

**MODEL ZONING CODE
FOR THE
CITY OF LAFAYETTE, TENNESSEE**

**REVIEW COPY FOR LAFAYETTE CITY COUNCIL
RECOMMENDED SEPTEMBER 8, 2015
BY THE
LAFAYETTE REGIONAL PLANNING COMMISSION**

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2015

CERTIFICATIONS

This is to certify that this is the Official Zoning Code of the City of Lafayette, Tennessee as approved by the Lafayette Regional Planning Commission

Date of Approval: (month) (day) (year)

Secretary, Lafayette Regional Planning Commission

This is to certify that this is the Official Zoning Code of the City of Lafayette, Tennessee as adopted by the Lafayette City Council

Date of Public Hearing: (month) (day) (year)

Date of First Reading: (month) (day) (year)

Date of Final Reading: (month) (day) (year)

Mayor, City of Lafayette

ATTEST:

Lafayette City Recorder

CHAPTER 1

GENERAL ZONING PROVISIONS

SECTION

14-101. Short title

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101 Short title

Chapters 1 through 6 of title 14 of the Lafayette Municipal Code shall be known as the "Official Zoning Code of the City of Lafayette, Tennessee" and the map herein referred to, which is identified by the title "Official Zoning Map of the City of Lafayette, Tennessee," dated _____, 2015, shall be made a part of chapters 1 through 6 of title 14 of the Lafayette Municipal Code.

102 Purpose

This Official Zoning Code is enacted for the following purposes:

- (1) To promote and protect the public health, safety, morals, comfort, convenience, and general welfare of the people;
- (2) To divide the municipality into zones and districts restricting and regulating therein the location, construction, reconstruction, alteration, and use of buildings, structures, and land for residence, business, commercial, industrial, and other specified uses;
- (3) To protect the character and maintain the stability of residential, business, commercial, and industrial areas within the planning region, and to promote the orderly and beneficial development of such areas;
- (4) To provide adequate light, air, privacy, and convenience of access to property;
- (5) To regulate the intensity of open spaces surrounding buildings that are necessary to provide adequate light, air, and protect the public health;
- (6) To establish building lines and the location of buildings designated for residential, business, commercial, industrial, or other uses within such lines;
- (7) To fix reasonable standards to which buildings or structures shall conform;
- (8) To prohibit uses, buildings, or structures which are incompatible with the character of development or the permitted uses within specified zoning districts;

- (9) To prevent such additions to, and alterations or remodeling of, existing buildings or structures as would not comply with the restrictions and limitations imposed hereunder;
- (10) To limit congestion in the public streets and so protect the public health, safety, convenience, and general welfare by providing for the off-street parking of motor vehicles and for the loading and unloading of commercial vehicles;
- (11) To provide protection against fire, explosion, noxious fumes, and other hazards in the interest of the public health, safety, comfort, and general welfare;
- (12) To prevent overcrowding of land and undue concentration of structures so far as is possible and appropriate in each district by regulating the use and the bulk of buildings in relation to the land surrounding them;
- (13) To conserve the taxable value of land and buildings throughout the planning area;
- (14) To provide for the gradual elimination of those uses of land, buildings and structures which do not conform to the standards of the districts in which they are respectively located and which are adversely affecting the development and taxable value of property in each district;
- (15) To define and limit the powers and duties of the administrative officers and bodies as provided herein;
- (16) To protect and in general allow for the beneficial uses of property in a like manner to that which was permitted under the previous zoning regulations of the city;
- (17) These general purposes include the specific purposes stated in the various chapters throughout this Official Zoning Code.

103 Construction of language

For the purposes of this Official Zoning Code, certain terms or words shall be interpreted as follows:

- (1) The words SHALL or MUST are always mandatory and not discretionary.
- (2) The word MAY is permissive.
- (3) Words used in the present tense include the future tense, and words used in the singular include the plural, and the plural the singular, unless the context clearly indicates the contrary.
- (4) The word PERSON includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
- (5) The phrase USED FOR shall include the phrases ARRANGED FOR, DESIGNED FOR, INTENDED FOR, MAINTAINED FOR, and OCCUPIED FOR.
- (6) The word LOT shall include the words PLOT, PIECE, or PARCEL.
- (7) Unless the context clearly indicates to the contrary conjunctions shall be interpreted as follows:

(a) AND indicates that all connected items, conditions, provisions, or events shall apply.

(b) OR indicates that the connected items, conditions, provisions, or events shall apply.

(c) EITHER...OR indicates that the connected items, conditions, provisions, or events shall apply singly but not in combination.

104 Definitions

Except where definitions are specifically included in various chapters and sections, certain words in the text of this Official Zoning Code shall be interpreted in accordance with the provisions set forth in this section. Where words have not been defined, the standard dictionary definition shall prevail.

(1) Accessory apartment--A separate and complete dwelling unit that is contained within the structure of a single-family dwelling unit.

(2) Accessory use, structure, or building--A use, structure, or building on the same lot with, and of a nature customarily incidental, appropriate and subordinate to, the principal use, structure, or building.

(3) Activity--The performance of a function or operation which constitutes the use of land.

(4) Alley--A narrow service way providing a secondary public means of access to abutting property.

(5) Alternative tower structure shall mean man-made trees, clock towers, bell steeples, light poles and similar alternative design mounting structures that conceal the presence of antennas or towers and are architecturally compatible with the area.

(6) Antenna shall mean any exterior transmitting or receiving device mounted on a tower, building, or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communications signals.

(7) Backhaul network shall mean the lines that connect a provider's towers/cell sites to one or more cellular telephone switching offices or long distance providers, or the public switched telephone network.

(8) Bed and breakfast inn--A dwelling or portion thereof, where short term lodging rooms and meals are provided. The owner/operator of the inn shall live in the dwelling.

(9) Buffer Area--A landscaped area intended to separate and obstruct the view of two adjacent land uses or properties from one another.

(10) Boarding or rooming house--Any dwelling in which three (3) or more persons, either individually or as families, are housed or lodged for hire with or without meals.

(11) Building--A structure having a roof supported by columns or walls and intended for housing, shelter, or enclosure of goods or persons.

(12) Building area--The total area taken on a horizontal plane at the average ground elevation of the principal building and all accessory buildings.

(13) Building line--The line, parallel to the street line, that passes through the point of the principal building nearest the front lot line.

(14) Building permit--A permit required under the City of Lafayette Municipal Code prior to the commencement of certain types of construction.

(15) Customary home occupation--An occupation, profession, activity or use having traditional acceptance as being one customarily carried on in the home, provided that such occupation be clearly incidental and secondary to the residential use and which does not alter the exterior of the property or affect the residential character of the neighborhood.

(16) Co-location--When one (1) or more antenna or transmitter is located on a single tower.

(17) Daycare center--A building or structure where care, protection, and supervision are provided, on a regular schedule, at least twice a week to more than seven (7) children, including the children of the adult provider.

(18) Daycare home--A private residence where care, protection, and supervision are provided, for a fee, at least twice a week to no more than seven (7) children, including children of the adult provider.

(19) Developer--An individual, firm, corporation, association, partnership or trust involved in commencing proceedings to effect development of land for himself or others.

(20) Development--Any man-made change to improved or unimproved real estate including but not limited to buildings or other structures, mining, dredging, filling, paving, excavating, or drilling operations. Agricultural activities such as plowing or cultivating and gardening activities are not included in this definition of development.

(21) Dwelling--A building or portion thereof, designed or used exclusively for residential occupancy.

(a) Dwelling, Single-family--A detached residence designed for or occupied by one (1) family only.

(b) Dwelling, Two-family--A residence designed for or occupied by two (2) families only, with separate housekeeping, cooking, and sanitary facilities for each.

(c) Dwelling-multi-family--A residence designed for or occupied by three (3) or more families, with separate housekeeping, cooking, and sanitary facilities for each. The term includes cooperative apartments, condominiums, and the like.

(22) Dwelling line--A room or rooms connected together constituting a separate, independent housekeeping establishment for one (1) family only, for owner occupancy rental and/or lease, and containing cooking, living, sleeping, and sanitation facilities.

(23) Easement--A grant by a property owner to the public, a corporation or persons for use of land for specific purposes.

(24) FAA--shall mean the Federal Aviation Administration.

(25) Family--One (1) or more persons occupying a premises and living as a single, nonprofit housekeeping unit, as distinguished from a group occupying a hotel, club, fraternity, rooming house, motel, or other structures designed for transient residence.

(26) FCC--Acronym for the Federal Communications Commission.

(27) Gross density--The ratio derived by dividing the number of dwellings by the gross site area.

(28) Gross site area--The total area of the site within the boundaries shown on a plat of survey and described by a legal description for the site.

(29) Group home--A residence operated by a public or private agency, which may provide a program of services in addition to room and board, which has continuous supervision. When appropriate Tennessee Code Section 13-24-102 shall apply.

(30) Height--shall mean, when referring to a tower or other structure, the distance measured from the finished grade of the parcel to the highest point on the tower or other structure, including the base pad and any other antenna.

(31) Height of Building--The vertical distance from the established average sidewalk grade, or street grade, or finished grade at the building line, whichever is the highest, to the highest point of the building, excluding spires, towers, domes not for human occupancy, flagpoles, masts, or aerials.

(32) Lot--A piece, parcel, or plot of land in one ownership which may include one or more lots of record, occupied or to be occupied by one principal building and its accessory buildings and including the open spaces required in this Official Zoning Code. All lots shall front on and have access to a street.

(a) Lot, corner--A lot abutting on and at the intersection of two (2) or more streets.

(b) Lot depth--Depth of a lot shall be considered to be the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

(c) Lot frontage--The front of a lot shall be construed to be the portion nearest to the street.

(d) Lot line--The boundary dividing a given lot from a street, an alley, or adjacent lots.

(e) Lot of record--A lot which is part of a subdivision legally recorded in the Office of the Macon County Register of Deeds, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

(f) Lot width--The distance between the side boundaries of the lot measured at the front building line.

(33) Single-wide mobile home (house trailer)--A detached one-family dwelling unit with all of the following characteristics:

(a) Designed for long-term occupancy and containing sleeping accommodations, a flush toilet, a tub or shower, and kitchen facilities, with plumbing and electrical connections provided for attachment to utility systems

(b) Designed to be transported after fabrication on its own wheels, or detachable wheels, or on a flat bed or other trailer. It is to be tied down in accordance with applicable federal and state regulations.

(c) Arriving at the site where it is to be occupied as a dwelling complete, often including major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and assembly operations, location on foundation support, connection to utilities, and the like. The unit is constructed in accordance with applicable federal and state regulations.

(d) Mobile home dwellings do not include camping trailers, commercial mobile structures, motor homes, recreational vehicles, travel trailers, truck campers or similar units designed to provide temporary living quarters.

(34) Mobile home (trailer) park--A parcel of land under single ownership designed for or which is intended to be used for the accommodation of two or more mobile homes (trailers) for dwelling purposes.

(35) Nonconforming use--A building, structure, or use of land existing at the time of enactment or amendment of this Official Zoning Code, and which does not conform to the regulations of the zone in which it is located.

(36) Pre-existing towers and antennas--shall mean any tower or antenna on which a permit has been properly issued prior to the effective date of this ordinance.

(37) Principle building--A building which contains the principal activity or use located on a lot which it is situated.

(38) Residence--A building or part of a building containing one (1) or more dwelling units, including one-family, two-family, or multi-family dwellings and mobile homes.

(39) Screening (see also buffer area)--The method by which a view of one (1) site from another adjacent site is shielded, concealed or hidden. Screening techniques include fences, walls, trees, hedges, shrubs, or other landscaping, berms or other features.

(40) Setback line--The required minimum horizontal distance between the building line and the related front, side or rear property line.

(41) Sign--An attached or freestanding structure conveying some information, knowledge or idea to the public.

(42) Special exception (use permitted on appeal)--A special exception is a use that would not be appropriate generally or without restrictions in a particular zoning district but which, if controlled as to the number, area, location, or relation to the neighborhood would promote the public health, safety, welfare, order, comfort, convenience, appearance or prosperity. The location of such uses is subject to the approval of the City of Lafayette Board of Zoning Appeals.

(43) 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 shall be counted as a story if its ceiling is over six feet above the average level of the finished ground surface adjoining the exterior walls of such story, or if it is used for business or dwelling purposes.

(44) Street--A publicly maintained right-of-way, other than an alley, which affords a primary access to abutting property.

(a) Centerline of street--That line surveyed and monumented as the centerline of the street by the City of Lafayette, or if such centerline has not been surveyed, that line running midway between the outside curbs or ditches of such street.

(b) Street line--The property line which bounds the right-of-way set aside for use as a street. Where a sidewalk exists and locations of the property line is questioned, the side of the sidewalk farthest from the traveled street shall be considered the street line.

(45) Structure--Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Among other things, structures include buildings, towers, walls, fences, billboards, and ground signs.

(46) Tower--shall mean any structure that is designed and constructed primarily for the purpose of supporting one (1) or more antennas for telephone, radio and similar communication purposes, including self-supporting lattice towers, guyed towers or monopole towers. The term includes radio and television transmission towers, personal communications service towers (PCS), microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, specialized mobile radio, paging, and the like. This definition does not include any structure erected solely for residential, non-commercial individual use, such as television antennas, satellite dishes or uses as defined in Section 14-604.10 of this Title of the Municipal Code.

(47) Use--The specific purpose for which land or building is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.

(48) Variance--A variance is a relaxation of the terms of the Official Zoning Code where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the Official Zoning Code would result in unnecessary and undue hardship. As used in this Official Zoning Code, a variance is authorized only for height,

area, and size of structure or size of yards and open spaces; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or uses in an adjoining zoning district.

(49) Wireless communication antenna array (antenna array) One or more rods, panels, or discs or similar devices used for the transmission or reception of radio frequency (RF) signals through electromagnetic energy, which may include omni-directional antenna (whip), directional antenna (panel) and parabolic antenna (dish).

(50) Wireless communication facility An unstaffed facility for the transmission and/or reception of radio frequency (RF) signals through electromagnetic energy usually consisting of an equipment shelter or cabinet, a support tower or other structure used to achieve the necessary elevation, and the transmission and reception devices or antenna.

(51) Yard--A required open space unoccupied and unobstructed by any structure or portion of a structure from 30 inches above the general ground level of the graded lot upward, provided however, that fences, walls, poles, posts, and other customary yard accessories, ornaments, and furniture may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility.

(a) 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.

(b) 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 carports and covered porches.

(c) 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 carports and covered porches.

105 General provisions

For the purpose of this Official Zoning Code there shall be certain general provisions which shall apply, except as specifically noted, to the municipality as a whole.

(1) Zoning affects every building and use

No building or land shall hereafter be used and no building or part thereof shall be erected, moved, or altered unless for a use expressly permitted by and in conformity with the regulations herein specified for the district in which it is located, except as hereafter provided.

(2) Nonconforming lots and nonconforming use of land

Any nonconforming use which existed lawfully at the time of enactment of this Official Zoning Code and which remains nonconforming and any use which shall become nonconforming upon enactment of this Zoning Code or any subsequent amendments thereto may be continued subject to the following provisions.

(a) Nonconforming Lots of Record In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this Zoning Code, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this Zoning Code. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for the area or width, or both, that are generally applicable in the district, provided that yard dimensions and other requirements not involving area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variance of area, width, and yard requirements shall be obtained only through action of the Board of Zoning Appeals.

If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership of record at the time of passage or amendment of this Official Zoning Code, and if all or part of the lots do not meet the requirements for lot width and area as established by this Official Zoning Code, the lands involved shall be considered to be an undivided parcel for the purposes of this Official Zoning Code. No portion of said parcel shall be used or sold which does not meet lot width and area requirements of the zoning district in which it is located as established by this Official Zoning Code. Nor shall any division of the parcel be made that leaves remaining any lot with width or area below the requirements of the applicable zoning district, as stated in this Official Zoning Code.

(b) Change of Nonconforming Use

(i) General Provisions

For the purpose of this Official Zoning Code, a change in use is a change to another use either under the same activity type or any other activity type or major class of activity; however, a change in occupancy or ownership shall not, by itself, constitute a change of use.

(ii) Change to a Conforming Use

A nonconforming use may be changed to any conforming use, and the applicable bulk regulations and accessory off-street parking requirements shall apply to such change of use or to alterations made in order to accommodate such conforming use.

Whenever a nonconforming use is changed to a conforming use, such use shall not thereafter be changed to a nonconforming use.

(iii) Change to Another Nonconforming Use

An existing nonconforming use of a building may be changed to a conforming use or to another nonconforming use of the same classification; provided, however, that establishment of another nonconforming use of the same classification shall be subject to the written approval of the Board of Zoning Appeals and subject to such conditions as the Board of Zoning Appeals may require in order to protect the area.

(c) Expansion of Nonconforming Uses

Nonconforming industrial, commercial, or business uses may construct additional facilities that would allow the operations of the establishments to be expanded provided that there is enough space to meet the area requirements of the district and provided that it is done in accordance with the regulations specified in Section 13-7-208, *Tennessee Code Annotated*. The property on which the expansion will take place must be owned by such industry or business situated within the area which is affected by the change in zoning.

Acquisition of additional land for the purpose of expanding the existing industry or business shall not be permitted.

(d) Destruction and Restoration of Nonconforming Uses

(i) Nonconforming industrial, commercial, or other business establishments shall be allowed to destroy present facilities and reconstruct new facilities necessary to the conduct of such industry or business in accordance with the regulations specified in Section 13-7-208, *Tennessee Code Annotated*.

(ii) Any nonconforming industrial, commercial, or business use that is destroyed by fire or other natural disaster may be reconstructed provided that all provisions of Section 13-7-208, *Tennessee Code Annotated*, are followed.

(e) Discontinuance

When a nonconforming use is discontinued for a period of one (1) year, then the land or building or other structure shall thereafter be used only for a conforming use. Intent to resume active operations shall not affect the foregoing provision.

(3) Number of principal buildings on a lot

In all residential districts, only one (1) principal building and its customary accessory buildings shall be erected on any individual lot. This provision shall not apply to legally located multi-family dwellings nor legally located mobile home parks.

(4) Public street frontage

No building shall be erected on any residential lot which does not abut at least one (1) public street for at least fifty (50) feet, except on a permanent dead-end street (cul-de-sac) where the minimum public street frontage shall be thirty (30) feet. No building shall be erected on any nonresidential lot which does not abut at least one (1) public street for at least twenty-five (25) feet.

(5) Rear yard abuts a public street

When the rear yard of a lot abuts a public street, all structures built in that rear yard shall observe the same setback from the street line, center line of the street or property line as required for adjacent properties which front on that street.

(6) Reduction in lot area prohibited

No lot, even though it may consist of one (1) or more adjacent lots of record, shall be reduced in area so that yards, lot area per family, lot width, building area, or other requirements of the Official Zoning Code are not maintained. This section shall not apply when a portion of a lot is acquired for a public purpose.

(7) Obstruction to vision at street intersection prohibited

On a corner lot within the area formed by the right-of-way lines of the intersecting or intercepting streets adjoining said corner lot and a line joining points on such right-of-way lines at a distance of twenty-five (25) feet from the point of intersection, there shall be no obstruction to vision between their height of two (2) feet and a height of ten (10) feet above the average grade of each street at the center line thereof. The requirements of this section shall not be construed to prohibit any necessary retaining wall.

CHAPTER 2

PARKING, ACCESS, AND OFF-STREET LOADING AND UNLOADING REQUIREMENTS

SECTION

14-201. Off-street automobile storage (parking)

14-202. Access control

14-203. Off-street loading and unloading spaces

201 Off-street automobile storage (parking)

In all zoning districts there shall be provided, at such time any building or structure is erected or enlarged or increased in capacity, off-street parking spaces. The number of parking spaces provided shall meet the minimum requirements for the specific uses as set forth below. For uses not specifically mentioned herein, off-street parking requirements shall be determined by the Board of Zoning Appeals. Parking requirements determined herein by square footage are based on gross square feet. For uses resulting in a fractional requirement the fraction shall be rounded off to the higher whole number.

(1) Minimum off-street parking requirements

(a) Residential Uses

- (i) Two-Family Dwelling--Two (2) spaces per dwelling unit.
- (ii) Multi-Family Dwelling--Two and one-half (2.5) spaces per dwelling unit.
- (iii) Mobile Home Park--Two (2) spaces per dwelling unit.
- (iv) Elderly Housing--One and one-half (1.5) spaces per dwelling unit.

(b) Public, Semi-Public and Office Facilities

- (i) Cemetery--Parking on private drives, plus one (1) space per employee.
- (ii) Charitable, Fraternal or Social Organization--One (1) space per four (4) persons to capacity.
- (iii) Church or Similar Place of Worship--One (1) space per four (4) seats to capacity.
- (iv) Community Center--One (1) space per 250 square feet, plus one (1) space per employee.
- (v) Day-Care Center--One (1) space per four (4) children, plus one (1) space per employee.
- (vi) Funeral Home/Crematorium--One (1) space per four (4) seats to capacity.
- (vii) Group Home--One (1) space per bedroom or sleeping room.
- (viii) Hospital--One (1) space per two (2) beds intended for patient use, plus one (1) space per employee on largest shift.
- (ix) Medical Clinic for Human Care--Three (3) spaces per doctor, plus one (1) space per employee.
- (x) Nursing Home--One (1) space per four (4) beds intended for patient use, plus one (1) space per employee.
- (xi) Office--One (1) space per 300 square feet.
- (xii) Postsecondary Educational Institution--One (1) space per five (5) students, plus one (1) space per employee.

- (xiii) Retirement Center--One and one-half (1.5) spaces per dwelling unit.
- (xiv) School (K-12)--K-9: One (1) space per classroom, plus one (1) space per employee; 9-12: One (1) space per four (4) students, plus one (1) space per employee.
- (xv) Temporary Care Facility--One (1) space per four (4) patients, plus one (1) space per employee.

(c) Business and Personal Services

- (i) Appliance Repair--One (1) space per 300 square feet, plus one (1) space per employee.
- (ii) Barber and Beauty Service--One (1) space per 200 square feet, plus one (1) space per employee.
- (iii) Bed and Breakfast--Three (3) spaces for the principal dwelling, plus one (1) space per rented room.
- (iv) Coin-operated Cleaning and Laundry--One (1) space per 200 square feet.
- (v) Convenience Storage--One (1) space per 1,000 square feet.
- (vi) Copy Service--One (1) space per 200 square feet.
- (vii) Dry Cleaning and Laundry Pickup--One (1) space per 200 square feet.
- (viii) Dry Cleaning and Laundry Service--One (1) space per 200 square feet.
- (ix) Electrical Repair--One (1) space per 300 square feet, plus one (1) space per employee.
- (x) Employment Agency--One (1) space per 200 square feet.
- (xi) Equipment Rental--One (1) space per 200 square feet, plus one (1) space per employee.
- (xii) Exterminating Service--One (1) space per 500 square feet.
- (xiii) Financial Service--One (1) space per 200 square feet, plus each drive-through lane shall have a stacking length to accommodate a minimum of six (6) vehicles.
- (xiv) Gunsmith--One (1) space per 200 square feet.
- (xv) Hotel--One (1) space per rented room, plus one (1) space per four (4) persons to capacity of meeting and/or banquet rooms.
- (xvi) Industrial Equipment Repair--One (1) space per 500 square feet.
- (xvii) Insurance Agency--One (1) space per 200 square feet.
- (xviii) Interior Decorating--One (1) space per 200 square feet.
- (xix) Legal Service--One (1) space per 200 square feet.
- (xx) Locksmith--One (1) space per 200 square feet.
- (xxi) Motel--One (1) space per rented room, plus one (1) space per four (4) persons to capacity of meeting and/or banquet rooms.
- (xxii) Office Equipment Repair--One (1) space per 300 square feet, plus one (1) space per employee.
- (xxiii) Photographic Service--One (1) space per 200 square feet.
- (xxiv) Real Estate Agency--One (1) space per 200 square feet.
- (xxv) Self-Service Storage--Two (2) spaces, plus one (1) additional space per 200 storage cubicles, plus meeting the provision of Section 14-604.5 of this Zoning Code.
- (xxvi) Shoe Repair--One (1) space per 300 square feet, plus one (1) space per employee.
- (xxvii) Small Engine and Motor Repair--One (1) space per 300 square feet, plus one (1) space per employee.
- (xxviii) Tailoring--One (1) space per 200 square feet.
- (xxix) Taxidermist--One (1) space per 300 square feet.

- (xxx) Upholstery Service--One (1) space per 200 square feet.
- (xxxii) Veterinary Service (Indoor)--One (1) space per 500 square feet, plus one (1) space per employee.
- (xxxiii) Veterinary Service (Outdoor)--One (1) space per 1,000 square feet, plus one (1) space per employee.
- (xxxiv) For developments in which the tenants have not been determined, one (1) space per 200 square feet shall be provided.
- (xxxv) For developments which also provide drive-through service, a stacking length to accommodate a minimum of five (5) vehicles per lane shall be provided, unless otherwise required herein.

(d) Retail and Wholesale Trade

- (i) Agricultural Supply--One (1) space per 500 square feet.
- (ii) Apparel Shop--One (1) space per 200 square feet.
- (iii) Appliance Sales--One (1) space per 500 square feet.
- (iv) Automotive Sales--One (1) space per 500 square feet, plus two (2) spaces per service bay.
- (v) Automotive Parts Supply--One (1) space per 300 square feet.
- (vi) Bakery (Retail)--One (1) space per 200 square feet.
- (vii) Bakery (Wholesale)--Two (2) spaces per employee.
- (viii) Bookstore--One (1) space per 200 square feet.
- (ix) Building Materials--One (1) space per 200 square feet, plus one (1) space per employee.
- (x) Cabinet Sales--One (1) space per 500 square feet.
- (xi) Camera and Photographic Supply--One (1) space per 200 square feet.
- (xii) Caterer--One (1) space per 200 square feet.
- (xiii) Confectionery--One (1) space per 200 square feet.
- (xiv) Department Store--One (1) space per 200 square feet.
- (xv) Drapery Sales--One (1) space per 500 square feet.
- (xvi) Drugstore--One (1) space per 200 square feet.
- (xvii) Fertilizer Sales (Bulk)--One (1) space per 500 square feet.
- (xviii) Fertilizer Sales (Packaged)--One (1) space per 500 square feet.
- (xix) Florist (Retail)--One (1) space per 200 square feet.
- (xx) Florist (Wholesale)--Two (2) spaces per employee.
- (xxi) Fruit Market--One (1) space per 200 square feet.
- (xxii) Furniture Sales--One (1) space per 500 square feet.
- (xxiii) Gift Shop--One (1) space per 200 square feet.
- (xxiv) Grocery Store--One (1) space per 100 square feet, plus one (1) space per 200 square feet of storage area.
- (xxv) Handicrafts--One (1) space per 500 square feet.
- (xxvi) Hardware--One (1) space per 200 square feet.
- (xxvii) Heavy Machinery Sales--One (1) space per 500 square feet, plus one (1) space per employee.
- (xxviii) Industrial Supplies--One (1) space per 500 square feet, plus one (1) space per employee.
- (xxix) Jewelry--One (1) space per 200 square feet.
- (xxx) Marine Supply--One (1) space per 500 square feet, plus one (1) space per employee.
- (xxxii) Meat Market--One (1) space per 200 square feet.
- (xxxiii) Mobile Home Sales--One (1) space per 500 square feet.
- (xxxiv) Motorcycle Sales--One (1) space per 500 square feet.
- (xxxv) Music Store--One (1) space per 200 square feet.

- (xxxv) Nursery and Garden Centers--One (1) space per 200 square feet, plus one (1) space per employee.
- (xxxvi) Office Supplies--One (1) space per 200 square feet.
- (xxxvii) Optical Goods--One (1) space per 200 square feet.
- (xxxviii) Pet Shop--One (1) space per 300 square feet.
- (xxxix) Petroleum Bulk Sales and Storage--One (1) space per 500 square feet, plus one (1) space per employee.
- (xxxx) Restaurant--One (1) space per 100 square feet, plus one (1) space per employee based on the largest work shift.
- (xxxxi) Restaurant (Drive-In)--Two (2) spaces per three (3) seats to capacity.
- (xxxxii) Restaurant (Drive-through)--Each drive-through lane shall have a stacking length to accommodate fifteen (15) vehicles, plus one (1) space per employee based on the largest work shift, plus one (1) space per 100 square feet if on-site dining is also provided.
- (xxxxiii) Sporting Goods--One (1) space per 200 square feet.
- (xxxxiv) Tavern--One (1) space per 50 square feet, plus one (1) space per employee based on the largest work shift.
- (xxxxv) Used Merchandise (Antiques)--One (1) space per 500 square feet.
- (xxxxvi) Uses Merchandise (Flea Market)--One (1) space per rented area.
- (xxxxvii) Used Merchandise (General)--One (1) space per 500 square feet.
- (xxxxviii) Video Rental--One (1) space per 50 square feet, plus one (1) space per employee.
- (xxxxix) For developments in which the tenants have not been determined, one (1) space per 200 square feet shall be provided.
- (xxxxx) For developments which also provide drive-through service, a stacking length to accommodate a minimum of five (5) vehicles per lane shall be provided, unless otherwise required herein.

(e) Automotive and Transportation Services

- (i) Automotive Paint Shop--One (1) space per 200 square feet.
- (ii) Automotive Rentals--One (1) space per 500 square feet.
- (iii) Automotive Repair Shop--One (1) space per 200 square feet.
- (iv) Automotive Tire Repair--One (1) space per 200 square feet.
- (v) Bus Terminal--One (1) space per 100 square feet of waiting room area, plus one (1) space per vehicle used in the operation.
- (vi) Car Wash--Parking and waiting space equivalent to three (3) times the service capacity of the use.
- (vii) Cold Storage Plant--One (1) space per employee based on the largest work shift.
- (viii) Gasoline Service Station--Four (4) spaces per employee, plus one (1) space per gasoline pump.
- (ix) Grain Elevator--One (1) space per employee based on the largest work shift.
- (x) Motorcycle Repair--Two (2) spaces per employee.
- (xi) Storage Warehouse and Yard--Two (2) spaces per employee.
- (xii) Taxicab Stand--One (1) space per employee, plus one (1) space per vehicle used in the operation.
- (xiii) Transfer or Storage Terminal--One (1) space per employee based on the largest work shift.
- (xiv) Travel Agency--One (1) space per 300 square feet.
- (xv) Trucking Terminal--Two (2) spaces per employee, plus one (1) space per vehicle used in the operation.

(xvi) Wrecker Service--One (1) space per employee, plus one (1) space per vehicle used in the operation.

(f) Amusement and Recreational Services

- (i) Club or Lodge--One (1) space per four (4) persons to capacity.
- (ii) Private Recreational Facility--One (1) space per four (4) expected patrons at maximum capacity.
- (iii) Indoor Motion Picture Theater--One (1) space per three (3) seats to capacity.
- (iv) Park and Recreational Services--One (1) space per four (4) expected patrons at maximum capacity.
- (v) Stadium or Coliseum--One (1) space per four (4) persons to capacity.
- (vi) Transient Amusement Enterprises--One (1) space per four (4) expected patrons at maximum capacity.

(g) Manufacturing Mining, Construction and Industrial Uses

All--One (1) space per employee based on the largest work shift, plus one (1) space per vehicle used in the operation.

(2) Certification of minimum parking requirements

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

(3) Combination of required parking space

The required parking space for any number of separate uses may be combined in one lot but the required space assigned to one use may not be assigned to another use, except that the parking space required for churches, theaters, or assembly halls whose peak attendance will be at night or on Sundays may be assigned to a use which will be closed at night or on Sundays.

(4) Off-site parking

(a) If the vehicle parking spaces required by this section cannot be reasonably provided on the same lot on which the principal use is conducted, then the Board of Zoning Appeals may approve the location of a portion of the parking required for a use on another site.

(b) Off-site parking shall be located within three-hundred (300) feet of the use which it serves, measured as the shortest practical walking distance from the nearest off-site parking space to the nearest entrance to the building or use which it serves.

(c) In determining whether to approve off-site parking, the Board of Zoning Appeals shall consider all relevant factors, including:

- (i) The location of the use and the proposed off-site parking.
- (ii) Existing and potential parking demand created by other uses in the vicinity.

- (iii) The characteristics of the use, including employee and customer parking demand, hours of operation and projected convenience and frequency of use of the off-site parking.
- (iv) Adequacy, convenience and safety of pedestrian access between the proposed off-site parking and the use.
- (v) Traffic patterns on adjacent streets and proposed access to the off-site parking.

(d) A written agreement between the owner of the off-site parking area and the owner of the use assuring the continued availability and usability of off-site parking shall be submitted to the Board of Zoning Appeals prior to approval of off-site parking.

(e) Handicapped parking spaces shall be provided on the same lot on which the principal use is conducted. Interior landscaped strips shall be planted with acceptable indigenous landscaping materials.

(5) Design requirements for parking spaces and lots

Parking spaces and lots shall be designed and constructed in accordance with the following minimum standards and requirements.

- (a) Except for parcels of land devoted to one- and two-family residential uses, all areas devoted to off-street parking shall be so designed and be of such size that no vehicle is required to back into a public street to obtain egress.
- (b) No parking space shall be of dimensions of less than ten (10) feet in width and twenty (20) feet in length.
- (c) Ingress and egress points for all off-street parking lots shall comply with the access control requirements of Section 14-302 of this Official Zoning Code.
- (d) All off-street commercial and industrial parking lots for more than five (5) vehicles shall be surfaced with asphalt or concrete and be so constructed as to provide for adequate drainage and prevent the release of dust. Paving of off-street parking lots shall be required for residential units that have more than four vehicles. The above paving projects shall be completed within a period of six (6) months.
- (e) Grades within the paved area of a parking lot shall at no place be less than one (1) percent nor more than five (5) percent. Grades of driveways or entrances from a public street serving a parking lot shall at no point exceed eight (8) percent.
- (f) Off-street parking areas containing twenty-five (25) or more parking spaces shall be subdivided into sub-lots containing not more than twenty-five (25) parking spaces separated by landscaped strips of five (5) feet in width.
- (g) Off-street parking areas containing ten (10) or more parking spaces shall have landscaped strips with broken screening in conformance with Section 14-601 of this Official Zoning Code along the perimeter except where driveways are provided for access to adjoining streets, drives, or properties.
- (h) Interior landscaped strips shall be a minimum of five (5) feet in width and planted with acceptable indigenous landscaping materials.

(i) It shall be the obligation of the occupant(s) of each building, structure or use on whose premises landscaped strips are located to maintain said landscaped strips.

(ii) Failure to properly maintain landscaped strips shall be a violation of this Official Zoning Code, punishable as a misdemeanor under the provisions of the City of Lafayette Municipal Code.

(i) Continuous curbing or individual wheel stops shall be provided where the front of a parking space is adjacent to the perimeter of the parking lots.

(j) Any lighting used to illuminate off-street parking lots shall be so arranged to prevent direct glare onto any public or private property or streets.

(6) Special provisions for handicap parking

When required, parking spaces for the handicapped shall be provided in conformance with the provisions of the Americans with Disabilities Act (ADA) and/or other applicable federal or state law.

(7) Central business district

The provisions of Section 14-301 shall not apply to any building, structure or use located in the C-1 Central Business District provided, however, that any off-street parking and loading, if provided at the option of the owner of any building, structure or use, shall comply with the design requirements of this Section.

202 Access control

In order to promote the safety of the motorist and pedestrian and to minimize traffic congestion and conflict by reducing the points of contact, the following regulations shall apply:

(1) A point of access for vehicles onto a street, excluding the necessary turning radius, shall not exceed twenty-five (25) feet in width in a residential district or thirty (30) feet in width in any other district. A point of access of forty (40) feet in width in a commercial or industrial district may be permitted by the Board of Zoning Appeals in cases where a high volume of tractor trailer vehicular traffic is anticipated.

(2) There shall be no more than two points of access to any one public street for each four-hundred (400) feet of lot frontage, or fraction thereof; provided, however, that lots less than one-hundred (100) feet in width shall have no more than one (1) point of access to any one (1) public street.

(3) Where two (2) driveways are provided for one (1) lot frontage, the clear distance between driveways shall not be less than twenty-five (25) feet.

(4) No point of access shall be allowed within thirty (30) feet of the right-of-way line of any public intersection.

(5) No curbs on city streets or rights-of-way shall be cut or altered without approval of the Lafayette Street Department, or if a state highway, a permit must be obtained from the Tennessee Department of Transportation.

(6) Cases requiring variances relative to the above provisions shall be heard and acted upon by the Board of Zoning Appeals, provided, further, that no curb cuts for off-street

automobile storage or parking space shall be permitted where the arrangement would require that vehicles back directly into a public street.

203 Off-street loading and unloading requirements

In all districts, except the C-2 Central Commercial District, in which a structure of three-thousand (3000) square feet or more is located, which requires deliveries or shipments, off-street loading and unloading space shall be provided meeting the following requirements:

(1) Location

- (a) Loading/unloading spaces shall be located on the same lot as the building or structure on which they serve.
- (b) No loading/unloading space shall be located in any required front yard.
- (c) All loading/unloading spaces shall have access to a public or private alley or if there is no alley, to a public street.

(2) Design standards and use

- (a) Off-street loading/unloading berths for industrial or manufacturing uses shall be at least twelve (12) feet wide and at least fifty (50) feet long, exclusive of access or maneuvering space. For all other uses off-street loading/unloading berths shall be at least twelve (12) feet wide and at least thirty (30) feet long, exclusive of access or maneuvering space.
- (b) A minimum of fifteen (15) feet overhead clearance and adequate means for ingress and egress shall be provided for off-street loading/unloading spaces.
- (c) At no time shall part of a truck, van or other vehicle be allowed to extend onto a sidewalk, into the right-of-way or onto a public thoroughfare in order to deliver, load or unload goods.
- (d) Off-street loading/unloading berths shall be marked and shall be paved with asphalt or concrete and be so constructed to provide for adequate drainage and prevent the release of dust.
- (e) No off-street loading/unloading space shall be substituted for any parking space.

(3) Required number of loading and unloading spaces

Off-street loading and unloading spaces shall be based on gross floor area, excluding enclosed or covered areas used for loading and unloading, and the number of berths required shall be determined by the following table:

Gross square feet of structure	Minimum number of berths required
3,000 - 10,000	1
10,000 - 25,000	2

25,001 - 90,000	3
90,001 - 155,000	4
155,001 - 240,000	5
240,001 - 325,000	6
325,001 - 410,000	7
410,001 - 500,000	8
Each 100,000 above 500,000	1

CHAPTER 3

ZONING DISTRICTS AND MAP

SECTION

301. Establishment of districts

302. Provision for official zoning map

303. Replacement of official zoning map

304. Rules for interpretation of district boundaries

305. Annexation of territory

301 Establishment of districts

For the purpose of this Official Zoning Code, the City of Lafayette is hereby divided into zoning districts, as follows:

R-1, Low Density Residential District
 R-2, High Density Residential District
 C-1, Central Business District
 C-2, General Business District
 I-1, Light Industrial District
 I-2, Heavy Industrial District
 CI Mixed Commercial-Industrial District

302 Provision of official zoning map

(1) The boundaries of the above zoning districts are hereby established as shown on the map entitled, "Official Zoning Map of the City of Lafayette, Tennessee," _____, 2014, which is a part of the Official Zoning Code and which is on file in the Office of the City of Lafayette City Recorder.

(2) If, in accordance with the provisions of this Official Zoning Code and Sections 13-7-201 through 13-7-210, *Tennessee Code Annotated*, changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be made on the Official Zoning Map, promptly after the amendment has been approved by the Lafayette City Council, together with an entry on the Official Zoning Map showing the date of such change.

(3) No changes of any nature shall be made in the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this Official Zoning Code. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this Code and punishable as provided under Section 14-710 of this Official Zoning Code.

(4) Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map which shall be located in the Lafayette City Hall shall be the final authority as to the current zoning status of land and water areas, buildings, and other structures in the municipality.

303 Replacement of official zoning map

In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the Lafayette City Council may, by ordinance, adopt a new Official Zoning Map which shall supersede the

prior Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions on the prior Official Zoning Map, but no such correction shall have the effect of amending the original Official Zoning Code or any subsequent amendment thereof.

Unless the prior Official Zoning Map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining, shall be preserved, together with all available records pertaining to its adoption or amendment.

304 Rules for interpretation of district boundaries

(1) District boundaries, unless otherwise indicated on the Official Zoning Map, shall be platted lot lines, the center line of streets or alleys, midway between railroad tracks, the center lines of streams, rivers or other bodies of water, or the corporate limit lines as they exist at the time of the enactment of this Official Zoning Code.

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

(3) Any questions concerning the exact locations of district boundaries shall be determined by the Board of Zoning Appeals.

305 Annexation of territory

(1) All territory which may hereafter be annexed to the City of Lafayette shall be considered by the planning commission and assigned an appropriate zoning classification based on the existing land use, the long-range plans of the community, and the land use of the contiguous property inside the previous city limits. If a zoning classification is not assigned to a territory at the time of annexation, such territory shall be considered to be in the R-1 Low Density Residential District until otherwise classified.

(2) Annexed territory and the subsequent zoning of such territory shall be reflected on the Official Zoning Map of City of Lafayette, Tennessee, in the manner described in Section 14-402 of this Official Zoning Code.

CHAPTER 4

SPECIFIC DISTRICT REGULATIONS

SECTION

401. R-1 Low density residential district

402. R-2 High density residential district

403. C-1 Central business district

404. C-2 General business district

405. I-1 Light industrial district

406. I-2 Heavy industrial district

407. CI Mixed-commercial industrial district

401 R-1 Low density residential district

The purpose of the R-1 District is to provide a low density residential environment having good access to schools, public water and sewer, and other community services, but well separated from other incompatible uses and activities. Within the R-1 Low Density Residential District, as shown on the Official Lafayette Zoning Map, the following regulations shall apply:

(1) Permitted uses

(a) Single-family detached dwellings; excluding mobile homes.

(b) Accessory buildings or uses customarily incidental to aforementioned permitted uses. Such uses may include noncommercial gardens and greenhouses, tool sheds, unattached carports and garages, swimming pools (subject to the conditions of Section 14-604.4 of this Official Zoning Code), gazebos and the like.

(c) Television, radio, and satellite dish antennas when in compliance with conditions specified in Section 14-604.10 of this Official Zoning Code.

(d) Public utilities such as water, sewer, gas, electric, cable TV, and telephone, but limited to those facilities necessary to serve the immediate neighborhood and excluding general office buildings, warehouses, and storage areas. Opaque screening in conformance with Section 14-601 of this Official Zoning Code shall be provided along all shared lot lines.

(e) Municipal fire or police substations subject to the following conditions:

(i) Sites shall contain a minimum of one (1) acre and have a minimum street frontage of one-hundred fifty (150) feet.

(ii) They shall be located on an arterial or collector street only.

(iii) Such facilities shall be set back a minimum of fifty (50) feet from all lot lines.

(iv) Opaque screening in conformance with Section 14-601 of this Official Zoning Code shall be provided along all lot lines adjoining residential properties.

(v) Off-street parking shall be provided for all anticipated equipment, employees, and visitors.

(f) Temporary structures, subject to the provisions of Section 14-608 of this Official Zoning Code.

(2) Uses permitted on appeal (special exceptions)

After public notice and hearing and subject to appropriate conditions and safeguards, the Board of Zoning Appeals may permit as special exceptions:

(a) Two-family dwellings (duplexes).

(b) Bed and breakfast establishments and the renting of rooms by the residents on premises provided that the floor area used for said purpose may not exceed fifty (50) percent of total habitable floor area of the dwelling, and provided that the following additional conditions are complied with:

(i) Three (3) off-street parking spaces shall be provided for the residence plus one additional space for each room offered for rent. Required additional parking shall not be allowed in any front yard.

(ii) Signs associated with bed and breakfast establishments shall meet the requirements of Section 14-609 of the Official Zoning Code.

(c) Accessory apartments meeting the following conditions:

(i) Only one (1) accessory apartment per single-family dwelling shall be permitted.

(ii) The accessory apartment shall be located within or connected to the single-family dwelling and shall be a clearly subordinate part thereof.

(iii) The accessory apartment shall not exceed twenty-five (25) percent of the gross floor area of the principal dwelling; shall not be larger than eight-hundred (800) square feet; and shall not contain more than two (2) bedrooms.

(iv) The principal dwelling shall be owner-occupied.

(v) All exterior entrances to the accessory apartment shall be made from the rear or side of the principal dwelling.

(vi) Two (2) additional off-street parking spaces shall be provided.

(vii) The accessory apartment shall conform to all applicable housing and building codes.

(viii) A floor plan and site plan depicting all proposed changes to the single-family dwelling shall be submitted if required by the Lafayette Building Inspector.

(d) Churches and other places of worship provided that the conditions specified in Section 14-604.7 of this Official Zoning Code are complied with.

(e) Schools offering general education courses provided that the conditions specified in Section 14-604.8 of this Official Zoning Code are complied with.

(f) Public parks and public recreational facilities.

(g) Daycare home for the care of up to seven (7) children, provided they meet the minimum standards established by the Tennessee Department of Human Services for such facilities and provided that the conditions specified in Section 14-604.9 of this Official Zoning Code are complied with.

(h) Customary home occupations provided that the conditions specified in Section 14-604.3 of this Official Zoning Code are complied with.

(i) Where this district adjoins a commercial or industrial district without an intervening street, but with or without an intervening alley, off-street parking lots in connection with nearby commercial or industrial uses, provided:

- (i) Such parking lots may be permitted only between the commercial or industrial district and the nearest street in the residential district.
- (ii) Opaque screening in conformance with Section 14-601 of this Official Zoning Code shall be provided along edges of portions of such lots adjoining residential districts as the Board of Zoning Appeals may direct.
- (iii) The design requirements for parking spaces and lots in Section 14-301.5 of this Official Zoning Code shall be complied with.
- (iv) No source of illumination for such lots shall be directly visible from any window in any residence in the residential district.
- (v) There shall be no movement of vehicles on such lots between the hours of 10:00 p.m. and 6:00 a.m. and the Board of Zoning Appeals may impose greater limitations.
- (vi) There shall be no sales or service activity on such lots.

(3) Uses prohibited

- (a) Mobile homes on individual lots; mobile home parks; and multi-family dwellings.
- (b) Storage or overnight parking of commercial or industrial vehicles.
- (c) Commercial and industrial uses.
- (d) Outdoor storage of any type, except that in connection with and on the premise of active building and/or land developments.
- (e) Any other use or structure not specifically permitted or permitted on appeal.

(4) Minimum lot area, width, and yard requirements

The principal building shall be located so as to comply with the following requirements:

- (a) Minimum lot area
 - (i) Minimum lot area with sewer..... 12,000 sq. ft.
 - (ii) Minimum lot area without sewer..... 20,000 sq. ft.
 - (iii) Minimum lot area without sewer or water.....2 acres
 - (iv) Churches and other non-residential buildings
(plus off-street parking).....20,000 sq. ft.
- (b) Minimum lot width at front building line
(for residences and other permitted uses).....100 ft.
- (c) Minimum depth of front yard (from ROW)30 ft.
- (d) Side Yards
 - (i) One or two story building..... 15 ft.

- (ii) Three story building20 ft.
- (iii) Churches or other permitted non-residence buildings...30 ft.

The minimum widths of side yards on corner lots along an intersecting street shall be fifty percent (50%) greater than the minimum side yard requirements of the district in which the lot is located. Side yard accessory buildings shall also comply with this setback from the intersecting street.

- (e) Rear Yards30 ft.

(5) Location of accessory buildings

Accessory buildings shall meet the following provisions:

- (a) No accessory building shall be erected or placed forward of the principal structure or building.
- (b) Accessory buildings shall not cover more than twenty (20) percent of the required rear yard, or exceed one thousand five hundred (1,500) square feet in size.
- (c) Minimum setback from other buildings15 ft.
- (d) Minimum setback from all lot lines5 ft.
- (e) Minimum setback for street side corner lot.....25 ft.
- (f) Maximum height.....2 stories or 30 ft.

(6) Maximum building area

On any lot the area occupied by all buildings, including accessory buildings, shall not exceed twenty-five (25) percent of the total area of such lot.

(7) Parking requirements

Uses in the R-1 District shall conform with the provisions of Section 14-301 of this Official Zoning Code.

(8) Access requirements

Uses in the R-1 District shall conform with the provisions of Section 14-302 of this Official Zoning Code.

(9) Maximum building height

No structure in the R-1 District shall exceed thirty-five (35) feet or three (3) stories in building height, and shall be subject to meeting all applicable fire code standards.

(10) Sign requirements

No billboards or similar off-premise advertising structures are allowed in the R-1 District; all other signs and similar advertising structures shall conform with the provisions of Section 14-609 of the Official Zoning Code.

402 R-2 High density residential district

The purpose of the R-2 District is to provide a high density residential environment having good access to schools, public water and sewer, and other community services, but well separated from other incompatible uses and activities.

Within the R-2 High Density Residential District, as shown on the Official City of Lafayette Zoning Map, the following regulations shall apply:

(1) Permitted uses

- (a) Single-family detached and two-family attached dwellings.
- (b) Accessory apartments for single-family detached dwellings when in conformance with the provisions of Section 14-501.3C of this Official Zoning Code.
- (c) Multi-family dwellings and apartments; provided an application and site plan as required in Section 14-602.1 of this Official Zoning Code are submitted to and approved by the Building Inspector and provided the development standards required in Section 14-602.2 of this Official Zoning Code are complied with.
- (d) Accessory buildings or uses customarily incidental to aforementioned permitted uses. Such uses may include noncommercial gardens and greenhouses, tool sheds, unattached garages and carports, swimming pools (subject to the provisions of Section 14-604.4 of this Official Zoning Code) and the like.
- (e) Television, radio, and satellite dish antennas when in compliance with the provisions of Section 14-604.10 of this Official Zoning Code.
- (f) Public utilities such as water, sewer, gas, electric, cable TV, and telephone, but limited to those facilities necessary to serve the immediate neighborhood, and excluding general office buildings, warehouses, and storage areas. Opaque screening in conformance with Section 14-601 of this Official Zoning Code shall be provided along all shared lot lines.
- (g) Municipal uses such as fire or police substations provided that the conditions specified in Section 14-501.2E of this Official Zoning Code are complied with.
- (h) Temporary structures, subject to the provisions of Section 14-608 of this Official Zoning Code.
- (i) Elderly housing and residential homes for the aged provided the application and site plan requirements and development standards for multi-family dwellings as specified in Section 14-602 of this Official Zoning Code are complied with, provided the minimum lot requirements for multi-family dwellings as specified in Section 14-602.2B of this Official Zoning Code are complied with, and provided the parking requirements of Section 14-301.1A(2) of this Official Zoning Code are complied with.

(2) Uses permitted on appeal (special exceptions)

After public notice and hearing and subject to appropriate conditions and safeguards to protect the character of the neighborhood, the Board of Zoning Appeals may permit as special exceptions:

(a) Mobile home parks subject to meeting the requirements and standards of Section 14-603 of the Official Zoning Code.

(b) Bed and breakfast establishments and the renting of rooms by the residents on premises provided that the floor area used for said purpose may not exceed fifty percent of total habitable floor area of the dwelling, and provided that the following additional conditions are complied with:

(i) Three (3) off-street parking spaces shall be provided for the residence plus one additional space for each room offered for rent. Required additional parking shall not be allowed in any front yard.

(ii) Signs associated with bed and breakfast establishments shall meet the requirements of Section 14-609 of the Official Zoning Code.

(c) Churches and other places of worship provided that the conditions specified in Section 14-604.7 of this Official Zoning Code are complied with.

(d) Schools offering general education courses provided that the conditions specified in Section 14-604.8 of this Official Zoning Code are complied with.

(e) Public parks and public recreational facilities.

(f) Daycare home for the care of up to seven (7) children, provided they meet the minimum standards established by the Tennessee Department of Human Services for such facilities and provided that the conditions specified in Section 14-604.9 of this Official Zoning Code are complied with.

(g) Customary home occupations provided that the conditions specified in Section 14-604.3 of this Official Zoning Code are complied with.

(3) Uses prohibited

(a) Storage or long-term parking of commercial or industrial vehicles.

(b) Outdoor storage of any type not specifically permitted, except that in connection with and on the premise of active building and/or land development.

(c) Any other use or structure not specifically permitted or permitted on appeal.

(4) Minimum lots area, width, and yard requirements

The principal building shall be located so as to comply with the following requirements:

(a) Minimum lot area

(i) Minimum lot area for single unit with sewer6,000 sq. ft.

(ii) Minimum lot area for single unit without sewer.....20,000 sq. ft.

(iii) Two-family unit (with sewer)9,000 sq. ft.

(iv) For three or more units, 9,000 sq. ft. for the third unit, 12,000 sq. ft. for the fourth unit, and 3,000 sq. ft. for each unit after.

- (v) Churches and other non-residential dwellings
(plus off-street parking).....20,000 sq. ft.
- (b) Minimum lot width at building line:
 - (i) For residential uses.....60 ft.
 - (ii) For other permitted uses.....100 ft.
- (c) Front yards.....30 ft.
- (d) Side Yards:
 - (i) Single and two-story buildings (interior).....15 sq. ft.
 - (ii) Three-story buildings (interior).....20 sq. ft.

Corner lots shall have minimum for building height and an additional 50%

- (e) Rear yards20 ft.

(5) Location of accessory buildings

Accessory buildings shall meet the following provisions:

- (a) No accessory building shall be erected or placed forward of the principal structure or building.
- (b) Accessory buildings shall not cover more than twenty (20) percent of the required rear yard, or exceed one thousand five hundred (1,500) sq. feet. in size.
- (c) Minimum setback from other buildings10 ft.
- (d) Minimum setback from all lot lines5 ft.
- (e) Minimum setback for street side corner lots.....35 ft.
- (f) Minimum setback from alleyways 2 ft.
- (g) Maximum height.....2 stories or 30 ft.

(6) Maximum building area

On any lot the area occupied by all buildings, including accessory buildings, shall not exceed thirty (30) percent of the total area of such lot.

(7) Parking requirements

Uses in the R-2 District shall conform with the provisions of Section 14-301 of this Official Zoning Code.

(8) Access requirements

Uses in the R-2 District shall conform with the provisions of Section 14-302 of this Official Zoning Code.

(9) Maximum building height

No structure in the R-2 District shall exceed fifty (50) feet or four (4) stories in building height, and shall be subject to meeting all applicable fire code standards.

(10) Sign requirements

No billboards or similar off-premise advertising structures are allowed in the R-2 District, all other signs or similar advertising structures shall conform with the provisions of Section 14-609 of the Official Zoning Code.

(11) Plot plan or site plan requirements

All developments in the R-2 District requiring building permits, except for single and two-family residential dwellings, shall conform with the applicable plot plan requirements in Section 14-704 of this Official Zoning Code or site plan requirements in Section 14-705 of this Official Zoning Code.

403 C-1 Central business district

The purpose of the C-1 District is to provide an area for the conduct of community and municipal retail and service business of an indoor and intensive nature, especially for those sales and service uses which require a central location, which generate substantial pedestrian traffic, and which are mutually benefited by close proximity to other uses of a similar nature.

Within the C-1 Central Business District, as shown on the Official Lafayette Zoning Map, the following regulations shall apply:

(1) Permitted uses

(a) Business and personal services but limited to the following types of establishments: Appliance repair, barber and beauty shops, coin operated cleaning and laundry, copy service, day care centers, dry cleaning and laundry pickup, employment agency, financial service, fitness center and spa, insurance agency, interior decorating, legal service, locksmith, office equipment repair, photographic service, real estate agency, shoe repair, tanning facilities, tailoring, travel agencies and similar uses.

(b) Retail trade but limited to the following types of establishments: Antique shop, apparel shop, appliance shop, bakery-retail, bookstore, camera and photographic supply, caterer, confectionery, drapery sales, drug store, electronic shop, florist-retail, fruit market, furniture-retail, gift shop, grocery store-retail, handicrafts, hardware, jewelry, meat market, music store, office supplies, optical goods, restaurant, sporting goods, video sales and rental, and similar uses.

(c) Professional offices for doctors, dentists, lawyers, architects, accountants, artists, engineers and the like.

(d) Federal, state, county and municipal uses except outside storage areas.

(e) Public and semi-public uses; but limited to the following types of establishments: Church or similar place of worship, charitable, fraternal or social organization.

(f) Off-street parking lots meeting the design requirements of Section 14-301.5 of this Official Zoning Code.

(g) Amusement and recreational services; but limited to the following types of establishments: Club or lodge, indoor theater, public parks, and private recreational facility.

(h) Accessory structures and uses incidental and subordinate to the principal structure.

(i) Temporary structures, subject to the provisions of Section 14-608 of this Official Zoning Code.

(2) Uses permitted on appeal (special exceptions)

After public notice and hearing and subject to appropriate conditions and safeguards, the Board of Zoning Appeals may permit as special exceptions:

(a) Single- or multi-family apartments and mixed commercial/multi-family apartments (new construction or rehabilitation of existing structure) provided that the following conditions are complied with:

(i) A minimum square footage per dwelling unit of 650 sq. ft. for a one-bedroom unit, 800 sq. ft. for a two-bedroom unit, and 1000 sq. ft. for a three-bedroom unit shall be provided.

(ii) All municipal building and fire codes shall be adhered to.

(iii) All new residential construction shall meet the minimum lot area, width and yard requirements as required in the R-2 High Density Residential District.

(b) Limited manufacturing for an on-premise business or service provided the following conditions are complied with:

(i) The manufacturing area shall not occupy more than forty (40) percent of the floor area.

(ii) No more than five (5) operators shall be employed.

(iii) All municipal building and fire codes shall be adhered to.

(c) Automobile sales (new and used) and automobile rentals provided the following conditions are complied with:

(i) Shall be in conformance with the provisions of Section 14-601 of this Official Zoning Code.

(ii) Shall not be located on public street of a classification of less than major collector status.

(iii) Shall be in conformance with the provisions of Section 14-604.6 of this Official Zoning Code.

(3) Uses prohibited

(a) Outdoor storage of any type not specifically permitted, except that in connection with and on the premise of active building and/or land developments.

(b) Any other use or structure not specifically permitted or permitted on appeal.

(4) Minimum lot area, width, and yard requirements

All buildings or structures hereafter constructed in the C-1 District shall be located so as to comply with the following requirements:

(a) On corner lots in the C-1 District, no obstruction to vision shall hereafter be placed or erected in such a manner as to materially impede visibility between a height of two (2) feet and ten (10) feet above the grades of the intersecting streets at their point of intersection in an area defined by the street lines adjoining said corner lot and a line joining points along said street lines twenty-five (25) feet from the point of intersection.

(b) Unless otherwise provided or required to meet other provisions, such as 14-503.5C, no front, rear or side yard setback is required in the C-1 District, nor is there any minimum lot area requirement.

(c) On lots adjacent to a residential district, all buildings or structures shall be located so as to conform with the side and/or rear yard requirements of the adjacent residential district.

(5) Maximum building area

None except as necessary to meet all other requirements.

(6) Screening requirements

Where a lot line is shared with an adjacent residential lot, the owner of the commercial lot shall provide opaque screening in conformance with Section 14-601 of this Official Zoning Code along the entire shared lot line or lines so as to provide a pleasant buffer between the two different but contiguous land uses.

(7) Parking requirements

None unless required under other provisions.

(8) Access requirements

Uses in the C-1 District shall conform with the provisions of Section 14-302 of this Official Zoning Code.

(9) Maximum building height

A building height of fifty (50) feet or four (4) stories may be permitted if automatic sprinkler systems and dry standpipes with external fire department connections are provided. No other structure shall exceed thirty-five (35) feet or three (3) stories in building height.

(10) Sign requirements

All signs and similar advertising structures in the C-1 District shall conform with the provisions of Section 14-609 of the Official Zoning Code.

(11) Site plan review requirements

Uses in the C-1 District shall conform with the provisions of Section 14-705 of this Official Zoning Code.

404 C-2 General business district

The purpose of the C-2 District is to provide an area for the conduct of community and Municipal retail and service business dealing predominantly in those goods transportable by private auto and for those creating a substantial amount of automobile traffic. It is intended that such areas have properties of sufficient size so that activities performed thereon will not interfere with traffic circulation.

Within the C-2 General Business District, as shown on the Official Lafayette Zoning Map, the following regulations shall apply:

(1) Permitted uses

(a) Business and personal services; all those permitted in the C-1 Central Business District and including the following types of establishments: Dry cleaning and laundry service, electrical repair, equipment rental, exterminating service, gunsmith, hotel and motels, small engine and motor repair, upholstery service, veterinary service-indoor, and similar uses.

(b) Retail and wholesale trade; all those permitted in the C-1 Central Business District and including the following types of establishments: Automotive parts store, building materials, cabinet sales, department store, fertilizer sales-packaged, florist-wholesale, furniture sales, motorcycle sales, nursery and garden centers-retail, pet shop, restaurant-drive-in, and similar uses.

(c) Public and semi-public uses, including the following types of establishments: Cemetery (subject to the provisions of Section 14-604.2 of this Official Zoning Code), charitable, fraternal or social organization, church or similar place of worship, (when in compliance with the conditions specified in Section 14-604.7 of this Official Zoning Code), community center, daycare center, funeral home, general office buildings, group homes, hospital, medical clinic, nursing home, schools, (when in compliance with the conditions specified in Section 14-604.8 of this Official Zoning Code), retirement center, temporary care facility and similar uses.

(d) Professional offices for doctors, dentists, lawyers, architects, artists, engineers and the like.

(e) Federal, state, county and municipal uses.

(f) Automotive and transportation services, limited to the following types of establishments: Automotive tire sales and tire repair, car wash, gasoline station (with no above ground storage of flammable material in excess of 500 gallons and subject to the provisions of Section 14-604.1 and 14-604.6 of this Official Zoning Code), off-street parking lots (meeting the design requirements of Section 14-301.5 of this Official Zoning Code), taxicab stand, and similar uses.

(g) Amusement and recreational services; all those permitted in the C-1 Central Business District and including the following types of establishments: health and physical fitness clubs.

(h) Light manufacturing; limited to the following types of establishments: Commercial printing, laboratories, optical instruments and lenses, and similar uses.

(i) Limited manufacturing for an on-premise business or service provided the following conditions are complied with:

(i) The manufacturing area shall not occupy more than forty-nine (49) percent of the floor area.

(ii) No more than ten (10) operators shall be employed.

(j) Newspaper, radio and television stations.

(k) Accessory structures and uses incidental and subordinate to the principal structure.

(l) Temporary structures, subject to the provisions of Section 14-608 of this Official Zoning Code.

(2) Uses permitted on appeal (special exceptions)

After public notice and hearing and subject to appropriate conditions and safeguards, the Board of Zoning Appeals may permit as special exceptions:

(a) Multi-family residential provided the following conditions are complied with:

(i) The minimum lot area, width and yard requirements as required in the R-2 High Density Residential District of this Official Zoning Code shall be complied with.

(ii) The off-street parking requirements of Section 14-301 of this Official Zoning Code shall be complied with.

(iii) The required standards of Section 14-602 of this Official Zoning Code shall be complied with.

(b) Automobile sales (new and used) and automobile rentals provided the following conditions are complied with:

(i) Shall not be located adjacent to any residential district.

(ii) Shall not be located on public street of a classification of less than major collector status.

(iii) Shall be in conformance with the provisions of Section 14-604.6 of this Official Zoning Code.

(c) Automobile repair shops provided the following conditions are complied with:

(i) Shall not be located adjacent to any residential district.

(ii) Shall be in conformance with the provisions of Section 14-604.6 of this Official Zoning Code.

(d) Agriculture supply provided the following conditions are complied with:

(i) Shall not be located adjacent to any residential district.

(ii) No milling, grinding or mixing of materials shall be permitted.

(iii) No feed lots or stockyards shall be permitted.

(e) Self-service storage facilities (mini-warehouses) provided the following conditions are complied with:

- (i) The sale or auction of any item at a self-service storage facility by the lessee is specifically prohibited.
- (ii) Shall not be located on public street of a classification of less than major collector status.
- (iii) The standards of Section 14-604.5 of this Official Zoning Code shall be complied with.

(f) Marine supply, including boat sales and service, provided the following conditions are complied with:

- (i) Shall not be located adjacent to any residential district.
- (ii) Shall not be located on public streets of a classification of less than major collector status.
- (iii) Shall be in conformance with the provisions of Section 14-604.6 of this Official Zoning Code.

(3) Uses prohibited

- (a) Outdoor storage of any type, except that in connection with and on the premise of active building and/or land developments and except that permitted under the provisions of Section 14-604.6 of this Official Zoning Code.
- (b) Any other use or structure not specifically permitted or permitted on appeal.

(4) Minimum lot area, width, and yard requirements

All buildings or structures, including accessory structures, hereafter constructed in the C-2 District shall be located so as to comply with the following requirements:

- (a) Minimum lot requirements---None except as necessary to meet all other requirements.
- (b) Minimum depth of front yard.....30 ft.
- (c) Minimum depth of rear yard.....20 ft.
- (d) Minimum side yard on one side15 ft.
- (e) Minimum side yard for street side corner lots.....30 ft.
- (f) On lots adjacent to a residential district all buildings or structures shall be located so as to conform with the side and/or rear yard requirements of the adjacent residential district.

(5) Maximum building area

None except as necessary to meet all other requirements.

(6) Screening requirements

Where a lot line is shared with an adjacent residential lot the owner of the commercial lot shall provide semi-opaque screening in conformance with Section 14-601 of this Official Zoning Code along the entire shared lot line or lines so as to provide a pleasant buffer between the two different but contiguous land uses.

(7) Parking requirements

Uses in the C-2 District shall conform with the provisions of Section 14-301 of this Official Zoning Code.

(8) Access requirements

Uses in the C-2 District shall conform with the provisions of Section 14-302 of this Official Zoning Code.

(9) Off-street loading and unloading space requirements

Uses in the C-2 District shall conform with the provisions of Section 14-303 of this Official Zoning Code.

(10) Maximum building height

A building height of fifty (50) feet or four (4) stories may be permitted if automatic sprinkler systems and dry stand pipes with external fire department connections are provided. No other such structure shall exceed thirty-five (35) feet or three (3) stories in building height.

(11) Sign requirements

All signs and similar advertising structures in the C-2 District shall conform with the provisions of Section 14-609 of the Official Zoning Code.

(12) Site plan review requirements

Uses in the C-2 District shall conform with the provisions of Section 14-705 of this Official Zoning Code.

405 I-1 Light industrial district

The purpose of the I-1 District is to provide an area in which the principal use of land is for light manufacturing and assembly plants, processing, storage, warehousing, wholesaling, and distribution. It is the intent that uses shall be restricted to activities that are safe and not a nuisance due to dust, fumes, noise, odor, refuse matter, smoke, vibration, water-carried waste or other adverse effects on surrounding areas.

Within the I-1, Light Industrial District, as shown on the Official City of Lafayette Zoning Map, the following regulations shall apply:

(1) Permitted uses

- (a) Light industrial and manufacturing uses; all those permitted in the C-2 District and including the following types of establishments: apparel, appliance assembly, bakeries, beverage products, bottling machinery, dairy products, electronic devices and instruments, engineering, medical, and scientific instruments,

excelsior, food products, furniture, glass and glassware, ice plant, industrial laundries, insulation products, jewelry products, laboratories, machine assembly, metal working machinery, motor vehicle and equipment assembly, musical instruments, office and computer equipment, optical instruments and lenses, paper products, pharmaceuticals, plastic products assembly, boat manufacturing and repair, sign manufacturing, textiles, textile machinery, tobacco products, toys, amusements, sporting and athletic goods, upholstering, watches and clocks, welding, and wood products, provided that any industrial or manufacturing use that may cause injurious or obnoxious noise, vibrations, smoke, gas fumes, odor, dust, fire hazard, or other objectionable conditions, shall be required to show that the proposed location, construction, and operation will not injure or disturb adjoining properties.

(b) General office buildings.

(c) Vocational learning and training centers, trade schools.

(d) Day care facilities when located in connection with and on the same premises as permitted, principal uses and when used solely for the care of dependents of employees of said principal use.

(e) Gasoline service stations, (meeting the provisions of Sections 14-604.1 and 14-604.6 of this Official Zoning Code) automobile tire repair, motorcycle repair.

(f) General contractors and specialty contractors.

(g) Building materials and supplies.

(h) Transfer or storage terminal, truck terminal and freight handling, packing and crating services.

(i) Nursery-wholesale.

(j) Restaurants when primarily intended to serve the needs of the industrial community.

(k) Industrial machinery and supplies sales, heavy equipment sales.

(l) Warehousing, cold storage plant, distribution center, self-service storage facilities (meeting the provisions of Section 14-604.5 of this Official Zoning Code).

(m) Veterinarian hospitals and kennels.

(n) Agriculture supplies and equipment sales and repairs.

(o) Public utility structures, fire and police stations.

(p) Adult-oriented businesses subject to the provisions of Ordinance #____, adopted _____, 2015.

(q) Accessory uses and structures.

(r) Temporary structures, subject to the provisions of Section 14-608 of this Official Zoning Code.

(2) Uses permitted on appeal (special exceptions)

After public notice and hearing and subject to appropriate conditions and safeguards, the Board of Zoning Appeals may permit as special exceptions:

(a) Day care center provided that the following conditions are complied with:

- (i) Shall meet the minimum standards established by the Tennessee Department of Human Services.
- (ii) Outdoor play space shall be fenced or otherwise enclosed to a minimum height of four (4) feet on all sides.

(b) Public parks and public recreational facilities meeting the following conditions:

- (i) A minimum lot area of one-half (1/2) acre with a minimum lot width of fifty (50) feet at the building setback line shall be provided.
- (ii) The minimum depth of the front yard shall be thirty-five (35) feet and the minimum depth of the side and rear yards shall be twenty-five (25) feet. The minimum side yard on the street side of corner lots shall be thirty-five (35) feet.
- (iii) The maximum lot coverage for all enclosed buildings shall be ten (10) percent.

(c) Petroleum products dealers and wholesalers provided that the following conditions are complied with:

- (i) Shall not be located adjacent to any residential district.
- (ii) Shall be in conformance with all federal, state or local environmental, fire, safety or other applicable codes or laws.
- (iii) Above ground storage of flammable materials shall be a minimum of one-hundred (100) feet from all property lines.

(d) Outside storage of materials provided that the following conditions are complied with:

- (i) Shall be fenced and shall be screened with opaque screening in conformance with Section 14-601 of this Official Zoning Code.
- (ii) Shall be located in the rear yard only.
- (iii) Shall be located on the same property as the principal use.

(3) Uses prohibited

(a) Outside storage of unscreened materials.

(b) Any use determined by the building inspector to be potentially noxious, dangerous or offensive to adjacent uses by reason of odor, smoke, noise, glare, fumes, gas, vibration, threat of fire or explosion, or other similar reasons to be incompatible with the character of the I-1 District.

(c) Any other use or structure not specifically permitted or permitted on appeal.

(4) Minimum lot area, width, and yard requirements

All buildings or structures, including accessory structures, hereafter constructed in the I-1 District shall be located so as to comply with the following requirements:

- (a) Minimum lot requirements.....None except as necessary to meet all other requirements.
- (b) Minimum depth of front yard.....30 ft.
- (c) Minimum depth of rear yard.....20 ft.
- (d) Minimum depth of side yard each side.....20 ft.
- (e) On lots adjacent to a residential district, all rear and side yard setback requirements of the adjacent residential district, in greater than required in the industrial district, shall be provided.

(5) Maximum building area

None, except as necessary to meet all other requirements.

(6) Screening requirements

Where a lot line is shared with an adjoining residential lot the owner of the industrial lot shall provide opaque screening in conformance with Section 14-601 of this Official Zoning Code along the entire shared lot line so as to provide a pleasant screen between the two different but contiguous land uses.

(7) Parking requirements

Uses in the I-1 District shall conform with the provisions of Section 14-301 of this Official Zoning Code.

(8) Access requirements

Uses in the I-1 District shall conform with the provisions of Section 14-302 of this Official Zoning Code.

(9) Off-street loading and unloading space requirements

Uses in the I-1 District shall conform with the provisions of Section 14-303 of this Official Zoning Code.

(10) Maximum building height

A building height of fifty (50) feet or four (4) stories may be permitted if automatic sprinkler systems and dry stand pipes with external fire department connections are provided. No other structure shall exceed thirty-five (35) feet or three (3) stories in building height.

11) Sign requirements

All signs and similar advertising structures in the I-1 District shall conform with the provisions of Section 14-609 of the Official Zoning Code.

(12) Site plan review requirements

Uses in the I-1 District shall conform with the provisions of Section 14-705 of this Official Zoning Code.

406 I-2 Heavy industrial district

The purpose of the I-2 District is to provide an area in which the principal use of land is for heavy manufacturing and assembly plants and processing. It is the intent of this district to provide an area for industrial activities of an intensive nature which by reason of volume of raw materials or freight, scale of operation, type of structures required, or other similar characteristics requiring locations relatively well segregated from non-industrial uses.

Within the I-2, Heavy Industrial District, as shown on the Official City of Lafayette Zoning Map, the following regulations shall apply:

(1) Permitted uses

- (a) Light industrial and manufacturing uses: all those permitted in the I-1 Light Industrial District and subject to the same conditions or provisions, if any.
- (b) Gasoline service stations (meeting the provisions of Sections 14-604.1 and 14-604.6 of this Official Zoning Code), automobile tire repair, motorcycle repair.
- (c) General contractors and specialty contractors; building materials and supplies.
- (d) Transfer or storage terminal, truck terminal and freight handling, packing and crating services.
- (e) Warehousing, cold storage plant, storage yard, distribution center, self-service storage facilities (meeting the provisions of Section 14-604.5 of this Official Zoning Code).
- (f) Industrial machinery and supplies sales, heavy equipment sales.
- (g) Nursery-wholesale.
- (h) Veterinarian hospitals and kennels.
- (i) Agriculture supplies and equipment sales and repairs.
- (j) Public utility structures, fire and police stations.
- (k) Accessory uses and structures.
- (l) Temporary structures, subject to the provisions of Section 14-608 of this Official Zoning Code.

(m) Day care facilities when located in connection with and on the same premises as permitted principal uses and when used solely for the care of dependents of employees of said principal use.

(2) Uses permitted on appeal (special exceptions)

After public notice and hearing and subject to appropriate conditions and safeguards, the Board of Zoning Appeals may permit as special exceptions:

(a) Extensive and heavy industrial and manufacturing uses; but limited to the following uses: abrasive products; asphaltic cement plants; cement and/or concrete plants; chemical and allied products; clay, pottery, terra cotta and tile products; grain milling; junkyards, hard surface floor coverings, kiln drying operations; leather goods, machine shop, paints and allied products; paper and allied products; petroleum products dealers and wholesalers, rubber and miscellaneous plastic products; saw mills; slaughtering of animals; provided the following conditions are complied with:

- (i) Shall not be located adjacent to any residential district.
- (ii) Shall not have an adverse affect on any surrounding properties.
- (iii) All federal, state or other permits for air pollution standards, ground water and emissions must be obtained and kept up-to-date.
- (iv) Access shall be provided only from streets of a classification of no less than minor arterial classification or an industrial access road from a minor arterial.
- (v) Outside storage shall be fenced and shall be screened with opaque screening in conformance with Section 14-601 of this Official Zoning Code.

(b) Day care centers provided that the following conditions are complied with:

- (i) Shall meet the minimum standards established by the Tennessee Department of Human Services.
- (ii) Outdoor play space shall be fenced or otherwise enclosed to a minimum height of four (4) feet on all sides.

(c) Outside storage of materials provided that the following conditions are complied with:

- (i) Shall be fenced and shall be screened with opaque screening in conformance with Section 14-601 of this Official Zoning Code.
- (ii) Shall be located in the rear yard only.
- (iii) Shall be located on the same property as the principal use.

(3) Uses prohibited

(a) Outside storage of unscreened materials.

(b) Any use determined by the Building Inspector to be potentially noxious, dangerous or offensive to adjacent uses by reason of odor, smoke, noise, glare, fumes, gas, vibration, threat of fire or explosion, or other similar reasons to be incompatible with the character of the I-2 District.

(c) Any other use or structure not specifically permitted or permitted on appeal.

(4) Minimum lot area, width, and yard requirements

All buildings or structures, including accessory structures, hereafter constructed in the I-2 District shall be located so as to comply with the following requirements.

- (a) Minimum lot requirements.....None except as necessary to meet all other requirements.
- (b) Minimum depth of front yard.....50 ft.
- (c) Minimum depth of rear yard.....50 ft.
- (d) Minimum depth of side yard each side.....50 ft.

(5) Maximum building area

None, except as necessary to meet all other requirements.

(6) Screening requirements

Where a lot line is shared with an adjoining residential lot, the owner of the industrial lot shall provide opaque screening in conformance with Section 14-601 of this Official Zoning Code along the entire shared lot line so as to provide a pleasant screen between the two different but contiguous land uses.

(7) Parking requirements

Uses in the I-2 District shall conform with the provisions of Section 14-301 of this Official Zoning Code.

(8) Access requirements

Uses in the I-2 District shall conform with the provisions of Section 14-302 of this Official Zoning Code.

(9) Off-street loading and unloading space requirements

Uses in the I-2 District shall conform with the provisions of Section 14-303 of this Official Zoning Code.

(10) Maximum building height

A building height of fifty (50) feet or four (4) stories may be permitted if automatic sprinkler systems and dry stand pipes with external fire department connections are provided. No other structure shall exceed thirty-five (35) feet or three (3) stories in building height.

(11) Sign requirements

All signs and similar advertising structures in the I-2 District shall conform with the provisions of Section 14-609 of the Official Zoning Code.

(12) Site plan review requirements

Uses in the I-2 District shall conform with the provisions of Section 14-705 of this Official Zoning Code.

407 CI-Mixed commercial-industrial district

The purpose of the CI District is to accommodate mixture of compatible commercial and light industrial developments. This district shall generally be located where permitted developments have direct access to highways and streets of at least major collector classification.

Within the CI District, the following regulations shall apply:

(1) Permitted uses

- (a) Retail, service related, and other commercial establishments intended to serve the general population of the city, the county, and travelers. Examples of such establishments include shopping centers, malls, hotels and motels, restaurants (including drive-throughs), banks and other financial institutions, and general warehousing.
- (b) General and professional offices, office buildings, and office parks.
- (c) Automotive and transportation services meeting the requirements of Section 14-604.1 and 14-604.6 of this Official Zoning Code), new and used automobile sales, automobile rental and leasing, automobile paint and body repair, automobile mechanical repair, bus terminal, truck sales, motorcycle sales, motor home sales, car wash and truck terminals.
- (d) Mobile home and modular home sales.
- (e) Wholesalers including those permitted in C-2 General Commercial District..
- (f) Self-service storage facilities (mini-warehouses) meeting the conditions of Section 14-604.5 of this Official Zoning Code.
- (g) Light industrial establishments for the manufacture, processing, and assembly of goods and materials whose external effects are restricted to the site and have no detrimental effect on the surrounding area. Examples of such establishments include: appliances, book binding, cabinetry, candy and confectionary, clothing and shoes, computers and software, cultured marble, dry cleaning, electrical and electronic equipment, industrial laundry, machine shops, medical equipment, newspaper and publishing, office equipment office furniture, optical instruments and lens, plastic products portable buildings, sporting goods, and welding.
- (h) General contractors and specialty contractors, building materials and supplies, portable building and storage building sales.
- (i) Wireless communication tower structures and antenna arrays when in compliance with the provisions of Section 14-604.11 of this Official Zoning Code.
- (j) Billboards and similar off-premise signs meeting the requirements of Section 14-609 of this Official Zoning Code.

- (k) Municipal, county, state, and federal uses.
- (l) Technical and vocational schools, barber and beauty school.
- (m) Churches and similar places of worship meeting the requirements of Section 14-604.7 of this Zoning Code.
- (n) Private recreational and amusement establishments including bowling alley, skating rink, taverns, and nightclubs.
- (o) Public and semi-public uses including public parks and public recreational facilities, theaters, auditoriums, and other places of public assembly.
- (p) Temporary structures and operations subject to the provisions of Section 14-608 of this Official Zoning Code.
- (q) Accessory structures and uses provided the following conditions are complied with:
 - (i) Shall be customarily and clearly incidental and subordinate to permitted principal uses and structures.
 - (ii) Shall be located on the same lot as the permitted principal use or structure, or on a contiguous lot in the same ownership.
 - (iii) Shall comply with all other applicable requirements of this Zoning Code
- (r) Outdoor display and sales areas meeting applicable conditions of the Zoning Code
- (s) Establishments for the manufacture and assembly of goods and materials, that by their nature, do not create serious problems of compatibility with other land uses, and shall include automobile manufacturers, and automobile component, parts and supplies manufacturers.

(2) Uses permitted on appeal (special exceptions)

After public notice and hearing, and subject to appropriate conditions and safeguards, the Board of Zoning Appeals may permit as special exceptions:

- (a) Childcare centers when meeting the following conditions:
 - (i) Shall be located in connection with and on the same premises as principal uses permitted within this district, said facilities being solely for the care of dependents of employees of said principal use.
 - (ii) Shall meet the provisions all applicable state regulations.
- (b) Multi-purpose facilities which furnish ancillary services such as vocational and safety training, and daycare, if, and only if, such facilities are owned and operated by a partnership, cooperative, or other association of industrial uses exclusively for the employees of its members.
- (c) Outdoor storage of goods and materials when located to the rear of the principal structure facing a street or to the side of the principal structure of a Type

Screen as specified in 14-601 of the Zoning Code is provided, and when complying with all minimum yard requirements.

(d) Accessory dwellings units on the same premise and in connection with permitted principal uses and structures when meeting the following requirements:

- (i) Shall be for the occupancy by the owner(s) or employees.
- (ii) Off-street parking for each dwelling unit shall be provided so as to meet the requirements of Section 14-301.1 of this Zoning Code.
- (iii) A minimum square footage per dwelling unit of 650 square feet for a one-bedroom unit, 800 square feet for a two-bedroom unit, and 1,000 square feet for a three-bedroom unit shall be provided.
- (iv) All municipal building and fire codes shall be adhered to.
- (v) No more than two accessory dwelling units shall be permitted.

(3) Uses prohibited

(a) Any other use or structure not specifically permitted or permitted on appeal.

(4) Minimum lot area, width, and yard requirements

(a) Minimum lot area:

- (i) If sewer is available,.....NONE, except to meet the requirements herein
- (ii) If sewer is not available,.....20,000 square feet.

(b) Minimum depth of all yards on Major Streets.....50 ft.

(c) Minimum depth of front yard.....30 ft.

(d) Minimum depth if rear yard.....20 ft.

(e) Minimum width of side yards on corner lots.....40 ft.

(5) Maximum building area

None, except as required to meet the regulations herein

(6) Parking requirements

Uses in the CI Mixed Commercial-Industrial District shall conform with the provisions of Section 14-301 of the Official Zoning Code.

(7) Maximum building height

A building height of fifty (50) feet or four (4) stories may be permitted if automatic sprinkler systems and dry standpipes with external fire department connections are provided. No other such structure shall exceed thirty-five (35) feet or three (3) stories in building height.

(8) Sign requirements

Shall conform with the Provisions of Section 14-609 of this Zoning Code.

(9) Plot plan or site plan requirements

All development in the CI-Commercial-Industrial District requiring building permits shall conform to the applicable plot and site plan requirements in Section 14-704 and 14-705 of this Official Zoning Code.

CHAPTER 5

SUPPLEMENTARY REGULATIONS

SECTION

501. Screening requirements

502. Multi-family housing

503. Mobile home parks

504. Special standards for certain uses

505. Parking, storage, and use of major recreational
recreational equipment, vehicles, and trucks

506. Fences, walls, and hedges

507. Front yard setback line exemptions

508. Temporary structures

509. General sign regulations

For the purpose of the Official Zoning Code these supplementary regulations shall apply to specific, to several or to all districts. These regulations pertain to certain specific uses, authorize certain exemptions, or relate to unusual conditions.

501 Screening requirements

The following regulations shall apply for all uses requiring screening.

(1) Plan required

For all uses requiring screening, a plan for such shall be submitted with the required site plan.

(2) Description of screens

(a) Opaque Screen--A screen that is opaque from the ground to a height of at least six (6) feet, with intermittent visual obstructions from the opaque portion to a height of at least twenty (20) feet. An opaque screen is intended to exclude all visual contact between uses and to create a strong impression of special separation. The opaque screen may be composed of a wall, fence, landscaped earth berm, planted vegetation, or existing vegetation. Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species, or field observation of existing vegetation. The opaque portion of the screen must be opaque in all seasons of the year. At maturity, the portion of intermittent visual obstructions should not contain any completely unobstructed openings more than ten (10) feet wide. The portion of intermittent visual obstructions may contain deciduous plants. Suggested planting patterns that will achieve this standard are depicted on Illustration 1.

(b) Semi-Opaque Screen--A screen that is opaque from the ground to a height of three (3) feet, with intermittent visual obstruction from above the opaque portion to a height of at least twenty (20) feet. The semi-opaque screen is intended to partially block visual contact between uses and to create a strong impression of the separation of spaces. The semi-opaque screen may be composed of a wall, fence, landscaped earth berm, planted vegetation, or existing vegetation. Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject

species, or field observation of existing vegetation. At maturity, the portion of intermittent visual obstructions should not contain any completely unobstructed openings more than ten (10) feet wide. The zone of intermittent visual obstruction may contain deciduous plants. Suggested planting patterns which will achieve this standard are depicted on Illustration 2.

(c) Broken Screen--A screen composed of intermittent visual obstructions from the ground to a height of at least twenty (20) feet. The broken screen is intended to create the impression of a separation of spaces without necessarily eliminating visual contact between the spaces. It may be composed of a wall, fence, landscaped earth berm, planted vegetation, or existing vegetation. Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species, or field observation of existing vegetation. The screen may contain deciduous plants. Suggested planting patterns achieving this standard are depicted on Illustration 3.

(3) Standards for screening materials

(a) When fences or walls are utilized in screening, they shall be constructed of materials compatible with the principal building.

(b) When earthen berms are utilized in screening, they shall be seeded and/or sodded.

(c) Trees and shrubbery shall be of a species common to Lafayette shall be hardy, and proper care shall be taken in planting.

(4) Maintenance of screening

(a) It shall be the obligation of the owner(s) of each building, structure or use on whose premises required screening is located to maintain said screening.

(b) Failure to properly maintain required screening shall be a violation of this Official Zoning Code, punishable as a misdemeanor or under the provisions of the City of Lafayette Municipal Code.

Illustration 1
Typical Opaques Screens

Illustration 2
Typical Semi-Opaque Screens

Illustration 3
Typical Broken Screens

502 Multi-family housing

(1) Application and site plan required

To provide a maximum flexibility in design and to ensure a minimum standard of site development for multi-family housing developments of two or more residential structures on a single lot or tract of land, not subdivided an application shall be submitted to the planning commission consisting of a site plan drawn to a scale no smaller than 1" = 50' setting forth therein the geographical location, boundaries, surrounding development, drainage, buildings and structures, parking facilities, points of access to public streets, easements, sanitation facilities including the location and size of water and sewer lines, location of fire hydrants, and any other information as the planning commission may require.

(2) Required standards for multi-family housing developments

Multi-family housing developments of two or more residential structures on a single lot or tract of land, not subdivided shall meet the following required standards for development:

(a) Location

- (i) The site shall comprise a single lot or tract of land except where divided by public streets.
- (ii) The site shall abut a public street.

(b) Area Requirements

All area and setback requirements of the applicable zoning district shall be complied with.

(c) Design

(i) Internal Streets

- The maximum grade on any street shall be twelve (12) percent except that no more than three (3) percent grade shall be permitted within fifty (50) feet of any intersection with a public street.
- Where feasible, all street intersections shall be at right angles.

(ii) Public Street Access

- The minimum distance between access points along public street frontage shall be one-hundred twenty-five (125) feet.
- The minimum distance between an access point and the nearest right-of-way line of a public street intersection shall be one-hundred (100) feet.

(d) Required Improvements

(i) Internal Streets

- Streets shall be privately constructed and maintained.

- Streets shall be constructed to meet the standards for street construction in the City of Lafayette Subdivision Regulations.

(ii) Water and Sewer Systems

All multi-family housing developments shall be serviced by public water and sewer systems on trunk lines not less than six (6) inches.

(iii) Fire Protection

Fire hydrant protection shall be provided so that no building unit is located further than five-hundred (500) feet from a fire hydrant or as approved by the Lafayette Fire Department. All fire hydrants shall have adequate pressure.

(iv) Storage of Refuse

- The storage of refuse shall be done in such a manner as to meet all applicable provisions of the Lafayette Municipal Code.
- All central refuse disposal areas shall be approved by the Lafayette Sanitation Department, shall be maintained in such a manner as to meet all applicable health codes and requirements, and shall be screened from view.

(v) Service Buildings

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

503 Mobile homes parks

(1) General requirements

For the purpose of this Official Zoning Code the following regulations shall apply to all mobile home parks within the corporate limits of the City of Lafayette:

(2) Requirements for mobile home parks

(a) License Required

It shall be unlawful for any person or persons to maintain or operate within the corporate limits of the City of Lafayette any mobile home park unless such person or persons shall first obtain from Lafayette City Hall a license therefor.

Said license shall not be transferable.

(i) License Fees

An annual license fee for each mobile home park shall be submitted to the Lafayette City Hall.

(ii) Application for License

An application for a mobile home park license shall be filed with Lafayette City Hall upon forms provided by said office. Applications shall be in writing, signed by the applicant, filed in triplicate, and shall contain the following:

- Name and address of the applicant.
- Location and legal description of the mobile home park.
- Complete site plan of the proposed park, including plans and specifications of all buildings and other improvements constructed or to be constructed within the mobile home park. Said plan shall show compliance with the standards set forth in Section 14-603.3C and shall be drawn to a scale showing at a minimum the number and arrangement of all plot spaces, setbacks, access to public streets, driveways, sidewalks, drainage, sanitation facilities including the location and size of water and sewer lines, fire hydrants, and refuse collection facilities. The plan shall also show any other planned facilities.
- Any further information as may be required by the Building Inspector to enable him to determine if the proposed mobile home park shall comply with all applicable provisions of this Official Zoning Code.

(iii) Review of Application for License

The City's Building Inspector and the planning commission staff and other appropriate municipal officials, if necessary, shall review and inspect the application, plans and specifications. If the proposed mobile home park is found to be in compliance with all applicable provisions of this Official Zoning Code and all other applicable ordinances or statutes, the Building Inspector shall approve the application and authorize the issuance of such license.

(iv) Posting of License

The license certificate shall be conspicuously posted in the office of, or on the premises of, the mobile home park at all times.

(v) Register of Occupants

It shall be the duty of the licensee to keep a register containing a record of all mobile home owners and occupants located within the mobile home park. The register shall contain the following information:

- Name and address of each occupant;
- The make, model, and year of all automobiles and mobile homes;
- The license number and owner of each mobile home and automobile by which it is towed if applicable;
- The state issuing such license;
- The dates of arrival and departure of each mobile home.

The park shall keep the register available for inspection at all times by law enforcement officers, public health officials, and any other official whose duties necessitate acquisition of the information contained in the register.

(vi) Revocation of License

The City's Building Inspector and/or health officer shall make periodic inspections of the park to assure compliance with this Official Zoning Code. In case of noncompliance with this Official Zoning Code, the building inspector and/or health officer shall serve warning to the licensee. Thereafter upon failure of the licensee to remove said violation, the building inspector and/or health officer shall recommend to the Lafayette City Council revocation of the offending parks' license. The Board shall hold a hearing on the matter and upon determination of noncompliance shall revoke said license. The license may be reissued if the circumstances leading to revocation have been remedied and the park can be maintained and operated in full compliance with the law.

(b) Standards for Mobile Home Parks

All mobile home parks shall comply with the following standards:

(i) Age of Mobile Homes

- No mobile home may be set in the City of Lafayette more than ten years (10) old and must meet all local building standards and codes.

(ii) Drainage and Flood Hazard Requirements

- All mobile home parks shall be located on a well-drained site, property graded to insure rapid drainage and freedom from stagnant pools of water.

(iii) Individual Plot Size Requirements

- Individual plot spaces for mobile homes shall be clearly defined and mobile home parks provided so that the center line of pads are located not closer than forty (40) feet apart.
- Minimum plot width.....40 ft.
- Minimum plot depth.....100 ft.
- No more than seventy-five (75) percent of the mobile home plot gross area shall be covered by the mobile home and its accessory structures.

(iv) Setback and Screening Requirements

- All mobile homes shall be parked so that there will be a minimum of twenty (20) feet between mobile homes or any attachment such as a garage or porch.
- The minimum front yard setback from the interior access drive shall be ten (10) feet.

- No mobile home or any attachments shall be located closer than thirty (30) feet from the right-of-way of any public street or highway or from any mobile home park property line.
- A buffer strip of not less than ten (10) feet in width, separate from any individual plot space with semi-opaque screening in conformance with Section 14-601 of this Official Zoning Code shall be provided along all property lines of the park except across ingress and egress points to public streets.

(v) Public Utilities Requirements

Each individual mobile home space shall contain electrical, water, and wastewater connections for individual mobile home units and shall meet the following standards:

- Electrical--An electrical outlet supplying at least 110/220 volts shall be provided for each mobile home space, and shall be weather proof and accessible to the parked mobile home. All electrical installations shall be compliant with the National Electrical Code, and shall satisfy all requirements of the State Electrical Inspector.
- Water Supply--All mobile home parks shall be connected to the municipal water supply with a system approved by the Tennessee Department of Environment and Conservation and each mobile home space shall be provided with an adequate outlet. All water line installations shall be inspected by appropriate officials from the Lafayette Water Department.
- Wastewater--All mobile home parks shall be connected to the municipal sewer system in a manner approved by the Tennessee Department of Environment and Conservation and each mobile home space shall be provided with an adequate outlet. All plumbing installations shall be in compliance with existing ordinances and shall be inspected by the appropriate officials from the Lafayette Wastewater Department.

(vi) Refuse: Storage, Collection and Disposal Requirements

Storage, collection, and disposal of refuse in mobile home parks shall be approved by the Sanitation Department of the City of Lafayette and shall be done in such a manner as to meet all applicable provisions of the Lafayette Municipal Code.

(vii) Public Health, Sanitary and Anchoring Requirements

All public health, sanitary, and anchoring requirements prescribed by *Tennessee Code Annotated* must be adhered to.

(viii) Fire Protection

All mobile home parks shall be subject to the rules and regulations of the Lafayette Municipal Fire Department. At a minimum fire hydrant protection shall be provided so that no mobile home is located further than

five-hundred (500) feet from a fire hydrant. All fire hydrants shall have adequate pressure.

(ix) Access Roads and Parking Requirements

- All mobile home parks shall contain a private interior drive of at least twenty (20) feet in width. Said drive shall be surfaced with asphalt or concrete.
- All mobile home plots, common recreation and other facilities in the park shall have access only from the interior access drive. Said mobile home plot access to the interior access drive shall be a minimum of thirty (30) feet in width.
- All interior access drives shall be lighted by a minimum of one-hundred seventy-five (175) watt lamps at intervals of one-hundred (100) feet, mounted on utility poles.
- Each mobile home plot shall contain two (2) parking spaces per dwelling unit. Said parking spaces shall be located off the interior access drive.

(x) Sidewalk Requirements

Where service buildings are included in mobile home parks, sidewalks shall be provided to the service buildings. Sidewalks shall not be smaller than two (2) feet in width and shall be adequately lighted at night.

(xi) Additions to Mobile Homes Prohibited

No permanent additions of any kind shall be built onto, nor become a part of, any mobile home.

504 Special standards for certain uses

To accomplish the purposes of this Official Zoning Code, special consideration is hereby given to certain uses. These uses shall comply with the following requirements in addition to those of the zoning district in which they may be located.

(1) Gasoline service stations

The following regulations shall apply to all gasoline service stations:

- (a) All buildings shall comply with all required setbacks in the applicable zoning district.
- (b) All gasoline pumps and canopies shall not be located closer than twenty (20) feet to any street right-of-way line.
- (c) When other uses are combined with a gasoline service station, such as video rental, deli, or grocery, additional parking, based on the other uses, shall be provided.

(2) Cemeteries

The following regulations shall apply to all cemeteries:

- (a) The site proposed for a cemetery shall not interfere with the development of a system of streets and in addition shall have direct access to a thoroughfare.
- (b) Any new cemetery shall be located on a site containing not less than twenty (20) acres, and shall meet all applicable state and municipal regulations for this type of land use.
- (c) All structures and facilities including but not limited to mausoleums, graves, burial lots, monuments, and maintenance buildings shall be set back at least thirty (30) feet from any property line or street right-of-way.
- (d) All required yards shall be landscaped and maintained.
- (e) Proposals for cemeteries shall be approved by the planning commission.

(3) Customary home occupations

The following regulations shall apply for all permitted customary home occupations:

- (a) A customary home occupation is a gainful occupation or profession conducted by members of a family residing full-time on the premises and conducted entirely within the principal dwelling unit.
- (b) No more than twenty-five (25) percent of the total habitable floor area of the dwelling shall be devoted to such use.
- (c) Shall be conducted entirely within the principal dwelling unit and no alterations to any buildings shall indicate from the exterior that the building is being utilized for any purpose other than a residential unit, including permitted accessory buildings.
- (d) No stock in trade shall be visible from public street frontage, and no equipment or materials used in the occupation shall be stored outside the dwelling.
- (e) Only one (1) person, not a resident of the premises, shall be employed.
- (f) Neither retail nor manufacturing business shall be permitted.
- (g) No outdoor repair work shall be permitted.
- (h) Additional off-street parking shall be provided for the non-resident employee and for the parking of anticipated clients. Required parking shall not be permitted in any front yard.
- (i) All structures used for customary home occupations shall be in conformance with the sign requirements as established in Section 14-609 of the Official Zoning Code.
- (j) No approval shall be transferable to another owner.

(4) Swimming pools

The following regulations shall apply to all private swimming pools:

- (a) No swimming pool or part thereof, including aprons, walks, and equipment rooms, shall protrude into any required front or side open space.
- (b) The swimming pool area shall be walled or fenced so as to prevent uncontrolled access by children and pets from the street or from adjacent properties. Said fence or wall shall be not less than four (4) feet in height and maintained in good condition.
- (c) All swimming pools constructed shall meet the specification requirements of the International Building Code currently adopted by the city.

(5) Self-service storage facilities (mini-warehouses)

The following regulations shall apply to all self-service storage facilities:

- (a) Parking shall be provided by parking/driving lanes adjacent to the storage buildings. These lanes shall be at least twenty-six (26) feet wide when storage cubicles open onto one side of the lane only and at least thirty (30) feet wide when cubicles open onto both sides of the lane. Said lane shall be surfaced with asphalt or concrete.
- (b) A minimum of two (2) parking spaces plus one (1) additional space for every two-hundred (200) storage cubicles shall be located adjacent to the project office.
- (c) No self-service storage facility shall exceed eighteen (18) feet in height.
- (d) The sale or auction of any item is specifically prohibited, with the exception of the contents of an abandoned unit.
- (e) The storage of flammable liquids, highly combustible or explosive materials, or hazardous chemicals is specifically prohibited and all rental contracts shall include clauses prohibiting such storage.
- (f) The servicing or repair of motor vehicles, boats, trailers, lawnmowers or any similar equipment is specifically prohibited.

(6) Servicing, storage, repair, or sale of motor vehicles

The following regulations shall apply to all motor vehicles, garages, sales lots, service stations, and similar structures and uses involved in the servicing, storage, repair or sales of motor vehicles:

- (1) No public street, parking area, sidewalk, or way shall be used for the storage or parking of motor vehicles in connection with the activities of such establishments, except for normal parking by individual private owners or operators of such vehicles.

14-604.6B No operation in connection with such establishments shall be carried on in such a manner which impedes free flow of vehicular or pedestrian traffic in normal courses on public ways.

14-604.6C No motor vehicle shall be parked in such a manner as to block visibility at intersecting streets.

14-604.6D No repair of motor vehicles or parts thereof shall be made outside of garages, service stations, body shops, or other buildings used for such purposes (except such minor repairs as are normally completed while the customer waits at the premises).

14-604.6E All motor vehicles being handled or stored in an area visible from a public street or way shall be maintained in such condition that they can be moved under their own power.

14-604.6F Motor vehicles unable to be moved under their own power may be temporarily stored (sixty (60) days or less) in completely enclosed storage yards. These yards shall be provided with opaque screening as provided in Section 14-601 of this Official Zoning Code in such a manner that no vehicle or portion thereof is visible from any street or public way, or from ground level of any adjacent property. The storage yard shall be located on the same premises as the motor vehicle repair or service establishment. The maximum number of vehicles allowed in any storage yard is ten (10).

14-604.6G It shall be the responsibility of the owner or operator of any motor vehicle repair or service establishment to keep accurate and verifiable records as to the date any vehicle being stored in a storage yard is placed on said yard. Failure to keep such records will create the presumption that the vehicle or vehicles stored on the yard have been there in excess of sixty (60) days and are in violation of this Official Zoning Code.

14-604.7 Churches and other places of worship

The following regulations shall apply to all permitted churches and other places of worship:

14-604.7A A minimum lot area of two (2) acres with a minimum lot width of two-hundred (200) feet at the building setback line shall be provided.

14-604.7B The minimum depth of the front yard shall be seventy-five (75) feet, and the minimum depth of the side and rear yards shall be fifty (50) feet. The minimum side yard on street side of corner lots shall be seventy-five (75) feet.

14-604.7C The maximum lot coverage for the principal structure and all accessory structures shall be thirty (30) percent.

14-604.7D When parking areas are adjacent to residential lots, buffer strips of ten (10) feet in width with semi-opaque screening in conformance with Section 14-601 of this Official Zoning Code along all shared lot lines shall be provided.

14-604.8 Schools

The following regulations shall apply to all permitted schools offering general education courses:

14-604.8A A minimum lot area of five (5) acres with a minimum lot width of three-hundred (300) feet at the building setback line shall be provided.

- 14-604.8B The minimum depth of the front, rear, side yards and side yards on street side of corner lots shall be one-hundred (100) feet.
- 14-604.8C The maximum lot coverage for all buildings shall be thirty (30) percent.
- 14-604.8D All accessory structures and portable classrooms shall be located in the rear yard only. Portable classrooms shall be temporary in nature and subject to annual review by the Board of Zoning Appeals.
- 14-604.8E When parking areas are adjacent to residential lots, buffer strips ten (10) feet in width with semi-opaque screening in conformance with Section 14-601 of this Official Zoning Code shall be provided along all shared lot lines.

14-604.9 Day care homes

The following regulations shall apply to all permitted day care homes for the care of up to seven (7) children that are in compliance with state regulations:

- 14-604.9A The child day care use will be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the dwelling.
- 14-604.9B Outdoor play space shall not be permitted within the front yard area and shall be fenced or otherwise enclosed on all sides and shall not include driveways, parking areas or land unsuited for children's play space.
- 14-604.9C There shall be a fence with the minimum height of four (4) feet surrounding the play space.
- 14-604.9D Operator of a child day care home must be the owner and reside on subject property.
- 14-604.9E Child day care homes, nurseries or kindergartens shall be located within the main structure on the lot and shall not utilize more than fifty (50) percent of the gross floor area of the main structure.
- 14-604.9F Special approval shall not be transferable to another owner.

14-604.10 Television, radio, and satellite dish antennas

The following regulations shall apply to all permitted television, radio, and satellite dish antennas:

- 14-604.10A All ground mounted television, radio and satellite dish antennas shall be located in the rear yard only and no dish antenna shall be more than ten (10) feet in diameter.
- 14-604.10B All installations must comply with all accessory use yard, height, bulk, and setback requirements specified within the district.
- 14-604.10C Antennas that are roof-mounted shall not extend higher than ten (10) feet above the peak of the roof. No roof mounted dish antenna shall exceed twenty-four (24) inches in diameter.

14-604.10D All installations shall be located to prevent obstruction of the antenna's reception window from potential permitted development on adjoining properties.

14-604.10E All installations shall employ (to the extent possible) materials and colors that blend with the surroundings.

14-604.10F Antennas shall be installed and maintained in compliance with the requirements of the municipality's building codes.

14-604.10G No television or radio antenna shall exceed forty-five (45) feet in height.

14-604.11 Wireless communication facilities (and antenna arrays)

14-604.11A Applicability

All new towers or antennas as defined by this ordinance within the corporate limits of Lafayette shall be subject to these regulations, except as follows:

1. Preexisting towers and preexisting antennas shall not be required to meet the requirements of this Chapter, other than the requirements of Section 14-1004 (10) and (11). (1973 Code, Section 5-702).

14-604.11B Requirements

Each applicant for an antenna and/or tower shall provide to Lafayette Regional Planning Commission, prior to City Council consideration, the following:

1. An inventory of its towers, antennas, or sites that are within the jurisdiction of the City of Lafayette; and
2. Specific information about the proposed location, height, and design of each tower and/or antenna; and
3. Proposed sites requested for approval.

Towers and antennas shall meet the following:

1. Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color so as to reduce visual obtrusiveness;
2. At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend them into the natural setting and surrounding buildings.
3. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a natural color that is

identical to, or closely compatible with, the color of the supporting structure, so as to make the antenna and related equipment as visually unobtrusive as possible.

4. Towers shall not be artificially lighted, unless required by the FAA or other applicable authority.
 - (a) If lighting is required, the lighting alternatives and design chosen must cause the least disturbance to the surrounding views.
5. All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the State or Federal government with the authority to regulate towers and antennas;
 - (a) If such standard and/or regulations are changed, the owners of the towers and/or antennas governed by this chapter shall bring such towers and/or antennas into compliance with revised standards and regulations, within six (6) months of the effective date of such standards and regulations unless a different compliance schedule is mandated by the controlling State or Federal agency.
 - (b) Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute ground for the removal of the tower or antenna at the owner's expense.
6. The owner shall ensure that the structural integrity of the tower and/or antenna is maintained in compliance with standards contained in applicable state and local building codes, and the applicable standards for towers that are most recently published and amended by the Electronic Industries Association:
 - (a). If, upon inspection, the City of Lafayette concludes that a tower and/or antenna fails to comply with such codes and standards, and constitutes a danger to person and/or property, then upon notice being provided to the owner of the tower, the owner shall have thirty (30) day to bring such tower into compliance with such standards.
 - (b) Failure to bring such tower and/or antenna into compliance with thirty (30) days of notice shall constitute grounds for removal of the tower and/or antenna at the owner's expense.
 - (c) Tower setbacks and separation distances shall be calculated and applied to facilities located in the City of Lafayette.
 - (d) Owners and/or operators of towers and/or antennas shall certify that all franchises required by law for the construction and/or operation of a wireless communication system in the City of Lafayette have been

obtained with copy of each provided to the City Recorder. (1973 Code, Section 5-703).

14-604.11C Regulations

1. It shall be unlawful for person to install, erect, or use a tower and/or antenna without first making application to, and obtaining approval from the City Council.
2. No new tower shall be permitted unless the applicant demonstrates that no existing tower, structure, or alternative technology, that does not require the use of towers or structures can accommodate the applicant's proposed antenna.
3. No signs shall be permitted on an antenna and/or tower.
4. Building and support equipment associated with antennas and/or towers shall comply with all applicable requirements and codes.
5. Any civil, mechanical, and/or electrical engineering information that the applicant submits shall be certified by a licensed professional engineer under the guidelines of the State of Tennessee.
6. Sites for locating a tower and/or antenna including the placement of additional buildings or other supporting equipment used in connection with said tower and/or antenna shall be as follows:
 - (a). Located in commercial or industrial zoning areas;
 - (b). Meet setback requirements as listed in Table 1;
 - (1) The dimensions of the entire lot shall control the determination of the tower and/or antenna complying with city development regulations, including but not limited to setback requirements and lot coverage requirements.
 - (2) Towers must be set back a distance equal to at least one hundred (100) percent of the height of the tower, plus thirty (30) feet form any adjoining property line.
 - (3) Guys and accessory buildings must satisfy the minimum zoning setback requirements.

Table 1

Off-Site Use/Designated Area	Separation Distance
1. Residential: Single-family or	

duplex, including modular homes and mobile homes used for living purposes	200 feet or 300% height of tower; whichever is greater
2. Residentially zoned land which is either platted or has preliminary subdivision plan approval	200 feet or 300% height of tower; whichever is greater
3. Vacant unplatted residentially zoned lands, multi-family residentially zoned land greater than duplex	200 feet or 200% height of tower, whichever is greater
4. Existing multi-family residential units greater than duplex units	200 feet or 100% height of tower, whichever is greater
5. Non-residentially zoned lands or non-residential uses	None, only setbacks apply

(c) Meet separation requirements as listed in Table 2;

- (1) Tower separation shall be measured from the base of the tower to the lot line of the off-site users and/or designated areas.
- (2) Separation distances between towers shall be applicable for and measured between the proposed tower and preexisting towers by drawing or following a straight line between the base of the existing tower and the proposed base, pursuant to a site plan of the proposed tower.

Table 2

Existing Towers - Types

	Lattice	Guyed	Monopole 75 ft. in height or greater	Monopole less than 75 ft. in height
Lattice	5,000 ft.	5,000 ft.	1,500 ft.	750 ft.
Guyed	5,000 ft.	5,500 ft.	1,500 ft.	750 ft.
Monopole 75 ft. in height or greater	1,500 ft.	1,500 ft.	1,500 ft.	750 ft.
Monopole less than 75 ft. in height	750 ft.	750 ft.	750 ft.	750 ft.
1. Residential: Single-family or duplex, including modular homes and mobile homes used for living purposes	200 feet or 300% height of tower; whichever is greater			

2. Residentially zoned land which is either platted or has preliminary subdivision plan approval	200 feet or 300% height of tower; whichever is greater
3. Vacant unplatted residentially zoned lands, multi-family residentially zoned land greater than duplex	200 feet or 200% height of tower, whichever is greater
4. Existing multi-family residential units greater than duplex units	200 feet or 100% height of tower, whichever is greater
5. Non-residentially zoned lands or non-residential uses	None, only setbacks apply

(d) Towers shall be enclosed by security fencing not less than six feet (6) in height and shall be also be equipped with an appropriate anti-climbing device.

(e) Tower facilities shall be landscaped with a buffer of plant materials that effectively screens the view of the tower compound from property used for residences.

- (1) Standard buffer shall consist of a landscaped strip at least four (4) feet wide outside the perimeter of the compound.
- (2) Existing mature tree growth and natural landforms on the site shall be preserved to the maximum extent possible.
- (3) Sites on large, wooded lots, with natural growth around the perimeter may be considered sufficient buffer.

(f) Antennas mounted on utility poles or light poles shall have the equipment cabinet or structure used in association with antennas located in accordance with the following:

- (1) Residential area: In a rear yard, provided the cabinet or structure is no greater than twelve (12) feet in height or one hundred (100) square feet in gross floor area with the cabinet/structure located no more than twenty (20) feet from all lot lines and is screened by an evergreen hedge with an ultimate height no less than eight (8) feet and a planted height of at least thirty-six (36) inches.
- (2) Residential area: In a front or side yard provided the cabinet or structure is no greater than twelve (12) feet in height or one hundred (100) square feet in gross floor area with the cabinet/structure located no more than twenty (20) feet from all lot lines and screened by an evergreen hedge with an ultimate height of at least thirty-six (36) inches.
- (3) Commercial/Industrial area: The equipment cabinet or structure shall be no greater than twenty (20) feet in height or

two hundred (200) square feet in gross floor area and screened by an evergreen hedge with an ultimate height no less than eight (8) feet and planted height of at least 36 (inches).

(4) Commercial/Industrial Area: In all instances, structures or cabinets shall be screened from view of all residential properties which abut or are directly across the street from the structure or cabinet by a solid fence six (6) feet in height or an evergreen hedge with ultimate height of twelve (12) feet and a planted height of at least forty-eight (48) inches.

(g) Antennas located on towers and related unnamed equipment structure shall not contain more than one hundred (100) square feet of gross floor area or be more than twelve (12) feet in height and shall be located no closer than forty (40) feet from all lot lines.

(h) The tower meets the following height and usage criteria:

(1) Single user: Up to ninety (90) feet in height.

(2) Two (2) users: Up to one hundred twenty (120) feet in height.

(3) Three (3) or more users: Up to one hundred twenty (120) feet in height.

(i) A licensed professional engineer under the guidelines of the State of Tennessee shall certify the tower can structurally accommodate the number of shared users by the applicant:

(7) Location antenna on existing structures or towers shall be governed by the following:

(a) Any antenna not attached to a tower may be approved as an accessory use to any commercial, industrial, professional, institutional, or multi-family structure of eight (8) or more dwelling units, provided:

(1) The antenna does not extend more than thirty (30) feet above the highest point of the structure;

(2) The antenna complies with all applicable FAA and FFC regulations;

(3) The antenna complies with all applicable building codes.

(b) Antennas mounted on structures or rooftops shall have the equipment cabinet or structure used in association with the following:

(1) The cabinet or structure shall not contain more than one hundred (100) square feet of gross floor area or be more than twelve (12) feet in height.

(2) Buildings and/or structures which are less than sixty-five (65) in height, the related unmanned equipment structure, if over one hundred (100) square feet of gross floor area and/or twelve (12) feet in height shall be located on the ground and shall not be located on the roof of the structure.

(3) If the equipment structure is located on the roof of a building, the area of the equipment structure and other equipment and

structures shall not occupy more than ten (10) percent of the roof area.

(4) Equipment storage buildings or cabinets shall comply with all applicable building codes.

(8) An antenna which is attached to an existing tower may be approved to minimize adverse visual impacts associated with the proliferation and clustering of towers, collocation of antennas by more than one (1) carrier on existing towers shall take precedence over the construction of new towers, provided such collocation is accomplished in a manner consistent with the following:

(a) A tower which is modified or reconstructed to accommodate the collocation of an additional antenna shall be of the same tower type as the existing tower, unless the City Council allows reconstruction of a monopole;

(b) An existing tower may be modified or rebuilt to a taller height, not to exceed thirty (30) feet over the tower's existing height, to accommodate the collocation of an additional antenna:

(1) The height change shall only occur one (1) time per communication tower.

(2) The additional height may not exceed distance separation.

(c) A tower which is built to accommodate the collocation of an additional antenna may be moved onsite within fifty (50) feet of its existing location.

(1) After the tower is rebuilt to accommodate collocation, only one (1) tower shall remain on the site.

(2) A relocated onsite tower shall continue to be measured from the original tower location for the purposes of calculating separation distance between towers.

(3) A licensed professional engineer under the guidelines of the State of Tennessee shall certify the tower can structurally accommodate the number of shared users proposed by the applicant.

(4) The onsite relocation of a tower which comes with the separation distances to residential units or residentially zoned land shall only be permitted after a public hearing and approval by the City Council.

(9) Special uses permits may be approved by the City Council, with the recommendation of the Board of Zoning Appeals, with the following provisions governing:

(a) Required for the construction of a tower or the placement of antenna in agricultural zoning:

- (b) Minimal adverse effects of the proposed tower on adjoining properties:
- (c) Any civil, mechanical and/or electrical engineering information that the applicant submits shall be certified by a license professional engineer under the guidelines of the State of Tennessee:
- (d) Installing a cable microcell network through the use of multiple low-powered transmitter/receivers attached to existing wire line systems, such as conventional cable or telephone wires, or similar technology that does not require the use of towers.

(10) Any antenna and/or tower that is not operated for a continuous period of twelve (12) months shall be considered abandoned.

- (a) The owner of such antenna and/or tower shall remove the same within said ninety (90) days of receipt of notice from the City of Lafayette.
- (b) Failure to remove an abandoned antenna and/or tower within said ninety (90) days shall be grounds to remove the tower and/or antenna at the owner's expense.
- (c) If there are two (2) or more users of a single tower, then this provision shall not become effective until all approved users abandon the tower.

(11) Rebuilding damaged or destroyed towers or antennas shall be of the same type, height, location, and intensity as the original facility approval.

- (a) Building permits to rebuild the facility shall comply with the applicable building codes at that time and shall be obtained within one hundred eight (180) days from the date the facility is damaged or destroyed.
- (b) If no building permit is obtained, the tower and/or antenna shall be deemed abandoned.
- (c) After obtaining building permit, construction shall begin within ninety (90) days or the tower and/or antenna shall be deemed abandoned (1973 Code, Section 5-704).

14-604.11D Approval

- (1) Proposed location and use must comply with all setback and separation requirements as outline in Section 14-604.11C.
- (2) The planning commission and/or board of zoning appeals will submit to the City Council with comments if any, the proposal within sixty (60) days.
- (3) The city council will approve/disapprove the application within sixty (60) days of submission from the planning commission. (1973 Code, Section 5-705).

14-604.11E Requirements for Application

- (1) Application shall be made to the City Recorder, or such person as designated by the City Council to receive such applications.
- (2) Each application shall be accompanied by a non-refundable cashier's check in the amount of one thousand (1,000) dollars made payable to the City of Lafayette.
- (3) Each applicant shall deposit with the City Recorder a surety bond, not less than one million (1,000,000) dollars, to cover the cost to the municipality if the applicant fails to meet applicable requirements as set forth in this Chapter. The bond will remain in effect ensure adequate funds available for continued maintenance.
- (4) Application for a tower shall be submitted with the following:
 - (a) A scaled site plan clearly indication:
 - (1) Location;
 - (2) Design, type and height of the proposed tower with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
 - (3) On-site land uses and zoning;
 - (4) Adjacent land uses and zoning;
 - (5) Adjacent roadways
 - (6) All properties within the applicable separation distances;
 - (7) Proposed areas of access (ingress and egress);
 - (8) Setbacks from property lines;
 - (9) Elevation drawings of the proposed tower and any other structures.
 - (10) Surrounding topography, tree coverage and foliage;
 - (11) Roadway and parking;
 - (b) Legal description of the parent tract and leased parcel (if applicable).
 - (c) The setback distance between the proposed tower and the nearest residential unit, platted residentially zoned properties, and non-platted residentially zoned properties.
 - (d) The separation distance from other towers described in the inventory of existing sites shall be shown on an updated site plan or map.
 - (e) Identify the type of construction of the tower and the owner and/or operator.
 - (f) A landscape plan showing specific landscape materials.
 - (g) Method of fencing, finished color, method of camouflage and illumination (if applicable).
 - (h) A description of compliance with all applicable Federal, State, and Local laws.
 - (i) A notarized statement by the applicant as to whether construction of the tower will accommodate collocation of additional antennas for future users.
 - (j) A description of the suitability of the use of other structures or alternative technology not requiring the use of towers or structures to provide the services to be provided through the use of the proposed tower.

- (k) Costs of alternative technology that exceed new tower and/or antenna development shall not be presumed to render the technology unsuitable.
 - (l) A description of the feasible location(s) of towers within the City of Lafayette based upon existing physical, engineering, technological, or geographic limitations
- (5) Each applicants must certify that they have read, and are familiar with the provisions of this Chapter.
- (6) Every application that meets the requirements of this Chapter shall be considered by the City Council.
- (7) In the event an applicant's circumstances change which compliance with the provisions set forth in this Chapter, the applicant shall notify the City Recorder in writing within fifteen (15) days from the changes in circumstances.
- (8) Any applicant denied approval three (3) times shall not be allowed to reapply until the expiration of one (1) year fro the date of the third refusal (1973 Code, Section 5-706).

505 Parking, storage, and use of major recreational equipment, vehicles, and trucks

14-605.1

In the R-1 and R-2 Residential Districts no vehicles or trailers of any kind or type without current license plates shall be parked or stored only in a completely enclosed building.

14-605.2

In the R-1 and R-2 Districts, no major recreational equipment (including boats and boat trailers, travel trailers, partial travel trailer units, and the like, and equipment used for transporting such) shall be parked or stored in any front yard or in any required side yard except for periods not to exceed twenty-four (24) hours during loading and unloading. No such recreational equipment shall be used for living, sleeping, or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use.

14-605.3

In the R-1 and R-2 Districts, no truck of a rated capacity of greater than 3/4 ton nor any other truck painted with any sign nor any other vehicle or heavy equipment may be parked on any lot or in the public right-of-way adjacent to any lot overnight nor stored or parked while loading or unloading for periods in excess of twenty-four (24) hours except in an enclosed building.

506 Fences, walls, and hedges

Notwithstanding other provisions of this Official Zoning Code, fences, walls, and hedges may be permitted in any required yard, or along the edge of any yard, provided that no fence, wall, or hedge along the sides or front edge of any front yard shall cause any impairment to vision or create safety hazards to any driveway or at any street intersection.

507 Front yard setback line exemptions

The setback requirement of this Official Zoning Code for dwellings shall not apply to any lot where the average depth of existing setbacks on the developed lots located within one-hundred (100) feet on each side of such lot is less than the minimum required front yard depth. In such cases, the front yard setback may be less than required but not less than the average of the existing depth for front yards on developed lots within one-hundred (100) feet. In residential districts, however, the setback shall in no case be less than thirty (30) feet from the center line of the streets.

508 Temporary structures

Temporary structures and operations in connection with, and on the site of building and land developments, including grading, paving, installation of utilities, erection of field offices, erection of structures for storage of equipment and building materials and the like, are permitted in each zoning district provided that such uses are subject to the issuance of a permit by the building inspector. No such permit shall be for a period of more than six (6) months, but shall be renewable by the Building Inspector for periods of not more than six (6) months.

509 General sign regulations

These provisions are established as a reasonable and impartial method of regulating signs and similar advertising structures in order to insure light, air, and open space, to reduce hazards at intersections, to protect property values of the entire city, and to enhance the aesthetics of the community. In addition to regulations indicated for individual districts elsewhere in this zoning ordinance, the following regulations apply in groups of districts or generally in all districts as specified:

(1) Sign permit required

For all signs allowed in any residential, commercial or industrial zoning district as shown on the Official Zoning Map of the City of Lafayette, Tennessee or with any residential, commercial or industrial use, the following regulations unless otherwise noted herein shall apply:

- (a) An application for a sign permit shall be submitted to City's Building Inspector on forms furnished by city hall and approved prior to the erection, relocation, major alteration or modification or any sign located in the City of Lafayette.
- (b) The application for a sign permit shall contain the following information:
 - (i) Name, address and telephone number of applicant.
 - (ii) Location of building, structure or lot to which or upon which the sign is to be located.
 - (iii) Affidavit from property owner, if different from sign owner, indicating approval for sign location.
 - (iv) Name of person, firm, corporation or association that will be erecting the sign.
 - (v) Evidence of liability insurance policy or bond responsibility for sign erection.

- (vi) Brief description, sketch or drawing of the proposed sign, including all dimensions and estimated cost.
- (vii) Evidence of setback compliance for all freestanding sign structures. Determination of setbacks shall be as specified for the established zoning districts in Chapters 2, 3, and 4 of this Title.
- (viii) Engineered drawings for any sign exceeding twenty (20) feet in height or one hundred fifty (150) square feet in sign face area. Engineered drawings may be required for other signs if determined as necessary by the City's Building Inspector.
- (ix) Evidence of receipt of Electrical Inspection Permit for any sign requiring electrical power (issued by Tri-County Electric) and evidence of such sign being approved and stamped by Underwriters Laboratory (UL number shall be provided).
- (x) A sign permit fee shall be submitted to the City's Building Inspector with the application for the sign permit. The permit fee shall be based on the sign value as determined by the City of Lafayette Building Codes, unless otherwise specified herein.
- (xi) Sign permits shall become null and void six (6) months from the date of issuance if the work authorized under the sign permit has not been commenced by that time.
- (xii) Inspections Required---Inspections by the City's Building Inspector shall be completed on all footers and upon completion of the final installation of a sign. A minimum notification of twenty-four (24) hours shall be provided to the City's Building Inspector prior to any required inspection. The State Electrical Inspector shall inspect signs requiring electricity.
- (xiii) Certificate of Approval Required No sign shall be considered in compliance with these regulations until such time as a Certificate of Approval has been issued. A Certificate of Approval shall be issued on the date that the final inspection of the sign is completed and approved by the City's Building Inspector.

(2) General regulations for all districts

For all zoning districts as shown on the Official Zoning Map of the City of Lafayette, Tennessee the following regulations for signs and similar advertising structures shall apply:

- (a) No sign shall be located in such a manner so as to obstruct free or clear vision, or otherwise cause hazards for vehicular or pedestrian traffic by reason of location, shape, illumination or color.
- (b) No sign shall be erected, replaced or relocated so as to prevent free use of any required door, window, fire escape, emergency exit or standpipe.
- (c) No sign shall be located on, or attached to, any public property except public signs authorized by the City of Lafayette or the State of Tennessee.

- (d) No sign shall be located on or overhanging any public rights-of-way, except for certain signs specifically permitted in the C-1 Central Business District.
- (e) Setbacks for all signs shall be measured from the leading edge of the sign as determined by the City's Building Inspector.
- (f) No sign shall be painted or attached to any trees, rocks, utility poles, guy wires, street name signs, warning and regulatory signs, and the like.
- (g) No sign shall have blinking, flashing, or fluttering lights or other illuminating device which has a changing light intensity, brightness, or color. Signs or portions of signs designed primarily for the display of time and temperature and on premise message centers are specifically excluded from the provisions of this paragraph.
- (h) No sign shall be placed in such a manner as to impede visibility between a height of two (2) feet and ten (10) feet above street level of intersecting streets at their point of intersection in an area defined by the street lines adjoining the corner lot and a line joining points along said street lines fifty (50) feet from the point of intersection.
- (i) All signs designed or equipped to be connected to electricity in any way shall be approved and stamped by Underwriters Laboratory, and shall not be connected to any source of electrical power until such connection meets all applicable city and state codes.
- (j) All signs shall be erected, replaced, or relocated in accordance with Title.

(3) Signs allowed in all districts

The following signs do not require sign permits and are allowed in all zoning districts:

- (a) Signs established by, or by order of, any governmental agency.
- (b) Directional signs for parking and loading areas, entrance and exit signs not exceeding twelve (12) square feet in area nor three (3) feet in height, however, no such signs shall have the effect of obstructing ingress and egress visibility.
- (c) Real estate signs during the time the property on which the sign is located is listed for sale, lease or auction. Such signs shall not exceed nine (9) square feet in sign face area or any individual lot of record located in any residential district and shall not exceed thirty-two (32) square feet in any non-residential district. Such signs shall be removed within fourteen (14) days after the transaction is completed. Off-premise real estate signs, including directional and open house signs, are permitted for one seven (7) consecutive day period during any twelve (12) consecutive month period. Auction signs shall be permitted when in compliance with the provisions of Chapter 1, Section 14-113(5)(n) of this Title.
- (d) Political signs displayed on private property with the consent of the owner for a time period of sixty (60) days prior to a general election or primary election. Such signs shall not exceed nine (9) square feet in sign face area in any residential district nor thirty-two (32) square feet in any non-residential district. Such signs shall be removed fourteen (14) days after the completion of said primary or general election. The owner of the property on which the sign is located shall be

responsible for its removal and shall be subject to the penalty and remedy provisions of Chapter 6, Sections 14-605 and 14-606 of this Title for failure to comply with the provisions herein stated. These provisions shall not restrict the use of legal off-premise billboards as political signs.

(e) Construction signs, not exceeding thirty-two (32) square feet in sign face area, from the date of issuance of a building permit to a date thirty (30) days after the final inspection on the building project.

(f) Signs denoting the future home of or future location of a particular use or structure, not exceeding thirty-two (32) square feet of sign face area, for a period of ninety (90) days prior to the issuance of a building permit through the building permit period. Such signs shall be immediately removed if no building permit is issued within ninety (90) days of the sign being erected.

(g) Garage or yard sale signs, not exceeding six (6) square feet in sign face area, for a period of five (5) days prior to and during a garage sale or yard sale. Such signs shall be removed within three (3) days after the sale is completed.

(h) On-premise promotional signs for new subdivisions limited to one (1) sign per subdivision. Such signs shall be not exceed thirty-two (32) square feet in sign face area and shall be removed when eighty (80) percent of the subdivision lots have been sold.

(4) Signs allowed in residential districts

In the R-1 and R-2 Residential Districts, as shown on the Official Zoning Map of the City of Lafayette, Tennessee, the following regulations for signs and similar advertising structures shall apply:

(a) Nameplates indicating name, address, house numbers, announcement of boarders or roomers are allowed but shall not exceed two (2) square feet in sign area. No more than one (1) such sign per lot or parcel shall be allowed.

(b) Signs posted on property relating to private parking, trespassing, or dangerous animals are allowed but shall not exceed two (2) square feet in sign area. No more than two (2) such signs per lot or parcel shall be allowed.

(c) For multi-family complexes, apartment buildings, and mobile home parks, identification signs not exceeding sixteen (16) square feet in sign area are allowed.

(d) Signs announcing customary home occupations are prohibited, unless granted by the City of Lafayette Board of Zoning Appeals.

(e) Church, school, childcare, or public building bulletin boards or identification signs are allowed but shall not exceed fifty (50) square feet in sign area.

(f) No sign shall be placed closer than ten (10) feet to any property or right-of-way line.

(g) For a subdivision consisting of ten (10) or more lots or a multi-family development consisting of eight (8) or more dwelling units, two (2) permanent signs identifying the development at each major vehicular entrance are allowed, provided that the location and setback requirements of the Lafayette Subdivision

Regulations are complied with, and provided that such signs do not exceed eight (8) feet in height and sixty-four (64) square feet in area.

(h) For existing nonconforming commercial or industrial uses located in residential districts, on-premise business signs are allowed provided the provisions of Chapter 1, Section 14-113(5) of this Title are complied with.

(i) Flashing or intermittent illumination is prohibited.

(j) Mobile or portable signs are prohibited.

(k) Billboards and similar off-premise signs are prohibited.

(5) Signs allowed in commercial and industrial districts

In the C-1 and C-2 and I-1, I-2, and CI Districts, as shown on the Official Zoning Map of the City of Lafayette, Tennessee, the following regulations for signs and similar advertising structures shall apply:

(a) All signs allowed in Residential Districts, subject to the same regulations, are allowed.

(b) Each commercial and industrial premise with less than four hundred (400) feet of frontage on any one (1) public street, regardless of the number of commercial or industrial establishments on such premise, shall be allowed one (1) on-premise freestanding business sign structure per public street frontage, but in no case shall more than two (2) freestanding sign structures be permitted on any premise regardless of the number of street frontages.

(c) Each commercial and industrial premise with greater than 400 feet of frontage on any one (1) public street, regardless of the number of commercial or industrial establishments on such premise, shall be allowed two (2) on-premise freestanding business sign structures per public street frontage, but in no case shall more than three (3) freestanding sign structures be permitted on any premise regardless of the number of street frontages.

(d) The following provisions shall apply for all on-premise freestanding signs:

(i) For commercial and industrial premises with fifty (50) feet or less frontage on a public street, or located in the C-1 Central Business District, the maximum sign face area of any freestanding sign shall not exceed fifty (50) square feet.

(ii) For commercial and industrial premises with greater than fifty (50) feet but less than 100 feet of frontage on a public street the maximum sign face area of any freestanding sign shall not exceed 100 square feet in total sign face area.

(iii) For commercial and industrial premises with one hundred (100) feet or greater of frontage on a public street the maximum sign face area of any freestanding sign shall not exceed two hundred fifty (250) square feet of total sign face area.

(iv) In cases where a commercial or industrial premise is allowed two (2) freestanding signs, the aggregate sign face area of both signs shall not

exceed four hundred (400) square feet. In cases where a commercial or industrial premise is allowed three (3) freestanding signs, the aggregate sign face area of all signs shall not exceed five hundred (500) square feet.

(v) No on-premise freestanding sign shall be located closer than one hundred (100) feet from any other on-premise freestanding sign located on the same premise, as measured in a radius from the center of the sign base.

(vi) No part of any on-premise freestanding sign shall be placed closer than twenty-five (25) feet from any other on-premise located on a different premise or any off-premise freestanding sign as measured from the center of the sign base.

(vii) No on-premise sign between the height of two (2) feet and eight (8) feet above street level shall be located closer than fifteen (15) feet to the right-of-way of any public street.

(viii) No on-premise sign with a support structure, pole or pole cover of a width greater than two (2) feet shall be placed closer than fifteen (15) feet to the right-of-way of any public street.

(ix) No on-premise sign shall be located closer than five (5) feet to the right-of-way of any public street.

(x) No part of any on-premise freestanding sign located in the C-1 Central Business District shall be higher than twenty (20) feet from street level at a point nearest the sign.

(xi) No part of any on-premise freestanding sign located in the C-1 and C-2, and I-1, I-2, and CI Districts shall be higher than thirty-five (35) feet from street level at a point nearest the sign.

(e) Each commercial or industrial establishment shall be allowed wall signs for on-premise advertising on each outside wall provided that such signs in total shall not exceed fifty (50) percent of the area of the face of the wall upon which the sign is erected, or portion of the wall occupied by the commercial or industrial establishment, whichever is less, and further provided that if more than one (1) outside wall is utilized for signs then no mansard roof sign shall be allowed.

(f) Each commercial or industrial establishment shall be allowed one (1) mansard sign for on-premise advertising provided that only one (1) outside wall is used to place signs. No mansard sign shall exceed twenty-five (25) percent of the area of the face of the building upon which it is erected, or portion of the face of the building occupied by the commercial or industrial establishment. Where mansard and wall signs are used in combination they shall not in total exceed fifty (50) percent of the face of the building.

(g) No sign attached to the building shall be allowed to extend above the highest portion of the roof or facade.

(h) Each commercial or industrial establishment shall be allowed one (1) projecting sign provided that such sign shall not exceed twenty (20) square feet in sign face area and shall not extend above any portion of the roof of the building occupied.

(i) Each commercial or industrial establishment shall be allowed fascia signs provided that such signs do not exceed two (2) feet in height and do not extend above the highest portion of the roof.

(j) Awning, canopy, marquee and under-awning signs are permitted for commercial and industrial establishments. Under-awning signs shall not exceed

four (4) square feet in sign face area and shall be placed at least seven (7) feet above the sidewalk or ground level so as to not constitute a hazard or impediment to pedestrians.

(k) For structures located in the C-1 Central Business District directly abutting the public right-of-way, awning, canopy, or marquee signs overhanging the public right-of-way are allowed provided that no such sign shall be closer than two (2) feet to any street pavement line and provided that no such sign shall obstruct free or clear vision or otherwise cause hazards for vehicular or pedestrian traffic.

(l) Mobile or portable signs are permitted only in the C-2 District and only under the following terms and conditions:

(i) Only one (1) mobile or portable sign shall be allowed per premise.

(ii) Mobile or portable signs shall only be allowed for two (2) periods, not to exceed fourteen (14) days each, during any calendar year (January 1–December 31).

(iii) A special permit is required for any mobile or portable sign.

(iv) The mobile or portable sign shall not be closer than fifteen feet (15) from any street right-of-way.

(m) Banners and other temporary on-premise signs are permitted only under the following terms and conditions:

(i) No freestanding banners or other temporary on-premise freestanding signs shall be permitted.

(ii) Each individual establishment shall be allowed one (1) banner or other temporary on-premise sign attached to a wall, fascia, mansard roof, canopy or awning.

(iii) No individual banner or other temporary on-premise sign shall exceed hundred (100) square feet in sign face area.

(iv) All banners and other temporary on-premise signs shall be well maintained. Any damaged signs shall be immediately repaired, replaced or removed.

(n) For events of public interest, no more than four (4) temporary off-premise signs shall be allowed, provided that no such sign shall exceed thirty-two (32) square feet in area and provided that such signs shall not be erected more than fourteen (14) consecutive days prior to the scheduled event, and provided that such signs shall be removed within three (3) consecutive days following the event.

(o) Billboards and similar off-premise signs are prohibited in the C-1 and I-1 and I-2 Districts.

(p) All other billboards and similar off-premise signs shall be permitted only in the C-2 District under the following terms and conditions:

(i) No off-premise sign shall be located within one thousand five hundred (1,500) feet of any other off-premise sign on the same side of the street as measured along a line parallel to such street; this spacing does not prohibit back-to-back signs on the same structure.

- (ii) No off-premise sign shall be located within five hundred (500) feet of any other off-premise sign on the opposite side of the street or on a different street as measured in a radius from the center of the sign base; this spacing does not prohibit back-to-back signs on the same structure.
- (iii) No off-premise sign shall be erected or placed closer than three hundred (300) feet from the nearest property line of any property that is zoned residential, and has frontage on the same side of the street as the off-premise sign.
- (iv) No off-premise sign shall be located closer than one hundred (100) feet from any street intersection as measured from the leading edge of the sign.
- (v) No off-premise sign shall be located closer than twenty-five (25) feet from any on-premise sign as measured from the center of the sign base.
- (vi) No off-premise sign shall have a display surface area exceeding 300 square feet.
- (vii) No off-premise sign shall exceed fifty (50) feet in height as measured from the uppermost portion of the display surface area to the finished grade at street level.
- (viii) The sign face shall consist of a single panel and only one side or face shall be used in determining the display surface area.
- (ix) Back-to-back panels of the same shape and dimensions are allowed when the panels are mounted parallel to one another or are placed at an angle between panels not exceeding forty-five (45) degrees. No display surface area shall be allowed between back-to-back panels.
- (x) No multiple panels, stacked or side-by-side panels are permitted.
- (xi) All off-premise signs shall be of monopole type construction. No off-premise sign shall be attached to the walls or roofs of any building.
- (xii) No portable signs are allowed for off-premise advertising.
- (xiii) No off-premise sign between the height of two (2) feet and eight (8) feet above street level shall be located closer than fifteen (15) feet to the right-of-way of any public street.
- (xiv) No off-premise sign shall be located closer than five (5) feet to the right-of-way of any public street.

(6) Sign maintenance

For all signs and similar advertising structures, including any existing conforming or nonconforming signs, the following regulations shall apply:

- (a) All signs, support structures, braces, guys, anchors, and electrical equipment shall be kept in safe repair and shall be well maintained.
- (b) All signs and support structures shall be maintained in such a manner so as to allow a clear and unobstructed view of traffic when approaching an intersection or exiting or entering private property.
- (c) The area around all signs shall be properly maintained, clear of brush, trees and other obstacles so as to make signs readily visible.
- (d) All burned out bulbs or damaged panels shall be promptly replaced.

- (e) All sign copy shall be maintained securely to the sign face and all missing copy shall be replaced.
- (f) Any sign or similar advertising structure failing to meet the requirements of this Section shall be repaired or removed within thirty (30) days after receipt of notification from the City's Building Inspector.

(7) Removal of illegal, nonconforming, or obsolete signs

The following provisions shall apply for the removal of abandoned, illegal nonconforming, or obsolete signs:

- (a) Abandoned or obsolete signs or sign structures, including any illegal or nonconforming on-premise or off-premise sign or sign structure, shall be removed within ninety (90) days of written notification by the City's Building Inspector.
- (b) Any sign that is declared to be an illegal sign, one that is erected or placed in violation of this Title or other applicable code, shall be removed immediately.
- (c) When fifty (50) percent or more of the sign structure of any nonconforming sign is removed, (including poles, cabinet or support structure), the sign structure shall only be replaced so as to comply with all applicable provisions of this Municipal Code.
- (d) Any sign or sign structure found by the City's Building Inspector to present an immediate danger to the public shall be immediately repaired or removed.
- (e) Any obsolete sign panel or sign copy which identifies, describes, directs attention to, or gives directions for locating any business or establishment no longer in operation, or advertises any product no longer being marketed shall be removed within thirty (30) days after becoming obsolete. Covering obsolete sign panels or sign copy with any material is specifically prohibited.
- (f) Freestanding sign structures used in conjunction with a building or portion of a building that is vacant shall be considered as abandoned upon one (1) year of the building or portion of the building becoming vacant and shall be removed.
- (g) The owner or lessee of the property on which the sign is located shall be responsible for its removal and shall be subject to the general penalties clause of this Title for failure to comply with the provisions stated herein (1973 Code, Section 11-213).

CHAPTER 6

ADMINISTRATION AND ENFORCEMENT

SECTION

601. Building inspector

602. Application of zoning code

603. Building permits required

604. Plot plan required

605. Site plan required

606. Certification of occupancy required

607. Board of zoning appeals: establishment and procedure

608. Board of zoning appeals: powers and duties

609. Amendments to zoning code

601 Building inspector

The provisions of this Official Zoning Code shall be administered and enforced by the Lafayette Building Inspector as designated by the Lafayette City Council. The building inspector may be provided with the assistance of such other persons as the Lafayette City Council may direct.

(1) Duties of the building inspector

The City's Building Inspector shall administer and enforce this Official Zoning Code and in addition, he shall perform the following duties:

- (a) Issue all building permits and make and maintain records thereof;
- (b) Issue all certificates of occupancy and make and maintain records thereof;
- (c) Issue and renew, where applicable and appropriate, all temporary use permits and make and maintain records thereof;
- (d) Maintain and keep current zoning maps, and records of amendments thereto;
- (e) Conduct inspections as prescribed by this Official Zoning Code, and such other inspections as are necessary to ensure compliance with the various provisions of this Official Zoning Code;
- (f) Receive, file and forward to the planning commission and the staff planner all applications and site plans for applicable uses, and all applications for amendments to this Official Zoning Code;
- (g) Receive, file and forward to the Lafayette Board of Zoning Appeals and the staff planner all applications for special exceptions, variances or other matters, on which the board is required to review under the provisions of this Official Zoning Code.

(2) Powers of the building inspector

The City's Building Inspector shall have the following powers:

- (a) The power to grant building permits and certificate of occupancy permits;
- (b) The power to make inspections of buildings or premises necessary to carry out his duties in the enforcement of this Official Zoning Code;
- (c) It shall be unlawful for the building inspector to approve any plan or issue any permits or certificates of occupancy for any excavation or construction until he has inspected such plans in detail and found them to conform with this Official Zoning Code;
- (d) Under no circumstances is the City's Building Inspector permitted to make changes in this Official Zoning Code nor to vary the terms or provisions in carrying out his duties.

(3) Right of entry upon land

The City's Building Inspector or persons engaged by him to perform tests or other duties may enter upon any land within the jurisdiction of the city for the purpose of performing tests, making examinations, or surveys, and placing or removing public notices as may be required by this Official Zoning Code.

602 Application of official zoning code

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

603 Building permits required

- (1) It shall be unlawful to commence the excavation for or the construction of any building or other structure, including accessory structures, to commence the moving of or addition to any structure, including accessory structures or to commence the filing of land until the City's Building Inspector has issued for such work, a building permit containing a statement that the plans, specifications and intended use of such structure in all respects conform with the provisions of the Official Zoning Code.
- (2) Application for a building permit shall be made in writing to the City's Building Inspector on forms provided for that purpose. The building inspector may revoke a permit or approval, issued under the provisions of this Official Zoning Code, in case there has been any false statement or misrepresentation as to the material fact in the application.
- (3) Building permit does not waive provisions

The issuance of a building permit shall, in no case, be construed as waiving any provisions of this Official Zoning Code. The City's Building Inspector may revoke a building permit upon determination that the construction or activity for which the permit

was issued is in violation of or not in conformity with the provisions of this Official Zoning Code.

(4) Expiration of building permit

Building permits shall be void one-hundred eighty (180) days from the date of issue unless substantial progress on the project has been made by that time.

604 Plot plan required

The City's Building Inspector shall require that every application for a building permit for excavation, construction, moving, or addition for or of a single or two-family dwelling (including mobile homes located on individual lots) shall be accompanied by a plot plan.

(1) Required content of plot plan

The plot plan shall show the following in sufficient detail to enable the building inspector to ascertain whether the proposed development is in conformance with this Official Zoning Code.

- (a) The actual shape, location, and dimensions of the lot.
- (b) The shape, size, and location of all buildings or other structures to be erected, altered or moved, and of any building or other structure already on the lot.
- (c) The existing and intended use of the lot and of all such buildings or other structures upon it, including the number of dwelling units the building is intended to accommodate.
- (d) Such other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of this Official Zoning Code are being observed.

(2) Review of plot plan

All plot plans shall be reviewed by the building inspector and, if necessary, the staff planner. A period of up to ten (10) working days shall be allowed for the review of the plot plan, unless more time is determined to be needed by the Building Inspector.

(3) Approval of plot plan

If the proposed development is found to be in conformity with the provisions of this Official Zoning Code, the building inspector shall issue a building permit.

(4) Disapproval of plot plan

If the proposed development is found not to be in conformity with the provisions of this Official Zoning Code, a building permit shall not be issued and the building inspector shall state in writing on the application the cause for such disapproval.

605 Site plan required

The City's Building Inspector shall require that every application for a building permit for excavation, construction, moving or addition, except for single and two-family dwellings, shall be accompanied by a site plan or plat of the proposed development.

(1) Required contents of site plan

The site plan or plat shall be prepared to scale by an engineer, architect or other technical personnel approved by the building inspector and shall show the following in sufficient detail to enable the building inspector to ascertain whether the proposed development is in conformance with the Official Zoning Code:

- (a) Actual shape, location, and dimensions of the lot to be built upon.
- (b) Topography of existing and finished grades.
- (c) Shape, size, and location of all buildings or other structures to be erected, added to, or moved and of any buildings or other structures already on the lot.
- (d) Existing and intended use of all such buildings or other structures.
- (e) Location and design of off-street parking, points of access, off-street loading areas and of pedestrian circulation.
- (f) Location and size of nearest water line, sewer line, fire hydrant, and any other public utilities.
- (g) Plans for the provisions of water service, fire hydrants, sewer service and any other public utilities.
- (h) Minimum required front, side and rear yard setback lines.
- (i) All easements with dimensions and designated as to type (examples: public utilities, drainage and public access).
- (j) Plans for storm water drainage.
- (k) All identified floodable areas; if applicable.
- (l) Location and dimensions of all signs.
- (m) Location and type of landscape screening, if applicable.
- (n) Any other information concerning the lot or adjoining lots as may be necessary for determining whether the provisions of the Official Zoning Code are observed.

(2) Review of site plans

All site plans or plats shall be reviewed by the building inspector and the staff planner, and by the appropriate municipal department heads (including streets, water and wastewater, electric, fire and police) if deemed necessary due to the nature or extent of

the proposed development. A period of up to ten (10) working days shall be allowed for the review of the site plan.

(3) Approval of site plans

If the proposed development is found to be in conformity with the provisions of this Official Zoning Code, the building inspector shall issue a building permit.

(4) Disapproval of site plans

If the proposed development is found not to be in conformity with the provisions of this Official Zoning Code, a building permit shall not be issued and the building inspector shall state in writing on the application the cause for such disapproval.

606 Certificate of occupancy required

(1) No land or building or other structure or part thereof hereafter erected, moved, added to, or changed in its use shall be used until the City's Building Inspector shall have issued a certificate of occupancy stating that such land, structure, or part thereof is found to be in conformity with the provisions of the Official Zoning Code.

(2) Within seven (7) days after notification that a building or premises or part thereof is ready for occupancy or use, it shall be the duty of the City's Building Inspector to make a final inspection thereof, and to issue a certificate of occupancy, if the building or premises or part thereof is found to conform with the provisions of the Official Zoning Code, or; if such certificate is refused, to state the refusal in writing with the cause for such refusal.

607 Board of zoning appeals: establishment and procedure

(1) Establishment and appointment

A board of zoning appeals is hereby established in accordance with Sections 13-7-205 through 13-7-207 of the *Tennessee Code Annotated*. As permitted by Section 13-7-205, *Tennessee Code Annotated*, the Lafayette Regional Commission is hereby designated as the Lafayette Board of Zoning Appeals.

(2) Conflict of interest

Any member of the Lafayette Board of Zoning Appeals who shall have direct or an indirect interest in any property which is the subject matter of or affected by a decision of the board shall be disqualified from participating in the discussion, decision, and proceedings of the board in connection therewith. The burden for revealing any such conflict rests with individual members of the board. Failure to reveal any such conflict shall constitute grounds for immediate removal from the board for cause.

(3) Proceedings of the board of zoning appeals

(a) The Lafayette Board of Zoning Appeals shall adopt rules necessary to the conduct of its affairs and in keeping with the provisions of this Official Zoning Code. Meetings shall be held at the call of the chairman and at such other times as the board may determine. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public.

(b) The board of zoning appeals 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, and shall keep records of its examinations and other official actions, all of which shall be a public record and be immediately filed with official records of the Board.

(4) Hearings and appeals

(a) 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 City's Building Inspector, based in whole or in part upon the provision of this ordinance. Such appeal shall be taken by filing with the board of zoning appeals a notice of appeal, specifying the grounds thereof.

(b) The building inspector shall transmit to the board all papers constituting the record upon which the appeal was taken. The board shall fix a reasonable time for the hearing of the appeal, give due notice to the parties of interest, and decide the same within a reasonable time. Upon the hearing, any person, or party may appear in person, by agent, or by attorney.

(5) Liability of members of the the board of zoning appeals and the building inspector

Any member of the Lafayette Board of Zoning Appeals, the Lafayette Building Inspector, or other employee charged with the enforcement of this Official Zoning Code acting for the City of Lafayette in the discharge of his duties, shall not thereby render himself liable personally, and he is hereby relieved from all personal liability and shall be held harmless by the City of Lafayette of any damage that may accrue to persons or property as the result of any act required or permitted in the proper discharge of their duties. Any suit brought against any board member, the building inspector, or employees charged with the enforcement of any provision of this Official Zoning Code shall be defended by legal representative furnished by the City of Lafayette until the final termination of such proceedings.

608 Board of zoning appeals: powers and duties

The Lafayette Board of Zoning Appeals shall have the following powers and duties:

(1) Administrative review or interpretation

The Lafayette Board of Zoning Appeals shall interpret the Official Zoning Code or Zoning Map and pass upon disputed questions of lot lines or district boundary lines or similar questions as they arise in the administration of this Official Zoning Code. The board of zoning appeals shall also 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 City's Building Inspector or any other administrative official in carrying out or enforcing any provision of this Official Zoning Code, or in his interpretation of the zoning map.

(a) Application Required

An application shall be filed with City Hall for review by the board of zoning appeals. Said application shall specify the grounds for requesting the administrative review or interpretation.

(b) Application Fee Required

A non-refundable fee of fifty dollars (\$50.00) shall be paid to the City of Lafayette with each application for a request for an administrative review or interpretation from the board of zoning appeals to defray costs of notices, the hearing, and any miscellaneous expenses.

(c) Public Hearing and Notice Required

A public hearing for the purpose of soliciting public comments concerning the application shall be held and public notice of reasonable time shall be given in advance of said hearing. Notice of the public hearing shall be published once in a newspaper of general circulation prior to the hearing and due public notice shall be given to the parties in interest.

(2) Special exceptions (uses permitted on appeal)

The Lafayette Board of Zoning Appeals may hear and decide only such special exceptions as it is specifically authorized to pass on by the terms of the "Uses Permitted on Appeals" Sections of this Official Zoning Code; to decide such questions as are involved in determining whether special exceptions should be granted; and to grant special exceptions with such conditions and safeguards as are appropriate under this Official Zoning Code; or to deny special exceptions when not in harmony with the purpose and intent of this Official Zoning Code.

(a) Application Required

An application shall be filed with the board of zoning appeals for review. Said application shall show the location and intended use of the site, the names of the property owners, existing land uses of all adjacent properties, and any other material pertinent to the request which the board of zoning appeals may require.

(b) Application Fee Required

A nonrefundable fee of fifty dollars (\$50.00) shall be paid to the City of Lafayette with each application for a request for a special exception from the board of zoning appeals to defray costs of notices, the hearing, and any miscellaneous expenses.

(c) Public Hearing and Notice Required

A public hearing for the purpose of soliciting public comments concerning the application shall be held and public notice of reasonable time shall be given in advance of said hearing. Notice of the public hearing shall be published once in a newspaper of general circulation prior to the hearing and due notice shall be given to the parties in interest.

(d) General Provisions Governing Special Exceptions

Before any special exception shall be issued, the board of zoning appeals shall certify compliance with the specific rules governing individual exceptions and that satisfactory provision and arrangement has been made concerning the following general requirements:

- (i) It is so designed, located and proposed to be operated so that the public health, safety, and welfare will be protected;
- (ii) It will not adversely affect other property in the area in which it is located;
- (iii) It is within the provision of "Uses Permitted on Appeal" as set forth in this Official Zoning Code; and
- (iv) It conforms to all applicable provisions of this Official Zoning Code for the district in which it is to be located.

(e) Conditions and Safeguards

In granting any special exception, the board of zoning appeals may prescribe appropriate conditions and safeguards in conformity with this Official Zoning Code. Violation of such conditions and safeguards, when made a part of the terms under which the special exception is granted, shall be deemed a violation of this Official Zoning Code.

(f) Validity of Plans

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

(g) Time Limit Prescribed

The board of zoning appeals shall prescribe a time limit within which the action for which the special exception is required shall be begun or completed, or both, however, in no case shall more than one (1) year pass before the action is begun. Failure to begin or complete, or both, such action within the prescribed time limit shall void the special exception.

(3) Variances

The Lafayette Board of Zoning Appeals has the authority to hear and decide applications for variances from the terms of this Official Zoning Code as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Official Zoning Code would result in unnecessary hardship. In exercising its powers, the board of zoning appeals may, so long as such action is in conformity with the terms of this Official Zoning Code, reverse, affirm, or modify the order, requirement, decision, or determination as set forth in the regulations of this Official Zoning Code, and to that end shall have the powers of the administrative official from whom the appeal is taken.

(a) Application Required

An application shall be filed with the board of zoning appeals for consideration. Said application shall show the location and intended variance of the site, the names of the property owners, existing land uses of all adjacent properties, and any other material pertinent to the request which the board of zoning appeals may require.

(b) Application Fee Required

A nonrefundable fee of fifty dollars (\$50.00) shall be paid to the City of Lafayette with each application for a request for a variance by the board of zoning appeals to defray costs of notices, the hearing and any miscellaneous expenses.

(c) Public Hearing and Notice Required

A public hearing for the purpose of soliciting public comments concerning the application shall be held and public notice of reasonable time shall be given in advance of said hearing. Notice of the public hearing shall be published once in a newspaper of general circulation prior to the hearing and due notice shall be given to the parties in interest.

(d) General Standards for Variances

In granting a variance, the board of zoning appeals shall ascertain that the following criteria are met:

- (i) The particular physical surroundings, shape, or topographic conditions of the specific property involved would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict application of this Official Zoning Code were carried out;
- (ii) The conditions upon which the petition for a variance is based would not be applicable, generally, to other property within the same district;
- (iii) The variance will not authorize in a zoning district activities other than those permitted by this Official Zoning Code;
- (iv) Financial returns only shall not be considered as a basis for granting a variance;
- (v) The alleged difficulty or hardship has not been created by any person having an interest in the property after the effective date of this Official Zoning Code;
- (vi) That granting the variance requested will not confer on the applicant any special privilege that is denied by this Official Zoning Code to other lands, structures, or buildings in the same district;
- (vii) That variance is the minimum variance that will make possible the reasonable use of the land, building, or structure;
- (viii) The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the area in which property is located; and
- (ix) The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the area.

(e) Non-Conformity Does Not Constitute Grounds for Granting a Variance

No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.

(f) Prohibition of Use Variances

Under no circumstances shall the board of zoning appeals grant a variance to allow a use not permissible under the terms of this Official Zoning Code in the

district involved, or any use expressly or by implication prohibited by the terms of this Official Zoning Code in said district.

(g) Conditions and Restrictions

The board of zoning appeals may impose such conditions and restrictions upon the premises benefited by a variance as may be necessary to comply with the provisions set out in this Official Zoning Code to reduce or minimize the injurious effect to such variation upon surrounding property and better carry out the general intent of this Official Zoning Code. Violations of such conditions and restrictions, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Official Zoning Code.

(h) Time Limit Prescribed

The board of zoning appeals shall prescribe a time limit within which the action for which the variance is required shall be begun or completed, or both, however, in no case shall more than one (1) year pass before the action is begun. Failure to begin or complete, or both, such action within the prescribed time limit shall void the variance.

(i) Variance Appeals

Any person or agency aggrieved by a decision of the board of zoning appeals on a variance may appeal by certiorari to a court of competent jurisdiction. The judgement and findings of the board on all questions of fact that may be involved in any appeal, cause, hearing or proceeding under this chapter shall be final and subject to review only for illegality or want of jurisdiction.

609 Amendments to zoning code

(1) Procedure

The regulations, the number, or boundaries of districts established by the Official Zoning Code may be amended, supplemented, changed, modified, or repealed by the Lafayette City Council after holding a public hearing, fifteen (15) days notice of which has been given in the local newspaper. However, in accordance with Section 13-7-204 of the *Tennessee Code Annotated*, no amendment shall become effective unless it is first submitted to and approved by the Lafayette Regional Planning Commission, or if disapproved, shall receive a majority vote of the entire Lafayette City Council.

(2) Application and fee

(a) Any person desiring to bring a request for an amendment to the Official Zoning Code shall first submit an application for such a request. Said application shall state the purpose of the amendment and any other information or material pertinent to the request which the planning commission or Lafayette City Council may require.

(b) A nonrefundable fee of fifty dollars (\$50.00) shall be paid to the City of Lafayette with each application requesting an amendment to the Official Zoning Code to defray costs of notices, public hearings, and any miscellaneous expenses.

610 Penalties

Any person violating any provisions of this Official Zoning Code shall be guilty of a misdemeanor, punishable as other misdemeanors as provided by law.

611 Remedies

In case any building or other structure is erected, constructed, added to, moved or converted, or any building, structure, or land is used in violation of the Official Zoning Code, the Lafayette Building Inspector or any other appropriate authority or any adjacent or neighboring property owner who would be specifically damaged by such violation, in addition to other remedies, may institute injunction, mandamus, or appropriate action or proceeding to prevent such unlawful erected, construction, addition, conversion, moving, or use; or to correct or abate such violation; or to prevent occupancy of such building, structure or land.

612 Validity

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

SECTION II. This Ordinance shall take effect from and after final passage in accordance with the Charter of the City of Lafayette, Tennessee, the public welfare demanding it.

Publication of Notice: _____ Date Public Hearing Held: _____ Date

Passed 1st Reading: _____ Date

Passed 2nd Reading: _____ Date

ADOPTED BY THE LAFAYETTE CITY COUNCIL

Mayor

ATTEST:

City Recorder

APPROVED AS TO FORM:

City Attorney