

Article II
Definitions

Section

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2.010 Scope

For the purpose of this ordinance and in order to carry out the provisions and intentions as set forth herein, certain words, terms, and phrases are to be used and interpreted as follows:

- A. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
- B. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
- C. The word "shall" is mandatory.
- D. The word "may" is permissive.
- E. The words "uses" or "occupied" includes the words "intended," "designed," or "arranged to be uses" or "occupied."
- F. The word "lot" includes the words "plot" or "parcel".

2.020 Definitions

The following words, terms, and phrases are hereby defined as follows and shall be interpreted as such throughout this Zoning Ordinance. Terms not herein defined shall have their standard dictionary definition or such as the context may imply. (For words not defined herein, reference may be made to the 'New Illustrated Book of Development Definitions' published by the APA).

Abutting. Having a common border with, or being separated from such a common border by a right-of-way or easement.

Access. The right to cross between public and private property, thereby permitting pedestrians and vehicles to enter and leave property.

Accessory Building or Structure. A subordinate building, the use of which is incidental to that of a principal building and located on the same lot therewith.

Accessory Use. A use customarily incidental, appropriate, and subordinate to the principal use of land or buildings and located upon the same lot therewith.

Adult Oriented Business: A commercial enterprise that involves creation, reproduction and/or sale for a fee or incidental to another service of goods and services that are characterized by emphasis upon the exposure of "specified anatomical areas" and/or by description or depiction of "specified sexual activities" as defined by this ordinance. **(Added by Ordinance No. 97-10, August 21, 1997)**

Specified Anatomical Areas:

- A. Less than completely and opaquely covered human genitals, public region, buttocks, anus or female breasts below a point immediately above the top of the areolae; or
- B. Human male genitals in a discernible turgid state, even if completely and opaquely covered.

Specified Sexual Activity:

- A. Human genitals in a state of sexual stimulation or arousal;
- B. Acts of human masturbation, sexual intercourse or sodomy;
- C. Fondling or other erotic touching of human genitals, pubic regions, buttocks or female breasts;
- D. Flagellation or torture in the context of a sexual relationship;
- E. Masochism, erotic or sexually oriented torture, beating or the infliction of pain;
- F. Erotic touching, fondling or other such contact wih an animal by a human being;
- G. Human excretion, urination, menstruation, vaginal or anal irrigation as part of or in connection with any of the activities set forth in "A" through "F", above.

Advertising. Includes any writing, printing, painting, display, emblem, drawing, sign, or other device designed, uses or intended for advertising, whether placed on the ground, rocks, trees, tree stumps, or other natural structures or on buildings, structures, milestones, signboards, wallboard, roofboard, frames, supports, fences or other man-made structure, and any such advertising is a structure within the meaning of the word "structure" as utilized in this ordinance.

Advertising Sign or Structure. See Sign.

Agriculture Use. This includes all forms of agriculture, growing of crops in the open, dairying, grazing, the raising and maintaining of poultry and other livestock, horticulture, viticulture, floriculture, forests, and woods, provided, however, all health codes of White House, Tennessee, are compiled with. Small scale private gardens based on size of property are exempt from this definition.

The feeding or disposal of community or collected garbage to animals shall not be deemed an agricultural use, nor shall commercial feed lots, the raising of furbearing animals, fish or minnow hatcheries, riding stables, livery or boarding stables or dog kennels be so considered.

Agriculture Accessory Use. Those structures or equipment which are normally required in the operation of agricultural uses.

Alley. A minor right of way, dedicated to public use, which affords a secondary means of vehicular access to the back or side of properties otherwise abutting a street, and which may be used for public utility and public service purposes.

Alteration. As applied to a building or structure, means a change or rearrangement in the structural parts, or an enlargement, whether by extending a side or by increasing its height or structural changes, other than repairs, that would affect safety. The term "alter" in its various modes and tenses and its practical forms, refers to the making of an alteration.

Area, Building. The total areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings exclusive of uncovered porches, terraces and steps.

Area of Special Flood-Related Erosion Hazard. Is the land within a community which is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E, on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area in preparation for publication of the FIRM, Zone E, may be further refined. **(Added by Ordinance No. 98-01, February 19, 1998)**

Attached. An enclosure having continuing walls, roof and floor.

Automobile Wrecking. The dismantling, storage, sale, or dumping of used motor vehicles, trailers, or parts thereof.

Automobile Wrecking, Junk, and Salvage Yards. Any lot or place which is exposed to weather and upon which more than five (5) motor vehicles of any kind, incapable of being operated, and which it would not be economically feasible to make operative, are placed, located, or found.

Average Ground Elevation. The elevation of the mean finished grade at the front of a structure.

Basement. Means that portion of a building having its floor subgrade (below ground level) on all sides. **(Added by Ordinance No. 98-01, February 19, 1998)**

Bed and Breakfast Facility. A use subordinate to the principal use of a single family dwelling providing four (4) or fewer rooms designated for lodging purposes. **(Added by Ordinance No. 96-07, April 18, 1996.)**

Board. The White House, Tennessee, Municipal and Regional Boards of Zoning Appeals.

Building. Any structure having a roof supported by columns or by walls, including tents, lunch wagons, dining cars, mobile homes, and similar structures whether stationary or movable.

Building Area of a Lot. That portion of a lot bounded by the required rear yard, side yards, and the building setback line.

Building Commissioner. The Zoning Codes Officer or his authorized representative for the City of White House, appointed by the Board of Mayor and Aldermen.

Building, Main, or Principal. A building in which is conducted the principal use of the lot on which it is situated. In any residential district any dwelling shall be deemed to be a main building on the lot on which it is situated.

Building Setback Line. A line delineating the minimum allowable distance between the property line and a building on a lot, within which no building or other structure shall be placed except as otherwise provided.

Building Setback Line, Front. A line delineating the minimum allowable distance between the street right-of-way, or if an official future street right-of-way has been established, from that future street right-of-way line, and the front of a building on a lot. The front building setback line extends the full width of the lot and is parallel to or concentric with the street right-of-way.

Building Setback Line, Rear. A line delineating the minimum allowable distance between the rear property line and a building on a lot (other than for permitted accessory structures). The rear setback line extends the full width of the lot.

Building Setback Line, Side. A line delineating the minimum distance between the side property line and a building on a lot. The side setback line extends from the front building setback line to the rear building setback line.

Bulk. Describes the size of buildings or other structures and their relationship to each other and to open areas and lot lines, and therefore includes:

- a. The size (including height and floor area) of buildings or other structures.
- b. The area of the zoning lot upon which a residential building is located and the number of dwelling units within such buildings in relation to the area of the zoning lot.
- c. The location of exterior walls of buildings or other structures in relation to lot lines, to other walls of the same building, to legally required windows, or to other structures.
- d. All open areas relating to buildings or other structures and their relationship thereto.

Business and Communication Services. The provision of services of clerical, goods, brokerage, communication of a minor processing nature, including multi-copy and blueprinting services, custom printing, but excluding the printing of books other than pamphlets and small reports.

Canopy Tree. A tree that would occupy the upper canopy of a forest in a natural ecological situation. These trees are referred to as shade trees. Examples include beech, hickory, oak, maple, and tulip trees.

Camping Ground. A parcel of land used or intended to be used, let, or rented for occupancy by campers or for occupancy by camping trailers, tents, or movable or temporary dwellings, rooms, or sleeping quarters of any kind.

City Board. The White House Board of Mayor and Aldermen.

Clinic. See Medical Facility.

Common Open Space. A parcel or parcels of land and/or area of water within the site designated, designed and intended for use or enjoyment of the occupants of said development. "Common Open Space" may contain such complementary structures and improvements as necessary and appropriate for the benefit and enjoyment of the occupants of such development.

Conditional Use. A conditional use is a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Such uses may be permitted in such zoning districts as conditional uses, only when specific provisions for such use is made in this ordinance. For the purposes of administration of this ordinance, conditional uses shall be construed as synonymous with special exceptions, as controlled by Section 13.-7-206, **Tennessee Code.**

Convenience Sales. The retail sale of small convenience items such as toiletries, tobacco, and magazines. The dispensing of petroleum products may be included as accessory to convenience food products retailing.

Convenience Services. Services which are typically needed frequently or recurrently, such as barber and beauty care; and includes the operation of self-service laundromats but excludes other apparel cleaning and repair services.

Country Clubs. A chartered, nonprofit membership club, with facilities catering primarily to its membership and providing one or more of the following recreational or social amenities; golf, riding, club house, pool, dining facilities, or lounge.

Coverage. The lot area covered by all buildings located therein, including the area covered by all overhanging roofs.

Cul-de-sac Court. Only that portion of a cul-de-sac or dead-end street designed and utilized for the traffic to turn around.

Day Care Center. Any place, home or institution which receives more than five (5) young children, conducted for cultivating the normal aptitude for exercise, play observation, initiation, and construction. (Amended by Ordinance 06-08, February 16, 2006).

Density. The ratio of the number of dwelling units located on a lot to the horizontal area of the lot, expressed in units per acre.

Development. Any manmade change to improve or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavating, or drilling operations. Agricultural activities such as plowing or cultivating and gardening activities are not included in this definition of development.

District. Any section or sections of the area lying within White House, Tennessee, for which the regulations governing the use, density, bulk, height, and coverage of buildings and other structures are in force.

Dwelling. A building or part thereof used as a habitation under one of the following categories:

- a. Single detached dwelling means a building and accessories thereto principally used, designed, or adopted for use by a single family.
- b. Duplex dwelling means a building and accessories thereto principally used, designed, or adopted for use by two (2) households; the living quarters of each of which are completely separate.
- c. Apartment dwelling means a building and accessories thereto principally used, designed, or adopted for use as occupancy by three (3) or more households each of which has separate living quarters. This includes triplexes and quadruplexes.
- d. Rooming house means a building and accessories thereto principally used, designed, or adopted to provide living accommodations for not more than six (6) occupants and without owner-provided cooking and dining facilities.
- e. Boarding house means a building and accessories thereto principally used, designed, or adapted to provide living accommodations for not more than six (6) occupants and having common cooking and dining facilities.
- f. Townhouse means a residential structure continuing three (3) or more single nondetached dwelling units separated by a common vertical wall.
- g. Condominium means an apartment building or townhouse containing three (3) or more dwelling units, separated by a common vertical wall being under or intended for separate ownership, for each household living accommodation.
- h. Multi-family means a townhouse or apartment dwelling or any building containing three (3) or more households, the living quarters of each household are completely separate.
- i. Triplex dwelling means units designed for use by three (3) households located on the same tract in one ownership.

- j. Quadruplex dwelling means four (4) units designed for use by four (4) households located on the same tract in one ownership.
- k. Modular/Manufactured dwelling (as defined by the Department of Commerce and Insurance, State of Tennessee).
- l. Mobile home or trailer means a vehicular, portable structure built on a chassis, designed for year-round occupancy and designed to have no foundation (but not prohibited) other than wheels, jacks, or skirting and which is capable of being moved, towed, or transported by another vehicle, with the mobile home label issued by the United States Department of Housing and Urban Development attached to the dwelling.

Dwelling, Attached. A building containing not more than two dwelling units, attached at the side or sides in a series of three or more principal buildings. At points of attachment, such buildings are separated from each other by fire walls extending from footings through roofs without openings which would permit the spread of fire from one building to another. The term attached dwelling is intended to apply to town houses, patio or atrium houses, or any form however termed which conforms to this definition.

Dwelling, One-Family Detached. A one-family dwelling entirely separated from structures on adjacent lots.

Dwelling, Two-Family Detached. A detached residential building containing two dwelling units, designed for occupancy by not more than two families.

Dwelling, Semi-Detached. A building containing not more than two dwelling units, attached at a side to not more than one other building containing not more than two dwelling units by a party wall without openings with each building having a separate lot with dimensions meeting regulations for the district, or so located on land in the same ownership that individual lots meeting district requirements could be provided, in which case the dimensions of such land shall not be reduced below those required for provisions of separate lots.

Easement. A grant of one (1) or more of the property rights by the owner to, or for use by, the public, a corporation or another person or entity.

Emergency Flood Insurance Program or Emergency Program. Means the program as implemented on an emergency basis in accordance with Section 1336, of the Act. It is intended as a program to provide a first layer amount of insurance on all insurable structures before the effective date of the initial FIRM. **(Added by Ordinance No. 98-01, February 19, 1998)**

Erosion. Means the process of the gradual wearing away of land masses. This peril is not per se covered under the Program. **(Added by Ordinance No. 98-01, February 19, 1998)**

Exception. Means a waiver from the provisions of this Ordinance which relieves the applicant from the requirements of a rule, regulation, order or other determination made or issued pursuant to this Ordinance. **(Added by Ordinance No. 98-01, February 19, 1998)**

Existing Construction. Any structure for which the "start of construction" commenced before the effective date of this Ordinance. **(Added by Ordinance No. 98-01, February 19, 1998)**

Existing Manufactured Home Park or Subdivision. Means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of this ordinance. **(Added by Ordinance No. 98-01, February 19, 1998)**

Existing Structures see Existing Construction. **(Added by Ordinance No. 98-01, February 19, 1998)**

Expansion to an Existing Manufactured Home Park or Subdivision. Means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of this ordinance. **(Added by Ordinance No. 98-01, February 19, 1998)**

Family. One of the following:

- a. An individual, or two (2) or more persons occupying a dwelling unit and living as a single independent, nonprofit housekeeping unit, together with incidental domestic servants and temporary non-paying guests.
- b. A group of not more than six (6) unrelated persons living together as a single nonprofit housekeeping unit.
- c. Four (4) or more persons occupying a dwelling unit and living as a single, nonprofit housekeeping unit, if said occupants are handicapped persons as defined by **Title VIII, of the Civil Rights Act of 1968**, as amended by the **Fair Housing Amendments Act of 1988**. Such unrelated individuals shall have the right to occupy a dwelling unit in the same manner and to the same extent as any family unit as defined herein.

Financial Consulting and Administrative. Includes the provision of financial, insurance, real estate brokerage services, as well as the provision of advice, designs, information, or consultation of a professional nature. Also includes the executive, management, administrative, and desired activities of private, profit-oriented firms, other than public utility firms. These activities do not include the storage of goods and chattels for the purpose of sale unless otherwise permitted by other provision this regulation.

Flood Elevation Determination. Means a determination by the Administrator of the water surface elevations of the base flood, that is, the flood level that has a one (1) percent or greater chance of occurrence in any given year. **(Added by Ordinance No. 98-01, February 19, 1998)**

Flood Elevation Study. Means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards. **(Added by Ordinance No. 98-01, February 19, 1998)**

Flood Protection System. Means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards. **(Added by Ordinance No. 98-01, February 19, 1998)**

Flood-Related Erosion. Means the collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding. **(Added by Ordinance No. 98-01, February 19, 1998)**

Flood-Related Erosion Area or Flood-Related Erosion Prone Area. Means a land area adjoining the shore of a lake or other body of water, which due to the composition of the shoreline or bank and high water levels or wind-driven currents, is likely to suffer flood-related erosion damage. **(Added by Ordinance No. 98-01, February 19, 1998)**

Flood-Related Erosion Area Management. Means the operation of an overall program of corrective and preventive measures for reducing flood-related erosion damage, including but not limited to emergency preparedness plans, flood-related erosion control works and flood plain management regulations. **(Added by Ordinance No. 98-01, February 19, 1998)**

Floodplain Management. Means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations. **(Added by Ordinance No. 98-01, February 19, 1998)**

Floor Area. The total of the gross horizontal area of all floors, including usable basements and cellars, below the roof and within the outer surface of the main walls of principal or accessory buildings or the center lines of party walls separating such building or portions thereof, or within lines drawn parallel to and two (2) feet within the roof line of the building or portions thereof without walls, but excluding in the case of nonresidential facilities; arcades, porticoes, and similar open areas which are accessible to the general public, and which are not designed or used as sales, display, storage, service, or production areas.

Freeboard. Means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings and the hydrological effect of urbanization of the watershed. **(Added by Ordinance No. 98-01, February 19, 1998)**

Functionally Dependent Use. Means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities. **(Added by Ordinance No. 98-01, February 19, 1998)**

Gasoline Service Station. Any area of land, including structures thereon, that is utilized for the retail sale of gasoline, oil (but no butane or propane fuels) or automobile accessories, and incidental services including facilities for lubricating, hand car washing and cleaning, or otherwise servicing automobiles, but not including painting or major repair.

Grade, Finished. The completed surfaces of lawns, walks, and roads brought to grades as shown on official plans or designs relating thereto.

Health Department. The Sumner County Health Department or the Robertson County Health Department.

Height of Building or Structures. The vertical distance from the average ground elevation or finished grade at the building line, whichever is the highest, to the highest point of the building or structure.

Historic Structure. Means any structure that is: **(Added by Ordinance No. 98-01, February 19, 1998)**

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior;
or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - a. By an approved state program as determined by the Secretary of the Interior,
or
 - b. Directly by the Secretary of the Interior in states without approved programs.

Home Day Care. Any place, home or institution which receives between five (5) and twelve (12) young children, conducted for cultivating the normal aptitude for exercise, play observation, initiation and construction. (Deleted by Ordinance 06-08, February 16, 2006).

Home Occupation. See Section 4.040.

Hospital. See Medical Facilities

Impact Fee Administrator. The Director of the City of White House Code Administration Department, or such other person selected by the Mayor to be responsible for administration of the City's impact fee regulations. **(Added by Ordinance No. 95-22, January 1, 1996.)**

Junk Yard or Salvage Yard. See Salvage Yard.

Landscaping. The planting and maintenance of trees, shrubs, lawns and other ground cover, or materials.

Levee. Means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding. **(Added by Ordinance No. 98-01, February 19, 1998)**

Levee System. Means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices. **(Added by Ordinance No. 98-01, February 19, 1998)**

Light Industry. Is defined, for the purpose of this ordinance, on the basis of performance in terms of absence of objectionable noise, smoke, odor, dust, dirt, noxious gases, glare and heat; and of the creation of industrial wastes, psychological effects and generation of motor vehicle traffic.

Loading Space. An area twelve (12) feet by sixty-five (65) feet with a fourteen (14) foot height clearance providing for the standing, loading, or unloading of a truck or other vehicles.

Lot. A piece, plot, or parcel of land in one ownership which may include one or more lots of record, occupied or to be occupied by one principal building and its accessory buildings, including the open spaces required under this ordinance.

Lot, Area. The total surface land area included within lot lines.

Lot, Corner. A lot of which at least two (2) adjoining sides abut their full lengths on a street, provided that the interior angle at the intersection of two (2) such sides is less than one hundred thirty-five (135) degrees.

Lot, Depth. The average distance from the street line of the lot to its rear line, measured in the general direction of the side lines of the lot.

Lot, Frontage. That dimension of a lot or portion of a lot abutting on a street, excluding the side dimensions of a corner lot.

Lot, Interior. Any lot other than a corner lot.

Lot Lines. The boundary dividing a given lot from a street, an alley or adjacent lots.

Lot of Record. A lot which is part of a subdivision recorded in the office of the County Register of Deeds, or a lot described by metes and bounds, the description of which has been recorded in the Office of the County Register of Deeds prior to the effective date of this Zoning Ordinance.

Lot, Width. The width of a lot at the building setback line measured at right angles to its depth.

Lowest Floor. Means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Ordinance. **(Added by Ordinance No. 98-01, February 19, 1998)**

Map. Means the Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by the Agency. **(Added by Ordinance No. 98-01, February 19, 1998)**

Marina. A facility for the docking and servicing of boats.

Medical Facilities

Convalescent, Rest or Nursing Home - A health facility where persons are housed and furnished with meals and continuing nursing care for compensation or fee.

Dental Clinic or Medical Clinic - A facility for the examination and treatment of ill and afflicted human out-patients, provided, however, that patients are not kept overnight except under emergency conditions.

Hospital - An institution providing health services primarily for human in-patient medical care for sick or injured and including related facilities such as laboratories, out-patient facilities, emergency medical services, and staff offices which are an integral part of the facility services, and staff offices which are an integral part of the facility.

Public Health Center. - A facility utilized by a health unit for the provisions of public health services.

Minimum Floor Elevation. The lowest elevation permissible for the construction, erection, or other placement of any floor, including a basement floor.

Mobile Home Park. Any area, tract, site or plot of land where-upon mobile homes as herein defined are placed, located, or maintained in single ownership or for rental purposes, and shall include all accessory buildings uses or intended to be used as part of the equipment thereof.

Mobile Home Space. A designated area within a mobile home park for the exclusive use of the occupants of a single home.

New Manufactured Home Park or Subdivision. Means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of this Ordinance. **(Added by Ordinance No. 98-01, February 19, 1998)**

Nonconforming Use. A lawful use of a building or other structure other than a sign or of a tract of land which does not conform to any one (1) or more of the applicable use regulations of the district in which it is located, either on the effective date of this ordinance or as a result of any subsequent amendment.

Noxious Matter. Material in gaseous, liquid or solid form which is capable of causing injury to living organisms, chemical reactions, or detrimental effects upon the social, economic or psychological well being of individuals.

Occupancy. The principal use of land for the performance of a function or operation by a person, firm, corporation, or association as a single legal entity. For the purpose of this Zoning Ordinance there shall be only one principal use of land by any one person, firm, corporation, association or legal entity.

100-Year Flood see Base Flood.

Open Space. An area on the same lot with a main building which is open, unoccupied and unobstructed by structures from the ground to the sky except as otherwise provided in this ordinance.

Owner. Includes his duly authorized agent or attorney, a purchaser, devise, fiduciary, and a person having a vested or contingent interest in the property in question.

Parking Lot. An off-street facility including parking spaces with adequate provisions for drives and aisles for maneuvering and obtaining access, and for entrance and exit.

Parking Space. An off-street space available for parking one (1) motor vehicle and having an area of not less than two hundred (200) square feet exclusive of passageways and driveways giving access thereto, and having access to a street or alley.

Person. Includes any individual or group of individuals, corporation, partnership, association, or any other entity, including State and local governments and agencies. **(Added by Ordinance No. 98-01, February 19, 1998)**

Planned Unit Development. An interrelated development adhering to a master development plan and located on a single planned area of land which: 1) has both individual building sites and common property such as parks, and 2) is designed and organized to be capable of satisfactory use and operation as a separate entity without necessarily having the participation of other building sites or other common property; the ownership of the common property may be either public or private. Cluster developments and mixed use developments of all types are planned unit developments.

Planning Commission. The White House Municipal Planning Commission.

Plat. A map, plan, or layout indicating the location and boundaries of individual properties.

Principal Activity. An activity which fulfills a primary function of an establishment, institution, household, or other entity.

Principal Building. A building which contains the principal activity or use of the zone lot on which the building is situated.

Principal Use. The specific primary purpose for which land or a building is used.

Private Waste Water Treatment. Individual subsurface sewage disposal systems (i.e., septic tanks), package treatment plants or individual aeration system employed for the collection and treatment and/or disposal of waste water, as approved by the Sumner County Health Department or Robertson County Health Department.

Professional Office. The office of a physician, dentist, attorney, architect, engineer, planner, accountant, or similar professions.

Public Uses. Public parks, schools, and administrative, cultural, and service buildings, not including public land or buildings devoted solely to storage and maintenance of equipment and materials.

Public Waste Water System. A municipal, community, or utility district sewerage treatment and disposal system of a type approved by the State of Tennessee Department of Health and Environment and the Public Service Commission.

Recreational Vehicle. Means a vehicle which is: **(Added by Ordinance No. 98-01, February 19, 1998)**

1. built on a single chassis;
2. four hundred (400) square feet or less when measured at the largest horizontal projections;
3. designed to be self-propelled or permanently towable by a light duty truck; and
4. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Right-of-Way. The minimum right-of-way on all streets shall be determined by type of street designed in accordance with the procedure and specifications of Subdivision Regulations. The minimum right-of-way for access lanes shall be forty (40) feet that measures twenty (20) feet from the center line. The minimum right-of-way for access streets shall be fifty (50) feet that measures twenty-five (25) feet from the center line. The minimum right-of-way for collector streets shall be sixty (60) feet that measures thirty (30) feet from the center line. The minimum right-of-way for arterial streets shall be eighty (80) feet that measures forty (40) feet from the center line. Collector and arterial streets are shown on the official Major Thoroughfare Plan of White House, Tennessee. **(Amended by Ordinance No. 02-05, March 21, 2002)**

Riverine. Means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc. **(Added by Ordinance No. 98-01, February 19, 1998)**

Roadway. The actual road surface, including necessary road shoulders and drainage facilities including ditches and curbs and gutters, which is used to transport motor vehicles.

Salvage Yard or Junk Yard. A lot, land, or structure, or part thereof, used primarily for the collecting, storage and sale of waste paper, rags, scrap metal, or discarded material for the collecting, dismantling, storage and salvage of machinery or vehicles not in running condition or for the sale of the parts thereof.

Sanitary Landfill. An area or site utilized by a public or private entity for disposal of solid waste or refuse in a manner which meets the regulations imposed upon the operation and maintenance of sanitary landfill sites by the State Department of Health and Environment.

Setback Line. See Building Setback Line.

Shelter, Fall-Out. A structure or portion of a structure intended to provide protection to human life during periods of danger from nuclear fall-out, air-raids, storms, or other emergencies.

Shopping Center. A group of compatible commercial establishments planned, developed, and managed as a unit, with an automobile storage area provided on the property; the center must also be related in location, size, and type of the shop to its trade area.

Special Exception. A use which is specifically permitted if the owner can demonstrate to the satisfaction of the Board that it will meet certain standards, enumerated safeguards, or qualifying conditions.

Special Hazard Area. Means an area having special flood, mudslide (i.e., mudflow) and/or flood-related erosion hazards, and shown on an FHBM or FIRM, as Zone A, AO, A1-30, AE, A99, or AH. **(Added by Ordinance No. 98-01, February 19, 1998)**

Special Institutional Care Facilities. Means all types of institutional care facilities that involve forced residency, full-time supervision, and/or walk-in care for: (1) individuals legally confined due to violations of law; (2) individuals who are addicted to drugs and/or alcohol; and (3) individuals who are mentally ill, including the criminally dangerous. Under the terms of this Ordinance, the following uses are considered to be special institutional care facilities: detention and/or correctional institutions, drug and alcohol rehabilitation facilities, halfway houses serving convicted felons or recovering substance abusers, institutional care facilities including all types of asylums for the psychotic or insane, and substance control centers serving recovering substance abusers. **(Added by Ordinance No. 97-15, December 20, 1997)**

State Coordinating Agency. (Tennessee Department of Economic and Community Development, Local Planning Assistance Office) means the agency of the state government, or other office designated by the Governor of the State or by state statute at the request of the Administrator to assist in the implementation of the National Flood Insurance Program in that state. **(Added by Ordinance No. 98-01, February 19, 1998)**

Story. That portion of a building included between the upper surface of any floor and the upper surface of the floor next above; or any portion of a building between the topmost floor and the roof which is used for human occupancy in which the floor area with eight (8) feet or more head clearance equals fifty (50) percent or more of the floor area of the next story below. Provided, it is not used as a dwelling unit, a top floor in which the floor area with eight (8) feet or more of head clearance equals less than fifty (50) percent of the floor area of the story next below shall be a "half-story". A basement shall be considered as a story if more than one half (1/2) of its height is above the average ground level from which the "height of a building" is measured or if it is used for commercial purposes.

Street. A public road, highway, or thoroughfare which constitutes, or is designed to constitute, the main access to more than one lot and which has been legally dedicated and accepted for public use.

Structure. Any combination of materials, including buildings, constructed or erected, the use of which requires location on the ground or attachment to anything having location on the ground and including among other things, signs, billboards, and fences.

Substantial Damage. Means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred. **(Added by Ordinance No. 98-01, February 19, 1998)**

Substantially Improved Existing Manufactured Home Parks or Subdivisions. Is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds fifty (50) percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced. **(Added by Ordinance No. 98-01, February 19, 1998)**

Toxic Materials. Materials (gaseous, liquid, solid, particulate) which are capable of causing injury to living organisms by chemical reaction even when present in relatively small amounts.

Travel Trailer. A vehicular, portable structure designed as a temporary dwelling for travel, recreation, and vacation uses.

Travel Trailer Park. A plot of land designed and equipped to accommodate travel trailers for short periods of time.

Use. The purpose for which land or a building or other structure is designed, arranged or intended, or for which it is or may be occupied or maintained.

Understory Tree. A tree that would occupy the understory of a forest in a natural ecological situation. These types of trees are often referred to as ornamental trees. Examples include redbud, hazel, holly, and dogwood.

Violation. Means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certification, or other evidence of compliance required in this Ordinance is presumed to be in violation until such time as that documentation is provided. **(Added by Ordinance No. 98-01, February 19, 1998)**

Water Surface Elevation. Means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas. **(Added by Ordinance No. 98-01, February 19, 1998)**

Yard. An open space on the same lot with a building or building group lying between the front, rear, or side wall of a building and the nearest lot line unoccupied except for projections and the specific minor uses or structures allowed in such open space under the provisions of this Zoning Ordinance.

Yard, Front. The required open landscaped space measured between the front lot line and nearest point of the principle building or parking lot and between the side lot lines.

Yards, Side. The required open landscaped space measured between the side lot line and the nearest point of the principle building or parking lot and between the front yard the rear yard.

Yards, Rear. The required open landscaped space measured between the rear lot line and the nearest point of the principal building or parking lot and between the side lot lines.

Zoning Map. A map or series of maps and special overlays (the official copy being maintained by the City Planning Director showing districts and special districts that are established under the provision of and, hereby, being a part of this Zoning Ordinance.