

ARTICLE IX

SUPPLEMENTARY PROVISIONS APPLYING TO ALL DISTRICTS

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9.01 ACCESS CONTROL

In order to expedite the movement of traffic, to promote the safety of the motorist and pedestrian, and to minimize traffic congestion and conflict, it is necessary to reduce the points of vehicular contact. Therefore, to effectively control vehicular access onto the streets of Spring City, it is necessary to classify such streets as follows: arterials, collectors, and local streets. The classification of each street shall be as shown on the zoning map of Spring City, Tennessee, which is kept at City Hall.

The following are general access regulations applying to all classifications of streets.

1. Maximum width of all access points:

The maximum width of all access points shall be thirty (30) feet measured at the property line except when the development requiring access generates high overall or high peak traffic volumes, in which case the Spring City Municipal Planning Commission may approve a wider channelized access point to allow various turning movements for greater traffic control and safety.

2. Temporary access ways:

Temporary access ways may be granted by the Planning Commission at locations other than those specified for permanent access where it is expedient for the purpose of staged development. Temporary access ways shall be closed when permanent access to the property is completed.

3. Off-street parking lanes entirely independent of public streets:

No off-street vehicular storage or parking area shall be allowed where the arrangement requires that vehicles back directly into a public street right-of-way.

4. Access for lots fronting on more than one street:

In all commercial developments where a lot abuts more than one street, the Planning Commission may require that the access be from the street of lower classification when necessary to lessen serious congestion on the major street.

5. Gasoline service stations:

Gasoline service stations shall be allowed two (2) access points onto the same street to allow proper circulation past gasoline pumps.

9.02 ACCESSORY USE REGULATIONS

The uses of land, buildings, and other structures permitted in each of the districts established by this ordinance are designated by listing the principal uses. In addition to such principal uses, additional uses which are customarily incidental to the permitted principal uses are also permitted in each district. Each accessory use shall:

1. Be customarily incidental to the principal use established on the same lot.
2. Be subordinate to and serve such principal use.
3. Be subordinate in area, intent, and purpose to such principal use.
4. Contribute to the comfort, convenience, or necessity of users of such principal use.

9.03 OFF-STREET PARKING REGULATIONS

9.03A SPACES REQUIRED (amended 9/7/06)

Off-street automobile storage or standing space shall be provided on each lot upon which any of the following uses are hereafter established. One (1) passenger vehicle space shall be determined as a space with dimensions of nine feet in width and eighteen feet in length and such shall be provided access to a street or alley. The number of parking spaces provided shall meet the minimum requirements for the specific uses as set forth below.

1. Dwellings:
Not less than one (1) space for each family dwelling unit.
2. Boarding houses and rooming houses:
Not less than one (1) space for each two (2) rooms occupied by boarders or roomers.
3. Tourist Accommodations, motel or hotel:

Not less than one (1) space for each room offered for tourist accommodation.

4. Any auditorium, stadium, or other place or public assembly:

Not less than one (1) space for every five (5) seats provided in such places of assembly. For places of public assembly where seating is not a measure of capacity, such as clubhouses, funeral parlors, etc., at least one (1) space for each one hundred (100) square feet of floor space devoted to that particular use shall be provided.

5. Churches:

Not less than one (1) space for every twenty (20) seats provided in such places of assembly.

6. Manufacturing and other industrial uses:

Not less than one (1) space for every three (3) persons employed on a single shift, with a minimum of five (5) spaces provided for any establishment.

7. Commercial building or use:

One (1) space for each one hundred seventy-five (175) square feet of usable floor space in commercial districts. Usable floor space is to be determined by the Local Planning Office staff based on the nature of the business.

8. Medical or dental clinics and hospitals.

Four (4) spaces per doctor, plus one (1) additional space per employee.

9. Service stations:

Five (5) spaces for each grease rack or similar facility, plus one (1) space for each gasoline pump.

10. Offices:

One (1) space for each two hundred (200) square feet of office space.

11. Restaurants:

One (1) space per one hundred fifty (150) square feet of usable floor area, plus one (1) space for every two (2) employees. For drive-in restaurants, one (1) space per fifty (50) square feet of usable floor area.

12. Apartments and any other planned unit development:

One (1) space for each family dwelling unit. In addition there shall be paved guest parking provided at a ratio of one (1) space per two (2) units.

9.03B CERTIFICATION OF MINIMUM PARKING REQUIREMENTS

Each application for a building permit shall include information as to the location and dimensions of off-street parking and loading space and the means of ingress and egress to such space. This information shall be in sufficient detail to enable the Building Inspector to determine whether or not the requirements of this section are met.

9.03C COMBINATION OF REQUIRED PARKING SPACE

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

9.03D 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 five hundred (500) feet of the main entrance to such principal use, provided such land is in the same ownership as the principal use. 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.

9.03E REQUIREMENTS FOR DESIGN OF PARKING LOTS

1. Except for parcels of land devoted to one- and two-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.
2. Each parking space shall be no less than two hundred (200) square feet in area.
3. Entrances and exits for all off-street parking lots shall comply with the requirements of Section 9.01.
4. The parking lot shall be drained to eliminate surface water.

9.04 OFF-STREET LOADING AND UNLOADING REQUIREMENTS

Every building or structure hereafter constructed and used for industry, or business or trade in all districts shall provide space for the loading and unloading of vehicles off the street or public alley. This space shall not be considered as part of the space requirements for off-street automobile storage.

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

9.05 TEMPORARY USE REGULATIONS

The following regulations are necessary to govern the operation of certain necessary or seasonal uses non-permanent 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 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 subject to the regulations of any district in which such use is located.

1. Carnival or circus:

May obtain a Temporary Use Permit in the C-2 district; however, such permit shall be issued for a period of not longer than fifteen (15) days.

2. Christmas tree sales:

May obtain a thirty (30) day Temporary Use Permit for the display of Christmas trees on open lots in any district except the Floodway District.

3. Temporary buildings:

In any district, except the Floodway District, a Temporary Use Permit may be issued for a 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-month extensions; however, not more than three (3) extensions shall be granted to a particular use. Such use shall be removed upon completion of the construction project, or upon expiration of the Temporary Use Permit, whichever occurs sooner.

4. Temporary real estate sales office:

In any district, a Temporary Use Permit may be issued for a temporary real estate sales office in any new subdivision which has been approved by the Planning Commission under the Spring City Subdivision Regulations. Such office shall contain no living accommodations. The permit will be valid for one (1) year, but may be granted two (2) six-month extensions. Such office shall be removed upon completion of the development of the subdivision or upon expiration of the Temporary Use Permit, whichever occurs sooner.

5. Religious tent meetings:

In the C-2 General Commercial District a Temporary Use Permit shall 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.

6. Seasonal sale of farm produce:

In the C-2 General Commercial District a Temporary Use Permit may be issued for the sale of farm produce grown on the premises. Structures

utilized for such sales shall be removed when not in use. The permit shall be issued for a five (5) month period. All structures must be set back from the roadway a minimum of thirty-five (35) feet.

7. Miscellaneous assemblies:

In any district, except the Floodway District, a Temporary Use Permit may be issued for any assembly such as an outdoor music, political rally, etc. Such permit shall be issued for not more than a seven (7) day period.

9.06 CUSTOMARY HOME OCCUPATIONS

A customary home occupation is a gainful occupation or profession conducted by members of a family residing on the premises and conducted entirely within the dwelling unit. In connection with a home occupation, no stock in trade shall be displayed outside the dwelling, and no alteration to any building shall indicate from the exterior that the building is being utilized in whole or in part for any purpose other than a residential unit, including permitted accessory buildings. When questions arise regarding the legality of specific home occupations the Board of Zoning Appeals shall determine whether said home occupation is in compliance with the district in which said home occupation is located. However, activities such as dancing instruction, band instrument instruction except piano instruction, tea rooms, tourist homes, convalescent homes, mortuaries, animal clinics, retail sales business, or any other activity deemed by the Board to be incompatible with the district or a potential nuisance to the surrounding area shall not constitute an acceptable home occupation.

9.07 GENERAL LOT RESTRICTIONS

The following general lot restrictions shall be complied with in all districts.

9.07A ONE (1) PRINCIPAL STRUCTURE FOR EACH LOT

1. Only one (1) principal building and its customary accessory building may be erected on any lot. This provision does not prohibit planned unit development complexes as permitted in the R-3 High Density Residential District as regulated by the Southern Building Code and this ordinance.
2. No building shall be erected on a lot which does not abut at least one (1) street for its entire frontage. No building shall be erected on a lot with less than twenty-five (25) foot frontage.

9.07B REDUCTIONS IN LOT AREA PROHIBITED

No lot, even though it may consist of one or more adjacent lots of record, shall be reduced in area so that yards, lot area per family, lot width, building area, or other requirements of this ordinance are not maintained. This section shall not apply when a portion of a lot is required for a public purpose

9.07C REAR YARD ABUTS A PUBLIC STREET

When the rear yard of a lot abuts a public street all structures built in that rear yard shall observe the same setback from the street line or property line as required for adjacent properties which front on that street. In addition, any structure located within twenty-five (25) feet of that setback line shall be no closer to any side property line than the distance required for side yards on adjoining properties fronting on that street.

9.08 VISION AT STREET INTERSECTIONS

On a corner lot in any district, within the area formed by the center lines of the intersecting or intercepting streets and a line joining points on such center lines at a distance of seventy-five (75) feet from their intersections, there shall be no obstruction to vision between the height of two and one-half (2-1/2) feet and a height of ten (10) feet above the average grade of each street at the center line thereof. The requirements of this section shall not be construed to prohibit any necessary retaining wall, nor the provisions of the C-1 Central Business District zone.

9.09 GASOLINE SERVICE STATION RESTRICTIONS

The following regulations shall apply to all gasoline service stations:

1. 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.
2. Gasoline pumps shall not be located closer than twenty-five (25) feet to any street right-of-way line.
3. Sign requirements as established in Article IX, Section 9.11 shall be met.

9.10 SWIMMING POOL RESTRICTIONS

The following regulations shall apply to all swimming pools:

1. No swimming pool or part thereof, excluding aprons and walks, shall protrude into any required front yard in the R-1, R-2, and R-3 Districts.
2. The swimming pool area shall be walled or fenced so as to prevent uncontrolled access by children and pets from the street or from adjacent properties. Said fence or wall shall not be less than four (4) feet in height and maintained in good condition.
3. Private swimming pools are permitted in R-1, R-2, and R-3 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.