to be moved by wind or other natural elements. This excludes clocks and barber poles.
7. Neon or LED signs, with the exception of permissions for window signs as provided in this ordinance.
8. Off-premise signs except a billboard as may be allowed in this ordinance.
9. Portable reader-board or changeable copy signs.
10. Roof signs.
11. Strobe lights, moving or fixed spotlights, floodlights/searchlights.
12. Signs that constitute a traffic hazard, including signs that:
 - a. Interfere with, obstruct the view of, or may be confused with any authorized traffic sign, signal, or device because of its position, shape, or color, including signs illuminated in red, green, or amber color designed to resemble a traffic signal.
 - b. May be confused with any public safety lighting, including signs illuminated in red and blue colors.
 - c. Make use of the words STOP, LOOK, DETOUR, DANGER, CAUTION, WARNING, or any other word, phrase, symbol, or character in a manner used to direct traffic that would mislead, interfere with, or confuse traffic.
13. Vehicle signs on unlicensed, uninsured, or inoperable vehicles that are placed on the vehicle for the primary purpose of attracting attention to an occupant's presence within a building at which the vehicle is being parked. This prohibition does not include signs painted on or applied to vehicles, trucks, or buses that are being operated and stored in the normal course of business, such as signs located on delivery trucks, moving vans, and rental trucks, provided that the primary purpose of such vehicles is not the display of such sign, and that they are parked or stored in areas related to their use as vehicles and all such vehicles are in operable condition. Vehicle for-sale signs are exempt from this provision.

G. Billboards.

1. All new billboards and modifications to existing billboards require a sign permit. Modifications do not include changing the advertising on the billboard face.
2. Billboards are permitted only within 660 feet of the nearest edge of Interstate 65 on properties zoned industrial districts.

3. Minimum spacing between billboards located on the same side of a right-of-way is 1,000 feet.
4. Billboards must be located the following minimum distances from residential districts:
 - a) No billboard located along a particular street may be closer than 500 feet to the nearest lot line of any residentially zoned property that has frontage on either side of the street.
 - b) No billboard located along a particular street may be closer than 100 feet from the nearest lot line of any residentially zoned property that does not front on said street.
5. Billboards may only be mounted as free-standing pole signs. All billboards must be of a monopole-type design construction. Wooden support poles are prohibited.
6. Billboards are limited to a maximum height of thirty-five (35) feet.
7. Billboards must be setback from the edge of the right-of-way the required setback for principal structures in the zoning district measured from the edge of the billboard closest to the right-of-way.
8. The sign area per sign face for a billboard is a maximum of 672 square feet.
9. All billboards may have a maximum of two (2) sign faces, so long as the sign faces are constructed back-to-back and are separated by no more than ten (10) feet.
10. Billboards shall not be LED or electronic message boards.
11. Billboards may be internally or externally illuminated subject to the requirements of this ordinance.

H. Non-Conforming Signs.

The following shall apply to legally permitted signs or sign structures that met all applicable regulations in effect at the time of installation, but were made nonconforming prior to or as of the effective date of this ordinance:

1. Minor repairs and maintenance may be performed on a nonconforming sign or sign structure, such as printing, painting, re-facing, or refinishing the surface so as to maintain the condition of the sign;
2. Nonconforming billboards may be continued and permitted to expand in accordance with the provisions of T.C.A. § 13-7-208; and
3. Signs shall be brought into compliance with this ordinance when:

- a. A sign is structurally altered;
- b. A sign is changed so as to increase the extent of nonconformity, except as permitted in this ordinance;
- c. The use of a business or property changes;
- d. The sign is abandoned for a period of 90 days following the discontinuation of the business; or
- e. The sign is destroyed or damaged to the extent that repairing the sign would cost 50 percent or more of the current cost to replace the sign, including labor and materials.

4.17 STANDARDS FOR MURALS

A. Purpose.

The purpose of these regulations is to establish standards for the installation of a mural upon an exterior side or rear wall of a building or structure.

B. General Provisions.

The following shall be utilized by the Planning Commission to evaluate and review for the approval of a mural:

1. Wall murals may be allowed in the C-1, Central Business District, subject to Planning Commission approval.
2. The mural shall be placed on a side or rear wall of a building or structure. Murals placed on front building elevation are prohibited.
3. The mural shall be designed and constructed under the supervision of a qualified artist/muralist or other qualified professional who has sufficient knowledge and experience in the design and execution of such projects, as well as with the applicant of a select medium.
4. Materials shall be securely attached to the building to which it is applied.
5. Materials shall be durable and weather resistant to prevent premature deterioration or other unintended change in appearance.
6. Materials may include paint or other artistic mediums such as tile or mosaic.
7. Location and scale should be in keeping with and enhance the building exterior wall on which the mural is to be located. The mural shall not cover doors or windows or other architectural elements of the building and shall not extend beyond the wall upon which the mural is to be located.
8. The mural shall not be illuminated.

9. The mural may be changed or replaced up to two (2) times within a twelve (12) month period in addition to any change necessary to repair or restore the mural if defaced, damaged, or destroyed.
10. The property owner shall be responsible for the maintenance of the mural, including the repair of material failure and promptly removing vandalism.
11. Removal of a mural from an exterior wall shall be undertaken in a manner so as not to damage the building exterior. Planning Commission approval shall not be required for the complete and permanent removal of a mural from an exterior building wall.

ARTICLE 5

SUPPLEMENTARY PROVISIONS

SECTION

- 5.1 Supplementary Provisions
- 5.2 Temporary Use Regulations

5.1 SUPPLEMENTARY PROVISIONS

The land development standards in this Article apply to uses permitted as provided in Article 3, Table 3-1.

A. Customary Incidental Home Occupation.

1. Home occupations shall not be identified by the display of goods or signs on the lot on which it is located.
2. A home occupation shall be conducted within the dwelling and shall be clearly incidental to the use of the structure as a dwelling. No more than 25% of the total floor areas is devoted to the home occupation.
3. In no way shall the appearance of the structure be altered or the occupation, within the residence be conducted in a manner that would cause the premises to differ from its residential character either by use of colors, materials, construction, lights, signs, or other emission of noise or vibration.
4. In no case shall a home occupation be open to the public at times earlier than 8:00 a.m., or later than 9:00 p.m.
5. The site may not be used as a storage facility for a commercial activity conducted elsewhere.
6. No materials, goods, and/or equipment indicative of the home occupation shall be visible from any public street or stored outside. There shall be no storage of equipment, vehicles, or supplies associated with the home occupation outside the dwelling.
7. The use shall not generate noise, fumes or smoke, nor create a nuisance of any kind which would affect the residential character of the area in which it is located.
8. No home occupation shall require internal or external alterations or involve construction features or the use of mechanical or electrical equipment that would change the fire rating of the structure or shall be used or stored on the property in conjunction with any home

occupation permitted. No use shall be permitted which involves the manufacture or storage of products that are dangerous in terms of risk of fire, explosion or hazardous emissions.

9. No traffic shall be generated by the home occupation in greater volume than would normally be expected in the area.
10. There shall be no on-site sales allowed. Business transactions conducted via telecommunication devices shall not be considered as on-site sales for the purpose of this article.
11. There shall be no display of products visible in any manner from outside the dwelling.
12. Teaching, including but not limited to tutoring and art, music, or dance lessons, shall be permitted provided that it is limited to no more than two pupils at any given time.

B. Convenience Retail and Services.

In all districts where convenience retail and service establishments are permitted, such uses shall be subject to the following regulations:

1. Buildings should be organized to provide convenient pedestrian circulation from the surrounding area and from one establishment to another, and to arrangements which encourage joint use of parking areas and automotive entrances and exits.
2. No convenience retail or service establishments shall be of such size or character as to create the impression of general commercial development. Therefore, no individual convenience retail or service establishment shall have a gross floor area exceeding five thousand (5,000) square feet.
3. Except as provided herein for gasoline sales, all sales, services, or displays in connection with convenience establishments shall be within completely enclosed buildings, and there shall be no display, service, or storage outside such buildings. A maximum of eight (8) gasoline pumps may be located in conjunction with a convenience retail store. Public address systems and other devices may be permitted to be mounted on gasoline pumps but the device shall not be audible beyond any property line on which the building and gasoline pump station is situated.
4. Exterior storage of goods or materials of any kind is prohibited. The placement of waste disposal facilities is permitted in the rear of the commercial operation only and shall not be located in any required front yard including a corner parcel. Such facilities shall be totally screened using similar exterior materials from which the exterior façade walls of the principal building is constructed and shall be maintained in a clean and orderly manner.

C. Townhouse and Multifamily Development Standards.

1. Siting Standards.

- a. 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 applicant shall submit a landscape plan along with the site development plan. Where necessary to provide both internal and external privacy and to screen objectionable features such as noise and light, additional new plant material shall be added.
- b. 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.
- c. Centralized refuse disposal facilities shall be provided. All dumping cart/bins shall be opaquely screened by either wood or masonry enclosure with lockable gate and landscaped.
- d. Street and area lighting including parking areas shall be provided throughout entire development.
- e. All multifamily development projects approved under this section shall be served by public sanitary sewer system.
- f. All cables serving electrical, telephone, television and street lighting for townhouse and multifamily development shall be placed underground.
- g. Centralized mail delivery facilities shall be provided for all townhouse and multifamily development. Each centralized mail location shall be built to USPS specifications and shall include a roof structure over kiosk extending three (3) feet on all sides of the kiosk. Adequate lighting shall be provided for the kiosk and any parking provided in association with mail delivery facility.
- h. All dwelling units shall be positioned so as to ensure the availability of adequate fire protection including accessibility to fire hydrants that meet minimum flow and pressure requirements.
- i. There must be a minimum separation of 15 feet between exterior sidewalls of townhouse and multifamily developments. Where the front or rear wall of a building faces the front or rear wall of another building in the development, the minimum required separation between such buildings must be 30 feet. Driveways and parking areas, and site features like patios or decks may be located within this minimum separation area.

- j. All townhouse and multifamily developments must provide a perimeter yard as required by this section. This perimeter yard must be designated as common open space.
- k. The required minimum perimeter yard abutting a street:
 - 1) Local Street – 20 feet
 - 2) Collector or Arterial Street – 25 feet
 - 3) Private street or alley – 10 feet
- l. Required minimum perimeter yard abutting other zoning districts, required only along the lot line that abuts the district:
 - 1) Abuts any residential district – 25 feet
 - 2) Abuts any non-residential district or land use – 15 feet
- m. Individual townhouse lots and multifamily developments cannot encroach into required perimeter yard, including accessory structures.
- n. The required perimeter yards are not counted as part of the required on-site open space for multifamily developments as provided in this section.
- o. Where both a perimeter yard and a buffer yard are required by this Code, only the yard with the greater width is required. If a buffer yard controls, individual townhouse lots and multi-family developments cannot encroach into this area, including accessory structures. Such buffer yards are not counted toward meeting individual townhouse lot or multifamily structure minimums.
- p. No structures, including those related to common open space uses, are allowed within the perimeter yard with the exception of fences or walls for the development. Fences or walls for individual townhouse lots are prohibited in the perimeter yard area.
- q. All townhouse and multifamily developments must provide at least 200 square feet of useable on-site open space per bedroom. An efficiency unit that does not contain a defined bedroom space shall constitute one (1) bedroom for the purpose of calculating required open space. This open space may be either private open space for the dwelling unit or common open space for the use of residents. Such open space must meet the following requirements:
 - 1) Common open space areas must be accessible to all residents of the subject development.
 - 2) Common open space shall be protected by private covenants and restrictions which will ensure the improvement and continued maintenance of all such improvements.

- 3) The required common open space area is not required to be contiguous but must be centrally located and incorporated into the site plan as a primary design feature. Multifamily developments must be sited to maximize opportunities for creating usable, well-integrated common spaces.
- 4) Lighting must be provided as needed for active recreation areas within common open spaces to provide visual interest at night and additional security.
- 5) Common outdoor spaces should not be located adjacent to dumpster enclosures, loading/service areas, or other incompatible uses unless site constraints allow no other alternative.
- 6) If common outdoor spaces are located adjacent to a street right-of-way, landscaping must be used to provide a buffer that screens the view between the space and the right-of-way.
- 7) The following active and passive open space uses are counted as common open space:
 - a) Natural water features, wetlands, and conservation areas. This includes required buffers from natural resources that are not included as part of a private lot.
 - b) A trail system connecting open space areas or greenways. This includes hiking, biking, and equestrian trails.
 - c) Recreational facilities containing hardscape or impervious surfaces such as swimming pools, tennis courts, and skateparks.
 - d) Parks and playgrounds.
 - e) Greenhouses and community gardens.
 - f) Reuse of structures existing on the site prior to development for community purposes (i.e., rehab of an existing barn or silo for the use of the residents, etc.).
 - g) On-site stormwater management facilities may be used to meet up to 30% of the required common open space amount provided such areas or facilities to be counted as common open space are accessible and useable as community amenities by the residents of the development (e.g., viewing platforms, seating/picnic areas, ponds for fishing and/or boating, etc.).
- 8) Paved pedestrian walkways shall be provided for convenient and safe access to all dwelling units and amenities from the streets, driveways, parking courts or garages and for convenient circulation and access to all facilities.

- 9) Multifamily developments larger than five acres in gross area must provide a minimum of one formal recreational facility. Formal recreational facilities include, but are not limited to, clubhouses or community rooms, swimming pools, tennis courts, and playgrounds. This is included in the required amount of common open space.
- 10) All multifamily development projects containing one hundred (100) or more dwelling units shall provide swimming pool facilities for residents.
- 11) Common facilities for townhouse and multifamily developments such as clubhouses and swimming pools must be located a minimum of 30 feet from any lot line.

2. Design Standards.

- a. Façades must be designed with consistent materials and treatments that wrap around all façades. There must be a unifying architectural theme for the entire townhouse or multifamily development, utilizing common architectural forms, elements, materials, or colors in the entire structure.
- b. Building facades must include windows, projected or recessed entrances, and other architectural features. Elements such as porches, balconies, and bay windows that add dimension to a façade are encouraged.
- c. Building forms must be tailored to fit within the existing topography of the site and other site features including existing trees and vegetation.
- d. Development sites with multiple buildings must incorporate a strong visual relationship between buildings including the installation of walkways between buildings.
- e. All buildings must provide an orientation to and have a public pedestrian entrance from the highest street classification that the lot fronts. Public entrances must be visually distinctive from the remaining portions of the façade along which they are located.
- f. For a townhome use direct vehicular access to public streets shall only be allowed with Planning Commission approval and only when assured that such access will not adversely affect traffic flow and public safety.
- g. For a multifamily use parking shall be accessed via a driveway. Individual parking spaces may not be adjacent to or back into a public street.

D. Detached Accessory Dwelling Unit.

1. Only one (1) accessory dwelling unit is permitted on any given lot. For townhouse developments where individual lots are not created, one accessory dwelling unit is allowed per townhouse dwelling unit. When permitted, the accessory dwelling unit does not count toward the maximum number of dwelling units on a lot, including when the accessory dwelling unit is located in a detached structure.
2. Both the principal dwelling unit and the accessory dwelling unit must be owned by the same property owner. One of the units must be owner-occupied.
3. Detached accessory dwelling units may only be located in the rear yard. Detached dwelling units must be located ten (10) feet from any lot line and from any principal building.
4. A detached accessory dwelling unit is subject to the height permitted for a detached garage.
5. When a detached garage is converted to an accessory dwelling unit, the ground floor must be maintained as parking.
6. The accessory dwelling must comply with all setback requirements for the principal building for the zoning district in which it is located.
7. The accessory dwelling unit shall be no larger than 1,250 square feet in gross floor area in any of the residential districts.
8. The accessory dwelling unit must meet all building code requirements for an occupied structure.
9. No additional parking is required for an accessory dwelling unit. Required parking for the principal structure must be maintained.
10. Attached accessory dwelling units may not have their primary entrance visible, as viewed from the adjacent streets, when the main entrance of the primary dwelling is visible from the same street.

E. Telecommunication Towers.

1. Purposes.

The general purpose of this section is to regulate the placement, construction, and modification of Towers and Telecommunication Facilities in order to protect the health, safety, and welfare of the public. For the purposes of this section, wireless communication towers include lattice style towers, monopoles, microwave dishes, antennas, and similar devices and structures for the purpose of transmitting or receiving any portion of the radio spectrum regardless of whether for public or private use.

Specifically, the purposes of this section are:

- a. To regulate the location of Towers and Telecommunication Facilities in the Town;
- b. To protect residential areas and land uses from potential adverse impact of Towers and Telecommunication Facilities;
- c. To minimize adverse visual impact of Towers and Telecommunication Facilities through careful design, siting, landscaping and stealthing techniques;
- d. To promote and encourage shared use/colocation of Towers and Antenna Support Structures as a primary option rather than construction of additional single-use Towers;
- e. To promote and encourage utilization of technological designs that will either eliminate or reduce the need for erection of new Tower structures to support antenna and Telecommunication Facilities;
- f. To avoid potential damage to property caused by Towers and Telecommunication Facilities by ensuring such structures are soundly and carefully designed, constructed, modified, maintained, and removed when no longer used or are determined to be structurally unsound; and
- g. To ensure that Towers and Telecommunication Facilities are compatible with surrounding land uses.

2. Applicability.

All new towers or antennas within the town limits of Cornersville shall be subject to these regulations, except as follows:

- a. Preexisting towers and preexisting antennas shall not be required to meet the requirements of this ordinance, and Items 18 and 19 of this section.
- b. The Zoning Administrator shall, within thirty (30) days of receiving an application for a new tower or antenna, determine whether an application is complete and notify the applicant. If the application is incomplete, the Zoning Administrator shall notify the applicant in writing identifying clearly and specifically all missing documents or information to be provided by the applicant in a supplemental submission. A period not to exceed sixty (60) days shall be provided for review and approval or denial of an application for a new tower or antenna.
- c. The sixty-day application period is tolled if the Zoning Administrator sends written notice to the applicant that the application is incomplete within thirty (30) days after the initial application is filed, but the tolling ceases once additional or supplemental information is provided to the Zoning Administrator. If the supplemental information

is not received within thirty (30) days of the date on which the notice of incompleteness is sent, then the application may be denied and a new application required.

- d. Following supplemental submission from the application, the Town will have ten (10) days to notify the applicant in writing if the supplemental submission did not provide the information identified in the original notice delineating missing information. Second or subsequent notices of incompleteness may not specify missing documents or information that were not delineated in the original notice of incompleteness.
- e. Any application that is not approved or denied within sixty (60) days is deemed approved, unless the sixty-day period has been extended consistent with this section.
- f. If the application is denied, the Zoning Administrator or designee from the Town of Cornersville shall provide written explanation of the denial to the applicant.
- g. If an application request is deemed approved because of a failure to timely approve or deny the request, the deemed approved remedy shall not become effective until the applicant notifies the Town in writing after the review period has expired that the application has been deemed approved.

3. Definitions.

- a. ANTENNA: Any transmitting, receiving, or other equipment used in conjunction with a Telecommunication Facility. The term includes utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters, or similar equipment. This definition does not include Towers.
- b. ANTENNA SUPPORT STRUCTURE: Means any building or structure other than a Tower which can be used for location of Telecommunications Facilities.
- c. APPLICANT: An Applicant is a person or entity who is authorized by the provisions of this ordinance to file for approval under these regulations.
- d. APPLICATION: An Application is the completed site plan application form and all accompanying documents, exhibits, and fees required for an Applicant of the Town of Cornersville as part of a submission for review.
- e. ENGINEER: Means an engineer licensed by the State of Tennessee.
- f. MONOPOLE: A structure that consists of a single vertical pole without guy wires, design and erected on the ground to support communications antennas and connected appurtenances.
- g. OWNER: Means any Person with fee title to any parcel of land within the City upon which a person desires to develop or construct, build, modify, or erect a Tower upon such parcel of land.

- h. PERSON: Is any natural person, firm, partnership, association, corporation, company, or other legal entity, private or public, whether for profit or not for profit.
- i. STEALTH: Means any Tower or Telecommunications Facility which is designed to enhance compatibility with adjacent land uses, including, but not limited to, architecturally screened roof-mounted antennas, antennas integrated into architectural elements, and Towers designed to look other than like a Tower such a light poles, power poles, and trees.
- j. TELCOMMUNICATION FACILITIES: Means any cables, wires, lines, wave guides, antennas, and any other equipment or facilities associated with the transmission or reception of communications which a Person seeks to locate or has installed upon or near a Tower or Antenna Support Structure. However, Telecommunication Facilities shall not include:
 - 1) Any satellite earth station antenna two (20 meters in diameter or less which is located in an area zoned industrial or commercial; or
 - 2) Any satellite earth station antenna one (1) meter or less in diameter, regardless of zoning category.
- k. TOWER: Means a self-supporting lattice, guyed, or monopole structure constructed from grade which supports Telecommunications Facilities. The term Tower shall not include amateur radio operators' equipment, as licensed by the FCC or towers which do not exceed the maximum building height of the zone in which it is located.

4. Permitted Locations.

A Tower shall be a permitted use of land in any zoning district except residential districts of the Town of Cornersville. A Tower may be permitted as a Special Use by the Board of Zoning Appeals in residential districts of the Town of Cornersville.

5. Preferred Location.

Co-location of antennas on existing Towers, buildings, public utility structures consisting of power line structures or water towers, and other existing structures shall be preferred over the construction of new Towers or Antennas.

6. Site Plan Requirements.

Prior to the issuance of a building permit, the construction of a Tower or the utilization of an existing structure for telecommunications or television transmission purposes, the submission of a site plan in accordance with the following provisions and all other provisions of this ordinance shall be required.

- a. If a Tower is proposed within a residential district, the Applicant shall first obtain approval from the Board of Zoning Appeals for a Special Use to permit the construction of a Tower. A written notice shall be mailed by the applicant to all property owners of parcels located within 500 feet of the parcel upon which the proposed tower will be located.
- b. If the Tower exceeds 150 feet in height, the Applicant shall obtain approval from the Board of Zoning Appeals to allow a height not to exceed 250 feet prior to seeking site plan approval from the Planning Commission. A written notice shall be mailed by the applicant to all property owners of parcels located within 750 feet of the parcel upon which the proposed tower will be located.
- c. A site plan containing all information required by this section and as required in Article 7 shall be reviewed and approved by the Planning Commission prior to issuance of a building permit for the Tower and related improvements. A written notice shall be mailed by the applicant to all property owners of parcels located within 500 feet of the parcel upon which the proposed tower will be located.
- d. An application to develop a Tower shall include:
 - 1) Written authorization from the owner of the property where the tower will be located, and a copy of any lease agreement.
 - 2) A map that shows the effective service area circle for the proposed tower and the properties within that circle, including the locations of existing telecommunications towers or monopoles.
 - 3) A list of property owners who were mailed the notice(s) required by this subsection, a copy of the notice, and a signed affidavit that the notice(s) was mailed.
 - 4) If the proposed Tower is a new Tower not on an existing utility structure, the site plan shall show the location of the proposed structure and all accessory structures.
 - 5) A report prepared by a professional engineer certifying that the Tower height and design complies with these regulations and all applicable state and local building codes and applicable structural standards including wind load and radial ice and, also, describes the tower's capacity which includes the number and type of antennas that can be accommodated. When an antenna is proposed to be mounted on an existing structure, the report shall indicate the existing structure's suitability and capability to accept the antenna(s) and the proposed method of attaching the antenna to the structure. Complete details of all fixtures and couplings and the precise point of attachment shall be indicated.

- 6) A written report that adequately reports on the inventory of existing towers and antenna sites within a one-mile radius of the proposed site, outline the opportunities for shared use as an alternative to the proposed use. The applicant must illustrate that the proposed tower or antenna cannot be accommodated on an existing approved tower or facility due to one or more of the following reasons:
 - a) Unwillingness of the owner to share the facility.
 - b) The equipment would exceed the structural capacity of the existing approved tower and facilities.
 - c) The planning equipment would cause frequency interference with other existing or planned equipment, which cannot be reasonably prevented.
 - d) Existing or approved towers or facilities do not have sufficient space on which proposed equipment can be placed so it can function effectively.
 - e) Other reasons that make it impractical to place the proposed equipment by the applicant on existing towers or facilities.
- 7) A site plan shall be submitted to and approved by the Planning Commission prior to issuance of a building permit and other related permits. The site plan shall illustrate the location of the tower and related buildings, structures, access and parking, screening and buffering, utilities, stormwater management, grading and erosion control, landscaping, lighting, and any other design feature as may be required by the Planning Commission.
- 8) At the tower site, the design of the buildings and related structures including material selection, colors, and related design considerations.
- 9) All applications for permits to build a Tower must be accompanied with a “Determination of No Hazard” from the Federal Aviation Administration (FAA), as well as all required Federal Communications Commission (FCC) permits where required.

7. Setbacks.

- a. The minimum setbacks on all sides shall be equal to the height of the tower plus an additional twenty (20) feet, including any antennas or appurtenances, as measured from ground level. This setback shall be considered a fall zone.
- b. The fall zone setback requirement may be reduced or waived provided it can be demonstrated in a report prepared by a professional engineer licensed in the State of Tennessee that the communication tower will collapse if it falls, and it is determined

by administrative review by the Zoning Administrator or designee of the Town that the tower does not pose a safety threat to adjacent property owners in the event of collapse. In such cases, the setback shall be equal to the distance specified in the engineer report or a minimum of fifty (50) feet, whichever is greater.

- c. In addition, no communication tower or shall be located closer than one hundred (100) feet from an existing residential structure. Setbacks shall be measured from the base of the tower, or guy-wire supports for lattice towers, to the property line.
- d. For a ground structure associated with the tower and located at the same site, the minimum setback on all sides shall be fifty (50) feet.
- e. To the extent a Tower exceeds one hundred fifty (150) feet in height, the Tower shall be set back from any residence or occupied structure a distance at least equal to the height of the Tower unless the Applicant submits a certification from a licensed Engineer that the Tower will collapse within a smaller diameter than its actual height, in which case the required setback shall be the minimum collapse diameter or one hundred fifty (150) feet, whichever is greater.

8. Illumination.

No lighting is required on the wireless Telecommunication Tower except lighting that is specifically required by the FAA or other applicable authority. Where lighting is required, the lights so installed shall be of the “dual lighting” type whereby white strobe lights are permitted for daytime and red lights for nighttime. Such lighting shall be the requirements of the FAA with regard to dual lighting requirements but shall not exceed FAA minimum standards without proof from a reputable authority that such level of illumination is necessary for safety. The lighting shall be arranged to minimize glare and reflection on adjacent residential properties and public streets.

9. Structural Requirements.

Prior to the approval of any application for a Town or the co-use of an existing tower or utility structure, the applicant shall provide written certification from a registered structural engineer that the tower is able to withstand winds of a minimum of 70 miles per hour with 0.5-inch radial ice.

10. Type.

All new towers over 60 feet in height shall be of mono-pole type construction. No lattice type antennas or towers over 60 feet in height shall be permitted in residential districts or C-1 and C-3 commercial districts. Lattice type antennas or towers may be permitted upon approval by the Board of Zoning Appeals in C-2 and industrial districts only for towers exceeding a height of 60 feet.

11. Vehicle Access.

The location and design of driveways and/or access easements to the facility from a public street shall be depicted on the site plan and all access points. There shall be sufficient room for maintenance vehicles to maneuver on the property.

12. Exterior Finish.

Towers not requiring FAA painting or markings shall have an exterior finish which enhances the compatibility with adjacent land as determined by the Zoning Administrator.

13. Signs.

Signs shall not be allowed on Towers or Antennas, except safety signs which are required by law or regulation.

14. Fencing and Landscaping.

- a. Telecommunication Towers and Antennas shall be completely surrounded by a security fence of a minimum height of eight (8) feet and shall also be equipped with an appropriate anti-climb device to deter unauthorized entry onto the Tower or Antenna.
- b. Tower Facilities shall be landscaped by means of native evergreen plant species to sufficiently obscure said facilities from view. The landscape area shall be no less than six (6) feet in height with the access opening to the facility not to exceed twenty-five (25) feet in width.
- c. Where the Tower site abuts or is contiguous to any residential district, there shall be provided a continuous, solid screening around the fenced area of the site and it shall be such plant material as will provide year-round evergreen screening. Screening, as required herein, shall not be less than eight (8) feet in height at time of planting, and shall be permanently maintained.

15. Exception of Height.

- a. Towers are exempt from the maximum height restriction of the districts where located. Towers shall be permitted to a height of 150 feet. Towers may be permitted in excess of 150 feet in accordance with this subsection.
- b. An applicant seeking to build a Tower in excess of 150 feet in height may seek approval from the Board of Zoning Appeals prior to approval of site plan by the Planning Commission. Such applicants shall submit all information and meet all requirements in this section. The Board of Zoning Appeals is authorized to approve towers in excess of this height upon the following conditions:
 - 1) Applicants for Towers between 150-200 feet in height must provide evidence that:

- a) Such Tower will be owned by a Person who will operate and locate one or more antenna(s) upon the Tower and that such Person actually plans to operate one or more antenna(s) upon the Tower and such person has obtained a letter of intent from at least one other Person who will utilize the Tower for the location and operation of one or more antenna(s); or
 - b) The Applicant has entered into a valid and binding agreement with at least one occupant of the Tower who will utilize the Tower for at least one or more antenna(s) and the Applicant has obtained a letter of intent from at least one other Person who will utilize the Tower for the location and operation of one or more antenna(s).
- 2) Applicants seeking approval for Towers in excess of 200 feet in height shall submit proof of valid and binding written commitments (either agreement or letter of intent) for each additional occupant for every ten feet in height in excess of 200 feet unless the applicant can show that the Tower must be in excess of 200 feet to meet the radio frequency coverage objectives of the proposed occupant of the Tower which evidence shall include a sworn statement from a licensed engineer or equivalent expert in radio frequency engineering.
 - 3) In no instance shall a Tower exceed 250 feet in height.
 - 4) A public hearing shall be held in conjunction with the Board of Zoning Appeals review of an application submitted under this subsection, with adequate public notice of same.

16. Equipment Storage.

Mobile or immobile equipment not used in direct support of a tower facility shall not be stored or parked on site unless repairs are being made.

17. Modification of Existing Tower.

Existing towers may continue in operation without complying with the provisions of this article; however, any tower being replaced shall comply with these provisions. Replacement towers which do not exceed the height of the tower they are replacing may be administratively approved by the Zoning Administrator or designee of the Town of Cornersville. The Zoning Administrator or designee of the Town of Cornersville may also approve a replacement tower which is not more than 30 feet higher than its predecessor if it will accommodate at least three additional occupants. Applicants for an additional antenna on an existing Tower shall only be required to obtain a building permit and provide a certificate from an engineer that the Tower will structurally support such additional antenna.

18. Abandonment and Removal.

Any telecommunications tower and equipment which is not operated for a wireless communications purpose for a continuous period of twelve (12) months shall be considered abandoned and shall be removed by the owner of the telecommunications tower or the owner of the property where the facility is located. If there are two or more users of a single tower, then this provision shall not become effective until all approved users abandon the tower. If such tower is not removed within ninety (90) days of receipt of notice from the Town, the Town may remove such tower as set forth below. When the owner of a telecommunications tower or owner of the property fails to remove same more than ninety (90) days after notice from the Town, the Town shall advertise its intent to remove said tower and, thereafter, remove or cause its removal. The cost of removal and any administrative cost of the Town shall be assessed against the owner of the tower or the property owner. Failure to pay same, shall result in a lien being placed upon the real property upon which the tower is located, which lien may be perfected and collected the same as any real property tax lien.

19. Rebuilding Damaged or Destroyed Tower or Antenna.

Rebuilding damaged or destroyed towers or antennas shall be of the same type, height, location, and density as the original facility approval. Building permits to rebuild the facility shall comply with the applicable building codes at the time and shall be obtained within 180 days from the date the facility was damaged or destroyed. If no building permit is obtained, the town and/or antenna shall be deemed abandoned. After obtaining building permit, construction shall begin within 90 days or the tower and/or antenna shall be deemed abandoned.

20. Maintenance.

Adequate inspection and maintenance shall be performed to ensure the structural integrity of the facility and to prevent deteriorating conditions from occurring on the site. An annual report regarding the structural integrity of the facility shall be prepared by a professional engineer licensed by the State of Tennessee and submitted to the Putnam County Codes Department.

F. Reserved

G. Automobile Wrecking, Junk and Salvage Yards.

Because of the nature and character of their operations, automobile wrecking and salvage yards, junk yards, and similar uses of land can have a decidedly detrimental effect upon surrounding properties. Salvage and wrecking yards tend to create problems of noise, dust, traffic and health hazards, and may adversely affect property values by their general appearance. The following standards shall be used as a guide in evaluating whether a proposed land uses, such as those outlined above, will have properly minimized their objectionable characteristics.

1. The minimum acreage necessary for the establishment of an automobile wrecking, junk, and/or salvage yard shall be five (5) acres.
2. All motor vehicles stored or kept in such yards shall be so kept that they will not catch and hold water in which mosquitoes may breed and so that they will not constitute a place or places in which rats, mice, and other vermin may be harbored, reared, or propagated.
3. Because of the tendency for salvage yards to promote the breeding of vermin, no such operation shall be permitted closer than seven hundred fifty (750) feet from any established residential zone.
4. All outdoor storage of salvage and wrecking operations shall be conducted entirely within an enclosed opaque fence, screen, or wall, except driveway areas, a minimum of ten (10) feet in height. Storage between the road or street and such fence, screen or wall is expressly prohibited. Any fence, screen, or wall for screening purposes shall be properly painted or otherwise maintained in good condition.
5. All such yards shall be maintained as to be in sanitary condition and so as not to be a menace to the public health or safety.
6. Off-street parking and loading shall be as required in Article 4.
7. The number of vehicle access driveways permitted on any single street frontage shall be limited to one (1) driveway upon each street frontage. Driveways used for ingress and egress shall be limited to a maximum width of twenty-six (26) feet, exclusive of curb returns.
8. Except for pre-existing nonconforming yards, no automobile wrecking, junk, or salvage yard shall be permitted within three hundred (300) feet of any public road in the Town of Cornersville.
9. Other applicable requirements of this ordinance shall be met.

H. Cemeteries.

1. No person shall develop, construct, or maintain a cemetery in the Town of Cornersville without approval as a Special Use from the Board of Zoning Appeals in accordance with Article 7.
2. Following approval of a Special Use by the Board of Zoning Appeals, the applicant shall submit a site plan application and required supporting documentation in accordance with Article 7 for review and approval by the Planning Commission prior to the issuance of a permit.

3. The following accessory uses shall be permitted: mausoleum, columbiums, chapels seating less than thirty (30) people, funeral homes, maintenance buildings, and other facilities for burial and ceremonial purposes.
4. The following standards shall be imposed upon the development, construction, and maintenance of cemeteries within any zoning district.
 - a. The site proposed for the cemetery shall not interfere with the development and improvement of collector and arterial streets in the vicinity of the site.
 - b. For cemetery developments of twenty-five (25) acres or greater, primary access shall be from a collector or arterial road.
 - c. Any new cemetery shall be located on a site containing not less than twenty (20) acres.
 - d. Where the perimeter of a cemetery abuts a residential use, a landscaped buffer yard fifteen (15) feet in width shall be provided along the common property lines.
 - e. All structures, including but not limited to mausoleums, columbiums, chapels, funeral homes, permanent monuments, or maintenance buildings shall conform to the zoning district requirements and in no case shall be set back less than 25 feet from any property line or street right-of-way line.
 - f. All graves or burial lots shall be set back not less than 25 feet from any property line or street right-of-way line.
 - g. All required yards shall be landscaped and maintained.
 - h. One (1) monument sign is permitted in accordance with Article 4 for standards governing signs.

I. Group Home.

1. A proper license to operate the facility must be secured prior to occupancy.
2. Shall be located on a lot that meets the minimum standards for the district.
3. Special fire escapes, garbage disposal facilities and other required structural changes shall be located and screened to minimize the character differences with other residential structures in the area.
4. There shall be adequate parking for each resident and visiting staff member, and for each resident who is able to drive an automobile.

J. Manufactured Home Park.

A Manufactured Home Park may be permitted as a Special Use, subject to the following standards. If approved as a Special Use by the Board of Zoning Appeals, site plan review approval is required prior to the issuance of any building permit for a new or within any existing manufactured home park.

1. Manufactured Home Park Site Requirements.

- a. The minimum area of a manufactured home park is five acres.
- b. No part of a manufactured home park shall be used for nonresidential purposes, except such uses as are required for the direct servicing and for the management and maintenance of the development.
- c. Service buildings housing laundry, sanitation or other facilities for use by the occupants shall be permanent structures complying with applicable codes.
- d. The maximum overall density of a manufactured home parks is four manufactured homes per gross acre.
- e. 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.
- f. Direct vehicular access to the manufactured home park must be by means of an abutting improved public right-of-way. Access to each manufactured home site must be by a permanently maintained private street that is protected by a permanent easement. Sole vehicular access cannot be via an alley.

2. Required Services and Facilities.

All of the following services and facilities must be provided in manufactured home parks.

- a. Each manufactured home parks must be served by a public water supply. Adequate fire protection, including fire flows and fire hydrant coverage, must be provided for each manufactured home located within the park.
- b. All manufactured homes within a manufactured home park must be served by a public sewer main.
- c. All manufactured home park developments shall construct a centralized mail kiosk that meets design standards of USPS. The kiosk shall include a roof structure extending three feet beyond all sides and shall include site lighting.

- d. Centralized refuse disposal facilities shall be provided. All dumping carts/bins shall be opaquely screened by either wood fence or masonry wall and landscaped. Solid waste collection stands must be provided for waste containers.
- e. Service buildings housing sanitation and laundry facilities must be permanent structures complying with all applicable Town ordinances and State statutes regulating buildings, electrical installations, and plumbing and sanitation systems.
- f. Adequate recreation facilities for the residents of the project must be provided in locations easily accessible to the manufactured home sites and where they do not significantly impair the privacy of each site. There must be a minimum of one recreation area for every 100 individual manufactured home sites, or fraction thereof.
- g. Recreation Facilities.

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

- 1) Play lots and/or playgrounds with a total minimum area of five hundred (500) 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 manufactured home park development.
- 2) Club house facilities shall be located within the manufactured home park development. A minimum floor area of two thousand (2,000) square feet shall be required for any manufactured home park development. For manufactured home park developments containing fifty (50) or more dwelling units fifty (50) square feet of additional floor area shall be provided to the club house for each unit thereafter.

3. Required Perimeter Yard.

- a. A 25-foot perimeter yard is required along the perimeter of the manufactured home park site.
- b. A fence at least six (6) feet in height shall enclose the boundary of each manufactured home park development. A detail of the fence including material selection is to be presented with the site development plan.
- 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 applicant shall submit a landscape plan along with the site development plan. Where necessary to provide both internal and external privacy and to screen objectionable features such as noise and light, additional new plant materials 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. A buffer yard of 15 feet is required within the 25 foot perimeter yard, measured from the abutting lot line, and must contain the following:
 - 1) One shade tree and one evergreen tree must be planted at an average of one tree for every 25 linear feet of perimeter yard. These trees may be clustered to allow for access points or to maximize the screening effect, conditioned on approval of the landscape plan.
 - 2) Two ornamental trees may be substituted for one shade tree, for up to 25% of required trees.
 - 3) Evergreen shrubs must be planted at an interval of one shrub for every three feet of linear yard width, on center, and must be designed to present a continuous hedge or screen upon maturity.
 - 4) The remainder of the buffer area must be planted with live groundcover or sod.
- f. All areas outside the buffer yard of the perimeter yard outlined above in Item 2 must be landscaped as follows:
 - 1) The landscape yard must be planted with live groundcover or sod.
 - 2) One tree must be planted for every 750 square feet of yard area. These trees may be clustered to allow for access points or to maximize the screening effect, conditioned on approval of the landscape plan. A minimum of 25% up to a maximum of 50% of the trees provided must be ornamental in nature. Shade trees are required for the remainder of the trees to be planted.

4. Individual Manufactured Home Sites.

- a. The minimum lot area of a manufactured home lot located within a manufactured home park shall be five thousand (5,000) square feet.
- b. Manufactured home sites must be located so that there is a minimum of 35 feet clearance between the sides of manufactured homes. For manufactured homes parked end-to-end, the end-to-end clearance of sites must be a minimum of 25 feet. Bay windows, porches, canopies, or other projections are considered sides or ends of a manufactured home when determining these requirements.
- c. A minimum of ten feet is required between the boundary of any individual manufactured home site and any abutting interior street.

- d. A manufactured home cannot occupy an area in excess of 25% of its respective site area. The total area occupied by the manufactured home including any attached features such as a porch, detached accessory structures, and paved areas cannot exceed 60% of the total site area. Areas of any site that are not covered by structures or pavement must be planted with live landscaping.
- e. Each manufactured home site located in a manufactured home park shall be provided with an individual connection to a public water supply and sanitary sewer system. A master water meter may be permitted for manufactured home park developments which are held under single ownership.
- f. Fire hydrants shall be installed to serve all manufactured home sites located within the manufactured home park that meet applicable Town and State standards for water flow and pressure.
- g. All cables serving electrical, telephone, television and street and site lighting shall be placed underground.
- h. Any projections, such as porches and canopies, must be constructed of fireproof material that meets the requirements of the Building Code.
- i. Manufactured homes shall be anchored and supported so as to meet or exceed the standards established in currently adopted Building Code and any applicable State laws.
- j. Each manufactured home site must have a concrete slab or runway for the manufactured home to set on and be of a size large enough to accommodate a manufactured home in such a fashion that the concrete will extend at least two inches around the walls of the manufactured home on all sides.
- k. There must be a concrete slab along the side of each manufactured home site of that can accommodate two vehicle parking spaces, each being nine feet in width and 20 feet in length, either side by side or in tandem to be used as a parking space for the occupants of the manufactured home. If a canopy is to be used over the area designated as car storage, it must be of fire-resistant material and is allowed only at the rear end of each carport area.
- l. All manufactured homes must be designed with skirting that is constructed of noncombustible or fire-resistant material that meets the requirements of the Building Code.
- m. Each manufactured home lot located within a manufactured home park shall be provided with an outdoor living and service area. Such area shall be improved to assure reasonable privacy and comfort. The minimum outdoor living area shall not be less than two hundred (200) square feet of contiguous area.

5. Internal Street Width and Construction, including Sidewalks.

- a. All manufactured home parks must include safe and convenient pedestrian and vehicular access from abutting public right-of-way.
- b. Access to individual manufactured home park sites require safe vehicular access from abutting public or private right-of-way that complies with the Town specifications for local streets and any additional right-of-way and access standards applicable.
- c. Within the manufactured home park, sidewalks of five feet in width are required on both sides of the streets.
- d. A common walk system must be provided and maintained between locations where pedestrian traffic is concentrated. Common walks must have a minimum width of five feet.
- e. All manufactured home sites must be connected to common walks, sidewalks, streets, driveways, and parking spaces by individual walks. Individual walks must have a minimum width of four feet.

6. On-Site Development Standards.

See Article 5 for additional on-site development standards and requirements.

7. On-Site Parking and Loading.

See Article 4 for on-site parking and loading standards and requirements.

8. Landscape.

See Article 4 for landscape standards and requirements.

9. Signs.

See Article 4 for standards governing signs.

K. Bed and Breakfast.

A Bed and Breakfast may be permitted as a Special Use as an accessory activity to primary residence subject to the following:

1. Individual rooms which are rented shall not contain cooking facilities.
2. The owner and/or operator must reside on the premises.

3. Not exterior alterations other than those necessary to assure safety of the structure, shall be made to any building for the purpose of providing a bed and breakfast establishment.
4. The bed and breakfast establishment must front on or have direct access to a public street of adequate design for the proposed use and fire protection.
5. Off-street parking shall be provided; however, no off-street parking is permitted in the front yard. One parking space for each guest room shall be provided in addition to two spaces for the primary residence.
6. Screening shall be required for all off-street parking areas to minimize any detrimental impact to adjoining properties.
7. The bed and breakfast establishment shall be serviced by a public water and wastewater system.
8. The bed and breakfast shall serve no more than one (1) morning meal per day.
9. The maximum stay for any guest shall be fourteen (14) consecutive days.
10. Sufficient parking shall be provided dependent on the number of guest rooms with one space per guest room.
11. A total of one (1) sign, not exceeding six (6) square feet in area, externally illuminated may be located flat against the front façade wall of the residence. No monument or yard sign is permitted.

L. Adult-Oriented Establishment.

1. Adult-oriented establishments shall not be permitted on any lot within 1,000 feet of any lot containing the following:
 - a. Any use in the civic or institutional use classification or property zoned C-1, C-2, or C-3;
 - b. Any residential district;
 - c. Any dwelling or residential lot;
 - d. Any recreation or cultural facility;
 - e. A day care center;
 - f. Educational facility;
 - g. Place of worship;

- h. A funeral home;
 - i. A package liquor store; or
 - j. Another adult-oriented establishment.
2. The distance is measured from a point of the lot line on which such use is proposed to be located to the nearest point on the lot line on which any other existing similar use is located.
 3. No adult-oriented establishment may be maintained or operated in any manner that causes, creates, or allows public viewing of any adult material, or any entertainment depicting, describing, or relating to specified sexual activities or specified anatomical areas, from any public or private right-of-way or any other property.

M. Self-Storage Facility.

1. Self-storage facility shall not include storage or transport of goods or materials that may present serious hazards to human life and health.
2. Each storage unit shall be fully enclosed by walls and roof and shall not exceed six hundred (600) square feet in area.
3. Outdoor storage shall not be permitted, except for the parking of recreational vehicles, boats, and trailers.
4. Storage units shall not be used for the manufacture, processing, or assembly of goods, the sale of goods or personal services on the premises, or customer pickup. Storage units shall not be used for residential occupancy or business purposes.
5. No plumbing connections are permitted in individual self-storage units.
6. Active use or activities such as the practice of musical instruments shall not be permitted within individual units or anywhere else on the site.
7. Adequate water pressure and volume shall be available to all buildings for fire protection.
8. The following additional standards apply to indoor self-storage facilities:
 - a. All self-storage activities must be contained within a single building and conducted exclusively indoors. Individual storage units must be accessed from inside the building only.
 - b. All facilities must meet the design standards of the district for the exterior of the building.

- c. No storage units located on the first floor may be located within the first 50 feet of the front facade. No storage units located on the first floor may be visible from any public right-of-way.
 - d. Loading areas must be located to the interior side or rear of the building.
9. The following additional standards apply to outdoor self-storage facilities:
- a. Outdoor self-storage facilities shall be oriented so that storage unit access doors do not face the public right-of-way.
 - b. Outdoor self-storage facilities only are allowed to include an area for storage of recreational vehicles. Storage areas for recreational vehicles must be located in the rear yard.
 - c. No storage of recreational vehicles is allowed within 25 feet of any lot line.
 - d. If storage areas for recreational vehicles are provided, they must be screened along interior side and rear lot lines with a solid fence or wall, a minimum of six feet and a maximum of eight feet in height. One shrub a minimum of three feet in height at time of planting must be planted linearly every three feet on- center along such fence or wall and one evergreen tree every 25 feet; plantings must be placed inside the face of the fence toward the interior of the lot.

N. Day or Child Care Center.

- 1. Obtain license to operate facility from the Tennessee Department of Human Services.
- 2. All outside play areas shall be located in rear yard and be fenced; required buffer areas to be excluded in fenced area.
- 3. Buffer yards shall be provided around the entire perimeter of the lot upon which the day or child care center is located.
- 4. Dedicated pick-up and drop-off lane shall be provided with sufficient separation from parking areas.
- 5. Site lighting shall be provided if the day or child care center will be operating during periods of darkness in the morning or evening.
- 6. Day or child care facility must meet all building, fire and life safety code requirements for a day or child care facility.
- 7. Only one (1) wall sign not to exceed eight (8) square feet, and one (1) monument sign conforming to sign standards contained in Article 4 shall be constructed on the premises.

O. Day Care Home.

1. Obtain license to operate facility from the Tennessee Department of Human Services.
2. Minimum lot size shall be the same as the principal activity.
3. All outside areas must be fenced and be set back from side and rear lot lines by a minimum of fifteen (15) feet. Play areas shall contain a minimum of one hundred (100) square feet per child.
4. The facility shall be located so as to be compatible with the surrounding area and provide safety to those using each facility.
5. Adequate buffer yards shall be provided between any outside areas and adjoining residential lots.
6. All refuse shall be contained in completely enclosed facilities, and the facilities shall be located in the rear of the building.

5.2 TEMPORARY USE REGULATIONS

A. Farmers' Market.

1. The timeframe of a farmers' market, including the number of days per week and overall duration of the event, will be determined and approved as part of the temporary use permit. A temporary use permit for a farmers' market can be issued on a yearly basis, which allows for a schedule of days per week and number of weeks per year.
2. A management plan is required as part of the temporary use permit application that demonstrates the following:
 - a. The on-site presence of a representative of the farmers' market during hours of operation who directs the operations of vendors participating in the market.
 - b. An established set of operating rules addressing the management structure of the market, hours of operation, and maintenance when open to the public.
 - c. A general site plan including vendor stalls, parking areas, visitor facilities, such as any seating areas and restrooms, and all ingress and egress points to the site.
 - d. Provision for waste removal.
 - e. The days and hours of internal operation, including vendor set-up and take-down times.

3. Any tents used require separate approval as may be required by adopted building and fire codes.

B. Mobile Food Sales.

1. The timeframe of a temporary mobile food sales use, including the number of days per week and overall duration of the event, will be determined and approved as part of the temporary use permit.
2. The temporary use permit will be evaluated by the Zoning Administrator or designee from the Town of Cornersville on the basis of adequacy of the parcel size, parking provisions, traffic access, and the absence of undue adverse impact, including noise, on other properties.
3. All mobile food establishments must be properly licensed by the health department and shall also have proper business license as required by local and state regulations.
4. If the mobile food establishment operator is not the owner of the site where the truck or trailer will be located, written permission from the property must be submitted as part of the temporary use permit application.
5. The permit holder must keep the area clear of litter and debris at all times. Recycling options are encouraged.
6. Outdoor seating may be provided on the site, but no seating may be permanently installed.
7. A permanent water or wastewater connection is prohibited.
8. Electric service may be provided only by temporary service or other connection provided by an electric utility provider, or an on-board generator.
9. Drive-through service is prohibited.

C. Temporary Real Estate Sales.

Temporary conducting of a real estate sales office that is necessary and incidental to and located on the site of a subdivision or residential planned development being developed into five (5) or more lots shall be considered an accessory use.

D. Temporary Contractor Office/Yard.

Where permitted as a temporary use, a temporary use permit may be issued for contractor's temporary office and equipment sheds incidental to a construction project. Such permit shall not be valid for more than one (1) year but may be renewed for six (6) month extensions. Such

use shall be removed immediately upon completion of the construction or expiration of the temporary use permit, whichever occurs sooner.

E. Temporary Outdoor Entertainment.

Prior to issuance of a Temporary Use Permit, the Zoning Administrator shall conform that the proposed activity satisfies the following standards:

1. That the proposed activity is in conformance with all applicable Town ordinances;
2. That the proposed activity will not result in undue adverse traffic congestion and unsafe conditions regarding the use of public roads;
3. That the proposed activity will not present or create a threat to the safety of persons or property because of fire, explosion or other threat;
4. That the proposed activity will not create unhealthy conditions regarding water supply, sewage disposal or solid waste disposal; and
5. That the proposed activity will not interfere with the use of neighboring property for its customary use by creation of noise, dust, noxious odors, lighting, or other adverse impacts.

F. Temporary Outdoor Sales.

1. A site plan shall be required as part of the temporary use permit application that demonstrates the following:
 - a. An established set of operating rules addressing the operation of the sales event, hours of operation including vendor setup and take down times, maintenance, access control, and security requirements.
 - b. General layout of vendor stalls, visitor facilities, such as any seating areas and restrooms, parking areas, and all ingress and egress points to the site.
 - c. Provision for waste removal and for recycling, if available.
 - d. Lighting plan describing all temporary lighting to be installed.
2. Any temporary structures must be removed within three (3) days of conclusion of the event.
3. Temporary outdoor sales events are limited to four (4) events per calendar year and a maximum duration of five (5) days per event. This limitation applies to the lot, not the operator of the temporary use. The following exceptions apply:

- a. A temporary use permit for a seasonal sale, such as Christmas tree lots or pumpkin patches, are limited to four events per calendar year and a maximum duration of 45 days. There is no minimum time between events.
- b. No sales or display area is permitted in any public right-of-way.
- c. Any tents used require separate approval as required by the building and fire codes.

G. Temporary Dwelling Unit in Cases of Special Hardship.

In any residential district, a temporary use permit may be issued to place a mobile home temporarily on a lot in which the principal structure was destroyed by fire, explosion, or natural phenomena. The purpose of such temporary placement shall be to provide shelter for only the residents of the principal structure during the period of reconstruction and to prevent an exceptional hardship on the same. Placement of such temporary structure must not represent a hazard to the safety, health, or welfare of the community. An applicant for a temporary use permit as provided under this subsection must produce a written statement from the appropriate regulatory authority approving the water supply and sewage disposal systems of the temporary structure. Such a permit may be initially issued for six (6) months. A permit may be renewed twice, for up to six (6) months at a time, the total time for all permits not exceeding a total of eighteen (18) months.

ARTICLE 6

EXCEPTIONS AND MODIFICATIONS

SECTION

- 6.1 Definition
- 6.2 Nonconforming Uses
- 6.3 Nonconforming Buildings
- 6.4 Conditional Use – Status and Alteration
- 6.5 Discontinuance
- 6.6 Temporary Uses
- 6.7 Exception to Height Limitations
- 6.8 Lots of Record
- 6.9 Exception to Front Setback Requirements

6.1 DEFINITION

Any land use or structure legally existing at the date of passage of this zoning ordinance, or subsequent amendment thereto, but located in a zone in which it would not be permitted as a new use or structure under the terms of this zoning ordinance, is declared to be a legal non-conforming use.

6.2 NONCONFORMING USES

A non-conforming use shall not be changed to any use other than a use permitted in the zoning district which it is located.

6.3 NONCONFORMING BUILDINGS

- A. General Provisions. The provisions of this section shall control buildings and other structures which do not meet the bulk or any other provisions applicable in the districts in which they are located, except those provisions which pertain to activity or use.
- B. Continuation of Use. Any nonconforming use which existed lawfully at the time of enactment of this ordinance, and which remains nonconforming under the provisions contained herein or any use which shall become nonconforming upon enactment of this ordinance, or any subsequent amendments thereto, may be allowed to continue in operation and be permitted provided that no change in use is undertaken.
- C. Repairs and Alterations. Nothing in this ordinance shall prevent the strengthening or restoring to a safe condition of any part of any building or structure declared unsafe by proper authority. Repairs, incidental alterations, or structural alterations may be made in noncomplying buildings or other structures subject to the provisions of this section.

- D. Expansion or Enlargement. No expansion or enlargement of any noncomplying building or other structure may be made which would either create a new noncompliance or increase the degree of any previously existing noncompliance of any building or other structure or parcel or portion, thereof.
- E. Buildings Noncomplying as to Lot Area. If a building does not comply with the applicable district regulations for lot area per dwelling unit (lot area of zone lot being smaller than required for the number of dwelling units on such zone lot) such building may be converted (and, in mixed buildings, the residential use may be extended, except when in the floodplain district) provided that the deficiency in the required lot area is not, thereby, increased.
- F. Damage or Destruction of Noncomplying Buildings or Other Structures. Any use which shall become nonconforming upon enactment of this ordinance, or any subsequent amendments thereto, may be permitted to reconstruct damaged or destroyed facilities which involve an actual continuance of the nonconforming use provided that any such reconstruction shall not violate the provisions set out below.
1. Change in Use Prohibited. No reconstruction of damaged or destroyed facilities may occur which shall act to change the nonconforming use to another use other than a permitted use.
 2. Damage or Destruction of Buildings or Other Structures. In all districts, when any building or other structure which is substantially occupied by a nonconforming use is damaged or destroyed to the extent of fifty (50) percent or more of the assessed valuation (as recorded on the most current edition of the property tax records) of the improvements located upon the site, such building or other structure may be reconstructed provided that no such action shall increase the extent of any infringement upon any open space required by this ordinance and that the reconstructed buildings, structures and other site improvements, shall comply as fully as possible with all other provisions of this ordinance. When the extent of damage or destruction is less than fifty (50) percent of the assessed valuation of the improvements, the nonconforming use may be continued and the buildings or other structures may be restored provided that:
 - a. A building permit pertaining to such restoration is applied for and issued within one (1) year of such damage or destruction.
 - b. A certificate of zoning compliance is issued within one (1) year after the issuance of the building permit.
 - c. Such restoration shall not cause a new nonconformance nor increase the degree of nonconformance or noncompliance existing prior to such damage or destruction. Otherwise, the nonconforming use shall be deemed to have ceased active operation and the provisions of Section 6.5, shall apply.

6.4 CONDITIONAL USE – STATUS AND ALTERATION

Whenever the zoning ordinance in effect at the time of adoption of this zoning ordinance has authorized any use which is not permitted as of right by issuing a variance, special exception, or permit to locate in a district such authorization may be continued subject to the time of approval of said variance, special exception, or conditional use, including any time period established for the continuation of such use. However, any change of use, alteration or expansion is subject to the provisions of this ordinance.

6.5 DISCONTINUANCE

A non-conforming residential use which has ceased for twelve (12) months or greater shall be assumed to be abandoned, regardless of the intent to resume or not to abandon the use, and shall be completely terminated. A nonconforming non-residential use which has ceased for thirty (30) months or greater shall be assumed to be abandoned, regardless of the intent to resume or not to abandon the use, and shall be completely terminated.

6.6 TEMPORARY USES

Temporary buildings used in conjunction with construction work may only be permitted during the period that construction work is in progress, but such temporary buildings shall be removed upon completion of the construction work.

6.7 EXCEPTION TO HEIGHT LIMITATIONS

The height limitations of this ordinance shall not apply to spires, belfries, cupolas, and domes not intended for human occupancy, monuments, water towers, transmission towers, windmills, chimneys, smokestacks, conveyors, flag poles, radio towers, masts, silos, and aerials.

6.8 LOTS OF RECORD

The following provisions shall apply to all existing lots of record:

- A. Where the owner of a lot consisting of one or more adjacent lots of official record at the time of the adoption of this ordinance does not own sufficient land to enable him to conform to the yard or other requirements of this ordinance, an application may be submitted to the Board of Zoning Appeals for a variance from the terms of this ordinance. 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 as in the opinion of the Board of Zoning Appeals as possible.
- B. No lot which is now or hereafter built upon shall be so reduced in area that the yards and open space will be smaller than prescribed by this ordinance, and no yard, court, or open space provided around any building for the purpose of complying with the provisions hereof, shall again be considered as a yard, court, or other open space for another building.

- C. Where two (2) or more lots of record with a continuous frontage are under the same ownership, or where a substandard lot of record has continuous frontage with a larger tract under the same ownership, such lots shall be combined to form one or more building sites meeting the minimum requirements of the district in which they are located.
- D. Within all districts where residential uses are authorized, a single-family dwelling may be built upon a lot which was of record upon the date of adoption of this ordinance, provided such lot contains a minimum total lot area of five thousand (5,000) square feet.

6.9 EXCEPTION TO FRONT SETBACK REQUIREMENT

The front yard requirements of this ordinance for dwellings shall not apply to any lot where the average depth of existing front yards on developed lots, located within one hundred (100) feet on each side of such lot and within the same block and zoning district and fronting on the same street as such lot, is less than minimum required front yard depth. In such case, the depth of the front yard on such lot may be less than the required front yard, but no less than the average of the existing front yard depth on the developed lots. In residential districts, however, the front yards shall in no case be less than ten (10) feet in depth.

ARTICLE 7

ADMINISTRATION AND ENFORCEMENT

SECTION

- 7.1 Administration
- 7.2 Public Notice
- 7.3 Permit Requirements
- 7.4 Site Plan Review
- 7.5 Vesting of Development
- 7.6 Performance Bond
- 7.7 Board of Zoning Appeals
- 7.8 Variance
- 7.9 Special Use
- 7.10 Amendments
- 7.11 Fees
- 7.12 Penalties
- 7.13 Remedies and Enforcement
- 7.14 Interpretation
- 7.15 Severability
- 7.16 Validity
- 7.17 Effective Date

7.1 ADMINISTRATION

Except as otherwise provided, no structure or land shall after the effective date of this ordinance be used and no structure or part thereof shall be erected, altered, or moved unless in conformity with the regulations herein specified for the district in which it is located. In their interpretation and application, the provisions of this ordinance shall be considered minimum requirements adopted for the promotion of public health, safety, morals, convenience, order, prosperity, and general welfare of the community. Where other ordinances, resolutions or regulations heretofore adopted or which may be adopted hereafter impose greater restrictions than those specified herein, compliance with such other ordinances, resolutions, or regulations is mandatory.

7.2 PUBLIC NOTICE

- A. Applicability. All public hearings required by this ordinance shall be preceded by public notice as provided by this section and Table 7-1.

Table 7-1: Zoning Approvals Required Public Notice			
Zoning Application (Notice for Public Hearing)	Notice Type		
	Published	Mailed	Sign Posted on Property
Zoning Text Amendment	•		
Zoning Map Amendment	•	•	•
Special Use	•	•	•
Variance	•	•	•
Administrative Appeal	•		

- B. Notice by Newspaper. Notice in a newspaper of general circulation within the Town of Cornersville, shall be given at least fifteen (15) days, but not more than thirty (30) days prior to the public hearing. This notice shall specify the location, current and proposed zoning classification, and it shall contain a graphic illustration of the area.
- C. Notice by Mail. At least fifteen (15) days prior to the public hearing concerning the affected property all owners of record of adjoining property, including those separated by a public way from the premises in question shall be notified by the applicant at their expense. The notification required to meet this provision shall be accomplished by certified mail, return receipt request. Return receipts shall be maintained and subject to public examination upon request.
- D. Notice by Signage. No public hearing pertaining to an amendment to the Official Zoning Map or a variance or conditional use permit shall be conducted until public notice has been provided by the posting of a sign upon the subject property pursuant to the provisions of this section.
1. The sign shall be placed no less than fifteen (15) days prior to the date of the public hearing.
 2. No public hearing shall be conducted, nor any action taken on any request for which such notice is required until the sign is posted as required herein.
 3. The sign shall be located facing and within twenty-five (25) feet of all public right-of-way on which the subject property fronts.
 4. The sign shall contain wording provided by the Town of Cornersville which shall be sufficient to convey the information that a zoning action is proposed for the subject property along with the date, time and place of the public meeting at which the requested action is to be considered and a telephone number for additional information.
 5. The applicant shall be responsible for fabrication and placement of sign and shall be responsible for all costs for required sign.

7.3 PERMIT REQUIREMENTS

- A. Building Permit Required. A landowner or their designee is required to file an application for a building permit with the Town or the Town's designated authority having jurisdiction for building permits prior to commencing any excavation, construction, or alteration of a building, accessory structure, incidental structures in accordance with the International Codes or initiating a change in use on the property.
- B. Building Permit Application. The application requirements for a building permit shall be established by the Town in a form and content appropriate to demonstrate that all structures will be constructed in compliance with all applicable provisions of this code. Every application for a building permit shall include proof of required site plan approval including a floodplain certification where required by the ordinance.
- C. Issuance of Building Permit. If the proposed excavation or construction as set forth in the application is in conformity with the provisions of this zoning ordinance and all other ordinances of the Town then in force, the Zoning Administrator or appropriate official designated by the Town shall issue a building permit and other related permits for such excavation or construction. No building permit shall be issued until:
 - 1. All necessary approvals have been issued for water supply, sewer or septic tanks and driveways.
 - 2. The necessary site plans have been fully approved including approval by Planning Commission where required.
 - 3. A Zoning Compliance and Floodplain Certificate has been issued by the Town or the Town's designated authority confirming compliance with the Zoning Ordinance including Article 3, Section 3.10, Floodway District, and all other ordinances of the Town then in force.
 - 4. Any required related off-site or on-site improvements are constructed or a performance bond or other acceptable form of financial surety, approved as to form by the Town attorney, is posted guaranteeing the improvements.
- D. Expiration. A building permit shall become void six (6) months from the date of issuance unless substantial progress has been made on the project by that time. Substantial progress shall be determined by the Zoning Administrator or appropriate official designated by the Town and shall relate to the time period between inspections. If no inspections are completed within six (6) months of the issuance of any permits the master permit shall be null and void unless the applicant requests in writing an extension. The Zoning Administrator or the Town's designated authority may grant an extension to the effective period of the permit not to exceed six (6) months.

- E. Certificate of Occupancy Required. Following issuance of a building permit, no structure or zone lot shall be used or occupied until the Zoning Administrator or the appropriate official designated by the Town has certified in a final inspection that the property is in full compliance with all applicable provisions of the International Codes adopted by the Town or the Town's designated authority having jurisdiction. The Town shall inspect or cause to be inspected the property to confirm the property is in full compliance with provisions of the Zoning Ordinance and all other ordinances of the Town in force at the time of permit issuance. The Town shall issue written confirmation to the authority having jurisdiction in the issuance of a certificate of occupancy that the property conforms with the Zoning Ordinance and all other ordinances of the Town prior to issuance of the Certificate of Occupancy. If the certificate is refused, then the Zoning Administrator or the appropriate official designated by the Town shall state the refusal in writing, with the cause.

7.4 SITE PLAN REVIEW

A. Purpose.

The site plan review process is intended to promote orderly development and redevelopment in the Town, and to assure that such development or redevelopment occurs in a manner that is harmonious with surrounding properties, is consistent with Town's adopted land use policies, and promotes the public health, safety, and welfare of the Town. This section provides standards to control the physical layout and design to achieve compatibility of land uses and structures, efficient use of land, minimization of traffic and safety hazards, and incorporation of stormwater management and sustainable design techniques.

B. Authority.

The Planning Commission will conduct site plan review. The Zoning Administrator may convene a technical review committee, comprised of Town staff and consultants retained by the Town, as the Town deems appropriate to review plans for completeness and compliance with Town regulations and this ordinance.

C. Required Site Plan Review.

When required, no building permit may be issued until site plan approval has been granted. In addition, all other requirements of all other applicable Town codes must be met. Site plan review and approval is required for the following developments:

1. New townhouse, multifamily, all types of non-residential, and mixed-use development construction.
2. Additions to townhouse, multifamily, non-residential, and mixed-use development that increase the gross floor area by 3,000 square feet or more.
3. Changes in vehicle ingress and egress for existing townhouse, multifamily, non-residential, and mixed-use development.

D. Procedure.

1. Pre-Application Consultation.

- a. Prior to formal submittal of a site plan application, a pre-application consultation with the Zoning Administrator and/or other Town staff is encouraged.
- b. During the pre-application consultation the applicant must provide information as to the location of the proposed development, the proposed uses, proposed improvements, and any other information necessary to explain and illustrate the development.
- c. The purpose of the pre-application consultation is to provide guidance to the applicant before submittal of the site plan application and supporting documentation so that the applicant is aware of requirements and procedures for site plan review and approval by the Planning Commission.
- d. The pre-application consultation does not require filing of a site plan application or payment of a fee. Any opinions or guidance provided by the Zoning Administrator or other Town staff should be considered advisory and are in no way binding with respect to any official action that may be taken on the subsequent formal application.

2. Concept Plan (Optional).

The applicant may request a non-mandatory review of a concept plan before the Planning Commission for the purpose of obtaining information and guidance prior to submittal of a formal site plan application.

- a. The concept plan is presented at a public meeting and no notice is required. At a minimum, the concept plan must consist of the following:
 - i. A map (or maps) in general form containing the proposed land uses, the natural features of the development site, the character and approximate location of all roadways and access drives proposed, the location of all adjacent public streets, public utilities, and schematic drawings showing the size, character, and positioning of buildings on the site.
 - ii. A written statement containing a general explanation of the proposed site development project.
 - iii. Information sufficient to address the availability and adequacy of utility services and road infrastructure including the need for off-site improvements to serve the site and general location and hydraulic calculations for stormwater management facilities.

- b. The Planning Commission will review the concept plan and provide such information and guidance it deems appropriate. Any opinions or advice provided by the Planning Commission for the concept plan is in no way binding with respect to any official action the Planning Commission may take on the subsequent formal site plan application. The review of the concept plan does not constitute a public hearing. No decision will be made on the application; therefore, no vesting is applicable to the concept plan.

3. Action by Planning Commission.

- a. The Zoning Administrator will review the site plan once the application is deemed complete and will forward a recommendation to the Planning Commission.
- b. Upon receipt of the complete application and recommendation from the Zoning Administrator, the Planning Commission will consider the site plan at a public meeting.
- c. The Planning Commission must evaluate the application pursuant to the approval standards of this section. The Planning Commission must either approve, approve with conditions, or deny the site plan.

E. Approval Standards.

The following will be evaluated by the Planning Commission in the review of site plans:

- 1. Conformity with the regulations of this ordinance, unless a variance has been granted by the Board of Zoning Appeals, and any other applicable regulations of the Town Code and adopted Town policies.
- 2. The location, arrangement, size, design, and general site compatibility of all structures, lighting, and signs to ensure:
 - a. Efficient use of land that responds to the existing off-site utilities and service conditions to minimize the demand for additional municipal services, utilities, and infrastructure.
 - b. Compatibility with and mitigation of any potential impact upon adjacent property.
 - c. Lighting designed and installed to minimize adverse impact on adjacent properties.
 - d. Location of monument sign(s) and other site signage comply with requirements.
- 3. Landscape and the arrangement of open space or natural features on the site should:
 - a. Create a desirable and functional open space environment for all site users.

- b. Preserve unique natural resources, including measures to preserve and protect existing healthy plantings.
 - c. Design drainage facilities to promote the use and preservation of natural watercourses and patterns of drainage.
 - d. Utilize plant materials suitable to climate zone of the Town. The use of species native or naturalized to middle Tennessee is encouraged.
 - e. Use of screening to minimize the impact of the development on adjacent uses and mitigate impacts between incompatible uses, creating a logical transition to adjoining lots and developments.
4. Circulation systems and off-street parking designed to:
- a. Provide adequate and safe access to the site for motor vehicles as well as other modes of transportation, including pedestrians and bicyclists.
 - b. Minimize potentially dangerous traffic movements including off-site improvements to provide safe access to site.
 - c. Minimize curb cuts, including the use of cross-access easements and shared parking.
 - d. Clearly define a network of pedestrian connections between parking lots, streets and sidewalks, open spaces, and structures that is safe, visible, and accessible.
5. Utility improvements have been provided that adequately serve the site.

F. Site Plan Review Application Requirements.

Plans must be drawn in a legible manner, at a scale suitable to the size of the lot being developed or redeveloped. All plans must be drawn at a standard engineering scale and submitted in paper and digital form. The following information must be submitted to the Zoning Administrator for review, unless waived by the Planning Commission.

Table 7-2: Site Plan Application Requirements	
Submittals	Site Plan
General Information	
Name, address, zoning, and property lines of all property owners adjacent to the exterior boundaries of the project	•
Name, address, phone numbers of owner(s), developer(s), and representatives	•
North arrow, scale, date of preparation, zoning classification, map/parcel numbers, total acreage, and proposed use	•
Title block located in the lower right-hand corner indicating the name and type of project, scale, firm/individual preparing drawing, date, and revisions	•
Legend containing all symbols and lines shown in the drawing	•

Table 7-2: Site Plan Application Requirements	
Submittals	Site Plan
A vicinity map of the project with a radius of 1.5 miles from the project, street classifications of all adjoining streets	•
The location of all existing structures on the property	•
Site coverage note indicating the percentage of the site that is currently covered by impervious surface	•
Title, name, address, stamp, and signature of the design professional(s) licensed to prepare the required plans and plats	•
The effective date of Zoning Ordinance upon which the application is submitted and site plan is approved.	
Floodplain/Floodways/Wetlands	
Show 100-year floodplain and/or floodway and base flood elevations. Reference the FIRM panel number and effective date.	•
Note and delineate wetlands on the property	•
Existing and proposed topographic information including contours at a minimum 2-foot contour interval	•
Plans showing the nature, location, dimensions, and elevation of any part of the property within a flood prone area; existing or proposed structures or building sites, fill storage of materials and flood proofing measures; stream buffers; the relationship of parcel to stream channel, floodway, floodway fringe, regulatory flood elevations, and the regulatory flood protection elevation; and specifications for building construction and materials, flood proofing, filling, dredging, grading, storage of materials, water supply, and sanitary facilities	•
Tree Protection and Landscaping	
Delineate trees to be retained on-site and the measures to be implemented for their protection	•
Depict the limits of soil disturbance to include all areas to be graded both on- and off-site	•
Landscaping proposals for parking lots, streets, greenspace, and required screening or buffer yards, including proposed plant size and species. Show existing and proposed utility lines including overhead designation. Plans should depict if irrigation system is provided.	•
Utilities, Existing	
Utility flow and capacity analysis (for large-scale commercial, industrial and/or planned development projects containing greater than 25 acres of land area)	•
Show, note, and dimension all known existing on- and off-site utilities and easements	•
Show invert and rim elevations of all existing sanitary sewer, stormwater drains, and fire hydrants	•
Existing easements shall show the name of the easement holder and the purpose of easement.	•
Streets/Rights-Of-Way/Easements	
Traffic impact study	•
Delineate, label, and dimension from centerline existing street right-of-way (ROW) lines	•
Show the location, widths, grades, and names of existing streets, alleys, paths, and other ROW, whether public or private, within and adjacent to the project	•
Provide a layout of adjoining property in sufficient detail to show the effect of proposed and existing streets (including those in the adopted Major Thoroughfare Plan), adjoining lots, and off-site easements	•
Site Information	
Identify the location of known existing or abandoned water wells, sumps, cesspools, springs, streams, bodies of water, water impoundments, and underground structures within the project	•
Show the location of known existing or proposed ground leases or access agreements	•

Table 7-2: Site Plan Application Requirements	
Submittals	Site Plan
The location of any potentially dangerous areas, including areas subject to flooding, slope stability, settlement and karst conditions, excessive noise, previously filled areas, and plans for mitigation of such conditions	•
For residential development, indicate the use and list in a table the number of dwelling units	•
For non-residential development, indicate the gross floor area and all proposed uses generally	•
Show location and size of existing or proposed monument signs	•
Show general location and size of parking, loading areas, and traffic circulation	•
Show location, size, and construction details of parking and loading areas	•
Show the location, material, landscaping, and arrangement of parking and loading areas. Include a table showing the required, provided, and handicapped accessible parking spaces.	•
Show location and width of curb cuts and driveways. Dimension driveways and curb cuts from side property lines and surrounding intersections.	•
Show location and dimensions of buffer yards, fences, or walls, if required	•
Indicate location of and access to solid waste service	•
Provide a description of commonly held areas, if applicable	•
Show required building setbacks. Provide a note of the current setback requirements for the property/project	•
Show location of adjacent parks, cemeteries, structures, development, and historically significant properties	•
Show location and dimensions of all property proposed to be set aside for park, playground, or other public/private use, with designation of the purpose and conditions of use	•
Any other data or reports as deemed necessary for project review by the Planning Commission	•

G. Modifications to Approved Site Plans.

1. An application for a modification to an approved site plan must be submitted to the Zoning Administrator. Modification applications must include a written description of the proposed change, including the reason for such change, and a notation of the location on the approved site plan.
2. The Zoning Administrator may approve the following minor modifications to approved site plans:
 - a. A reduction in the number of parking spaces provided the remaining number of parking spaces is in conformance with the requirements of this ordinance and any conditions of approval.
 - b. The addition of any open space.
 - c. Modifications to the approved landscape plan and site features that does not result in a reduction of the total quantity and size of plant materials required and remains in conformance with all landscape requirements.

- d. Minor modification to grades and other related site improvements provided such modification remains in compliance with requirements of this ordinance and stormwater management regulations of the Town.
 - e. A reduction in the area of a sign provided the remaining sign area is in conformance with the requirements of this ordinance and any conditions of approval.
3. Any modification not considered a minor modification must be approved by the Planning Commission in a public meeting. Applicants must include a written description of the proposed change, including the reason for such change, and a notation of the location on the approved site plan. No public hearing or notice is required. The Zoning Administrator may also decide to forward any minor modification, regardless if it fits the above criteria, to the Planning Commission for approval provided, in such instances, no additional fees are required.

H. Expiration and Vesting.

- 1. The site plan approval expires if the applicant does not obtain and maintain all required permits necessary for site preparation and commence site construction within three (3) years of site plan approval by the Planning Commission. The site plan is vested within this ordinance, as per Table 7-3.
- 2. All required actions to retain vesting shall be per Table 7-3.
- 3. If the site is to be developed in phases, the applicant need only file a building permit for the first phase of development within three (3) years of site plan approval by the Planning Commission, as indicated in the development schedule. The building permits and applicable site preparation permits for the remaining phases must be filed in accordance with the development and construction schedule approved by the Planning Commission. Phased development vesting of up to fifteen (15) years is available, if required actions, as noted in Table 7-3, are achieved and maintained.

7.5 VESTING OF DEVELOPMENT

In accordance with Section 13-4-310, Tennessee Code Annotated, the following provides for the vesting of developments through zoning applications. Table 7-3: Vesting Timeline provides for vesting within the Town, under state law, for the types of plans approved, the vested right, and what action triggers the vesting.

- A. During the vesting periods listed below, the adopted standards in effect on the date of approval of the required preliminary approval or final development approval where preliminary approval is not required remain the development standards applicable to the property.
- B. The applicable vesting periods are listed in Table 7-3.

Table 7-3: Vesting Period				
Type of Project	Effective Date	Vesting Period	Total Vesting Period to Maintain Vested Rights	Required Actions
Building Permit (No development plan required)	Date of Issuance of Building Permit	Period authorized by the building permit	Period authorized by the building permit	Complete construction within period authorized by the building permit
Conceptual Plan	Not Applicable	Not Applicable	Not Applicable	Not Applicable
Preliminary Development Plan	Date of Issue	3 Years	3 Years	Obtain Final Development Plan approval; secure permits; and commence site preparation
Final Development Plan	3 Years from date of Preliminary Plan approval	2 Years	5 Years	Commence construction; maintain permits
	5 Years from date of Preliminary Plan approval	5 Years	10 Years	Complete construction; maintain permits
Multi-Phase or Sections	Date of Issue of Preliminary Development Plan	Separate vesting period for each phase or section	15 Years	Complete construction for each phase; maintain permits

- C. The vesting period outlined in Table 7-3 for building permit projects where no site plan approval is required from the Planning Commission shall commence on the date of building permit issuance and remain in effect for the period authorized by the building permit. The building permit applicant may request an extension as provided in the Building Code enforced by the authority having jurisdiction.
- D. The vesting period outlined in Table 7-3 may be terminated upon the following conditions:
1. When the applicant violates the terms and conditions specified in the approved development plan or building permit. The applicant has 90 days from the date of the written notification to resolve the violation, unless provided additional time from the Town.
 2. Upon a finding by the Town that the applicant intentionally supplied inaccurate information or knowingly made misrepresentations material to the issuance of a building permit or approval of a development plan or did not construct the development in accordance with the approved building permit or the approved development plan or an approved amendment for the building permit or the development plan.
 3. Upon the written determination by the Town of the existence of a natural or man-made hazard on or in the immediate vicinity of the subject property, not identified in the development plan or building permit, and which hazard, if uncorrected, would pose a

serious threat to the public health, safety, or welfare and the threat cannot be mitigated within a reasonable period of time.

4. Upon enactment or promulgation of a State or Federal law, regulation, rule, policy, corrective action, or other governance that is required to be enforced by the Town and that precludes development as contemplated in the approved development plan or building permit, unless modifications to the development plan or building permit can be made by the applicant, within 90 days of notification of the new requirement, which will allow the applicant to comply with the new requirement.
- E. A vested property right attaches to and runs with the applicable property and confers upon the applicant the right to undertake and complete the development and use such property under the terms and conditions of a development plan, including any amendments thereto or under the terms and conditions of any building permit that has been issued with respect to the property.
- F. An amendment or revision to an approved plan by the developer must be reviewed per this Article, as applicable, and approved by the Planning Commission or Board of Mayor and Aldermen to retain the protections of the vested property right. An amendment or revision may be denied based upon a finding that the amendment or revision does one or more of the following:
1. Alters the proposed use.
 2. Increases the overall area of the development.
 3. Alters the size of any non-residential structures included in the development plan.
 4. Increases the density of the development so as to affect traffic, noise or other environmental impacts.
 5. Increases any local government expenditure necessary to implement or sustain the proposed use.

If an amendment or revision is denied, the applicant may either proceed under the prior approved plan with the associated vested property right or allow the vested property right to terminate and submit a new application.

- G. Development Moratorium. In the event the Town of Cornersville enacts a moratorium on development or construction, the vesting period established by this ordinance shall be tolled during the moratorium period.

7.6 PERFORMANCE BOND

Prior to the issuing of a permit for any land disturbance activity where the approved site plan or development plan identified specific public improvements including, but not limited to, street and sidewalk, traffic improvements (traffic signal, intersection improvement, road widening,

etc.), stormwater, utilities, and/or public facilities such as a park or open space, the applicant shall be required to provide a performance bond or similar form of financial surety acceptable to the Town to complete all land and grade stabilization measures and improvements as depicted on the approved plan. The Town shall establish the amount and time period of the bond or financial surety, based on the estimated cost and time for completing the public improvements. Within thirty (30) days of the completion and final inspection by the Town of all public improvements required as provided in the approved plan, such bond or financial surety shall be refunded or terminated, provided, however, that a maintenance bond or appropriate surety in a form acceptable to the Town shall be required for a period of one (1) year to ensure that the public improvement has been constructed without defect as to material or workmanship. Prior to the end of the one year maintenance bond period, the Town shall inspect or cause to be inspected all public improvements. Any defects in material or workmanship shall be identified by the Town and the applicant required to mitigate said defects within a reasonable time period established by the Town. The maintenance bond shall not be released or terminated by the Town until such time the applicant has satisfactorily mitigated all identified defects in materials and workmanship.

7.7 BOARD OF ZONING APPEALS

- A. Establishment. Pursuant to Sections 13-7-205 through 13-7-207, Tennessee Code Annotated, a Board of Zoning Appeals is created.
- B. Membership. The Board of Zoning Appeals shall consist of three (3) members, at least one of whom shall be a member of the Cornersville Municipal Planning Commission. The members shall be appointed by the Mayor and confirmed by a majority vote of the Cornersville Board of Mayor and Aldermen. The term of membership shall be three (3) years except that the initial individual appointments to the Board of Zoning Appeals shall be terms of one (1), two (2) and three (3) years, respectively. Vacancies shall be filled for any unexpired term by the Mayor with confirmation from the Board of Mayor and Aldermen.
- C. Procedure. Meetings of the Board of Zoning Appeals shall be held at the call of the chairman or Zoning Administrator, and at such other times the Board of Zoning Appeals may determine. Such chairman, or in his/her absence, the vice-chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board of Zoning Appeals shall be open to the public. The Board of Zoning Appeals shall adopt rules of procedure and shall keep records of applications and action taken thereon. The records and minutes shall be filed in the City Hall and shall be a public record.
- D. Appeals to the Board of Zoning Appeals. An appeal to the Board of Zoning Appeals may be taken by any person, firm, or corporation aggrieved by, or by any governmental office, department, board, or bureau affected by any decision of the Zoning Administrator based in whole or in 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 Zoning Administrator shall transmit to the Board of Zoning Appeals all papers constituting the record upon which the action appealed was taken. The Board of Zoning Appeals shall fix reasonable time for the hearing of the appeal, give public notice to the parties in interest, and

decide the same within a reasonable time. Upon the hearing, any person or party may appear in person, by agent, or by attorney.

E. Powers of the Board of Zoning Appeals. The Board of Zoning Appeals is hereby vested with the following powers:

1. Administrative Appeals. 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 Zoning Administrator or other administrative official of the Town of Cornersville in the carrying out or enforcement of any provision of this ordinance, and to interpret this ordinance or the Official Zoning Map.
2. Variances. To hear and decide applications for variance from the strict application of the provisions of this ordinance, where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property which at the time of the adoption of the provisions of this zoning ordinance was a lot of record; or where by reason of exceptional topographic conditions or other extraordinary or exceptional situations or condition of a piece of property the strict application of the provisions of this zoning ordinance 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 detriment to the public good and the intent and purpose of this zoning ordinance. Financial disadvantage to the property owner is no proof of hardship within the purpose of zoning. In granting a variance the board may attach thereto such conditions regarding the location, character and other features of the proposed building, structure, or use as it may deem advisable in furtherance of the purpose of this chapter. Before any variance is granted, it shall be shown that circumstances are attached to the property that do not generally apply to other property in the neighborhood.
3. Special Exceptions. Pursuant to Section 13-7-207, (2), Tennessee Code Annotated, the Board shall hear and act upon applications for special exceptions.
4. Referred Matters. Hear and act upon all matters referred to it on which it is required to act under this ordinance.

F. Rules and Proceedings of the Board. The Board shall adopt rules for the conduct of its meetings. Such rules shall at the minimum require that:

1. The presence of two (2) members of the Board shall constitute a quorum and the concurring vote of at least two (2) members of the Board shall be necessary to deny or grant any application before the Board.
2. No action shall be taken by the Board on any case until after a public hearing and notice thereof. Said notice of public hearing shall be a legal notice published in a newspaper of general circulation in the city at least ten (10) days before the hearing of an appeal. No appeal shall be considered and heard by the Board less than fifteen (14) days after filing such appeal. If new information is uncovered regarding an action of the Board that could

not have been reasonably presented in public hearing before the Board, the Board shall establish a date for the purpose of rehearing in accordance with the appropriate procedures herein.

3. The Board may call upon any other office or agency of the Town of Cornersville for information in the performance of its duties and it shall be the duty of such other agencies to render such information to the Board as may be reasonably required.
4. The Planning Commission shall be permitted to submit an advisory opinion on any matter before the Board and such opinion shall be made part of record of such public hearing.
5. Any decision made by the Board on a conditional use permit shall indicate the specific section of this ordinance under which the permit is being considered and shall state clearly the specific conditions imposed in granting such permit.
6. At the public hearing of the case before the Board, the Appellant shall appear on his own behalf or be represented by counsel or agent. The Appellant's side of the case shall be heard first and those in objection shall follow. To maintain orderly procedure, each side shall proceed without interruption from the other.

7.8 VARIANCE

- A. Purpose. The purpose of the variance process is to provide a narrowly circumscribed means by which relief may be granted from unforeseen applications of the zoning regulations of this Ordinance that create practical difficulties or particular hardships.
- B. Initiation. A property owner in the Town, or person expressly authorized in writing by the property owner, may file an application for a variance. A property owner, or his/her designee, may only propose a variance for property under his/her control.
- C. Authority. The Board of Zoning Appeals will take formal action on variances from the zoning regulations, unless restricted by this section.
- D. Procedure. All applications must be filed with the Zoning Administrator. Once it is determined that the application is complete, the Zoning Administrator will schedule the application for consideration by the Board of Zoning Appeals.
 1. Upon receipt of a complete application, the Board of Zoning Appeals will consider the variance at a public hearing.
 2. The Board of Zoning Appeals must evaluate the application based upon the evidence presented at the public hearing, pursuant to the approval standards of this section. The Board of Zoning Appeals will either approve, approve with conditions, or deny the variance.

3. The Board of Zoning Appeals may impose such conditions and restrictions upon the variance as may be deemed necessary for the protection of the public health, safety, and welfare. The Board of Zoning Appeals may grant a variance that is less than that requested when it has been decided that the applicant is entitled to some relief of the hardship, but not the entire relief requested in the variance application.
- E. Approval Standards. The Board of Zoning Appeals may authorize a variance from the strict application of this Code so as to relieve such difficulties or hardship only in accordance with the following criteria. The Board of Zoning Appeals must make findings of fact on all criteria.
1. Where, by reason of exceptional narrowness, shallowness, size or shape of a specific piece of property at the time of enactment of this Ordinance, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property it is not able to comply with the regulations as required under this Ordinance.
 2. The strict application of any provision enacted under this Ordinance would result in peculiar and exceptional practical difficulties to or exception or place undue hardship upon the owner of such property.
 3. Such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning district and this Ordinance.
- F. Limitations.
1. In granting variances, the Board of Zoning Appeals has no power to take any action that has the effect of allowing a use that is prohibited in the applicable base district. Any such action that has is deemed a violation of powers of this section and has no force and effect.
 2. The fact that a site or development does not conform to this Ordinance prior to the consideration of a variance application cannot be used as a basis for the granting of a variance.
- G. Expiration of Variance. An approved variance will expire one year from the date of approval unless a site plan review application has been submitted or, where site plan review is not required, a building permit is obtained. The Board of Zoning Appeals may grant an extension for a period of validity for no longer than an additional six (6) months, so long as the applicant applies in writing for an extension of time at any time prior to the date of expiration. No public hearing is required for approval of such extension of time.
- H. Variance Appeals. Any person, including any agency of the Town of Cornersville, aggrieved by a decision of the Board of Zoning Appeals on a variance may appeal by certiorari to a court of competent jurisdiction. The judgment and findings of the Board of Zoning Appeals on all questions of fact that may be involved in any appeal, cause, hearing or proceeding under this Article shall be final and subject to review only for illegality or want of jurisdiction.

7.9 SPECIAL USE

- A. Purpose. This Ordinance is based upon the division of the Town into distinct zoning districts. Within each district the use of land and structures are substantially uniform. It is recognized, however, that there are certain uses which, because of their unique characteristics, cannot be properly classified in a particular district or districts without consideration of the impact of those uses upon neighboring land and of the public need for the particular use at the specific location.
- B. Initiation. A property owner in the Town, or his/her designee, may file an application to use his/her land for one or more of the special uses authorized within the zoning district. A property owner may only propose a special use for property under his/her control.
- C. Authority. The Board of Zoning Appeals will take formal action on special use applications.
- D. Procedure. An application for a special use must be filed with the Zoning Administrator. Once it is determined that the application is complete, the Zoning Administrator may refer the application for review and comment by appropriate Town staff prior to scheduling the application for consideration by the Board of Zoning Appeals.
 - 1. Upon receipt of a complete application, the Board of Zoning Appeals will consider the special use at a public hearing.
 - 2. The Board of Zoning Appeals must evaluate the application based upon the evidence presented at the public hearing, pursuant to the approval standards of this section. The Board of Zoning Appeals must either approve, approve with conditions, or deny the special use.
 - 3. The Board of Zoning Appeals may impose conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the special use as may be deemed necessary for the protection of the public health, safety, and welfare.
- E. Approval Standards. The listing of a use as a special use within a zoning district does not constitute an assurance or presumption that such special use will be approved. Rather, each special use must be evaluated on an individual basis, in relation to all applicable standards of this Code. Such evaluation will determine whether approval of the special use is appropriate at the specific location and in the particular manner proposed. The decision of the Board of Zoning Appeals must make findings to support each of the following conclusions:
 - 1. The consistency of the proposed special use with the Comprehensive Plan and any adopted land use policies.

2. The special use in the specific location proposed is consistent with the spirit and intent of this Ordinance.
 3. The proposed special use will not endanger the public health, safety, or welfare.
 4. The proposed special use is compatible with the general land use of adjacent properties and other property within the immediate vicinity.
 5. The special use in the specific location has sufficient public infrastructure and services to support the use.
- F. Modification to Approved Special Uses. Any modifications to the conditions of approval for a previously approved special use must be resubmitted as a new special use application. Any modifications that meet standards are permitted, subject to the regulations of this Ordinance.
- G. Expiration. A special use approval expires if any one of the following conditions occurs and no request for an extension of the special use approval is pending.
1. When an approved special use is changed to a permitted use.
 2. For special uses approved in conjunction with new construction or additions or enlargements to an existing structure, the special use approval expires one year following the date of approval if a site plan review application has not been submitted or, where site plan review is not required, a building permit has not been issued. The Board of Zoning Appeals may grant an extension for a period of validity for no longer than an additional 6 months, so long as the applicant applies in writing for an extension of time at any time prior to the date of expiration. No public hearing is required for approval of such extension of time.
 3. For special uses approved in conjunction with an existing structure or on a lot where no structure is planned, the special use approval expires within one year of the date of approval if the licenses or permits required for the operation or maintenance of the use have not been obtained. The Board of Zoning Appeals may grant an extension for a period of validity for no longer than an additional six (6) months, so long as the applicant applies in writing for an extension of time at any time prior to the date of expiration. No public hearing is required for approval of such extension of time.

7.10 AMENDMENTS

The regulations imposed by this ordinance and of the Official Zoning Map may be amended from time to time in accordance with this section. The process for amending the zoning regulations or the Official Zoning Map is intended to allow modifications in response to omissions or errors,

changed conditions, or changes in Town policy. Amendments are not intended to relieve hardships or confer special privileges or rights upon any person or party.

A. Initiation.

1. The Board of Mayor and Aldermen, the Planning Commission, or a property owner in the City, or his/her designee, may propose a zoning text amendment.
2. The Board of Mayor and Aldermen, the Planning Commission, or a property owner in the City, or his/her designee, may propose zoning map amendments. A property owner may only request a map amendment for his/her property.

B. Authority.

The Board of Mayor and Aldermen, after receiving a recommendation from the Planning Commission, will take formal action on requests for zoning text or zoning map amendments.

C. Procedure.

All applications must be filed with the Zoning Administrator. Once it is determined that the application is complete, the Zoning Administrator may schedule the application for review by Town staff in advance of consideration by the Planning Commission. Amendments initiated by the Board of Mayor and Aldermen or the Planning Commission also require an application but are exempt from fees.

1. Action by Planning Commission.

- a. Upon receipt of a complete application, the Planning Commission will consider the proposed zoning text or map amendment.
- b. The Planning Commission must evaluate the application based upon the evidence presented, pursuant to the approval standards of this section. For zoning text amendments, the Planning Commission must recommend approval, approval with modifications, or denial of the application. For zoning map amendments, the Planning Commission must recommend approval or denial of the application.
- c. After the close of the meeting, the Planning Commission must forward its recommendation to the Board of Mayor and Aldermen, unless an extension is agreed to by the applicant.

2. Action by Board of Mayor and Aldermen.

- a. The Board of Mayor and Aldermen will hold a public hearing on the application following receipt of the Planning Commission recommendation.

- b. Following the close of the public hearing, the Board of Mayor and Aldermen must take action in the form of approval, approval with modifications, or denial on applications for zoning text amendments, and approval or denial on applications for zoning map amendments.
- c. If the Planning Commission has recommended denial, the Board of Mayor and Aldermen must approve with a favorable two-thirds vote.

D. Approval Standards.

The Board of Mayor and Aldermen decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Planning Commission and the Board of Mayor and Aldermen must consider the following standards. The approval of amendments is based on a balancing of these standards.

1. Approval Standards for Map Amendment.

- a. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.
- b. The compatibility with the existing use and zoning of nearby property.
- c. The extent to which the proposed amendment creates nonconformities.
- d. The trend and pattern of development, if any, in the general area of the subject property.
- e. That there are no adverse impacts on public health, safety, and welfare.
- f. Whether adequate public facilities are available including, but not limited to, schools, parks, police and fire protection, road, sanitary sewers, storm sewers, and water lines, or are reasonably capable of being provided prior to or concurrent with the development of the site, which would be permitted on the subject property if the amendment were adopted.

2. Approval Standards for Text Amendment.

- a. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.
- b. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.
- c. The extent to which the proposed amendment creates nonconformities.

- d. The consistency of the proposed amendment with the intent and general regulations of this Ordinance.

E. Effect of Denial of Amendment Application.

Whenever an application for an amendment to the text of this ordinance or for a change in the zoning classification of any property is denied, the application for such amendment shall not be eligible for reconsideration for one (1) year following such denial, except in the following cases:

1. Upon initiation by the Board of Mayor and Aldermen or Planning Commission.
2. When the new application, although involving all or a portion of the same property, is for a different zoning district than that for which the original application was made and subsequently denied by the Board of Mayor and Aldermen.

7.11 FEES

Standardized fee schedules may be established to partially defray the processing and administrative costs associated with each type of application required with this ordinance. All fees are to be paid at the time of filing. Fees shall be waived for the following: (1) Applications initiated by any Federal or State agency or any department of the Town of Cornersville or Marshall County; and (2) Any changes in zoning initiated by the Planning Commission and Board of Mayor and Aldermen to implement the general plan of the Town of Cornersville.

7.12 PENALTIES

Any persons violating any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) for each offense. Each day such violations continue shall constitute a separate offense.

7.13 REMEDIES AND ENFORCEMENT

In case any building or other structure is erected or in the process of being erected, altered, repaired, converted, or maintained, or any building, structure, or land is used in violation of this ordinance, the Zoning Administrator or any other appropriate authority, or any adjacent or neighboring property owner who would be specifically damaged by such violation, may institute an injunction, mandamus, or other appropriate remedy or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use, as well as correct such violation, or to prevent occupancy of such building, structure, or land.

- A. Zoning Administrator. The Zoning Administrator is the official, employee, or third-party entity responsible for enforcing the applicable provisions of this ordinance. The Zoning Administrator is authorized to stop work that has commenced without obtaining a required

building permit or is otherwise not in keeping with an approved building permit, site plan, or planned development.

1. Notification. If the Zoning Administrator has reason to believe that there is a violation of this ordinance, the property owner shall be notified to immediately correct the violation. Failure of the property owner to correct violations within a reasonable time authorizes the Zoning Administrator to take all necessary measures to enforce the provisions of this ordinance.

7.14 INTERPRETATION

Whenever the conditions of this ordinance require more restrictive standards than are required in or under any other statute, the requirements of this ordinance shall govern. Whenever the conditions of any other statute require more restrictive standards than are required by this ordinance, the conditions of such statute shall govern.

7.15 SEVERABILITY

Should any article, section, clause, or provision of this zoning ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part declared to be unconstitutional or invalid, each article, section, clause, and provision hereof being declared severable.

7.16 VALIDITY

Should any section, clause, or provision of this ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, this judgment shall not affect the validity of this ordinance as a whole or any other part of this ordinance be judged invalid or unconstitutional.

7.17 EFFECTIVE DATE

This ordinance shall take effect and be in force from and after the date of its adoption, the public welfare demanding it.