

ORDINANCE NO. 180

**AN ORDINANCE TO AMEND CERTAIN SECTIONS OF THE ZONING ORDINANCE
OF MOUNT CARMEL, TENNESSEE**

AN ORDINANCE to amend the zoning ordinance of the town of Mount Carmel, Tennessee and all ordinances amendatory thereof.

BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Mount Carmel, Tennessee as follows:

**I. AMEND ARTICLE VI, PROVISIONS GOVERNING USE DISTRICTS BY
DELETING RESIDENTIAL SECTIONS A, B, C, AND D AND INSERTING THE
FOLLOWING:**

Section A. Low Density Residential District R-1: It is the intent of this district to establish low density residential areas along with open areas which appear likely to develop in a similar manner. The requirements for the district are designed to protect essential characteristics of the district, to promote and encourage an environment for family life and to prohibit all business activities. In order to achieve the intent of the Low Density Residential District (R-1) as shown on the Zoning Map of the Town of Mount Carmel, Tennessee, the following uses are permitted:

1. Single family dwellings;
2. Customary general farming;
3. Customary home occupations provided that: there is no external evidence of the occupation except an announcement sign not more than two (2) square feet in area; that only one person, not a resident of the dwelling is employed; and not more than 30 percent of the total floor area of the dwelling is used.
4. Public owned buildings and uses, schools offering general education, and churches and other semi-public uses provided that:
 - (a) The location of these uses shall first be reviewed by the Mount Carmel Planning Commission;
 - (b) The buildings are placed not less than thirty (30) feet from the side and rear property lines;
 - (c) There are buffer strips along side and rear property lines.
5. Customary accessory buildings provided that they are located in rear yards and not closer than ten (10) feet to any property line.
6. One accessory unit (ADU) may be approved by the Board of Zoning Appeals (BOZA) as a special exception if they find the use in harmony with the character of the district, and the proposed ADU meets the following conditions:
 - (a) ADU's may be in the principal building or be in a detached building, but the ADU is limited to 800 square feet.

- (b) The owner must reside on the premise either in the principal building or the ADU, and the principle building must be at least one year old.
- (c) The ADU residents will be limited to a family of three or less persons.
- (d) ADU's are for rental purposes only, and may not be sold.
- (e) The BOZA may grant a variance to the density and parking requirements if the proposed ADU will be in harmony with the surrounding area.

7. A small day care center may be approved by the Board of Zoning Appeals (BOZA) as a special exception if they find the use in harmony with the character of the district, and the proposed day care center meets the following conditions:

- (a) They shall be limited to 20 children, and be licensed by the State.
- (b) Sites on arterial and collector streets will have to have off street loading and unloading, and parking facilities. Sites on minor residential streets will be evaluated on the basis of traffic volume, speed, and sight distance.
- (c) Sites shall be reviewed by the planning commission.

Section B. Low Density Residential District R-1A: Same as R-1 district except the minimum lot size is 11,000 square feet if sanitary sewers are available.

Section C. Low Density Residential District R-1B: Same as R-1 district except the minimum lot size is 7,500 square feet if sanitary sewers are available.

Section D. Medium Density Residential District R-2: It is the intent of this district to provide areas for duplexes and condominiums, to encourage development and continued use of the land for residential purposes, to prohibit business and industrial uses; and other uses which would interfere with development or continuation of single family or condominium dwellings. In order to achieve the intent of the Medium Density Residential District (R-2), as shown on the Zoning Map of the Town of Mount Carmel, Tennessee the following uses are permitted:

1. Any use permitted in the R-1 Residential District;
2. Duplexes
3. Condominium dwelling units per Article V, Section O, Group Housing and Planned Unit Developments.

Section E. Medium Density Residential District R-3: It is the intent of this district to provide for areas of multi family, medium density residential development. An important purpose of this district is to create adequate standards for residential development in order to prevent overcrowded and unhealthy housing conditions. Intensities of development have been established to lessen traffic congestion, limit densities, to provide for adequate sunlight, air and usable open space for dwellings and adequate space for related facilities. In order to achieve the intent of the R-3 district as shown on the zoning map of Mount Carmel, the following uses are permitted:

1. Any use permitted in the R-2 residential district.
2. Multiple family dwellings are permitted on review by the Mount Carmel Board of Zoning Appeals and subject to such conditions as the Board of Zoning Appeals may require in order to preserve and protect the character of Mount Carmel, and provided that no permit shall be issued without written approval of the Board of Zoning Appeals, and subject to the following minimum standards.

(a) A complete site plan showing the location of all buildings, courts, recreational areas, drives and walkways, parking lots, refuse disposal containers, drainage system and easements, and landscaping details.

(b) There is a minimum twenty-five foot landscaped and planted buffer strip along the side and rear lot line which may be deleted by the planning commission. The reason for the deletion of the buffer strip shall be stated in the minutes.

Section F. High Density Residential District R-4: It is the intent of this district to provide for areas of multi family, high density residential development. An important purpose of this district is to create adequate standards for residential development in order to prevent overcrowded and unhealthy housing conditions. Intensities of development have been established to lessen traffic congestion, limit densities, to provide for adequate sunlight, air and usable open space for dwellings and adequate space for related facilities. In order to achieve the intent of the R-4 district as shown on the zoning map of Mount Carmel, the following uses are permitted.

1. Any use permitted in the R-3 Residential District.
2. High density multiple family dwellings with the requirement that thirty percent of the land area shall be covered with vegetation.

Section G. Mobile Home Park District R-5: It is the intent of this district to provide for areas for use of mobile homes as a residential use. It is the purpose of the district to provide exclusive areas for mobile homes which will be attractive and at a density which will prevent overcrowding, lessen traffic congestion, provide for adequate sunlight and open space. Within the R-3 residential district as shown on the zoning map of Mount Carmel, Tennessee the following uses are permitted.

1. Any use permitted in the R-4 Residential District.
2. Mobile home parks provided that the park contains a minimum of one acre, that there are no more than eight individual spaces per acre, and provided that all provisions of the mobile home park standards of Article V, Section N are met.

II. DELETE THE EXISTING ARTICLE VII AND INSERT THE FOLLOWING TABLE

ARTICLE VII. AREA, YARD AND HEIGHT REQUIREMENTS

District	Minimum Lot Size Single Family Dwellings		Minimum Yard requirements from Property Lines			
	Area in Sq. Ft.	Per Additional family	Front	Side	Rear	Maximum height of structures
R-1	15,000		30 ft.	10 ft.	25 ft.	35 ft.
R-1A	11,000		30 ft.	10 ft.	25 ft.	35 ft.
R-1B	7,500		30 ft.	10 ft.	25 ft.	35 ft.
R-2	10,000	5,990	30 ft.	10 ft.	25 ft.	35 ft.
R-3	10,000	3,900	30 ft.	10 ft.	25 ft.	35 ft.
R-4	10,000	2,890	30 ft.	10 ft.	25 ft.	35 ft.
R-5	8 / Acre	8 / Acre	30 ft.	10 ft.	25 ft.	35 ft.
O-1			30 ft.	10 ft.	25 ft.	35 ft.
B-1			30 ft.	10 ft.	25 ft.	35 ft.
B-2			30 ft.	10 ft.	25 ft.	70 ft.
B-3			30 ft.	10 ft.	25 ft.	70 ft.
B-4			30 ft.	10 ft.	25 ft.	70 ft.
M-1			30 ft.	20 ft.	25 ft.	70 ft.

NOTE 1: The R-5 district minimum lot size shall be one (1) acre with no more than eight mobile homes or units per acre.

NOTE 2: The R-4 density shall apply to all business and manufacturing zones for residential dwelling units.

NOTE 3: The minimum width of a side yard along an intersecting street (corner lot) shall be twenty (20) feet from the street right-of-way.

III. AMEND ARTICLE IV, ESTABLISHMENT OF DISTRICTS BY DELETING THE USE DISTRICTS AND ADDING THE FOLLOWING:

Residential	-	R-1 District - Low density
Residential	-	R-1A District - Low density
Residential	-	R-1B District - low density
Residential	-	R-2 District - Medium Density
Residential	-	R-3 District - Medium Density
Residential	-	R-4 District - High Density
Residential	-	R-5 District - High Density
Residential	-	O-1 District - Professional Office and Service District
Business	-	B-1 District - Neighborhood Business
Business	-	B-2 District - Arterial Business
Business	-	B-3 District - General Business
Business	-	B-4 District - Shopping Center
Industrial	-	M-1 District - Industrial

IV. AMEND ARTICLE V, SECTION E, OBSTRUCTION TO VISION BY DELETING THE WHOLE SECTION AND ADDING THE FOLLOWING:

Section E. Vision Clearance. No fence, wall shrubbery, sign or other obstruction to vision between the height of three feet and fifteen feet shall be permitted within twenty feet of the intersection of the rights-of-way lines of streets, or of streets and railroads.

V. AMEND ARTICLE V SECTION F BY DELETING IT AND ADD THE FOLLOWING:

Street frontage: No residential building shall be erected on a lot which does not abut at least one public street for a least seventy five (75) feet except for lots on Cul-De-Sacs and flag lots which must abut one public street for at least fifty (50) feet.

VI. AMEND ARTICLE V, SECTION C, ONE PRINCIPLE BUILDING PER LOT BY DELETING SECTION NUMBER 2 AND RENUMBERING THE FOLLOWING ITEM.

VII. AMEND ARTICLE IX, SECTION B, NUMBER 4, NUMBER (h) OFF PREMISES DIRECTIONAL SIGNS BY ADDING THE FOLLOWING AT THE END OF THE SECTION:

The maximum sign size is six (6) square feet.

VIII. AMEND ARTICLE VI, BY ADDING THE FOLLOWING SECTION AFTER THE SECTION ON THE GENERAL BUSINESS DISTRICT (B-3):

Section L Shopping Center District B-4: It is the intent of this district to establish areas for concentrated retail business development. Uses which do not require a central location and create friction in the performance of this function will be discouraged from this district. The requirements are designed to protect the essential characteristics of the district by promotion of retail business which serve the general public, and to discourage industrial and wholesale development. In order to achieve the intent of the B-4 Shopping Center District, as shown on the Zoning Map of Church Hill, Tennessee, the following uses are permitted:

1. Business signs as permitted in the B-1 district.

2. Stores and shops conducting retail business.
3. Motels, restaurants, and places of assembly and amusement.
4. Small professional offices and service businesses may be allowed in a shopping center as a necessary supporting business use for the proposed retail business upon review and approval by the planning commission.

THIS ORDINANCE shall be effective from and after its passage, the public welfare requiring it.

DATE approved by the Planning Commission: August 12, 1997

DATE passed on First Reading Board of Mayor and Alderman: 8-28-97

DATE passed on Second Reading Board of Mayor and Alderman: 9-25-97

DATE of the public hearing by the Board of Mayor and Alderman: 9-25-95

APPROVED AND SIGNED in Open Meeting: [Signature] 9-25-97
Mayor Date

ATTEST: Nancy Carter 9-25-97
Town Recorder Date

APPROVED AS TO FORM: Michael A. Fark Aug 28, 1997
Town Attorney Date

**THIS IS FOR ILLUSTRATION PURPOSES ONLY, IT IS NOT PART OF THE
ORDINANCE**

CURRENT ZONING DISTRICTS

ZONING DISTRICT	FIRST UNIT	ADDITIONAL UNIT	FIRST ACRE	ADDITIONAL ACRES	USES	OTHER
R-1	15,000	N / A	2.9	2.9	single family	
R-2	10,000	5,000	7.7	8.7	duplex	
R-3	8,500	5,000	8.0	8.7	multi-family	one acre min
R-4	8 / acre	8 / acre	8 / acre	8 / acre	m / h parks	one acre min
O-1	8,500	5,000	8.0	8.7	office & service	
B-1	8,500	5,000	8.0	8.7	neighborhood	
B-2	8,500	5,000	8.0	8.7	arterial	
B-3	8,500	5,000	8.0	8.7	general	
M-1	N / A	N / A	N / A	N / A	industrial	

PROPOSED ZONING DISTRICTS

ZONING DISTRICT	FIRST UNIT	ADDITIONAL UNIT	FIRST ACRE	ADDITIONAL ACRES	USES	OTHER
R-1	15,000	N / A	2.9	2.9	single family	
R-1A	11,000	N / A	3.9	3.9	single family	
R-1B	7,500	N / A	5.8	5.8	single family	
R-2	10,000	5,990	6.6	7.3	condos	
R-3	10,000	3,900	9.6	11.2	multi-family	
R-4	10,000	2,890	12.6	15.1	multi-family	30% vegetation
R-5	8 / acre	8 / acre	8 / acre	8 / acre	m / h parks	one acre min
O-1	10,000	2,890	12.6	15.1	office & service	
B-1	10,000	2,890	12.6	15.1	neighborhood	
B-2	10,000	2,890	12.6	15.1	arterial	
B-3	10,000	2,890	12.6	15.1	general	
B-4	N / A	N / A	N / A	N / A	retail sales	
M-1	N / A	N / A	N / A	N / A	industrial	