

Article IV

Supplementary Provisions Applying to Specific Districts

Last Updated 09-23-2015

Section

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Section 4.010 Off-Street Parking Requirements

Off-street automobile storage or standing space shall be provided on each lot upon which any of the following uses are hereafter established. Vehicle spaces shall be provided with vehicular access as required in Section 4.015 to a street or alley.

Vehicle Parking Space Dimensions shall be:

Vehicle Space	9 feet x 18 feet
Handicap Vehicle Space	8 feet x 18 feet
Handicap Aisle	5 feet x 18 feet

Handicap Van Aisle

8 feet x 18 feet

Handicap vehicle space must be used in connection with a handicap aisle or handicap van accessible aisle as required in Section 4.010. A. 6. Two adjacent handicap vehicle spaces may include the same handicap aisle or handicap van aisle. **(Amended by Ordinance 06-19, May 18, 2006)**

The number of parking spaces provided shall meet the minimum requirements for the specific uses as set forth in Sections 4.010.A – 1- 4.010.A 6. Except for single family homes and duplexes, and limited use facilities approved by the Planning Commission, all parking lots shall be covered with asphalt or concrete and spaces line according to requirements set forth below:

4.010A Number of Parking Spaces Required

The number of off-street parking spaces shall be provided for the specified unit of measure (or fraction on one-half (1/2) or more thereof) for the following specified uses within the activity types indicated.

4.010A.1 Residential Activities

(1) Permanent

(a) Single-Family Dwelling, Two-Family Dwelling, and Duplex Dwelling:

Two (2) spaces per dwelling unit, for all dwelling units no larger than eighteen hundred (1,800) square feet in size.

Three (3) spaces per dwelling unit, for all dwelling units eighteen hundred (1,800) square feet or larger in size.

(b) Triplex, Quadruplex and Multi-Family Dwelling (Three (3) or more):

One and one-half (1 1/2) spaces for each dwelling unit with one (1) bedroom; two (2) spaces for each dwelling unit with two (2) or more bedrooms.

(c) Mobile Home Parks:

Two (2) spaces per mobile home.

(d) Where Occupancy is to be Primarily Elderly Persons over the Age of Sixty (60):

The number of developed spaces may be reduced to one (1) space per unit. There must be room on the lot to provide one and one-half (1 1/2) spaces in the future.

(2) Semi-Transient

(a) Boarding and Rooming House:

One and one half (1 1/2) spaces for each dwelling or rooming unit.

(3) Transient or Temporary

(a) Yard Sales, Auction Sales:

There shall be adequate parking off the right-of-way in conjunction with all types of temporary, and incidental sales activities occurring on residential properties.

4.010A.2 Community Facility Activities

<u>Activity Type</u>	<u>Unit of Measurement</u>
Administrative and Government	One (1) space for each three hundred (300) square feet of gross floor area, plus one (1) for each three (3) employees.
Educational Facilities	<u>Kindergarten and Nursery:</u> One (1) space for each employee, plus one (1) space for each four (4) students. <u>Elementary and Middle Schools, Grades 1-8:</u> One (1) space per teacher and per staff member, plus one (1) space per two (2) classrooms. <u>High School, Grades 9-12:</u> One (1) space per teacher and per staff member on the largest work shift, plus one (1) space per each two (2) students. <u>Vocational or Trade Schools:</u> One (1) space for each one thousand (1,000) square feet of gross floor area, plus one (1) space for each six (6) seats in any associated auditorium.
Cultural and Recreation Services and Facilities	<u>Art Galleries, Libraries, Museums, Zoological and Botanical Gardens, Planetariums and Aquariums:</u> One (1) space for each eight hundred (800) square feet of gross floor area. <u>Swimming Pools:</u> Thirty (30) percent of capacity.

Parks, Playgrounds and Playfields: Ten (10) spaces for each acre of land devoted to recreation, plus one (1) space for each four (4) spectator seats.

Recreation Centers and Gymnasiums: Fifty (50) percent of the capacity, plus one (1) space for each two (2) employees.

Essential Public Transport,
Communication and Utility Services
facility. Extensive Impact Type Facilities
and Land Uses

Two (2) spaces per

Airports, Air Cargo Terminals, Heliports, or Aeronautical Devices: One (1) space for each two (2) employees, plus one (1) space for every one hundred (100) square feet of gross floor area.

Correctional or Detention Institutions: One (1) space for each two (2) employees, plus one (1) space for each patrol car.

Railroad, Bus, and Transit Terminals: One (1) space for each one hundred (100) square feet of waiting room.

Railroad Yards and Other Transportation Equipment Marshaling and Storage Yards: One (1) space for each two (2) employees.

Stadiums, Sports Arenas, Auditoriums, and Bandstands: One (1) space for each four (4) seats.

Water and Sewage Treatment Plants: One (1) space for each employee.

Health Care Facilities

Centers for Observation or Rehabilitation, Convalescent Homes: One (1) space for each four (4) beds, plus one (1) space for each one thousand (1,000)

square feet of gross floor area.

Hospitals: One and one-half (1 1/2) spaces for each bed.

Medical or Dental Clinics: Five (5) spaces for each staff member or doctor or dentist, or two (2) spaces for each treatment or examination room, whichever is greater.

Intermediate Impact Type
Facilities and Land Uses

Colleges, Junior Colleges and Universities: One (1) space for each one thousand (1,000) square feet of gross floor area suited for academic purposes, plus one (1) space for each six (6) seats in an auditorium, arena or stadium on the same lot.

Special Personal and Group Care
Type Facilities and Land Uses

Associations for Physically or Mentally Handicapped: One (1) space for each employee.

Day Care Centers: One (1) space for each employee, plus one (1) space per each five (5) children.

Nursing Homes: One (1) space for each employee, plus one (1) space for each two (2) patients.

Religious Facilities:

All Activity Types: One (1) space for each three (3) seats.

4.010A.3 Commercial Activities

4.010A.3(1) Uses Located on Freestanding Sites

The provisions of this subsection shall apply to uses which are located on individual lots of record where no parking is shared with any other use or activity.

<u>ACTIVITY TYPE</u>	<u>GROSS FLOOR AREA</u> <u>(Square Feet)</u>
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- | | |
|-------------------------------|--|
| 1. Animal Care & Veterinarian | |
|-------------------------------|--|

	Services	300
2.	Automotive Service and Repair	450
3.	Building Materials & Farm Equipment Sales	1,000
4.	Contract Construction Sales	500
5.	Convenience Retail Sales and Services	150
6.	Equipment Repair Services	500
7.	Entertainment and Amusement Services:	
	(a) Art Galleries (Commercial)	400
	(b) Motion Picture Theaters	For (b) and (c), one (1) space per (4) seats.
	(c) Theaters (Legitimate)	Permanent seats, plus one (1) for every twenty-five (25) square feet of area where temporary seats are used.
	(d) Bowling Alleys and	Four (4) spaces per each Billiard Parlors alley, or every two (2) pool tables whichever is applicable.
	(e) Coin Operated Amusement or Arcade	One (1) space per 250 square feet.
	(f) Commercial Sporting Facilities	One (1) space per employee, plus other spaces as determined by the planning commission.
	(g) Dance Halls, Studios and Schools, and	100
	(h) Exhibition Halls and Commercial Auditoriums	Forty (40) percent of maximum capacity in persons

(i)	Gardens (Botanical and Zoological)	One (1) space per employee, plus other spaces as determined by the planning commission.
(j)	Marinas, Boat Docks and Boat Rental	One (1) space per employee plus other spaces as determined by the planning commission.
(k)	Recording and Motion Picture Productions Studios	One (1) space per each three (3) seats.
(l)	Theatrical Producers, Band, Orchestras and Entertainers	One (1) space per each three (3) seats.
(m)	Riding Stables	Minimum of five (5) spaces, plus one (1) per each employee.
(n)	Resorts and Group Camp	One (1) space per each employee at peak season, plus other spaces as required by the planning commission.
8.	Financial, Consulting and Administrative Services	350
9.	Restaurant	100
10.	(Reserved)	
11.	General Business Communications Services	350
12.	General Personal Services	
(a)	Funeral and Crematory Services	One (1) space per (100) square feet of gross floor area or

where a chapel is provided, one (1) space Facilities for each four (4) seats, plus one (1) space for every twenty-five (25) square feet of floor area where temporary seats are used whichever require the greater number of spaces.

	(b) All Others Personal Services	400
13.	General Retail Trade	250
14.	Group Assembly	One (1) space per four (4) permanent seats, plus one (1) space for every twenty-five square feet of area where temporary seats are used.
15.	Professional Services - Medical	300
16.	Professional Services - Non-Medical	400
17.	Transient Habitation (Motels and Hotels)	One (1) space for each unit in a building serving transient guests.
18.	Warehousing, Goods Transport and Storage	One (1) space per three thousand (3,000) square feet of gross floor area, plus one (1) space per seven thousand (7,000) square feet of open storage area.
19.	Vehicular, Craft, and Related Equipment	500
20.	Wholesale Sales	1,000

4.010A.3(2) Uses Located Within Commercial Complexes

Where two (2) or more commercial activities are grouped together on a single site or in any other configuration which involves the use of shared or common parking facilities, the parking requirements for such uses shall be calculated as provided herein.

SHOPPING CENTERS

<u>Size of Complex</u>	<u>Number of Spaces Required</u>
0 - 400,000 Square Feet	Five (5) spaces per one thousand (1,000) square feet, gross leasable area
400,000 - 600,000 Square Feet	Five and one half (5 1/2) spaces per one thousand (1,000) square feet, gross leasable area.
600,000 - 1,000,000 Square Feet and above	Six (6) spaces per one thousand (1,000) square feet, gross leasable area

ALL OFFICE COMPLEXES

Four spaces per one thousand (1,000) square feet of gross leasable area.

4.010A.4 Manufacturing Activities

One (1) space per each fifteen hundred (1,500) square feet of gross floor area or one (1) space for each three (3) employees during the largest shift, whichever is greater.

4.010A.5 Agricultural, Resource Production, or Extractive Activities

Agricultural Services	One (1) space for each employee and for veterinary services, one (1) space for each three hundred (300) square feet of gross floor area.
Commercial Feed Lots and Stockyards	As determined by the planning commission.
Mining, Drilling, and Quarrying	One and one-half (1 1/2) spaces for each employee.
Plant and Forest Nurseries	Five (5) spaces, plus one (1) space for each employee and one (1) space for each five (5) acres.

4.010A.6 Handicap Accessible Parking Spaces

Handicap Parking

Except for single family homes and duplexes, the number of handicap parking spaces shall be provided as required by chart below. A minimum of one handicap space, including handicap aisle, shall be provided. For every (6) or fraction of six (6) accessible parking spaces at least one space shall be a van accessible parking space. Therefore if only one accessible space is provided on site it shall be handicap van accessible, including handicap van accessible aisle. The City's adopted handicap code contains special handicap parking requirements for specific residential and medical land uses. **(Added by Ordinance 06-19, May 18, 2006)**

Totals Parking Spaces Required by Sections 4.101 A 1-5	Required Number of Accessible Vehicle Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
More than 1,000	20, plus one for each 100 over 1,000

4.011 Certification of Minimum Parking Requirements

Each site plan shall include information as to the location and dimensions of off-street parking spaces and the means of ingress and egress to such space. This information shall be in sufficient detail to enable the Planning Director to determine whether or not the requirements of this section are met.

4.012 Combination of Required Parking Space

The required parking spaces(s) for any number of separate uses may be combined in one lot, but the required spaces(s) assigned to one (1) use may not be assigned to another use, except that the parking space(s) 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.

4.013 Remote Parking Space

If the off-street parking space required by this ordinance cannot be reasonably provided on the same lot on which the principal use is located, such space may be provided on any land within four hundred (400) feet of the main entrance to

such principal use, provided such land shall be used for no other purpose so long as no other adequate provision of parking space, meeting the requirements of this ordinance, has been made for the principal use.

4.014 Extension of Parking Space into a Residential District

Required parking space may be extended one hundred (100) feet into residential district, provided that:

- A. The parking space adjoins a commercial or industrial district.
- B. The parking space has its only access to or fronts upon the same street as the property in the commercial or industrial district for which it provides the required parking spaces.
- C. The parking space is separated from abutting properties in the residential districts by a buffer strip.

4.015 Requirements for Design of Parking Lots

- A. Except for parcels of land devoted to one (1) and two (2) 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. Traffic aisles shall be required in all interior parking lots and shall be a minimum of twenty (20) feet.
- C. Entrances and exits for all off-street parking lots shall comply with the requirements of Section 3.090, of this ordinance.
- D. The parking lot shall be designed in such a manner as to provide adequate drainage and to eliminate the possibility of stagnant pools of water.
- E. All parking lots shall be hard surfaced, with an all-weather, wearing surface and dustless material. The Planning Commission may approve for non-hard surfaced parking lots for limited use facilities including individual and multiple individual events requiring off-street parking no longer than fourteen days total per calendar year. The Planning Commission's review shall include the proposed type, length, and anticipated traffic with the limited use and facility. The Planning Commission may require drainage improvements, hard surfacing of front portion of drive entrance, and other site improvements required to prevent erosion and damage to property and right-of-ways and to ensure safe access onto the roadway. Approved limited uses facilities are exempt from parking lot landscaping requirements of this ordinance. The Planning Commission depending on the size of the limited use facility may require temporary parking lot lighting.

4.020 Off-Street Loading and Unloading Requirements

Every building or structure hereafter constructed and used for industry, business, or trade involving the receiving or distribution of vehicles, materials, or merchandise shall provide space for the loading and unloading of vehicles off the street or public alley. Such space shall have access to a public or private alley, or if there is no alley, to a public street. The minimum required space for this provision shall be based on the total usable floor area of each principal building according to the following table:

<u>Total Usable Floor Area for Principal Building</u>	<u>Spaces Required (See Article II, for Definition)</u>
0 to 4,999 square feet	One (1) Space
5,000 to 14,999 square feet	Two (2) Spaces
15,000 to 19,999 square feet	Three (3) Spaces
Over 20,000 square feet	Four (4) spaces, plus one (1) space for each additional 20,000 square feet

The Board of Zoning Appeals may reduce or increase this requirement in the interest of safety where unusual or special conditions are due consideration.

4.030 Temporary Use Regulations

The following regulations are necessary to govern the operation of certain necessary or seasonal uses nonpermanent in nature. Application for a Temporary Use Permit shall be made to the Building Inspector. Said application shall contain a graphic description of the property to be utilized and a site plan, a description of the proposed use, and sufficient information to determine yard requirements, setbacks, sanitary facilities, and parking space for the proposed temporary use. The following uses are deemed to be temporary uses and shall be subject to the specific regulations and time limits which follow and to the regulations of any district in which such use is located:

- A. Carnival or Circus. May obtain a Temporary Use Permit in any zoning district; however, such permit shall be issued for a period of not longer than fifteen (15) days. Such use shall only be permitted on lots where adequate off-street parking can be provided.
- B. Temporary Sales. In any district, with special limitations in Residential districts, a temporary use permit shall be valid for no more than thirty (30) days per individual use or per property per year, which ever is more restrictive. Temporary Uses in residential districts must be on properties located and with adequate access from a major roadway and not be within a defined residential subdivision. In all districts, property must contain adequate roadway access and area for off-street parking. Examples of temporary sales include seasonal Christmas tree and agricultural produce and food vendors. Automobile and vehicular sales are prohibited. The requirements of this section shall not apply to permanent sites with temporary sales as shown on approved development site plan approved by Planning Commission. This section does not include accessory uses that are located within close proximity of building entrance (s) or under building canopies. **(Amended by**

Ordinance 07-31, October 18, 2007). Residential garage/yard sales including the sale of miscellaneous items commonly associated with a residential use shall be limited to four (4) sale events per calendar year not exceeding three (3) days per sale event. Residential yard sales shall not create parking and traffic issues. **(Amended by Ord. 12-14, October 18, 2012).**

- C. Temporary Buildings. In any district, a Temporary Use Permit may be issued for contractor's temporary office and equipment sheds incidental to a construction project. Such permit shall not be valid for more than one (1) year but may be renewed for six (6) month extensions; however, not more than three (3) extensions for a particular use shall be granted. Such use shall be removed immediately upon completion of the construction project, or upon expiration of the Temporary Use Permit, whichever occurs sooner.
- D. Religious Tent Meetings. In any district, a Temporary Use Permit may be issued for a tent or other temporary structure to house a religious meeting. Such permit shall be issued for not more than a thirty (30) day period. Such activity shall be permitted only on lots where adequate off-street parking can be provided.
- E. Temporary Dwelling Unit in Cases of Special Hardship. In any residential district, a Temporary Use Permit may be issued to place a mobile home (double-wides excluded) on a lot in which the principal structure was destroyed by fire, explosion or natural phenomena. The purpose of such temporary placement shall be to provide shelter for only the residents of the principal structure during the period of reconstruction and to prevent an exceptional hardship on the same. Placement of such temporary structure must not represent a hazard to the safety, health, or welfare of the community.
- F. Storage Containers. In all non-industrial zoning districts, a temporary use permit may be issued for storage containers. Such permit shall be valid for no more than sixty (60) days per year. No more than two (2) storage containers will be permitted. The containers shall not be located in the front yard of any zoning lot or within any required parking spaces. Storage containers incidental to a construction project are regulated under the provisions of the Temporary Use Regulation, Item C, Temporary Buildings **(Amended by Ordinance No. 06-03, February 16, 2006)**

An applicant for a Temporary Use Permit as provided under this subsection must produce a written statement from the White House Utilities District, White House Sewer Department, Sumner County Health Department or Robertson County Health Department when applicable, approving the water supply and sewage disposal systems of the temporary structure. Such a permit may be initially issued for nine (9) months. A permit may be renewed for up to six (6) months at a time, the total time for all permits not exceeding a total of eighteen (18) months. The temporary structure shall be treated as an accessory building.

4.040 Home Occupations

(Deleted by Ordinance No. 99-13, July 15,1999)

4.050 Gasoline Service Station Restrictions

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, except for canopies designed to cover the gasoline pump islands. Canopies shall not be located closer than fifteen (15) feet to any street right-of-way line.
- B. Gasoline pumps shall not be located closer than twenty-five (25) feet to any street right-of-way line.
- C. Sign requirements as established in Article IV, Section 4.070, shall be met.

4.060 Swimming Pool Restrictions

The following regulations shall apply to all swimming pools:

- A. No swimming pool or part thereof, including aprons, walks, shall protrude into any required front yard in any residential districts.
- B. Private swimming pools are permitted in residential, and commercial districts 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.

4.070 Standards for Signs

Signs constitute a separate and distinct use of the land upon which they are placed and affect the use of adjacent streets, sidewalks, and property. The provisions of this ordinance are made to establish reasonable and impartial regulations for all exterior signs to protect the general public health, safety, convenience, and welfare; to reduce traffic hazards caused by unregulated signs which may distract, confuse, and impair the visibility of motorists and pedestrians; to insure the effectiveness of public traffic signs and signals; to protect the public investment in streets, highways, and other public improvements; to facilitate the creation of an attractive and harmonious community; to protect property values; and to further economic development.

A. Applicability

These sign regulations shall apply to all exterior signs within the City of White House.

B. Definitions

Awning. Any non-rigid material such as fabric or flexible plastic that is supported by or stretched over a frame that is attached to an exterior wall.

Awning Sign. A sign placed directly on the surface of an awning.

Banner Sign. A sign made of fabric, plastic, or non-rigid material that has no enclosing framework. Banners shall be securely installed, fastened, or positioned so as not to constitute a hazard of any kind or allow any excessive movement. **(Amended by Ordinance 02-34, November 21, 2002)**

Billboard. See off-premise sign.

Building Inspector. The designated government official whose responsibility it is to administer the provisions of this ordinance. These activities may include, but are not limited to, reviewing applications for sign permits, corresponding with and/or meeting with applicants, issuing and denying sign permits, inspecting signs, and interpreting and enforcing the provisions of this ordinance.

Bulletin Board Sign. A particular type of changeable copy sign that displays copy in a casement made of glass or plexiglas.

Canopy. An extension of the roof of a building or a freestanding structure that has a roof with support, but no walls.

Canopy Sign. A sign attached to a canopy.

Changeable Copy Sign. A sign that is designed so that characters, letters, or illustrations can be changed or rearranged without altering the face or surface of the sign. (See definition of Reader Board.) **(Amended by Ordinance 02-34, November 21, 2002)**

Copy. The characters, letters, or illustrations displayed on a sign face.

Directional Sign. A sign that provides on-site directional assistance for the convenience of the public such as location of exits, entrances, and parking lots.

Directory Sign. A sign which displays the names and/or addresses of the establishments or uses of a building or group of buildings.

Electronic Message Display. Any sign that displays still images, scrolling images or moving images, including video and animation, utilizing a series or grid of lights that may be changed through electronic means, including cathode ray, lighting emitting diode (LED) display, plasma screen, liquid crystal display (LCD), fiber optic or other electronic media or technology. Signs that only contain gas prices and time and temperature shall only meet maximum lighting intensity requirements and image duration requirements listed below. Digital signs shall be regulated as reader boards by other provisions of this ordinance regarding maximum percentage of sign and location of sign.

Freestanding Sign. The general term for any on-site sign which is supported from the ground and not attached to a building.

Frontage Building. The length of a building that faces a street, parking area, or private drive.

Frontage Lot. The length of that part of zoning lot that fronts a public street.

Garage/Yard Sale Signs. See "Exempt Signs".

Home Occupation Signs. On-premise identification signs for home occupations shall not exceed one (1) square foot in area and shall contain only the name of the business and/or business owner. Such signs shall be located on an exterior wall, window, or door of the premises.

Illegal Sign. A sign that was constructed in violation of regulations that existed at the time it was built.

Illuminated Sign. A sign illuminated in any manner by an artificial light source, whether internally or externally lit.

Marquee. A permanent structure other than a roof attached to, support by, and projecting from a building and providing protection from natural elements.

Marquee Sign. A sign attached to and made part of a marquee or any other similar projection from a building.

Monument Sign. A freestanding sign with a base affixed to the ground which measures at least two-thirds (2/3) the horizontal length of the sign.

Nonconforming Sign. A sign that met all legal requirements when constructed but that is not in compliance with this ordinance. An illegal sign is not a nonconforming sign.

Off-Premise Sign. Any sign which is not located on the premises that it identifies or advertises.

Portable Sign. A sign that is constructed or maintained in such a way as to permit its easy location through means of wheels, skids, braces, runners, brackets or similar devices attached to or supporting the sign and which is not stationary and is not designed to be permanently affixed to a building, structure, or the ground.

Projecting Sign. A sign which is supported by an exterior wall of a building and which is displayed perpendicular to the face of the building.

Reader Board. A sign that is permitted to be a maximum of sixty (60) percent of the area of a freestanding sign and twenty (20) percent, or twenty (20) square feet, whichever is less, of the area of a wall sign. On freestanding signs, the reader board shall be located below the primary sign. **(Amended by Ordinance 02-34, November 21, 2002)**

Sign Distance Triangle. The land adjoining an intersection with a public street that is kept clear of obstructions between two and one-half (2 1/2) feet above ground to protect the visibility and safety of motorist and pedestrian. The protected sight distance area is the triangle with legs that are the intersecting flowlines of two (2) streets or points of access. Where local streets meet, or points of access onto streets, the legs shall extend thirty-five (35) feet away from the intersection of the flowlines. Where collector streets meet, or points of access onto street, the legs shall extend forty-five (45) feet away from the intersection of the flowlines. The site distance triangle shall be shown on a site plan when required by Section 3.110, of the White House Zoning Ordinance. **(Amended by Ordinance 02-34, November 21, 2002)**

Sign. Any writing (including letter, word or numeral), pictorial representation (including illustrations or decoration); emblem (including device, symbol, or trademark); flag (including banner, streamer, or pennant); inflatable devices; or any other figure of similar character, which:

- a. Is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a building or other structure;
- b. Is used to announce, direct attention to, or advertise; and
- c. Is visible from outside a building.

Temporary Sign. An on-premise sign that is used in connection with a circumstance, situation, commercial advertisement, product availability or event that is designed, intended, or expected to take place or to be completed within a reasonably short period of time after the erection of such sign, or is intended to remain on the location where it is erected or placed for a period not more than twenty-eight (28) days. A temporary sign may not be constructed of, illuminated by, or operated by electrical, electronic, or mechanical parts. If a sign display area is permanent but the message displayed is to be subject to periodic changes, that sign shall not be regarded as temporary. Banner signs are defined as being temporary signs. All temporary signs must comply with the City of White House Zoning Ordinance. **(Amended by Ordinance 02-34, November 21, 2002)**

Wall Sign. A sign painted on or attached to a wall of a building and parallel to the wall.

C. Administration

The building inspector shall have the responsibility and full authority to administer and enforce all provisions of this ordinance, other than those provisions specifically reserved for the authority of the Board of Zoning Appeals.

D. Permit Procedures

1. Permit Required

No sign or sign structure, except as provided in Sections H (Exempt Signs) and M (Nonconforming Signs), shall be erected, displayed, altered, relocated, or replaced until a sign permit has been issued.

2. Permit Application

Applications for sign permits shall be submitted on a form provided by the building inspector and shall contain or have attached at a minimum the following information in either written or graphic form:

- a. Application date.
- b. Name, address, and telephone number of the sign owner and, if different, the owner of the land on which the sign will be erected.
- c. Address of the property where the sign or sign structure will be erected.
- d. Signature(s) of the sign owner and, if different, the owner of the land on which the sign will be displayed.
- e. Location of the sign on the property in relation to lot lines, buildings, sidewalks, streets, public rights of way, and intersections.
- f. Type of sign, i.e., monument, walls, and general description of structural design and construction materials.
- g. Drawing(s) of the proposed sign which shall contain specifications indicating height, perimeter, and area dimensions, means of support, method of illumination if any, and any other significant aspect of the proposed sign.
- h. Any other information requested by the building inspector in order to carry out the purpose and intent of these regulations.

3. Permit Review, Issuance, and Recording

The building inspector shall examine all sign permit applications. Permit applicants shall be issued a copy of the original permit application, with approval and approval date noted, for all signs which conform to the requirements of this ordinance. Such approved applications shall serve as sign permits. The building inspector shall maintain a record of all sign permit applications with notations of approval or disapproval. All sign permits shall be dated and numbered in the order of their issuance.

Sign permit to be approved or denied with (15) fifteen business days of submittal. If it is determined that Planning Commission and Board of Zoning Appeals approval is required or requested, then approval or denial is to be completed within (15) business days of Planning Commission and/or Board of Zoning Appeals approval. If

sign permit is denied based on incomplete submittal and not required to obtain Planning Commission or Board of Zoning Appeals approval then applicant can resubmit without requiring Board of Zoning Appeals approval and the re-submitted permit application shall be approved or denied within fifteen (15) business days.

4. Inspections

A final inspection by the building inspector or his designee shall be completed after installation of all approved signs. Any discrepancies between an approved sign and a sign as constructed shall be identified in writing and may result in the halting of construction or sign removal, if so ordered by the building inspector.

5. Complaints and Revocations

The building inspector shall investigate any complaints of violations of this ordinance and may revoke a permit if there is any violation of the provisions of this ordinance or there was misrepresentation of any material facts in either the application or plans.

E. Expiration of Sign Permits

If an approved sign is not erected within a period of twelve (12) months from the date the permit was originally issued, the permit shall expire and become null and void.

F. Removal

1. Illegal Signs

The building inspector may remove or order the removal of any sign not in conformance with the provision of this ordinance, at the expense of the sign owner or lessor.

2. Immediate Peril

If the building inspector shall find any sign which is an immediate peril to persons or property, the sign shall be removed. If the building inspector cannot locate the sign owner or lessor for immediate removal of the sign, he shall remove or order the removal of the sign at the expense of the sign owner or lessor.

G. Variances

1. Generally

The Board of Zoning Appeals may grant variances for the following reasons:

- a. To allow a setback for a sign that is less than the required setback.
- b. To allow the area or height of a sign to be increased by up to twenty-five (25) percent of the maximum height or area allowed.

2. Standard of Review

The Board of Zoning Appeals shall consider applications for variances only in situations where the applicant has been denied a sign permit by the building inspector. The Board of Zoning Appeals may grant a variance authorized by this section if it finds that the following special physical conditions exist:

- a. The zoning lot on which an activity is located is unusually shaped or exhibits unusual topography; and
- b. Such physical characteristics prevent legal signing from identifying the activity as compared to legal signing identifying other activities in the immediate area.
- c. The Codes Administrator may grant a twenty-five (25) percent variance as allowed in (b) if the petitioner is reducing a larger pre-existing nonconforming sign.

3. Procedures

All requests for variances must be filed with the Board of Zoning Appeals within thirty (30) days of the decision by the building inspector.

H. Exempt Signs

Sign permits shall not be required for the following:

Address and Name of Resident. Signs indicating address and/or name of residential occupants of the premises, not exceeding two (2) square feet in area, and not including any commercial advertising or identification.

Artwork. Works of art that do not include any commercial messages or references.

Construction Signs. Temporary signs warning of construction, excavation, or similar hazards so long as the hazard may exist.

Decals. Decals affixed to windows or door glass panes, such as indicating membership in a business group or credit cards accepted at the establishment.

Directional Signs. Signs giving on-site directional assistance for the convenience of the public, not exceeding four (4) square feet in area, two and one-half (2 1/2) feet in height and located out of the right-of-way and sight distance triangle. Directional signs may be internally lit. Commercial

messages, names, or logos shall be prohibited on directional signs.
(Amended by Ordinance 02-34, November 21, 2002)

Flags, Emblems, and Insignia of any governmental agency or religious, charitable, public or non-profit organization, subject to the following: No single flag that is flown shall exceed forty (40) square feet in area and no single zoning lot shall fly more than three (3) such flags. If the total area of such flags exceeds seventy-two (72) square feet, the excess area shall be included in the sign area calculations for the zoning lot. Flagpoles shall not exceed thirty (30) feet in height. Wall-mounted flags, emblems, or insignia shall be limited to one (1) per zoning lot and shall not exceed forty (40) square feet in area. By Special Exception, granted by the Board of Zoning and Appeals, any zoning lot that is zoned C-2 may fly one (1) United States Flag that shall not exceed one hundred fifty (150) square feet, on a pole that shall not exceed fifty (50) feet. If this special exception is granted no other flags may be flown on the zoning lot.

Garage/Yard Sale Signs. One (1) sign per lot, with a maximum size not to exceed 18 x 18 inches. Signs may be erected two (2) days prior, are not permitted on a continuing basis, may be erected for fourteen (14) days in succession and must be removed within two (2) days after the sale. Signs must be at least ten (10) feet from any right-of-way and may not be attached to utility poles. Signs may be located on any lot within the subdivision with the lot owners permission.

Handicapped Parking Space Sign. Signs not exceeding two (2) square feet in area reserving parking spaces for handicapped motorists.

Private Drive Signs. On-premise private drive signs limited to one (1) per drive entrance, not exceeding two (2) square feet in area, with language limited to the words "private drive" and the address of any residences utilizing the private roadway.

Public Signs. Signs erected by government agencies or utilities including traffic, utility, safety, railroad crossing, and identification signs for public facilities, and any signs erected by the Board of Mayor and Aldermen or under the direction of the Board.

Seasonal Signs. Signs in the nature of decorations which are seasonal, clearly incidental and customarily associated with any national, local, or religious holiday.

Security and Warning Signs. On premise signs regulating the use of the premises, such as "No Trespassing, No Hunting and No Soliciting" signs that do not exceed two (2) square feet in area in residential areas and five (5) square feet in area in commercial and industrial areas.

Temporary Real Estate Signs. Temporary signs indicating the availability of real property for lease or sale, located on the premises being leased or sold. Display of such signs shall be limited to one (1) per property not exceeding six (6) feet in height and not exceeding six (6) square feet in area in residential zones and twenty (20) square feet in area in all other zones. Such signs shall be removed within seven (7) days of the settlement or lease of the property.

(Amended by Ordinance 02-34, November 21, 2002)

I. Temporary Signs Requiring a Sign Permit at No Charge

The following signs may be erected only after obtaining a temporary sign permit from the building inspector. The permit shall cite the length of time the sign may be displayed. If any temporary sign is not removed by the expiration of the appropriate time limit noted in this section, the building inspector may remove it and charge the costs of removal to the individual or enterprise responsible.

Auction Signs. Signs may only be placed for sales within this jurisdiction. Following requirements apply: **(Auction Signs - Amended by Ordinance 02-34, November 21, 2002)**

1. On Site. One (1) sign per street frontage, not to exceed two per site. Maximum size of sign to be twenty (20) square feet, not exceeding five (5) feet in height, prohibited in public right-of-way, setback ten (10) feet from roadway. Allowed fourteen (14) days prior to the sale, must be removed within one (1) day after the sale.
2. All signs for one (1) auction will be counted as one (1) temporary sign for the purpose of the permit fee.

Temporary Farm Products Signs. Temporary on-premise signs announcing the availability of seasonal farm products. The number of signs shall not exceed two (2) and the total area of all such signs shall not exceed twenty (20) square feet, nor shall any sign exceed six (6) feet in height.

Construction Signs. Temporary signs announcing new buildings or projects, erected after the commencement of building construction or site development. Each construction site shall be limited to one (1) construction sign not exceeding thirty-two (32) square feet in area and six (6) feet in height, which shall be removed by the time a permanent sign is erected or a certificate of occupancy for the building is issued, whichever occurs first.

Political Signs - Shall be limited in size and structure to a height of four (4) feet and a total square footage not to exceed twenty (20) square foot, and shall not be permitted upon any public property, easement, or right-of-way, and shall be permitted only upon privately owned lots with the consent of the owner no closer than ten (10) feet from the curb or right-of-way of any street. **(Political Signs - Amended by Ordinance 02-34, November 21, 2002)**

Such signs may be displayed for a period of thirty (30) days prior to any primary, special or general election. Political signs shall be allowed in all zoned districts, and must be removed within five (5) following the relevant election.

Temporary Site Signs - Any business, individual, or organization may display one (1) banner sign per lot. In the case of multiple tenants per lot,

no more than two (2) signs will be permitted at any one time. The signs must be separated by at least twenty-five (25) feet. The sign or signs can be placed a maximum of four (4) times a year not exceeding twenty-eight (28) days in any calendar year, with a maximum of twenty-one (21) days between permits. A sign permit shall be obtained each time a banner is placed on site. A temporary banner sign shall not exceed twenty (20) square feet in area. The location and height of banner signs shall be in accordance with the White House Zoning Ordinance. **(Special Events Signs, Deleted & Replaced with, Temporary Event and Advertising Signs, by Ordinance 02-34, November 21, 2002)**

Temporary Subdivision Signs. Temporary signs identifying the name of the subdivision being developed may be erected at the entrances, not to exceed two (2) per subdivision. Signs shall be limited to thirty-two (32) square feet in area, and six (6) feet in height. No sign shall be placed within sight visibility triangles and five (5) feet from road right of way or property line. Signs must be removed at ninety (90) percent of subdivision.

J. Standards and Criteria

1. Generally

The regulations in this section specify the number, types, sizes, heights, and locations of signs which are permitted within White House and which require a permit. Any sign regulations incorporated into a development plan approved by the Mayor and Aldermen may supersede all or part of this section.

2. Determination of Sign Area

In measuring the area of signs permitted under these regulations, the entire face of the sign (one (1) side only) and any wall work incidental to its decoration shall be included. Where both sides of a sign contained lettering or other allowable display, one (1) side only shall be used to compute the allowable size of the sign. Where the sign consists of individual raised letters or a sign face of irregular shape, the sign area shall include the area of the smallest rectangle that can encompass the letters or sign face. Support structures for monument signs shall not be included in the sign area. **(Amended by Ordinance 06-17, May 18, 2006)**

3. Determination of Sign Height

The height of a sign erected within fifty (50) feet of a street shall be the distance from the grade level of the nearest curb or edge of street providing access to the property of the top of the sign or sign structure, whichever is greater. The height of all signs farther than fifty (50) feet from a street providing access to the property shall be the distance from the grade level where the sign is erected to the top of the sign or sign structure, whichever is greater. **(Amended by Ordinance 06-17, May 18, 2006)**

4. Street Frontage Requirements for Freestanding Signs

Freestanding signs shall be permitted only on zoning lots with one hundred (100) feet or more of street frontage, (except on existing lots of record and cul-de-sac lots).

5. Spacing of Freestanding Signs

No freestanding sign shall be erected within one hundred (100) feet of another freestanding sign, (except on existing lots of record and cul-de-sac lots).

6. Installation of Wall Signs

All wall signs shall be installed flat against the wall of the building and shall not extend from the wall more than twelve (12) inches.

7. Illumination **(Added by Ordinance 03-10 and 03-11, August 21, 2003; and Amended 8 - 11, by Renumbering) (Amended Sub-Part a. by Ordinance 06-17, May 18, 2006)**

- a. All interstate signs as referenced in section 10. Interstate Sign District shall be internally lit. Monument signs may be internally lit or externally lit. External illumination listed in Section L. Prohibited Signs shall be prohibited. External illumination shall not extend beyond sign structure.
- b. Signs located on the exterior of the building (wall, projecting, canopy, etc) may be internally or externally lit.
- c. Types of sign illumination included in Section L. Prohibited Signs, of this ordinance, shall be prohibited.
- d. Proposed illumination shall meet the lighting requirements of the commercial design standards and must be included with the site lighting plan and exterior building elevation plan.
- e. Exposed bulbs and neon lights are prohibited on all exterior signs.

8. Electronic Message Display

Signs that only contain gas prices and time and temperature shall only meet maximum lighting intensity requirements and image duration requirements listed below. Digital signs shall be regulated as reader boards by other provisions of this ordinance regarding maximum percentage of sign and location of signs.

Number and Location:

One (1) electronic message sign per property. Signs shall be located 100 ft outside of intersections and not installed in locations that will directly block or confuse a driver's view. Signs shall be

spaced 200 ft from any other electronic message signs along roadways. The distance shall be measured along roadways not straight lines between signs. Signs shall be located 100 ft from residential property lines. Signs along interstate and limited access state highways shall meet State of Tennessee Requirements.

Permitted Zoning Districts:

Electronic Message Signs shall be permitted in all zoning districts except, C-6, Town Center Residential, C-5, Transitional Commercial Zoning District, C-3, Neighborhood Center Commercial and all residential and agricultural zones. The Planning Commission shall review and may approve all proposed locations of signs in planned unit development zoning districts if the intent and requirements of the ordinance are met. The Board of Zoning Appeals may review proposals for non-residential church, school, and day care buildings and uses permitted by special exception in residential and agricultural zoning district provided that the intent of the ordinance and requirements are met.

Illumination and Brightness:

Sign during daytime hours shall be a maximum lighting intensity of 7,500 nits and during night time hours shall be a maximum intensity of 750 nits.

Message Duration:

Images shall remain static for a minimum of eight seconds and image changes and scrolling shall be accomplished within two (2) second or less. Images shall not flash and include sudden blasts of lights, or contain continuous scrolling and animation over (2) seconds in length.

9. Residential Districts

Within residential districts, signs authorized in Section H (Exempt Signs) do not require a permit. Permits are required for all other allowed signs and must conform to the following criteria:

Monument signs within residential zoning districts including churches, schools, day care centers, multi-family complex, and subdivision entrance shall apply to the following standards and **Table 1 Signage Area and Height**. Subdivision and multi-family complex shall be permitted 1 monument sign per main entrance not to exceed 2 signs per site or subdivision. Churches, Schools, Day Care Centers, and other places of Public Assembly shall be permitted 1 monument sign per 200 feet of street frontage. A second sign is permitted for lots with 400 feet of frontage including corner lots. Signs must be separated by 200 ft measured parallel along road and not in a straight line.

Wall signs shall be regulated per Table 1. Signage Area and Size.

10. Commercial and Industrial Districts (Section Added by Ordinance 02-34, November 21, 2002)

Within commercial and industrial districts, signs authorized in Section H (Exempt Signs) do not require a permit. Permits are required for all other allowed signs and must conform to the following criteria.

a. Wall, Marquee, Projecting, Awning, and Canopy Sign Number:

Buildings with individual establishments shall be permitted one type of building signage type. Buildings with multiple establishments, each establishment shall be permitted one type of building sign type. Building signage types include wall/marquee, projecting, awning, and canopy sign. See item b. for buildings with more than one (1) street frontage.

b. Wall, Marquee, Projecting, Awning, and Canopy Sign Location:

Buildings with more than one (1) street frontage shall be allowed secondary signage. The secondary signage is only allowed in connection with a full time customer entrance. The location of the secondary signage must be within fifty (50) feet of the centerline of the entrance. The owner of the structure shall designate the primary and secondary entrances of the building. When applying for a secondary wall, marquee, projecting, awning, and canopy sign, the maximum square footage of the signs shall be calculated for sixty (60) percent primary entrance, forty (40) percent secondary entrance. The top of all wall/marquee signs including reader board section shall be below the roofline.

c. Monument Sign Numbers: 1 monument sign per 200 feet of street frontage. A second sign is permitted for lots with more than 400 feet of frontage, including corner lots. Signs must be separated by 200 ft measured parallel to streets not in a straight line.

d. Minimum Setback: Monument signs and sign structures must be located at least 5 feet from any property line and outside of all sight visibility triangles.

e. Shared Development Signage: Developments planned with multiple lots and shared access points as part of the Planning Commission development approval process can be proposed to include a shared center sign. The maximum height and area of the shared center monument sign per the zoning ordinance may be increased by 25%. The street frontage requirements for the sign would be based on the entire street frontage of the development. Developments shall only contain one shared monument sign per street frontage, with a maximum of two shared monument signs. The individual on-site monument signs for the individual lots within the development would be limited in height based on number of lots and property dimensions but the individual property signs shall not exceed 40 sq ft in area and 6 ft in height.

- f. **Town Center Zoning District:** Signs within designated town center area zoning district are under the requirements of the town center zoning district.
- g. **Building Sign and Freestanding Monument Maximum Area and Height: Per Table 1 Signage Area and Height.** The wall sign square footage may be increased by a maximum of twenty-five (25) percent subject to the deletion of a permitted freestanding monument sign on site.

4.070 J Table 1 Signage Area and Height

Building Signs	
Commercial/Industrial Zoning Districts	
Wall/Marquee Sign	
Building Sq ft	
50,000 (-)	10% of building Frontage on which the sign(s) are to be installed.
50,001 - 150,000	7.5 % of building frontage on which the sign(s) are to be installed.
150,001 (+)	5% of building frontage on which the sign(s) are to be installed
Projecting Sign	
	1 square foot of sign area per 2 linear feet of building frontage on which the sign (s) are to be attached up to a maximum of 12 square feet in area. The top of all projecting signs shall be located below the roofline and a height not greater than 16 feet above the ground. The base of all projecting signs shall no less than 8 feet above the ground. Projecting signs shall not project from the exterior wall of a building more than 4 feet.
Awning / Canopy Sign	
	1 square foot per 2 linear feet of awning or canopy. No awning or canopy sign shall extend above the top of the awning or canopy
Reader Board	
	Maximum area on a wall sign shall be 20% of the wall area or 20 sq ft in area, which ever is less, of the area of wall/marquee sign (s) and be under the same requirements of the wall/marquee signs. The reader board cannot be above the primary area of the wall/marquee sign.
Gas Pump Sign	
	Each gas pump shall be permitted a total of 1 square foot of sign area to identify the product dispensed.
Residential Zoning Districts	

Rental Office/Accessory Management	Maximum of 6 sq ft
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Freestanding Monument Sign

Commercial/Industrial Zoning Districts

Monument Sign 1 square foot of sign area for each 2 feet of street frontage with a minimum of 40 sq ft and a maximum of 65 sq ft. 1 foot of sign height for each 25 feet of street frontage with a minimum of 6 feet and maximum of 10 ft. A monument sign located on a vacant property shall not exceed (20) twenty sq feet.

Reader Board Maximum of 60% of the area of monument sign and reader board section cannot be above the primary area of sign.

Within 100ft of Residential Zoning District A monument sign constructed within 100 feet of a residential zoning district shall be limited to 40 square feet and 6 feet in height.

Residential Zoning District

Church, School, Day Care, Other Places of Public Assembly	6 ft maximum height and 40 sq ft maximum sq ft
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11. Interstate Sign District **(Section Amended by Ordinance 02-34, November 21, 2002)**

Signs which measure a minimum of twenty-four (24) square feet in display area but not more than three hundred-twenty (320) square feet in display area shall:

- a. Be limited to the area Zoned C-2, at the Intersection of Highway 76 and I-65, as defined on the Official Zoning Map and shown as the shaded C-2, Zoning District;
- b. Interstate signs shall be allowed in addition to the allowable monument, wall, marquee, projecting, awning or canopy, and reader board. Interstate signs are an accessory use to primary use of property and shall only be permitted and installed with construction or after construction of primary use of property. Interstate signs shall be shown on site development plan for primary use of property. Each site development plan will be allowed to have one sign structure that may have up to a maximum of four signs. If the sign structure is within 500 feet of another interstate sign structure the Planning Commission can limit the maximum number of signs on the pole to three (3). **(Added New b; b, Becomes c; c, Becomes d; by Ordinance 02-34,**

November 21, 2002) (Amended by Ordinance 06-17, May 18, 2006)

- c. Not be erected closer than one hundred (100) feet from any residential zoned district. For the purpose of determining the spacing required in this subsection, distances shall be measured from the sign structure to the property line of the nearest residential zoned district;
- d. The proximity to another such sign shall be subject to the Planning Commission approval. The applicant shall provide specific distance measurements to all other signs of said type within a one thousand-five hundred (1,500) foot radius. For the purpose of determining the spacing required, the distance shall be measured from sign structure to next closest sing structure;
- e. Height of sign structure shall receive approval from the Planning Commission and be a minimum of seventy-five (75) feet in height and a maximum of one hundred and twenty (120) feet in height. The height is measured from the centerline elevation of road providing access to property. **(Amended by Ordinance 02-34, November 21, 2002) (Maximum height Amended by Ordinance 05-25, September 15, 2005)**
- f. Location of the interstate sign shall be prohibited in the front setback or setbacks of the property on which the sign is to be construed. **(Added by Ordinance 02-34, November 21, 2002)**

12. Other Uses (Renumbered)

In cases where the regulations within this section do not specifically address a sign requested in conjunction with a permissible use, the building inspector shall make a written interpretation of the ordinance, which shall be kept in the permanent record for that application.

K. Construction and Maintenance

1. Building Code Compliance.

All signs shall be constructed in compliance with the current Standard Building Code.

2. General Restrictions

Signs shall not be erected in or over a street or highway right of way, or on public land except as permitted in Section H (Exempt Signs - Public Signs).

3. Condition of Signs

All signs and components shall be maintained in good repair and in a safe, clean, and attractive condition.

L. Prohibited Signs

The following are expressly prohibited unless specifically stated otherwise in this ordinance:

Animated and Moving Signs. Including, but not limited to pennants, flags with commercial messages, streamers, propellers, discs, and searchlights. **(Amended by Ordinance 02-34, November 21, 2002)**

Billboard. Any billboard sign not under contract as of effective date of this ordinance shall be prohibited.

Flashing Signs. Any signs that include lights which flash, blink, or turn and off intermittently, not including time and temperature signs.

Glaring Signs. Signs with light sources or reflectivity of such brightness that constitute a hazard or nuisance as determined by the Zoning Administrator.

Inflatable Signs and Objects. Including, but not limited to, balloons.

Obscene Signs Any sign that exhibits statements, words, or pictures of an obscene nature, as defined by the United States Supreme Court.

Portable Signs. Any sign that is not permanently affixed to a building, structure, or the ground. This shall not apply to authorized temporary signs.

Posters and Handbills. Any signs affixed to trees or other natural vegetation, rocks, or utility poles.

Roof Signs. Any signs which are erected on a roof or which extend in height above the roof line of the building on which the sign is erected.

Simulated Traffic Signs and Obstructions. Any sign which may be confused with or obstruct the view of any authorized traffic sign or signal, obstruct the sight distance triangle at any street intersection or extend into the public right-of-way.

Strings of Lights. Including lights that outline property lines, sales areas, or any portion of a structure, and are intended to advertise or draw attention to a business or commercial activity.

Vehicular Signs. Signs attached to, suspended from, or painted on any vehicle which is parked on or visible from any street or public way where the apparent purpose is to advertise or direct people to a business are prohibited. This shall not apply to those signs, which are required to be affixed to service vehicles by local, state or federal regulations or business signs on vehicles used for a separate primary purpose. It shall be unlawful to use a vehicle sign to circumvent this ordinance. Business signs on vehicles used for a separate primary purpose shall be parked at the rear

of the site or the most remote location of the site from the street or public way or from public view. **(Amended by Ordinance 03-10, August 21, 2003) (Amended by Ordinance 03-11, August 21, 2003) (Amended by Ordinance 04-05, April 15, 2004)**

M. Nonconforming Signs

1. Generally

Any sign which does not conform to the provisions herein on the date of enactment of this ordinance or any date on which the ordinance is amended, and any sign which is accessory to a nonconforming use, shall be deemed a nonconforming sign. No nonconforming sign shall be enlarged, extended, structurally reconstructed or altered in any manner, except that a sign face may be changed so long as the new face is equal to or reduced in height, sign area, and/or projection and a sign permit is issued for the sign face change.

2. Removal

Nonconforming sign may remain, provided they are maintained in good repair, except for the following:

- a. Damage or Destruction of Sign. A nonconforming sign which is damaged or destroyed to the extent of fifty (50) percent or more of its sign face shall not be altered, replaced, or reinstalled unless it is in conformance with these regulations. If the damage or destruction is less than fifty (50) percent of the sign face, the sign may be restored within one (1) year of the damage or destruction, but shall not be enlarged in any manner.
- b. Damage or Destruction of Use. A nonconforming sign shall be removed according to the provisions of Article VII, Section 7.020, of these regulations, if the structure or use to which it is accessory is damaged or destroyed to the extent of fifty (50) percent or more of the principal structure's appraised value.
- c. Change of Use. Whenever a land use changes, any previously nonconforming signs or signs which become nonconforming because of the change in land use must be modified so as to be in full compliance with these sign regulations.

N. Severable Nature of Ordinance

The various sections, subsections, paragraphs, and clauses of this ordinance are severable and in the event that any section, subsection, paragraph, or clause is adjudged invalid, the remainder of the ordinance shall remain in full force and effect.

4.080 Development Standards for Automobile Wrecking, Junk and Salvage Yards

Because of the nature and character of their operations, automobile wrecking and salvage yards, junk yards, and similar uses of land can have a decidedly detrimental effect upon surrounding properties. Salvage and wrecking yards tend to create problems of noise, dust, traffic and health hazards, and may adversely affect property value by their general appearance. The following standards shall be used as a guide in evaluating whether proposed land uses, such as those outlined above, will have properly minimized their objectionable characteristics:

- A. All motor vehicles stored or kept in such yards shall be so kept that they will not catch and hold water in which mosquitoes may breed and so that they will not constitute a place or places in which rats, mice, or other vermin may be harbored, reared, or propagated.
- B. Because of the tendency for salvage yard to promote the breeding of vermin, no such operation shall be permitted closer than three hundred (300) feet from any established residential zone.
- C. All outdoor storage of salvage and wrecking operation shall be conducted entirely within an enclosed opaque fence, screen, or wall, excepting driveway areas, from eight (8) to twelve (12) feet in height. Storage between the road or street and such fence, screen, or wall is expressly prohibited. Any fence, screen, or wall for concealment shall be maintained in good condition.
- D. All such yards shall be so maintained as to be in a sanitary condition and so as not to be a menace lot public health or safety.
- E. Off-Street Parking
As regulated in Article IV, Section 4.010.
- F. Ingress and Egress
The number of vehicular access driveways permitted on any single street frontage shall be limited to:
 - 1. One (1) driveway where the parcel to be used has a maximum road or street frontage of one hundred (100) feet or less.
 - 2. Two (2) driveways where the road or street frontage exceeds one hundred (100) feet. Driveways used for ingress and egress shall be limited to twenty-five (25) feet in width maximum, exclusive of curb returns.
- G. Application for Automobile Wrecking, Junk or Salvage Yard Permit
No person shall own or maintain an automobile wrecking, junk, or salvage yard within the City of White House, until he has secured a permit from the White House Board of Zoning Appeals. An application for said permit shall be filed in accordance with Article IX, of this ordinance and shall be

accompanied by a detailed site plan, a schedule for construction, and any other information herein required. Said application shall be submitted along with any plans and schedules. The Board shall vote to approve or disapprove the application in accordance with the time schedule in Article IX, Section 9.030.

4.090 Development Standards for Mobile Home Parks

A. Mobile Home Park Building Permit

1. Review Procedure

Sixteen (16) copies of the required site plan shall be submitted to the White House Regional Planning Commission. The planning commission will review the submittal for compliance with the mobile home park site plan standard set forth below. Incomplete information shall result in the site plan being returned without action. Once a building permit has been issued the applicant may begin construction.

2. Site Plan Required

A mobile home park building permit may only be issued for construction or extension of a mobile home park upon submission and approval by the planning commission of a site development plan containing the following information.

- a. The name and address of the applicant.
- b. The location, area, and dimensions of the proposed mobile home park site as well as a legal description.
- c. The location, size, and number of all mobile home spaces.
- d. The location and size of all buildings, improvements, and facilities (including roads, water, sewer, refuse disposal).
- e. The proposed use of buildings shown on the site plan.
- f. The location and size of all points of entry and exit for motor vehicles and the internal circulation plan (roadways and pedestrian walkways).
- g. The location and number of all off-street parking facilities.
- h. The location of park and recreation areas.
- i. A completed drainage plan with contour lines at five (5) feet intervals.
- j. A location map showing the site in relation to the existing public street pattern and indication of uses of property adjacent to the site and the location of all buildings within two hundred (200) feet of the site.

- k. A time schedule for development shall be prepared which shall demonstrate the applicant's readiness and ability to provide the proposed services. Said time shall be for a period of not more than one (1) year.
- l. Such other architectural, engineering, and topographical data as may be required to permit the county health department, the Building Inspector and the Planning Commission to determine if the provisions of these regulations are being complied with shall be submitted with the site plan.
- m. Landscaping as regulated in Article III, Section 3.120.

B. Development Standards

1. General

- a. No part of the park shall be used for nonresidential purposes, except such uses as are required for the direct servicing and well being of park residents and for the management and maintenance of the park. Nothing contained in this section shall be deemed as prohibiting the sale of a mobile home located on a mobile home stand and connected to the pertinent utilities.
- b. Condition of soil, ground water level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable smoke, dust, noise, odors or other adverse influences, and no portion subject to flooding or erosion shall not be used for any purpose which would expose persons or property to hazards.

2. Minimum Development Size

No mobile home park shall be approved which contains less than five (5) acres in area or has less than ten (10) mobile home spaces.

3. Dimensional Requirements for Parks

- a. Along the entire periphery of the mobile home park, yards and setbacks meeting the district regulations shall be provided.
- b. Within the interior portions of the mobile home park, no yards except as required to met other provisions set forth in this section are required.
- c. No building or structure erected or stationed in a mobile home park shall have a height greater than two (2) stories or thirty (30) feet.
- d. Each mobile home park shall be permitted to display, on each street frontage, one (1) identifying sign of a maximum size of twenty (20) square feet. Said sign(s) shall contain thereon only the name and address of the park and may be lighted by indirect lighting only.

- e. At no time shall the density for the park exceed the maximum permissible density for the district in which it is located.

4. Spacing of Mobile Homes and Site Coverage

- a. Mobile homes shall be so harbored on each space that there shall be at least a twenty-five (25) foot clearance between mobile homes; for mobile homes parked end-to-end, the end-to-end clearance may be less than twenty-five (25) feet but not less than fifteen (15) feet. No mobile home shall be located closer than twenty (20) feet from any building within the park.
- b. There shall be a minimum distance of ten (10) of feet between the nearest edge of any mobile home and an abutting access street.
- c. Each mobile home stand shall not occupy an area in excess of twenty-five (25) percent of the respective lot area. The total area occupied by the mobile home and its accessory structures shall not exceed fifty (50) percent of the respective lot area.

5. The Mobile Home Space

- a. General - The limits of each mobile home space shall be marked on the ground by suitable means. Location of space limits on the ground shall be the same as shown on accepted plans. No space shall be smaller than five thousand (5,000) square feet.
- b. Mobile Home Stands - The mobile home stands shall be improved to provide tie-down of the mobile home. The stand shall not heave, shift, or settle unevenly under the weight of the mobile home due to frost action, inadequate drainage, vibration, wind or other forces acting on the structure. In addition, such stand shall comply with the publication of FHA "Minimum Property Standards for Mobile Home Parks", May, 1977.
- c. Outdoor Living Area - Each mobile home lot should be provided with an outdoor living and service area. Such area should be improved as necessary to assure reasonable privacy and comfort. The minimum area should be no less than two hundred (200) square feet and shall be paved.
- d. Tenant storage shall be provided for each mobile home at the rear of the mobile home space.

6. Utilities and Other Services

- a. Each mobile home park shall be serviced by a public water supply with lines not less than six (6) inches.
- b. Each mobile home site shall be provided with the connection to a sanitary sewer line.

- c. Solid waste collection stands shall be provided for waste containers for each mobile home. Any central waste container shall be screened from view with access appropriately provided.
- d. Service buildings housing, sanitation and laundry facilities, shall be permanent structures complying with all applicable ordinances and statutes, regulations, buildings, electrical installations, and plumbing and sanitation systems.
- e. Each mobile home park shall be equipped with fire hydrants spaced no more than five hundred (500) feet apart. The water system shall be capable of providing a required fire flow of five hundred (500) gallons per minute for a one (1) hour duration.
- f. Each mobile home park shall be maintained free of litter and accumulation of any kind of debris which may provide rodent harborage or breeding places for flies, mosquitoes, or other pests.

7. Streets

Entrances to mobile home parks shall have direct connections to a public street and shall be designed to allow free movement of traffic on the adjacent public street. Safe and convenient vehicular access shall be provided from abutting public streets to each mobile home lot. Such access shall be provided by streets or driveways. All internal streets shall be private.

a. Circulation

The internal street system should provide convenient circulation by means of minor streets and properly located collector streets. Dead-end streets shall be limited in length to five hundred (500) feet and their closed end shall be provided with an adequate turnaround with a minimum diameter of eighty (80) feet.

b. Pavement Width

Pavement widths shall be as follows:

Collector Street

with no parking	20 feet
with on-street parking	36 feet

Minor Street

with no parking	18 feet
with on-street parking	34 feet

One-Way Minor Street

with no parking	12 feet
with on-street parking	28 feet

c. Construction

The internal streets and drives shall be paved in accordance with the White House Subdivision Regulations.

8. Walks

All mobile home developments shall be provided with safe, convenient, all season pedestrian access of adequate width for intended use, durable and convenient to maintain. Sudden changes in alignment and gradient shall be avoided.

A common walk system shall be provided and maintained between locations where pedestrian traffic is concentrated. Such common walks shall have a minimum width of three and one half (3 1/2) feet.

All mobile home stands shall be connected to common walks, streets, driveways and parking spaces by individual walks. Such individual walks shall have a minimum width of two (2) feet.

9. Recreation Area

Adequate recreation facilities for the residents of the project shall be provided in locations easily accessible to the living units and where they do not impair the view and privacy of living units. Attractive outdoor sitting areas shall be provided, appropriate in size, type and number to the needs of the residents.

Well-equipped playgrounds of adequate size and number shall be provided where it is anticipated that children will occupy the premises.

10. Buffer and Screening

A landscape buffer shall be provided along the perimeter of the site boundaries not less than fifteen (15) feet in width, except that a minimum buffer area from any public street shall be no less than twenty (20) feet.

Within the landscaped buffer, a continuous fence six (6) to eight (8) feet high, or landscaped screen shall be provided. Such fence shall be opaque and such screening shall be year-round evergreen trees four (4) feet wide and at least four (4) feet high at the time of planting and expected to achieve a height of six (6) feet within three (3) years. No landscaped screen or fence shall be provided within fifteen (15) feet of any vehicular entrance and/or exit to the park.

11. Site Design

The appearance and character of the site shall be preserved and enhanced by retaining and protecting existing trees and other site features; and additional new plant material shall be added for privacy, shade, beauty of buildings and grounds and to screen out objectionable features. The landscape plan shall be submitted with the site development plan.

12. Parking

a. Off Street Parking

As regulated in Article IV, Section 4.010.

C. Responsibility of Park Management

1. The permittee shall operate the mobile home park in compliance with this ordinance and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.
2. The permittee shall notify park occupants of all applicable provisions of this ordinance and inform them of their duties and responsibilities under this ordinance.
3. The permittee shall supervise the placement of each mobile home on its mobile home stand to the satisfaction of the Building Inspector which includes securing its stability to anchor pins and installing all utility connections.
4. The permittee shall maintain a register containing the following information:
 - a. The name and address of each mobile home occupant.
 - b. The name and address of the owner of each mobile home and motor vehicle by which it was towed.
 - c. The make, model, year, and license number of each mobile home and motor vehicle.
 - d. The date of arrival and of departure of each mobile home.
5. The mobile home park shall keep the register record available for inspection at all times by law enforcement officers, public health officials and other officials whose duties necessitate acquisition of the information contained in the register.
6. The register records shall not be destroyed for a period of three (3) years following the date of departure of the registrant from the park.
7. The permittee shall notify the health authority immediately, of any suspected communicable or contagious disease within the park.
8. The permit to operate shall be conspicuously posted in the mobile home park office at all times.
9. The permittee shall be answerable for the violation of any provision of this section.

D. Responsibilities of Park Occupants

1. The park occupants shall comply with all applicable requirements of this zoning ordinance and shall maintain his/her mobile home lot, its facilities and equipment in good repair and in a clean and sanitary condition.
2. The park occupant shall be responsible for proper placement of the mobile home on its mobile home stand and proper installation of all utility connections and anchoring in accordance with the instruction of the park management.

3. Skirting, awnings, and other additions shall be installed only if permitted and approved by the park management. When installed, they shall be maintained in good repair. The space immediately underneath each mobile home shall be used for storage only if permitted by the park management. If permitted, the following conditions shall be satisfied:
 - a. The storage shall be provided with a base of impervious material.
 - b. Stored items shall be located so as not to interfere with the underneath inspection of the mobile home.
 - c. The storage area shall be enclosed by skirting.
4. The park occupant shall store and dispose of all rubbish and garbage in a clean, sanitary and safe manner. The garbage container shall be rodent proof, insect proof and water tight.
5. Fire extinguishers for Class B and C fires shall be kept at the premises and maintained in working condition.
6. All park occupants shall be required to register their pets (dogs and cats) with the park management.
7. All park occupants shall be required to have their pets (dogs and cats) on a leash and shall not be allowed to roam.
8. Park occupants shall not be allowed to construct or place pens or animals on the park premises.
9. No inoperative automobiles, junk, or noncontained trash shall be allowed within the park.

E. Inspections

1. The Building Inspector is hereby authorized and directed to make annual inspections to determine the conditions of mobile home parks, in order to insure the health and safety of occupants of mobile home parks and of the general public.
2. The Building Inspector shall have the power to enter upon any private and public property for the purpose of inspecting and investigating conditions relating to the annual inspection as it is related to the enforcement of this section.

3. Penalties

- a. Any person violating any provision of this section shall be guilty of a misdemeanor and upon conviction shall be fined not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) for each offense.
- b. Each day that a violation is permitted to exist shall constitute a separate offense.

- c. Any extension of any existing mobile home park is considered a noncomplying use and is hereby prohibited unless said park is brought up to the standards herein stated.

F. Revocation of Permit

The Board of Zoning Appeals may revoke any permit to maintain and operate a park when the permittee has been found guilty by a court of competent jurisdiction of violating any provisions of this section. After such conviction, the permit may be reissued if the circumstance leading to conviction have been remedied and the park is being operated and maintained in full compliance with this section.

G. Prohibited Structures

1. Cabanas, travel trailers, and other similarly enclosed structures are prohibited.
2. Trailers with or without toilet facilities that cannot be connected to approved sewer system shall not be permitted in a mobile home park.
3. Mobile homes shall not be used for commercial, industrial or other nonresidential use within a mobile home park, except that one (1) mobile home in the park may be used to house a rental office.

4.100 Special Conditions for Review Pertaining to Bed and Breakfast Home Residences (Entire Section 4.100, Added by Ordinance No. 96-07, April 18, 1996.)

- A. In addition to the requirements for the applicable district, the following special conditions shall be met prior to issuing a conditional use permit:
1. Bed and breakfast residences shall be established only within preexisting single family residences.
 2. Bed and breakfast residences shall continuously maintain current licenses and permits as required by local and state agencies.
 3. Bed and breakfast residences shall be solely operated by members of the family residing in the residence.
 4. The only meal to be provided to guests shall be breakfast, and it shall only be served to guests taking lodging in the facility.
 5. No food preparation or cooking for guests shall be conducted within any bedroom made available for rent.
 6. Rooms used for sleeping shall be part of the primary residential structure and shall not have been specifically constructed or remodeled for rental purposes.

7. Bed and breakfast residences shall be limited to a single on-premises sign which shall be no greater than eight (8) square feet in size, and shall be located no closer to the street, right-of-way line than fifteen (15) feet.
8. One (1) off-street parking space shall be provided for each rentable room in addition to the required two (2) spaces required for the single family residence. All such spaces shall be screened from view from adjoining property and shall not be located within any required front yard.
9. If food is prepared or cooked, a menu made available, and a price is charged therefor, a food server's license must be obtained from the Tennessee Department of Health.
10. A smoke detector shall be installed in each sleeping room, and a fire extinguisher (ABC) ten (10) pounds in size or larger shall be installed and made easily accessible on the floor or story.
11. An evacuation plan must be approved by the city's building/fire official prior to the issuance of a use and occupancy permit for a bed and breakfast residence.
12. Minimal outward modification of the structure or grounds may be made only if such changes are compatible with the character of the area or neighborhood, and the intent of the zoning district in which it is located.
13. Prior to the issuance of a certificate of occupancy for the establishment of any bed and breakfast residence not connected to the city's public sewerage system, certification shall be provided by the county health department approving the subsurface disposal system as being adequate to serve the total number of bedrooms occupied.

4.110 Self-Service Storage Activities

In any district where authorized as a use permitted with supplemental provisions, or as a conditional use, the following supplementary regulations shall apply to use classified as a self-service storage activity.

- A. No self-storage facility shall be approved upon a lot less than two (2) acres in size.
- B. All storage shall be kept within an enclosed building, except propane or a gasoline engine or storage tanks or any boat or vehicle incorporating such components, which shall be stored in designated screened exterior areas. This provision shall not be interpreted to permit the storage of partially dismantled, wrecked, or inoperable vehicles.
- C. A barrier shall be provided around the perimeter of the facility. Said barrier shall be located at the front setback line as well as along the sides and the rear of the project, and shall consist of either the solid facades of the storage buildings or a fence. If the barrier is to be provided by a

fence, said fence shall be a minimum of six (6) feet in height and shall be constructed of opaque or semi-opaque materials that the passage of light and debris, such as brick, stone, architectural tile, masonry units, wood, or similar materials, but expressly prohibiting woven wire.

- D. No business activity other than the rental of storage units and pick-up or deposit of dead storage shall be conducted on the premises. All contracts for rental of self-storage facilities shall include clauses prohibiting the storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals, and the use of the property for any purpose other than dead storage. Examples of prohibited activities include, but are not limited to the following:
 - 1. Auctions, commercial wholesale or retail sales or miscellaneous or garage sales.
 - 2. The servicing, repair or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances or other similar equipment
 - 3. The operation of power tools, spray painting equipment, table saws, lathes, compressors, welding equipment, kilns or other similar equipment.
 - 4. The establishment of a transfer or commercial warehouse business.
- E. One (1) parking space for every three thousand (3,000) square feet of storage cubicles or fraction thereof shall be located adjacent to the project office. A minimum of two (2) such spaces shall be provided.
- F. Driveway aisles shall be a minimum of twenty-four (24) feet in width. A driveway aisle where access to storage units is only on one side of the aisle may be twenty (20) feet in width.
- G. The maximum size of a storage unit shall be six hundred (600) square feet, and no more than four thousand (4,000) square feet shall be leased to a single tenant.
- H. All outdoor lighting shall be shielded so as to direct light and glare only onto the premises of the self-service storage facility and away from all adjoining property. Such lighting shall be sufficient to discourage vandalism and theft.
- I. All mini-warehouse facilities shall be adequately landscaped.

4.120 Activity Type - Adult Oriented Business (Amended by Ordinance No. 97-10, August 21, 1997)

A. Intent and Limitations

This grouping includes but is not limited to establishments whose principal activity is to provide sexually explicit adult oriented entertainment or material to the general public.

B. Use Listing

Adult Oriented Bookstores
Adult Oriented Videostores
Adult Oriented Entertainment

4.121 Secondary Single Family Residential Dwelling Units

A secondary residential family living dwelling unit detached from the primary single family residential dwelling unit, which provides complete living facilities including both bathroom and kitchen facilities on the same property as the primary single family dwelling unit. The following items are standards that shall apply to all secondary residential family dwelling units:

1. No more than one secondary residential dwelling unit shall be permitted in conjunction with the primary single-family dwelling unit.
2. The secondary unit shall be owned by the same person (s) as the primary dwelling unit.
3. The maximum size of all accessory buildings including the secondary unit shall be limited to the requirements of the zoning ordinance. The minimum dimensions of the secondary unit shall be determined by the adopted building code. The building setbacks shall be the same as the primary building setbacks of the zoning district.
4. The total area of the primary and secondary residential dwelling units and all accessory buildings shall not exceed the maximum lot coverage requirements of the zoning district.
5. The property shall contain adequate off-street parking for both the primary and secondary residential family dwelling units.
6. The secondary residential dwelling unit shall be designed to be an accessory of the primary structure and shall be smaller in area and shall not exceed the height of the primary unit. The secondary dwelling unit shall be within the same general area of the property as the primary dwelling to ensure the typical appearance of an accessory building to the adjoining residential properties. The secondary unit shall not be located in front of the primary unit on the property.

Applicants requesting a special exception shall submit a written request and plans of the property and building to the Board of Zoning Appeals. The plans shall include enough detail to certify that the requirements listed above will be met.

4.130 Development Standards for Churches, Public/Private Schools, and Other Places of Public Assembly in Residential and Agricultural Areas. (Added by Ordinance No. 02-05, March 21, 2002) (Amended by Ordinance No. 06-08, February 16, 2006)

These standards are in addition to other requirements of the zoning ordinance, subdivision regulations and commercial design standards. All churches, public/private schools, day care centers, and other places of public assembly must receive a special exception from the White House Board of Zoning Appeals.

- A. No such facility shall be permitted on a zone lot unless it contains at least two (2) acres. No day care center shall be permitted on a zone lot unless it contains at least one (1) acre.

- B. Such facilities shall be located only on arterial and collector streets as shown on the official major thoroughfare plan.
- C. The minimum lot dimensions are: Lot width at building setback, one hundred-fifty (150) feet; front yard setback forty (40) feet; rear yard setback twenty-five (25) feet; and side yard setback twenty (20) feet. Day Care Center may be placed on properties with lot width at building setback of one hundred (100) feet.
- D. Accessory buildings and uses shall be prohibited in the front yard.
- E. A minimum of twenty-five (25) percent of the required parking is permitted in the front yard.
- F. A fifteen (15) foot minimum landscape buffer shall be required around the perimeter of the property.
- G. The exterior of the facility shall be designed and constructed of typical traditional residential materials and meet provisions of commercial design standards.

4.140 Alternative Provisions for Lot Size and the Location of Open Space (Added by Ordinance No. 02-16, July 18, 2002) (Amended by Ordinance 05-08, May 19, 2005)

The purpose of this section is to provide a permissive voluntary alternative procedure to be utilized in the placement of buildings and in the location of open spaces associated therewith. These provisions are intended to provide variations in lot size and open space requirements within the residential districts. The density standards established for individual districts are to be maintained on an overall basis and thereby provide desirable and proper open air space, tree cover, recreation areas or scenic vistas; all with the intent of preserving the natural beauty of the area, while at the same time maintaining the necessary maximum population density limitations of the district in which this procedure may be permitted.

A. General Provisions

The provisions contained within this section are intended to provide a flexible procedure for locating dwellings upon sites. As such, the provisions do not constitute a use, but an alternative procedure for the spacing of buildings and the use of open areas surrounding those buildings. It is necessary, however, that the purposes and intent of this ordinance be assured and that proper light, air, and privacy be made available for each dwelling unit.

A site development plan as provided for in this section is required not only as an accurate statement of the development, but as an enforceable legal instrument whereby the Planning Commission may be assured that the general purposes, standards, etc., contained in this section are being met.

In addition to the Site Master Development Plan, the procedures for plat approval under Section 2-101, of the White House Subdivision Regulations, shall apply to all subdivisions under the provisions of this ordinance.

B. Site Development Plan Required

1. Contents

A site master development plan shall be prepared and submitted to the Planning Commission for its review and approval. The site master development plan shall be submitted at a scale no smaller than 1' = 100' and contain the following information:

- a. The actual shape, location and dimensions of the lot.
- b. The shape, size, and location of all existing buildings.
- c. The existing and intended use of the property and proposed location of structures other than single-family dwellings.
- d. Topographic features (contours not greater than five (5) foot intervals).
- e. Except for single-family dwellings, location of all driveways and entrances.
- f. Location of all accessory off-street parking areas to include a plot plan showing design and layout of such parking facilities.
- g. Location, calculations and intended use of open space.
- h. Building setbacks and other yard requirements.

- i. Location of any fences and walls.
- j. Location of required screening.
- k. Proposed means of surface drainage.
- l. Location and calculations of all easements and rights-of-way.
- m. Location and availability to servicing utilities.
- n. Location and calculation of areas subject to flooding.
- o. Location and calculation of slopes twenty (20) percent or greater.
- p. Location of tree masses and any environmental limitations.

2. Coordinated Review

Upon receipt of a site master development plan and preliminary plat containing information as required above, the Planning Commission may:

- a. Concurrently review the site development plan and preliminary plat;
- b. Jointly approve, approve with modification, or disapprove these documents; and
- c. In the instance of approval, or approval with modification, transfer the site development plan to the Building Inspector for enforcement.

3. Enforcement

Upon approval of a site master development plan, the Zoning Administrator shall become responsible for enforcement of the plan. Except for single-family dwellings, only minimal adjustments involving the placement of any structure in common open space will be permitted once a site development plan has been approved. Any other change shall require submission of a proposed amendment to the approved site master development plan.

C. Development Standards

The following standards and requirements shall apply to all alternative density developments.

1. General Standards for Development

In the interest of promoting the most appropriate economical use of the land while assuring that the character of the residential district is maintained, the Planning Commission in its review of a proposed development shall consider the following:

The protection of the characters, property values, privacy and other characteristics of the surrounding neighborhood;

The provision for surface drainage control, sewage disposal, and water supply, recreation and traffic control; and

The preservation and protection of existing trees, ground cover, topsoil, streams, rock outcroppings and scenic or historic sites from dangers and damage caused by excessive and poorly planned grading for streets and building sites.

2. Availability of Public Utilities

Generally all public utilities, specifically including water and a central sewage collection and treatment system, as defined by this ordinance, shall be available. Where public sewer is not available, no lot or housing site may be created which is less than twenty thousand (20,000) square feet in area and all septic fields for each dwelling unit shall be located within the area of fee simple ownership of said single family dwelling unit.

3. Permitted Density

The density permitted is intended to be within the range of that permitted within more typical developments offering no common open space. The maximum number single-family dwelling units permitted shall be computed as follows:

- a. From the gross acreage available within the development shall be subtracted: (1) Any portion of the site which is within the right-of-way and/or easement for major utilities such as gas or electric transmission lines where the full use of the land is not available to the landowner, because of restrictions thereon; (2) Fifty (50) percent of any portion of the site which lies within a floodway district; (3) Fifty (50) percent of all areas with slopes exceeding twenty (20) percent.
- b. The area remaining after the above adjustments shall be divided by the minimum development area per dwelling unit for the district in which the dwelling unit is located. For developments located in more than one zoning district, the density shall be computed separately for that portion of the development lying within each district. No developmental density may be transferred across zoning district boundaries.

4. Minimum Lot Area and Lot Width

Any development choosing to use standards established in this section shall have a minimum of twenty (20) acres in the development.

No lot of record may be created within the district indicated which has less area than required for a single-family dwelling.

No dedicated building lot shall include areas recognized as flood hazards or with slopes exceeding twenty (20) percent.

The following dimensional requirements shall be maintained in all alternative density developments:

	<u>A</u>	<u>R-40</u>	<u>R-20</u>	<u>R-15</u>
Minimum Lot Size	15,000	15,000	8,500	7,500
Lot Width at Building Line	85	85	70	65
Front Yard Setback	25	25	20	15
Rear Yard Setback	15	15	10	10
Side Yard Setback	10	10	7.5	5

The Planning Commission may allow a 10% reduction in all minimum lot areas, widths, and setback requirements in cases where innovative design is proposed, except that the R-15 side setback shall not be reduced.

5. Yard Requirements

Within any development approved under the provisions of this section, the following yard requirements shall apply:

- a. For units located along the periphery of the site, the basic yard provisions established for the district within which the development is located shall apply along all portions of such lots as may about the periphery.

6. Lot Coverage

Individual dwellings may exceed the maximum lot coverage provisions established for the district, but in no case shall the dwellings and accessory buildings exceed seventy (70) percent of the total area of such individual site. However, in no instance shall the aggregated site coverage of all dwellings exceed the coverage provisions established for the district in which such site is located. In the event a project lies within two or more zoning districts, the coverage ratio applicable to each zone district shall apply to these dwellings located within it. No transfer of bulk is permitted among zoning districts.

7. Access to Dwellings

Access to each lot shall be in compliance with Section 3.030, of the zoning ordinance.

8. Pedestrian Circulation

All dwelling units will be served by sidewalks along the public right-of-way and to the rear or side by a trail system that connects each lot with the common open space. Any improved open space will be designed to meet all ADA requirements for access.

D. Open Space Requirements

Any common open space provided within a development this type shall:

1. Quality Use and Improvement of Common Open Space

- a. Common open space must be for amenity or recreational purposes. Subject to approval by the Planning Commission, the open space shall consist of either improved or unimproved land. The uses authorized for common open space must be appropriate to the scale and character of the development considering its size, density, expected population, topography and other factors.
- b. No common open space may be put to any use not specified in the approved site master development plan, unless such plan has been amended and approved by the Planning Commission. However, no change authorized may be considered as a waiver of any of the covenants limiting the use of common open space areas, and all rights to enforce these covenants against any use permitted are expressly reserved.
- c. Common open space may, subject to approval by the Planning Commission, consist of either improved or unimproved land. In this regard, the approving agency may permit only fifty (50) percent of stream areas, bodies of water and slopes in excess of twenty (20) percent to be counted as required common open space.
- d. In all developments providing improved open space, a recreation plan shall be developed and presented with the Site Master Development Plan for any proposed residential planned unit development. Any development aimed at a certain demographic shall supply additional information.

2. Mandatory Provisions Governing Organization and Operation of Maintenance Association

In an instance where common open space is to be deeded to a maintenance organization, the developer shall file a declaration of covenants and restrictions that will govern the association. This document is to be submitted with the application for final approval of the development plan. The provisions shall included but not be limited to, the following:

- a. The maintenance organization must be established and operational before any homes are sold.
- b. Membership must be mandatory for each homebuyer and must run with the land so that any successive purchaser will automatically become a member.

- c. The restrictions covering the use, etc., of the open space must be permanent, not just for a period of years.
- d. The association(s) must be responsible for liability insurance, local taxes and the maintenance of all facilities and lands deeded to it.
- e. Homeowners must pay their pro rata share of the cost assessed by the maintenance association; said assessment by the association can become a lien on the homeowner's property for failure to pay.
- f. The association must be able to adjust the assessment of fees to meet changing needs.
- g. Reserved
- h. Any are reserved for environmental open space shall be preserved in its natural state.

4.150 Special Institutional Care Facilities (Added by Ordinance 02-18, July 18, 2002)

These standards are in addition to other requirements of the zoning ordinance and subdivision regulations. All special care facilities must receive a special exception from the White House Board of Zoning Appeals.

Special Institutional care facilities as defined in Article II, are subject to the following additional conditions:

- A. The location, size and design of such facilities shall be such that the proposed development shall be compatible with the development within the surrounding area, thus reducing the impact upon the surrounding area.
- B. The traffic generated by such facility shall be safely accommodated along designated arterial or collector streets as shown on the official major thoroughfare plan without traversing local minor streets.
- C. The purpose(s) of the facility must be clearly established by the agency responsible and the appropriate staff services must be provided to achieve the stated purpose(s).
- D. The facility providing residence facilities shall have resident twenty-four (24) hour staff and appropriate professional services shall be supplied.

- E. The off-street parking requirements shall be determined by the Board of Zoning Appeals.
- F. The minimum side and rear yards shall be one hundred (100) feet for a one (1) and two (2) story building, increased by ten (10) feet for each additional story.
- G. All public utilities including a central sewage collection and treatment system (as defined by this ordinance) shall be available to the site.
- H. No facility permitted under the provisions of this section shall be located within one thousand (1,000) feet of any church, day care center, nursery school, or public park, or public and private educational institutions. The distance shall be measured by a straight line from the nearest corner of the building of a potential licensee to the nearest corner of the main entrance of the church, day care center, nursery school or public park, where the centerline intersects with the margin of the public road.

4.160 Twenty-Four Hour (24 hr) Medical/Veterinarian Clinic Accessory Residential Quarter (Added by Ordinance 05-09, May 19, 2005) (Amended by Ordinance 06-07, February 16, 2006)

A Twenty Four Hour (24hr) Medical/Veterinarian Clinic use providing emergency or overnight patient care may be permitted to have an accessory residential quarter, meeting the following requirements:

1. Limited in size to 25% of the square footage of the entire structure. Minimum size: 400 square feet, maximum size 1,000 square feet.
2. No detached or accessory building shall be used for the residential quarter.
3. The residential quarter shall contain only one bathroom, kitchen, living room, and two separate bedrooms.
4. The occupants of the living quarters shall be limited to employees providing overnight care at the clinic.
5. The exterior doorway access of residential quarter shall be limited to a shared access with the clinic.
6. The applicant shall submit an architectural floor plan with the written request for special exception.

This provision shall not apply when other provisions of the zoning ordinance or state and local law permits or requires an accessory residential quarter. In industrial districts this ordinance shall only apply to veterinarian facilities.

4.170 Residential Agricultural Uses (Added by Ordinance 06-06, February 16, 2006)

Regulations for properties between (1) and (5) acres:

1. Residential property must be designated as R-40, R-20, and R-15, Residential Zoning Districts on the official zoning map.
2. Property must be over one (1) acre in size.

3. Agricultural use shall be an accessory to residential use and shall only be a personal use by residents of the property.
4. Property must not be located within a suburban or urban residential and commercial area as determined by the Board of Zoning and Appeals to prevent adverse effects to adjoining properties and uses, including but not limited to, odors and rodents infestation.
5. The land area reserved for the agricultural use and number of animals shall be determined by the Board of Zoning based on type of agricultural use proposed, acreage of the property, and adjoining property uses.
6. The agricultural use of the property shall not injuriously affect public health or become a nuisance because of noise, odor, etc.
7. All animals shall be within an enclosure and shall not run at large. The locations of enclosures and cages shall be determined by Board of Zoning and Appeals including preventing animal cages from being located in front yard and requiring adequate setbacks of animal enclosures from adjacent houses and property lines. No enclosure of poultry shall be within 10 ft of property line.

Regulations for properties between five (5) and twenty (20) acres:

1. Residential property must be designated as R-40, R-20, and R-15 Residential Zoning Districts on the official zoning map.
2. Property must be over (5) acres in size.
3. Agricultural use shall be an accessory to residential use and shall only be a personal use by residents of the property.
4. Property must not be located within a suburban or urban residential and commercial area as determined by the Board of Zoning Appeals to prevent adverse effects to adjoining properties and uses.
5. The land area reserved for the agricultural use and number of livestock shall be determined by the Board of Zoning Appeals based on type of agricultural use proposed, acreage of the property, and adjoining property uses.
6. The agricultural use of the property shall not injuriously affect public health or become a nuisance because of noise, odor, etc.

Regulations for properties larger than twenty (20) acres:

1. Residential property must be designated as R-40, R-20, and R-15 Residential Zoning Districts on the official zoning map.
2. Property must be over (20) twenty acres in size.
3. Property must not be located within a suburban or urban residential and commercial area as determined by the Board of Zoning Appeals to prevent adverse effects to adjoining properties and uses.
4. The land area reserved for the agricultural use and number of livestock shall be determined by the Board of Zoning Appeals based on the type of agricultural use proposed, acreage of the property, and adjoining property uses.
5. The land area reserved for the agricultural use and number of livestock shall be determined by the Board of Zoning Appeals based on the type of agricultural use proposed, acreage of the property, and adjoining property uses.
6. The agricultural use of the property shall not injuriously affect public health or become a nuisance because of noise, odor, etc.

4.180

Home Occupations. (Added by Ordinance 06-16, May 18, 2006)
Customary incidental home occupations shall be permitted in all Residential zones under the following conditions:

1. Home Occupation shall only be undertaken by residents of the dwelling unit, except one non-resident may be allowed to work under home occupation permit.
2. Home occupation shall be conducted entirely within the dwelling unit and the space devoted to the home occupation shall not exceed 25% of the floor area of the dwelling unit or shall not include more than 500 square feet of floor area, whichever is less.
3. No alteration to any building or the property or other visible evidence shall indicate from the exterior that the building is being used for other than residential purposes.
4. No articles, materials, goods, or equipment indicative of the home occupation shall be visible from any public street or stored outside the dwelling unit.
5. There shall be no on-premise sales in connection with such home occupation.
6. *On-site service by home occupation shall be limited to no more than one client at a time and the total traffic generated by home occupation shall meet provision# 7 below.*
7. The traffic from the residential dwelling unit and property shall not exceed traffic volumes normally generated from a residence within a residential neighborhood. The traffic volumes shall be based on standard trip generation rates for residential units.
8. No equipment or process shall be used in such home occupations which create noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses. No equipment or process shall be used which creates visual or audible interference in any radio or television receiver off premise, or causes fluctuation in line voltage off the premises.
9. Where applicable, recognized professional license and required permits for occupation practiced shall be obtained. Occupations shall not violate any other local, state, or federal regulations.
10. Dwelling unit shall not be used as a primary or incidental storage facility for an industry, commercial activity conducted elsewhere.

4.190

Accessory Residential Family Dwelling Unit (Added by Ordinance No. 06-31, August 17, 2006)

An accessory residential family living dwelling unit either attached or detached to the primary single family residential dwelling unit, which provides complete living facilities for one or more persons on the same property as the primary single family dwelling unit. The following items are standards that shall apply to all accessory residential family dwelling units:

1. No more than one accessory residential dwelling unit shall be permitted on a single property in conjunction with the primary single-family dwelling unit.
2. The accessory unit shall be owned by same person(s) as the primary dwelling unit.
3. Only family member(s) of residents of the primary dwelling unit may occupy the dwelling unit.
4. The maximum size of all accessory buildings permitted for a residential property shall be limited to requirements of zoning ordinance. The maximum size of accessory dwelling or 750 square feet, which ever is more restrictive. Minimum dimensions of accessory unit shall be determined by adopted building code.
5. The total area of primary and accessory residential dwelling units shall not exceed maximum lot coverage requirements of zoning districts.
6. Attached accessory residential dwelling units shall be under same building setback requirements as primary dwelling unit. A detached dwelling unit shall be based on accessory structure setback requirements of the zoning district.
7. The property shall contain adequate off-street parking for both the primary and accessory residential family dwelling unit.
8. Accessory residential dwelling unit shall be designed to be an accessory to the primary structure. The Board of Zoning Appeals review may include not allowing separate doors visible from street, separate street drive access, property address, utility meters, and any other items deemed necessary to ensure that the accessory residential dwelling unit shall be designed to be an accessory to the primary residential dwelling unit and that accessory unit shall not be a primary residential dwelling unit.

Applicants requesting a special exception shall submit a written request and plans of the property and building to the Board of Zoning Appeals. The plans shall include enough detail to certify that requirements listed above will be met.

If the special exception request is approved, the owner shall submit, prior to building permit application, a copy of recorded restrictive covenants including above listed requirements and any additional requirements that may be stipulated by the Board of Zoning Appeals.

4.200 Commercial Accessory Residential Unit:(Added by Ordinance 10-04, April 15, 2010)

The White House Municipal Board of Zoning of Appeals shall review requests for an accessory unit in a primary commercial building in the C-1, Central Business Zoning District. The Board of Zoning Appeals

shall review the following items in addition to Special Exception Review Procedures.

1. No accessory or detached structures to be used for an accessory residence.
2. Separate means of egress required for residential unit.
3. Only one accessory residential unit is permitted within the primary commercial building.
4. Residential unit shall not be located within the same building or in proximity to an objectionable use as determined by the Board of Zoning Appeals. An objectionable use includes uses that would result in a safety issue for residence or commercial use and lack of privacy for the residential use. Objectionable uses permitted with the C-1, Central Business District, includes, but not limited to, fuel station and vehicle repair service, warehouse, storage, and limited manufacturing use.
5. Applicant shall submit with the application to the Board of Zoning Appeals the square footage of total unit and rooms to determine maximum occupancy, fire separation required between uses, and plan for separate exit for residential unit.
6. Basement residential units shall be prohibited unless applicant can provide floor design load and exit design plan.
7. Change of use of the commercial use shall require review and approval by the Board of Zoning Appeals to determine compliance with review criteria listed above.