

A photograph of Sevierville City Hall, a two-story brick building. The words "SEVIERVILLE CITY HALL" are inscribed in large, light-colored letters on the brick facade. In front of the building, three tall white flagpoles stand. The tallest pole in the center holds the United States flag. To its left is a shorter pole with a red flag, and to its right is another shorter pole with a yellow and blue flag. The sky is clear and blue, and some bare tree branches are visible in the upper left and right corners.

SEVIERVILLE  
CITY HALL

# **Sevierville, Tennessee Zoning Ordinance**

This Page Intentionally Left Blank

<b>1.0 GENERAL PROVISIONS</b> .....	<b>1</b>	<b>1.0 GENERAL PROVISIONS</b>
1.1 <u>Authority</u> .....	1	
1.2 <u>Title</u> .....	1	<b>2.0 ZONING DISTRICTS</b>
1.3 <u>Purpose</u> .....	1	
1.4 <u>Application of Regulations</u> .....	1	<b>3.0 USES &amp; CONDITIONS</b>
1.5 <u>Legal Status Provisions</u> .....	2	
<b>2.0 ZONING DISTRICTS AND MAP ESTABLISHED</b> .....	<b>4</b>	<b>4.0 DEVELOPMENT STANDARDS</b>
2.1 <u>Zoning Districts Established</u> .....	4	
2.2 <u>Official Zoning Map</u> .....	4	<b>5.0 PARKING</b>
2.3 <u>Rules for Interpretation of District Boundaries</u> .....	4	
2.4 <u>Residential Districts</u> .....	5	<b>6.0 SIGNS</b>
2.5 <u>Commercial Districts</u> .....	9	
2.6 <u>Employment Districts</u> .....	13	<b>7.0 NON-CONFORMITIES</b>
2.7 <u>Special Districts</u> .....	14	
<b>3.0 Uses and Performance Conditions</b> .....	<b>24</b>	<b>8.0 ADMINISTRATION</b>
3.1 <u>Establishment of a Table of Uses</u> .....	24	
3.2 <u>Determination of Use Category</u> .....	24	<b>9.0 DEFINITIONS</b>
3.3 <u>Table of Uses</u> .....	24	
3.4 <u>Additional Standards</u> .....	24	<b>APPENDIX</b>
<b>4.0 DEVELOPMENT STANDARDS</b> .....	<b>57</b>	
4.1 <u>Purpose</u> .....	57	

1.0 GENERAL PROVISIONS	4.2 <u>Applicability</u> .....	57
	4.3 <u>Relation to Overlay Districts</u> .....	57
2.0 ZONING DISTRICTS	4.4 <u>Applicability to Functional Road Classifications</u> .....	57
	4.5 <u>Development Standards Table</u> .....	57
	4.6 <u>Parking and Traffic Circulation</u> .....	58
3.0 USES & CONDITIONS	4.7 <u>Pedestrian Circulation</u> .....	68
	4.8 <u>Site Lighting and Building Illumination</u> .....	72
4.0 DEVELOPMENT STANDARDS	4.9 <u>Building Form and Materials</u> .....	74
	4.10 <u>Accessory Uses and Equipment</u> .....	79
	4.11 <u>Historic Compatibility</u> .....	82
5.0 PARKING	4.12 <u>Landscape Standards</u> .....	84
	4.13 <u>Stormwater</u> .....	100
6.0 SIGNS	<b>5.0 PARKING</b> .....	<b>102</b>
	5.1 <u>General Requirements</u> .....	102
	5.2 <u>Additional Parking Conditions</u> .....	102
7.0 NON-CONFORMITIES	5.3 <u>Off-street Loading and Unloading Space</u> .....	102
8.0 ADMINISTRATION	<b>6.0 SIGNS</b> .....	<b>105</b>
	6.1 <u>Purpose</u> .....	105
	6.2 <u>General Provisions</u> .....	105
9.0 DEFINITIONS	6.3 <u>Permits, Fees, and Inspection</u> .....	105
	6.4 <u>Prohibited Sign Types and Conditions</u> .....	106
APPENDIX	6.5 <u>Sign Types Established</u> .....	106

6.6	<u>Exempt Signs</u> .....	106
6.7	<u>Sign Regulations for TC District Only</u> .....	129
<b>7.0</b>	<b>NON-CONFORMITIES</b> .....	<b>138</b>
7.1	<u>Continuance of Nonconforming Uses</u> .....	138
7.2	<u>Nonconforming Signs</u> .....	138
7.3	<u>Nonconforming Billboards</u> .....	138
<b>8.0</b>	<b>ADMINISTRATION AND ENFORCEMENT</b> .....	<b>140</b>
8.1	<u>Administration and Enforcement by Department of Code Enforcement</u> .....	140
8.2	<u>Board of Zoning Appeals</u> .....	142
8.3	<u>Site Plan Review</u> .....	145
8.4	<u>Planned Unit Development Plan Review</u> .....	145
8.5	<u>Amendments</u> .....	151
8.6	<u>Fees</u> .....	152
8.7	<u>Penalties and Remedies</u> .....	152
<b>9.0</b>	<b>DEFINITIONS</b> .....	<b>154</b>
9.1	<u>Definitions</u> .....	154
9.2	<u>Use of Words</u> .....	154
<b>10.0</b>	<b>APPENDIX</b> .....	<b>164</b>
10.1	<u>Site Plan Requirements and Site Performance Bond</u> .....	164
10.2	<u>Tourist Oriented Directional Signs (TODS)</u> .....	166
10.3	<u>Functional Classification of Roads</u> .....	169

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

This page intentionally left blank.

## 1.0 GENERAL PROVISIONS

### 1.1 Authority

- 1.1.1 An ordinance, in pursuance of the authority granted by Sections 13-7-201 through 13-7-210 and Section 13-7-401, Tennessee Code Annotated, for the purpose of promoting the public health, safety, morals, convenience, order, prosperity, and general welfare, to provide for the establishment of districts within the corporate limits and to regulate, within such districts, the location, height, bulk, number of stories and size of buildings and structures, the percentage of lot occupancy, the required open spaces, the density of population and the uses of land, buildings and structures, to provide methods of administration of this ordinance, and, to prescribe penalties for violation thereof. (Preamble)

### 1.2 Title

- 1.2.1 This ordinance shall be known as the "Zoning Ordinance of the City of Sevierville, Tennessee," and the map herein referred to, which is identified by the title "Zoning Map of the City of Sevierville, Tennessee," and all explanatory matters thereon, are hereby adopted and made a part of this ordinance. (Article I)

### 1.3 Purpose

- 1.3.1 These zoning regulations and districts, as herein set forth, have been made in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and the general welfare of the community. They have been designed to lessen congestion in the streets, to secure safety from fire, panic, and other danger, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population, and to facilitate the adequate provision of transportation, water, sewage, schools, parks and other public requirements. (Article II - First Paragraph)
- 1.3.2 These regulations have been made with reasonable consideration, among other things, of the character of each district and its particular suitability for particular uses, conserving the

value of buildings, and encouraging the most appropriate use of land throughout the City. (Article II - Second Paragraph)

### 1.4 Application of Regulations

- 1.4.1 Use. Except as herein provided, no building or land shall hereinafter be used and no building or part thereof shall be erected, moved or altered unless for a use expressly permitted by and in conformity with the regulations herein specified for the district in which it is located. (Section 501)
- 1.4.2 Street Frontage. No dwelling shall be erected on a lot which does not abut on at least one street for at least forty (40) feet; except that, condominiums and townhouses may be excluded from this provision through the plan approval process for Planned Unit Developments. (Section 502)
- 1.4.3 Corner Lots. The minimum width of a side yard along an intersecting street shall be fifty (50%) percent greater than the minimum side yard requirements in the district in which the lot is located. (Section 503)
- 1.4.4 One Principal Building on a Lot. Only one principal building and its customary accessory buildings may hereafter be erected on any lot; except that condominiums and townhouses may be excluded from this provision with the approval of the Planning Commission. (Section 504)
- 1.4.5 Reduction of Lot Size. No lot shall be reduced in area so that yards, lot area per family, lot width, building area, or other provisions of this Ordinance shall not be maintained. (Section 505)
- 1.4.6 Abutting and Vacant Lots of Record. A plat of land consisting of one or more adjacent lots with continuous frontage in single ownership which individually are less than lot widths required by this Ordinance, such groups of lots shall be considered as a single lot or several lots of minimum permitted size and the lot or lots in one ownership shall be subjected to the

requirements of this Ordinance. (Section 902)

1.4.7 Yard and Other Spaces. No part of a yard or other open space required about any building for the purpose of complying with the provisions of this Ordinance shall be included as a part of a yard or other open space required under this Ordinance for another building. (Section 506)

1.4.8 Front Yards. 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 the minimum required front yard depth. In such cases, the minimum front yard shall be the average of the existing front yard depths on the developed lots. (Section 903)

1.4.9 Conformity to Subdivision Regulations. No building permit shall be issued for or no building shall be erected on any lot, unless the street giving access to the subject lot shall have been accepted or opened as a public street prior to that time or unless such street corresponds in its location and lines with a plat approved by the Planning Commission and such approval entered in writing on the plat by the Secretary of the Planning Commission. (Section 507)

1.4.10 Height and Density. Except as provided for in 1.4.11, or other provisions of this ordinance, no building or structure shall hereafter be erected or altered so as to exceed the height limit, to accommodate or house a greater number of families, or to have narrower or smaller front yards or side yards than are required or specified in the regulations herein for the district in which it is located. (Section 508)

1.4.11 Exception on Height Limits. The height limitations of this Ordinance shall not apply to the following: (Section 905)

- a. Church spires, belfries, cupolas, domes, theater fly lofts, and similar building features not intended for human occupancy. (Section 905.1)
- b. Monuments, water towers, observation towers, transmission towers,

windmills, derricks, and conveyors. (Section 905.2)

c. Flag poles, chimneys, masts, aerials, and similar uses which are located on building roofs. (Section 905.3)

1.4.12 Annexed Territory. Territory which may hereafter be annexed into the City shall be zoned LDR (R-1), Low Density Residential District, upon the effective date of annexation, unless otherwise specified by an alternative zoning district (or districts) established by the Zoning Ordinance of the City of Sevierville, Tennessee. In general, territory shall be zoned appropriately when it is incorporated into the City. (Section 509)

1.4.13 Fence and Wall Height. Structures consisting of fences and walls shall be limited in height on properties used for non-residential purposes within the City. The height of such structures placed within the required front yard or building setback shall be limited to a maximum of three and a half (3 1/2) feet. Within the rear and side required yards or building setbacks, fences and walls shall be limited to a height of eight (8) feet. No fence or wall may be located closer than one foot from the nearest property line. If a fence or wall is intended primarily for the security of a site or lot, the Code Enforcement Director may determine whether that fence or wall would provide such security, and thus allow for construction to a height of twelve (12) feet. (Section 510)

## 1.5 Legal Status Provisions

1.5.1 Conflict with other Ordinance. In case of conflict between this Ordinance or any part thereof, and the whole or part of any existing or future Ordinance of the City, the most restrictive shall in all cases apply. (Section 1301)

1.5.2 Validity. If any section, clause, provision, or portion of this Ordinance shall be held to be invalid, such holding shall not affect any other section, clause, provision, or portion of this Ordinance. (Section 1302)

1.5.3 Effective Date. This Ordinance shall take effect and be in force five days after passage of the last reading. (Section 1303)

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

This page intentionally left blank.

## 2.0 ZONING DISTRICTS AND MAP ESTABLISHED (ARTICLE VI)

### 2.1 Zoning Districts Established

For the purpose of this ordinance, the City is hereby divided into fifteen (15) classes of districts as follows: (Article VI - 1st Paragraph)

**Table 2.1 Zoning Districts Established**

Table 2.1 Zoning Districts Established	
Standards Districts	<b>Residential Districts</b>
	AR (A-R) - Agriculture Residential (Section 710)
	LDR (R-1) - Low Density Residential (Section 701)
	MDR (R-2) - Medium Density Residential (Section 702)
	HDR (R-3) - High Density Residential (Section 703)
	<b>Commercial Districts</b>
	TC - Town Center (New)
	NC (C-2) - Neighborhood Commercial (Section 705)
	IC (C-3) - Intermediate Commercial (Section 706)
	AC (C-4) - Arterial Commercial (Section 707)
Special Districts	<b>Employment Districts</b>
	IN (M-1) - Industrial (Section 708)
	<b>Special Districts</b>
	HRO - Historic Residential Office (Section 712)
	CB (C-1) - Central Business District (Section 704)
	TCL(C-5) - Tourist Commercial (Section 711)
	VA (V-1) - Visitor Accommodations (Section 713)
IIO (II-1) - Interstate Impact Overlay (Section 714)	
FLO (FP-1) - Floodplain Overlay (Section 709)	

### 2.2 Official Zoning Map

The boundaries of these districts are hereby established as shown on the map entitled “Zoning Map of the City of Sevierville, Tennessee,” dated September 1986 and all amendments thereof, which is a part of this ordinance and which is on file in the office of the City Administrator. (Article VI - 2nd Paragraph, 1st Sentence)

### 2.3 Rules for Interpretation of District Boundaries.

2.3.1 Unless otherwise specifically indicated on the map, the boundaries of districts are lot lines or the center lines of streets or alleys or such lines extended, the corporate limit lines or a line midway between the main track of a railroad or the center lines of streams or other water bodies. (Article VI - 2nd Paragraph, 2nd Sentence)

2.3.2 Questions concerning the exact locations of district boundaries, shall be determined by the Board of Zoning Appeals. (Article VI - 2nd Paragraph, 3rd Sentence)

## 2.4 Residential Districts

### 2.4.1 Agriculture Residential District - AR (A-R Section - 710)

#### PURPOSE

It is the general purpose and intent of this district to establish regulations for fringe areas newly annexed to the City that are primarily agricultural lands which are not likely to redevelop for a number of years. This district assists in provision of open spaces associated with the character of the community. (Section 710)

#### TYPICAL BUILDING TYPE



#### AREA, YARD, AND HEIGHT REQUIREMENTS (ARTICLE VIII)

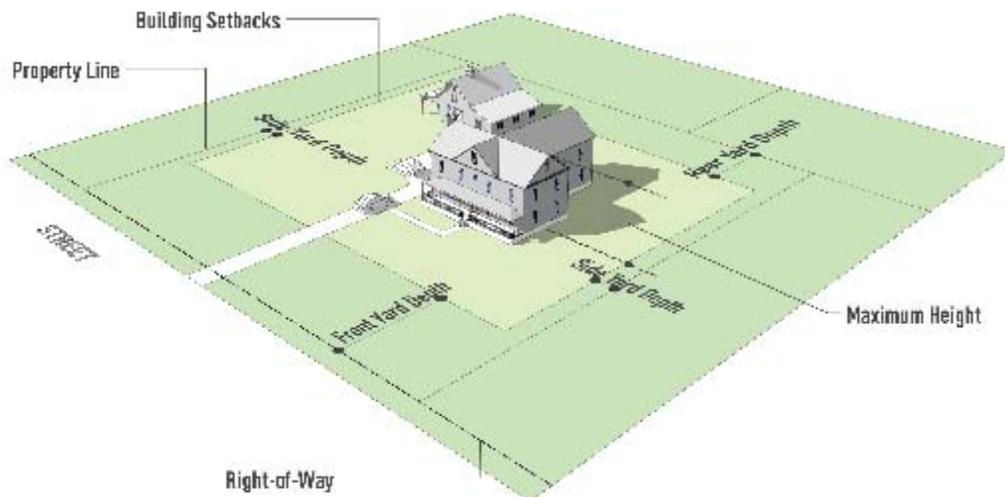
Minimum lot area (sf)	15,000
Minimum lot width (ft)	80
Minimum floor area per dwelling unit (sf)	n/a
Maximum building coverage (% of lot area)	n/a
Maximum gross unit density	2.9
Maximum height (ft)	35
Minimum front yard depth (ft)	30
Minimum side yard depth (ft)	15
Minimum rear yard depth (ft)	30
District Land Uses	See Section 3
Development Standards	See Section 4
Parking Standards	See Section 5

#### TYPICAL LOT PATTERN



NOTES: (sf = square feet, ft = feet)

#### TYPICAL DEVELOPMENT CONFIGURATION



1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

2.4.2 Low Density Residential - LDR (R-1 - Section 701)

PURPOSE	TYPICAL BUILDING TYPE
<p>It is the intent of this district to establish low density residential areas along with open areas which appear likely to develop in a similar manner. The requirements for the district are designed to protect essential characteristics of the district and to promote compatible activities. (Section 701)</p>	

AREA, YARD, AND HEIGHT REQUIREMENTS (ARTICLE VIII)		TYPICAL LOT PATTERN
Minimum lot area (sf)	10,000	
Minimum lot width (ft)	80	
Minimum floor area per dwelling unit (sf)	n/a	
Maximum building coverage (% of lot area)	n/a	
Maximum gross unit density(ac)	4.4	
Maximum height (ft)	35	
Minimum front yard depth (ft)	30	
Minimum side yard depth (ft)	15	
Minimum rear yard depth (ft)	30	
District Land Uses	See Section 3	
Development Standards	See Section 4	
Parking Standards	See Section 5	
<p>NOTES: (sf = square feet, ft = feet)</p>		

TYPICAL DEVELOPMENT CONFIGURATION



<b>2.4.3 Medium Density Residential - MDR (R-2 - Section 702)</b>			
<b>PURPOSE</b>			<b>TYPICAL BUILDING TYPE</b>
It is the intent of this district to provide areas for single and multi-family dwellings; to encourage development and continued use of the land for residential purposes; to prohibit business and industrial uses and, other uses which would interfere with development or continuation of single or multi-family dwellings. (Section 702)			Photo to be added
<b>AREA, YARD, AND HEIGHT REQUIREMENTS (ARTICLE VIII)</b>			<b>TYPICAL LOT PATTERN</b>
	Single Family Detached	Duplex	Multiple-Family
Minimum lot area (sf)	8,000	16,000	?
Minimum lot width (ft)	70	70	70
Minimum floor area per dwelling unit (sf)	n/a	n/a	n/a
Maximum building coverage (% of lot area)	n/a	n/a	n/a
Maximum gross unit density(ac)	5.4	8	8
Maximum height (ft)	35	35	35
Minimum front yard depth (ft)	30	30	30
Minimum side yard depth (ft)	8 per story	8 per story	8 per story
Minimum rear yard depth (ft)	25	25	25
District Land Uses	See Section 3		
Development Standards	See Section 4		
Parking Standards	See Section 5		
NOTES: (sf = square feet, ft = feet) Site plan review or PUD Plan review is required for multi-family according to Sections 8.3, 10.1 Appendix, and 8.4 where applicable.			
<b>TYPICAL DEVELOPMENT CONFIGURATION</b>			
Illustration to be added			

1.0 GENERAL PROVISIONS  
 2.0 ZONING DISTRICTS  
 3.0 USES & CONDITIONS  
 4.0 DEVELOPMENT STANDARDS  
 5.0 PARKING  
 6.0 SIGNS  
 7.0 NON-CONFORMING TIES  
 8.0 ADMINISTRATION  
 9.0 DEFINITIONS  
 APPENDIX

2.4.4 High Density Residential - HDR (R-3 - Section 703)

PURPOSE	TYPICAL BUILDING TYPE
It is the intent of this district to provide areas for high density residential development plus open areas where similar development is likely to occur. Professional services are permitted in the district provided that they meet applicable standards, are limited so as not to encourage general business activity, and are located on a major arterial or collector street as noted on the zoning map. (Section 703)	

AREA, YARD, AND HEIGHT REQUIREMENTS (ARTICLE VIII)				TYPICAL LOT PATTERN
	Single Family Detached	Duplex	Multiple-Family	
Minimum lot area (sf)	7,000	14,000	?	
Minimum lot width (ft)	40	40	40	
Minimum floor area per dwelling unit (sf)	n/a	n/a	n/a	
Maximum building coverage (% of lot area)	n/a	n/a	n/a	
Maximum gross unit density(ac)	6.2	21	21	
Maximum height (ft)	35	35	35	
Minimum front yard depth (ft)	30	30	30	
Minimum side yard depth (ft)	8 per story	8 per story	8 per story	
Minimum rear yard depth (ft)	25	25	25	
District Land Uses	See Section 3			
Development Standards	See Section 4			
Parking Standards	See Section 5			
NOTES: (sf = square feet, ft = feet) Site plan review or PUD Plan review is required for multi-family according to Sections 8.3, 10.1 Appendix, and 8.4 where applicable.				

**TYPICAL DEVELOPMENT CONFIGURATION**



8  
 1.0 GENERAL PROVISIONS  
 2.0 ZONING DISTRICTS  
 3.0 USES & CONDITIONS  
 4.0 DEVELOPMENT STANDARDS  
 5.0 PARKING  
 6.0 SIGNS  
 7.0 NON-CONFORMITIES  
 8.0 ADMINISTRATION  
 9.0 DEFINITIONS  
 APPENDIX

## 2.5 Commercial Districts

### 2.5.1 Town Center District (TC) - (New District)

PURPOSE	TYPICAL BUILDING TYPE
<p>The Town Center District (TC) is intended to accommodate a mixture of uses developed in a traditional grid typical of a traditional downtown, walkable environment. A variety of building types ranging in height from two to three stories may incorporate office, retail, entertainment, upper floor residential, and institutional uses in one building or on adjacent sites. Buildings are located close to the sidewalk and should be designed to accommodate high levels of pedestrian activity. Parking should be located both on-street and at strategically located off-street surface lots. The fringe of the TC District supports traditional single-family neighborhoods connected with bicycle and pedestrian facilities. The TC District is intended to foster vibrant, walkable, mixed-use, and economically-sustainable development and redevelopment in the City's traditional core and encourage development or redevelopment that complements the downtown area's unique architectural and historical character with pedestrian connections within the downtown and between it and nearby key destinations.</p>	

AREA, YARD, AND HEIGHT REQUIREMENTS		TYPICAL LOT PATTERN
Minimum lot area (sf)	None	
Minimum lot width (ft)	None	
Minimum floor area per dwelling unit (sf)	450	
Maximum building coverage (% of lot area)	100	
Maximum Gross Unit Density(ac)	n/a	
Maximum height (ft)	64	
Minimum/Maximum front yard depth (ft)	0/0	
Minimum/Maximum side yard depth (ft)	0/0	
Minimum rear yard depth (ft)	0	
District Land Uses	See Section 3	
Development Standards	See Section 4	
Parking Standards	See Section 5	
<p>NOTES: (sf = square feet, ft = feet) Site plan review is required according to Sections 8.3 and 10.1 Appendix.</p>		

### TYPICAL DEVELOPMENT CONFIGURATION



- 1.0 GENERAL PROVISIONS
- 2.0 ZONING DISTRICTS
- 3.0 USES & CONDITIONS
- 4.0 DEVELOPMENT STANDARDS
- 5.0 PARKING
- 6.0 SIGNS
- 7.0 NON-CONFORMITIES
- 8.0 ADMINISTRATION
- 9.0 DEFINITIONS
- APPENDIX

1.0 GENERAL PROVISIONS  
2.0 ZONING DISTRICTS  
3.0 USES & CONDITIONS  
4.0 DEVELOPMENT STANDARDS  
5.0 PARKING  
6.0 SIGNS  
7.0 NON-CONFORMITIES  
8.0 ADMINISTRATION  
9.0 DEFINITIONS  
APPENDIX

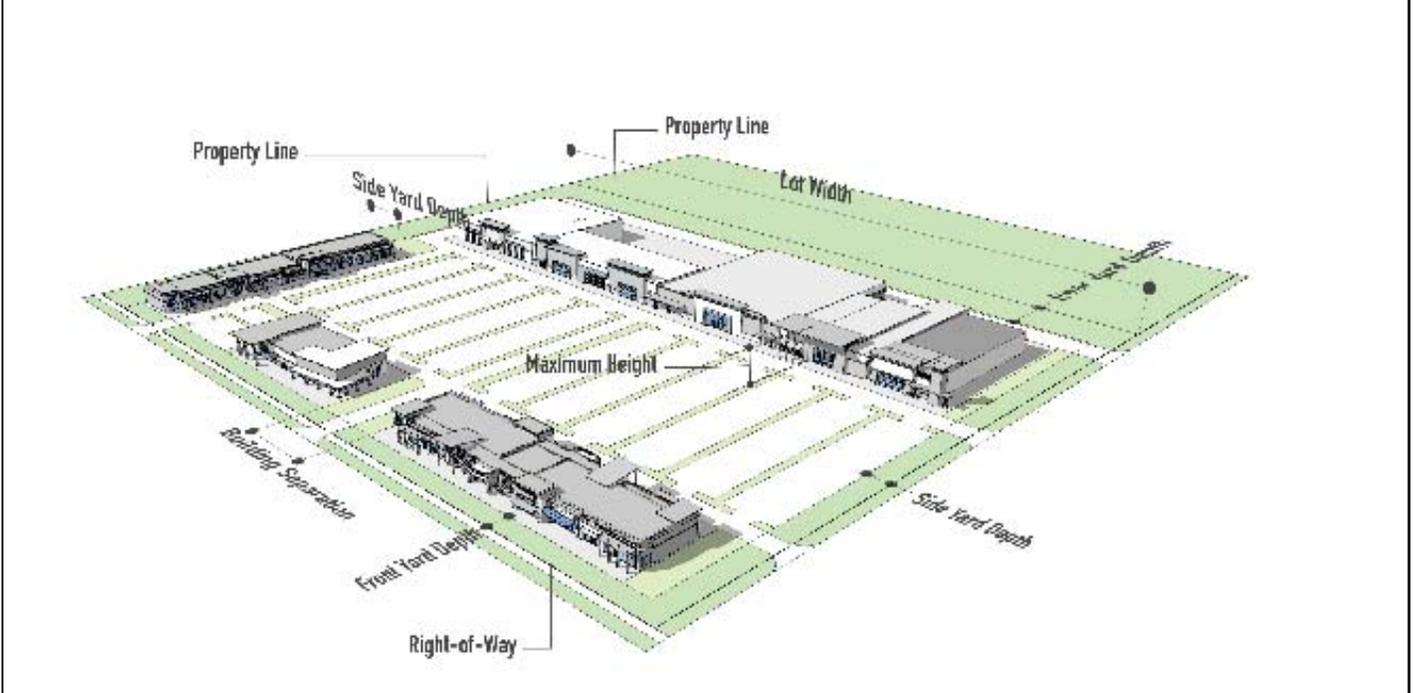
<b>2.5.2 Neighborhood Commercial - NC (C-2 - Section 705)</b>	
<b>PURPOSE</b>	<b>TYPICAL BUILDING TYPE</b>
It is the intent of this district to establish commercial areas to serve surrounding residential districts. The regulations are intended to discourage strip commercial development and encourage grouping of uses in which parking and traffic congestion is reduced to a minimum. (Section 705)	Photo to be added
<b>AREA, YARD, AND HEIGHT REQUIREMENTS (ARTICLE VIII)</b>	<b>TYPICAL LOT PATTERN</b>
Minimum lot area (ac)	n/a
Minimum lot width (ft)	n/a
Minimum floor area per dwelling unit (sf)	n/a
Maximum building coverage (% of lot area)	n/a
Maximum Gross Unit Density(ac)	21
Maximum height (ft)	35
Minimum front yard depth (min) (ft)	30
Minimum side yard depth (ft)	10
Minimum rear yard depth (ft)	25
District Land Uses	See Section 3
Development Standards*	See Section 4
Parking Standards	See Section 5
NOTES: (sf = square feet, ft = feet) Site plan review is required according to Sections 8.3, 10.1 Appendix, and 8.4 if applicable. *Planned Unit Development requirements shall govern all shopping centers.	
<b>TYPICAL DEVELOPMENT CONFIGURATION</b>	
Illustration to be added	

**2.5.3 Intermediate Commercial - IC (C-3 - Section 706)**

PURPOSE		TYPICAL BUILDING TYPE
<p>It is the intent of this district to establish a commercial area that encourages compatible commercial uses. The regulations are intended to reduce traffic congestion and maintain the characteristics of the community. (Section 706)</p>		
AREA, YARD, AND HEIGHT REQUIREMENTS (ARTICLE VIII)		TYPICAL LOT PATTERN
Minimum lot area (sf)	n/a	
Minimum lot width (ft)	n/a	
Minimum floor area per dwelling unit (sf)	n/a	
Maximum building coverage (% of lot area)	n/a	
Maximum Gross Unit Density(ac)	21	
Maximum height (ft)	* See note below	
Minimum front yard depth (ft)	20	
Minimum side yard depth (ft)	1-4 stories 5-6 stories	
	10 each side 15 each side^	
Minimum rear yard depth (ft)	25	
District Land Uses	See Section 3	
Development Standards	See Section 4	
Parking Standards	See Section 5	

NOTES: (sf = square feet, ft = feet)  
 Site plan review is required according to Section 8.3, 10.1 Appendix, and 8.4 if applicable.  
 \*Maximum of 44 feet floor of top floor of building, with maximum height of building not to exceed 64 feet. For structures other than buildings, the maximum height shall be 44 feet.

**TYPICAL DEVELOPMENT CONFIGURATION**



1.0 GENERAL PROVISIONS  
2.0 ZONING DISTRICTS  
3.0 USES & CONDITIONS  
4.0 DEVELOPMENT STANDARDS  
5.0 PARKING  
6.0 SIGNS  
7.0 NON-CONFORMITIES  
8.0 ADMINISTRATION  
9.0 DEFINITIONS  
APPENDIX

2.5.4 Arterial Commercial - AC (C-4 - Section 707)		
PURPOSE		TYPICAL BUILDING TYPE
It is the general purpose and intent of this district to establish areas of commercial uses along major arterial streets and adjacent intersecting streets that encourage grouping of compatible commercial uses, reduce traffic congestion, and secure adequate light, air, and aesthetic qualities for residents of the City. (Section 707)		Photo to be added
AREA, YARD, AND HEIGHT REQUIREMENTS (ARTICLE VIII)		TYPICAL LOT PATTERN
Minimum lot area (sf)		Photo to be added
Minimum lot width (ft)	n/a	
Minimum floor area per dwelling unit (sf)	149 <sup>^</sup>	
Maximum Gross Unit Density (ac)	n/a	
Maximum height (ft)	n/a	
Minimum front yard depth (ft)	•See note below	
Minimum side yard depth (ft)	30	
	1-4 stories	
	10 each side	
	5 stories	
	20 each side <sup>+</sup>	
	6 stories	
	30 each side <sup>-</sup>	
Minimum rear yard depth (ft)	20	
District Land Uses	See Section 3	
Development Standards*	See Section 4	
Parking Standards	See Section 5	
<p>NOTES: (sf = square feet, ft = feet)                      Site plan review is required according to Section 8.3, 10.1 Appendix, and 8.4 if applicable.  <sup>^</sup>Except that land tracts 300 ft or more may have minimum lot widths of 75 feet, provided: (1) a frontage access street is constructed to City specifications, and, (2) the street is approved by the Planning Commission and accepted by the City.                      •Maximum of 44 ft floor of top floor of building, with maximum height of building not to exceed 64 ft. For structures other than buildings, the maximum height shall be 44 ft.                      + On 5 story buildings, setbacks may shift side yard requirements to 10/30 ft.                      -Buildings of 6 stories may shift side yard requirements to 20/40 ft.                      * Planned Unit Development Standards shall govern all shopping centers.</p>		
TYPICAL DEVELOPMENT CONFIGURATION		

## 2.6 Employment Districts

### 2.6.1 Industrial District - IN (M-1 - Section 708)

**PURPOSE**

It is the intent of this district to establish industrial areas along with open areas which will likely develop in a similar manner. The requirements established in the district regulations are designed to protect the essential characteristics of this district in order to promote and encourage industrial, wholesaling, and business uses. (Section 708)



**AREA, YARD, AND HEIGHT REQUIREMENTS (ARTICLE VIII)**

Minimum lot area (sf)	n/a
Minimum lot width (ft)	n/a
Minimum floor area per dwelling unit (sf)	n/a
Maximum building coverage (% of lot area)	n/a
Maximum height (ft)	44 <sup>^</sup>
Minimum front yard depth (ft)	30
Minimum side yard depth (ft)	20
Minimum rear yard depth (ft)	25
District Land Uses	See Section 3
Development Standards	See Section 4
Parking Standards	See Section 5



NOTES: (sf = square feet, ft = feet)  
 Site plan review is required according to Section 8.3, 10.1 Appendix, and 8.4 if applicable.  
<sup>^</sup>Maximum of 32 ft floor of top floor of building with maximum height of building not to exceed 44 ft.

**TYPICAL DEVELOPMENT CONFIGURATION**



1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

## 2.7 Special Districts

### 2.7.1 Historic Residential Office - HRO (Section 712)

PURPOSE	TYPICAL BUILDING TYPE
<p>It is the purpose and intent of this district to protect and strengthen historic residential neighborhoods, foster civic beauty, strengthen the local economy, and promote the preservation of historic structures and sites for the present and future citizens of the City. To this end, this district provides for the regulation of exterior design, use of materials, and arrangement of principal and accessory uses and structures on sites within this district in a manner which will preserve the residential and historic character of this district whenever residential structures are proposed for adaptation to another principal use. It is also the intent of this district to assure that the construction of new structures for multi-family residential and nonresidential uses have an external appearance compatible with the general character of residential structures within the district listed as “contributing structures” to the Thomas Addition Historic District, as has been designated by the National Register of Historic Places. Further, it is the intent of this district to preserve tree cover.(Section 712)</p>	

AREA, YARD, AND HEIGHT REQUIREMENTS (ARTICLE VIII)		TYPICAL LOT PATTERN
Minimum lot area (sf)^	8,000^	
Minimum lot width (ft)	70	
Minimum floor area per dwelling unit (sf)	n/a	
Maximum building coverage (% of lot area)	n/a	
Maximum height (ft)	35	
Minimum front yard depth (ft)	30	
Minimum side yard depth (ft)	8 per story	
Minimum rear yard depth (ft)	25	
District Land Uses	See Section 3	
Development Standards	See Section 4	
Parking Standards	See Section 5	
<p>NOTES: (sf = square feet, ft = feet)                      Site plan review is required according to Section 8.3, 10.1 Appendix, and 8.4 if applicable.                      ^16,000 sf for duplex. Maximum density 8 units/acre</p>		

### TYPICAL DEVELOPMENT CONFIGURATION

Illustration to be added.

1.0 GENERAL PROVISIONS  
 2.0 ZONING DISTRICTS  
 3.0 USES & CONDITIONS  
 4.0 DEVELOPMENT STANDARDS  
 5.0 PARKING  
 6.0 SIGNS  
 7.0 NON-CONFORMITIES  
 8.0 ADMINISTRATION  
 9.0 DEFINITIONS  
 APPENDIX

2.7.2 Central Business District - CB (C-1 - Section 704)	
PURPOSE	TYPICAL BUILDING TYPE
It is the intent of this district to establish an area for concentrated general commercial development that the general public requires. The regulations are designed to protect the essential characteristics of the district by promotion of commercial, public, and limited residential uses which serve the general public and discourage industrial and wholesale developments which do not lend themselves to pedestrian traffic.(Section 704)	Photo to be added
AREA, YARD, AND HEIGHT REQUIREMENTS (ARTICLE VIII)	TYPICAL LOT PATTERN
Minimum lot area (sf)	n/a
Minimum lot width (ft)	n/a
Minimum floor area per dwelling unit (sf)	n/a
Maximum building coverage (% of lot area)	n/a
Maximum height (ft) - Floor of top floor of building	44 ft+
Maximum height (ft) - Highest surface of vertical wall, top of parapet, and highest point of a flat roof	64 ft
Maximum height (ft) - To the highest ridge or peak of sloped roof	80 ft^
Minimum front yard depth (ft) - Up to 64	0
Minimum side yard depth (ft) - Up to 64	0
Minimum rear yard depth (ft) - Up to 64	0
Minimum front yard depth (ft) - >64 to 80	30
Minimum side yard depth (ft) - >64 to 80	30
Minimum rear yard depth (ft) - >64 to 80	30
District Land Use	See Section 3
Development Standards	See Section 4
Parking Standards	See Section 5
NOTES: (sf = square feet, ft = feet) Site plan review is required according to Section 8.3, 10.1 Appendix, and 8.4 if applicable. ^No sloped roof shall exceed a pitch of 8/12 +For structures other than buildings, the maximum height shall be 4 ft.	Photo to be added
TYPICAL DEVELOPMENT CONFIGURATION	
Illustration to be added.	

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

1.0 GENERAL PROVISIONS  
2.0 ZONING DISTRICTS  
3.0 USES & CONDITIONS  
4.0 DEVELOPMENT STANDARDS  
5.0 PARKING  
6.0 SIGNS  
7.0 NON-CONFORMITIES  
8.0 ADMINISTRATION  
9.0 DEFINITIONS  
APPENDIX

<b>2.7.3 Tourist Commercial - TCL (C-5 - Section 711)</b>	
<b>PURPOSE</b>	<b>TYPICAL BUILDING TYPES</b>
It is the intent of this district to provide areas for large comprehensively designed mixed use developments for tourist-related uses and to further provide development regulations which recognize the unique impact and needs of such specialized mixed use developments. No previously developed area nor a presently undeveloped area shall be considered for rezoning to TCL until and unless the conditions set out in 2.7.3.1-2.7.3.3 are met. (Section 711 and 711.1)	photo to be added
<b>AREA, YARD, AND HEIGHT REQUIREMENTS (ARTICLE VIII)</b>	<b>TYPICAL LOT PATTERN</b>
Minimum district and lot area	^
Minimum lot width (ft)	n/a
Minimum floor area per dwelling/transient unit (sf)	n/a
Maximum impervious lot coverage (% of lot area)	n/a
Maximum Gross Unit Density (ac)	21
Maximum height (ft)	110 for buildings; 44 for structures other than buildings
Minimum front yard depth (ft)	30
Minimum side yard depth (ft) - Up to 64ft	10^^
Minimum side yard depth (ft) - >64ft to 80ft	30
Minimum side yard depth (ft) - >80ft to 110	30 plus 1 ft for each ft above 80
Minimum rear yard depth (ft) - Up to 64ft	25
Minimum rear yard depth (ft) - >64ft to 80ft	30
Minimum rear yard depth (ft) - >80ft to 110	30 plus 1 ft for each ft above 80
District Land Use	See Section 3
Development Standards	See Section 4
Parking Requirements	See Section 5
NOTES: (sf = square feet, ft = feet) Site plan review is required according to Section 8.3, 10.1 Appendix 8.4 if applicable. ^25 ac shall be required to create a C-5 zone. (See 2.7.3.1 - 2.7.3) ^^Except that, no structure shall be located closer than 25 ft to the boundary of a zoning district other than C-5.	
<b>TYPICAL DEVELOPMENT CONFIGURATION</b>	
Illustration to be added	

## Tourist Commercial District - TCL (C-5)

2.7.3.1 Requirements for Rezoning Application. No previously developed area nor a presently undeveloped area shall be considered for rezoning to this designation until and unless the following conditions are met: (Section 711.1)

- a. Minimum District Size. Twenty-five (25) acres. The applicant or City shall initiate annexation proceedings for any area intended to be included as part of a tourist commercial area developed under provisions of 2.7.3, with the effective date of TCL zoning being coordinated with the effective date of annexation. (Section 711.1.1)
- b. Location and Configuration of District. The area proposed for rezoning shall have frontage on an arterial street. The primary entrance to the district shall be provided from such arterial street; except that, the primary entrance may be located upon a collector street upon a finding by the Planning Commission that such street is adequate to accommodate the amount and type of traffic expected. Secondary entrances to the district may be provided by a collector street so long as such street is deemed to be adequate to accommodate the amount and type of traffic expected to use such secondary entrances. (Section 711.1.2)
- c. Composition of Uses Within District. At least eighty (80) percent of a TCL district shall be devoted to commercial, amusement, recreational, and residential uses primarily oriented toward attracting and housing tourists. (Section 711.1.3)
- d. Schedule for Development. A schedule outlining the anticipated dates on which various types of site improvements and establishment of uses are anticipated to occur shall be submitted with or included on the master plan (see 2.7.3.f.) for the district. (Section 711.1.4)

- e. Signs. Major and minor project identification signs and internal project directional signs, along with signs related to individual uses within a TCL district, shall be subject to the provisions of Table 6.3, and other applicable provisions of Chapter 6.O of this ordinance. (Section 711.1.5)
- f. Master Plan Requirements. In order for the Planning Commission to take action on an application for the creation of a TCL district, a generalized master plan and schedule for development must be submitted which contains the items set out below. If the district is to be developed in phases, then such shall be indicated on the plan. (Section 711.1.6)
  - i. Anticipated Uses. Indicate location of anticipated tourist-oriented and other uses. (Section 711.1.6.1)
  - ii. Access, Parking, and Transportation Facilities. Indicate location and width of primary and secondary access points onto the existing public street system, location and width of proposed public streets and/or internal drives within the District, location of surface parking areas and/or parking garages with estimated number and type of parking spaces (passenger vehicles, private tour buses, recreational vehicles, delivery vehicles), and, if applicable, the location of transit stops for vehicles such as trolleys and buses. (Section 711.1.6.2)
  - iii. Sign Locations. The locations of major and minor project identification signs and internal project directional signs shall be shown on the master plan. (Section 711.1.6.3)
  - iv. Traffic Impact Study. A traffic impact study shall be prepared by an engineer licensed to practice in the State. Such plan shall include analysis of traffic generation and impact upon the existing public street system from the initial through final development phase. (Section 711.1.6.4)

## Tourist Commercial District - TCL (C-5)

2.7.3.2 Consideration of Rezoning Application. Upon approval of the master plan, the Planning Commission will certify its recommendation to the Board of Mayor and Aldermen regarding rezoning of the subject site to TCL. In the event that a TCL district created pursuant to Section 2.7.3.1 does not develop in accordance with the master plan and the intent of this district, the Planning Commission may review the continued appropriateness of such district and may propose all or part of such district be rezoned to another commercial zoning classification. (Section 711.1.7)

2.7.3.3 Submission of Site Plans. Following the creation of a TCL district, uses shall generally be developed in the sequence set out in the master plan. Site plans for individual structures and/or use within the district shall be prepared in accordance with Sections 8.3 and 10.O Appendix of this ordinance. Additions or changes to structures, parking areas, and/or access points onto public streets shall also require submittal of a site plan. However, upon a finding by the appropriate officials of the Development, Codes Enforcement, and Engineering Departments that a proposed addition or change is minor, and will not significantly impact the public street or infrastructure system, then such site plan maybe reviewed and approved by City staff. (Section 711.2)

2.7.4 Visitor Accommodation District - VA (V-1 - Section 713)	
PURPOSE	TYPICAL BUILDING TYPES
It is the intent of this district to provide a range of uses to satisfy visitor or tourist needs for accommodations, while also allowing residential living units meant for longer stays. For the purposes of the regulations governing the district, the term “accommodation unit” shall be defined as set out in Chapter 9.0 Definitions. (Section 713)	photo to be added
AREA, YARD, AND HEIGHT REQUIREMENTS (ARTICLE VIII)	TYPICAL LOT PATTERN
Minimum lot area (sf) <sup>^</sup>	^
Minimum lot width (sf)	n/a
Minimum floor area per unit (sf)	n/a
Maximum building coverage (% of lot area)	80
Maximum height (sf)	44 ft floor of top floor of building with maximum height of building not to exceed 64 ft.
Minimum front yard depth (ft) <sup>^^</sup>	Buildings and recreational vehicle parking areas, 25 ft from exterior property lines of development. Buildings to be at least 20 ft apart and recreational vehicle pads for one night stays to be no closer than twenty (20) to any other recreational vehicle pad or any boundary (front, side or rear) of such pad.
Minimum side yard depth (ft) <sup>^^</sup>	
Minimum rear yard depth (ft) <sup>^^</sup>	
District Land Uses	See Section 3
Development Standards	See Section 4
Parking Standards	See Section 5
<p>NOTES: (sf = square feet, ft = feet)</p> <p>Site plan review is required according to Section 8.3 and Appendix. Site plan must be reviewed by the HRO Committee prior to consideration by the Planning Commission. Applicant or representative shall be present at HRO Meeting at which the plan is reviewed.</p> <p><sup>^</sup>3 acres shall be required to establish a VA zone for 100 or less accommodation units. (See 2.7.4.1 - 2.7.4.3)</p> <p><sup>^</sup>4 acres shall be required to establish a VA zone for 100 or more accommodation units. (See 2.7.4.1 - 2.7.4.3)</p> <p><sup>^^</sup>Where the building or other codes of the City require more separation for certain types of buildings, the stricter shall govern. (Section 713.5)</p> <p>•For structures other than buildings, the maximum height shall be 44 ft.</p>	
TYPICAL DEVELOPMENT CONFIGURATION	

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

## Visitor Accommodation District - VA (V-1)

### 2.7.4.1 Conditions for Establishment of the District (Section 713.1)

a. A minimum of three (3) acres shall be required to establish a district intended for one hundred (100) or less accommodation units, at least a majority of which are primarily intended for overnight rental, short-term rental, or seasonal use by persons who are not residents of the City. (Section 713.1.1)

b. A minimum of four (4) acres shall be required to establish a district intended for more than one hundred (100) accommodation units, at least a majority of which are primarily intended for overnight rental, short-term rental, or seasonal use by persons who are not residents of the City. (Section 713.1.2)

c. Prior to approval of an area for VA zoning, adequate public utilities shall be available to that area, including water for fire protection and potable use, sanitary sewer, and electrical power. (Section 713.1.3)

d. The VA district is not appropriate for placement within residential subdivisions zoned LDR or MDR, where single family housing predominates. It is rather intended for areas where high density residential uses occur, where commercial uses are present or envisioned, or where relatively undeveloped areas allow substantial space for resort or vacation oriented environments. (Section 713.1.4)

e. A conceptual or master plan shall be submitted to the Planning Commission for approval when the Planning Commission considers a request for VA zoning. The plan shall indicate property boundaries, general building locations, access points, adjacent right of ways, parking areas and drives, number of units, accessory uses, amenities, and any other information deemed crucial by the Planning Commission. Acceptance of a suitable conceptual plan shall be a necessary condition for zoning approval. (Section 713.1.5)

**2.7.4.2 Subordinate Uses.** In addition to the primary permitted uses for the VA District, as set out in Table 3.1, the following uses may be allowed in accordance with the following standards:

a. As provided for in Table 3.1, recreational vehicle parks, and recreational vehicle storage areas for the temporary use of visitors occupying other accommoda-

tions within the confines of the development are permitted, but limited to occupying no more than fifty (50) percent of the development site. (Section 713.2.6)

b. Game or exercise rooms and spaces, conference buildings, and restaurants (seating 75 or more persons) may be permitted in structures separate from accommodation units, if such structures or facilities are incidental to the principal use of visitor accommodations. (Section 713.3)

c. Where accommodation units within a single development or site amount to sixty (60) or more units, the following accessory uses may be included in a building containing at least twenty five (25) accommodation units, or, in separate buildings, so long as such are oriented toward serving overnight patrons of the development: gift shops, auto rental offices, pharmacies, florists, coffee and confectionery shops, barber and beauty shops, exercise or game rooms, restaurants, and conference Areas. (Section 713.4)

**2.7.4.3 Site Development Standards.** In addition to other applicable development standards in this ordinance, such as those related to off-street parking and signs, the following standards shall apply in the VA District:

a. Any visitor accommodation development exceeding two hundred (200) accommodation units shall be required to submit a traffic impact study, conducted by a Professional Engineer (P.E.) prior to site plan approval by the planning commission. Such a study shall consider projected traffic volumes on existing or proposed streets and roads providing access to a visitor accommodation development, and the capacities of those thoroughfares to convey the volumes adequately. The result of the traffic impact study shall be one of the factors evaluated by the Planning Commission regarding site plan approval. (Section 713.6)

b. A minimum of 20% of every visitor accommodation development shall be devoted to open space and planted with vegetation. Such open space may be used also to satisfy landscape requirements as set forth in the Landscape Standards section of Table 4.1 and may provide areas for recreational uses utilizing landscaped surfaces (trails, playing fields, etc.). (Section 713.8)

c. Visitor accommodation developments shall have

building setbacks of at least twenty-five (25) feet from their exterior property lines, and buildings shall be located at least twenty (20) feet apart. However, the adopted building code of the City of Sevierville may require more than the minimal distance of building separation for certain types of buildings. The stricter requirement shall govern with regard to the distance of building separation. (Section 713.5)

d. Recreational vehicle parks, or recreational vehicle parking areas used for temporary storage of such vehicles during the period their owners are occupying other accommodations on site, shall be setback from exterior property boundaries at least twenty-five (25) feet. Recreational vehicle pads used for overnight stays shall be located so that no recreational vehicle pad is closer than twenty (20) feet to any other recreational vehicle pad on any boundary (front, side, or rear) of such pad. (Section 713.5)

#### **2.7.4.4 Site Plans for Visitor Accommodation Development**

a. A detailed site plan shall be submitted to the Planning Commission for any visitor accommodation development proposed in an established VA district, regardless of the particular types of permitted accommodation units anticipated for the development. The site plan shall meet the site plan preparation regulations set out in Section 8.3 and 10.1 Appendix. (Section 713.7)

## 2.7.5. Overlay Districts

**2.7.5.1 Flood Overlay District (FLO.)** The Flood Overlay District identifies land within the City that lies wholly or partly within the 100-year floodplain or floodway. The zoning map indicates the approximate location of these floodplains. The official National Flood Insurance Program (NFIP) flood maps should be consulted for final determination of the boundary of this overlay district. (Section 709)

a. Uses. Allowable uses in this overlay district shall be those allowed in the underlying base zoning district. (Section 709.2)

b. Development within the FLO District. Any development within this District shall be accomplished in accordance with the provisions of the Sevierville Municipal Flood Damage Prevention Ordinance, and with the following provisions: (Sections 406 and 709)

i. All development within the FLO District shall be constructed so that the finished floor elevation is one (1) foot above the one hundred (100) year flood elevation. (Section 406.3)

ii. Except as provided for in iii. below, no building or structure shall be located within ten (10) feet of an established floodway lying within the FLO, as shown on NFIP maps. (Section 406.4)

iii. The Planning Commission may allow construction in the designated floodway provided a detailed engineering study is submitted that verifies a "no impact" condition is maintained. The study shall make use of the HEC-RAS computer model or a subsequent FEMA approved model. (Section 406.5)

iv. On any stream without an established floodway, no building or structure shall be permitted within ten (10) feet of the top of the bank of the stream. (Section 406.4)

**2.7.5.2 Interstate Impact Overlay District (IIO).** The provisions of this District are designed to recognize the unique circumstances created at the points at which local, state, and federal streets and highways intersect with the federal Interstate system of highways. The intent of this district is to provide for the placement of on-premises business signs, appropriate in size and scale to their setting, for the purpose of attracting high speed Interstate travelers to exit the Interstate. (Sec-

tion 714)

a. Uses. Allowable uses in this overlay district shall be those allowed in the underlying base zoning district. (Section 714)

b. Interstate monopole signs may be placed within the IIO District, but only in accordance with all applicable provisions of Chapter 6.O, Signs, and Chapters 3.O and 4.O, where applicable.

This page intentionally left blank.

## 3.0 USES AND PERFORMANCE CONDITIONS

### 3.1 Establishment of a Table of Uses.

The uses permitted in order to achieve the intent of the zoning districts established by Chapter 2.0 are set forth in the Table of Uses, Table 3.1.

### 3.2 Determination of Use Category.

The provisions of this ordinance shall be administered and enforced by the Municipal Building Inspector. This official shall have the right to enter upon any premises necessary to carry out his duties in the enforcement of this ordinance. (Section 1001)

### 3.3 Table of Uses.

3.3.1 **Generally.** Table 3.1 Uses Permitted by District lists uses permitted in each zoning district by right; except that, within the TC District certain uses may be permitted as a special exception, or after staff review. Specific use performance conditions are set forth in Section 3.4.

3.3.2 **Districts.** Table 3.1 Uses Permitted by District lists uses for each district within the City's zoning jurisdiction. Uses in Overlay Districts are governed by the uses in underlying districts and further supplemented by regulations set out in other provisions of this ordinance.

3.3.3 **Symbols.**

- i. Where the symbol "■" is shown, the use to which it refers is permitted as a use by right in the indicated district, provided it complies fully with all applicable development standards of this Chapter.
- ii. Where the symbol "◆" is shown, the use to which it refers is a special exception and must be approved by the Board of Zoning Appeals under the process for special exceptions set out in Section 8.2.3.c. (TC Only)
- iii. Where the symbol "□" is shown, the use to which it refers requires staff review in which additional supporting and clarifying information may be required and development conditions applied to mitigate negative impacts. (TC Only)

- iv. Where the symbol "-" is shown or where a cell is blank in the table, the use to which it refers is not permitted.

### 3.4 Additional Standards.

Section 3.4, which follows Table 3.1, contains additional standards applicable to the various uses organized by the use categories set out in Table 3.1: Residential; Commercial; Institutional; Industrial; Office; Recreational and Entertainment; Retail and Personal Service; Transportation; Utilities; Warehouse, Storage, Maintenance; Accessory; and Temporary and Miscellaneous.

TABLE 3.1 USES PERMITTED BY DISTRICT

■	■	Permitted														
□	□	Permitted on Review														
◆	◆	Special Exception														
		710	701	702	703	New	705	706	707	708	712	704	711	713		
-		AR	LDR	MDR	HDR	TC	NC	IC	AC	IN	HRO	CB	TCL	VA		
		A-R	R-1	R-2	R-3		C-2	C-3	C-4	M-1		C-1	C-5	V-1		
<b>Residential</b>																
Boarding and Rooming Houses	-	-	■	■	-	■	■	■	-	-	-	-	-	-		
Live/Work Unit (TC)	■	■	■	■	■	■	■	■	■	■	■	■	■	■		
Multifamily (TC)	■	■	■	■	■	■	■	■	■	■	■	■	■	■		
Multifamily	-	-	■	■	■	■	■	■	-	-	■	■	■	■		
Single Family (TC)	■	■	■	■	■	◆	■	■	■	-	■	■	■	■		
Single Family	■	■	■	■	■	■	■	■	-	-	■	■	■	■		
Two Family	-	-	■	■	■	■	■	■	-	-	■	■	■	■		
Upper Floor Housing (TC)	■	■	■	■	■	■	■	■	■	■	■	■	■	■		
Agriculture-General Farming Activity	■	-	-	-	-	■	■	■	■	-	-	-	-	-		
Customary General Farming	■	■	■	■	■	■	■	■	■	-	-	-	-	-		
Mobile Home Park	-	-	-	■	■	■	■	■	■	-	-	-	-	-		
<b>Commercial</b>																
Automobile Repair Garage and Similar Operations	-	-	-	-	■	■	■	■	■	■	■	■	■	■		
Automobile and Mobile Home Sales	-	-	-	-	■	■	■	■	■	■	■	■	■	■		
<b>Institutional</b>																
Medical Clinic	-	-	-	■	■	■	■	■	■	■	■	■	■	■		
Hospital	-	-	-	■	■	■	■	■	■	■	■	■	■	■		
Fraternal Organizations & Clubs not operated for profit	-	-	-	■	■	■	■	■	■	■	■	■	■	■		
Lodges & Clubs	-	-	-	■	■	■	■	■	■	■	■	■	■	■		
Community & Civic Association Uses (TC)	■	■	■	■	■	■	■	■	■	■	■	■	■	■		
Nursing Home	-	-	-	■	■	■	■	■	■	■	■	■	■	■		
Publicly Owned Buildings & Uses	-	■	■	■	■	■	■	■	■	■	■	■	■	■		
Government (TC)	■	■	■	■	■	■	■	■	■	■	■	■	■	■		
Park (TC)	■	■	■	■	■	■	■	■	■	■	■	■	■	■		
School	-	■	■	■	■	■	■	■	■	■	■	■	■	■		
Semi-public Buildings & Uses	-	-	-	■	■	■	■	■	■	■	■	■	■	■		
Library, Museum, or Art Gallery (TC)	■	■	■	■	■	■	■	■	■	■	■	■	■	■		
Church	-	■	■	■	■	■	■	■	■	■	■	■	■	■		
Religious Assembly (TC)	■	■	■	■	■	■	■	■	■	■	■	■	■	■		

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

TABLE 3.1 USES PERMITTED BY DISTRICT

■ ■ Permitted □ □ Permitted on Review ◆ ◆ Special Exception																	
		710	701	702	703	New	705	706	707	708	712	704	711	713			
- - Not Permitted		AR A-R	LDR R-1	MDR R-2	HDR R-3	TC	NC C-2	IC C-3	AC C-4	IN M-1	HRO	CB C-1	TCL C-5	VA V-1			
<b>Industrial</b>																	
Large Distillery		-	-	-	-	-	-	-	-	■	-	-	-	-			
Any industry which does not cause injurious or obnoxious noise, fire hazards or other objectionable conditions		-	-	-	-	-	-	-	-	■	-	-	-	-			
<b>Lodging</b>																	
Bed and Breakfast Inn		-	-	-	-	-	-	-	-	-	-	-	■	■			
Bed and Breakfast Homestay		-	-	-	-	-	-	-	-	-	■	-	-	-			
Hotel, Motel - Without Amusement (TC)		-	-	-	-	■	-	-	-	-	-	-	-	-			
Hotel, Motel		-	-	-	-	-	-	■	■	■	-	■	■	■			
Inns		-	-	-	-	-	-	-	-	-	-	-	■	-			
Lodges		-	-	-	-	-	-	-	-	-	-	-	■	■			
Recreational Vehicle Park/Travel Trailer Park		-	-	-	-	-	-	■	■	-	-	-	■	■			
Recreational Vehicle Parking for Tourist occupying other Accommodations within a Development		-	-	-	-	-	-	-	-	-	-	-	-	■			
<b>Office</b>																	
Office (TC)		-	-	-	-	■	-	-	-	-	-	-	-	-			
Doctor & Dentist Office		-	-	-	■	-	■	■	■	■	-	■	■	■			
Lawyer, Architect, Real Estate Agency, Insurance Agency, and other Professional Office		-	-	-	■	-	■	■	■	■	-	■	■	■			
<b>Recreation and Entertainment</b>																	
Tennis Clubs, Country Clubs, & other similar uses		-	■	■	■	-	■	■	-	■	-	-	■	-			
Places of Amusement & Assembly		-	-	-	-	-	-	-	■	■	-	-	■	-			
Entertainment, Amusement, Sports, Meeting & Events Facilities		-	-	-	-	-	-	-	■	■	-	-	■	-			
<b>Retail and Personal Service</b>																	
Day Care Center		-	-	■	■	-	■	■	■	■	■	-	■	-			
Day Care (TC)		-	-	-	-	■	-	-	-	-	-	-	-	-			
Farmer's Market (TC)		-	-	-	-	■	-	-	-	-	-	-	-	-			
Financial Services (TC)		-	-	-	-	■	-	-	-	-	-	-	-	-			
Funeral Home		-	-	-	■	-	■	■	■	■	-	-	-	-			
Funeral Home (TC)		-	-	-	-	■	-	-	-	-	-	-	-	-			

TABLE 3.1 USES PERMITTED BY DISTRICT															
■ ■ Permitted □ □ Permitted on Review ◆ ◆ Special Exception - - Not Permitted															
	710	701	702	703	New	705	706	707	708	712	704	711	713		
	AR A-R	LDR R-1	MDR R-2	HDR R-3	TC	NC C-2	IC C-3	AC C-4	IN M-1	HRO	CB C-1	TCL C-5	VA V-1		
Sexually Oriented Business & Commercial Activities	-	-	-	-	-	-	-	■	-	-	-	-	-		
Pawn Shops	-	-	-	-	-	-	-	■	-	-	-	-	-		
Psychic & Palm Reading Activities	-	-	-	-	-	-	-	■	-	-	-	-	-		
Restaurant	-	-	-	-	-	■	■	■	■	-	■	■			
Restaurant Without Drive-in or Drive-Through (TC)	-	-	-	-	■	-	-	-	-	-	-	-	-		
Shopping Centers	-	-	-	-	-	■	■	■	■	-	-	■	-		
Grocery Stores, Drug Stores, Hardware Stores, Shoe Repair Shops, barber & Beauty Shops, Laundromat & Laundry Pick-Up Stations	-	-	-	-	-	■	■	■	■	-	■	■	-		
Personal Services (TC)	-	-	-	-	■	-	-	-	-	-	-	-	-		
Personal, Business, and Professional Services	-	-	-	-	-	■	■	■	■	-	■	■	-		
Stores and Shops	-	-	-	-	-	■	■	■	■	-	■	■	-		
Retail Stores (TC)	-	-	-	-	■	-	-	-	-	-	-	-	-		
Gasoline Service Stations	-	-	-	-	-	■	■	■	■	-	-	■	-		
Visual Artist and/or Crafts-person Studios	-	-	-	-	-	■	■	■	■	-	■	■	-		
Studios for Work and/or Teaching (TC)	-	-	-	-	■	-	-	-	-	-	-	-	-		
Musical Instruction	-	-	-	-	-	■	■	■	■	-	■	■	-		
Retail Distilleries	-	-	-	-	-	-	-	■	■	-	■	■	-		
Retail Distilleries and Wineries (TC)	-	-	-	-	■	-	-	-	-	-	-	-	-		
Small Distilleries	-	-	-	-	-	-	-	■	■	-	-	■	-		
Tattoo Businesses	-	-	-	-	-	-	-	■	■	-	-	-	-		
Transportation															
Terminals	-	-	-	-	-	-	-	-	■	-	-	-	-		
Utilities															
Public or Quasi-Public Utilities (TC)	-	-	-	-	■	-	-	-	-	-	-	-	-		
Communication Antennas & Towers	■	■	■	■	-	■	■	■	■	■	■	■	■		
Wireless Telecommunication Facilities (TC)	-	-	-	-	■	-	-	-	-	-	-	-	-		
Warehouse, Storage, Maintenance															
Wholesale Business	-	-	-	-	-	-	■	■	■	■	-	-	-		
Warehouses	-	-	-	-	-	-	■	■	■	■	-	-	-		

1.0 GENERAL PROVISIONS  
 2.0 ZONING DISTRICTS  
 3.0 USES & CONDITIONS  
 4.0 DEVELOPMENT STANDARDS  
 5.0 PARKING  
 6.0 SIGNS  
 7.0 NON-CONFORMITIES  
 8.0 ADMINISTRATION  
 9.0 DEFINITIONS  
 APPENDIX

TABLE 3.1 USES PERMITTED BY DISTRICT

■ ■																				
□ □																				
◆ ◆																				
-																				
		710	701	702	703	New	705	706	707	708	712	704	711	713						
		AR A-R	LDR R-1	MDR R-2	HDR R-3	TC	NC C-2	IC C-3	AC C-4	IN M-1	HRO	CB C-1	TCL C-5	VA V-1						
Storage Yards & Buildings		-	-	-	-	-	-	■	■	■	-	-	-	-						
Accessory																				
Customary Accessory Building		-	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Customary Home Occupation		■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Home Occupation (TC)						◆														
Temporary and Miscellaneous																				
Planned Unit Development		■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Construction Trailer or Sales Office (TC)						■														
Temporary Office & Storage Buildings Located on Approved Construction Sites		■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Person selling fresh produce grown in Sevier County; or fresh Christmas trees, in season, and subject to spoilage		■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Special and Seasonal Events (TC)						□														
Tents for Assembly Occupancy		■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■

1.0 GENERAL PROVISIONS  
2.0 ZONING DISTRICTS  
3.0 USES & CONDITIONS  
4.0 DEVELOPMENT STANDARDS  
5.0 PARKING  
6.0 SIGNS  
7.0 NON-CONFORMITIES  
8.0 ADMINISTRATION  
9.0 DEFINITIONS  
APPENDIX

## 3.4 Additional Standards

### 3.4.1 Residential Uses

#### 3.4.1.1 Agriculture - General

- a. **Definition:** None
- b. **Parking:** Two spaces per residential unit (Section 402.4.1)
- c. **Loading:** None
- d. **Additional Standards:** None

#### 3.4.1.2 Boarding House - Rooming House

- a. **Definition:** A building containing a single dwelling unit and not more than five guest rooms where lodging is provided with or without meals for compensation. (Section 302)
- b. **Parking:** Two spaces for the single dwelling unit (Section 402.4.1)
- c. **Loading:** None
- d. **Additional Standards:** None

#### 3.4.1.3 Customary General Farming

- a. **Definition:** None
- b. **Parking:** Two spaces per residential use (Section 402.4.1)
- c. **Loading:** None
- d. **Additional Standards:** None

#### 3.4.1.4 Live/Work Unit (Definitions/Standards below apply only to TC District)

- a. **Definition:** A single unit consisting of both a commercial/office and a residential component that is occupied by the same resident. The live/work unit shall be the primary dwelling of the occupant.

b. **Parking:** None

c. **Loading:** None

d. **Additional Standards:**

- i. The commercial component of live/work units are intended for use by the following occupations: accountants; architects; artists and artisans; attorneys, computer software and multimedia related professionals; consultants; engineers; fashion, graphic, interior and other designers; hair stylists; home-based office workers, insurance, real estate and travel agents; one-on-one instructors; photographers, and similar occupations;
- ii. The residential and the commercial space must be occupied by the same tenant, and no portion of the live/work unit may be rented or sold separately;
- iii. The commercial component as designated on the approved floor plan shall remain commercial and cannot be converted to residential use;
- iv. The residential component as designated on the floor plan approved through the special development permit shall remain residential and cannot be converted to commercial use;
- v. Signage intended to promote on-site commercial uses shall be restricted to two square foot signs permanently affixed to door or wall of the business component;
- vi. The external access for the commercial component shall be oriented to the street and should have at least one external entrance/exit separate from the living space. The entrance to the business component shall be located on the ground level. Access to the commercial component of each live/work unit shall be clearly separate from the common walkways or entrances to the other residential units within the development, or other residential units in adjacent developments.

### 3.4.1.5 Mobile Home Park

- a. **Definition:** A parcel or tract of land under single ownership which has been planned and improved for the placement of mobile homes for dwelling purposes. (Section 323)
- b. **Parking:** One space for a each unit (Section 402.17)
- c. **Loading:** None
- d. **Additional Standards:**
  - i. Where two or more mobile homes are to be located on one development site, such development site will be considered as a residential PUD, shall be located on a site of not less than four acres and shall contain a minimum of fifteen residential units. However, the minimum site and unit standards of the foregoing sentence shall not apply to residential or mixed use residential developments located and permitted in commercial zoning districts. (Section 407.3 and 407.5)

### 3.4.1.6 Multifamily (Definitions/Standards below apply only to TC District.)

- a. **Definition:** A structure or structures containing more than two attached dwelling units used for residential occupancy.
- b. **Parking:** Adequate parking must be demonstrated by the applicant.
- c. Where parking is provided, it may be part of the building it is intended to serve, or shall be located in an approved location.
- d. **Loading:** None
- e. **Additional Standards:**
  - i. Façades shall be designed with consistent materials and treatments that wrap around all street-facing façades. There shall be a unifying architectural theme for the entire multifamily development, utilizing a common vocabulary

- of architectural forms, elements, materials, or colors in the entire structure.
- ii. Building facades shall include windows, projected or recessed entrances, overhangs, and other architectural features. Three-dimensional elements, such as balconies and bay windows, are encouraged to provide dimensional elements on a façade.
- iii. Flat roofs shall include cornices, parapets, or similar architectural details to add variety and break up the roofline.
- iv. A site plan shall be required for a multi-family dwelling containing 3 or more dwelling units on a parcel. Where a development site contains more than one multi-family dwelling of 3 or more dwelling units, there shall be a minimum distance of 10 feet between such dwellings. Multifamily dwellings of more than three (3) units shall require site plan review to determine the minimum distance between buildings.
- v. When abutting existing single-family residential uses, the entity responsible for establishing the multi-family use shall construct and maintain a buffer zone in one of the allowed forms of buffer zones, or combinations thereof, the specific form or combination thereof to be determined and approved by the Planning Commission.

### 3.4.1.7 Multifamily

- a. **Definition:** A building designed, constructed, or reconstructed and used for more than two dwelling units, with each dwelling unit having a common structural wall with any other dwelling unit on the same floor. (Section 313)
- b. **Parking:** Two spaces for each unit (Section 402.4.2)
- c. **Loading:** None
- d. **Additional Standards:**
  - i. Where two or more multifamily build-

ings are to be located on one development site, such development will be considered as a residential PUD, shall be located on a site of not less than four acres, and shall contain a minimum of fifteen residential units. However, this requirement regarding minimum site size and minimum number of residential units shall not apply to residential or mixed use residential developments located within commercial districts within which multi-family residential uses are permitted, nor in the VA (V-1) District (Section 407.5)

- ii. In the HRO District, multi-family developments with five or more units must be located on a collector or arterial street. (Section 712.1.3)

#### **3.4.1.8 Single Family (Definitions/Standards below apply only to TC District.)**

a. **Definitions:**

- i. **Detached Single Family:** A residential building designed for occupancy by one family. For the purposes of this subsection, a single-family dwelling does not refer to mobile, manufactured, modular, panelized or pre-cut homes.
- ii. **Dwelling, Single Family Attached.** Two or more dwelling units, each with primary outside access on the ground floor; and that are attached to each other by legally divided common walls which do not have openings and do not provide for internal access between the dwelling units. This term includes townhomes and duplexes.

- b. **Parking:** Adequate parking must be demonstrated by the applicant.
- c. **Loading:** None
- d. **Additional Standards:** None

#### **3.4.1.9 Single Family**

- a. **Definition:** A building designed, constructed and used for one dwelling unit. (Section 312)
- b. **Parking:** Two spaces for each unit. (Section 402.4.1)
- c. **Loading:** None
- d. **Additional Standards:** None

#### **3.4.1.10 Two Family or Duplex**

- a. **Definition:** A building designed, constructed or reconstructed and used for two dwelling units that are connected by a common structural wall. (Section 313)
- b. **Parking:** Two spaces for each. (Section 402.4.1)
- c. **Loading:** None
- d. **Additional Standards:**

- i. Where two or more two family or duplex buildings are to be located on one development site, such development will be considered as a residential PUD, shall be located on a site of not less than four acres, and shall contain a minimum of fifteen residential units. However, this requirement regarding minimum site size and minimum number of residential units shall not apply to residential or mixed use residential developments located within commercial districts within which two family or duplex residential uses are permitted, nor in the VA (V-1) District (Section 407)

#### **3.4.1.11 Upper Floor Residential (Definition and standards apply only to TC District)**

- a. **Definition:** A building where residential occurs on the second floor or above, is at least 450 square feet, and contains a kitchen.

- b. **Parking:** None
- c. **Loading:** None
- d. **Additional Standards:** None

### 3.4.2 Commercial Uses

#### 3.4.2.1 Automobile Body Repair Garage and Similar Operations

- a. **Definition:** None
- b. **Parking:** Automobile repair garages: One space for each regular employee plus one space for each 250 square feet used for repair work. (Section 402.1)
- c. **Loading:** One space of at least 12x25 feet for each 3,000 square feet of floor area or part thereof. (Section 403.1)
- d. **Additional Standards:** None

#### 3.4.2.2 Automobile and Mobile Home Sales

- a. **Definition:** None
- b. **Parking:** One space per 400 square feet of floor space of office. If auto repair is also performed on site, then one space for each employee working in auto repair, plus one space for each 250 square feet used for repair work is also required. (Sections 402.1 and 402.11.3)
- c. **Loading:** One space of at least 12x25 feet for each 3,000 square feet of floor area or part thereof. (Section 403.1)
- d. **Additional Standards:** None

### 3.4.3 Institutional Uses

#### 3.4.3.1 Church

- a. **Definition:** None

- b. **Parking:** One space for each 4 seats (Section 402.2)
- c. **Loading:** None
- d. **Additional Standards:**
  - i. In LDR (R-1), MDR (R-2), and HDR (R-3) Districts, buildings may not be placed closer than 50 feet to the side and rear property lines, there must be planted buffer strips along side and rear property lines, and a site plan must be approved by the Planning Commission (Section 701.4).
  - ii. The structure height limitation of these regulations shall not apply to church spires, belfries, and domes not intended for human occupancy (Section 905.1).
  - iii. In the HRO District, churches must be located on a collector or arterial street (Section 712.1.11).

#### 3.4.3.2 Community and Civic Association Uses (Definitions and standards below apply only to TC District)

- a. **Definition:** Community serving organizations; headquarters and meeting facilities for organizations operating on a membership basis for the promotion of the interests of the members, including facilities for: business associations, civic, social and fraternal organizations, labor unions and similar organizations, political organizations, professional membership organizations and other membership organizations.
- b. **Parking:** None
- c. **Loading:** None
- d. **Additional Standards:** None

#### 3.4.3.3 Fraternal Organizations and Clubs Not Operated for Profit

- a. **Definition:** Buildings and facilities owned or operated by an association or persons for a social or recreational purpose, but not operated

primarily for profit or to render a service which is customarily carried on as business (Section 308).

- b. **Parking:** One space for each 300 square feet of floor space (Section 402.3).
- c. **Loading:** None
- d. **Additional Standards:**
  - i. In the HDR (R-3) District, use must be on an arterial or collector street, buildings must be placed no less than 50 feet from all property lines; a planted buffer strip must be erected on side and rear property lines, and a site plan must be approved by the Planning Commission (Sections 703.3.1, 703.3.2, 703.3.3, and 703.3.4)
  - ii. In the HDR (R-3) District, existing buildings may be utilized, provided that the provisions of this ordinance are met as closely as possible, and that: no parking shall be allowed in the front yard; and, a site plan is approved by the Planning Commission (Sections 703.4.1 and 703.4.2)

#### 3.4.3.4 Government (Definitions and Standards below apply only to TC District)

- a. **Definition:** A building, structure, site, or any portion thereof that is used by the City, County, State, or Federal government.
- b. **Parking:** Based on site plan review.
- c. **Loading:** None
- d. **Additional standards:** None

#### 3.4.3.5 Hospital

- a. **Definition:** None
- b. **Parking:** One space for each two staff or visiting doctors plus one space for each two employees and one space for each four beds, computed on the largest number of employees on duty at any

period of time. (Section 402.7)

- c. **Loading:** None
- d. **Additional Standards:**
  - i. In the HDR (R-3) District, use must be on an arterial or collector street, buildings may not be placed closer than 50 feet to the side and rear, a planted buffer strip must be erected on side and rear property lines, and a site plan must be approved by the Planning Commission (Section 703.3.4)
  - ii. In the HDR (R-3) District, existing buildings may be utilized, provided that the provisions of this ordinance are met as closely as possible, and that: no parking shall be allowed in the front yard; and, a site plan is approved by the Planning Commission (Sections 703.4.1)

#### 3.4.3.6 Library, Museum, Art Gallery (Definition and Standards below apply only to TC District)

- a. **Definition:** A public or quasi-public facility, examples of which include: aquariums, arboretums, art galleries and exhibitions, botanical gardens, historic sites and exhibits, libraries, museums, planetariums, and zoos. May also include accessory retail uses such as a gift/book shop, restaurant, etc.
- b. **Parking:** None
- c. **Loading:** None
- d. **Additional Standards:** None

#### 3.4.3.7 Medical Clinic

- a. **Definition:** A structure used in providing medical services for outpatients only. (Section 307)
- b. **Parking:** One space per 300 square feet of floor space (Section 402.11.1)
- c. **Loading:** None
- d. **Additional Standards:**

- i. In the HDR (R-3) District, use must be on an arterial or collector street, buildings must be placed no less than 50 feet from all property lines, a planted buffer strip must be erected on side and rear property lines and a site plan must be approved by the Planning Commission (Sections 703.3.1, 703.3.2, 703.3.3, and 703.3.4)
- ii. In the HDR (R-3) District, existing buildings may be utilized, provided that the provisions of this ordinance are met as closely as possible, and that: no parking shall be allowed in the front yard; and, a site plan is approved by the Planning Commission (Sections 703.4.1 and 703.4.2)

### 3.4.3.8 Nursing Home

- a. **Definition:** One licensed by the state (Section 325).
- b. **Parking:** One space for each two staff or visiting doctors plus one space for each two employees and one space for each four beds, computed on the largest number of employees on duty at any period of time. (Section 402.7)
- c. **Loading:** None
- d. **Additional Standards:**
  - i. In the HDR (R-3) District, use must be on an arterial or collector street, buildings must be placed no less than 50 feet from all property lines, a planted buffer strip must be erected on side and rear property lines, and a site plan must be approved by the Planning Commission. (Sections 703.3.1, 703.3.2, and 703.3.3)
  - ii. In the HDR (R-3) District, existing buildings may be utilized, provided that the provisions of this ordinance are met as closely as possible, and that: no parking shall be allowed in the front yard; and, a site plan is approved by the Planning Commission (Sections 703.4.2)

### 3.4.3.9 Park (Definition and Standards below apply only to TC District)

- a. **Definition:** Land retained for recreational use, designed and maintained to serve the residents of a defined area and/or membership. Land may be improved with playground apparatus, tennis courts, public golf courses (with or without a clubhouse), picnic areas, shelters, riding, biking or hiking trails, skateboard areas, other game courts or pits, art, memorials and historic structures. Public parks may include greenways and natural areas and features that are subject to minimal maintenance, open to the public, and subject to seasonal closure. Private parks may be limited by a defined area and/or membership where general public access is denied or only offered on a limited basis. Ownership and maintenance is assumed by a property owner's and/or membership association.

a. **Parking:** None

b. **Loading:** None

c. **Additional Standards:** None

### 3.4.3.10 Publicly Owned Buildings and Uses

a. **Definition:** None

b. **Parking:** Based upon the land use category of the building or use.

c. **Loading:** None

d. **Additional Standards:**

- i. Based upon the land use
- ii. In LDR (R-1), MDR (R-2), and HDR (R-3) Districts, buildings may not be placed closer than 50 feet to the side and rear property lines, there must be planted buffer strips along side and rear property lines, and a site plan must be approved by the Planning Commission (Section 701.4.1, 701.4.2, and 701.4.3).
- iii. Site plan approval by the Planning Commission in other districts required. (Section 704.4 and other Districts)

### 3.4.3.11 Religious Assembly (Definition and Standards below apply only to TC District)

- a. **Definition:** A facility principally used for people to gather together for public worship, religious training, or other religious activities.
- b. **Parking:** Adequate parking must be demonstrated by the applicant.
- c. **Loading:** None
- d. **Additional Standards:**
  - i. The structure height limitations of these regulations shall not apply to church spires, belfries, or cupolas.
  - ii. One single family dwelling for the housing of the pastor or similar leader of the church and their family will be considered customary and incidental as a part of this use.

### 3.4.3.12 School

- a. **Definition:** None
- b. **Parking:**
  - i. Elementary or Junior High School - One space for each faculty member (Section 402.16)
  - ii. High Schools - One space for each faculty member, plus one space for each pupil. (Section 402.16)
- c. **Loading:** None
- d. **Additional Standards:** In LDR (R-1), MDR (R-2), and HDR (R-3) Districts, buildings may not be placed closer than 50 feet to the side and rear property lines, there must be planted buffer strips along side and rear property lines, and a site plan must be approved by the Planning Commission (Sections 701.4.1, 701.4.2, and 701.4.3).

### 3.4.3.13 Semi-public Uses

- a. **Definition:** None

- b. **Parking:** Based upon the land use category of the semi-public use.
- c. **Loading:** None
- d. **Additional Standards:**
  - i. Based upon the land use category of the semi-public use.
  - ii. Site plan approval by the Planning Commission is required. (Section 704.5 and other Districts where permitted)

## 3.4.4 Industrial Uses

### 3.4.4.1 Industrial Use

- a. **Definition:** None.
- b. **Parking:** One space for each 3 employees, computed on the largest number of persons employed at any period, during day or night. (Section 402.9)
- c. **Loading:** One space of at least 12X25 feet for each 10,000 square feet of floor area or part thereof. (Section 403.2)
- d. **Additional Standards:**
  - i. Board of Zoning Appeals will consider requests for exception to height requirements for unique manufacturing processes. (Section 708.7)

## 3.4.5 Lodging and Community Housing Uses

### 3.4.5.1 Bed and Breakfast, Bed and Breakfast Inn

- a. **Definition:** None
- b. **Parking:** One space for each guest room, one space for each four employees, if applicable, and two spaces for innkeeper living on site. (Section 402.8 and 402.4.1)
- c. **Loading:** None
- d. **Additional Standards:** None

### 3.4.5.2 Bed and Breakfast Homestay (Definitions and Standards below apply only to HRO District)

- a. **Definition:** A home having three or fewer guest rooms, the owner of which resides therein, where overnight lodging and breakfast is provided to tourists. For the purposes of this ordinance, a bed and breakfast homestay shall not be considered as a boarding or rooming house (Section 712.1.6).
- b. **Parking:** Two spaces for the homeowner and one space for each guest room. (Section 402.8 and 402.4.1)
- c. **Loading:** None
- d. **Additional Standards:** Site plan and development standards applicable to the HRO District. (Section 712).

### 3.4.5.3 Hotel, Motel (without Amusement) (Definitions and Standards below apply only to TC District)

- a. **Definition:** A building or buildings where lodging is provided for more than eight (8) persons, who are usually but not always transients, for compensation.
- b. **Parking:** Based on site plan review.
- c. **Loading:** Based on site plan review
- d. **Additional Standards:**
  - i. This use is limited to short-term use of not more than 30 days in any 90-day period.

### 3.4.5.4 Hotel, Motel

- a. **Definition:** None
- b. **Parking:** One space for each four employees, plus one space for each accommodation (Section 402.8)
- c. **Loading:** None

- d. **Additional Standards:** None

### 3.4.5.5 Travel Trailer, RV Park

- a. **Definition:** Any plot of land on which two or more travel trailers are located and used as temporary living or sleeping quarters (Section 339).
- b. **Parking:** None
- c. **Loading:** None
- d. **Additional Standards:** The occupants of such parks may not remain in the same park more than thirty days. (Section 339)

### 3.4.6 Office Uses

#### 3.4.6.1 Office (Definitions and standards below apply only to the TC District)

- a. **Definition:** Places of business of individuals engaged in providing personal services, such as attorneys, architects, accountants, real estate brokers, and similar professions.
- b. **Parking:** None
- c. **Loading:** None
- d. **Additional Standards:** None

#### 3.4.6.2 Office

- a. **Definition:** None
- b. **Parking:** Medical: One space for each three hundred (300) square feet of floor space; Other professional: One space for each four hundred (400) square feet of floor space; General: One space for each four hundred (400) square feet of floor space. (Sections 402.11.1, 402.11.2, and 402.11.3)
- c. **Loading:** None
- d. **Additional Standards:**
  - i. In the HDR (R-3) District, use must be on

an arterial or collector street, buildings must be placed no less than 50 feet from all property lines, a planted buffer strip must be erected on side and rear property lines, and a site plan must be approved by the Planning Commission. (Sections 703.3.1, 703.3.2, and 703.3.3)

- ii. In the HDR (R-3) District, existing buildings may be utilized, provided that the provisions of this ordinance are met as closely as possible, and that: no parking shall be allowed in the front yard, and a site plan is approved by the Planning Commission (Sections 703.4, 703.4.1, and 703.4.2)

### 3.4.6.3 Professional Office (Definitions and standards below apply only to the HRO District)

- a. **Definition:** For the purposes of the HRO district, a professional office shall be considered as an office for professions which conduct business at a scale and in a manner compatible with residential use, and which does not primarily serve as a location for the receipt, sale, delivery, or transfer of goods to customers. Professional offices generally see clients by appointment during the hours of 8:00 a.m. and 5:00 p.m., Monday-Friday. Attorneys, engineers, architects, psychological counselors, and similar professions generally conduct business at an office. (Section 712.1.5)
- b. **Parking:** One for each 400 square feet of floor space, except that no nonresidential use shall have less than four (4) spaces. Existing garages and carports may be counted toward meeting the minimum parking standard. However, the loss of parking spaces through the future conversion of any such structure to a use other than parking, shall require the provision of spaces to replace those lost. Where a lot on which a structure 1,500 square feet or greater in size is converted or constructed on a lot adjoining a street on which on-street parking is prohibited, one (1) additional off-street parking space above the minimum number normally required shall be provided. At least one (1) space shall be provided for use by handicapped persons. Such space

shall be conveniently located to an entrance accessible to handicapped persons. (Sections 402.11.2 and 712.2.5.1)

- c. **Loading:** None
- d. **Additional Standards:** See Chapter 4.0 regarding development standards applicable in the HRO District.

## 3.4.7 Recreation and Entertainment Uses

### 3.4.7.1 Entertainment, Amusement, Sports, Meeting, and Events Facilities

- a. **Definition:** None
- b. **Parking:**
  - i. Recreation and amusement areas without seating capacity: One space for each five customers, computed on a maximum capacity (Section 402.13).
  - ii. Places of public assembly: One space for each five seats in the principal assembly room or area (Section 402.12)
- c. **Loading:** None
- d. **Additional Standards:** None

### 3.4.7.2 Places of Amusement and Assembly

- a. **Definition:** None
- b. **Parking:**
  - i. Recreation and amusement areas without seating capacity: One space for each five customers, computed on a maximum capacity (Section 402.13).
  - ii. Places of public assembly: One space for each five seats in the principal assembly room or area (Section 402.12)
- c. **Loading:** None
- d. **Additional Standards:**
  - i. In the VA (V-1) District, game or exercise rooms and spaces, conference buildings and areas, may be permitted

based upon criteria in that District's provisions (Section 713.3 and 713.4).

### 3.4.7.3 Tennis Clubs, Country Clubs, and Other Similar Uses

- a. **Definition:** Buildings and facilities owned or operated by an association or persons for a social or recreational purpose, but not operated primarily for profit or to render a service which is customarily carried on as a business, (Club, 308)
  - b. **Parking:** One space for each three hundred square feet of floor space (Clubs and Lodges, 402.3); and if applicable, one space for each five seats in the principal assembly room or area, and one space for each five customers of any recreation or amusement area without seating capacity (Section 402.12 and 402.13).
  - c. **Loading:** None
  - d. **Additional Standards:**
    - i. In the LDR (R-1), MDR (R-2), or HDR (R-3) Districts, must be part of a Planned Unit Development (Sections 701.6, 702.1, and 703.1)
    - ii. In the LDR (R-1), MDR (R-2), or HDR (R-3) Districts, the facility must be located adjacent to a designated collector or arterial street, have planted buffer strips along property lines, and any outside lighting of courts, parking lots, or other facilities shall be designed and constructed in such a manner as to not cause inconvenience to other uses in the immediate area. (Section 701.6.3, 701.6.2, and 701.6.4)
- b. **Parking:** Adequate parking must be demonstrated by the applicant.
  - c. **Loading:** None
  - d. **Additional Standards:**
    - i. Hours of Operation in a Residential District. When the site is located within a Residential District, Day Care Facilities shall operate only Monday through Friday. No outdoor play is allowed before 7:00 a. m. or after 8:00 p.m.
    - ii. Pick-Up and Drop-Off. A plan and schedule for the pick-up and drop off of children or clients shall be provided prior to approval. The plan shall demonstrate that adequate parking and loading are provided to minimize congestion, and it shall demonstrate that the plan for pick-up and drop-off of children or clients does not require passing through traffic.
    - iii. Outdoor Play Areas. Outdoor play areas shall not be located along major arteries or adjacent to industrial uses.
    - iv. Screening of Outdoor Play Areas. Outdoor play areas shall have a screening feature around the perimeter adjacent to the public right-of-way, outside of the minimum front and side setbacks. Screening shall add to the visual diversity of the use and need not be an opaque barrier.
    - v. State and Other Licensing. All Day Care Facilities shall be State licensed and operated according to State and all other applicable regulations.

## 3.4.8 Retail and Personal Service Uses

### 3.4.8.1 Day Care (Definition and Standards below apply only to TC District)

- a. **Definition:** A facility licensed by the State providing care for the five or more children, or adults in a protective setting for less than 24-hours a day.

### 3.4.8.2 Day Care Center

- a. **Definition:** A place operated by a person, society, agency, corporation, institution or other group that receives pay for the care of eight or more children under 17 years of age for less than 24 hours per day, without transfer of custody. The term "Day Care Center" also includes child development centers, nursery schools, day nurseries, play schools, and kindergartens, as well as agencies providing before and after school care, regardless of name, purpose, or auspices. (Ex-

cluding schools graded 1-12 and kindergartens operated by a governmental unit or by religious organizations.) (Section 311)

- b. **Parking:** One space for each faculty member (Section 402.16)
- c. **Loading:** None
- d. **Additional Standards:**
  - i. In the HRO District, day care centers may only be located on a collector or arterial street. (Section 712.1.7)

### 3.4.8.3 Farmer's Market (Definition and Standards below apply only to TC District)

- a. **Definition:** A retail market featuring foods sold directly by farmers to consumers.
- b. **Parking:** Adequate parking must be demonstrated by the applicant.
- c. **Loading:** None
- d. **Additional Standards:**
  - i. Farmers Markets must be operated by one or more certified producers, a non-profit organization, or a local government agency.
  - ii. At least 70 percent of vendors must be farmers, ranchers, and other businesses who sell food, plants, flowers, and added-value products such as jams and jellies.
  - iii. A management plan shall be prepared and provided to the Director. The management plan shall include the following:
    - iv. Identification of a market manager or managers, who shall be present during all hours of operation.
    - v. A set of operating rules addressing the governance structure of the market, the method of assigning booths and registering vendors, hours of operation, maintenance, security, refuse collection, and parking.
    - vi. Market activities shall be conducted between the hours of 7 a.m. and 7 p.m.

Set-up of market operations shall begin no earlier than 6 a.m., and take-down shall end no later than 8 p.m.

- vii. Adequate composting, recycling, and trash containers shall be provided during hours of operation, and shall be removed from site for appropriate disposal. The site shall be cleaned at the end of each day of operations, including the removal of all stalls and debris.

### 3.4.8.4 Financial Services (Definition and Standards below apply only to TC District)

- a. **Definition:** An establishment authorized by the government to accept deposits, pay interest, clear checks, make loans, act as an intermediary in financial transactions, and provide other financial services to its customers.
- b. **Parking:** Adequate parking must be demonstrated by the applicant.
- c. **Loading:** None
- d. **Additional Standards:**
  - i. Stacking length - 40 feet per window
  - ii. Stacking length - 80 feet per ATM kiosk

### 3.4.8.5 Flea Market

- a. **Definition:** A place of business which provides space either inside or outside an enclosed building to two or more persons for the purpose of making retail sales of tangible personal property on a short term basis. (Section 317)
- b. **Parking:** One space for each two hundred square feet of gross floor space (Section 402.15)
- c. **Loading:** One space of at least 12'X25' for each 3,000 square feet of floor area or part thereof (Section 403.1)
- d. **Additional Standards:**
  - i. Temporary structures associated with flea market must be shown on a flea market site plan approved by the Plan-

ning Commission (Section 410.1.10).

#### 3.4.8.6 Funeral Home (Definition and Standards below apply only to TC District)

- a. **Definition:** An establishment primarily engaged in the care, preparation, or disposition of human remains and conducting memorial services. Typical uses include a crematory, columbarium, mausoleum, or mortuary.
- b. **Parking:** Adequate parking must be demonstrated by the applicant.
- c. **Loading:** None
- d. **Additional Standards:** None

#### 3.4.8.7 Funeral Home

- a. **Definition:** None
- b. **Parking:** One space for each four seats in the chapel (Section 402.5).
- c. **Loading:** None
- d. **Additional Standards:**
  - i. In the HDR (R-3) District, use must be on an arterial or collector street, buildings must be placed no less than 50 feet from all property lines, a planted buffer strip must be erected on side and rear property lines, and a site plan approved by the Planning Commission. (Sections 703.3.1, 703.3.2, 703.3.3, and 703.3.4)
  - ii. In the HDR (R-3) District, existing buildings may be utilized, provided that the provisions of this ordinance are met as closely as possible, and that: no parking shall be allowed in the front yard, and a site plan is approved by the Planning Commission (Section 703.4.1 and 703.4.2)

#### 3.4.8.8 Gasoline Service Stations

- a. **Definition:** None
- b. **Parking:** Four spaces for each bay or similar facility, plus one space for each employee (Section 402.6).
- c. **Loading:** None
- d. **Additional Standards:** In the NC (C-2), IC (C-3), and AC (C-4) Districts
  - i. All structures shall be placed not less than twenty feet from all property lines (Sections 705.5, 706.8, and 707.12)
  - ii. Points of ingress and egress shall not be less than fifteen feet from intersection of street lines (Sections 705.5, 706.8, and 707.12).

#### 3.4.8.9 Grocery Stores, Drug Stores, Hardware Stores, Shoe Repair Shops, Barber and Beauty Shops, Laundromat and Laundry Pick-up Stations

- a. **Definition:** None
- b. **Parking:** Retail: Uses - one space for each two hundred square feet of gross floor space (Section 402.1.5); Other uses - no parking standard set.
- c. **Loading:** Retail - One space of at least 12'X25' for each 3,000 square feet of floor area or part thereof (Section 403.1).
- d. **Additional Standards:** None

#### 3.4.8.10 Hair Salons

- a. **Definition:** None
- b. **Parking:** None
- c. **Loading:** None
- d. **Additional Standards:**
  - i. In the HRO District, hair salons must be located on an arterial or collector street, and may include limited accessory retail sale of products to clients. (Section 712.1.10).

**3.4.8.11 Musical Instruction**

- a. **Definition:** None
- b. **Parking:** None
- c. **Loading:** None
- d. **Additional Standards:**
  - i. In the HRO District, instruction is generally to be provided to one student at a time; but, more than one instructor may provide instruction at the same location and at the same time as another instructor; provided that, it is in compliance with Title II Chapter 2 (Offenses Against the Peace and Quiet) of the Sevierville Municipal Code (Section 712.1.9).
  - ii. In the HRO District, dance studios, and studios and schools for other musical and performing arts serving multiple students at one time and/or which generally conduct evening and weekend classes are not permitted (Section 712.1.9).

**3.4.8.12 Pawn Shops**

- a. **Definition:** None
- b. **Parking:** None
- c. **Loading:** None
- d. **Additional Standards:** None

**3.4.8.13 Personal Services (Definition and Standards below apply only to TC District)**

- a. **Definition:** Provision of regularly needed services of a personal nature, including, but not limited to barber shops and beauty salons, day spas, fitness studios, seamstresses, tailors, shoe repair shops, and travel agencies, mainly intended for the consumer.
- b. **Parking:** None

- c. **Loading:** None
- d. **Additional Standards:** None

**3.4.8.14 Personal Services**

- a. **Definition:** None
- b. **Parking:** None
- c. **Loading:** None
- d. **Additional Standards:** None

**3.4.8.15 Psychic and Palm Reading Activities**

- a. **Definition:** None
- b. **Parking:** None
- c. **Loading:** None
- d. **Additional Standards:** None

**3.4.8.16 Restaurant without Drive-Through (Definition and Standards below apply only to TC District)**

- a. **Definition:** An establishment for the sale and consumption of food and beverages on the premises.
- b. **Parking:** None
- c. **Loading:** None
- d. **Additional Standards:** None

**3.4.8.17 Restaurant**

- a. **Definition:** None
- b. **Parking:** One space for each four employees, plus one space for each four customers, computed on a maximum service capacity. (Section 402.14)
- c. **Loading:** None

- d. **Additional Standards:** None

#### 3.4.8.18 Retail Distilleries and Wineries (Definition and Standards below apply only to TC District)

- a. **Definition:** A processing facility which consists of distillation, or vinification equipment, components and supplies for the processing, production and packaging of fermented beverages and wine on the premises. A retail distillery shall further be defined as provided for in 3.4.8.19.
- b. **Parking:** None
- c. **Loading:** None
- d. **Additional Standards:**
- i. Activities may include associated crushing, fermenting and refermenting, distilling, blending, bottling, storage, aging, shipping, receiving, and office functions.
  - ii. This use may also contain a bar, and or restaurant.

#### 3.4.8.19 Retail Distillery

- a. **Definition:** A facility where intoxicating liquors or intoxicating drinks are manufactured, having no more than seven thousand five hundred (7,500) gallons of alcohol product on site at any one time, of which no more than four hundred-eighty (480) gallons may be unpackaged, which conducts retail sales of intoxicating liquors or intoxicating drinks on premises; and which is located and is operated in accordance with applicable provisions of this and other ordinances of the City, including, but not limited to, the building code and fire code. (See also Small Distillery and Large Distillery.) (Section 327)
- b. **Parking:** One space for each two hundred square feet of gross floor space (Section 402.15).
- c. **Loading:** One space of at least 12'X25' for each 3,000 square feet of floor area, or part thereof (Section 403.1).
- d. **Additional Standards:** None

#### 3.4.8.20 Retail Stores (Definition and Standards below apply only to TC District)

- a. **Definition:** The retail sale or rental of merchandise not specifically listed under another use classification. This classification includes, but is not limited to, department stores, clothing stores, furniture stores, pet supply stores, hardware stores, toys, hobby materials, handcrafted items, jewelry, cameras, pharmacies, durable medical goods, electronic equipment, sporting goods, antiques, art galleries, art supplies and services, office supplies, bicycles, video rental, and new automotive parts. Retail sales may be combined with other services such as office machine, computer, electronics, and similar small-item repairs.
- b. **Parking:** None
- c. **Loading:** None
- d. **Additional Standards:** None

#### 3.4.8.21 Sexually Oriented Business

- a. **Definition:** An adult arcade, adult book store, adult novelty store, adult video store, adult cabaret, adult motel, adult motion picture theater, escort agency, nude model studio or sexual encounter center, or adult business. Any business activity or activities following in the aforementioned-categories, as hereinafter defined, shall be considered a sexually oriented business. The following words and phrases shall have the meanings as described to them as follows: (Section 328)
- i. **Adult Arcade.** An establishment that offers either singularly or in combination any of the goods or services, for purchase, consumption or viewing, as described in the definitions for adult bookstore, adult novelty store, adult video store, adult cabaret, adult motel, adult motion picture theater, adult mini motion picture theater, escort agency, nude model studio, sexual encounter center, or ad business. (Section 328.1)
  - ii. **Adult Bookstore.** An establishment

- having as a substantial or significant portion of its stock in trade, books, magazines, and other periodicals and goods and items held for sale which are distinguished or characterized by their emphasis on matters depicting, describing, or relating to specified sexual activities or specified anatomical areas, or an establishment with a segment or sections devoted to the sale or display of such material. (Section 328.2)
- iii. Adult Business. Any of the following businesses: adult bookstore, adult motion picture theater, adult mini motion picture theater, and adult cabaret. (Section 328.12)
  - iv. Adult Cabaret. A cabaret which features topless dancers, go-go dancers, exotic dancers, strippers, male or female impersonators, or similar entertainers. (Section 328.5)
  - v. Adult Mini Motion Picture Theater. An enclosed building with a capacity for less than fifty (50) persons, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, for observation by patrons therein. (Section 328.8)
  - vi. Adult Motel. An establishment which offers for rental or purchase rooms or private areas and offers in connection with the rental or acquisition of such room or private area any of the materials or items set forth in the definitions of an adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motion picture theater, adult mini motion picture theater, escort agency, nude model studio, sexual encounter center, and adult business. (Section 328.6)
  - vii. Adult Motion Picture Theater. An enclosed building with a capacity of fifty (50) or more persons used for presenting material having as a dominant theme or presenting materials distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein. (Section 328.7)
  - viii. Adult Novelty Store. An establishment having and offering for business, having and offering for sale or viewing, video tapes for sale or rental containing material distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas for viewing by the purchaser or renter; and establishment offering for sale or available for acquisition instruments and items to bring about sexual arousal, insertion into body cavities, apparatuses designed to enhance sexual arousal and gratification and materials, whether photographic or otherwise, which is distinguished and characterized by an emphasis on matter depicting, describing or relating to specific sexual activities or specified anatomical areas. (Section 328.3)
  - ix. Adult Video Store. An establishment having and offering for business, having and offering for sale or viewing, video tapes, digital video disc, virtual reality photographic films, prints, movies, and other means of transmitting subject matter, for sale or rental, containing material distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas for viewing by the purchaser or renter. (Section 328.4)
  - x. Escort Agency. A person, firm, corporation, establishment, or business, arranging, through any means or manner, the introduction to one another, or the being together of two or more persons for the purpose of, or ultimate result being, those two or more persons engaging in any activity involving one or both or more of the persons viewing and/or touching the human breast, genitals or buttocks. (Section 328.9)
  - xi. Nude Model Studio. A place of business

or establishment which makes available for viewing, filming, photographing, or videoing, undraped and exposed human breasts, genitals and buttocks. (Section 328.10)

- xii. Sexual Encounter Center. A place of business or establishment, which provides for, or allows for, the assemblage of more than one person for the purpose of arranging for or engaging in any form of sexual activity between two persons which shall mean the viewing of, or touching, or stimulating of the human breasts and genitals. (Section 328.11)

- b. **Parking:** One space for each two hundred square feet of gross floor space (Section 402.15).
- c. **Loading:** One space at least 12'X25' for each 3,000 square feet of floor area, or part thereof (Section 403.1).
- d. **Additional Standards:**
- i. Sexually oriented business and commercial activities, as defined in subsection a above, may only be placed within the AC (C-4) District, subject to the following conditions: (Section 707.13)
    - a. The property line of these uses shall be a minimum of 1,000 feet from any school, church, public assembly facility, and/or residential zoning district (Section 707.13.1).
    - b. The maximum signage allowed for these uses shall be 20 square feet with no graphics or flashing lights (Section 707.13.2)

### 3.4.8.22 Shopping Center

- a. **Definition:** A group of commercial establishments, planned, developed, owned or managed as a unit, with off-street parking provided on the property; however, this shall not apply to a group of commercial establishments containing no more than four (4) separate commercial establishments in one (1) structure containing a total of not more than 15,000 square feet of floor

area. (Section 329)

- b. **Parking:** One space for each two hundred square feet of gross floor space (Section 402.15).
- c. **Loading:** One space at least 12'X25' for each 3,000 square feet of floor area, or part thereof (Section 403.1).
- d. **Additional Standards:**
- i. Shopping Centers shall conform to all requirements of the Planned Unit Development regulations (Section 705.2).

### 3.4.8.23 Small Distillery

- a. **Definition:** A facility where intoxicating liquors or intoxicating drinks are manufactured, having no more than seven thousand five hundred (7,500) gallons of alcohol product on site at any one time, which conducts retail sales of intoxicating liquors or intoxicating drinks on the premises; and, which is located and is operated in accordance with applicable provisions of this and other ordinances of the City, including, but not limited to, the building code and fire code. (See also, Retail Distillery and Large Distillery) (Section 331)
- b. **Parking:** One space for each two hundred square feet of gross floor space. (Section 402.15)
- c. **Loading:** One space of at least 12'X25' for each 3,000 square feet of floor area, or part thereof (Section 403.1)
- d. **Additional Standards:** In the AC (C-4) and TCL (C-5) Districts: There shall not be any principal or accessory building associated with a small distillery that is located closer than fifty (50) feet from a front, side, or rear property line; and, no building on site containing alcoholic substances shall be closer than fifty (50) feet from any other building on site containing alcoholic substances, unless other ordinances of the City require a greater setback or separation, including, but not limited to, the building code and fire code. Any other buildings on site which contain no alcoholic substances shall be separated by not less than twenty (20) feet from any other

building on site. (Section 707.16 and 711.2.7)

#### 3.4.8.24 Stores and Shops

- a. **Definition:** None
- b. **Parking:** One space for each two hundred square feet of gross floor space (Section 402.15).
- c. **Loading:** One space at least 12'X25' for each 3,000 square feet of floor area, or part thereof (Section 403.1).
- d. **Additional Standards:** None

#### 3.4.8.25 Studios for Work and/or Teaching (Definition and Standards below apply only to TC District)

- a. **Definition:** Work space for an artist or artisan, including individuals practicing one of the fine arts or performing arts, or an applied art or craft. This use may include incidental display and retail sales of items produced on the premises and instructional space for small groups of students.
- b. **Parking:** None
- c. **Loading:** None.
- d. **Additional Standards:** None

#### 3.4.8.26 Tattoo Business

- a. **Definition:** None
- b. **Parking:** None
- c. **Loading:** None
- d. **Additional Standards:**
  - i. Tattoo Businesses may only be placed within the AC (C-4) District, subject to the following conditions: (Section 707.13)
    - a. The property line of these uses shall be a minimum of 1,000 feet from any school, church, public assembly facility, and/or

residential zoning district (Section 707.13.1).

- b. The maximum signage allowed for these uses shall be 20 square feet with no graphics or flashing lights (Section 707.13.2)

#### 3.4.9 Transportation Uses

##### 3.4.9.1 Terminal

- a. **Definition:** None
- b. **Parking:** One space for each three employees, computed on the largest number of persons employed at any period, during day or night (Section 402.9).
- c. **Loading:** Sufficient space to accommodate the maximum number of buses or trucks that will be stored and loading and unloading at the terminal at any one time. (Section 403.3)
- d. **Additional Standards:** None

#### 3.4.10 Utility Uses

##### 3.4.10.1 Public or Quasi-Public Utilities and Related Facilities (Definition and Standards below apply only to TC District)

- a. **Definition:** Facilities which provide service to the public of water, sewer, gas, electricity, telephone, fiber-optic communication, and cable television. The foregoing shall be deemed to include facilities and appurtenances to the above uses, but shall not include public utility generating plants or offices.
- b. **Parking:** None
- c. **Loading:** None
- d. **Additional Standards:** None

**3.4.10.2 Communication Antennas and Towers:** Under Tennessee Code Annotated 13-24-302, and 13-24-303, local governments shall not exclude

telephone and telegraphic services and such other structures as central office exchanges, microwave towers, etc.; however, the exclusion from regulation does not preclude the exercise of reasonable police powers including, but not limited to, permit requirements as an exercise of the police powers. The following requirements shall apply to antennas and telecommunication towers, as indicated, including but not limited to dish antennas, amateur radio towers, and commercial telephone/telegraph towers, except for the TC District within which certain of these items are governed by the provisions of Section 3.4.10.3 of this ordinance. All plans for placement, construction, screening must be approved by the Building Official prior to the issuance of a building permit (Sections 412 and 412.1).

a. **Definition:** None

b. **Parking:** None

c. **Loading:** None

d. **Additional Standards:**

i. Dish Antennas: All Zones. The following conditions apply to dish antenna placements in all zones (Section 412.1).

a. No text, pictures, logos, or advertising shall be displayed on any surface of the dish antenna (Section 412.1.1).

b. Installation of the required screening shall be done concurrently with the construction of the base mount for any dish antenna (Section 412.1.2).

c. Where screening is required, the dish antenna shall be screened from view from the public rights-of-way and from adjacent property by any combination or single treatment of vegetative or structural barriers. The screening shall provide 80 percent opacity at a height of seven (7) feet within two (2) years of its installation. Defective or dead screening shall be replaced to

maintain the screening of the dish antenna while the dish antenna remains in its permitted location (Section 412.1.3).

d. The dish antenna or any required screening shall not penetrate any recorded easement (Section 412.1.4).

ii. Dish Antennas: Residential Districts. The following conditions apply to dish antenna placements in residential and zoning districts (Section 412.2)

a. Only one dish antenna shall be permitted per lot, parcel, or tract (Section 412.2.1).

b. No freestanding dish antenna shall exceed 11 feet in height, as measured at its highest point above the surrounding grade (Section 412.2.2).

c. No dish with a dish size greater than 24 inches shall be placed on any roof or attached to any principal or accessory structure. Dish antennas with a dish size of 24 inches or less may be placed on a roof or wall of a principal or accessory structure provided it does not project above the roof line, and it does not violate any required setback (Section 412.2.3).

d. Freestanding dish antennas shall be set back from the side and/or rear property lines a minimum of 10 feet (Section 412.2.4).

e. Screening shall be required for all dish antennas with a size greater than 24 inches (Section 412.2.5).

iii. Dish Antennas: Commercial Districts. The following conditions apply to dish antenna placements in commercial zoning districts (Section 412.3).

a. Only one dish antenna shall be permitted per business (Section 412.3.1).

b. A ground-mounted dish antenna shall not exceed 11 feet in height, as measured at its highest point

- above the surrounding grade. A roof-mounted dish antenna shall not exceed 11 feet above the attachment of the base mount to the roof (Section 412.3.2).
- c. The maximum building height of the zoning district shall apply (Section 412.3.3).
  - d. Dish antennas may be permitted to be located in the rear yard or on the roof. A dish antenna with a dish size of 24 inches or less may be permitted to be attached to a wall provided it does not project above the roof line, and it does not violate any required setback (Section 412.3.4).
  - e. Rear yard placements of the dish antennas may not be located in any other required buffer zone or screening required for other purposes (Section 412.3.5).
  - f. Screening shall be required for all rear yard placements of dish antennas (Section 412.3.6).
- iv. Amateur Radio Towers and other antenna placements: The following conditions apply to amateur radio towers and other antenna placements, excluding telecommunication towers in all zoning districts (Section 412.4).
    - a. All amateur radio towers and antennas shall be setback a minimum of ten (10) feet from all rear and side property lines, plus an additional one third (1/3) of a foot for each one (1) foot of tower/ antenna height over 35 feet tall. Setbacks shall be measured from the farthest most protrusion of the tower and its appurtenances (Section 412.4.1).
    - b. All guy wires shall be set back from the side and/or rear property lines a minimum of ten (10) feet (Section 412.4.2).
    - c. A certified survey shall be submitted which shall verify tower and antenna heights, and setbacks for the tower, its appurtenances, and the guy wires (Section 412.4.3).
    - d. No tower, antenna, or guy wires shall be located within a front yard or on any recorded easement (Section 412.4.4).
    - e. No tower shall be placed on a roof (Section 412.4.5).
    - f. A maximum of one tower shall be permitted per lot, parcel, or tract (Section 412.4.6).
    - g. A tower shall be fenced, walled, or protected in some manner so as to prevent uncontrolled access by children from the street or from adjacent properties. Said wall, or protection shall be maintained in good condition (Section 412.4.7).
    - h. All towers shall be removed when no longer in service (Section 412.4.8).
  - v. Telecommunication Towers: The following conditions apply to all other telecommunication towers and related equipment placements in all zoning districts (Section 412.5).
    - a. Telecommunication towers shall meet the minimum setback requirements for the principal structures in the zoning district in which they are located, plus where the tower is on a lot, parcel, or tract which abuts a zone other than M-1 or C-4 districts, an additional one third (1/3) of a foot for each one (1) foot of tower height over 35 feet tall. Setbacks shall be measured from the farthest most protrusion of the tower and its appurtenances (Section 412.5.1).
    - b. Guy wires for telecommunication towers shall be set back from the side and/or rear property lines a minimum of ten (10) feet. No guy wires shall be located in required front yards (Section 412.5.2).
    - c. A certified survey shall be sub-

mited which shall verify tower and antenna heights, and setbacks for the tower, and its appurtenances, and the guy wires (Section 412.5.3).

- d. A telecommunication tower and related equipment shall be the principal use and structures on all lots, parcels, or tracts zoned residential or commercial. No other use or structure shall be permitted on the same lot, parcel, or tract (Section 412.5.4).
- e. All telecommunication towers and related equipment shall be removed when the facility is no longer in service (Section 412.5.5).
- f. A site plan shall be approved by the Planning Commission (Section 412.5.6).

### 3.4.10.3 Wireless Telecommunication Facilities (Definition and Standards below apply only to TC District)

- a. **Definition:** A facility used for the transmission or reception of electromagnetic or electro-optic information, which is placed on a new structure, requires accessory structures, or exceeds the height requirements of the district in which it is located. This use does not include any facility not used for communication, or radio frequency machines which have an effective radiated power of 100 watts or less.
- b. **Parking:** None
- c. **Loading:** None
- d. **Additional Standards:**
  - i. Towers: Wireless telecommunications towers and related equipment facilities shall be allowed upon approval with a conditional use permit. Subject to the provisions of subsection iii below, co-location on existing towers is subject only to an administrative review.
  - ii. Building-Mounted: Building-mounted telecommunications shall be integrat-

ed into the design of the building or be fully screened, and in either case must receive development plan approval as a building modification. Satellite dishes not exceeding two feet in diameter shall be permitted in any zoning district. Building-mounted dishes shall require administrative review, except for residential uses. Building-mounted dishes greater than two feet in diameter are permitted only in commercial, mixed-use, and office/industrial districts and shall require a use permit.

- iii. Co-location: Wireless Telecommunication Facilities may be co-located, subject to administrative review only. Any addition to the existing height or change in appearance of the tower, as determined by the Director to facilitate co-location may require a use permit. Wireless Telecommunication Facilities to be attached to existing light, power or telephone poles shall require a use permit.
- iv. Application Requirements. An applicant for a new Wireless Telecommunication Facilities use permit shall submit the following information:
  - Use permit application, including a development plan when applicable.
  - For towers, monopoles, and similar proposals, a visual study containing, at a minimum, a vicinity map depicting where, within a one-half (1/2) mile radius, any portion of the proposed Wireless Telecommunication Facilities could be visible, and a scaled graphic simulation showing the appearance of the proposed tower and accessory structures from two separate points within the impacted vicinity, accompanied by an assessment of potential mitigation measures. Such points are to be mutually agreed upon by the Development Director, or designee, and the applicant.
  - Documentation of the steps that will be taken to minimize the visual impact of the proposed Wireless

## Telecommunication Facilities.

- A landscape plan drawn to scale that is consistent with the need for screening at the site. Any existing vegetation that is to be removed must be clearly indicated and provisions for mitigation included where appropriate.
- A feasibility study for the co-location of telecommunication facilities as an alternative to new structures. The feasibility study shall include:
  - An inventory, including the location, ownership, height, and design of existing Wireless Telecommunication Facilities within one-half (1/2) mile of the proposed location of a new Wireless Telecommunication Facilities. The City may share such information with other applicants seeking permits for Wireless Telecommunication Facilities, but shall not, by sharing such information, in any way represent or warrant that such sites are available or suitable.
  - Applicant shall document efforts made to co-locate on existing towers. Each applicant shall make a good faith effort to contact the owners of existing or approved towers and shall provide a list of all owners contacted in the area, including the date, form and content of such contact. Co-location shall not be precluded simply because a fee for shared use is charged, or because of reasonable costs necessary to adapt the existing and proposed uses to a shared tower. Co-location costs exceeding new tower development are presumed to be unreasonable.
- The Development Director, or designee, may request any other information deemed necessary to fully evaluate and review the applica-

tion and the potential impact of a proposed tower and/or antenna.

- v. Abandoned Tower/Antenna.
  - The wireless telecommunication tower/antenna shall be removed within 90 days of discontinuance of the tower/antenna's use.

### 3.4.11 Warehouse and Storage Uses

#### 3.4.11.1 Storage Yard

- a. **Definition:** None
- b. **Parking:** One space for each three employees, computed on the largest number of persons employed at any period, during day or night (Section 402.18).
- c. **Loading:** One space of at least 12'X25' for each 10,000 square feet of floor area, or part thereof (Section 403.2).
- d. **Additional Standards:** None

#### 3.4.11.2 Warehouse

- a. **Definition:** None
- b. **Parking:** One space for each three employees, computed on the largest number of persons employed at any period, during day or night (Section 402.19).
- c. **Loading:** One space of at least 12'X25' for each 10,000 square feet of floor area, or part thereof (Section 403.2).
- d. **Additional Standards:** None

#### 3.4.11.3 Wholesale Business

- a. **Definition:** None
- b. **Parking:** One space for each three employees, computed on the largest number of persons employed at any period, during day or night (Section 402.19).

- c. **Loading:** One space of at least 12'X25' for each 10,000 square feet of floor area, or part thereof (Section 403.2)
- d. **Additional Standards:** None.

### 3.4.12 Accessory Uses

#### 3.4.12.1 Accessory Building or Use.

- a. **Definition:** A building or use customarily incidental and subordinate to the principal building or use and located on the same lot with such building or use (Section 304.2).
- b. **Parking:** None
- c. **Loading:** None
- d. **Additional Standards:**
  - i. In LDR (R-1), MDR (R-2), HDR (R-3), and HRO Districts, accessory buildings shall not exceed one story; shall be located in the rear yard, not closer than five (5) feet from all property lines, and shall also conform with a required setback from an intersecting street; and, shall not exceed twenty (20) percent of the rear yard. (Sections 701.5.1, 701.5.2, 701.5.3, 702.1, 703.1, and 712.1.13)

#### 3.4.12.2 Customary Home Occupation

- a. **Definition:** An occupation for gain or support which is customarily conducted in the home, which is incidental to the use of the building or structure as a dwelling unit, which employs not more than two persons not residents of the premises, and not more than thirty (30) percent of the total actual ground floor area is used for home occupation purposes. (Section 318)
- b. **Parking:** Two spaces per dwelling unit (Section 402.4).
- c. **Loading:** None
- d. **Additional Standards:** Within zoning districts which permit residential use, with the exception

of the TC District within which the provisions of 3.4.12.3 apply, customary home occupations are permitted, in accordance with the following conditions:

- i. There shall be no external evidence of the occupation, except an announcement sign not more than two square feet in area (Section 701.3).
- ii. Only two persons not a resident of the dwelling may be employed (Section 701.3).
- iii. Not more than thirty percent of the total floor area of the dwelling may be used for the occupation (Section 701.3).
- iv. Provided all other provisions related to home occupations can be met and maintained, the care of up to seven children (excluding the occupant's children or stepchildren) shall be considered a home occupation. Should such home occupation also meet the definition of "family child care home" as set out in 71-3-501, Tennessee Code Annotated, the occupant shall comply with all licensure requirements of the Tennessee Department of Human Services and shall make available a copy of such license upon the request of the Director of Code Enforcement. In no way shall care of children as a home occupation, as herein described, be construed to allow the operation of a "day care center", as defined in Article III, Section 319 of this ordinance, nor the operation of a "group child care home", "child care center", nor "drop-in center", as defined in 71-3-501, Tennessee Code Annotated. (Section 701.3)

#### 3.4.12.3 Home Occupation (Definition and Standards below apply only to TC District)

- a. **Definition:** A home occupation shall mean an accessory use consisting of a vocational activity conducted inside a dwelling unit or its accessory structures, if applicable, and used only by the individuals who reside therein and two employees, provided that the home occupation:
  - i. does not result in noise or vibration, light, odor, dust, smoke, or other air

- pollution noticeable at or beyond the property line,
  - ii. includes only the incidental sale of stocks, supplies, or products,
  - iii. is clearly subordinate to the use of the lot for dwelling purposes and does not change the character of the lot,
  - iv. does not include the outside storage of goods, materials, or equipment, and
  - v. has signs limited to a non-illuminated identification sign two square feet or less in size.
- b. **Parking:** None
- c. **Loading:** None
- d. **Additional Standards:**
- i. There shall be no public display of stock-in-trade upon the premises.
  - ii. Not more than 25 percent of the floor area of a dwelling shall be used for the conduct of a home occupation. Any existing accessory building used in connection with a home occupation shall not exceed 450 square feet in area.
  - iii. No traffic shall be generated by such home occupations in greater volumes than would normally be expected in a residential neighborhood.
  - iv. There shall be no exterior lighting which would indicate that the dwelling and/or existing accessory building is being utilized in whole or in part for any purpose other than residential purposes.
  - v. No equipment or process shall be used in a home occupation which creates noise, vibration, glare, fumes, or odors detectable to the normal senses off the lot if the occupation is conducted in a single-family or two-family residence (or in any accessory structure on the same premises with a single or two-family residence), or outside of the dwelling unit if conducted in a multifamily dwelling unit building or complex. Furthermore, no equipment or process shall be used in any home occupation which creates visual or audible electrical interference in any radio or television receivers off

- the premises, or causes fluctuations in line voltage off the premises.
- vi. One (1) wall sign no larger than 18 inches by 24 inches.

#### **3.4.12.4 Unattended Free-standing Use, and Similar Uses (Definition and Standards below apply only to HRO District)**

- a. **Definition:** None
- b. **Parking:** None
- c. **Loading:** None
- d. **Additional Standards:**
  - i. No unattended free-standing use such as an ATM, which is accessible to the customer or the general public after the close of business day and/or on weekends may be established in the HRO District (Section 712.1).
  - ii. No use otherwise permitted in the HRO District may have a drive-through or a drop-off area which is accessible to customers or the general public after the close of the business day and/or on weekends (Section 712.1).

#### **3.4.13 Temporary Uses and Mobile, Factory-Built, or Factory-Assembled Structures.**

##### **3.4.13.1 Temporary Uses and Mobile, Factory-Built, or Factory Assembled Structures**

- a. **Definition:** None
- b. **Parking:** None
- c. **Loading:** None
- d. **Additional Standards:**
  - i. It shall be unlawful to place any temporary structure, trailer, mobile structure (including, but not limited to, cars, vans, trucks, or buses), tents, factory-built structures or factory assembled structures designed for conveyance after fabrication, either on its own wheels, flatbed truck, or other trailers on any

- lot either residential, commercial or industrial, within the corporate limits of the City used for assembly, business, educational, hazardous, factory, industrial, institutional, mercantile, residential, or storage occupancies, except as noted herein. (Section 410).
- ii. Exceptions. Structures exempt from provisions of this section shall include:
    - a. Mobile homes located in approved mobile home parks. (Section 410.1.1).
    - b. Prefabricated structures or modular building units, manufactured off-site and transported to the point of use and installed on a permanent concrete or masonry foundation as a finished building with permanent sewer and water connections. Such units shall be inspected at the point of manufacture and shall bear the insignia of approval of the commissioner of the Tennessee Department of Commerce and Insurance or an approved inspection agency, as specified in Tennessee Code Annotated, Title 68, Chapter 102 Park 1. (Section 410.1.2).
    - c. Temporary office and storage buildings may be located on approved construction sites, provided such are removed upon completion of construction (Section 410.1.3).
    - d. Customary accessory storage buildings may be placed in approved residential locations. (Section 410.1.4)
    - e. Tents used by a person, firm, corporation, or group as an assembly occupancy for the purpose of a religious meeting, festival, fair, circus, or carnival are permitted for a limited time not to exceed ten (10) days with proper permit procedure followed. (Section 410.1.5)
    - f. A person selling fresh produce grown in Sevier County; or, fresh Christmas trees, in season, and subject to spoilage. (Section 410.1.6).
    - g. A person who sells his own property which was not acquired specifically for resale, barter, or exchange and who does not conduct such sales or act as a participant by furnishing goods in such a sale on a regular basis. (Section 410.1.7).
    - h. Tents used by a firm or corporation for the purpose of conducting a special retail sales event in connection with a previously established business and located on the site with said business, provided:
      - i. A permit is obtained from the City after making proper application and the payment of the required fee. (Section 410.1.8.1)
      - ii. The duration of the permit and the event does not exceed ten (10) days in length. (Section 410.1.8.2)
      - iii. Not more than one (1) permit shall be issued to any person, firm, or corporation or for any particular property within any six (6) month period. (Section 410.1.8.3)
      - iv. Any tent sales event shall be clearly subordinate to the previously established business on site and be of a customary accessory nature. (Section 410.1.8.4)
      - v. No tent shall be located so as to reduce the minimum number of on-site parking spaces required by the established on-site business. (Section 410.1.8.5)
      - i. Mobile self-contained catering vehicles designed to move under their own power from site to site with stops limited to a thirty (30) minute maximum at each location. (Section 410.1.9)
      - j. Temporary structures associated with flea markets provided the area for these temporary uses is shown on a Flea Market Site Plan approved by the Planning Commission. (Section 410.1.10)

**3.4.13.2 Construction Trailer or Sales Office (Definition and Standards below apply only to TC**

**District)**

- a. **Definition:** A facility temporarily used as a construction or sales office.
- b. **Parking:** To be determined by the Building Official
- c. **Loading:** None
- d. **Additional Standards:**
  - i. A construction trailer, or sales office may be established and operated until the time of the Certificate of Occupancy, or completion of the sale of the lots or residences within a subdivision, or for a duration specified as a condition of the Temporary Use Permit.
  - ii. Real estate sales conducted from a temporary sales office are limited to sales of lots within the subdivision where it is located and to other subdivision projects under the same ownership.

**3.4.13.3 Special or Seasonal Events (Definition and Standards below apply only to TC District)**

- a. **Definition:** A use established for a fixed period of time with the intent to discontinue such use upon the expiration of such time that does not involve the construction or alteration of any permanent structure.
- b. **Parking:** See d. below
- c. **Loading:** See d. below
- d. **Additional Standards:** Any special or seasonal activities and events shall be conducted in accordance with applicable provisions of this ordinance and applicable provisions of the Municipal Code.

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

This page intentionally left blank.

## 4.0 DEVELOPMENT STANDARDS

### 4.1 Purpose

In order to fully implement the goals of the City supplementary development standards are required to insure that new development, renovation, and reconstruction are designed, sized, and sited to achieve functionally efficient, economically productive, pedestrian friendly, and aesthetically pleasing environments. These standards are intended to contribute to the stability, vitality and long term livability of the City.

- Parking and Traffic Circulation
- Pedestrian Circulation
- Building Form and Materials
- Lighting and Illumination
- Historic Compatibility
- Fences, Walls and Screening
- Landscaping
- Stormwater Management

### 4.2 Applicability

- 4.2.1 The following development standards shall be applied by zoning district according to the development standards Tables 4.6 - 4.13.

### 4.3 Relation to Overlay Districts

These standards shall also apply in all overlay districts if the standard would apply to the applicable underlying district, unless an alternative standard is set forth in the overlay district.

### 4.4 Applicability to Functional Road Classifications

- 4.4.1 Where development conditions reference functional road classifications, the functional road classifications, as determined by the City, shall be used.
- 4.4.2 Functional road classifications shall be as follows: Primary Arterial, Minor Arterial, Major Collector, Minor Collector, Local. Any road with service levels at minus D, (-D) shall be considered as a road at the next highest classification level.

### 4.5 Development Standards Table

The development standards are organized in Table 4.1. The symbol “■” means that the standard is required and compliance shall be determined by the Development Department. The symbol “✘” means that the standard is not required. Standards are divided into the following major building and construction elements in Sections.



**Table 4.1 Development Standards**

STANDARD	DISTRICT												
	AR (AR)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (C-2)	IC (C-3)	AC (C-4)	IN (M-1)	HRO	CB (C-1)	TCL (C-5)	VA (V-1)
■ = Required ✕ = Not required													
4.6.2 Parking Lot and Driveway Entrances.													
4.6.2.1	No driveway shall be constructed within twenty-five (25) feet of an adjacent street right-of-way line or in such a manner that any part of the entrance is less than five (5) feet from the point of tangency of an adjacent street radius; except that, a compound curve including both the street radius and the driveway return may be utilized where the street radius exceeds forty (40) feet. (Section 405.2)	■	■	■	■	✕	■	■	■	■	■	■	■
4.6.2.2	Except in LDR and MDR residential districts, no driveway shall be constructed opposite the non-continuous leg of a “T” intersection for a distance equal to the width of the non-continuous leg right-of-way plus an additional twenty five (25) feet in each direction. Major developments encompassing five (5) or more uses or requiring 250 or more parking spaces may include a driveway designed to function as the fourth leg of a “T” intersection provided there are no other driveways from the development located within 200 feet of the intersection. (Section 405.2.1)	■	✕	✕	■	✕	■	■	■	■	✕	■	■
4.6.2.3	Except in residential districts, no part of any entrance may encroach on the frontage of an adjacent property except where a joint use driveway is established at the request of both owners. (Section 405.2.2)	✕	✕	✕	✕	✕	■	■	■	■	✕	■	■
4.6.2.4	Where a lot is used for residential purposes, then the driveway accessing it from the street or road shall have a minimum distance of five (5) feet between any edge of such a driveway and either side lot line of the lot. (Section 405.2.3)	■	■	■	■	✕	■	■	✕	✕	■	■	■

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

**Table 4.1 Development Standards**

STANDARD	DISTRICT												
	AR (AR)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (C-2)	IC (C-3)	AC (C-4)	IN (M-1)	HRO	CB (C-1)	TCL (C-5)	VA (V-1)
<p>■ = Required                      * = Not required</p>													
4.6.2.5 For a lot used for non-residential purposes, any edge of any driveway providing access from the street or road shall have a minimum distance of twenty-five (25) feet between such edge and either side lot line of the lot. However, these provisions shall not apply if joint use driveways are approved to access adjoining lots or tracts, nor shall they apply to any non-residential lot that has less than one hundred (100) feet of frontage on a street or road. In the latter case, where a non-residential lot has less than one hundred (100) feet of street or road frontage, the minimum distance between the driveway edge and the side lot line shall be at least five (5) feet. (Section 405.2.3)	*	*	*	*	*	■	■	■	■	*	■	■	*
4.6.2.6 With the exception of driveway access to an agricultural use of land, paving shall be required for each driveway constructed within the City, according to the specifications stated in 4.6.2.7 - 4.6.2.10. (Section 405.2.4)	*	■	■	■	*	■	■	■	■	■	■	■	■
4.6.2.7 Paving for any residential driveway shall be mandatory up to a distance of one-hundred (100) feet from the edge of the street or road accessed by such a driveway. (Section 405.2.4)	*	■	■	■	*	■	■	*	*	■	■	■	■
4.6.2.8 All non-residential driveways, except for those serving agricultural purposes, shall be paved for the full extent of their lengths from the road or street right of way. (Section 405.2.4)	*	■	■	■	■	■	■	■	■	■	■	■	■

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

**Table 4.1 Development Standards**

STANDARD	DISTRICT												
	AR (AR)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (C-2)	IC (C-3)	AC (C-4)	IN (M-1)	HRO	CB (C-1)	TCL (C-5)	VA (V-1)
<p>■ = Required                      ✕ = Not required</p>													
4.6.2.9 Paving required for the construction of driveways shall consist of one of the following: (a) at least two (2) inches of asphaltic concrete laid over six (6) inches of compacted gravel, or (b) at least four (4) inches of cement concrete with no underlying gravel base. With regard to a particular site, the City Engineer may require the installation of greater depths of paving and gravel than the minimal amounts stated, due to large traffic volumes and/or heavy vehicles. (Section 405.2.4)	■	■	■	■	✕	■	■	■	■	■	■	■	
4.6.2.10 Within the HRO District, it is preferred that driveways and parking areas be constructed of a pre-engineered pervious block system or a porous pavement material, except that, driveways which lie closer than five (5) feet to a side or rear lot line of an adjoining lot shall be constructed of a pre-engineered pervious block system or porous pavement system in a manner acceptable to the City Engineer. Driveways and parking lots constructed of asphalt or concrete shall be constructed in accordance with standards established by the Public Works Department. (Section 712.2.5.2.ii)	✕	✕	✕	✕	✕	✕	✕	✕	✕	■	✕	✕	✕
4.6.2.11 In the event that a driveway is built on top of and/or obliterates or damages a public sidewalk, then the driveway must consist of cement concrete in the area previously occupied by the sidewalk. (Section 405.2.4)	■	■	■	■	✕	■	■	■	■	■	■	■	■

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

1.0 GENERAL PROVISIONS  
2.0 ZONING DISTRICTS  
3.0 USES & CONDITIONS  
4.0 DEVELOPMENT STANDARDS  
5.0 PARKING  
6.0 SIGNS  
7.0 NON-CONFORMITIES  
8.0 ADMINISTRATION  
9.0 DEFINITIONS  
APPENDIX

**Table 4.1 Development Standards**

STANDARD	DISTRICT												
	AR (AR)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (C-2)	IC (C-3)	AC (C-4)	IN (M-1)	HRO	CB (C-1)	TCL (C-5)	VA (V-1)
<p>■ = Required x = Not required</p>													
<p>4.6.2.12 Where installation of a driveway is proposed, adequate measures for the control of stormwater onto the public right of way shall be required. Stormwater shall be directed to catch basins, ditches, swales, or other appropriate drainage areas, so that such stormwater does not flow substantially onto the public roads or streets, and does not cause erosion or sedimentation on public right of ways and drainageways. The City Engineer may determine the appropriate method of stormwater drainage control necessary to protect public property, and the health and safety of pedestrians and drivers of vehicles on public roads, streets, and ways. (Also, see Section 16-409 of the Sevierville Municipal Code.) (Section 405.2.4)</p>	■	■	■	■	x	■	■	■	■	■	■	■	■
<p>4.6.2.13 Residential driveways, other than those accessing multi-family residential sites, shall not exceed a maximum slope of ten (10) percent for the initial twenty (20) feet of length extending from the edge of a street or road, and shall not exceed a maximum slope of fifteen (15) percent on the remainder of the driveway length. Where an existing lot or tract of land is too steep to reasonably satisfy the applicable requirements on the driveway slope, then the Board of Zoning Appeals may grant a variance, assuming that the variance represents the minimal departure from the requirements necessary to attain safe and feasible access into the property. (Section 405.2.5)</p>	x	■	■	■	x	■	■	x	■	■	■	■	■

**Table 4.1 Development Standards**

STANDARD	DISTRICT														
	AR (AR)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (C-2)	IC (C-3)	AC (C-4)	IN (M-1)	HRO	CB (C-1)	TCL (C-5)	VA (V-1)		
<p>■ = Required                      x = Not required</p>															
4.6.2.14	Driveways serving non-residential and multi-family residential sites shall not exceed a maximum slope of five (5) percent for the initial twenty (20) feet of driveway length extending from the edge of a street or road, and shall not exceed a maximum slope of ten (10) percent on the remainder of the length. Where an existing lot or tract of land is too steep to reasonably satisfy the applicable requirements on the driveway slope, then the Board of Zoning Appeals may grant a variance, assuming that the variance represents the minimal departure from the requirements necessary to attain safe and feasible access into the property. (Section 405.2.5)														
4.6.2.15	Lots with residential uses with less than seventy-five (75) feet frontage may have one (1) driveway. (Sections 405.3 and 405.3.1)														
4.6.2.16	Lots with residential uses with a frontage of at least seventy-five (75) feet but less than one hundred fifty (150) feet may have two (2) driveways, subject to Planning Commission approval, if the distance between such proposed driveways amounts to no more than the width of one of the driveways where they have equal widths, or no more than the wider of the driveways where unequal widths apply; otherwise only one driveway shall be allowed. (Sections 405.3 and 405.3.2)														
4.6.2.17	Lots with residential uses with a frontage of at least one hundred and fifty (150) feet but less than four hundred (400) feet may have two (2) driveways. (Sections 405.3 and 405.3.3)														

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX



**Table 4.1 Development Standards**

STANDARD	DISTRICT												
	AR (A-R)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (G-2)	IC (G-3)	AC (G-4)	IN (M-1)	HRD	CB (G-1)	TCL (G-5)	VA (V-1)
■ = Required ✕ = Not required													
4.6.3.5 Each space shall have at least one hundred sixty (160) square feet in area and shall have vehicular access to a public street. (Section 402)	✕	■	■	■	■	■	■	■	■	■	■	■	■
4.6.3.6 Minimum parking aisle and width dimension shall be as follows:	✕	■	■	■	✕	■	■	■	■	■	■	■	■
Angle 30 Degrees: Wall - 15.5, Stall Curb 14.5, Depth to Interlock 12.5, Stall Width 9.0 Aisle Width 12.0 Angle 45 Degrees: Wall - 18.0, Stall Curb 16.5, Depth to Interlock 16.0, Stall Width 9.0 Aisle Width 13.0 Angle 60 Degrees: Wall - 19.0, Stall Curb 17.5, Depth to Interlock 18.0, Stall Width 9.0 Aisle Width 18.0 Angle 75 Degrees: Wall - 19.5, Stall Curb 17.5, Depth to Interlock 19.0, Stall Width 9.0 Aisle Width 24.0 Angle 90 Degrees: Wall - 18.0, Stall Curb 16.0, Depth to Interlock 18.0, Stall Width 9.0 Aisle Width 24.0 *Stall depths are measured perpendicular to the centerline of the parking aisle (Section 402.21.1)													
4.6.3.7 Parking aisles shall be arranged so as to channel traffic and minimize vehicular/pedestrian conflicts. (Section 402.21.2)	✕	■	■	■	✕	■	■	■	■	■	■	■	■
4.6.3.8 Signs, signals, and markings shall be in conformance with the Tennessee Manual on Uniform Traffic Control Devices. Where needed, size reduction of devices shall be approved, however, shape and color shall meet requirements of the manual. (Section 402.21.4)	✕	■	■	■	✕	■	■	■	■	■	■	■	■
4.6.3.9 All commercial, industrial, multi-family, and other non-residential uses, shall provide a landscaped edge seven (7) feet in width on private property adjacent to all streets and entrances and a five (5) foot landscape strip along other property lines, unless standards for certain uses, as may be set out in Chapter 3.0, differ from this standard. (Sections 411.8.5, 411.8.5.1, 411.8.5.2, and 411.8.7) (See also, subsection 4.12, Landscape Standards)	✕	■	■	■	✕	■	■	■	■	■	■	■	■

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX



Table 4.1 Development Standards													
STANDARD	DISTRICT												
	AR (A-R)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (C-2)	IC (C-3)	AC (C-4)	IN (M-1)	HRD	CB (C-1)	TCL (C-5)	VA (V-1)
<p>■ = Required                      * = Not required</p>													
<p>4.6.3.13 Parking lot perimeters, terminal islands, interior islands, and dividers shall be landscaped with natural plant materials which at maturity shall not exceed thirty 30 inches in height. At least one deciduous shade tree, which shall grow to a minimum of thirty (30) feet and crown spread no less than one-half of the height at maturity, shall be provided for each twenty-five (25) parking spaces within the lot. The trees shall not be less than one and one-half (1-1/2) inches of caliper measured at four (4) feet above the ground and shall be no less than eight (8) feet high at time of planting. (Section 402.21.6) (See also, subsection 4.12, Landscape Standards.)</p>	*	■	■	■	*	■	■	■	■	■	■	■	■
<p>4.6.3.14 Maintenance of all islands, parking spaces and ways, landscaping, and traffic control devices within the parking facility is the responsibility of the property owner. All elements shown on the site plan are to be maintained on a regular schedule. All structures or plant materials that are damaged must be replaced to original standards within ninety (90) days. The Building Official or his designated representative shall regularly inspect parking lots required to meet these regulations. The official shall notify the property owner and/or manager upon finding deficiencies in structural or landscaped areas. (Section 402.21.7) (See also, Subsection 4.12, Landscape Standards.)</p>	*	■	■	■	*	■	■	■	■	■	■	■	■

- 1.0 GENERAL PROVISIONS
- 2.0 ZONING DISTRICTS
- 3.0 USES & CONDITIONS
- 4.0 DEVELOPMENT STANDARDS
- 5.0 PARKING
- 6.0 SIGNS
- 7.0 NON-CONFORMITIES
- 8.0 ADMINISTRATION
- 9.0 DEFINITIONS
- APPENDIX



**Table 4.1 Development Standards**

STANDARD	DISTRICT												
	AR (A-R)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (C-2)	IC (C-3)	AC (C-4)	IN (M-1)	HRO	CB (C-1)	TCL (C-5)	VA (V-1)
<p>■ = Required x = Not required</p>													
4.7.1.3	x	x	x	x	■	x	x	x	x	x	x	x	x
4.7.1.4	x	x	x	x	■	x	x	x	x	x	x	x	x
4.7.1.5	x	x	x	x	■	x	x	x	x	x	x	x	x
4.7.1.6	x	x	x	x	■	x	x	x	x	x	x	x	x
4.7.1.7	x	x	x	x	■	x	x	x	x	x	x	x	x
4.7.1.8	x	x	x	x	■	x	x	x	x	x	x	x	x
4.7.1.9	x	x	■	■	x	■	■	■	■	■	■	■	■
4.7.1.10	■	■	■	■	x	■	■	■	■	■	■	■	■

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX



Table 4.1 Development Standards		DISTRICT														
STANDARD		AR (A-R)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (C-2)	IC (C-3)	AC (C-4)	IN (M-1)	HRO	CB (C-1)	TCL (C-5)	VA (V-1)		
	■ = Required ✕ = Not required															
4.7.2.5	All parking lots shall be paved with asphalt or cementitious concrete and arranged to channel traffic movements that minimize vehicular/pedestrian conflicts (Section 402.22)	✕	■	■	■	✕	■	■	■	■	■	■	■	■		
4.7.2.6	In all Districts, except the CB District, there shall be no plants or structures placed in or on any yard or portion of a lot that would obstruct the vision of auto or pedestrian traffic using the intersecting streets. (Section 404)	■	■	■	■	■	■	■	■	■	■	✕	■	■	■	
4.7.2.7	Within Planned Unit Developments, sidewalks shall be constructed, or an equivalent paved internal pedestrian circulation system, the minimum width of which shall be four (4) feet. (Section 407.8.4.2)		■	■	■	✕	■	■	■	■	■	■	■	■	■	
4.7.2.8	On site plans for commercial, industrial, and multi-family uses, show location of existing sidewalks, and provide a plan for pedestrian circulation. (Sections 411.3 and 411.4)	■	■	■	■	✕	■	■	■	■	■	■	■	■	■	
4.7.2.9	Lanscaping, including berms, shall not obstruct pedestrian and/or vehicular traffic visibility at street intersections or at access points to streets. (Section 411.8.4.2)	■	■	■	■	✕	■	■	■	■	■	■	■	■	■	
4.7.2.10	Signs, signals, and markings shall be in conformance with the Tennessee Manual on Uniform Traffic Control Devices. Where needed, size reduction of devices shall be approved, however, shape and color shall meet requirements of the manual. (Section 402.21.4)	■	■	■	■	✕	■	■	■	■	■	■	■	■	■	

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

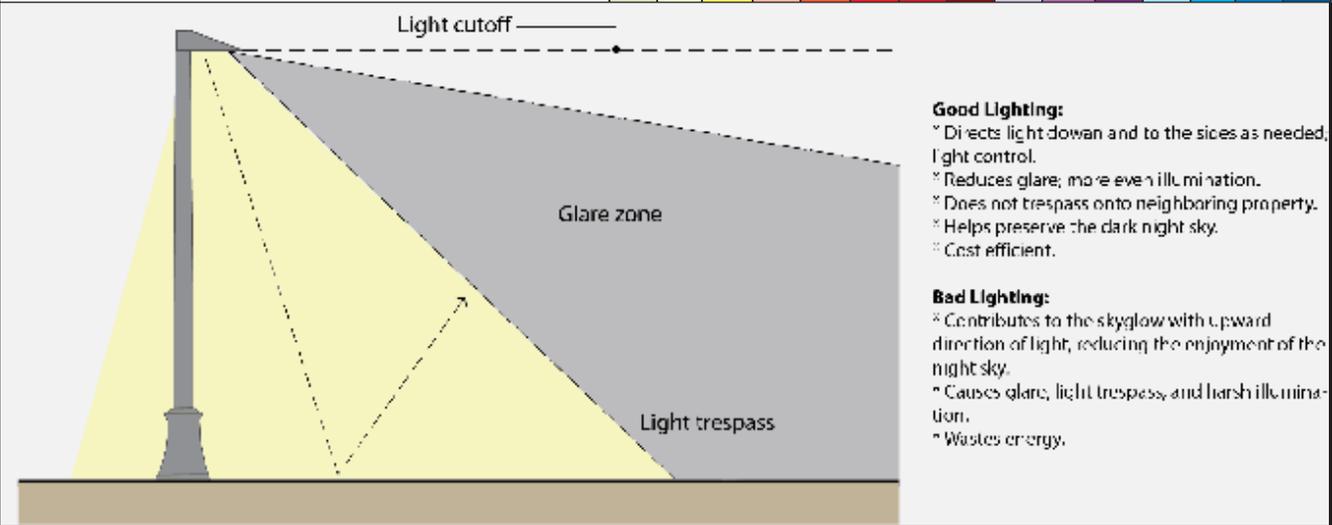
8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

**Table 4.1 Development Standards**

STANDARD	DISTRICT												
	AR (A-R)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (C-2)	IC (C-3)	AC (C-4)	IN (M-1)	HRO	CB (C-1)	TCL (G-5)	VA (V-1)
■ = Required ✕ = Not required													
<b>4.8 Site Lighting and Building Illumination</b>													
<b>4.8.1 Lighting and Illumination Generally.</b>													
4.8.1.1	Streets, driveways, parking lots, walks and service areas shall be adequately illuminated as evenly as possible, not exceeding an average of .3 foot-candles diminishing to zero at a site's boundary. Lighting intensity shall be demonstrated by means of a site lighting plan illustrating compliance. (TC Only)	✕	✕	✕	✕	■	✕	✕	✕	✕	✕	✕	✕
4.8.1.2	Site lighting shall not extend beyond site boundaries. Luminaries shall be shielded, shaded, or directed to prevent light from being cast on adjacent property. (TC Only)	✕	✕	✕	✕	■	✕	✕	✕	✕	✕	✕	✕
4.8.1.3	No exterior lighting fixture shall be placed or directed so as to interfere with the operation of vehicles. (TC Only)	✕	✕	✕	✕	■	✕	✕	✕	✕	✕	✕	✕
4.8.1.4	No exterior light shall have any blinking, flashing, or fluttering light, or other illuminating device which has a changing light intensity or brightness of color. (TC Only)	✕	✕	✕	✕	■	✕	✕	✕	✕	✕	✕	✕
4.8.1.5	Lighting fixtures shall be compatible in style with the architecture of their associated buildings. (TC Only)	✕	✕	✕	✕	■	✕	✕	✕	✕	✕	✕	✕



**Table 4.1 Development Standards**

STANDARD	DISTRICT												
	AR (A-R)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (G-2)	IC (G-3)	AC (G-4)	IN (M-1)	HR0	CB (G-1)	TCL (G-5)	VA (V-1)
<p>■ = Required                      * = Not required</p>													
4.8.1.6 Any outside lighting of courts, parking lots, or other facilities shall be designed and constructed in such a manner as not to cause inconvenience to other uses in the immediate area. (Section 701.6.4)	*	■	■	■	*	*	*	*	*	*	*	*	*
4.8.1.7 An exterior lighting plan shall be submitted on or with the site plan showing the location and type of all existing and proposed lighting fixtures, whether attached to a structure or freestanding. The number and intensity of exterior lights shall be restricted to a type and be of an intensity of light customarily found in residential settings. Examples of lighting not considered as residential in nature include standard wooden utility poles with mercury vapor fixtures of more than 100 watts (security lights as might be found in commercial or rural areas) and similar mercury vapor and high pressure sodium fixtures of more than 100 watts. All pole lights and lights attached to structures shall be of a design that directs light only downward to the site, or toward a structure on the site, and not toward adjoining properties, including a public street. (Section 712.2.6)	*	*	*	*	*	*	*	*	■	*	*	*	*
4.8.2 Mounting and Luminaries													
4.8.2.1 Poles in commercial and multiple-family developments, whether mounted upon a building or independently, shall not exceed 20 feet in height. (TC Only)	*	*	*	*	■	*	*	*	*	*	*	*	*

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

**Table 4.1 Development Standards**

STANDARD	DISTRICT											
	AR (AR)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (C-2)	IC (C-3)	AC (C-4)	IN (M-1)	HRO	CB (C-1)	TCL (C-5)

**4.9 Building Form and Materials.**

**4.9.1 Form.**

4.9.1.1	When adjoining a residential zone, structures shall be compatible with the character of single-family residential structures. Compatibility shall be determined by comparing the consistency of existing and proposed design elements, colors, materials, height, bulk and landscaping. (TC Only)	x	x	x	x	■	x	x	x	x	x	x	x
---------	---	---	---	---	---	---	---	---	---	---	---	---	---

**Diagram 4.4 (TC Only)**



4.9.1.2	Building facades shall be oriented parallel to the streets they face. Main entrances shall be visible as a means of creating continuous streetscapes. (TC Only)	x	x	x	x	■	x	x	x	x	x	x	x
---------	---	---	---	---	---	---	---	---	---	---	---	---	---

4.9.1.3	Multiple buildings on a site should be clustered to create plaza or pedestrian mall areas. Where this cannot be achieved buildings shall be connected by means of pedestrian walkways defined by separate paving textures and accented by landscape areas. (TC Only)	x	x	x	x	■	x	x	x	x	x	x	x
---------	--	---	---	---	---	---	---	---	---	---	---	---	---

**Table 4.1 Development Standards**

STANDARD	DISTRICT												
	AR (AR)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (G-2)	IC (G-3)	AC (G-4)	IN (M-1)	HRO	CB (G-1)	TCL (G-5)	VA (N-1)
<p>■ = Required                      * = Not required</p>													
<p>4.9.1.4 False or stage-set facades are prohibited. Materials and colors used on the street façade shall continue to the sides and rear of the building where visible from a street right-of-way or adjacent residence. (TC Only)</p>	*	*	*	*	■	*	*	*	*	*	*	*	*
<p>4.9.1.5 The maximum, unbroken facade plane shall be 60 feet. The facade plane shall be interrupted by projections, recesses, portals, courtyards, plazas, or other appropriate architectural design. Facade plane breaks shall have a minimum depth of six inches. (TC Only)</p>	*	*	*	*	■	*	*	*	*	*	*	*	*
 <p><b>Inappropriate Facade - TC Only</b></p>													
 <p><b>Appropriate Facade - TC Only</b></p>													
<p>4.9.1.6 No flat-faced cement block or metal surfaces shall be visible, from a major collector or arterial, upon the exterior of any building as a primary surface material or mansard. (TC Only)</p>	*	*	*	*	■	*	*	*	*	*	*	*	*
 <p>(TC Only) Not Permitted</p>													

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

1.0 GENERAL PROVISIONS  
2.0 ZONING DISTRICTS  
3.0 USES & CONDITIONS  
4.0 DEVELOPMENT STANDARDS  
5.0 PARKING  
6.0 SIGNS  
7.0 NON-CONFORMITIES  
8.0 ADMINISTRATION  
9.0 DEFINITIONS  
APPENDIX

**Table 4.1 Development Standards**

STANDARD		DISTRICT												
		AR (AR)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (C-2)	IC (C-3)	AC (C-4)	IN (M-1)	HRO	CB (C-1)	TCL (C-5)	VA (V-1)
■ = Required x = Not required														
4.9.1.7	Pitched roofs shall, as a primary roof form, have a slope not less than 5/12. Porches shall be sloped not less than 3/12. (TC Only)	x	x	x	x	■	x	x	x	x	x	x	x	x
4.9.1.8	No sloped roof shall exceed a pitch of 8/12. (Article VIII, Minimum Yard Requirements, Footnote on chart)	x	x	x	x	x	x	x	x	x	■	x	x	
4.9.1.9	Parapet facades may be used when of unified construction with the primary surface of the wall and of the same material and color. The parapet shall be designed such that the reverse side of all elements shall not be visible to public view. False mansards are prohibited. (TC Only)	x	x	x	x	■	x	x	x	x	x	x	x	
4.9.1.10	Parapets shall extend above the highest level of any roof mounted building equipment on all sides. (TC Only)	x	x	x	x	■	x	x	x	x	x	x	x	







**Table 4.1 Development Standards**

STANDARD	DISTRICT												
	AR (AR)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (G-2)	IC (G-3)	AC (G-4)	IN (M-1)	HRD	CB (G-1)	TCL (G-5)	VA (V-1)
<p>■ = Required                      * = Not required</p>													
4.9.3.5 Drive-through, drop-off or unattended free standing use such as ATM areas accessible to general public, are prohibited after the close of the business day or on weekends. (Section 712.1)	*	*	*	*	*	*	*	*	*	■	*	*	*
<b>4.10 Accessory Uses and Equipment</b>													
<b>4.10.1 Fences.</b>													
4.10.1.1 Fences and walls within a development shall be of compatible design and materials. (TC Only)	*	*	*	*	■	*	*	*	*	*	*	*	*
4.10.1.2 Fences and walls shall be constructed such that the “finished” part of the fence or wall is located toward and facing the exterior of the property. (TC Only)	*	*	*	*	■	*	*	*	*	*	*	*	*
4.10.1.3 Fences or walls topped with or containing metal spikes, broken glass, razor wire or similar material are prohibited. (TC Only)	*	*	*	■	*	*	*	*	*	*	*	*	*
4.10.1.4 Uncoated chain link and other wire material fences shall not be permitted in a front setback except in the case of athletic or play surfaces. (TC Only)	*	*	*	■	*	*	*	*	*	*	*	*	*
4.10.1.5 Chain link fencing shall be green or black vinyl coated. (TC Only)	*	*	*	■	*	*	*	*	*	*	*	*	*
4.10.1.6 The maximum height of fences and walls shall be four feet above grade when located in a front yard. Otherwise the maximum height of a fence is eight feet. (TC Only)	*	*	*	■	*	*	*	*	*	*	*	*	*

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX



**Table 4.1 Development Standards**

STANDARD	DISTRICT												
	AR (A-R)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (C-2)	IC (C-3)	AC (C-4)	IN (M-1)	HRO	CB (C-1)	TCL (C-5)	VA (V-1)
<p>■ = Required                      ✕ = Not required</p>													
4.10.2.2 If a fence or wall is intended primarily for the security of a non-residential site or lot, the Code Enforcement Director may determine whether the fence or wall would provide such security, and thus allow construction to a height of twelve (12) feet. (Section 510)		■	■	■	✕	■	■	■	■	■	■	■	■
4.10.2.3 No fence or wall for a non-residential site or lot may be located closer than one foot from the nearest property line. (Section 510)		■	■	■	✕	■	■	■	■	■	■	■	■
4.10.3 Outside Storage and Waste.													
4.10.3.1 Combinations of berms, landscaping, walls and buildings, shall be used to screen outside storage areas. The use of wooden fences or chain-link fences with slats as a screening device for garbage collection areas is prohibited. (TC Only)	✕	✕	✕	✕	■	✕	✕	✕	✕	✕	✕	✕	✕
4.10.3.2 Trash containers and waste oil and grease containers must be visually screened on all sides including gates. Combinations of berms, landscaping, walls, fences and buildings shall be used to screen containers and enclosures. Screening shall be at least two (2) feet taller than the container. (TC Only)	✕	✕	✕	✕	■	✕	✕	✕	✕	✕	✕	✕	✕
4.10.3.3 Outside storage areas and waste containers shall be located to the side or rear of principal structures, constructed with wash down facilities and connect to public sewer or approved alternative. (TC Only)	✕	✕	✕	✕	■	✕	✕	✕	✕	✕	✕	✕	✕
4.10.3.4 Outside storage areas and waste containers shall be sited to avoid conflict with vehicular and pedestrian movement. (TC Only)	✕	✕	✕	✕	■	✕	✕	✕	✕	✕	✕	✕	✕

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

1.0 GENERAL PROVISIONS  
2.0 ZONING DISTRICTS  
3.0 USES & CONDITIONS  
4.0 DEVELOPMENT STANDARDS  
5.0 PARKING  
6.0 SIGNS  
7.0 NON-CONFORMITIES  
8.0 ADMINISTRATION  
9.0 DEFINITIONS  
APPENDIX

Table 4.1 Development Standards		DISTRICT												
STANDARD		AR (A-R)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (C-2)	IC (C-3)	AC (C-4)	IN (M-1)	HRO	CB (G-1)	TCL (C-5)	VA (V-1)
■ = Required x = Not required														
<b>4.11 Historic Compatibility (HRO only)</b>														
4.11.1.1	Exterior modification shall in no way compromise the historic character of such structure nor the HRO district as a whole. (Section 712.2.2.1)	x	x	x	x	x	x	x	x	x	■	x	x	x
4.11.1.2	New additions in the HRO District shall be designed and constructed of materials and methods to maintain the historic scale and character. (Section 712.2.2.1)	x	x	x	x	x	x	x	x	x	■	x	x	x
4.11.1.3	New multi-family and non-residential structures shall maintain scale and character of residential structures in the HRO district. (Section 712.2.2.2)	x	x	x	x	x	x	x	x	x	■	x	x	x
4.11.1.4	Existing “contributing structures” to the Thomas Addition Historic District provide examples of appropriate building design. (Section 712.2.2.2)	x	x	x	x	x	x	x	x	x	■	x	x	x
4.11.1.5	Parking shall be permitted only in rear or side yards in the HRO District. (Section 712.2.5.2.i)	x	x	x	x	x	x	x	x	x	■	x	x	x
4.11.1.6	Pre-engineered pervious block system or a porous pavement material are preferred for drives and parking in the HRO District, except that, driveways which lie closer than five (5) feet to a side or rear lot line lot shall be constructed in a manner acceptable to the City Engineer. (Section 712.2.5.2.ii)	x	x	x	x	x	x	x	x	x	■	x	x	x
4.11.1.7	In the HRO District, an exterior lighting plan shall be submitted on or with the site plan showing the location and type of all existing and proposed lighting fixtures, whether attached to a structure or freestanding. (Section 712.2.6)	x	x	x	x	x	x	x	x	x	■	x	x	x

**Table 4.1 Development Standards**

STANDARD	DISTRICT														
	AR (A-R)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (C-2)	IC (C-3)	AC (C-4)	IN (M-1)	HRO	CB (C-1)	TCL (C-5)	VA (V-1)		
<p>■ = Required                      * = Not required</p>															
4.11.1.8 Lighting shall be restricted to a type and intensity of light typically present in residential settings. Lighting on standard wooden utility poles with mercury vapor fixtures of more than 100 watts (security lights as might be found in commercial or rural areas) and similar mercury vapor and high pressure sodium fixtures of more than 100 watts are inappropriate. (Section 712.2.6)	*	*	*	*	*	*	*	*	*	■	*	*	*		
4.11.1.9 All lighting shall be shielded to direct light downward or toward a site structure. No light shall be directed toward adjoining properties or public streets. (Section 712.2.6)	*	*	*	*	*	*	*	*	*	■	*	*	*		
4.11.1.10 In general, rolling cans shall be used for solid waste in the HRO District. Dumpster use may be considered but adequate area must be provided for service vehicles. Driveway areas for solid waste service vehicles must be constructed to the City's heavy-duty pavement standard. (Section 712.2.7)	*	*	*	*	*	*	*	*	*	■	*	*	*		
4.11.1.11 When non-residential uses abut, a buffer shall be installed at least 3 feet in height. Buffer details including type, container size, or caliper of landscape materials, and/or fencing materials shall be illustrated. Chain link fencing is prohibited. Landscape materials shall be installed along existing chainlink fencing to provide a visual buffer. (Section 712.2.5.2.iii) (See also Section 4.12, Landscape Standards)	*	*	*	*	*	*	*	*	*	■	*	*	*		



**Table 4.1 Development Standards**

STANDARD	DISTRICT												
	AR (A-R)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (C-2)	IC (C-3)	AC (C-4)	IN (M-1)	HRO	CB (C-1)	TCL (C-5)	VA (V-1)
■ = Required ✕ = Not required													
4.12.2	General Standards.												
4.12.2.1		■	■	■	✕	■	■	■	■	■	■	■	■
4.12.2.2		■	■	■	✕	■	■	■	■	■	■	■	■
4.12.2.3		■	■	■	✕	■	■	■	■	■	■	■	■
4.12.2.4		■	■	■	✕	■	■	■	■	■	■	■	■
4.12.2.5		■	■	■	✕	■	■	■	■	■	■	■	■
4.12.3	Technical Standards												
4.12.3.1	■	■	■	■	✕	■	✕	■	■	■	■	■	■
4.12.3.2	✕	✕	✕	✕	■	✕	✕	✕	✕	✕	✕	✕	✕
4.12.3.3	✕	✕	✕	✕	■	✕	✕	✕	✕	✕	✕	✕	✕
4.12.3.4	✕	✕	✕	✕	■	✕	✕	✕	✕	✕	✕	✕	✕

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

1.0 GENERAL PROVISIONS  
2.0 ZONING DISTRICTS  
3.0 USES & CONDITIONS  
4.0 DEVELOPMENT STANDARDS  
5.0 PARKING  
6.0 SIGNS  
7.0 NON-CONFORMITIES  
8.0 ADMINISTRATION  
9.0 DEFINITIONS  
APPENDIX

**Table 4.1 Development Standards**

STANDARD	DISTRICT												
	AR (A-R)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (C-2)	IC (C-3)	AC (C-4)	IN (M-1)	HR0	CB (C-1)	TCL (C-5)	VA (V-1)
■ = Required x = Not required													
4.12.4 Credit for Existing Material													
4.12.4.1	Landscape areas shall incorporate existing natural vegetation to the extent feasible. If the natural vegetation is inadequate to meet the required landscaping standards, additional plant material shall be required. (TC Only)												
4.12.4.2	Existing native habitat or vegetation located within planting areas that are preserved and meeting the requirements of this section may be counted toward the requirements of this Section. (TC Only)												
4.12.4.3	Credit may also be granted for existing plant material, fences and walls on abutting property that meet the landscape requirements. (TC Only)												
4.12.5 Relationship to Previously Approved Site Plans													
4.12.5.1	No site plan approved by the Planning Commission prior to the effective date of this section shall be required to conform to the landscaping requirements of this section unless the site plan is being resubmitted to the Planning Commission and there is a thirty percent (30%) or more increase in the square footage of building area or parking lot. (Section 411.8.5.5)												

**Table 4.1 Development Standards**

STANDARD	DISTRICT												
	AR (A-R)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (G-2)	IC (G-3)	AC (G-4)	IN (M-1)	HRD	CB (C-1)	TGL (C-5)	VA (V-1)
<p>■ = Required</p> <p>✖ = Not required</p>													
4.12.6 Landscaping Along Street Right-of-Way for Commercial, Industrial, Multi-family Residential, and other Non-residential Uses. (Sections 411.8.5 and 411.8.5.1)													
4.12.6.1 A landscaped edge on private property shall be provided adjacent to all streets and entrances. The landscaped edge shall be a minimum width of seven feet, exclusive of street right-of-way. Within the landscaped edge, one tree (2" caliper minimum) shall be planted per 25 linear feet of landscaped edge. The number of required trees shall be calculated solely on the linear frontage of the required landscaped edge and shall be rounded to the nearest whole number. Trees may be grouped together or evenly spaced. (Section 411.8.5.2)	✖	■	■	■	✖	■	■	■	■	✖	■	■	■
4.12.6.2 Where parking lots and drives abut the landscaped edge, ten shrubs (2 gallon minimum) shall be planted per 40 linear feet of abutment to the landscaped edge. These shrubs are in addition to the required number of trees. The number of required shrubs shall be calculated solely on the linear frontage of parking lot/drive abutment to the required landscaped edge and shall be rounded to the nearest whole number. A berm or masonry wall may be placed within the landscaped edge in lieu of the required shrubs. The berm or masonry wall must be at least 30 inches above the top of the parking lot adjacent to the closest street. (Section 411.8.5.3)	✖	■	■	■	✖	■	■	■	■	✖	■	■	■

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

**Table 4.1 Development Standards**

STANDARD	DISTRICT												
	AR (A-R)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (C-2)	IC (C-3)	AC (C-4)	IN (M-1)	HRO	CB (C-1)	TCL (C-5)	VA (V-1)
<p>■ = Required                      * = Not required</p>													
4.12.6.3 Within the landscaped edge, one tree (3" caliper minimum) shall be planted per 30 lineal feet of landscaped edge. The number of required trees shall be calculated solely on the linear frontage of the required landscaped edge and shall be rounded to the nearest whole number. Trees may be grouped together or evenly spaced. (TC Only)	*	*	*	*	■	*	*	*	*	*	*	*	*
4.12.6.4 The Planning Commission may reduce the width of the required landscaped edge during site plan review when the reduction is required for public improvements. (Section 411.8.5.4)	*	■	■	■	*	■	■	■	■	*	■	■	■
4.12.7 Perimeter Landscaping for Commercial, Industrial, Multi-family Residential, and other Non-residential Uses.													
4.12.7.1 A landscaped strip of five (5) feet shall be required along property boundaries which do not abut a public street right-of-way. Section 411.8.7)	*	■	■	■	*	■	■	■	■	*	*	■	■

1.0 GENERAL PROVISIONS  
 2.0 ZONING DISTRICTS  
 3.0 USES & CONDITIONS  
 4.0 DEVELOPMENT STANDARDS  
 5.0 PARKING  
 6.0 SIGNS  
 7.0 NON-CONFORMITIES  
 8.0 ADMINISTRATION  
 9.0 DEFINITIONS  
 APPENDIX

STANDARD		DISTRICT												
		AR (A-R)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (C-2)	IC (C-3)	AC (C-4)	IN (M-1)	HRO	CB (C-1)	TCL (C-5)	VA (V-1)
<p>■ = Required                      x = Not required</p>														
4.12.7.2	<p>Off-street parking areas shall be provided with a visual buffer from contiguous properties, including public streets where parking lots are visible from a public street. Buffers may be composed of evergreen landscape materials, a combination of evergreen and deciduous landscape materials, fencing, berms, or a combination of such materials, so that a year round screen which is at least eighty (80) percent opaque is achieved. Where a parking area abuts or is directly across the street from an existing single family, two-family, or multi-family use, such buffer shall be at least six (6) feet in height from the finished grade of the parking area; except that, such buffer may be reduced in height to a height no lower than three (3) feet upon written request of the adjoining property owner presented at the time the site plan is submitted for review by the HRO Committee. Whenever a nonresidential use is proposed which adjoins another nonresidential use, a buffer of the nature described above shall be installed and may be less than six (6) feet in height, but no less than three (3) feet in height. (Section 712.2.5.2.iii) (HRO Only)</p>	x	x	x	x	x	x	x	x	■	x	x	x	
4.12.7.3	<p>A perimeter landscaped edge shall be provided along all yards that are adjacent to all streets and entrances. The landscaped edge shall be a minimum width of 5 feet, exclusive of street right-of-way. In addition, for each non-residential parcel that is adjacent to a residential parcel the minimum width shall be a 10 feet. (TC Only)</p>	x	x	x	x	■	x	x	x	x	x	x	x	

1.0 GENERAL PROVISIONS  
2.0 ZONING DISTRICTS  
3.0 USES & CONDITIONS  
4.0 DEVELOPMENT STANDARDS  
5.0 PARKING  
6.0 SIGNS  
7.0 NON-CONFORMITIES  
8.0 ADMINISTRATION  
9.0 DEFINITIONS  
APPENDIX

**Table 4.1 Development Standards**

STANDARD	DISTRICT												
	AR (AR)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (C-2)	IC (C-3)	AC (C-4)	IN (M-1)	HRO	CB (C-1)	TCL (C-5)	VA (V-1)
■ = Required ✕ = Not required													
4.12.7.4 Within the landscaped edge, one tree (3" caliper minimum) shall be planted per 30 linear feet of landscaped edge. The number of required trees shall be calculated solely on the linear frontage of the required landscaped edge and shall be rounded to the nearest whole number. Trees may be grouped together or evenly spaced. (TC Only)	✕	✕	✕	✕	■	✕	✕	✕	✕	✕	✕	✕	✕
4.12.8 Interior Landscaping for Commercial, Industrial, Multi-family Residential, and other Non-residential Uses.													
4.12.8.1 Five (5) percent of the interior of the parking area shall be landscaped and one (1) tree for each three hundred (300) square feet of landscaped area. (Section 411.8.6)		■	■	■	✕	■	■	■	■	✕	✕	■	■
4.12.8.2 All fixed objects within parking lots (utility poles, signs, fire hydrants, etc.) shall be located within islands to which access by vehicles is physically limited. These islands shall be appropriately landscaped with grass, shrubs or other appropriate plant material which shall not exceed 30 inches in height above the adjacent paved surface. (Section 402.21.3)		■	■	■	✕	■	■	■	■	✕	■	■	■
4.12.8.3 Parking aisles and interior dividers shall be terminated with terminal islands not less than five (5) feet in width constructed with raised curbs and they shall be landscaped with appropriate cover. (Section 402.21.5)		■	■	■	✕	■	■	■	■	✕	■	■	■

**Table 4.1 Development Standards**

STANDARD	DISTRICT												
	AR (AR)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (C-2)	IC (C-3)	AC (C-4)	IN (M-1)	HR0	CB (C-1)	TCL (C-5)	VA (V-1)
<p>■ = Required</p> <p>✕ = Not required</p>													
4.12.8.4													
4.12.8.5													
4.12.8.6													
4.12.8.7													

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX



**Table 4.1 Development Standards**

STANDARD	DISTRICT												
	AR (A-R)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (C-2)	IC (C-3)	AC (C-4)	IN (M-1)	HR0	CB (C-1)	TCL (C-5)	VA (V-1)
<p>■ = Required                      * = Not required</p>													
4.12.9.4 Permanent sculptures or other public art or vertical architectural structures that are non-intrusive but interrupt the horizontal sight lines of a parking lot, may be credited for no more than 20 percent of the total landscape requirements based upon the discretion of the Site Review Committee. (TC Only)	*	*	*	*	■	*	*	*	*	*	*	*	*
4.12.9.5 Parking areas with less than 20 parking spaces must provide a minimum landscape area totaling 15 percent of the total parking area and shall be landscaped with shrubs at a minimum ratio of one per every 15 square feet of landscaped area. In addition, one (1) canopy tree shall be planted for every 5 parking spaces but with a minimum of 2 trees planted. (TC Only)	*	*	*	*	■	*	*	*	*	*	*	*	*

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX



**Table 4.1 Development Standards**

STANDARD	DISTRICT												
	AR (AR)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (G-2)	IC (G-3)	AC (G-4)	IN (M-1)	HRD	CB (G-1)	TCL (G-5)	VA (V-1)
<p>■ = Required                      * = Not required</p>													
<p>4.12.10.3 Residential PUDs shall have on site usable recreation area and/or open space. Such areas shall be set aside for open space or recreation purposes only. These are intended to serve the residents of the PUD, and should therefore be easily accessible to them. If the PUD contains individually owned units, then such open space shall be maintained in common ownership established in the appropriate legal manner, as provided for in 4.12.10.4 (Sections 407.8.6.1 and 407.8.7)</p>	*	*	■	■	*	■	■	*	*	*	*	■	
<p>4.12.10.4 In PUDs, open space, including stormwater and transportation infrastructure, and recreational facilities, shall be established in the appropriate legal manner in one of the following methods: by the developer or management authority of the PUD; by a Homeowner's/Property Owner's Association established by deed restrictions; and/or by the public if dedication of such open space is approved by the Planning Commission. (Section 407.8.7, 407.8.7.1, 407.8.7.2, and 407.8.7.3)</p>			■	■	*	■	■	■	■	■	■	■	

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX



**Table 4.1 Development Standards**

STANDARD	DISTRICT												
	AR (A-R)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (C-2)	IC (C-3)	AC (C-4)	IN (M-1)	HRO	CB (C-1)	TCL (C-5)	VA (V-1)
■ = Required ✕ = Not required													
4.12.11 Tree Preservation and Replacement													
4.12.11.1 In the HRO District, no residential or nonresidential structure shall be demolished nor any site clearing or grading occur without first obtaining a demolition permit from the Code Enforcement Director and/or a land disturbance permit (clearing and/or grading permit) from the Development Department. If the demolition or land disturbance is for the purpose of preparing a site for construction of a multi-family or nonresidential use, then a plan showing the location of all trees having a caliper of two (2) inches or more at six (6) inches above existing grade shall be submitted with the application for a demolition or land disturbance permit. No trees of such description shall be removed during demolition or clearing and/or grading unless a tree replacement plan meeting the requirements of 4.12.11.2 has been submitted to the Development Department for presentation to the Planning Commission. (Section 712)	✕	✕	✕	✕	✕	✕	✕	✕	✕	■	✕	✕	✕

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

**Table 4.1 Development Standards**

STANDARD	DISTRICT												
	AR (A-R)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (C-2)	IC (C-3)	AC (C-4)	IN (M-1)	HRO	CB (C-1)	TCL (C-5)	VA (V-1)
<p>■ = Required                      x = Not required</p>													
<p>4.12.11.2 In the HRO District, the HRO Committee may approve the removal of trees as part of the review of a site plan when it is determined not feasible to retain a tree and meet the requirements of this and other sections of this ordinance related to parking, access, and other required site improvements. The location of any tree proposed for removal which has a caliper of two (2) inches or more at six (6) inches above existing grade shall be shown on the site plan. Whenever a tree of a caliper of two (2) inches or more at six (6) inches above existing grade is approved for removal, one (1) tree of at least two (2) inches in caliper at six (6) inches above finished grade shall be installed on some portion of the site for each such tree being removed. The location of replacement trees shall be shown on the site plan. Where installation of replacement trees on site is not feasible due to location of sidewalks and other paved areas, overhead and underground utilities, and the like, the applicant shall be permitted to install shrubs at a ratio of at least three (3) shrubs for each tree removed. The location, type, and size of such shrubs shall be indicated on the site plan and shall be required in addition to any shrubs installed as part of the parking lot buffer required by other provisions of this ordinance. (Section 712.2.4)</p>	x	x	x	x	x	x	x	x	■	x	x	x	

**Table 4.1 Development Standards**

STANDARD	DISTRICT												
	AR (AR)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (G-2)	IC (G-3)	AC (G-4)	IN (M-1)	HRD	CB (G-1)	TCL (G-5)	VA (V-1)
<p>■ = Required</p> <p>✕ = Not required</p>													
4.12.12 Care During Construction													
4.12.12.1 All existing trees and shrubs to remain on the site as required landscaping shall be protected from vehicular movement and material storage over their root spaces. (TC Only)	✕	✕	✕	✕	■	✕	✕	✕	✕	✕	✕	✕	✕
4.12.12.2 Trees designated for protection must be completely enclosed by a fence. Fencing must be in place prior to any clearing or site work. Fencing must remain in place until all construction has been completed. (TC Only)	✕	✕	✕	✕	■	✕	✕	✕	✕	✕	✕	✕	✕
4.12.13 Maintenance After Construction for Projects Requiring Site Plan or PUD Plan													
4.12.13.1 All plant material which dies within one year after planting shall be replaced with plant material of the required size within thirty days of the plant material's death. This period may be extended if weather conditions inhibit installation of new plant materials. (TC Only)	✕	✕	✕	✕	■	✕	✕	✕	✕	✕	✕	✕	✕
4.12.13.2 All landscaping shall be permanently maintained. (Sections 411.8.4.3 and 411.8.10)	✕	■	■	■	✕	■	■	■	■	■	■	■	✕
4.12.13.3 All plant materials shall be maintained in an attractive and healthy condition by watering, mulching, fertilizing, pest management, mowing, weeding, removal of litter and dead plant material, and pruning as necessary. (TC Only)	✕	✕	✕	✕	■	✕	✕	✕	✕	✕	✕	✕	✕
4.12.13.4 Dead or diseased plant materials shall be removed. Replacement plant materials shall be provided for any required trees or shrubs that die or are removed for any reason. (TC Only)	✕	✕	✕	✕	■	✕	✕	✕	✕	✕	✕	✕	✕

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX



1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

This Page Intentionally Left Blank

## 5.0 PARKING

### 5.1 General Requirements

- 5.1.1 Except for the TC and CB Districts (see Section 5.2.1 and 5.2.2 below), off-street automobile parking space shall be provided on every lot on which any of the uses in Section 3.4 are hereafter established. The number of automobile spaces provided shall be at least as great as the number specified for uses in Section 3.4, or, as may be provided for in this or other sections of this ordinance. (Section 402)
- 5.1.2 If the required number of off-street parking spaces, as provided for in Subsection 3.4, or in this or other sections of this ordinance, cannot be reasonably provided on the same lot on which the principal use is conducted, the Board of Zoning Appeals may permit such space to be provided on another off-street property provided such space lies within four hundred (400) feet of the main entrance to such principal use. Such vehicle standing space shall be deemed to be required open space associated with the permitted use and shall not thereafter be reduced or encroached upon in any manner. (Section 402.19)
- 5.1.3 Required parking space may extend up to 120 feet into a residential zoning district, provided that: the parking space adjoins a commercial or industrial district; has its only exit to or from the same street as the property in the commercial or industrial district from which it provides the required parking space; and, is separated from abutting properties in the residential district by plant or fence buffer strip as determined by the Building Inspector. (Section 402.20)

### 5.2 Additional Parking Conditions

- 5.2.1 TC District. No off-street parking shall be required, except that adequate parking must be demonstrated by the applicant for places of assembly, daycare centers, schools, and residences, and as may be set out in Section 3.4.
- 5.2.2 CB District. No off-street parking shall be required for non-residential uses. (Section 402)

- 5.2.3 HRO District. Parking shall be permitted only in side or rear yards. The minimum number of off-street parking spaces required for the proposed use shall be as provided for in Section 3.4 of this ordinance, except that no nonresidential use shall have less than four (4) spaces. Existing garages and carports may be counted toward meeting the minimum parking standard. However, the loss of parking spaces through the future conversion of any such structure to a use other than parking, shall require the provision of spaces to replace those lost. Where a lot on which a structure 1,500 square feet or greater in size is converted or constructed on a lot adjoining a street on which on-street parking is prohibited, one (1) additional off-street parking space above the minimum number normally required shall be provided. At least one (1) space shall be provided for use by handicapped persons. Such space shall be conveniently located to an entrance accessible to handicapped persons. Where possible, modifications required to provide a building entrance accessible to handicapped persons shall be located at the rear or side of a building and be of a design in keeping with the character of the structure. (Sections 712.2.5.1 and 712.2.5.2.i)

### 5.3 Off-Street Loading and Unloading Space

- 5.3.1 Except for the TC District as provided for in Section 5.3.2 below, on every lot on which a business, trade, or industry use is hereafter established, space with access to a public street or alley shall be provided as indicated below for the loading and unloading of vehicles off the public street or alley: (Section 403)
- Retail Business. One space of at least 12x25 feet for each 3,000 square feet of floor area or part thereof. (Section 403.1)
  - Wholesale and Industrial. One space of at least 12x25 feet for each 10,000 square feet of floor area or part thereof. (Section 403.2)
  - Terminals. Sufficient space to accommodate the maximum number of buses or trucks that will be stored and loading and unloading at the terminal

at any one time. (Section 403.3)

5.3.2 In the TC District, the following scale shall be used for loading spaces where required in Section 3.4.

- a. 1 space per 15,000 square feet of floor area
- b. 2 Spaces for buildings with 15,001 to 50,000 square feet of floor area
- c. 3 spaces for buildings with 50,0001 to 100,000 square feet of floor area
- d. 1 additional space for each 100,000 square feet of floor area

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

This page intentionally left blank.

## 6.0 SIGNS

### 6.1 Purpose

6.1.1 It is the purpose of this section to establish reasonable and impartial regulations for the location of signs within the zoning districts the City so as to achieve a more desirable environment through the assurance that flexible and diversified standards bring about adequate light, air, and open spaces and a reduction in congestion and hazardous conditions within the City. Therefore, all signs erected, replaced, constructed, expanded, or relocated on any property within the City shall conform to this Chapter and other applicable provisions of this ordinance. (Section 409.1)

### 6.2 General Provisions

Except as may be modified by provisions of this or other Chapters of this ordinance, including provisions of 6.7 relating only to signs in the TC District, 6.2.1-6.2.6 below shall apply to all signs erected, replaced, constructed, expanded, or relocated on any property in the City. (Section 409.1 and 409.2).

- 6.2.1 Distance from street right-of-way. No part of any sign shall be placed within five (5) feet of any right-of-way. (Section 409.2.1)
- 6.2.2 Distance from points of ingress and egress. No part of any sign shall be placed within five (5) feet of any means of ingress or egress, except for entrance signs not exceeding eight (8) square feet in area and five (5) feet in height. The placement of such signs shall be reviewed prior to installation by the Codes Enforcement Director, or his designee. In instances in which the Codes Enforcement Director, or his designee, finds that an exit sign is desirable to delineate and distinguish the point(s) of ingress and egress into and from a site, an exit sign may also be permitted, subject to the size and location restrictions applicable to entrance signs. (Section 409.2.2.)

6.2.3 Distance above ground. No sign, except entrance and exit signs as noted in 6.2.2., shall be erected over public or private ways where the distance from ground level to the announcement section is less than nine (9) feet. (Section 409.2.3)

6.2.4 Number of signs per business. A business may have two (2) signs of different types, as provided for in Table 6.1; except that, where a business lot extends between parallel streets, separated from each other by at least 300 feet, a business on such lot may have three (3) signs, two (2) of which may be the same type, provided the two (2) like signs do not front on the same street and, any parcel (as opposed to a use), any portion of which, lies within Interstate Impact Overlay (IIO) District on which an Interstate monopole sign is located may have one (1) other type of ground sign within the parcel boundary. (Sections 409.2.6 and 714.1.1.2)

6.2.5 Size of sign. The maximum size of a sign is based on type and zoning district, as set out in Tables 6.1, 6.2, 6.3, 6.4, 6.5, and 6.6; except that, in commercial districts, with the exception of the TC District, the Building Inspector may consider a ten (10) percent alteration in business signs of fifty (50) square feet or less and a five (5) percent alteration in business signs of fifty (50) square feet or more, provided that it is necessitated by an unusual or exceptional situation. (Sections 409.3.2 and 409.3.2.2)

6.2.6 Height of sign. The maximum height of a sign is based on the type and zoning district, as set out in Tables 6.1, 6.2, 6.3, 6.4, 6.5, and 6.6; except that, the Building Inspector may allow the maximum height of free-standing pole signs to be extended from twenty-five (25) feet to thirty (30) feet in districts where such signs are permitted, provided there is an unusual circumstance involving topography or congestion (Section 409.3.5).

### 6.3 Permit, Fees, and Inspection

6.3.1 Prior to construction of a sign, applicants shall supply the Building Inspector plans and speci-

fications identifying the location, type, and design of any sign. (Section 409.2.4)

6.3.2 Every applicant before being granted a sign permit, shall pay to the City a permit fee as set out in the fee schedule adopted by the Board of Mayor and Aldermen. (Section 409.2.4)

6.3.3 The Building Inspector shall inspect, at any time he deems necessary, each sign regulated by this section to insure that such sign conforms to this section and all other ordinances of the City. (Section 409.2.5)

### 6.4 Prohibited Sign Types and Conditions

6.4.1 No sign which includes action, motion, or which has any moving parts, or, contains flashing lights or bulbs, or, is intermittently lighted shall be allowed, with the exception of signs that display time and temperature and public service announcements without advertising matter, and certain signs permitted in AC and TCL Districts. (Section 409.2.7)

6.4.2 Political signs are not permitted on streets or highway rights-of-way, nor on public property. (Section 409.2.8)

6.4.3 No signs shall be permitted which advertise an activity, business, product, or service not conducted on the premises upon which the sign is actually located, with the exception of off-premise directional signs allowed under the TODS program set out in Chapter 10.O (Appendix), Section 10.2, off-premise directional signs for certain nonprofit activities, as provided for in Table 6.3 and Table 6.6, and those signs specifically located within City parks that are associated with athletic fields. (Section 409.2.9.1, 409.3.6, 409.3.7)

6.4.4 No signs shall be permitted which are attached to, suspended from, or painted on any vehicle which is regularly parked on any street or private property to display, demonstrate, advertise with the intent to attract the attention of the public. (Section 409.2.9.2)

6.4.5 No signs shall be allowed which are not expressly permitted by this ordinance. (Section 409.2.9.3)

### 6.5 Sign Types Established

In order to achieve the purpose of this Chapter, the types of signs permitted in the City are hereby established as listed in Table 6.1. Table 6.2 sets out allowable sign types by zoning districts and Table 6.3 sets out allowable sign dimensions and locations, with the exception of regulations applicable to the IIO District and the TC District. Provisions relating to signs in the IIO District are in Table 6.3 under 'Interstate Monopole Sign.' Tables 6.4, 6.5, and 6.6 establish the sign types and requirements for the TC District. (The provisions in Tables 6.1, 6.2, and 6.3 have references to appropriate sections in the current zoning ordinance. The provisions in Tables 6.4, 6.5, and 6.6 are new.)

### 6.6 Exempt Signs

Following approval by the Board of Mayor and Aldermen by Resolution, the temporary use of displays which include, but are not limited to, banners, decorations, lighted displays and/or decorations and supporting structures and similar activities, by or for government entities, shall be exempt from these regulations. (Section 409.4)

TABLE 6.1 PERMITTED SIGN TYPES ESTABLISHED (For the TC District, see Section 6.7 and Tables 6.4, 6.5, and 6.6)		
On Premises Signs	Description	Example
1. Wall Sign	No Definition in current ordinance.	
2. Monument Sign	Any sign which is neither attached to nor part of another structure and which is permanently affixed in or upon the ground or upon a horizontal base feature. (Section 330.2)	
3. Free-standing Pole Sign	Any sign which is permanently affixed in or upon the ground, supported by one or more structural members, with air space between the ground and the sign face and not attached to any building or any other structure. (Section 330.1)	
4. Project Identification Sign (Major or Primary and Minor)	A free-standing pole or monument sign identifying a total, multi-use development. (Section 409.3.8 #1)	
5. Projecting Sign	A sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign. (Section 330.3)	
6. Directional Sign (Internal Project Directional Signs, Parking Lot Traffic Assistance Signs, Including Entrance/Exit Signs)	No Definition in current ordinance.	(Photo to be added)
7. Interstate Monopole Sign	A type of free-standing pole sign having only one (1) structural support member, the location, size, and height of which is governed by provisions relating to the IIO (Interstate Impact Overlay) District. (Section 330.7)	(Photo to be added)
8. Price Sign	A pole sign which includes a fixed interval changeable electronic message portion, first for displaying prices. (Section 409.3.9 #2)	(Photo to be added)
9 Roof Signs	A sign on a roof below the roof peak in commercial areas where the speed limit of the street is thirty-five (35) miles per hour or more. (Section 409.3.4)	(Photo to be added)

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

10. Temporary On Premises Sign		Real Estate Sign	
		Non-commercial Sign Signs celebrating holidays, special events, or events of infrequent occurrence displayed for periods of short duration. (Section 409.2.9)	(Photo to be added)
		Commercial Sign Signs located within City parks that are associated with athletic fields. (Section 409.2.9.1)	(Photo to be added)
Off Premises Signs			
11. Directional Sign	Signs for non-profit service clubs and uses, charitable associations, religious groups, and similar groups. (Section 409.3.7)  (See also in Appendix, Tourist Oriented Directional Signs (TODS) in the Appendix. This is a City-sponsored program which permits the placement of TOD signs at approved locations.)		
12.a. Billboard	An off-premise outdoor advertising sign, or part thereof, which possesses a display area, face or panel which advertises, displays, or gives direction to any business, product, service, attraction, event, or any other purpose or interest other than the site or property where the sign is located or positioned. (Section 330.8)		(Photo to be added)
12.b. Digital Billboard	Any type of billboard that utilizes digital message technology, capable of changing the static message or copy on the sign electronically. It is a changeable message sign which displays a series of messages at intervals through the electronic coding of lights or light emitting diodes or any other means that does not use or require mechanical rotating panels. (Section 330.9)		(Photo to be added)

13. Temporary Off Premises Sign	Auction Signs providing directions to the locations of auctions held for the sale of land or buildings. (Section 409.6)	
	Non-Commercial Signs celebrating holidays, special events, or events of infrequent occurrence. (Section 409.2.9)	
	Political Sign Signs related to election campaigns. (Section 409.2.8)	

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

1.0 GENERAL PROVISIONS

**TABLE 6.2 PERMITTED SIGNS BY ZONING DISTRICT**  
(For the TC District, see Section 6.7 and Tables 6.4, 6.5, and 6.6)

■ = Permitted □ = Master Sign Plan ✕ = Not permitted	Zone														
	AR A-R	LDR R-1	MDR R-2	HDR R-3	TC	NC C-2	IC C-3	AC C-4	IN M-1	HRO	CB C-1	TCL C-5	VA V-1	II-1 IIO	

2.0 ZONING DISTRICTS

On Premises Signs

3.0 USES & CONDITIONS

Wall Sign	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Monument Sign	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Free-standing pole sign	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Project Identification Sign (Major or Minor)					■							■	■		

4.0 DEVELOPMENT STANDARDS

Projecting Sign					■	■	■	■	■	■	■	■	■	■	■
Temporary Sign	Real Estate	■	■	■	■	■	■	■	■	■	■	■	■	■	■
	Campaign														
Temporary Sign	Non-commercial Sign	■	■	■	■	■	■	■	■	■	■	■	■	■	■
	Commercial Sign														

5.0 PARKING

On-site Directional Signs	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
---------------------------	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

6.0 SIGNS

Interstate Monopole Sign														■	
--------------------------	--	--	--	--	--	--	--	--	--	--	--	--	--	---	--

7.0 NON-CONFORMITIES

Price Sign								■							
Roof Sign								■	■	■	■	■	■	■	■

8.0 ADMINISTRATION

Off Premises	See Table 6.5 and 6.6														
Off-Premise Directional Sign (Non-commercial)	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Billboard															
Billboard, Digital															

9.0 DEFINITIONS

Temporary Sign	Auction Sign	■	■	■	■	■	■	■	■	■	■	■	■	■	■
	Noncommercial Directional Sign	■	■	■	■	■	■	■	■	■	■	■	■	■	■
	Political Signs	■	■	■	■	■	■	■	■	■	■	■	■	■	■

APPENDIX

See Table 6.5 and 6.6

TABLE 6.3 TABLE OF SIGN DIMENSIONS AND LOCATIONS (For the TC District, see Section 6.7 and Tables 6.4, 6.5, and 6.6)				
Sign Types	Permitted Area/Max Size (sq ft)	Max Height (ft)	Number	Setback (min. ft.), Location
<b>On Premises Signs</b>				
<b>WALL SIGN</b> (NC, IC, AC, IN, CB Districts)	<b>BUILDING LESS THAN 25,000 SF OF FLOOR AREA:</b> See note below*	Not Specified	Not Specified	Setback - N/A
*Area permitted for ground sign, plus 2 times the setback of the principal structure from the front property line; except that, the size shall not exceed 40% of the front wall face of the building. (Section 409.3.2 and "Wall Signs" below chart at 409.3.2.1)				
	<b>BUILDING 25,000 SF OF FLOOR AREA OR MORE, OR, ANY BUILDING CLASSIFIED AS A SHOPPING CENTER:</b> See notes below + and •	Not Specified	Not Specified	Setback - N/A
<p>+ For any building classified as a shopping center, the maximum wall sign area shall be based on two (2) square feet of sign area for each linear foot of occupant storefront. (Section 409.3.8 #4 and "Wall Signs" below chart at 409.3.2.1 chart)</p> <p>• A Shopping Center is a group of commercial establishments, planned, developed, owned or managed as a unit, with off-street parking provided on the property; however, this shall not apply to a group of commercial establishments containing not more than four (4) separate commercial establishments in one (1) structure containing a total of not more than 15,000 square feet of floor area. (Section 329)</p>				
<b>WALL SIGN</b> (TCL District)	<b>FREE-STANDING BUILDINGS AND USES:</b> See notes below + and •	Not Specified	Not Specified	Setback - N/A
<p>+ The total amount of square footage of wall signs allowed shall be no more than twenty (20%) of the square footage of the exterior wall containing the main customer or user entrance. (Section 409.3.8 #5)</p> <p>• Wall signs may be placed upon any exterior wall, but in no instance shall any exterior building wall contain more than one-half (1/2) of the total allowable square footage. (Section 409.3.8 #5)</p>				
	<b>FOR INDIVIDUAL OCCUPANTS/TENANTS WITHIN A SHOPPING CENTER:</b> See notes below + and •	Not Specified	Not Specified	Setback - N/A

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

TABLE 6.3 TABLE OF SIGN DIMENSIONS AND LOCATIONS (For the TC District, see Section 6.7 and Tables 6.4, 6.5, and 6.6)				
Sign Types	Permitted Area/Max Size (sq ft)	Max Height (ft)	Number	Setback (min. ft.), Location
+ For any building classified as a shopping center, the maximum wall sign area shall be based on two (2) square feet of sign area for each linear foot of occupant storefront. (Section 409.3.8 #4 and "Wall Signs" below chart at 409.3.2.1)				
*A Shopping Center is a group of commercial establishments, planned, developed, owned or managed as a unit, with off-street parking provided on the property; however, this shall not apply to a group of commercial establishments containing not more than four (4) separate commercial establishments in one (1) structure containing a total of not more than 15,000 square feet of floor area. (Section 329)				
<b>WALL SIGN</b> (AR, LDR, MDR, HDR Districts)	<b>HOME OCCUPATION</b> 2 (Section 409.3.1.2 and 701.3)	Not Specified	1 (Sections 409.3.1.2 and 701.3)	Setback - N/A
<b>WALL SIGN</b> (HRO District)	<b>HOME OCCUPATION OR NONRESIDENTIAL USE</b> 2 (Sections 409.3.1.2 and 712.2.8)	Not Specified	1 (Sections 409.3.1.2 and 712.2.8)	Setback - N/A Cannot be illuminated (Section 712.2.8)
<b>FREE-STANDING POLE SIGN</b> (NC, IC, AC, IN, CB Districts)	<b>FOR INDIVIDUAL PARCELS, OTHER THAN A SHOPPING CENTER OR MALL</b> See note below*			
	<b>STREETS WITH 2 TRAVEL LANES:</b> 30 MPH - 20 35 MPH - 25 (Section 409.3.2 and 409.3.2.1 chart)	25 (Section 409.3.5) See note below^	1 (Section 409.2.6)	Setback - 5 (409.2.1)
	<b>STREETS WITH 4 TRAVEL LANES:</b> 30 MPH - 60 35 MPH - 80 45 MPH - 100 (Section 409.3.2 and 409.3.2.1 chart)	25 (Section 409.3.5) See note below^	1 (Section 409.2.6)	Setback - 5 (409.2.1)
	<b>STREETS WITH 4 TRAVEL LANES, A MEDIAN, OR A TURN LANE:</b> 30 MPH - 80 35 MPH - 100 45 MPH - 150 (Section 409.3.2 and 409.3.2.1 chart)	25 (Section 409.3.5) See note below^	1 (Section 409.2.6)	Setback - 5 (409.2.1)

**TABLE 6.3 TABLE OF SIGN DIMENSIONS AND LOCATIONS**

(For the TC District, see Section 6.7 and Tables 6.4, 6.5, and 6.6)

Sign Types	Permitted Area/Max Size (sq ft)	Max Height (ft)	Number	Setback (min. ft.), Location
	<b>SHOPPING CENTER OR MALL WITH LESS THAN 100,000 SF OF NET FLOOR AREA</b> 150 (Section 409.3.3.1) See notes below * and +	25 (Section 409.3.8#3 and 409.3.5) See note below^	1 (Section 409.2.6 409.3.8 #3 and 409.3.3)	Setback - 5 (409.2.1)
	<b>SHOPPING CENTER OR MALL WITH 100,000 SF OR MORE OF NET FLOOR AREA</b> 300 (Section 409.3.3.2) See notes below * and +	25 (Section 409.3.8#3 and 409.3.5) See note below^	1 (Section 409.2.6)	Setback - 5 (409.2.1)
<p>+A Shopping Center is a group of commercial establishments, planned, developed, owned or managed as a unit, with off-street parking provided on the property; however, this shall not apply to a group of commercial establishments containing not more than four (4) separate commercial establishments in one (1) structure containing a total of not more than 15,000 square feet of floor area. (Section 329)</p> <p>*All other signs pertaining to the center and its tenants shall be restricted to sign types other than ground signs. (Sections 409.3.3.1 and 409.3.3.2)</p>				
<b>FREE-STANDING POLE SIGN</b> (TCL District)	<b>FOR INDIVIDUAL PARCELS, OTHER THAN A SHOPPING CENTER OR MALL</b> 150 (sign face) (Section 409.3.8 #2) See note below +	25 (Section 409.3.8#2 and 409.3.5) See note below^	1 (Section 409.2.6)	Setback - 5 (409.2.1)
	<b>SHOPPING CENTER OR MALL WITH LESS THAN 100,000 SF OF NET FLOOR AREA</b> 150 (Section 409.3.8 #3 and 409.3.3.1) See notes below + and *	25 (Section 409.3.8#3 and 409.3.5) See note below^	1 (Section 409.2.6 409.3.8 #3 and 409.3.3)	Setback - 5 (409.2.1)

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

**TABLE 6.3 TABLE OF SIGN DIMENSIONS AND LOCATIONS**  
(For the TC District, see Section 6.7 and Tables 6.4, 6.5, and 6.6)

Sign Types	Permitted Area/Max Size (sq ft)	Max Height (ft)	Number	Setback (min. ft.), Location
	<b>SHOPPING CENTER OR MALL WITH 100,000 SF OR MORE OF NET FLOOR AREA</b> 300 (Section 409.3.8 #3 and 409.3.3.2) See notes below + and •	25 (Section 409.3.8#3 and 409.3.5)	1 (Section 409.2.6)	Setback - 5 (409.2.1)
+A Shopping Center is a group of commercial establishments, planned, developed, owned or managed as a unit, with off-street parking provided on the property; however, this shall not apply to a group of commercial establishments containing not more than four (4) separate commercial establishments in one (1) structure containing a total of not more than 15,000 square feet of floor area. (Section 329)				
• All other signs pertaining to the center and its tenants shall be restricted to sign types other than ground signs. (Sections 409.3.3.1 and 409.3.3.2)				
<b>FREE-STANDING POLE SIGN</b> (AR, LDR, MDR, HDR Districts)	<b>NONRESIDENTIAL USE</b> 25 (Section 409.3.1.3.1)	8 (Section 409.3.1.3.2)	1 (Section 409.3.1.3) If lighted, shall have indirect lighting. (Section 409.3.1.3.4)	Setback - 5 (409.2.1)  Located so as not to cause inconvenience to the general public or surrounding uses. (Section 409.3.1.3.3)
<b>FREE-STANDING POLE SIGN</b> (HRO District)	<b>MULTI-FAMILY, OFFICE, AND OTHER NON-RESIDENTIAL USES</b> 16 (Section 712.2.8)	4 (Section 712.2.8)	1 (Section 712.2.8) May not be illuminated (Section 712.2.8)	Setback - 5 (409.2.1)
<b>MONUMENT SIGN</b> (All Districts)	<b>BUSINESS PARKS, INDUSTRIAL PARKS, AND RESIDENTIAL SUBDIVISIONS</b> 32 (Sections 409.3.10.1 and 409.3.10#1 and #4)	6 (Section 409.3.10#2)	1 Must be professionally designed and may not be internally illuminated. (Sections 409.3.10 and 409.3.10#3 and #5)	Setback - 5 (409.2.1)

**TABLE 6.3 TABLE OF SIGN DIMENSIONS AND LOCATIONS**  
 (For the TC District, see Section 6.7 and Tables 6.4, 6.5, and 6.6)

Sign Types	Permitted Area/Max Size (sq ft)	Max Height (ft)	Number	Setback (min. ft.), Location
<b>MONUMENT SIGN</b> (NC, IC, IN, CB Districts)	<b>FOR INDIVIDUAL PARCELS, OTHER THAN A SHOPPING CENTER OR MALL</b> See note below*			
	<b>STREETS WITH 2 TRAVEL LANES:</b> 30 MPH - 20 35 MPH - 25 (Section 409.3.2 and 409.3.2.1 chart) See notes below *	25	1 (Section 409.2.6)	Setback - 5 (409.2.1)
	<b>STREETS WITH 4 TRAVEL LANES:</b> 30 MPH - 60 35 MPH - 80 45 MPH - 100 (Section 409.3.2 and 409.3.2.1 chart) See notes below *	25	1 (Section 409.2.6)	Setback - 5 (409.2.1)
	<b>STREETS WITH 4 TRAVEL LANES, A MEDIAN, OR A TURN LANE:</b> 30 MPH - 80 35 MPH - 100 45 MPH - 150 (Section 409.3.2 and 409.3.2.1 chart) See notes below *	25	1 (Section 409.2.6)	Setback - 5 (409.2.1)
	<b>SHOPPING CENTER OR MALL WITH LESS THAN 100,000 SF OF NET FLOOR AREA</b> 150 (Section 409.3.3.1) See notes below *	Not specified	1 (Section 409.3.3.1) See note below *	Setback - 5 (409.2.1)
	<b>SHOPPING CENTER OR MALL WITH 100,000 SF OR MORE OF NET FLOOR AREA</b> 300 (Section 409.3.3.2) See notes below *	Not specified	1 (Section 409.3.3.2) See note below *	Setback - 5 (409.2.1)

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

**TABLE 6.3 TABLE OF SIGN DIMENSIONS AND LOCATIONS**  
(For the TC District, see Section 6.7 and Tables 6.4, 6.5, and 6.6)

Sign Types	Permitted Area/Max Size (sq ft)	Max Height (ft)	Number	Setback (min. ft.), Location
<p>+A Shopping Center is a group of commercial establishments, planned, developed, owned or managed as a unit, with off-street parking provided on the property; however, this shall not apply to a group of commercial establishments containing not more than four (4) separate commercial establishments in one (1) structure containing a total of not more than 15,000 square feet of floor area. (Section 329)</p> <p>• All other signs pertaining to the center and its tenants shall be restricted to sign types other than ground signs. (Sections 409.3.3.1 and 409.3.3.2)</p>				
<b>MONUMENT SIGN</b> (AC District)	<b>FOR INDIVIDUAL PARCELS, OTHER THAN A SHOPPING CENTER OR MALL</b> See note below*			
	<p><b>STREETS WITH 2 TRAVEL LANES:</b></p> <p>30 MPH - 20 35 MPH - 25 (Section 409.3.2 and 409.3.2.1 chart)</p>	<p>Not specified for monument sign without an electrically activated changeable portion</p> <p>15, with an electrically activated changeable portion (Section 409.3.9#1)</p> <p>See note below*</p>	<p>1 (Section 409.3.9#1)</p>	<p>Setback - 5 (Section 409.2.1)</p>
	<p><b>STREETS WITH 4 TRAVEL LANES:</b></p> <p>30 MPH - 60 35 MPH - 80 45 MPH - 100 (Section 409.3.2 and 409.3.2.1 chart)</p>	<p>Not specified for monument sign without an electrically activated changeable portion</p> <p>15, with an electrically activated changeable portion (Section 409.3.9#1)</p> <p>See note below*</p>	<p>1 (Section 409.3.9#1)</p>	<p>Setback - 5 (Section 409.2.1)</p>

**TABLE 6.3 TABLE OF SIGN DIMENSIONS AND LOCATIONS**  
 (For the TC District, see Section 6.7 and Tables 6.4, 6.5, and 6.6)

Sign Types	Permitted Area/Max Size (sq ft)	Max Height (ft)	Number	Setback (min. ft.), Location
	<p><b>STREETS WITH 4 TRAVEL LANES, A MEDIAN, OR A TURN LANE:</b></p> <p>30 MPH - 80                      35 MPH - 100                      45 MPH - 150                      (Section 409.3.9 and 409.3.2.1 chart)</p>	<p>Not specified for monument sign without an electrically activated changeable portion</p> <p>15, with an electrically activated changeable portion (Section 409.3.9#1)</p> <p>See note below*</p>	<p>1                      (Section 409.3.9#1)</p>	<p>Setback - 5                      (Section 409.2.1)</p>
	<p><b>SHOPPING CENTER OR MALL WITH LESS THAN 100,000 SF OF NET FLOOR AREA</b></p> <p>150                      (Section 409.3.3.1)                      See note below +</p>	<p>Not specified for monument sign without an electrically activated changeable portion</p> <p>15, with an electrically activated changeable portion (Section 409.3.9#1)</p> <p>See note below*</p>	<p>1                      (Sections 409.3.3.1 and 409.3.9#1)</p>	<p>Setback - 5                      (Section 409.2.1)</p>
	<p><b>SHOPPING CENTER OR MALL WITH 100,000 SF OR MORE OF NET FLOOR AREA</b></p> <p>300                      (Section 409.3.3.2)                      See note below +</p>	<p>Not specified for monument sign without an electrically activated changeable portion</p> <p>15, with an electrically activated changeable portion (Section 409.3.9#1)</p> <p>See note below*</p>	<p>1                      (Sections 409.3.3.1 and 409.3.9#1)</p>	<p>Setback - 5                      (Section 409.2.1)</p>

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMING

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

**TABLE 6.3 TABLE OF SIGN DIMENSIONS AND LOCATIONS**  
(For the TC District, see Section 6.7 and Tables 6.4, 6.5, and 6.6)

Sign Types	Permitted Area/Max Size (sq ft)	Max Height (ft)	Number	Setback (min. ft.), Location
------------	---------------------------------	-----------------	--------	------------------------------

+A Shopping Center is a group of commercial establishments, planned, developed, owned or managed as a unit, with off-street parking provided on the property; however, this shall not apply to a group of commercial establishments containing not more than four (4) separate commercial establishments in one (1) structure containing a total of not more than 15,000 square feet of floor area. (Section 329)

- An electrically activated changeable sign may have either a fixed interval changeable message electronic portion(s), or an active changeable electronic message portion(s), as defined in this ordinance as provided:
  - Sign height does not exceed 15' from finished project site elevation.
  - Electronically activated changeable message section may not exceed twenty (20) percent of the sign
  - Area surrounding the sign base is landscaped with appropriate planting materials
  - The informational content of the message section can be changed at intervals, however, the message shall not be flashed by varying the intensity of the illumination.
  - The sign design and location shall be approved by the Planning Commission prior to issuing a sign permit (Section 409.3.9#1 (a))

<b>MONUMENT SIGN</b> (TCL District)	<b>INDIVIDUAL PARCEL, OTHER THAN A SHOPPING CENTER OR MALL</b> 150 (sign face) (Section 409.3.8 #2, see also 409.3.8 #1 regarding monument signs as major and minor project signs) See note below + Other monument signs in the TCL will generally be for a major or minor project identification sign, as set out later in this chart.	Not specified for monument sign without an electrically activated changeable portion  15, with an electrically activated changeable portion (Section 409.3.9#1)  See note below* (Section 409.3.8#2)	1 (Section 409.2.6)	Setback - 5 (Section 409.2.1)
--	---	--	------------------------	----------------------------------

- An electrically activated changeable sign may have either a fixed interval changeable message electronic portion(s), or an active changeable electronic message portion(s), as defined in this ordinance as provided:
  - Sign height does not exceed 15' from finished project site elevation.
  - Electronically activated changeable message section may not exceed twenty (20) percent of the sign
  - Area surrounding the sign base is landscaped with appropriate planting materials
  - The informational content of the message section can be changed at intervals, however, the message shall not be flashed by varying the intensity of the illumination.
  - The sign design and location shall be approved by the Planning Commission prior to issuing a sign permit (Section 409.3.9#1 (a))

**TABLE 6.3 TABLE OF SIGN DIMENSIONS AND LOCATIONS**  
 (For the TC District, see Section 6.7 and Tables 6.4, 6.5, and 6.6)

Sign Types	Permitted Area/Max Size (sq ft)	Max Height (ft)	Number	Setback (min. ft.), Location
<b>MONUMENT SIGN</b> (AR, LDR, MDR, HDR Districts)	<b>RESIDENTIAL SUBDIVISION</b> 32 (Section 409.3.10#4) See note below **	6, including supporting structure (Section 409.3.10#2)	1 (Section 409.3.10) See notes ** and *** below	Setback - 5 (Section 409.2.1) See note below*
	<b>NONRESIDENTIAL USES</b> 25 (Section 409.3.1.3.1)	8 (Section 409.3.1.3.2)	1 (Section 409.3.1.3) See notes **** below	Setback - 5 (Section 409.2.1) See note below*
*Sign shall be located so as not to cause inconvenience to the general public or surrounding uses. (Section 409.3.1.3.3) **The sign shall not be illuminated internally. (Section 409.3.10#3) ***The sign shall be professionally designed. (Section 409.3.10 #5) **** The sign, if lighted, shall have indirect lighting. (Section 409.3.1.3.4)				
<b>MONUMENT SIGN</b> (VA District)	25 (Section 713.9)	Not Specified	1 per non-accommodation use (Section 713.9)	Setback - 5 (Section 409.2.1)
<b>MONUMENT SIGN</b> (HRO District)	<b>MULTI-FAMILY, OFFICE, AND OTHER NON-RESIDENTIAL USES</b> 16 (Section 712.2.8)	4, above the surrounding average finished grade (Section 712.2.8)	1 May not be illuminated (Section 712.2.8)	Setback - 5 (Section 409.2.1)
<b>MAJOR PROJECT IDENTIFICATION SIGN</b> (TCL District)	<b>FREE STANDING POLE SIGN,</b> to identify a total, multi-use development 500 (Section 409.3.8#1)	25 (Section 409.3.8#1)	1 (Section 409.3.8#1)	Setback - 15 from edge of public right-of-way and all other property boundaries. (Section 409.3.8#1)
	<b>MONUMENT SIGN WITHOUT AN ELECTRICALLY ACTIVATED MESSAGE SECTION</b> to identify a total, multi-use development 500 (Section 409.3.8#1)	25 (Section 409.3.8#1)	1 (Section 409.3.8#1)	Setback - 15 from edge of public right-of-way and all other property boundaries. (Section 409.3.8#1)

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMING TIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

**TABLE 6.3 TABLE OF SIGN DIMENSIONS AND LOCATIONS**  
(For the TC District, see Section 6.7 and Tables 6.4, 6.5, and 6.6)

Sign Types	Permitted Area/Max Size (sq ft)	Max Height (ft)	Number	Setback (min. ft.), Location
	<p><b>MONUMENT SIGN WITH AN ELECTRICALLY ACTIVATED MESSAGE SECTION</b> to identify a total, multi-use development 500 (Section 409.3.8#1 and 409.3.9.#1(a) through (f)) See note below •</p>	<p>25 (Section 409.3.8#1)</p>	<p>1 (Section 409.3.8#1)</p>	<p>Setback - 15 from edge of public right-of-way and all other property boundaries. (Section 409.3.8#1)</p>
<p>•An electrically activated changeable sign may have either a fixed interval changeable message electronic portion(s), or an active changeable electronic message portion(s), as defined in this ordinance as provided:</p> <ul style="list-style-type: none"> <li>• Sign height does not exceed 15' from finished project site elevation.</li> <li>• Electronically activated changeable message section may not exceed twenty (20) percent of the sign</li> <li>• Area surrounding the sign base is landscaped with appropriate planting materials</li> <li>• The informational content of the message section can be changed at intervals, however, the message shall not be flashed by varying the intensity of the illumination.</li> <li>• The sign design and location shall be approved by the Planning Commission prior to issuing a sign permit (Section 409.3.9#1 (a))</li> </ul>				
<p><b>MAJOR PROJECT IDENTIFICATION SIGN</b> (VA District)</p>	<p><b>VISITOR ACCOMMODATION DEVELOPMENT</b> On street with speed limit below 45 MPH - 100 On street having 4 travel lanes, a median, and a speed limit of 45 MPH - 150 (Section 713.9)  Type of sign not specified See note below •</p>	<p>Not specified</p>	<p>1 (Section 713.9)</p>	<p>Setback - 5 (409.2.1)</p>
<p>•Accessory uses may be listed on such a sign.</p>				
<p><b>MINOR PROJECT IDENTIFICATION SIGN</b> (TCL District)</p>	<p><b>FREE STANDING POLE SIGN, OR MONUMENT SIGN WITHOUT AN ELECTRICALLY ACTIVATED MESSAGE SECTION</b> to identify a total, multi-use development 300 (Section 409.3.8#1)</p>	<p>25 (Section 409.3.8#1)</p>	<p>1 See note below•</p>	<p>Setback - 15 (409.3.8#1)</p>

**TABLE 6.3 TABLE OF SIGN DIMENSIONS AND LOCATIONS**  
(For the TC District, see Section 6.7 and Tables 6.4, 6.5, and 6.6)

Sign Types	Permitted Area/Max Size (sq ft)	Max Height (ft)	Number	Setback (min. ft.), Location
	<p><b>MONUMENT SIGN WITH AN ELECTRICALLY ACTIVATED MESSAGE SECTION</b> to identify a total, multi-use development 300 (Section 409.3.8#1 and 409.3.9.1#1(a) through (f)) See note below **</p>	<p>25 (Section 409.3.8#1 and 409.3.9#1)</p>	<p>1 See notes below • and ~</p>	<p>Setback - 5 (409.3.8#1)</p>
<p>•Multi-use developments which have at least 1,000' of frontage on the street on which the major project identification sign is located may have one (1) minor project identification sign, placed at a point of access into the development, if possible (Section 409.3.8#7) Show location on master plan (Section 711.1.6.3)</p> <p>~Developments which also have a secondary entrance on another street classified as an arterial or collector, or, at least 1,000' of frontage on another street which is classified as an arterial or collector may have a minor project identifications sign. (Section 409.3.8#1) Show location on master plan (Section 711.1.6.3)</p> <p>**An electrically activated changeable sign may have either a fixed interval changeable message electronic portion(s), or an active changeable electronic message portion(s), as defined in this ordinance as provided:</p> <ul style="list-style-type: none"> <li>• Sign height does not exceed 15' from finished project site elevation.</li> <li>• Electronically activated changeable message section may not exceed twenty (20) percent of the sign</li> <li>• Area surrounding the sign base is landscaped with appropriate planting materials</li> <li>• The informational content of the message section can be changed at intervals, however, the message shall not be flashed by varying the intensity of the illumination.</li> <li>• The sign design and location shall be approved by the Planning Commission prior to issuing a sign permit (Section 409.3.9#1 (a))</li> </ul>				
<p><b>MINOR PROJECT IDENTIFICATION SIGN</b> (VA District)</p>	<p>25 (Section 713.9) Type of sign not specified See note below •</p>	<p>Not specified</p>	<p>1 (Section 713.9) See note below •</p>	<p>Setback - 5 (409.2.1)</p>
<p>•Where restaurants, conference centers, game or exercise facilities are located in separate structures, then individual signs of twenty-five (25) square feet may be installed to identify those structures. (Section 713.9)</p>				
<p><b>PROJECTING SIGN</b> (NC, IC, AC, IN Districts)</p>	<p><b>STREETS WITH 2 TRAVEL LANES:</b> 30 MPH - 20 35 MPH - 25 (Section 409.3.2 and 409.3.2.1 chart)</p>	<p>Not specified</p>	<p>1 (Section 409.2.6)</p>	<p>Setback - 5 (409.2.1)</p>

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

**TABLE 6.3 TABLE OF SIGN DIMENSIONS AND LOCATIONS**

(For the TC District, see Section 6.7 and Tables 6.4, 6.5, and 6.6)

Sign Types	Permitted Area/Max Size (sq ft)	Max Height (ft)	Number	Setback (min. ft.), Location
	<b>STREETS WITH 4 TRAVEL LANES:</b> 30 MPH - 20 35 MPH - 40 45 MPH - not permitted (Section 409.3.2 and 409.3.2.1 chart)	Not specified	1 (Section 409.2.6)	Setback - 5 (409.2.1)
	<b>STREETS WITH 4 TRAVEL LANES, A MEDIAN, OR A TURN LANE:</b> 30 MPH - 25 35 MPH - 40 45 MPH - Not Permitted (Section 409.3.2 and 409.3.2.1 chart)	Not specified	1 (Section 409.2.6)	Setback - 5 (409.2.1)
<b>PROJECTING SIGN</b> (TCL District)	<b>FOR INDIVIDUAL PARCELS, OTHER THAN A SHOPPING CENTER OR MALL</b> 150 (section 409.3.8#2)	Not specified	1 (Section 409.2.6)	Setback - 5 (409.2.1)
<b>DIRECTIONAL SIGN (INTERNAL PROJECT DIRECTIONAL SIGNS, PARKING LOT TRAFFIC ASSISTANCE SIGNS, INCLUDING ENTRANCE/EXIT SIGNS)</b> (All Districts Except TCL and HRO)	8 if such signs are within five (5) feet of any means of ingress or egress (Section 409.2.2)	5 if such signs are within five (5) feet of any means of ingress or egress (Section 409.2.2)	n/a	Code Enforcement Director, or his designee, shall review the placement of signs prior to installation. (Section 409.2.2)
<b>DIRECTIONAL SIGN (INTERNAL PROJECT DIRECTIONAL SIGNS, PARKING LOT TRAFFIC ASSISTANCE SIGNS, INCLUDING ENTRANCE/EXIT SIGNS)</b> (TCL District)	<b>INTERNAL DIRECTIONAL SIGN:</b> 32 (Section 409.3.8#7(a)) See notes *, **, ***, and ****	6 (Section 409.3.8#7(a))	1 pole or monument sign without an electrically activated message component at intersections of streets and access ways within a development. (Section 409.3.8#7 and 409.3.8#7(b))	Setback - 5, from edge of public right-of-way, all other property boundaries, and any point of ingress into or egress from an individual site. (Section 409.3.8#7(c))

**TABLE 6.3 TABLE OF SIGN DIMENSIONS AND LOCATIONS**  
 (For the TC District, see Section 6.7 and Tables 6.4, 6.5, and 6.6)

Sign Types	Permitted Area/Max Size (sq ft)	Max Height (ft)	Number	Setback (min. ft.), Location
	<b>PARKING LOT TRAFFIC ASSISTANCE SIGN:</b> 8 (Section 409.3.8#8)	5 (Section 409.3.8#2)	Not specified	Setback - 5, when adjacent to public right-of-way (Section 409.2.1)
<p>• Signs may contain only name(s) of uses and directional arrows, but no advertising copy (Section 409.3.8#7)</p> <p>•• Location of signs shall be shown on the master plan. (Sections 409.3.8#7 and 711.1.6.3)</p> <p>••• May be located within parking areas to direct traffic to appropriate places, such as areas for passenger vehicles, recreational vehicles, tour buses, and delivery trucks, and to specific uses. (Section 409.3.8#2)</p> <p>•••• Signs shall not contain any advertising copy. (Section 409.3.8#8)</p>				
<b>DIRECTIONAL SIGNS (INTERNAL PROJECT DIRECTIONAL SIGNS, PARKING LOT TRAFFIC ASSISTANCE SIGNS, INCLUDING ENTRANCE/EXIT SIGNS) (HRO District)</b>	1 (Section 712.2.2.8)	Not specified	2 (Section 712.2.2.8) See note below •	Setback - 5, when adjacent to public right-of-way (Section 409.2.1)
<p>• Permitted when determined needed to safely direct traffic on to and from the site. (Section 712.2.8)</p>				
<b>INTERSTATE MONO-POLE SIGN*</b> Permitted only on the portion of a parcel lying within the Interstate Overlay (IIO) District (Section 714 - 714.1.2) See notes below *, •, ••, •••, ••••, •••••, ••••••, •••••••	250 (Section 714.1.1) The maximum square footage of sign area visible from any side of an Interstate monopole sign shall not exceed two hundred and fifty (250) square feet in area. (Section 714.1.1.1)	100 (Section 714.1.1) See note below^	1 On-premise business Interstate Monopole Sign (Section 714.1.1) See notes below ••, •••, ••••, •••••, ••••••, •••••••	Setback - 10 (Section 714.1.1.1)  See note below•

1.0 GENERAL PROVISIONS  
 2.0 ZONING DISTRICTS  
 3.0 USES & CONDITIONS  
 4.0 DEVELOPMENT STANDARDS  
 5.0 PARKING  
 6.0 SIGNS  
 7.0 NON-CONFORMITIES  
 8.0 ADMINISTRATION  
 9.0 DEFINITIONS  
 APPENDIX

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

**TABLE 6.3 TABLE OF SIGN DIMENSIONS AND LOCATIONS**

(For the TC District, see Section 6.7 and Tables 6.4, 6.5, and 6.6)

Sign Types	Permitted Area/Max Size (sq ft)	Max Height (ft)	Number	Setback (min. ft.), Location
------------	---------------------------------	-----------------	--------	------------------------------

\*The IIO District is an overlay district the provisions of which are designed to recognize the unique circumstances created at the points at which local, state, and federal streets and highways intersect with the federal Interstate system of highways. The intent of this district is to provide for the placement of on-premises business signs, appropriate in size and scale to their setting, for the purpose of attracting high speed Interstate travelers to exit the Interstate. Except as may be altered by the provisions of this section, all other provisions of this ordinance relating to allowable uses within the underlying zoning district, all other applicable provision of Chapter 6.O, and all other applicable provisions of this ordinance shall apply; except that, the provisions of 6.2.5 shall not apply to an Interstate Monopole Sign. (Sections 714 and 714.1.)

^ The bottom of sign face and any other portion of sign attached thereto, shall be at least 75 above the finished grade. The top of the sign face, and any other portion of the sign attached thereto, shall not exceed one hundred (100) feet in height above the finished grade; except that, signs installed within fifty (50) feet of the Interstate right-of-way may exceed one hundred (100) feet in height above the finished grade where the finished grade lies below the elevation of the paved portion of the Interstate right-of-way (including paved shoulder areas) in closest proximity to such sign; in no instance, however, shall the top of such sign face, and any other portion of the sign attached thereto, exceed one hundred (100) feet in height above the edge of the paved portion of the Interstate right-of-way (including any paved shoulder areas) in closest proximity to such sign. (Section 714.1.1.1)

•No part of any Interstate monopole sign, including the sign face, shall be located any closer than ten (10) feet to any property line. (Section 714.1.1.1)

••No portion of an Interstate monopole sign shall include a changeable sign, as defined in Chapter 9.O, and further, shall be prohibited from including any parts which create or include action or motion, or contain flashing lights or bulbs or contain intermittent lighting. (714.1.1.1 and 409.3.9 #2(b))

•••Individual parcels, any portions of which are located within the IIO district, may have one (1), and only one (1), on-premises business Interstate monopole sign; provided however, that the Interstate monopole sign must be located on that portion of the parcel lying within the IIO district. (714.1.1.1)

•••• Prior to the installation of an Interstate monopole sign, the Building Official shall be supplied with all information necessary for him to make a determination as to whether or not the sign will meet the provisions of this section and other applicable provisions of this ordinance. Such information shall include a drawing indicating the measurements of all portions of the sign, height of the bottom of the sign face and the top of the sign face above the finished grade, or, for Interstate monopole signs within fifty (50) feet of the Interstate right-of-way, the height above the edge of the paved portion of the Interstate right-of-way in closest proximity to the sign (including paved shoulder areas.) A survey prepared by a licensed surveyor shall be submitted showing the proposed location of the sign on the site. The surveyed location may be included on a site plan or PUD plan, as may be required by other sections of this ordinance, or, may be a separate survey. Within ten (10) days following installation of an Interstate monopole sign, the property owner shall submit a certified survey to the Building Official showing the precise height of the sign above the finished grade or the edge of the Interstate right-of-way in closest proximity to such sign, whichever may be applicable. (714.1.1.1)

•••••No more than one (1) double-faced sign may be placed upon any monopole structure. The faces of a double-faced Interstate monopole sign shall be arranged so that such faces are separated no more than thirty (30) degrees. (714.1.1.1)

**TABLE 6.3 TABLE OF SIGN DIMENSIONS AND LOCATIONS**

(For the TC District, see Section 6.7 and Tables 6.4, 6.5, and 6.6)

Sign Types	Permitted Area/Max Size (sq ft)	Max Height (ft)	Number	Setback (min. ft.), Location
<p>.....A parcel (as opposed to a use), any portion of which, lies within the IIO district on which an Interstate monopole sign is located may have one (1), and only one (1), other ground sign within the boundary of such parcel. If there is any type of nonconforming sign on a parcel upon which an Interstate monopole sign is proposed to be located, such sign shall be brought into conformance with applicable provisions of Chapter 6.0 on or before the date on which a permit is issued for a monopole Interstate sign. Within the IIO district, the provisions of this 6.2.5 shall not apply regarding allowable alteration of sign size by the Building Official. (Section 714.1.1.2)</p> <p>Additional Permitted Signs. Each use located on any portion of a parcel on which an Interstate monopole sign is located whether such lies within or outside of the IIO district, may have one (1) sign, either a wall or roof sign, the location, size, and height of which shall be governed by applicable provisions of and the underlying zoning district. (Section 714.1.2)</p>				
<p><b>PRICE SIGN</b> (AC District only)+</p>	<p>Up to ten (10) percent of the allowable square footage for a free-standing pole sign in the AC District, may be composed of a fixed interval changeable message electronic portion for the display of only prices. (Section 409.3.9#2(a)) See note below*</p>	<p>25 (Section 409.3.5)</p>	<p>1</p>	<p>Setback - 5 (Section 409.2.1)</p>
<p>+No portion of an Interstate monopole sign located in an AC District overlain by the Interstate Impact Overlay (IIO) District shall contain a fixed interval changeable electronic price sign. (Section 409.3.9#2(b))</p> <p>• The portion of the freestanding pole sign used for the display of prices shall not extend more than four (4) feet in width, nor have any letter and/or number exceeding eighteen (18) inches in height. (Section 409.3.9#2(a)(1)) Prices shall only be displayed with four (4) numerals, exclusive tenths pricing, of which no numeral is greater than the number nine (9), which shall be separated by a decimal point to be located immediately to the right of the second numeral, counting from left to right, and which separates the second numeral from the remaining two (2) numerals. (Section 409.3.9#2(a)(2))</p>				
<p><b>ROOF SIGN*</b> (COMMERCIAL AREAS AND TCL DISTRICT)</p>	<p>150 (Section 409.3.4)</p>	<p>25 (Section 409.3.4)</p>	<p>1 (Section 409.2.6)</p>	<p>May not extend above roof peak (Section 409.3.4)</p>
<p>*Permitted in commercial areas where speed limit of the street is thirty-five (35) MPH or more. (Section 409.3.4 and 714.1.2)</p>				
<p>*Allowed in TCL District in accordance with these provisions. (Section 409.3.8#6)</p>				

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMING TIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

**TABLE 6.3 TABLE OF SIGN DIMENSIONS AND LOCATIONS**  
(For the TC District, see Section 6.7 and Tables 6.4, 6.5, and 6.6)

Sign Types	Permitted Area/Max Size (sq ft)	Max Height (ft)	Number	Setback (min. ft.), Location
<b>TEMPORARY SIGN REAL ESTATE</b> (NC, IC, AC, IN, CB, TCL, VA Districts)	Not specified	Not specified	Not specified	Setback - 5 (Section 409.2.1)
<b>TEMPORARY SIGN REAL ESTATE</b> (AR, LDR, MDR, HRO Districts)	Not specified (Section 409.3.1.1)	Not specified (Section 409.3.1)	Not specified (Section 409.3.1)	Setback - 5 (Section 409.2.1)
<b>TEMPORARY SIGNS NONCOMMERCIAL</b> (All Districts) See note below •	32 (Section 409.2.9)	Not specified (Sections 409.2.9.1-3)	Not specified (Sections 409.2.9.1-3)	Setback - 5 (Section 409.2.1)

•Signs celebrating holidays, special events or events of infrequent occurrence may be displayed for periods of short duration. Signs may be displayed for thirty (30) days prior to the event and seven (7) days after the completion of the event. (Section 409.2.9)

Off Premises Signs				
<b>EXISTING BILLBOARD AND DIGITAL BILLBOARD</b>	n/a	44 No (existing) billboard shall exceed forty-four (44) feet in overall height measured from the supporting structure or from the average grade of the supporting structures when two or more structures support the sign. (Section 409.7)	No new billboard, digital billboard, or conversion of a billboard to a digital billboard shall be allowed or permitted. (Section 409.7) See note below ^	See note below•

**TABLE 6.3 TABLE OF SIGN DIMENSIONS AND LOCATIONS**  
 (For the TC District, see Section 6.7 and Tables 6.4, 6.5, and 6.6)

Sign Types	Permitted Area/Max Size (sq ft)	Max Height (ft)	Number	Setback (min. ft.), Location
<p>•Billboards (existing) shall be located in commercial zones and comply with the required setback from property lines for the commercial zone where it is located. A billboard shall be located a minimum of twenty (20) feet from any other building or structure on the same parcel or lot. (Sections 409.7 and 409.7#2)</p> <p>^No billboard shall be relocated to a new location on a different parcel or lot than its current location. Any remodeling, rebuilding, or addition to a billboard shall require a permit, and the permit fees will be based on the current building permit fee schedule. No billboard or sign of any type that had been previously erected in violation of any City code shall become a legal nonconforming sign. (Sections 409.7 and 409.7#3)</p>				
<p><b>PERMANENT NONCOMMERCIAL DIRECTIONAL SIGN</b>                      (All Districts)</p>	<p>8                      (Section 409.3.7.2)</p>	<p>9                      Sign face must be at least 6 above ground surface                      (Section 409.3.7.2)</p>	<p>2                      (Section 409.3.7.1)                      See note below ^</p>	<p>Setback - 5                      See note below •</p>
<p>• Directional signs for non-profit service clubs and uses, charitable associations, religious groups, and similar groups shall be permitted to locate signs on private property adjacent to major streets designated on the Sevierville Zoning Map. (Section 409.3.7)</p> <p>^Plans and locations for these signs shall be approved by the Planning Commission prior to issuance of a sign permit. (Section 409.3.7.3)</p>				
<p><b>PERMANENT TOURIST ORIENTED DIRECTIONAL SIGN (TODS)</b></p>	<p>See Chapter 10.O, Appendix - Section 10.2, regarding participation in this sign program managed by the City.</p>			
<p><b>TEMPORARY AUCTION SIGN (ALL DISTRICTS)</b>                      See note below •</p>	<p>32                      (Section 409.6#1)</p>	<p>Not specified                      (Section 409.6#1)</p>	<p>1                      (Section 409.6#1)</p>	<p>Setback - 5                      (Section 409.2.1 and 409.6#2)</p>
	<p>8                      (Section 409.6#1)</p>	<p>Not specified                      (Section 409.6#1)</p>	<p>No maximum for additional signs                      (Section 409.6#1)</p>	<p>Setback - 5                      (Section 409.2.1 and 409.6#2)</p>

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMING

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

**TABLE 6.3 TABLE OF SIGN DIMENSIONS AND LOCATIONS**

(For the TC District, see Section 6.7 and Tables 6.4, 6.5, and 6.6)

Sign Types	Permitted Area/Max Size (sq ft)	Max Height (ft)	Number	Setback (min. ft.), Location
<ul style="list-style-type: none"> <li>•Signs providing directions to the locations of auctions held for the sale of land and/or buildings shall be allowed within the City in accordance with the following conditions (Section 409.6):</li> <li>•No sign shall be placed upon a public right-of-way of any kind, and no sign shall be closer than five (5) feet from any right-of-way. (Section 409.6#2)</li> <li>•Signs for a specific auction may be erected no more than twenty-one (21) days prior to the occurrence of the auction, and must be removed within three (3) days of the auction’s conclusion. (Section 409.6#3)</li> <li>•Information displayed on any auction sign shall be limited to the site address or other location indicator, acreage and/or number of buildings, name, address, and phone numbers of the auction firm or auctioneer, and arrows or other indicators of site direction. (Section 409.6#5)</li> <li>•A permit from the Code Enforcement Department shall be required for the display of any sign directing persons to the location of an auction. The fee charged for the permit shall be \$50. Only one permit, and one permit fee shall be required for the sign(s) providing directions to the site of a single auction. An application for a permit must include the proposed locations of signs, in addition to other necessary information required by the Code Enforcement Department. Issuance of a permit shall be dependent upon the approval of the application by the Code Enforcement Department, and the conformance of the proposed signage with all applicable municipal requirements. (Section 409.6#4)</li> </ul>				
<b>TEMPORARY COMMERCIAL SIGN</b> See note below •	n/a	n/a	n/a	n/a
<ul style="list-style-type: none"> <li>•Permitted only in City parks associated with athletic fields. (Section 409.2.9.2)</li> </ul>				
<b>TEMPORARY NONCOMMERCIAL DIRECTIONAL SIGN (ALL DISTRICTS)</b> See note below •	32	Not specified	Not specified	Setback - 5 (Section 409.2.1)
<ul style="list-style-type: none"> <li>• Signs celebrating holidays, special events, or events of infrequent occurrence may be located away from the site of the event upon determination by the Building Inspector for thirty (30) days prior to the event and seven (7) days after the completion of the event. (Sections 402.9 and 409.2.9.1)</li> </ul>				
<b>TEMPORARY POLITICAL SIGN (ALL DISTRICTS)</b>	Not specified	Not specified	1, per candidate, per premise, except in the case of permanent sign structures under permit. (Section 409.2.8) See note below •	Setback - 5 (Section 409.2.1)
<ul style="list-style-type: none"> <li>• Political signs are not permitted on streets or highway rights-of-way, nor on public property. (Section 409.2.8)</li> </ul>				

## 6.7 Regulations for TC District only

### 6.7.1 PURPOSE (TC DISTRICT)

6.7.1.1 The purpose of this section is to establish reasonable standards for the location of signs within the TC District in order to:

- Facilitate commerce and protect property values;
- Reduce traffic hazards;
- Prevent the accumulation of visual clutter;
- Encourage an attractive community appearance; and,
- Generally protect the health, safety, and public welfare.

### 6.7.2 PERMIT REQUIRED (TC DISTRICT)

Unless otherwise exempt, it shall be unlawful for any person to erect, locate, or otherwise establish any sign described in this section except in conformity hereto. Certain signs shall require permits and certain signs are exempt from permitting but are required to meet the conditions of this section.

### 6.7.3 SIGN TYPES REQUIRING PERMITS ESTABLISHED (TC DISTRICT)

In order to achieve the purposes of this section, the types of signs permitted in the TC District are hereby established as listed in Table 6.4. Sign types not listed are prohibited. For clarity, certain prohibited signs and sign conditions are set forth in 6.7.6.

### 6.7.4 SIGNS EXEMPT FROM PERMITTING (TC DISTRICT)

- 6.7.4.1 Residential Use Signs. Signs not exceeding two (2) square feet in area that are not of a commercial nature, such as:
- a. Address signs not larger than one square foot
  - b. Mail box signs
  - c. Signs posted on private property relating to private parking or warning the public against trespassing or danger from ani-

mals

6.7.4.2 Signs Associated with Public Bodies, Public and Private Universities and Schools. Such signs include:

- a. Signs erected by or on behalf of or pursuant to the authorization of a governmental body, including legal notices, identification and informational signs, and traffic, directional, or regulatory signs
- b. Governmental Displays: Following approval by the Board of Mayor and Aldermen, by Resolution, the temporary use of displays which include, but are not limited to, banners, decorations, lighted displays and/or decorations and supporting structures and similar activities, by, or for governmental entities, shall be exempt from these regulations
- c. Official signs of a noncommercial nature erected by public utilities
- d. Flags, pennants, or insignia of any governmental or nonprofit organization when not displayed in connection with a commercial promotion or as an advertising device

6.7.4.3 Signs Designating Historic Resources

6.7.4.4 Vehicle signs painted on or attached to currently licensed motor vehicles that are not primarily used as signs, not parked adjacent to the street, and are street legal with the sign affixed

6.7.4.5 Temporary Real Estate Signs

6.7.4.6 Window signs, provided not more than 20% of a window pane is covered, whether interior or exterior including interior signs within three feet of the window. Any signage over 20% shall be counted towards maximum allowed sign size.

6.7.4.7 Temporary displays, including lighting, erected in connection with the observance of holidays in accordance with adopted cal-

endar associated with the holiday

6.7.4.8 Campaign signs

6.7.4.9 Construction signs associated with land development or building construction provided such signs are no larger than 32 square feet in size, do not exceed eight feet in height, and number not more than two per project. Such signs shall be displayed no sooner than 60 days prior to the commencement of construction and shall be removed within 10 days of completing construction.

6.7.4.10 Carport, garage, and yard sale signs not exceeding four square feet in size or four feet in height located on the site of sale and placed not more than three days in advance of the sale and removed within one day of the completion of the sale

6.7.5 PROHIBITED SIGN TYPES (TC DISTRICT)

6.7.5.1 Signs not listed in Table 6.4, Sign Types Established, are prohibited inclusive of, but not limited to, the following:

- a. Off-premises Signs, except as provided for such as auction signs
- b. Signs on Vehicles
- c. Roof Signs
- d. Signs placed over public or private streets or egress.
- e. Drone Signs
- f. Mobile Off Premises Signs / Billboards
- g. Digital Off Premises Signs / Billboards
- h. Wavers, Promotional Flags, Pennants, Streamers

6.7.6 PROHIBITED SIGN CONDITIONS (TC DISTRICT)

6.7.6.1 In addition to the prohibited signs listed in Section 6.7.5, the following sign conditions are prohibited:

- a. Signs that create a traffic hazard as determined by the Code Enforcement Director regardless of location and size criteria not withstanding. In general, a sign

shall not be placed within five (5) feet of any means of ingress or egress, except for directional signs not exceeding eight (4) square feet in area and four (4) feet in height.

- b. Signs which include action, motion, have any moving parts, contain varying intensity or flashing lights, are intermittently lighted, with the exception of signs that display time and temperature and certain signs permitted in Sections 6.79.2 and 6.79.3.
- c. Lights of detectable intermittent intensity or strobe whether inside or outside a building are prohibited.
- d. Campaign signs on public rights-of-way or other public property.
- e. Signs painted on or otherwise permanently attached to currently licensed motor vehicles that are parked adjacent to a street.



- f. No new billboard, digital billboard, or conversion of a billboard / off premises sign to a digital billboard / off premises sign shall be allowed or permitted, and no billboard / off premises sign (or sign of any type) that had been previously erected in violation of any City code shall become a legal nonconforming sign.

6.7.7 PERMITTED SIGNS (TC DISTRICT)

Only the sign types established in Table 6.4



Illustration 6.2

may be allowed within the TC District in accordance with Table 6.5.

#### 6.7.8 PERMITTED SIGN SIZE AND SITE LOCATIONS (TC DISTRICT)

Sign area, height, number, and site location shall be established in accordance with Table 6.5 and supplemental design criteria.

#### 6.7.9 ADDITIONAL DESIGN REQUIREMENTS (TC DISTRICT)

6.7.9.1 Minimum separation from like signs is 100'. Where this condition cannot be met, signs shall be separated as remotely as possible from like sign types.

6.7.9.2 Electronic Message Boards on monument signs are permitted on monument signs under the following criteria:

6.7.9.2.1 The electrically activated changeable message section shall be located on the lower two thirds of the sign.

6.7.9.2.2 The electrically activated changeable message section shall not exceed twenty (20) percent of the sign and be located within the lower two-thirds of the sign.

6.7.9.2.3 The informational content of the message section can be changed at intervals; however, the message shall not be flashed by varying the intensity of the illumination.

6.7.9.3 Electronic Message Boards on pole signs are permitted under the following criteria:

6.7.9.3.1 Up to ten (10) percent of the allowable square footage for a free standing pole sign may be composed of a fixed interval changeable message. The changeable

message shall be of a single color, non-flashing with a maximum character height of 18" and maximum width of six characters per line.

#### 6.7.9.4 Landscaping Provisions for Monument Signs

6.7.9.4.1 The area surrounding the sign base shall be landscaped with appropriate planting materials.

#### 6.7.9.5 Other Design Provisions



Illustration 6.3

6.7.9.5.1 Sign position - Signs shall be positioned so as to avoid or minimize sight line conflict with any other established sign.

6.7.9.5.2 No easement shall be permitted exclusively for the use of signage.

6.7.9.5.3 Signage may be placed in easements used for primary access.

6.7.9.5.4 Where a single sign has two sign faces, the maximum separation of the faces shall not exceed 45 degrees.

6.7.9.5.5 Sign support structures massed greater than 150 percent of maximum sign message area shall require Planning Commission approval.

#### 6.7.10 MEASURING SIGNS (TC DISTRICT)

6.7.10.1 Sign area and height shall be calculated as shown in Illustration 6.3.

6.7.10.2 Building frontage shall be determined by the location of the primary building entrance or the side facing the highest classified roadway, at the permittee's option.

#### 6.7.11 METHODS OF COMPLIANCE (TC DISTRICT)

6.7.11.1 In the determination of maximum size of signs, the Code Enforcement Director may consider a ten (10) percent alteration in signs of fifty (50) square feet or less and a five (5) percent alteration in signs of fifty (50) square feet or more, provided that it is necessitated by an unusual or exceptional situation.

#### 6.7.12 MAINTENANCE OF SIGNS (TC DISTRICT)

6.7.12.1 All signs and components thereof, including supports, braces, and anchors, shall be maintained in like-new condition.

6.7.12.2 If a sign advertises a business, service, commodity, accommodation, attraction, or other enterprise or activity that is no longer operating, being offered, or conducted, that sign shall be considered abandoned and the sign and its supporting structure shall be removed in its entirety within 90 days after such abandonment by the sign owner of the property where the sign is located, or other party having control over such sign.

6.7.12.3 The immediate area around a free standing sign shall be kept clear of all debris and maintained by the landowner, or by the sign owner as agent of the landowner, in an attractive manner.

6.7.12.4 The Code Enforcement Director may cause to be removed any sign on which the advertising message becomes illegible in whole or in part.



Illustration 6.4  
Wall Sign Example

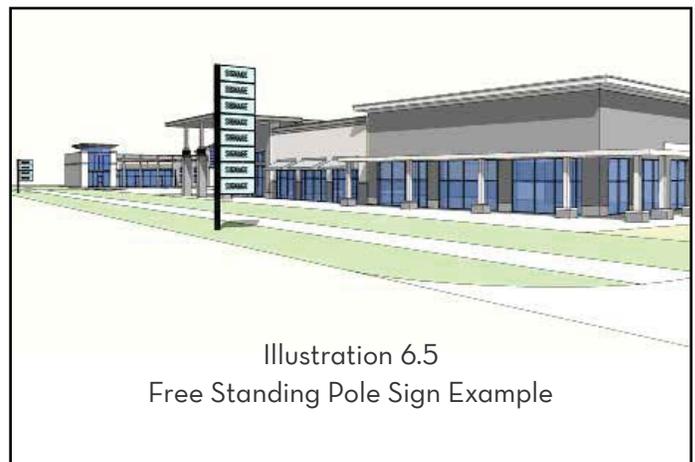


Illustration 6.5  
Free Standing Pole Sign Example

TABLE 6.4 PERMITTED SIGN TYPES ESTABLISHED FOR TC DISTRICT ONLY

On Premises Signs	Description		Example
1. Wall Sign	A sign fastened to or painted on the wall of a building or building canopy in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign and which does not project more than six inches from such building or structure.		
2. Monument Sign (With or without reader board)	A sign suspended or supported by one or more uprights or braces anchored in the ground with no more than 30 inches clearance from the bottom of the sign to the ground below.		
3. Free-standing Pole Sign	A sign that is mounted on a freestanding pole or other support so that the bottom edge of the face is six feet or more above grade, that the support structure does not exceed 25% of the width of the message area and with no message displayed on the support structure.		
4. Destination Arrival Sign	A monument sign which identifies a general destination which encompasses multiple attractions or enterprises. Examples include Governor's Crossing and Five Oaks.		
5. Projecting Sign	A sign attached to the face of a building and extending outward or suspended overhead from an entrance or sidewalk canopy.		
6. Temporary Sign (On Premises)		Real Estate Sign	
		Non-commercial Sign	
		Commercial Sign (Banner)	
7. On-site Directional Sign	A sign that directs vehicles or pedestrians to major site access points or otherwise directs traffic flow.		
8. Miscellaneous Sign	Signs for: residential uses; associated with public bodies; designating historic resources; vehicle signs; holiday displays; sandwich boards; home occupations; development construction; and, garage sale signs.		

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

Off Premises Signs			
9. Directional Sign (Off Premises)	A sign that directs vehicles or pedestrians to major destinations such as community institutions, religious assemblies, or non-profit service clubs.		
10. Temporary Sign (Off Premises)	A non-permanent sign that is designed to be easily removed upon the completion of a specific period of time, event, or transaction.	Auction	
		Non-Commercial	
		Campaign Sign	

**TABLE 6.5 PERMITTED SIGNS IN TC DISTRICT ONLY**

■ = Permitted x = Not permitted		Zone
Sign Types		TC
<b>On Premises Signs</b>		
Wall Sign		■
Monument Sign		■
Free-standing pole sign		■
Destination Arrival Sign (major or minor)		x
Projecting Sign		■
Temporary	Real Estate	■
	Campaign	■
	Non-commercial Sign	■
	Commercial Sign (Banner)	■
On-site Directional Signs		■
Miscellaneous Signs		■
<b>Off Premises/ Billboard</b>		
Off-Premise Directional Sign		■
Temporary Non Commercial Sign		■
Billboard		x
Billboard (Digital)		x

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

TABLE 6.6 TABLE OF SIGN DIMENSIONS AND LOCATIONS (TC ONLY)

Sign Types		Permitted area/Max Size (sq. ft.)	Max Height (ft)	Number	Setback (min. ft.), Location and Other Criteria
On Premises Signs					
Wall Sign		2 feet per lineal foot of building frontage  150 max.	Shall not project above a roof line.	1 per wall face	Area shall be computed on one street only for double frontage conditions.
Monument Sign		2 feet per lineal foot of building frontage  150 maximum, except on local and minor collectors where maximum is 32	15, except on local and minor collectors where maximum is 6	1 per street frontage	Setback - 5
Free-standing Pole Sign		2 per lineal foot of building frontage  150 for individual parcels.	25	1	Setback - 5
Destination Arrival Sign (Major)		n/a	n/a	n/a	n/a
Destination Arrival Sign (Minor)		n/a	n/a	n/a	n/a
Projecting Sign		8	8 clearance from ground to bottom of sign	1	Projection limited to no more than 2' from wall surface
Temporary Sign	Real Estate	32	8	1 per 1000 feet of frontage	Setback - 5
	Non-commercial	32	6	1 per intersection	Display time not more than 30 days before and 7 days after the referenced event
	Commercial	32	6	1	Display time not more than 30 days. Flags, pennants and banners permitted with no permit for 7 days.

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

**6.0 SIGNS**

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

This page intentionally left blank.

## 7.0 NON-CONFORMITIES

### 7.1 Continuance of Nonconforming Uses

Any lawful use, building or land, existing at the time of the enactment of this ordinance or whenever a district is changed by an amendment thereafter may be continued although such use does not conform with the provisions of this ordinance with the following limitations: (Section 401)

#### 7.1.1 **Expansion and Enlargement of Nonconforming Uses**

No building or land containing a nonconforming use, except commercial and industrial uses exemplified by TCA 13-7-208, shall hereafter be extended unless such extensions shall conform with the provisions of this ordinance for the district in which it is located; provided, however, that a non-conforming use may be extended throughout those parts of a building which were manifestly arranged or designed for such use prior to the time of enactment of this ordinance. (Section 401.1)

#### 7.1.2 **Discontinuance or Abandonment**

When a non-conforming use of any building, structure or land has ceased for a period of ninety days, it shall not be reestablished or changed to any use not in conformity with the provisions of this ordinance. The ninety (90) day period shall begin upon notice being sent, postmarked, by first-class mail, by the Building Official or his designated representative, to the address of owner of record of the subject building, structure, or land, at the time, according to the records of the Sevier County Tax Assessor's Office. (Section 401.3)

#### 7.1.3 **Continuation of Nonconforming Use after Damage**

Any non-conforming building which has been damaged by fire or other causes, may be reconstructed and used as before unless the Building Inspector determines that the building is damaged to the extent of more than fifty (50) percent of its appraised value for tax purposes in which case any repair or reconstruction shall be in conformity with the provisions of this ordinance. (Section 401.2)

### 7.2 Nonconforming Signs

If there is any type of nonconforming sign on a parcel upon which an Interstate monopole sign is proposed to be located, such sign shall be brought into conformance with applicable provisions of Chapter 6.0 on or before the date on which a permit is issued for a monopole Interstate sign. (Section 714.1.1.2)

### 7.3 Nonconforming Billboards

Any existing billboard, as defined in Chapter 9.0, is a non-conforming sign. Any change to such sign is subject to the provisions of Table 6.3, Off-premises Signs, Existing Billboards, and other applicable provisions of this ordinance. (Section 409.7)

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

This page intentionally left blank.

## 8.0 ADMINISTRATION AND ENFORCEMENT

### 8.1 Administration and Enforcement by Department of Code Enforcement

8.1.1 **Enforcing Officer.** The provisions of this ordinance shall be administered and enforced by the Municipal Building Inspector. This official shall have the right to enter upon any premises necessary to carry out his duties in the enforcement of this ordinance. (Section 1001)

8.1.2 **Building Permit Required.** It shall be unlawful to commence the excavation for or the construction of any building, including accessory buildings, or to commence the moving or alteration of any building, including accessory buildings, until the Building Inspector has issued for such work a building permit including a statement that the plans, specifications and intended use of such building in all respects conform with the provisions of this ordinance. Application for a building permit shall be made to the Building Inspector. (Section 1002)

8.1.3 **Application for and Issuance of a Building Permit.** In applying to the Building Inspector for a building permit, the applicant shall submit a dimensioned sketch or scale plan indicating the shape, size, height, and location of all buildings to be erected, altered or moved, and of any building already on the lot. He shall also state the existing and intended use of all such buildings and supply such other information as may be required by the Building Inspector for determining whether the provisions of this ordinance are being observed. If the proposed excavation or construction as set forth in the application are in conformity with the provisions of this ordinance, the Building Inspector shall issue a building permit for such excavation or construction. If a building permit is refused, the Building Inspector shall state such refusal in writing with cause. (Section 1003)

8.1.4 **Certificate of Occupancy.** Upon the completion of the construction or alteration of a building or structure for which a building permit has

been granted, application shall be made to the Building Inspector for a certificate of occupancy. Within three days of such application, the Building Inspector shall make a final inspection of the property in question, and shall issue a certificate of occupancy if the building or structure is found to conform to the provisions of the ordinance and the statements made in the application for the building permit. If such a certificate is refused, the Building Inspector shall state such refusal in writing with the cause. No land or building hereafter erected or altered in its use, shall be used until such a certificate of occupancy has been granted. (Section 1004)

8.1.5 **Other General Administrative and Enforcement Duties.** In addition to general administrative and enforcement duties of the Municipal Building Inspector, he shall also have the following duties, as provided for in this ordinance, which include the following:

#### a. Buffers and Landscaping

- i. Determination of the acceptability of plant material in a buffer strip (Section 303)
- ii. Determination of whether the buffer strip to be provided when required nonresidential parking is extended into an adjoining residential district should be a fence or a plant strip (Section 402.20)

#### b. Parking Lots

- i. He or his designated representative shall regularly inspect parking lots required to meet these regulations. The official shall notify the property owner and/or manager upon finding deficiencies in structural or landscaped areas. (Section 402.21.7)

#### c. Flood Protection

- i. Administration and enforcement of the Flood Damage Prevention ordinance, adopted in conformance with the National Flood Disaster Protection Act of

1973, and its subsequent amendments, and other applicable sections of this ordinance, as follows: (Section 4O6)

- a. To assure that all development in designated flood hazard areas shall be constructed so that the finished floor elevation is one (1) foot above the one hundred (100 year flood elevation). (Section 4O6.3)
  - b. To assure that no building or structure is to be located within ten (10) feet of an established floodway, and that any stream without an established floodway, no building or structure will be located within ten (10) feet of the top of the bank of the stream. (Section 4O6.4)
  - c. To assure that all commercial uses, multi-family uses, mobile home parks, and industrial uses have been reviewed for approval by the Planning Commission. (Section 4O6.1)
  - d. To assure that whenever the Planning Commission considers construction in a designated floodway, that a detailed engineering study using the HEC-RAS computer model or subsequent FEMA-approved model, verifies that a “no impact” condition is maintained in such floodway (Section 4O6.5)
- ii. Maintain of a copy of the Flood Damage Prevention Ordinance in his office. (Section 7O9.2)

#### **d. Planned Unit Developments**

- i. Revocation of any issued permit for a building or structure that does not comply with the approved PUD plan, as set out in 8.4.1.4.ii(a). (Section 4O7.9.6)

#### **e. Nonconforming Uses of Building Structures and Land**

- i. Determination of the extent of damage to nonconforming uses in regard to repair or reconstruction, as set out in Chapter 7.O of this ordinance. (Section 4O1.2)

- ii. Notification of owner upon cessation of a nonconforming use that it may not be reestablished or changed to another nonconforming use after ninety (90) days from the date of the postmark on such letter, as set out in Chapter 7.O of this ordinance. (Section 4O1.3)

#### **f. Special Carport Construction**

- i. Upon a finding that the intent and purpose of this ordinance will be met as closely as possible and that no objectionable condition to the community will result, he may permit the construction of a carport in the rear yard or in a side yard for housing constructed prior to 1950 where no provisions were made for off-street parking. (Section 4O8)

#### **g. Signs**

- i. Receipt of application with plans and specifications identifying location, type, and design of any sign, collect of fees and the granting of sign permits, as provided for in Chapter 6.O and other applicable provisions of this ordinance. (Section 4O9.2.4)
- ii. Determination of whether a temporary noncommercial sign may be located away from the site of a special event or the site of an event of infrequent occurrence. (Section 4O9.2.9)
- iii. Determination of whether an unusual or exceptional situation exists which warrants the alteration of maximum sign size, as provided for in Chapter 6.O of this ordinance. (Section 4O9.3.2.2)
- iv. Determination of whether an usual circumstance involving topography or congestion exists to warrant the height of a free-standing pole sign, as provided for in Chapter 6.O of this ordinance. (Section 4O9.3.5)

#### **h. Bond Performance Guarantee**

- i. Estimate cost of required site improvements based upon approved site and

planned unit development plans, receives acceptable form of security, and releases such security upon completion of improvements, as set out in Chapter 10.1 Appendix of this ordinance, upon the recommendation of the City Administrator or planning staff. (Section 411.11.1 and 411.11.3)

## 8.2 Board of Zoning Appeals

**8.2.1 Creation and Appointment.** A Board of Zoning Appeals is hereby established in accordance with Section 13-7-205, Tennessee Code Annotated. The Sevierville Planning Commission is hereby designated as the Board of Zoning Appeals and the terms of the members of the Board of Zoning Appeals shall be concurrent with the terms of the members of the Sevierville Planning Commission. (Section 1101)

**8.2.2 Procedure.**

- a. Meetings of the Board of Zoning Appeals shall be held at the call of the chairman or by a majority of the membership and at such other times as the board may determine. Such chairman, or in his absence, the acting chairman, may administer oaths and compel the attendance of witness. (Section 1102)
- b. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact; shall take all evidence necessary to justify or explain its action, and shall keep records of its examinations and of other official action, all of which shall be immediately filed in the office of the Board and shall be a public record. (Section 1102)

**8.2.3 Powers and Duties.** The Board of Zoning Appeals shall have the following powers and duties: (Section 1104)

- a. **Administrative Review.** To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, permit decision, determination, or refusal made by the Building Inspector or other administrative official in the carrying out or enforcement of any

provision of this Ordinance. (Section 1104.1)

**b. Special Exceptions.** (Applies to all Districts, except TC) To hear and decide special exceptions to this Ordinance as set forth herein, and as referenced below:

- i. If off-street parking space required in Chapter 3.0, 4.0, and 5.0 of this ordinance cannot be reasonably provided on the same lot on which the principal use is conducted, the Board of Zoning Appeals may permit such space to be provided on another off-street property provided such space lies within four hundred (400) feet of the main entrance to such principal use. Such vehicle standing space shall be deemed to be required open space associated with the permitted use and shall not thereafter be reduced or encroached upon in any manner. (Section 402.19)
- ii. A special exception to building height requirements in the IN District may be made for permitted uses with unique manufacturing processes requiring the use of a tower or exceptional height in a limited section of the plant facility. Before the special exception can be considered by the Board of Zoning Appeals, the requester must obtain approval of the Fire Chief and Building Official for compliance with City codes. (Section 708.7)

**c. Special Exceptions (Applies only to the TC District)**

- i. Application. Any use listed as a Special Exception Chapter 3.0 shall require the submission of a written application indicating the section in the Ordinance under which the Special Exception is sought and stating the grounds on which it is requested.
- ii. An application for a Special Exception shall be heard by the Board of Zoning Appeals. No such application shall be granted unless satisfactory provision

and arrangement has been made concerning all of the following:

- a. Ingress and egress to property and proposed structures with particular reference to vehicular and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
  - b. Off-street parking and loading areas.
  - c. Refuse and service areas.
  - d. Utilities, with reference to locations, availability, and compatibility.
  - e. Screening and buffering with reference to type, dimensions, and character.
  - f. Required yards and other open space.
  - g. General compatibility with adjacent properties and other property in the district.
  - h. Any other provisions deemed applicable by the Board of Zoning Appeals.
- iii. **Site Plan Required** - All Special Exception applications are required to comply with the provisions of this Ordinance.
  - iv. **Public Hearing Required** - A public hearing shall be held for all proposed Special Exceptions.
- d. Variance.** To hear and decide applications for variance from the terms of this Ordinance, but only where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the adoption of this ordinance was a lot of record; or, where by reason of exceptional topographical conditions or other extraordinary or exceptional situations or conditions of a piece of property, the strict application of the provisions of this 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 substantial detriment to the public good and without substan-

tially impairing the intent and purpose of this ordinance. (Section 1104.3)

- i. 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 ordinance. (Section 1104.3)
- ii. Before any variance is granted it shall be shown that special circumstances are attached to the property which do not generally apply to other property in the neighborhood. (Section 1104.3)
- iii. As may concern the following, the Board of Zoning Appeals may consider a variance:
  - a. **Lot of Record.** Where the owner of a lot consisting of one or more adjacent lots of official record at the time 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, in accordance with Section 8.2 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 is possible in the opinion of the Board of Zoning Appeals. (Section 901)
  - b. **Group Housing Projects.** In the case of a group housing project or two or more buildings to be constructed on a plot of ground of at least one acre not subdivided into the customary streets and lots and which will not be so subdivided or where the existing or contemplated street and lot layout make it impracticable to apply the requirements of this ordinance to the individual building units in such housing projects, a special exception to the terms of this ordinance may

be made by the Board of Zoning Appeals in a manner that will be in harmony with the character of the neighborhood, will insure substantially the same character of occupancy and an intensity of land use no higher and a standard of open space no lower than that permitted by this ordinance in the district in which the project is to be located. However, in no case shall the Board of Zoning Appeals authorize a use prohibited in the district in which the project is located or a smaller lot area per family than the minimum required in such district, or a greater height or a larger coverage than the requirements of this ordinance permit in such a district. (Section 904)

**c. Replacement of Existing Mobile**

**Homes.** The owner of an existing mobile home may, upon approval of the Board of Zoning Appeals, immediately replace same with a mobile home of greater value, if deemed necessary for reasons of health, safety, or improvement of living conditions; and provided that same is located upon the same site of the replaced mobile home. This provision applies to owner occupancy only. (Section 906)

**d. Slope of driveways.** Where an existing lot or tract of land is too steep to reasonably satisfy the applicable requirements on the driveway slope, then the Board of Zoning Appeals may grant a variance, assuming that the variance represents the minimal departure from the requirements necessary to attain safe and feasible access into the property. (Section 405.2.5)

**e. Other determinations, as follows:**

- i. **Zoning district boundaries.** As provided for in Section 2.3.2 of this ordinance, questions concerning the exact locations of district boundaries shall

be determined by the Board of Zoning Appeals (Article VI, 2nd paragraph, 3rd sentence)

- ii. **Revocation of participation in the Tourist Oriented Directional Signs (TODS) program.** When, after proper notification of being out of compliance and revocation of the privilege of participating in the TODS program, a business may appeal the such revocation to the Board of Zoning Appeals. (Section 409.3.6.5#4) (See also, Chapter 10.O Appendix, Section 10.2, regarding the TODS program)

**8.2.4 Appeals Process.** An appeal to the Board of Zoning Appeals may be taken by any person, firm or corporation aggrieved, or by any governmental officer, department, board or bureau affected by any decision of the Building Inspector based in the whole or part on provisions of this Ordinance. (Section 1103)

- a. Such appeal shall be taken within a reasonable time, as provided by the rules of the board, by filing with the Building Inspector and with the Board of Zoning Appeals a notice of appeal, specifying the grounds thereof. (Section 1103)
- b. The Building Inspector shall transmit forthwith to the board all information constituting the record upon which the action appealed was taken. The board shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon hearing, any party may appear in person or by agent or attorney. (Section 1103)

**8.2.5 Action of the Board of Zoning Appeals.** In exercising the aforementioned powers, the Board of Zoning Appeals may, in conformity with the provisions of this Ordinance, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and to that end shall have all powers of the Building Inspector. The vote of a majority of the board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide

in favor of the applicant on any matter upon which it is required to pass or to authorize any variance from the terms of this Ordinance. (Section 1105)

### 8.3 Site Plan Review

8.3.1 **Purpose.** It is the general purpose and intent of this Section to require site plans for all new developments, or redevelopment, of commercial, industrial, public and semi-public, and multi-family residential uses to provide for a lessening of traffic congestion and for securing adequate light, air, and aesthetic conditions for residents of the City. (Section 411)

8.3.2 **Approval process.** Site plans shall be approved by the Planning Commission as consistent with this ordinance and with comprehensive planning program of the City prior to the issuance of grading or building permits; except that, site plans for small additions to existing buildings shall be exempt from review when, in the opinion of the Building Inspector and planning staff, the addition will no adversely affect the general purpose and intent of these regulations. (Section 411)

**a. Historic Residential Office District (HRO).**

Prior to initiating any modifications to any site, including conversion of a residential structure to a nonresidential use, the demolition of a residential or nonresidential structure for the purpose of preparing a site for new construction, and/or the preparation of a vacant lot for new construction (except a site to be used for the placement of one (1) single-family residence or one (1) duplex), a site plan prepared in accordance with this and other applicable provisions of this ordinance is required. The site plan shall be reviewed by the Citizens Advisory Committee for the HRO District (HRO Committee) prior to its presentation to the Planning Commission for action. The applicant, or a representative thereof, shall be present at the HRO Committee meeting at which a site plan is reviewed by that body. (Sections 712.2 and 712.2.1)

8.3.3 **Contents of Site Plan.** The site plan shall set forth the proposal for development of the total

land tract and meet the requirements set out in Chapter 10.O, Appendix, 10.1 Site Plan Review Documentation Requirements. (Section 411)

## 8.4 Planned Unit Development Plan

### 8.4.1 **Planned Unit Development**

8.4.1.1 **Purpose.** The purpose of the Planned Unit Development (PUD) is to provide opportunities to create a more desirable environment through the application of flexible and diversified land development standards under a comprehensive plan and program professionally prepared. The Planned Unit Development is intended to be used to encourage the application of new techniques and technology to community development that will result in more superior living or development arrangements than could occur under conventional lot or building dispositions. It is further intended to achieve economies in land development, maintenance, street systems, and utility networks while providing building groupings for privacy, usable attractive open spaces, safe circulation, and the general well being of the inhabitants. (Section 407.1)

8.4.1.2 **Location.** A PUD may be located within any residential, visitor, commercial, or industrial district provided that such a development meets the density and use requirements of the zoning district governing that location. Every PUD proposal must be approved by the Planning Commission before the beginning of construction on its site. (Section 407.2)

a. **Combination of Separate Types of Planned Unit Developments.** The Planning Commission may consider the consolidation of separate types of PUDs (such as residential and commercial PUDs) within a unitary development plan as a single administrative procedure, provided the total tract is under single ownership of a landowner, as defined by this article, and the land area is sufficient to comply with the distinct standards governing the separate types of land uses. (Section 407.8.2)

8.4.1.3 **Permitted uses in a PUD.** Any use permitted in the district in which the PUD is to be located is allowed. Cluster subdivisions, condominiums, townhouses, mobile home parks, and multi-use commercial developments shall be considered as PUDs for the purpose of this ordinance. (Section 407.3)

8.4.1.4 **Application, Review, and Development Procedure for a PUD.**

a. **Preliminary PUD Plan.** To obtain the right to develop a PUD, the developer shall submit a preliminary PUD plan to the Planning Commission for its review and approval. The preliminary PUD plan shall be drawn at a minimum scale of one inch equals one hundred (100) feet and shall: (Section 407.9)

- i. Define the location, size, accessibility, and existing zoning of the proposed site. (Section 407.9.1)
- ii. Indicate the surrounding type of development and land uses. (Section 407.9.2)
- iii. Set forth the type of development proposed, the density of the proposed development, and the location of all structures, parking areas, and open spaces. (Section 407.9.3)
- iv. Show a plan for streets, thoroughfares, public utilities, schools, and other public or community uses. (Section 407.9.4)
- v. Such other additional information as the Planning Commission may determine necessary to adequately review the proposed development. (Section 407.9.5)

b. **Final PUD Plan.** The final PUD plan shall conform to the preliminary PUD plan and shall include the following items, if applicable: such items, and in such format, as may be required according to procedures adopted and published by the Planning Commission. (Section 407.9.7)

- i. No building permit(s) shall be issued until after approval of the final PUD

plan, and where applicable, approval of a subdivision plat for any portion of the development proposed for subdivision. The Building Inspector may revoke any issued permit for a building or structure that does not comply with the approved plan. (Section 407.9.6)

- ii. Approval of a final plan shall expire twelve (12) months after the approval date, if substantial developmental progress has not been made. (Section 407.9.8)

c. **Staging and Development Schedule**

- i. The applicant may elect to develop the site in successive stages in a manner indicated in the PUD plan; however, each such stage shall be substantially complete within itself. (Section 407.8.8.1)
- ii. The Planning Commission may require that development be done in stages if public facilities are not adequate to service the entire development initially. (Section 407.8.8.2)

d. **Changes and Modifications to a PUD Plan**

i. **Minor changes.** Minor changes may include, but are not limited to, minor shifting of the locations of buildings, proposed streets, or other public or private ways, utility easements, parks or other public open spaces, or other features of the plan. Minor changes in a PUD plan may be approved by the Planning Commission provided that such changes: (Section 407.8.9.3 and 407.8.9.2)

- (a.) Do not increase the building unity densities.
- (b.) Do not change the outside (exterior) boundaries of the development.
- (c.) Do not change any use.
- (d.) Do not materially change the

location or amount of land devoted to specific land uses.

- (e.) Do not significantly change the exterior appearance from that shown on any plans previously submitted or presented by the developers.

- ii. **Major changes.** Major changes proposed to the PUD plan after it has been adopted shall be considered the same as a new petition and shall be made in accordance with the procedures specified in Section 8.4.1.4. (Section 407.8.9.1)

#### 8.4.1.5 Development and Site Improvement Standards

##### a. Minimum Site, Units, and Lot Sizes.

- i. **Residential PUD.** A residential PUD shall have a minimum site area of four (4) acres, and a minimum of fifteen (15) residential units. However, the minimum site and unit standards of the foregoing sentence shall not apply to residential or mixed use residential developments located and permitted in commercial zoning districts and the VA District. (Section 407.5)

- (a.) Any lot created within a PUD on which a freestanding single-family dwelling is intended to be placed shall be at least 6,000 square feet in size, and, no lot created within a PUD on which a duplex is intended to be placed shall be less than 12,000 square feet in size. (Section 407.5)

- (b.) In no instance shall the overall density of a residential PUD exceed the maximum density allowed in the zoning district within which it is located. Areas designated for the sites of schools, churches and other public buildings shall not be used when computing allowed densities. However, the open space around these cities can be so computed. (Sections

407.5 and 407.8.5)

- ii. **Nonresidential PUD.** A nonresidential PUD shall have a site area that is suitable to satisfy the demands of vehicular access and parking, stormwater drainage, building locations, water and sewer services, and space for proposed amenities. Other than meeting any minimum area required by the zoning district in which a nonresidential PUD is proposed to be located, no minimum area is required, except that any such non-residential PUD must satisfy applicable parking, access, stormwater, and landscape buffering standards. (Section 407.5)

##### b. Building Setback and Separation Requirements

- i. Except as modified by ii, iii, and iv below, No freestanding building shall be closer than twenty (20) feet from any other freestanding building, no closer than twenty-five (25) feet from the exterior PUD boundary, and no closer than twenty-five (25) feet from any street or road right of way (unless severe topographic difficulties affect the site). Further, if the requirements of a particular zoning district include additional building setbacks for certain building heights, and such setbacks exceed those stated in this section, then those additional requirements shall prevail on any PUD plan approved by the Planning Commission. (Section 407.6)

##### ii. Residential PUD on one tract

###### (a.) Setback between one-story buildings and two-story buildings.

No free-standing building shall be closer than twenty (20) feet from any other free-standing building, and no free-standing two-story building shall be located closer than twenty-five (25) feet from any other free-standing building. (Section 407.6)

##### iii. Residential PUD with lots for free-standing one-story single-family,

**duplex, or multi-family units in one building.**

**(a.) Setback from lot lines and street**

**right-of-way.** Where lots are created within a PUD which contain or are intended to contain a free-standing one-story single-family dwelling, duplex dwelling, or multi-family dwelling, the minimum side and/or rear yard building setback shall be at least ten (10) feet, unless such yard is located on the perimeter of a PUD in which case the minimum building setback shall be at least twenty-five (25) feet, and no lot shall have a front yard building setback that is less than twenty-five (25) feet from any private or public street right-of-way. (Section 407.6)

**iv. Residential PUD with lots for free-standing two-story single-family, duplex, or multi-family units in one building.**

**(a.) Setback from lot lines and**

**street right-of-way.** Where lots are created within a PUD which contain or are intended to contain a free-standing single-family dwelling of two (2) or more stories, a duplex dwelling of two (2) or more stories, or a multi-family dwelling of two (2) or more stories, no such dwelling shall be located any closer than twelve and one-half (12 1/2) feet from any interior property boundary; except that, where such yard is located on the perimeter of the PUD such building setback shall be no less than twenty-five (25) feet from the perimeter boundary, and no lot shall have a front yard building setback that is less than twenty-five (25) feet from any private or public street right-of-way. (Section 407.6)

- c. Application of Height Requirements.** No building shall exceed the maximum height permitted in the particular zoning district in which it is located. If the requirements

of a particular zoning district include additional building setbacks for certain building heights, and such setbacks exceed those stated in Section 8.4, then those additional requirements shall prevail on any PUD plan approved by the Planning Commission. (Section 407.4)

**d. Streets and Pedestrian Ways.**

**i. Relationship to the Subdivision Regulations.**

The arrangement of public and common ways for pedestrian and vehicular circulation shall substantially comply with the standards set forth in the municipal subdivision regulations and the Major Thoroughfare Plan, Sevierville, Tennessee. However, the uniqueness of each proposal for a PUD may require that specifications established in the subdivision regulations be modified, including those for the street right-of-way and other public ways, street width and surfacing, curbs, and other standards. Upon application by the landowner and good cause shown, the Planning Commission may permit changes or alterations of such standards if they are consistent with the spirit and intent of this Section. Modifications may be incorporated only with approval of the Planning Commission as a part of its review of the development and/or plan. (Section 407.8.1) (See also, Section 8.4.1.5.d.ii below)

- ii. All streets, roads, or public ways shall be platted within a PUD. (Section 407.8.4.7)
- iii. All streets (whether publicly or privately maintained) shall be constructed so as to conform with the intent of the Sevierville Subdivision Regulations. (Section 407.8.4.1)
- iv. Sidewalks shall be constructed, or an equivalent paved internal pedestrian circulation system provided. The minimum width of such sidewalk shall be four (4) feet. Sidewalks or pedestrian trail may satisfy the provision for

usable open space recreational areas.  
(Section 407.8.4.2)

e. **Flood Protection**

- i. Every lot and every building shall comply with the minimum standards of the Municipal Flood Damage Prevention Ordinance, municipal stormwater ordinance, and other applicable standards within this zoning ordinance. (Section 407.8.3.1)
- ii. All new public and private streets proposed as part of a PUD, any portion of which lies within a flood hazard area, as designated on maps identified in the City's Flood Damage Prevention Ordinance, shall be constructed so that such streets are at least one (1) foot above the 100-year flood elevation. Whenever a street that is constructed so that it is at least one (1) foot above the 100-year flood elevation intersects with a street that is at or below the 100-year flood elevation, the City Engineer shall determine the manner in which the intersection between two such streets shall be constructed. (Section 407.8.3.2)

f. **Stormwater Management**

- i. Stormwater drainage structures shall be constructed in accordance with the Stormwater Management Ordinance of the City, and any applicable requirements of the municipal zoning ordinance and subdivision regulations. (Section 407.8.4.3)
- g. **Parking.** Off-street parking shall be provided on a site convenient to the building; in accordance with the following requirements: (Section 407.7)
  - i. **Residential** (Section 407.7.1)
    - (a.) There shall be at least two spaces per dwelling unit for townhouses, duplexes, and single family, detached dwellings. (Section 407.7.1.1)

- (b.) There shall be an average of at least two (2) spaces per dwelling unit for apartment houses. (Section 407.7.1.2)

- (c.) The parking area for each single-family, detached residential unit and duplex shall be directly connected to a street or road, involving no travel over interior or intermediate driveways in the development, unless specific approval is given by the Planning Commission upon the recommendations of the City Engineer and Development Director. (Section 407.8.4.7)

- (d.) Parking areas shall be landscaped as provided for in Chapters 3.O, 4.O, and 5.O. (Section 407.8.4.5)

ii. **Commercial and Industrial**

- (a.) The number of parking spaces provided shall conform to applicable standards included in Chapters 3.O and 4.O of this ordinance. (Section 407.7.2)

- (b.) Parking areas shall be landscaped as provided for in Chapters 3.O and 4.O of this ordinance. (Section 407.8.4.5)

- (c.) Driveway curves shall have adequate radii, conforming to widely accepted standards of traffic engineering. (Section 407.8.4.7)

h. **Landscape and Buffering.** For the mitigation of noise and heat, improvement of visual character and a generally more pleasing environment, landscaping shall be required for each PUD. (Section 407.8.4.5) (See also 8.4.1.5i. i and ii)

i. **Residential PUDS.** All residential PUD's shall have landscaping on the outer perimeter of the development consisting of an average of one tree (two inch caliper) per twenty-five (25) feet of frontage upon a street or road, and shubbery amounting to five plants per twenty (20) feet of paved width for

any street, road, or driveway accessing the exterior portion of the development. In addition to the foregoing, multi-family PUDs shall satisfy the regulations in Chapters 3.0 and 4.0 of this ordinance pertaining to parking areas. (Section 407.8.4.5)

ii. **Commercial PUDs.** Commercial PUDs shall adhere to the landscaping requirements of Chapters 3.0 and 4.0 of this ordinance. (Section 407.8.4.5)

iii. **Additional exterior property line buffer.** The Planning Commission also may require buffering and screening with trees, where the exterior property line of any proposed PUD abuts an existing residential development or existing commercial or industrial use or zoning district. (Section 407.8.4.5)

i. **Open Space Requirements** (Section 407.8.6) (See also 8.4.1.5.h.i, ii, and iii)

i. **Residential PUDS.**

(a.) On site usable recreation area and/or open space shall be provided. Such areas shall be set aside for open space or recreation purposes only. These are intended to serve the residents of the PUD, and should therefore be easily accessible to them. (Section 407.8.6.1)

(b.) If the PUD contains individually owned units, then such open space shall be maintained in common ownership established in the appropriate legal manner as provided for in Section 8.4.1.5.m below. (Section 407.8.6.1)

ii. **Commercial and Industrial PUDs**

(a.) Commercial and Industrial use PUDs shall meet all open space requirements as established by this and other Chapters of this ordinance. (Section 407.8.6.1.1)

(b.) All open spaces shall be land-

scaped and all such landscaping shall be shown in the PUD plan. (Section 407.8.6.1.2)

j. **Water and Sewer Improvements**

i. In general, any PUD to be constructed within Sevierville shall be served by public water lines and sanitary sewer lines. The maintenance and repair of water and sewer lines, pumps, tanks, and other related facilities located on private property, including private property owned in common by more than one party, such as a private road, common open space, and the like, shall be the responsibility of the private property owner(s). (Section 407.8.4.4)

ii. The master meter for such services shall be placed at the front of the property line of a PUD. (Section 407.8.4.4)

iii. Where applicable, any condominium association agreement, homeowners' association agreement, and/or restrictive covenants shall specifically acknowledge the party(ies) responsible for the maintenance and repair of water and sewer facilities on private property. (Section 407.8.4.4)

k. **Signs**

i. The signage placed within each PUD shall conform to Chapter 6.0 and other applicable provisions of this ordinance. (Section 407.8.4.6)

l. **Fire Protection**

i. Fire hydrants shall be located within a PUD in a manner that meets requirements of relevant portions of the NFPA 1 Uniform Fire Code, or any subsequent code in force in the city at the time a PUD plan is submitted for review. (Section 407.8.4.8)

m. **Maintenance of Open Spaces.** Open space, including stormwater and transportation infrastructure, and recreational facilities, shall be established in the appro-

appropriate legal manner in one of the following methods:

- i. By the developer or management authority of the PUD (Section 407.8.7.1)
- ii. By a Homeowner's Association established by deed restrictions. (Section 407.8.7.2)
- iii. By the public if dedication of such open space is approved by the Planning Commission. (Section 407.8.7.3)

## 8.5 Amendments

8.5.1 **Procedure.** The Board of Mayor and Aldermen may amend the regulations, boundaries, or any provision of this Ordinance. Any member may introduce such amendment, or any official, board, or any other person may present a petition to the Board of Mayor and Aldermen requesting an amendment or amendments to this Ordinance. (Section 1201)

8.5.2 **Approval by Planning Commission.** No such amendment shall become effective unless the same be first submitted to the Planning Commission for approval, disapproval, or suggestion to the Planning Commission. If the Planning Commission, within thirty (30) days, disapproves after such submission, it shall require the favorable vote of a majority of the entire membership of the Board of Mayor and Aldermen to become effective. If the Planning Commission neither approves nor disapproves such proposed amendment within forty-five (45) days after such submission, the action of such amendment by said board shall be deemed favorable. (Section 1202)

8.5.3 **Introduction of Amendment.** Upon the introduction of an amendment of this Ordinance or upon the receipt of a petition to amend this Ordinance, the Board of Mayor and Aldermen shall publish a notice of such request for an amendment, together with the notice of time set for hearing by the Board of Mayor and Aldermen of the requested change. Said notice shall be published in some newspaper of general circulation in the City. Said hearing by the Board of Mayor and Aldermen shall take place

not sooner than fifteen (15) days after the date of publication of such notice. (Section 1203)

8.5.4 **Notification Regarding Proposed Amendment to the Zoning Map.** In addition to the publication of notice of public hearing regarding a proposed amendment to the zoning map in a newspaper of general circulation, as required by 13-7-203, Tennessee Code Annotated, and as provided for in Section 8.5.3 of this Ordinance, additional measures will be taken to notify neighboring property owners of such proposed amendment by the following means: (Section 1204)

- a. Whenever rezoning of property is proposed by any party, the City will mail notices to property owners within two hundred (200) feet of such property no less than seven (7) days prior to the Planning Commission meeting at which it is scheduled for consideration for review and recommendation. The notice shall contain the following information: location of the property, present zoning classification, proposed zoning classification, proposed use of the property, party requesting the rezoning, and date, time, and location of the Planning Commission meeting at which such request will be considered. (Section 1204.1)
- b. Although it is the general practice of the Board of Mayor and Aldermen not to consider a request for an amendment to the zoning map which has not received a favorable recommendation from the Planning Commission, any party shall have the right to request the Board of Mayor and Aldermen consider any such proposed amendment. (Section 1204.2)
- c. The Director Code Enforcement shall cause a sign to be placed upon the property proposed for rezoning no less than five (5) days prior to the second reading of such ordinance before the Board of Mayor and Aldermen. Such sign shall provide information regarding the proposed request, including the present and proposed zoning classification and the dates and location of the second and third reading of

the ordinance before the Board of Mayor and Aldermen. (Section 1204.2)

## 8.6 Fees

- 8.6.1 The Planning Commission shall have authority to set certain processing and administrative fees for services including, but not limited to, rezoning, variance, special use permits, subdivision, re-subdivision, planned unit development, and site plan review. (Section 413)
- 8.6.2 **Payment.** Fees shall be paid by the applicant at the time of filing application for service, in accordance with the fee schedule adopted by Resolution of the Board of Mayor and Aldermen. (Section 413.)

## 8.7 Penalties and Remedies

- 8.7.1 **Penalties.** Any person violating any provision of this Ordinance shall be guilty of a misdemeanor, 'as set out in TCA 13-7-203(a)(1), and upon conviction shall be fined not less than two dollars (\$2.00) per day nor more than fifty dollars (\$50.00) per day for each offense. Each day such violation shall continue shall constitute a separate offense. (Section 1005)
- 8.7.2 **Remedies.** In case any building or structure is erected, constructed, reconstructed, repaired, converted or maintained, or any building, structure or land is used in violation of this Ordinance, the Building Inspector or any other appropriate authority or any adjacent or neighboring property owner who could be damaged by such violation, in addition to other remedies may institute injunction, mandamus or other appropriate action in proceeding to prevent the occupancy or use of such building. (Section 1006)

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

This page intentionally left blank.

## 9.0 DEFINITIONS

### 9.1 Definitions

Unless otherwise stated, the following words shall, for the purpose of this Ordinance, have the meaning herein indicated. (Article III, Preamble - First Sentence)

### 9.2 Use of Words

Words used in the present tense include the future. The singular number includes the plural and the plural the singular. The word "shall" is mandatory, not directory. The word "used" or "occupied" as applied to any land or building shall be construed to include the word "intended," "arranged," or "designed" to be used or occupied. (Article III, Preamble - Second and Third Sentences)

## A

**Accessory Building or Structure. (TC Only)** A roofed, subordinate building or structure located on the same lot as the principal structure, which is incidental or secondary to the principal building or structure. An accessory building includes but is not limited to garages, carports, sheds, workshops, arbors, gazebos, pergolas, and covered patios, that are detached from and accessory to the main building on the site.

**Accessory Building or Use.** A building or use customarily incidental and subordinate to the principal building or use and located on the same lot with such building or use. (Section 304.2) (See also Building and Principal Building)

**Accommodation Unit.** For the purposes of regulations governing the VA District, this term shall refer a single dwelling unit (detached, or, a unit in a duplex, apartment, or condominium); a single room for temporary occupancy in a hotel, motel, or bed and breakfast inn; or, a recreational vehicle pad within a recreational vehicle park, all of which are primarily intended for overnight rental, short-term rental, or seasonal use by persons who are not residents of the City. (Section 713)

**Arterial Street.** A street that provides for traffic movement between areas and across portions of the City and secondarily for direct access to abutting land, as shown on the Zoning Map of the City of Sevierville. (Section 301)

**Art Gallery. (TC Only)** A public, quasi-public, or private building for the display or sale of works of art.

## B

**Bed and Breakfast Homestay.** For the purpose of regulations governing the HRO District, this term shall refer to an owner-occupied dwelling having three (3) or fewer guest rooms providing overnight lodging and breakfast to tourists. (Section 712.1.6)

**Berm.** A mound or bank of earth covered with either grass or other plant material. (Section 411.8.2.1)

**Billboard.** See Sign - Billboard

**Billboard.** See Sign - Billboard, Digital

**Boarding or Rooming House.** A building containing a single dwelling unit and not more than five guest rooms where lodging is provided with or without meals for compensation. (Section 302)

**Buffer Strip.** A plant material acceptable to the Development Director which has such growth characteristics as will provide an obscuring screen not less than six feet in height. (Section 303)

**Building.** Any structure having a roof supported by columns or by walls and intended for the shelter, housing or enclosure of persons, animals, or chattel. (Section 304) (See also Accessory Building and Principal Building)

**Building Height.** The height of any building shall be determined according to the method employed in the latest building code adopted by the City, both now and in the future. (Section 305)

## C

**Caliper.** The diameter of the tree trunk measured at 6" above ground level for a tree trunk having a diameter of 4" or less, and, the diameter of the tree trunk measured at 12" above ground level for a tree trunk having a diameter exceeding 4". (Section 411.8.2.2)

**Carport.** A structure used for the storage of vehicles and having no enclosure other than its roof and such necessary support as will present the minimum obstruction to light, air, and view. (Section 306)

**Changeable Sign** - See Sign - Changeable - Manually Activated, Electrically Activated - Fixed Interval, and Active.

**Clinic.** A structure used in providing medical services for outpatients only. (Section 307)

**Club.** Buildings and facilities owned or operated by an association or persons for a social or recreational purpose, but not operated primarily for profit or to render a service which is customarily carried on as business. (Section 308)

**Collector Street.** A street providing for traffic movement within the City as shown on the Zoning Map of the City of Sevierville. (Section 309)

**Community Organizations. (TC Only)** Community serving organizations; headquarters and meeting facilities for organizations operating on a membership basis for the promotion of the interests of the members, including facilities for: business associations, civic, social and fraternal organizations, labor unions and similar organizations, political organizations, professional membership organizations other membership organizations.

**Condominium.** A multi-unit structure offering individual ownership of said units. (Section 310)

**Construction Trailer. (TC Only)** A facility temporarily used as a construction or sales office.

**Customary Home Occupation.** See Home Occupation.

## D

**Day Care Center. (TC Only)** A place operated by a person, society, agency, corporation, institution, or other group that received pay for the care of five or more children under 17 years of age, or adults in a protective setting for less than 24 hours per day, without transfer of custody. The term "Day Care Center" also includes child development centers, nursery schools, day nurseries, play schools, and kindergartens, as well as agencies providing before and after school care, regardless of

name, purpose, or auspices. (Excluding schools graded 1-12 and kindergartens operated by governmental units or by religious organizations.)

**Day Care Center.** A place operated by a person, society, agency, corporation, institution, or other group that received pay for the care of eight or more children under 17 years of age for less than 24 hours per day, without transfer of custody. The term "Day Care Center" also includes child development centers, nursery schools, day nurseries, play schools, and kindergartens, as well as agencies providing before and after school care, regardless of name, purpose, or auspices. (Excluding schools graded 1-12 and kindergartens operated by governmental units or by religious organizations.)(Section 311)

**Digital Billboard** See Sign - Billboard, Digital

**Duplex.** See Dwelling, Two Family or Duplex.

**Dwelling, Multi Family.** A building designed, constructed, or reconstructed and used for more than two dwelling units, with each dwelling unit having a common structural wall with any other dwelling unit on the same floor. (Section 313)

**Dwelling, Multi Family. (TC Only)** A structure or structures containing more than two attached dwelling units used for residential occupancy.

**Dwelling, Single Family.** A building designed, constructed, and used for one dwelling unit. (Section 312)

**Dwelling, Single Family, Detached. (TC Only)** A residential building designed for occupancy by one family. For the purposes of this Ordinance, single-family dwelling does not refer to mobile, manufactured, modular, panelized or pre-cut homes.

**Dwelling, Single Family Attached. (TC Only)** Two or more dwelling units, each with primary outside access on the ground floor; and that are attached to each other by legally divided common walls which do not have openings and do not provide for internal access between the dwelling units. This term includes townhomes and duplexes.

**Dwelling, Two Family or Duplex.** A building designed, constructed or reconstructed and used for two dwelling units that are connected by a common structural wall. (Section 314)

## E

## F

**Family.** One or more persons occupying a premise and living together as a single housekeeping unit. (Section 315)

**Farmer's Market. (TC Only)** A retail market featuring foods sold directly by farmers to consumers

**Fence or Wall Height.** The height of a fence or wall shall be defined as the vertical distance from the ground to the top of the fence or wall structure, including the top-most rail, board, wire, stone, concrete edge, or other material. (Section 316)

**Flea Market.** A place of business which provides space either inside or outside an enclosed building to two or more persons for the purpose of making retail sales of tangible personal property on a short term basis. (Section 317)

**Financial Services. (TC Only)** An establishment authorized by the government to accept deposits, pay interest, clear checks, make loans, act as an intermediary in financial transactions, and provide other financial services to its customers.

**Fraternal Organizations and Clubs.** See Club

**Free-standing Pole Sign.** See Sign - Free-standing Pole Sign

**Funeral Home. (TC Only)** An establishment primarily engaged in the care, preparation, or disposition of human remains and conducting memorial services, but which does not include a crematory.

## G

**Government. (TC Only)** A building, structure, site, or any portion thereof that is used by the City, County, State, or Federal government.

**Graphic.** See Sign - Graphic.

**Ground Cover.** Low plants which grow to form a continuous cover over the ground, such as vinca, English ivy, grass, or like material. (Section 411.8.2.3)

## H

**Hardscape.** Non-deleterious materials used to augment the beauty of a landscaped area. "Hardscape" may include brick, stone or rock walls, fountains, ponds, pools, planter or retaining walls, but it excludes artificial plants, trees, or other artificial vegetation. (Section 411.8.2.4)

**Home Occupation.** An occupation for gain or support which is customarily conducted in the home, which is incidental to the use of the building or structure as a dwelling unit, which employs not more than two persons not residents of the premises, and not more than thirty (30) percent of the total actual ground floor area is used for home occupation purposes. Provided all other provisions related to home occupations can be met and maintained, the care of up to seven (7) children (excluding the occupant's children or step-children) shall be considered a home occupation. (Section 318 and Portion of Section 701.3)

**Home Occupation. (TC Only)** A home occupation shall mean an accessory use consisting of a vocational activity conducted inside a dwelling unit or its accessory structures, provided that the home occupation:

- does not result in noise or vibration, light, odor, dust, smoke, or other air pollution noticeable at or beyond the property line,
- includes only the incidental sale of stocks, supplies, or products,
- is clearly subordinate to the use of the lot for dwelling purposes and does not change the character of the lot,
- does not include the outside storage of goods, materials, or equipment, and
- has signs limited to a non-illuminated identification sign two square feet or less in size.

**Hotel (without amusement). (TC Only)** A building or buildings where lodging is provided for more than eight (8)

persons, who are usually but not always transients, for compensation.

## I

**Interstate Monopole Sign.** See Sign - Interstate Monopole

**Intoxicating Liquors or Intoxicating Drinks.** Alcohol, spirits, liquors and wines, liquid or solid, containing alcohol, spirits, liquor or wine, and produced for consumption by human beings, but not including beer as defined in Tennessee Code Annotated 57-5-101(b). (Section 319)

## J

## K

## L

**Landscape Area.** The unpaved area which contains grass, shrubs, flowers, ground cover, trees or native plant materials of any kind and which may include decorative fixtures or accouterments such as rock, pools, and planters. Does not include artificial plants, trees or vegetation. (Section 411.8.2.5)

**Landscape Island.** Unpaved area located within or protruding into a parking lot or the center of an entry into a development's drive or street. The area of a landscaped island is measured from back of inside curb to the back of inside curb. (Section 411.8.2.6)

**Landscaping.** Any living organic plant material including trees, shrubs, flowers, ground cover, vegetation, vines or grass. (Section 411.8.2.7)

**Large Distillery and Winery.** A facility where intoxicating liquors or intoxicating drinks are manufactured, having more than seven thousand five hundred (7,500) gallons of alcohol product on site at any one time, and which is located and is operated in accordance with applicable provisions of this and other ordinances of the City, including, but not limited to, the building code and fire

code. (Section 320) See also, Retail Distillery and Large Distillery.

**Library. (TC Only)** A public or quasi-public facility, examples of which include: aquariums, arboretums, art galleries and exhibitions, botanical gardens, historic sites and exhibits, libraries, museums, planetariums, and zoos. May also include accessory retail uses such as a gift/book shop, restaurant, etc.

**Live/Work (TC Only)** A single unit consisting of both a commercial/office and a residential component that is occupied by the same resident. The live/work unit shall be the primary dwelling of the occupant.

**Lot.** A parcel of land which fronts on and has access to public street and which is occupied or intended to be occupied by a building or buildings with customary accessories and open spaces. (Section 321)

**Lot Line.** The boundary dividing a given lot from a street, alley, or adjacent lots. (Section 321.1)

**Lot of Record.** A lot, the boundaries of which are filed as legal record. (Section 321.2)

## M

**Maintain, Maintenance.** In reference to landscaping, includes irrigating, pruning, mulching, mowing, spraying, fertilizing, propping, bracing, treating for disease or injury, and any other similar acts which promote the life, growth, health, or beauty of the landscape vegetation. (Section 411.8.2.8)

**Medical Clinic.** See Clinic.

**Mobile Home.** A detached residential dwelling unit built on a chassis and designed for transportation after fabrication on streets or highways on its own wheels or on flatbed or other trailers, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly-operations, locations of jacks or other temporary or permanent foundations, connections to utilities, and the like. A travel trailer is not to be considered as a mobile home. (Section 322)

**Mobile Home Park.** A parcel or tract of land under single ownership which has been planned and improved for the

placement of mobile homes for dwelling purposes. (Section 323)

**Monument Sign.** See Sign - Monument

**Multi-Family.** See Dwelling - Multi-Family

**Museum. (TC Only)** A public or quasi-public facility in which objects of historical, scientific, artistic, or cultural interest are stored and exhibited.

## N

**Nonconforming Use.** Any structure or land lawfully occupied by a use that does not conform to the regulations of the district in which it is situated. (Section 324)

**Nursing Home.** One licensed by the State of Tennessee. (Section 325)

## O

**Office. (TC Only)** Places of business of individuals engaged in providing professional services, such as attorneys, and architects.

## P

**Parks, Public. (TC Only)** Land retained for public recreational use, designed and maintained to meet the residents of a defined area. Land may be improved with playground apparatus, tennis courts, public golf courses (with or without a clubhouse), picnic areas, shelters, riding, biking or hiking trails, skateboard areas, other game courts or pits, art, memorials, and historic structures. Public parks may include greenways and natural areas and features that are subject to minimal maintenance, open to the public, and subject to seasonal closure.

**Personal Services. (TC Only)** Provision of regularly needed services of a personal nature, including, but not limited to barber shops and beauty salons, day spas, fitness studios, seamstresses, tailors, shoe repair shops, and travel agencies mainly intended for the consumer.

**Planned Unit Development.** An integrated design for development of residential, commercial, or industrial uses which is professionally designed to allow flexibility and initiative in site and building design and location, in ac-

cordance with a plan approved by the Planning Commission. (Section 326)

**Principal Building.** A building in which is conducted the main or principal use of the lot on which said building is located. (Section 304.1) (See also Building and Accessory Building)

**Projecting Sign.** See Sign - Projecting

**Public or Quasi-Public Utilities and Related Facilities. (TC Only)** Facilities which provide service to the public of water, sewer, gas, electricity, telephone, fiber-optic communication, and cable television. The foregoing shall be deemed to include facilities and appurtenances to the above uses but shall not include public utility generating plants or offices.

## R

**Religious Assembly. (TC Only)** A facility principally used for people to gather together for public worship, religious training, or other religious activities.

**Restaurant without Drive-Through. (TC Only)** An establishment for the sale and consumption of food and beverages on the premises.

**Retail Distillery.** A facility where intoxicating liquors or intoxicating drinks are manufactured, having no more than seven thousand five hundred (7,500) gallons of alcohol product on site at any one time, of which no more than four hundred-eighty (480) gallons may be unpackaged, which conducts retail sales of intoxicating liquors or intoxicating drinks on premises; and which is located and is operated in accordance with applicable provisions of this and other ordinances of the City, including, but not limited to, the building code and fire code. (Section 327)(See also Small Distillery and Large Distillery)

**Retail Stores. (TC Only)** The retail sale or rental of merchandise not specifically listed under another use classification. This classification includes, but is not limited to, department stores, clothing stores, furniture stores, pet supply stores, hardware stores, toys, hobby materials, handcrafted items, jewelry, cameras, pharmacies, electronic equipment, sporting goods, antiques, art galleries, art supplies and services, office supplies, bicycles, video rental, and new automotive parts. Retail sales may be combined with other services such as office machine,

computer, electronics, and similar small-item repairs.

## S

**Sexually Oriented Business.** An adult arcade, adult book store, adult novelty store, adult video store, adult cabaret, adult motel, adult motion picture theater, escort agency, nude model studio or sexual encounter center, or adult business. Any business activity or activities following in the afore-categorized, as hereinafter defined, shall be considered a sexually oriented business. The following words and phrases shall have the meanings as described to them as follows: (Section 328)

**Adult Arcade.** An establishment that offers either singularly or in combination any of the goods or services, for purchase, consumption or viewing, as described in the definitions for adult bookstore, adult novelty store, adult video store, adult cabaret, adult motel, adult motion picture theater, adult mini motion picture theater, escort agency, nude model studio, sexual encounter center, or adult business. (Section 328.1)

**Adult Bookstore.** An establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other periodicals and goods and items held for sale which are distinguished or characterized by their emphasis on matters depicting, describing, or relating to specified sexual activities or specified anatomical areas, or an establishment with a segment or sections devoted to the sale or display of such material. (Section 328.2)

**Adult Business.** Any of the following businesses: adult bookstore, adult motion picture theater, adult mini motion picture theater, and adult cabaret. (Section 328.12)

**Adult Cabaret.** A cabaret which features topless dancers, go-go dancers, exotic dancers, strippers, male or female impersonators, or similar entertainers. (Section 328.5)

**Adult Mini Motion Picture Theater.** An enclosed building with a capacity for less than fifty (50) persons, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, for observation by patrons therein. (Section 328.8)

**Adult Motel.** An establishment which offers for rental or purchase rooms or private areas and offers in connection with the rental or acquisition of such room or private area any of the materials or items set forth in the definitions of an adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motion picture theater, adult mini motion picture theater, escort agency, nude model studio, sexual encounter center, and adult business. (Section 328.6)

**Adult Motion Picture Theater.** An enclosed building with a capacity of fifty (50) or more persons used for presenting material having as a dominant theme or presenting materials distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein. (Section 328.7)

**Adult Novelty Store.** An establishment having and offering for business, having and offering for sale or viewing, video tapes for sale or rental containing material distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas for viewing by the purchaser or renter; and establishment offering for sale or available for acquisition instruments and items to bring about sexual arousal, insertion into body cavities, apparatuses designed to enhance sexual arousal and gratification and materials, whether photographic or otherwise, which is distinguished and characterized by an emphasis on matter depicting, describing or relating to specific sexual activities or specified anatomical areas. (Section 328.3)

**Adult Video Store.** An establishment having and offering for business, having and offering for sale or viewing, video tapes, digital video disc, virtual reality photographic films, prints, movies, and other means of transmitting subject matter, for sale or rental, containing material distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas for viewing by the purchaser or renter. (Section 328.4)

**Escort Agency.** A person, firm, corporation, establishment, or business, arranging, through any means or manner, the introduction to one another, or the being together of two or more persons for

the purpose of, or ultimate result being, those two or more persons engaging in any activity involving one or both or more of the persons viewing and/or touching the human breast, genitals or buttocks. (Section 328.9)

**Nude Model Studio.** A place of business or establishment which makes available for viewing, filming, photographing, or videoing, undraped and exposed human breasts, genitals and buttocks. (Section 328.10)

**Sexual Encounter Center.** A place of business or establishment, which provides for, or allows for, the assemblage of more than one person for the purpose of arranging for or engaging in any form of sexual activity between two persons which shall mean the viewing of, or touching, or stimulating of the human breasts and genitals. (Section 328.11)

**Shopping Center.** A group of commercial establishments, planned, developed, owned or managed as a unit, with off-street parking provided on the property; however, this shall not apply to a group of commercial establishments containing no more than four (4) separate commercial establishments in one (1) structure containing a total of not more than 15,000 square feet of floor area. (Section 329)

**Sign.** Any object, device, structure, fixture, or placard using graphics, symbols, lighting, and/or written copy for the primary purpose of identifying, conveying information, attracting attention, providing directions, or advertising any establishment, business, organization, product, goods, or services. (Section 330)

**Billboard.** An off-premise outdoor advertising sign, or part thereof, which possesses a display area, face or panel which advertises, displays, or gives direction to any business, product, service, attraction, event, or any other purpose or interest other than the site or property where the sign is located or positioned. (Section 330.8)

**Billboard, Digital.** Any type of billboard that utilizes digital message technology, capable of changing the static message or copy on the sign electronically. It is a changeable message sign which displays a series of messages at intervals through the electronic coding of lights or light emitting diodes or any other means that does not use or require mechanical rotating panels. (Section 330.9)

**Changeable Sign.** A sign the content or design of which can be changed or altered by manual or electric, electromechanical, or electric means. Changeable signs include the following types: (Section 330.4)

- **Manually Activated Changeable Sign.** A sign on which the alphabetic, pictographic, or symbolic informational content can be changed or altered manually. (Section 330.4.1)
- **Electrically Activated Changeable Sign.** A sign on which alphabetic, pictographic, or symbolic informational content, whether illuminated or not, can be changed or altered by electric, electro-mechanical, or electronic means. Electrically activated signs shall include: (Section 330.4.2)
  - **Fixed Interval Changeable Message Electronic Sign.** An electrically activated changeable sign upon which the message changes no more often than two (2) times in a twenty-four (24) hour period, and upon which, except when the message is changed, the message remains stationary. (Section 330.4.2.a)
  - **Active Changeable Electronic Message Sign.** An electrically activated changeable sign upon which the message changes more than two (2) times in a twenty-four (24) hour period, and except when the message is changed the message shall remain stationary. (Section 330.4.2.b)

**Freestanding Pole Sign.** Any sign which is permanently affixed in or upon the ground, supported by one or more structural members, with air space between the ground and the sign face and not attached to any building or any other structure. (Section 330.1)

**Graphic.** Any image, display, depiction, scene, diagram, model, figure or figurines, including any projection image which is intended to attract, or promote any commercial activity and that the graphic, in itself, is not an integral and necessary part or function of the activity at the site. The materials used in constructing or creating the graphic image or model is of no consequence to the definition. Any type of graphic shall be counted in the total square footage of signage allowed in that district. (Section 330.6)

**Interstate Monopole Sign.** A type of freestanding pole sign having only one (1) structural support member, the location, size, and height of which is governed by the provisions of 713 Interstate Impact Overlay District. (Section 330.7)

**Monument Sign.** Any sign which is neither attached to nor part of another structure and which is permanently affixed in or upon the ground or upon a horizontal base feature. (Section 330.2)

**Projecting Sign.** A sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign. (Section 330.3)

**Statue.** A three (3) dimensional representation, including a sculpture. A statue that is related to the advertisement of any product or service or the identification of any business is a sign. (Section 330.5)

**Single Family.** See Dwelling - Single Family

**Small Distillery.** A facility where intoxicating liquors or intoxicating drinks are manufactured, having no more than seven thousand five hundred (7,500) gallons of alcohol product on site at any one time, which conducts retail sales of intoxicating liquors or intoxicating drinks on the premises; and, which is located and is operated in accordance with applicable provisions of this and other ordinances of the City, including, but not limited to, the building code and fire code. (See also, Retail Distillery and Large Distillery) (Section 331)

**Special or Seasonal Events. (TC Only)** A use established for a fixed period of time with the intent to discontinue such use upon the expiration of such time that does not involve the construction or alteration of any permanent 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 used for human occupancy between the topmost floor and the roof. A basement not used for human occupancy other than for a janitor or domestic employee shall not be counted as a story. (Section 332)

**Street.** A public right-of-way set aside for public travel which, (a) has been accepted for maintenance by the City of Sevierville; (b) has been established as a public

street prior to the date of adoption of this ordinance; or (c) has been dedicated to the City for public travel by the recording of a street plat or a plat of a subdivision which has been approved by the Planning Commission. (Section 333)

**Structure.** Anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground. (Section 334)

**Studios for Work and/or Teaching. (TC Only)** Work space for an artist or artisan, including individuals practicing one of the fine arts or performing arts, or an applied art or craft. This use may include incidental display and retail sales of items produced on the premises and instructional space for small groups of students.

## T

**Tent/Tent-Type Structure.** A shelter of canvas or other fabric-like material stretched and sustained by poles and/or other supports, or something that resembles a tent that serves as a shelter, but not to include awnings attached to structures and covered walkways, not extending more than six (6) feet from the building and umbrellas of not more than six (6) feet in diameter. (Section 335)

**Total Floor Area.** The area of all floors of a building including finished attic, finished basement, and covered porches. (Section 336)

**Townhouse.** A townhouse is a single-family dwelling unit attached by fire resistant common walls to other similar type units, each unit having an open space for light, air, and access in the front and rear. (Section 337)

**Travel Trailer.** Any vehicle used, or so constructed as to permit its being used as conveyance upon the public streets or highways and duly licensable as such, and constructed in such a manner as will permit occupancy thereof as a dwelling or sleeping place for one (1) or more persons, and designed for short term occupancy, for frequent and/or extensive travel, and for recreational and vacation use, including camper trucks and self-propelled campers, etc. (Section 338)

**Travel Trailer Park.** Any plot of land upon which two or more travel trailers are located and used as temporary living or sleeping quarters. The occupants of such parks

may not remain in the same trailer park more than thirty (30) days. (Section 339)

**Tree.** Any self supporting woody plant having one or more defined stems or trunks in a diameter of two (2) inches or more and having a defined crown which customarily attains a mature height of six (6) feet or greater. (Section 411.8.2.9)

# U

**Unattended Self Services Machine. (TC Only)** Pedestrian oriented, stand alone, automated teller machines, ice dispensing machines, or similar.

**Upper Floor Residential. (TC Only)** A building where residential occurs on the second floor or above, is at least 750 square feet, and contains a kitchen.

**Utilities, Public or Quasi-Public.** See Public or Quasi-Public Utilities.

# V

# W

**Wireless Telecommunication Facilities. (TC Only)** A facility used for the transmission or reception of electromagnetic or electro-optic information, which is placed on a new structure, requires accessory structures, or exceeds the height requirements of the district in which it is located. This use does not include any facility not used for communication, or radio frequency machines which have an effective radiated power of 100 watts or less.

- **Towers:** Wireless telecommunications towers and related equipment facilities shall be allowed upon site plan approval. Co-location on existing towers is subject only to an administrative review.
- **Building-Mounted:** Building-mounted telecommunications shall be integrated into the design of the building or be fully screened, and in either case must receive development plan approval as a building modification. Satellite dishes not exceeding two feet in diameter shall be permitted in any zoning district. Building-mounted dishes shall require

administrative review, except for residential uses. Building-mounted dishes greater than two feet in diameter are permitted only in commercial, mixed-use, and office/industrial districts and shall require a use permit.

- **Co-location:** Wireless Telecommunication Facilities may be co-located, subject to administrative review only. Any addition to the existing height or change in appearance of the tower, may require a site plan. Wireless Telecommunication Facilities to be attached to existing light, power or telephone poles shall require review approval by the City and affected utility.

# X

# Y

**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. (Section 340)

**Yard, Front.** The yard extending across the entire width of the lot between the front lot line and the nearest part of the principal building, including covered porches. (Section 340.1)

**Yard, Rear.** The yard extending across the entire width of the lot between the rear lot line and the nearest part of the principal building, including covered porches. (Section 340.2)

**Yard, Side.** A yard extending along the side lot line from the front yard to the rear yard, and lying between the side lot line and the nearest part of the principal building, including covered porches. (Section 340.3)

# Z

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

This page intentionally left blank.

## 10.0 APPENDIX

### 10.1 Site Plan Requirements and Site Performance Bond

#### 10.2 TODS Program

#### 10.3 Functional Road Classifications

### 10.1 Site Plan Requirements (See also, Section 8.3)

#### 10.1.1 Site Plan Contents.

10.1.1.1 Site plans shall be prepared by an engineer, architect and/or surveyor. (Section 411.1)

10.1.1.2 Topography of existing and finished grades, and the location of areas subject to flooding. (Section 411.2)

10.1.1.3 Location of existing buildings, streets, sidewalks, easements, rights-of-way, and covenants. (Section 411.3)

10.1.1.4 A plan for vehicular and pedestrian circulation. (Sections 405 and 411.4)

10.1.1.5 Location of all structures including signs. (Section 411.5)

10.1.1.6 Utility plans for water, sewer, and power. (Section 411.6)

- a. Water and sewer plan. Service plans and equipment installed for the provision of water and sewer service on private property shall meet all applicable standards, specifications, and policies of the utility providing such service. The maintenance and repair of water and sewer lines, pumps, tanks, and other related facilities located on private property shall be the responsibility of the private property owner(s). The master meter for such services shall be placed at the front property line of a site. Fire hydrants shall be located on or near a site in such a manner that the location of the hydrants is in compliance with relevant portions of the NFPA 1 Uniform Fire

Code, or any subsequent code in force in the City at the time the site plan is submitted for review. (Section 411.6.1)

- b. Electrical power plan. The electrical power plan shall utilize an underground system, where feasible. Where an underground system is not possible, as determined by the Planning Commission, power service connections shall be located at the rear of the structure or structures. (Section 411.6.2)

10.1.1.7 A plan for storm water drainage.

10.1.1.8 Landscape plan that meets requirements for landscaping, as set out in Chapter 3.O and Chapter 4.O. (Section 411.8)

10.1.1.9 A plan for a frontage or parallel access street, if applicable. (Section 411.9)

10.1.1.10 General plan requirements of: (Section 411.10)

- North Point
- Scale of not less than 1"=20'
- Location map
- Acreage
- Location of solid waste collection points
- Any other information deemed pertinent by the Planning Commission

10.1.2 **Site Performance Bond Guarantee.** In order to accomplish the intent of the Zoning Ordinance, no building permit shall be issued for any commercial or industrial development until such time as an appropriate guarantee of completion is accepted by the City Building Official. Following the filing of such a guarantee and submission of an acceptable site plan, approved by the Planning Commission, the Building Official shall issue a building permit to the applicant. (Section 411.11)

- a. Performance Guarantee. A guarantee will be made payable to the City of Sevierville consisting of a cash deposit or an irrevocable letter of credit from a financial institution satisfactory to the City in an amount not less than one-hundred percent (100%) of the

estimated cost of the site improvements as determined by the Building Official. (Section 411.11.1)

- b. Guarantee not a release. The filing of an acceptable guarantee by the applicant does not release the applicant from performing the required improvements and standards adopted by the City. If in the event said applicant fails to construct required improvements, then the performance guarantee may be forfeited and credited to the City to offset all construction and administration costs incurred by the City. The City may, in addition to the guarantee, take appropriate legal recourse to insure completion of the project. (Section 411.11.2)
- c. Release of guarantee. The City Administrator shall release the guarantee following recommendation by the Building Official or planning staff. In no case shall a guarantee be released until all improvements have been completed. The applicant shall complete all requirements within twelve (12) months following the issuance of the permit. The Planning Commission may extend above time frame for large projects or for unusual circumstance. (Section 411.11.3)
- d. Site Improvements. Site improvements shown on the site plan may include, but are not limited to, existing road improvements, proposed road construction, driveways, sewer and water extensions or connections, tiles, culverts, drainage ways including catch basins, landscaping, or any other improvements required by the Planning Commission before the site plan is approved. (Section 411.11.4)

## 10.2 Tourist Oriented Directional Signs (TODS)

### **Explanatory Note**

The TODS program is an off-premises directional sign program available to qualifying businesses and facilities. It is managed by City in accordance with the provisions set out in this Appendix \_\_\_\_. The City is responsible for the installation and maintenance of these signs. Participation in the TODS program does not relieve the participant from compliance with any applicable provision of Signs, Chapter 6.0 of this ordinance.

For further information or to apply for a TOD sign, contact the Code Enforcement Division of the Department of Development.

### **TOURIST DIRECTIONAL SIGNS**

#### A. Definitions

1. Business means a public or private commercial activity providing an attraction, service, or activity to the traveling public and which meets the qualifications provided in these guidelines. The terms business, attraction, service, or activity may be used interchangeably in this document.
2. Crossroad means a public road intersecting state route.
3. Eligibility distance means the distance from the intersection of the state highway where the directional sign is located to the entrance driveway of the business.
4. City means the City of Sevierville, Tennessee.
5. MUTCD means Federal Highway Administration's Manual on Uniform Traffic Control Devices.
6. Tourist Oriented Directional Signs (TODS) means a tourist information sign located on the right-of-way of a public road providing;
  - a. the official name, or "doing business as" name, of eligible program participant; and,
  - b. directional information and distances to the business.
7. Trailblazer Sign means a sign included in the TODS ordinance located on a non-state route

that will indicate the need for a turn to direct the motorist to the attraction. The trailblazer sign shall be identical to the TODS sign located on the state route, giving the appropriate direction of turn and distance to the business.

#### B. General Provision:

1. TODS structures are not permitted on the interstate highway system.
2. The City will control the erection and maintenance of TODS panels in accordance with the MUTCD and this ordinance.
3. TODS shall be rectangular in shape and shall have a white legend and border on a blue background. Each sign shall have not more than two lines of legend, a separate directional arrow, and the distance to the facility shown beneath the arrow. The content of the legend shall be limited to the identification of the business or activity, and the directional information. Legends shall not include promotional advertising or logos.
4. There may be no more than two TODS structures in advance of a crossroad or other public road connecting with a state highway. The first structure shall contain those activities where a left turn is required to reach the facility. The second structure shall contain those activities requiring a right turn in order to reach the business.
5. No more than four activities may be installed on each sign structure. When the total number of signs for activities to the left and to the right is four or less, they may be placed on one sign structure.
6. The location of other traffic control devices shall at all times take precedence over the location of tourist oriented directional signs.
7. Sign structures should be spaced at least two hundred (200) feet apart and at least two hundred (200) feet from other traffic control devices. Adequate trailblazing within the City shall be provided where turns are necessary for a motorist to reach a business or attraction.
8. A permit must be obtained to install trailblazer signs in the City.
9. The City shall install trailblazer signs located

inside the City limits.

10. Trailblazer panels, sign supports and installation shall be in accordance to the standards of the City, MUTCD, and if outside the City by the County Road Superintendent.
11. Trailblazer signs in areas annexed by City are required to conform to City trailblazer sign requirements within twelve (12) months from the effective date of annexation.
12. The business must verify the location of any underground utility lines with the local utility providers to avoid any interruption in service of the utility.

C. Business Eligibility, Criteria, And Restrictions

1. To be eligible for participation on TODS, a business establishment shall be located off the state route, but within five (5) miles of the state highway. The establishment shall be a permanent business or attraction, and shall meet the following standards for a business or activity:
  - a. be licensed and approved by the appropriate local agencies regulating the particular type of business or activity;
  - b. be in continuous operation at least eight hours a day, five days a week, one of which must be Saturday, during the normal tourist season;
  - c. have a telephone and restroom facilities available for public use;
  - d. provide the public activities of interest in which visitors participate for purposes of recreation, enjoyment, enrichment, or amusement; and,
  - e. provide notice of any admission costs on the outside of the main entrance to the facility.
2. Each business or attraction identified on a TODS shall provide assurance of its conformance with applicable laws concerning the provisions of public accommodations without regard to race, color, sex, culture, social origin or condition, religion, or disability.
3. If a business or attraction is in violation of any

of these laws, it shall be considered ineligible for participation in this program and its signs will be removed, with no return of any fee.

D. Participation In The TODS Program

1. Each approved sign structure shall have a maximum of four (4) activities displayed on the panels. The business with the shortest distance to the state highway where the sign structure is installed shall have the first priority for placement on the TODS sign structure and have its name panel placed on top of the sign structure. An eligible business having the next greater distance from the intersection will have its name panel placed below the first, and so on, until the maximum of four business panels are installed on the TODS structure.
2. Once the directional sign of a business is installed on the TODS panel, the business shall remain on the structure as long as the activity is in compliance with these provisions and pays for all fees required by this program.
3. A seasonal business may participate in the TODS program and remain on the TODS structure provided it advises the city of periods not to open for business or visitors. A fee will be charged for the placement of a CLOSED placard over the directional panel of the business.

E. Suspension or Revocation

1. The City may suspend or revoke the privilege of an activity to participate in the TODS program if it finds:
  - a. The activity no longer meets the eligibility requirements set forth in this document.
  - b. The owner or responsible operator of the activity willfully makes a false, deceptive, or fraudulent statement in its application or in any other information submitted to the City.
  - c. The owner or responsible operator of the activity or agent thereof revises or modifies a TODS panel erected by the City.
  - d. The owner or responsible operator of the business or activity has engaged in a deceptive or fraudulent business practice.

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

- 2. The City reserves the right to remove immediately any TODS panel for which fees are delinquent.
- 3. Prior to revoking the privileges of a business to participate in the TODS program, the City will notify the activity in writing. The business will be granted a period of fifteen (15) days to make the necessary adjustments or corrections in accordance with these regulations.
- 4. Should the applicant not agree with the revocation, the decision may be appealed to the Board of Zoning Appeals. If there is no appeal within thirty (30) days after notification of the revocation, the individual TODS panel(s) shall be removed from the sign structure.

F. Sign Composition

- 1. TODS and trailblazers shall be 60"x 14" and shall have a white legend and border on a blue background.
- 2. Mainline sign panels shall be identical to the mainline sign, and shall be installed by the City.
- 3. Trailblazer signs shall be identical to the mainline sign, and shall be installed by the City.
- 4. The trailblazer sign shall show the mileage to the business and the direction of turn for the motorist to reach the business.

G. TODS Installation and Maintenance

- 1. All TODS panels will be installed by the City.
- 2. If a panel must be permanently removed or covered for a seasonal closing for any reason, a fee will be charged by the City to cover costs.
- 3. Additional directional signs (trailblazers) required to guide the traveler to the business after leaving the state route shall also be installed by the City, or by the County Highway Department if outside City limits, concurrent with the installation of the mainline TODS panels.
- 4. The participating business shall be responsible for the cost of repair and/or replacement of directional signs damaged or destroyed by acts of vandalism, natural causes, or vehicular accidents.

H. Fees for TODS

- 1. Costs for providing the TODS are to be covered by the businesses participating in the program.
- 2. The permit issued by the City to a business is for the term of one (1) year beginning on the date the TODS panel is installed on the TODS structure.
- 3. Permits may be renewed on an annual basis.
- 4. Renewal fees are due thirty (30) days prior to the expiration date of the contract.
- 5. Fees are not to be pro-rated for seasonal closings, and, in the event a business closes or its signs are removed due to a breach of contract, there is no reimbursement of fees.

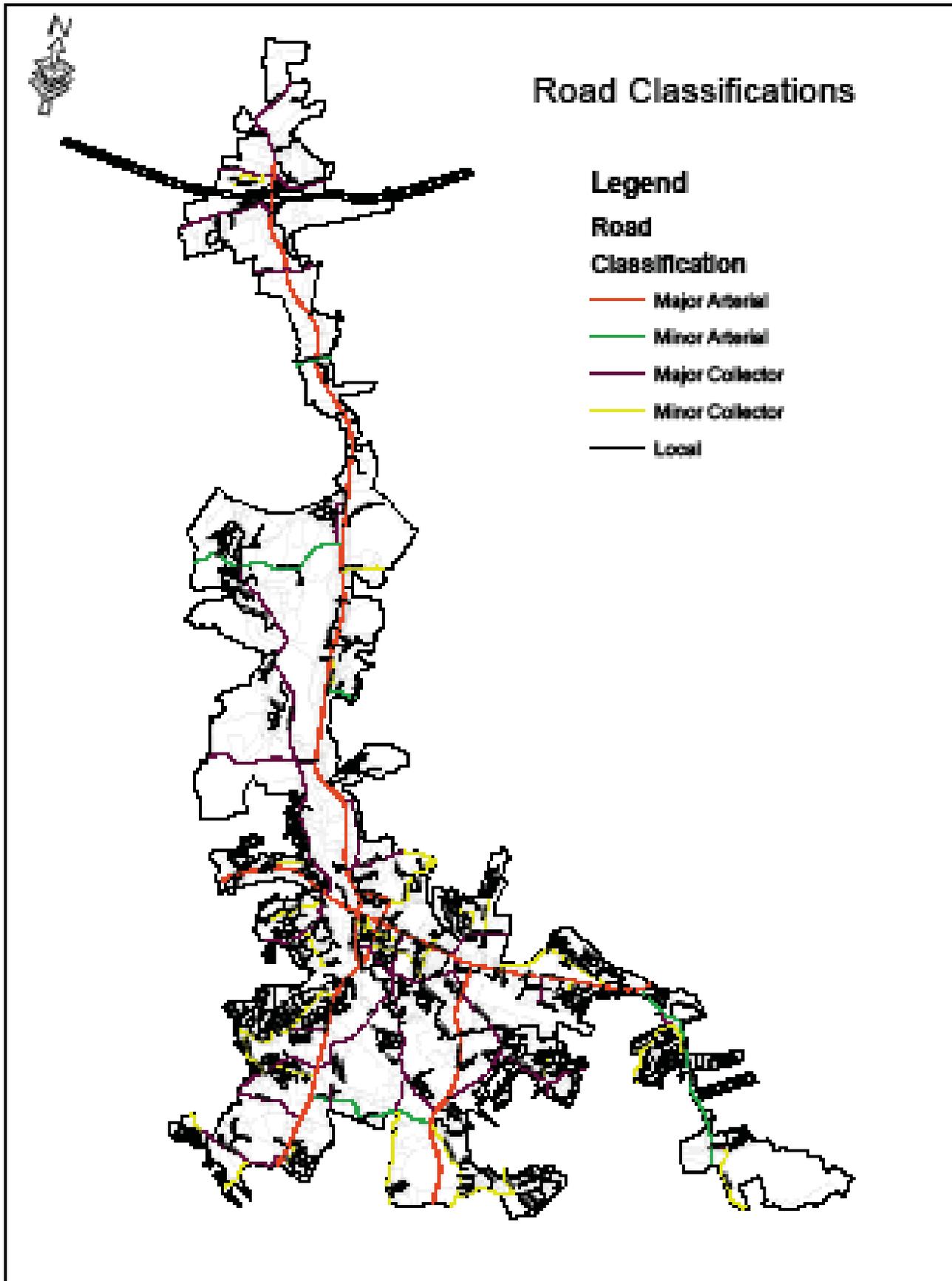
6. Fees are as follows:

Application Fee	\$ 100.00
Initial Permit Fee (each sign)	\$ 1,000.00
Annual Permit Fee (each sign)	\$ 500.00
Sign Change-out/Replacement	\$ 1,000.00
Seasonal closure covering/uncovering	\$ 50.00

I. Inspection And Liability

- 1. The Building Official may inspect a business at any time after the business has made application for participation in the TODS program to assure that the business meets eligibility requirements.
- 2. The Building Official may inspect a business at any time during its permit period to assure the business is still in compliance with eligibility requirements.
- 3. The City shall have no liability for business lost due to TODS panels becoming temporarily out of service. The display of the business on the sign structures is not to be considered an endorsement or recommendation by the City on behalf of the business.

### 10.3 Functional Road Classifications



1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

## Road Classification

Road type	Definition	Characterization
<b>Major Arterial</b>	Provides the highest level of service at the greatest speed for the longest uninterrupted distance, with some degree of access control.	Heavily commercialized traffic with separation of lanes and wide shoulders
<b>Minor Arterial</b>	Provides high traffic volumes at high designed speeds with a little access control	Heavily commercialized traffic with no lane separation and many traffic control devices
<b>Major Collector</b>	Provides a less highly developed level of service at a lower speed for shorter distances by collecting traffic from local roads and connecting them with arterials.	Commercial and residential traffic with narrower shoulders, good sight distances, and some traffic control devices
<b>Minor Collector</b>	Provides for the movement of traffic at lower speeds for shorter distances	Residential traffic moving from residential neighborhoods to commercial corridors. Traffic control devices only at the intersections with commercial intersections. Sight distances may be limited
<b>Local</b>	Consists of all roads not defined as arterials or collectors; primarily provides access to land with little or no through movement.	

Class	Speeds	Medians	Lanes	Pavement Width	Traffic Control Devices	Shoulders
<b>Major Arterial</b>	45 +	Yes	4+		Many	Wide
<b>Minor Arterials</b>	45+	No	4+		Many	Wide
<b>Major Collectors</b>	35+	No	2-3		Some	Wide
<b>Minor Collectors</b>	25-45	No	2		None	Narrow
<b>Local</b>	20-35	No	2	24 ft	None	None

This page intentionally left blank.

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX