

CHAPTER 4

ZONING DISTRICTS

SECTION

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11-401. Classification of Districts. For the purpose of this ordinance, The City of LaFollette, Tennessee, is hereby divided into seven (7) zoning districts as follows:

R-1, Residential District
R-2, High Density Residential District
C-1, Central Business District
C-2, Highway Business District
C-3, Local Business District
M-1, Light Industrial District
M-2, Heavy Industrial District
F-1, Floodway District

(Ordinance No. 382, Section 11-401)

11-402. Boundaries of Districts.

1. The boundaries of these districts are hereby established as shown on the map entitled "Zoning Map of LaFollette, Tennessee." dated May 7, 1973 which is a part of the zoning code and which is on file in the office of the city recorder.
2. Unless otherwise indicated on the zoning map, the boundaries are lot lines, the center lines of streets or alleys, or the corporate limit lines as they exist at the time of the enactment of the zoning code. Questions concerning the exact locations of district boundaries shall be determined by the board of zoning appeals.
3. Where a district boundary divides a lot existing at the time the 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 it not more than fifty (50) feet within the more restricted district. (Ordinance No. 382, Section 11-402)

11-403. R-1, Low Density Residential District. The R-1, low density residential district is intended to provide areas which are suitable for single family residential development. Within the R-1, low density residential district as shown on the Zoning Map of LaFollette, Tennessee, the following regulations plus the other applicable provisions of this zoning code shall apply: child care facilities subject to the conditions stated in Title 11, Chapter 6, Section 11-607, (4). (Refer to Section 7 below).

6. Permitted Uses and Structures.

- a. Detached single-family dwellings
- b. Horticulture, including forestry, not involving advertising, display, or public sale of products on the premises.
- c. Accessory buildings or uses customarily incidental to any aforementioned use.
- d. Single real estate signs advertising the sale, rental, or lease of only the premises on which they are maintained, provided that they are not over four (4) square feet in area, and at least six (6) feet from all lot lines and street right-of-way. Nameplates and single signs identifying home ownership or address, on premise customary home occupations provided the requirement of section 11-604 (2) are met.

7. Use and Structures Permitted on Approval by the Board of Zoning Appeals.

- a. Public parks and public recreation facilities.
- b. Institutions (including churches, schools offering general education courses, and public libraries).
- c. Public utilities, except storage and warehousing area.
- d. Agricultural uses.
- e. Customary home occupations, provided the conditions in Section 11-603 are met.

8. Prohibited Uses and Structures.

- a. Any other use not specifically permitted or permissible on appeal in this R-1 low density residential zoning district.
- b. Advertising signs and billboards except those specifically permitted under section 11-403 (1) (d) of this code.

9. Area Regulations. The principal building shall be located so as to comply with the following requirements:

- a. Minimum lot area where lot is served with public water and sewer is 12,000 square feet.
- b. Minimum lot area where lot is not served with public sewer is 20,000 square feet.
- c. Minimum lot width at building setback line 75 feet.
- d. Minimum depth of front yards 35 feet.
- e. Minimum depth of rear yards 20 feet.
- f. Minimum width of side yards:
 - 1 story building 10 feet each side
 - 2 story building 15 feet each side
 - 3 story building 20 feet each side
- g. Maximum building area 40 percent of the total lot area.

10. Site Development Standards for Required Yards. The required yards of all uses shall be made fertile; planted with grass, shrubs, and/or trees or otherwise landscaped and maintained in good order.
11. Parking, Storage, and Use of Automobiles, Major Recreational Equipment, or Trucks. Off-street passenger automobile parking space as required in Section 11-309 of this code shall be provided.

No vehicle or trailer of any kind or type (except mobile homes conforming to Section 11-606 of this code) without current license plates, shall be parked or stored on any lot other than in a completely enclosed building.

No truck of a rated capacity of greater than $\frac{3}{4}$ ton nor any heavy equipment, except that being used for construction on the property which the vehicle or equipment is parked, may be parked on any lot or in the public right-of-way adjacent to any lot overnight. No vehicle shall be stored or parked for periods in excess of twenty-four (24) hours unless the vehicle is being loaded or unloaded.

12. Location of Accessory Buildings.

- a. No accessory building shall be erected in any required front or side yard. Accessory buildings shall not cover more than thirty (30) percent of any required rear yard, and shall be at least five (5) feet from all lot lines and from any other building on the same lot.
- b. Accessory buildings on corner lots shall conform with front yard setbacks for both intersecting streets. (Ord. No. 382, Section 11-403, as amended by Ord. No. 405, Section 2).

11-403.1 R-2, High Density Residential District. The R-2, high density residential district is intended to provide areas which are suitable for both single and multiple-family residential development. Within the R-2, high residential district, as shown on the Zoning Map of LaFollette, Tennessee, the following regulations plus the other applicable provisions of this zoning code shall apply: child care facilities subject to the conditions stated in Title 11, chapter 6, Section 11-607, (4).

1. Permitted uses and structures.

- a. Single family and multiple-family dwellings.
- b. Mobile homes, provided the regulations in Section 11-606 are complied with.
- c. Churches
- d. Public buildings, including schools and colleges
- e. Horticulture, including forestry, but not involving advertising, display, or public sale of products on the premises.
- f. Accessory buildings or uses customarily incidental to any aforementioned uses.
- g. Single real estate signs advertising the sale, rental, or lease of only the premises on which they are maintained, provided that they are not level four (4) square feet in area, and at least six (6) feet from all lot lines and street rights-of-way. Nameplates and single signs identifying home ownership or address, on premise customary home occupations, mobile home parks, and apartment buildings provided the requirements of Section 11-604 (2) are met.

2. Uses and Structures Permitted on Approval by the Board of Zoning Appeals. No permit shall be issued except with 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 preserve and protect the character of the district in which the proposed use is located.
- a. Mobile home parks, provided the regulations in Section 11-606 are complied with.
 - b. Public parks, playgrounds, swimming pools, and similar public recreational uses.
 - c. Customary home occupations, provided the conditions in Section 11-603 are met.
 - d. Medical clinics and hospitals, funeral homes, fraternal organizations and clubs not operated for profit, nursing homes, offices for doctors, lawyers, dentists, architects, real estate agencies, insurance agencies and similar uses provided that:
 - i. They shall be located on arterial streets.
 - ii. The buildings shall be placed no less than thirty (30) feet from all property lines
 - iii. There is a planted buffer strip erected on side and rear property lines.
 - iv. A site plan is approved by the planning commission.
 - e. Existing buildings may be utilized provided that the provisions of this ordinance are met as closely as possible and that:
 - i. No parking shall be allowed in front yards.
 - ii. A site plan is approved by the planning commission.
 - f. Public utilities, except storage and ware housing areas.
 - g. Cemeteries.
 - h. Residential homes for the aged, provided that:
 - i. They are licensed by the State of Tennessee.
 - ii. No parking shall be allowed in front yard.
 - iii. A site plan is submitted to and approved by the planning commission.
 - iv. No more than eight (8) elderly tenants shall reside on premise.

3. Prohibited Uses and Structures.

- a. Any other use not specifically permitted or permissible on appeal in this R-2, high density residential zoning district.
- b. Advertising signs and bill boards except those specifically permitted under Section 11-402.1 (1) (g) of this code.

4. Area regulations. The principal building shall be located so as to comply with the following requirements:

- a. Minimum lot area where lot is served with public water and sewer
 - 6,000 square feet first family
 - 3,000 square feet second family
 - 1,500 square feet additional families over two
- b. Minimum lot area where lot is not served with public sewer
 - 20,000 square feet first family
 - 7,500 square feet second family
 - 2,500 square feet third family

Where lot is not served by public sewer, no more than three (3) dwelling units will be permitted.

- c. Minimum lot width at building setback line 50 feet
- d. Minimum depth of front yards 35 feet
- e. Minimum depth of rear yards 20 feet
- f. Minimum width of side yards
 - 1 story building 10 feet each side
 - 2 story building 15 feet each side
 - 3 story building 20 feet each side
- g. Maximum building area 40 percent of the total lot area

5. Site Development Standards for Required Yards. The required yards of all uses shall be made fertile; planted with grass, shrubs, and/or trees or otherwise landscaped; and maintained in good order.
6. Parking. Off street passenger automobile parking space as required in Section 11-309 of this code shall be provided.
7. Location of Accessory Buildings.
- a. No accessory building shall be erected in any required front or side yard. Accessory buildings shall not cover more than thirty (30) percent of any required rear yard and shall be at least five (5) feet from all lot lines and from any other building on the same lot.
 - b. Accessory buildings on corner lots shall conform with front yard setbacks for both intersecting streets (as added by Ordinance No. 405, Section 3).

11-404. C-1, Central Business District. Within C-1, Central Business District as shown on the Zoning Map of LaFollette, Tennessee, the following regulations plus other appropriate provisions of this zoned code shall apply: child care facilities subject to the conditions stated in Title 11, Chapter 6, Section 11-607, (4).

1. Permitted Uses and Structures. (Amended by Ordinance 99-06)
- Retail stores, business and professional offices, indoor restaurants and delicatessens, parking lots, parking garages, gasoline service stations, vehicle service garages, vehicle sales facilities (only those less than one (1) acre in area, and with direct access to arterial road,) public buildings and service facilities, churches, financial institutions, clinics, publishing firms, theaters, hotels,

grocery stores, beauty and barber shops, TV/radio and small motor repair, shoe repair, tailor and allied service shops, and accessory uses to the above permitted uses.

2. Uses and Structures Permitted on Approval by the Board of Zoning Appeals. Any business or service which, in the opinion of the Board of Zoning Appeals, is of the same general character as the above permitted uses, and subject to such conditions and safeguards as the Board of Zoning Appeals may specify to preserve the character of the area.
3. Prohibited Uses and Structures. No temporary structures of any kind shall be permitted within the C-1, Central Business District.
4. Area Regulations. Buildings shall be located so as to comply with the following requirements:
 - a. Minimum depth of front yard 10 feet.
 - b. Minimum depth of rear yard 20 feet.
 - c. Minimum width of side yard 10 feet each.
5. Special Exceptions. Special exceptions may be made by the LaFollette Board of Zoning Appeals to allow those uses in existing vacant buildings which are not compatible with existing commercial activities and not detrimental to the health, safety, and welfare of the community and the district. The following non-commercial uses may be permitted by a special conditions permit which shall not be issued until all conditions set forth in this ordinance have been met:
 - a. Permitted Uses. Textile mill products manufacturing; apparel and other finished products made from fabrics and similar materials; small articles manufacturing (pens, pencils, toys, jewelry, and musical instruments); professional scientific, and non-controlling instruments manufacturing; bakeries; warehousing (small); and other light manufacturing uses which are similar in character and operations to the above listed uses.
 - b. Site Plan. A general site plan drawn to scale (one inch equals one hundred feet) shall be submitted to the LaFollette Board of Zoning Appeals for its approval fifteen (15) days prior to its scheduled meeting date. The site plan shall show the type of the proposed manufacturing use and the location and size of the existing building, parking and signage; surrounding land uses; and any additional information as may be required to adequately review the request. The Board shall approve or disapprove the request and site plan. In the case of approval, the Board will set forth in writing the requirements, conditions, and stipulations for such approval.
 - c. Report. A written report shall be required and shall contain a description of the proposed outlining the number of employees, type of equipment uses, square footage of floor area, and a statement noting that the property owners in the general vicinity of the proposed use have been notified. The report shall have all comments of property owners and shall be accompanied by a notarized statement or affidavit verifying compliance with the criteria and conditions/stipulations for locating such use.
 - d. Public Notice. The Board of Zoning Appeals shall give public notice and schedule a hearing on such request.

- e. Criteria for Review. This ordinance does not allow construction of new buildings for the proposed manufacturing uses; the approval of a manufacturing use is not transferable from one manufacturing activity to another; the use/activity must commence operation within 120 days after approval; the light manufacturing use must not employ more than twenty-five (25) persons; machines or equipment should not emit particulate matter into the air; no evidence of the manufacturing use from its exterior of the building or display windows shall be visible to the general public; the general site plan, written report, and notarized statement/affidavit must be submitted prior to approval. The sign advertising the manufacturing use shall be visible to the general public; the general site plan, written report, and notarized statement/affidavit must be submitted prior to approval. The sign advertising the manufacturing use shall be attached to the building and shall not exceed twenty (20) square feet in area; and, arrangements for off-street employee parking shall be made and shown on the site plan.

However, commercial buildings may be built next to a common lot line between adjacent side yards if the lot line walls have a fire resistance rating equal to the required for fire districts by the Southern Standard Building code. The side yard cannot be encroached unless the building extends to the lot line. If the structure is not to be built to the lot lines, then it must meet the required side yard setback regulations stated in Section 11-404 (4) (c).

Building may be constructed to the common rear lot lines if adequate off-street loading and unloading requirements are met as regulated in Section 11-311. (Ordinance No. 382, Section 11-404, as amended by Ordinance No. 411).

11-405. C-2, Highway Business District.

1. Permitted Uses and Structures.
 - a. All uses permitted in the R-2 high residential district, provided, they comply with the area regulations as set forth in Section 11-403.1 (4) (a).
 - b. *Business and professional offices, tourist shops, indoor restaurants and refreshment stands, motels, outdoor and indoor places of amusement, automobile sales and service facilities, grocery stores, barber and beauty shops, filling stations and garages provided that petroleum derivatives in excess of five hundred (500) gallons are not store above ground, accessory uses incidental to the above uses.*
2. Uses and Structures Permitted on Approval by the Board of Zoning Appeals. Travel trailer parks subject to Section 11-606 of this code, and any business or service which, in the opinion of the board of zoning appeals, is of the same general character as the above permitted uses, and subject to such conditions and safeguards as the board of zoning appeals may specify to preserve the character of the area.
3. Prohibited Uses and Structures. Manufacturing uses and any use determined by the board of zoning appeals to be detrimental to the neighborhood by reason of offensive fumes, odors, dust, or noise. Further, No temporary structures of any kind shall be permitted within the C-2, Highway Business District.

4. Area regulations.

- a. Minimum lot width at building line 50 feet.
- b. Minimum depth of front yard 35 feet.
- c. Minimum depth of rear yard 20 feet.
- d. Minimum width of side yard:
 - 1 story building 10 feet.
 - 2 story building 15 feet.
 - 3 story building 20 feet each.

(Ordinance No. 382, Section 11-405, as amended by Ordinance No. 405, Section 4)

5. Special Exceptions: Special exceptions may be made by the LaFollette Board of Zoning Appeals to allow those uses in existing vacant buildings which are not compatible with existing commercial activities and not detrimental to the health, safety and welfare of the community and the district. The following non-commercial uses may be permitted by special conditions permit which shall not be issued until all conditions set forth in this ordinance have been met.

- a. Permitted uses. Textile mill products manufacturing; apparel and other finished products made from fabrics and similar materials; small articles manufacturing (pens, pencils, toys, jewelry and musical instruments); professional scientific and noncontrolling instruments manufacturing; bakeries; warehousing (small); and other light manufacturing uses which are similar in character and operations to the above listed uses. Also permitted as a special exception are uses related the medical profession, including physician's office (excluding pain clinics and related offices), dental office, optic and/or eye related facilities, hospital and nursing home.
- b. Site plan. A general site plan drawn to scale (one inch equals one hundred feet) shall be submitted to the LaFollette Board of Zoning Appeals for its approval fifteen (15) days prior to its scheduled meeting date. The site plan shall show the type of the proposed manufacturing use and the location and size of the existing building, parking and signage; surrounding land uses; and any additional information as may be required to adequately review the request. The Board shall approve or disapprove the request and site plan. In the case of approval, the Board will set forth in writing the requirements, conditions, and stipulations for such approval.
- c. Report. A written report shall be required and shall contain a description of the proposed use outlining the number of employees, type of equipment uses, square footage of floor area, and a statement noting that the property owners in the general vicinity of the proposed use have been notified. The report shall note comments of property owners and shall be accompanied by a notarized statement or affidavit verifying compliance with the criteria and conditions/stipulations for locating such use.
- d. Public notice. The Board of Zoning Appeals shall give public notice and schedule a hearing on such request.

- e. Criteria for review. This ordinance does not allow construction of new buildings for the proposed manufacturing uses; the approval of a manufacturing use is not transferable from one manufacturing activity to another; the use/activity must commence operation within 120 days after approval; the light manufacturing use must not employ more than twenty-five (25) persons; machines or equipment should not emit noise or fumes noticeable to the adjacent property owner(s) or the general public from the street; the manufacturing use shall not be one which will pollute the environment with noise or emit particulate matter into the air, no evidence of the manufacturing use from its exterior of the building or display windows shall be visible to the general public; the general site plan, written report, and notarized statement/affidavit must be submitted prior to approval. The sign advertising the manufacturing use shall be attached to the building and shall not exceed twenty (20) square feet in area; and, arrangements for off-street employee parking shall be made and shown on the site plan.

11-406. C-3, Local Business District. The purpose of this district is to provide for neighborhood shopping and service areas convenient to residential neighborhoods. Within the C-3, Local Business District, as shown on the Zoning Map of LaFollette, Tennessee the following regulations plus other appropriate provisions of this zoning code shall apply:

1. Permitted Uses and Structures.
 - a. All uses permitted in the R-2 High Density Residential District.
 - b. Grocery stores, drug stores, barber and beauty shops, laundry and dry cleaning pick up stations, doctors and dentist offices, established for the convenience of the neighborhood.
2. Uses and Structures Permitted on Approval by the Board of Zoning Appeals. Any use which, in the opinion of the board of zoning appeals, is of the same general character of the above permitted uses, and subject to such conditions and safeguards as the board of zoning appeals may specify to preserve the character of the area.
3. Prohibited uses and structures. Manufacturing uses or any commercial or other use not specifically permitted or permissible on approval by the board of zoning appeals. Further, No temporary structures of any kind shall be permitted within the C-3, Local Business District.

All other provisions of said Zoning ordinance not specifically amended herein shall remain in full force and effect.

- a. Conflict with Other Ordinances. In case of conflict between this ordinance or any part thereof, and the whole or part of any existing or future ordinance of the City of LaFollette, the most restrictive shall in all cases apply.
- b. Validity. If any section, clause, provision, or portion of this Ordinance shall be held to be in doubt or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this Ordinance which is not of itself invalid or unconstitutional.
- c. Effective Date. This ordinance shall become effective upon passage and publication, the public welfare requiring it.

4. Area Regulations.

- a. Minimum lot width at building line 50 feet.
- b. Minimum depth of front yard 35 feet.
- c. Minimum depth of rear yard 20 feet.
- d. Minimum width of side yards:
 - 1 story building 10 feet each.
 - 2 story building 15 feet each.
 - 3 story building 20 feet each.

(Ordinance No. 382, Section 11-406, as amended by Ordinance No. 405, Section 5)

11-407. M-1, Light industrial district. This district is established to provide areas for manufacturing, warehousing, and similar light industrial uses. Within the M-1, Light Industrial district, as shown on the Zoning Map of LaFollette, Tennessee, the following regulations plus other appropriate provisions of the zoning code shall apply:

1. Permitted Uses and Structures.

- a. Light manufacturing establishments; processes and facilities such as clothing manufacture; bakeries; bottling works, laundry and dry cleaning plants; bus and tracking terminals; warehousing; lumber and hardware sales; sales; and agricultural implement sales and service.
- b. Any use or structure customarily incidental to the above permitted uses.
- c. Adult Oriented Establishments as regulated in accordance with City ordinance 2002-06, adopted September 10, 2002, and any subsequent amendments to said ordinance. (Added by Ordinance 2002-09).
- d. Fraternal organizations and private clubs not operated for profit. (Added by Ordinance 2007-02)
- e. Pain management Clinics are regulated in accordance with City Ordinance 2012-01, adopted March 07, 2012, and any subsequent amendments to said ordinance. (Added by Ordinance 2012, 02) (*Amended Ordinance 2014-01*)

2. Uses and Structures Permitted on Approval by the Board of Zoning Appeals. Other light manufacturing, fabricating, or assembly plants; or other use which, in the opinion of the board of zoning appeals, is of the same general character as the above permitted uses, and subject to such conditions and safeguards as the board of zoning appeals may specify to preserve the character of the area.

3. Prohibited Uses and Structures. Dwellings and a commercial or other use not specifically permitted or permissible on approval by the board of zoning appeals.

4. Area Regulations. All buildings and structures shall be located so as to comply with the following minimum requirements:

- | | | |
|----|------------------------------|--------------|
| a. | Minimum depth of front yard: | 35 feet |
| b. | Minimum depth of rear yard: | 20 feet |
| c. | Minimum width of side yards: | |
| | 1 story building: | 10 feet each |
| | 2 story building: | 15 feet each |
| | 3 story building: | 20 feet each |
- (Ordinance No. 382, Section 11-407)

11-408. M-2 Heavy Industrial District. This industrial district is provided for heavy manufacturing uses and processes. Within the M-2, Heavy Industrial District as shown on the Zoning Map of LaFollette, Tennessee the following regulations plus other appropriate provisions of this zoning code shall apply:

6. Permitted Uses and Structures.

- a. All uses permitted in the M-1, light industrial district.
- b. Heavy manufacturing establishments, processes and facilities, such as the processing of primary metals, quarrying and mining operations, sawmills and other uses of a similar character.
- c. Gasoline and oil storage above ground provided no storage tank or building shall be closer than one hundred (100) feet to any property line: and further provided that all building, fire prevention and other applicable codes of the city are adhered to.
- d. Any necessary use or building customarily incidental to the above permitted uses.
- e. Adult oriented Establishments as regulated in accordance with City Ordinance 2002-06 adopted September 10, 2002, and any subsequent amendments to said ordinance. (Added by Ordinance 2002-09)
- f. Fraternal organizations and private clubs not operated for profit. (Added by Ordinance 2007-02)

7. Uses and Structures Permitted on Approval by the Board of Zoning Appeals: Automobile wrecking, junk, or salvage yards and uses which in the opinion of the board of zoning appeals may be hazardous to objectionable due to smoke, noise, gas vibrations, fumes, dust or other conditions and subject to such conditions and safeguards as may be required by said board in the interest of public health, safety, amenity, and welfare.

8. Prohibited Uses and Structures. Dwellings and any commercial or other use not permitted or permissible on approval by the board of zoning appeals.

9. Area regulations. All buildings, structures, and principal operations shall be located so as to comply with the following minimum requirements:

- | | |
|---------------------------------|-------------------|
| a. Minimum depth of front yard: | 40 feet |
| b. Minimum depth of rear yard | 25 feet |
| c. Minimum width of side yards: | |
| 1 story building | 20 feet each side |
| 2 story building | 25 feet each side |
| 3 story building | 30 feet each side |

(Ordinance No. 382, Section 11-408)

11-409. F-1, Floodway District. A floodway district, as shown on the Zoning Map of LaFollette, Tennessee adopted August 7, 2007, by Ordinance 2007-11 and on the LaFollette Flood Insurance Study and accompanying map numbers 0144, 0163, 0164, 0256, 0258, 0260, and 0276, dated September 28, 2007, which is made a part of this ordinance, is established to meet the needs of Big Creek to carry abnormal flow of water in time of flood; to prevent the loss of life and excessive damage to property in the area of greatest flood hazard.

1. Uses Permitted. The following uses are permitted subject to approval of the Board of Zoning Appeals and to such conditions as the Board of Zoning Appeals may specify to protect the public interest, and which are a continuation of or do not conflict with uses permitted in adjoining districts.

- a. Open-type uses, such as loading and unloading areas, parking lots and gardens, auxiliary to uses permitted in any adjoining district.
- b. Storage yards for equipment and material not subject to major damage by floods, provided such use is auxiliary to uses permitted in an adjoining district and materials do not include flammables such as gasoline.
- c. Open-type public and private recreation facilities such as public parks, golf courses and driving ranges drive-in theaters, fishing lakes, and boat docks.
- d. Horticultural uses.
- e. Utilities, road and railroad bridges, electric and other transmission line.
- f. Any other uses customarily accessory or incidental to the above uses.

1-A Uses Prohibited.

- a. Encroachments, including fill new construction, substantial improvements and other developments unless certification (with supporting technical data) by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during occurrence of the base flood discharge;
- b. If Chapter 4 and 10 of the LaFollette Zoning Code are satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of these chapters.
- c. Prohibit the placement of any mobile home, except in an existing mobile home park or existing mobile home subdivision.

2. Floodway Fringe areas. Areas lying outside the Floodway District but within the area covered by the 100-year flood shall be subject to the following regulations:

- a. No building or structure shall be erected, and no existing building or structure shall be extended or moved unless the main floor of said building or structure is placed above the elevation of the 100-year flood. No basement floor or other floor shall be constructed below or at a lower elevation than the main floor.
- b. Foundations of all structures shall be designed to withstand flood conditions at the site.
- c. Land may be filled within these flood fringe areas, provided such fill extends twenty-five (25) feet beyond the limits of any structures erected thereon.

3. Approval of the Board of Zoning Appeals. No permit shall be issued for the construction of any building or for any use within the floodway district until the plans for such construction or for any use within the floodway district until the plans for such construction or use have been submitted to the Board of Zoning Appeals and approval is given in writing for such construction or use. The Board of Zoning Appeals may make its approval subject to such conditions necessary to carry out the purpose of this district. In its review of plans submitted, the Board of Zoning Appeals shall be guided by the following standards, keeping in mind that the purpose of this district is to prevent encroachment into the floodway which will unduly increase flood heights and endanger life and property:

- a. Any uses permitted shall be a type not appreciably damaged by floodwaters, provided no structures for human habitation shall be permitted.
- b. No filling of land shall be permitted, except where express permission is granted by the Board of Zoning Appeals.
- c. Any structure permitted, except where express permission is granted by the Board of Zoning Appeals.
- d. Any structure permitted shall be firmly anchored to prevent the structure from floating away and thus threatening to further restrict bridge openings and other restricted sections of the stream.
- e. Where, in the opinion of the Board of Zoning Appeals topographic data, engineering, and other studies are needed to determine the effects of flooding on a proposed structure and/or the effect of the structure on the flow of water, the Board of Zoning Appeals may require the applicant to submit such data or other studies prepared by competent engineers or other technical people.
- f. The granting of approval of any structure or use shall not constitute a representation, guarantee, or warranty of any kind or nature by the City of LaFollette, or the LaFollette Board of Zoning appeals, or by any officer or employee of either thereof of the practicality of safety or any structure or use proposed and shall create no liability upon or cause action such public body, officer, or employee for any damage that may result thereto.

4. Small Streams. Any structure proposed to be located outside the Floodway District but within fifty (50) feet of any main drainage channel or stream (hereafter referred to as stream) within The City of LaFollette must be approved by the LaFollette Board of Zoning Appeals. The Board of Zoning Appeals or other designated public official shall determine on the basis of the area of the watershed and probable runoff the opening needed for the stream or how close structure may be built to the stream in order to assure adequate space for the flow of floodwater. However, no building shall be permitted within ten (10) feet of the top of the bank of any stream. (Ordinance No. 382, Section 11-409)
5. Shallow Flooding District.
 - a. Shallow flooding districts shall include areas known to flood to depths of one to three feet. A water channel is undefined and the path of flooding is unpredictable.
 - b. The regulations applicable in the Flood Fringes District shall apply.