

CHAPTER 6

SUPPLEMENTAL REGULATIONS APPLYING TO SPECIFIC, TO SEVERAL, OR TO ALL DISTRICTS

SECTION

11-601. SCOPE

11-602. FALL-OUT SHELTERS.

11-603. CUSTOMARY HOME OCCUPATION.

11-604. SIGNS, BILLBOARDS, AND OTHER ADVERTISING STRUCTURES.

11-605. SWIMMING POOLS.

11-606. MOBILE HOMES AND MOBILE HOME PARKS.

11-607. DEVELOPMENT STANDARDS FOR CERTAIN USES.

11-601. Scope. These supplementary regulations are listed and described in this chapter, rather than repeated several times throughout the zoning code, as they are applicable to specific, to several or to all districts. The regulations pertain to certain specific uses, authorize certain exemptions, or relate to unusual conditions, thus warranting a more convenient placement than that which would be possible by placing them in Title 11, Chapter 4 of this code. (Ordinance No. 382, Section 11-601)

11-602. Fall-out shelters. Fall-out shelters are permitted as principal or accessory uses and structures in any district, subject to the yard and lot coverage regulations of the district. Area of underground fall-out shelters extending not more than thirty (30) inches above the general ground level of the graded lot shall not be included in computations of lot coverage by all buildings. The board of zoning appeals may waive side and rear shelters by two or more property owners; provided, however, that side and rear open space and setback requirements shall be met where property involved in the joint proposal abuts or adjoins property not included in the proposal. (Ordinance No. 382, Section 11-602)

11-603. Customary home occupations. (Amended by Ordinance-2004-01) The following uses shall be permitted as home occupations, subject to the applicable provisions of the zoning districts and the limitations and requirements set out in subsection 2 below:

1. **Permitted Home Occupations:**

- a. Artist, photographer, sculptor, graphic artist, wood worker, writer, or author;
- b. Craftsperson;
- c. Dressmaker, milliner, seamstress, tailor, baker, or interior decorator;
- d. Personal services such masseuse, manicurist, cosmetologist, hair dresser, and barber;
- e. Sales representative
- f. Lawyer, engineer, architect, land planner, draftsperson, company representative, off-site inspector, broker, financial or business consultant, real estate representative, insurance agent, or accountant;
- g. Computer programmer, word processor, telemarketer, telephone answering service, information specialist, or similar uses which are in support of computer related technology;
- h. Teaching, including tutoring, musical instruction, or dancing;
- i. Home day care and babysitting, provided that the total number of clients does not exceed four (4) and that such clients are cared for less than 18 hours per day; and

2. Requirements / Limitations Regarding the Operation of Home Occupations:

- a. Home occupations shall be undertaken by residents of the dwelling unit;
- b. No more than one person other than members of the family residing on the premises shall be engaged in such occupation;
- c. The use of the dwelling unit for the home occupation shall be incidental and subordinate to its use for residential purposes by its occupants. The space devoted to the home occupation shall not exceed twenty percent (20%) of the gross floor area of the principal building;
- d. No alterations to any building shall indicate from the exterior that the building is being used for other than residential purposes;
- e. No articles, materials, goods, or equipment indicative of the home occupation shall be visible from any public street, or adjacent properties. Outdoor sales and storage is prohibited;
- f. No traffic shall be generated by the home occupation in greater volume than would normally be expected in a residential neighborhood. Off street parking shall be provided;
- g. The proposed uses shall not increase noise, vibration, glare, fumes, odors, or electrical interference;
- h. Where applicable, recognized professional licenses and required permits of the occupant(s) trade or trades which are practiced shall be obtained and maintained as valid; and
- i. Dwelling units and accessory buildings shall not be used as a primary or incidental storage facility for a business, industry, commercial, or agricultural activity conducted elsewhere.
- j. No signs accessory to such home occupations shall be displayed except as permitted or authorized by Section 11-604, Signs, billboards, and other advertising structures.

11-604.Signs, billboards, and other advertising structures. These conditions are established as a reasonable and impartial method of regulating advertising structures in order to insure light, air and open space, to reduce hazards at intersections, and to protect property values of the entire "Signs and Outdoor Displays, of the Southern Standard Building Code:

- a. No sign shall be erected or maintained where by reason of its position, wording, illumination, size, shape, or color it may obstruct, impair, obscure, interfere with the view of, or be confused with, any authorized traffic control sign, signal, or device.
- b. All signs must be constructed and displayed so as not to impair vision and create safety hazards at any street intersection.
- c. Signs in business or industrial districts shall not exceed two hundred (200) square feet in area.
- d. Two or more signs exceeding fifty (50) square feet in area which are located on any given lot in a business or industrial district shall be no less than fifty (50) feet apart.
- e. No sign shall be located on, or attached to, any public property except public signs authorized by the City of LaFollette, Campbell County, or the State of Tennessee.
- f. Off-premise advertising structures, such as billboards, which exceed fifty (50) square feet shall be erected or placed in conformity with the side, front, and rear yard requirements of the district in which located. However, no billboard shall be erected or placed closer than within one hundred (100) feet of any residential district.
- g. Signs erected and overhanging any sidewalk must be placed at least nine (9) feet above the sidewalk and may extend over the sidewalk a distance equal to two-thirds ($\frac{2}{3}$'s) the width of the sidewalk, but in no case exceeding ten (10) feet.

- h. All advertising of any kind by retailers shall be governed by the rules and regulations of the Tennessee Alcoholic Beverage commission, as set out in Chapter 0100-01 and 0100-03 as established by the regulations of the State of Tennessee Alcoholic Beverage Commission. Provided however, that all signs and billboards allowed by the rules and regulations of the Tennessee Alcoholic Beverage commission must conform to the provisions of the LaFollette Municipal Code, governing size, construction, erection, alteration, permitting, and use of all signs within the City of LaFollette.
1. In the R-1 Low Density Residential District and the R-2 High Density Residential District, the following regulations shall apply:
 - a. Name plate indicating name, address, house number, announcement of boarders or roomers, are permitted.
 - b. For apartment buildings and mobile home parks, identification signs not exceeding nine (9) square feet in area are permitted.
 - c. Signs announcing customary home occupations are permitted, but shall not exceed two (2) square feet in area.
 - d. Church, school or public building bulletin boards or identification signs, not exceeding twenty (20) square feet in area are permitted.
 - e. Flashing or intermittent illumination is prohibited.
 2. In C-1, Central Business, and C-2, Highway business Districts, any sign, subject to all other requirements of this section, is permitted.
 3. In the M-1, and M-2 Industrial Districts, any sign meeting the requirements of this section and in addition pertaining to the product manufactured on the premises or the firm occupying the premises is permitted.
 4. In any district the following signs shall be permitted:
 - a. For parking area, entrance and exit signs not exceeding two (2) square feet in area and not more than one (1) sign and not more than nine (9) square feet in area identifying or designating the conditions of the use of such parking area.
 - b. Non-illuminated "For Sale" or For Rent" signs not exceeding four (4) square feet in area.
 - c. One (1) sign not more than twelve (12) square feet in area giving the names of the contractors, engineers, or architect, during construction of a building.
 - d. Signs established by, or by order of, any governmental agency.
 - e. For special events of public interest one (1) sign, not over twenty-four (24) square feet in area located upon the site of the event. (Ordinance No. 382, Section 11-604, as amended by Ordinance No. 405, Section 6, and Ordinance No. 430, Section II)

11-605. Swimming pools. No swimming pool or part thereof, excluding aprons, walks, and equipment rooms, shall protrude into any required front or side open space.

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 five (5) feet in height and maintained in good condition.

Private swimming pools are permitted in the R-1, Residential District, provided that the pool is intended and is to be used solely for the enjoyment of the occupants and their guests of the property on which it is located. (Ordinance No. 382, Section 11-605)

11-606. Manufactured dwelling units, mobile homes and mobile home parks. The following regulations shall apply to manufactured dwelling units, mobile homes and mobile home parks.

1. Manufactured dwelling units, as defined shall be allowed in all R districts provided that they have a permanent and continuous foundation and approved water, sewer, and off-street parking, setbacks, and open space provisions are complied with; and further provided that all applicable housing and building code provisions are complied with. All other mobile homes occupied for living purposes shall be confined to mobile home parks except nonconforming mobile homes subject to Section 11-303 of this code, and temporary occupancies as provided for in Section 11-605 (2) of this code.
2. A temporary permit not exceeding three (3) months may be issued for occupancy of a mobile home on a lot with another dwelling or building for living purposes where the applicant can show that such occupancy is necessary to provide for the care of a sick or infirm person or the guarding of a construction site. A temporary permit can be renewed for periods not exceeding a total of one (1) year.
3. Applications for mobile home parks: an application for a mobile home park shall be presented to the board of zoning appeals for review and approval prior to the issuance of a building permit for such use. The application shall consist of a map drawn to a scale no smaller than 1" = 100' setting forth therein the geographical location, boundaries, drainage, buildings and sanitation facilities such as location of water and sewer lines and the number, location and size of all mobile home spaces.
4. Mobile home parks shall conform to the following standards:
 - a. No parcel of land containing less than three (3) acres and less than fifteen (15) mobile homes spaces, available at the time of first occupancy shall be used for mobile home parks.
 - b. There shall be not less than three thousand (3,000) square feet of lot area for each mobile home space provided at the site. This space ratio shall include access roads, automobile parking, accessory building space, and recreational area.
 - c. All mobile home pads, mobile homes, and other structures shall be located on the lot so as to comply with the front, rear, and side yard requirements of the R-1, Residential District. A greenbelt planting strip composed of one row of trees spaced not more than forty (40) feet apart; or a row of shrubs, spaced not more than four (4) feet apart and which will eventually grow to a height of not less than five (5) feet; shall be located along the exterior lot lines of the park.
 - d. Individual plot spaces for mobile homes shall be clearly defined and mobile homes parked so that there will be at least fifteen (15) feet of clear space between mobile homes and any attachment thereto, such as a garage or porch. The individual plot sizes for mobile home spaces shall be determined as follows:
 - i. Minimum lot width shall be thirty-two (32) feet, except where mobile homes wider than twelve (12) feet are anticipated, in which case the lot shall be equal to the width of the mobile home plus twenty (20) feet.
 - ii. Minimum depth with end parking of automobiles shall be ninety (90) feet except when trailers of greater than sixty feet (60) are anticipated.

- iii. Minimum depth with side parking shall be eighty (80) feet.
- 5. Removal of Mobile Homes/Travel Trailers on Construction Sites. It shall be unlawful for a contractor to leave a mobile home or travel trailer on the construction site upon completing the work on said site, for no time longer than thirty (30) days.
- 6. Mobile Homes or Trailers Used to Conduct Business. No mobile home or travel trailer shall be used as an office from which business is conducted.

11-607. Development standards for certain uses. In order to accomplish the purposes of the zoning code, special consideration is hereby given to certain uses. These uses shall comply with the following requirements regardless of the district in which they may be located.

- 1. Gasoline service stations. The following regulations shall apply to all gasoline service stations:
 - a. There shall be a building setback from all street right-of-way lines of a distance of not less than forty (40) feet.
 - b. Gasoline pumps shall not be located closer than fifteen (15) feet to any street right-of-way line.
 - c. Sign requirements as established in this chapter shall be met.
- 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 ten (10) acres.
 - 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 must be approved by the board of zoning appeals prior to the issuance of a building permit.
- 3. Automobile wrecking, junk, and salvage yards. The following regulations shall apply to all automobile wrecking, junk, and salvage yards:
 - a. No automobile wrecking, junk, and salvage yard shall be permitted closer than three hundred (300) feet from any residential district.
 - b. All outdoor storage of salvage and wrecking operations shall be conducted entirely within an enclosed opaque fence or wall, except driveway areas, from eight (8) to twelve (12) feet in height. Storage between the street and such fence or wall is expressly prohibited. Any fence or wall erected for screening purposes shall be properly painted or otherwise maintained in good condition. (Ordinance No. 382, Section 11-607)
- 4. Child care facilities. The following regulations shall apply to all child care facilities, serving eight (8) or more children:
 - a. One (1) off-street parking space for each employee of the child care facility. The driveways of facilities may be included as locations for parking spaces.

- b. At least one off-street loading/unloading space shall be provided for any facility serving eight or more children. Moreover, an additional loading/unloading space shall be provided for each ten (10) children served above the threshold number of eight (8). Loading/unloading space requirements are in addition to any requirements for employee parking. The location of loading space(s) shall not require children to cross vehicle paths.
 - c. The street or road providing access to a child care facility should be a least eighteen (18) feet in width. A child care facility providing care to more than 25 children shall be located on a collector or arterial thoroughfare.
 - d. Either a wall or fencing shall be provided around outdoor play spaces at child care facilities, both to protect children at the facility and to prevent disturbance to neighboring lots.
 - e. Within residential zoning districts, no proposed child care facility shall be located closer than 600 feet to an existing facility.
 - f. One on-premise identification shall be allowed for a child care facility located in a residential zoning district. The area of such a sign shall not exceed twenty (20) square feet. Signs relating to on premise facility traffic flow or safety shall be allowed, but no such sign shall exceed two (2) square feet in area.
5. Telecommunications Towers. (Added by Ordinance 2001-07) The following regulations shall apply to the placement of commercial transmitting and receiving antennae, including any incidental structures to the antennae. Commercial telecommunications towers must adhere to the following standards:
- a. Telecommunications Tower as a Principal Use. For the purposes of the LaFollette Zoning Ordinance, a telecommunications tower shall be considered a principal use of land. However, this definition shall not preclude the use of an existing structure or tower for the installation of a telecommunications antenna.
 - b. The Priority of Co-location. No proposal for the construction of a new telecommunications tower shall be considered under the terms of this ordinance, when an existing structure or tower can be feasible used for the installation of a telecommunications antenna. Furthermore, approval of the construction of new telecommunications tower generally shall be contingent on the capability of future installations of additional antennae on such a tower.
 - c. Application for the Erection of Telecommunications Towers. A request to erect a telecommunications tower within the City of LaFollette shall be submitted to the Building Official at the LaFollette Municipal Building. If the request consists of an additional antenna placed on an existing structure or tower, without any extension of that structure or tower, and with no construction of new buildings, then the building official may determine the conformance of the request with the City's regulations. However, if any new tower, extension of an existing structure or tower, or any new telecommunications building is proposed for a site, then the LaFollette Planning Commission shall consider the request, and no permit shall be issued without the approval of the planning commission.

Prior to any consideration by the planning commission regarding an application for a telecommunications transmission location, the following must be submitted to the LaFollette Building Official for the planning commission agenda at least ten (10) days before the meeting at which the telecommunications proposal shall be addressed:

- i. A scaled site plan displaying the location, type, and height of the proposed tower; topographic contour lines at two (2) foot intervals; measure to control erosion and contain drainage on the tower site; the locations and dimensions of any proposed or existing buildings on the site; locations of guy wires and their anchor points on the ground; dimensions of property boundaries; nearby rights of way and street names, easements, and significant natural features; proposed or existing access points into the site; a landscape plan, along with indications of required screening and fencing, utility lines or installations in the vicinity of the site; and, the locations of any structures on properties adjacent to the site, including the names of adjacent property owners.
 - ii. Information collected by the applicant concerning any alternative, existing structures, or towers in the City of LaFollette, which might provide for the placement of a telecommunications antenna, without the construction of a new tower. If a new tower is deemed necessary, then the applicant shall provide a notarized statement indicating whether the tower may accommodate additional telecommunications antennas in the future.
- d. Setbacks for Towers and Associated buildings. The placement of any telecommunications tower shall be provided with a setback from each property line equivalent in linear feet to the height of the tower, plus five (5) additional feet. Any associated building(s) erected on the tower site shall be restricted to the base area of the tower.
- e. Guy Wires and Supports. Guy wires, and associated supports for guy wires, shall be set back a minimum of ten (10) feet from side and rear property lines, and no guy wire shall be allowed within the required front setback.
- f. Structural Safety Standards. To ensure the structural integrity of towers, the owner of a tower shall ensure that it is constructed and maintained in compliance with standards contained in applicable state building codes and the application standards for towers that are published by the Electronic Industries Association as amended from time to time.
- g. Signs. No signs shall be allowed on an antenna or tower or within the tower compound, except for a property identification sign as provided in Section 11-604 and structure identification signs as may be required by the FCC or the FAA. Such signs shall not exceed four square feet in area or as required by the FCC or FAA, and shall be mounted no higher than six feet from the finished grade of the ground or as required by the FCC or FAA.
- h. Lighting, Noise, and Color. Lighting for a tower shall not exceed the requirements of Federal and State regulations, with regard to the number and color of lights. Intermittent or strobe lights shall be allowed on a tower only to the extent needed to satisfy Federal or State regulations. Lighting in excess of the applicable requirements shall not be permitted.
- i. Screening from Public View. Any telecommunications tower and its associated buildings approved under these regulations shall be screened by opaque fencing to a height of ten (10) feet, preventing visual observation of the telecommunications site base area including its associated buildings.

- j. Landscaping. To help minimize the impact of the required opaque fencing on adjacent properties, landscaping shall be installed along the opaque fencing for additional telecommunications site screening. Landscaping materials may include trees, shrubs, ground cover, perennials and annuals. The installation of landscaping shall not exceed thirty (30) days after the completion of tower construction and associated appurtenances. Plant materials selected shall provide required additional screening year-round. If seasonal circumstances prevent the planting of vegetation on a tower site, then the building inspector may allow an extension of the thirty (30) day time limit into the next growing season, but for no more than thirty (30) days of that season.
- k. Public Notices. For purposes of this ordinance, any application for the construction of a new tower, special exception request, variance request, or appeal of an administrative decision shall require public notice to all abutting property owners and all property owners that are located within one thousand (1000) feet of the property on which the tower is proposed or a decision is sought. The applicant shall provide the building official with documentation verifying compliance with this public notice requirement at the time that the applicant submits an application for review by the Planning Commission or the board of Zoning Appeals.
- l. Removal of abandoned Antennas and Towers. Any antenna or tower that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner of such antenna or tower, or the owner of the real property upon which the abandoned antenna or tower is located, shall remove the same within ninety (90) days of receipt of notice from the building official notifying the owner of such abandonment. Failure to remove an abandoned antenna or tower within the said ninety (90) days shall be grounds to remove the antenna or tower at the owner's expense. If there are two or more users of a single tower, then this provision shall not become effective until all users abandon the tower.

CHAPTER 7

ENFORCEMENT

SECTION

11-701. ENFORCING OFFICER

11-702. BUILDING PERMIT REQUIRED.

11-703. ISSUANCE OF BUILDING PERMIT.

11-704. CERTIFICATE OF OCCUPANCY.

11-705. RECORDS.

11-706. VIOLATIONS AND REMEDIES.

11-701. Enforcing officer. The provisions of this ordinance shall be administered and enforced by a building inspector who shall have the power to make such inspections of buildings or premises as are necessary to carry out his duties in the enforcement of this ordinance.

The building inspector shall be appointed by the city council of the City of LaFollette. (Ordinance No. 382, Section 11-701)