14.101. Creation and membership
Pursuant to the provisions of section 13-3-101 of the Tennessee Code Annotated there is hereby created a Municipal Regional Planning Commission, hereinafter referred to as the Planning Commission. The Planning Commission shall consist of ten (10) members; two (2) of these shall be the mayor and an alderman selected by the City Council; the other eight (8) members shall be appointed by the mayor. All members of the Planning Commission shall serve as such without compensation. Except for the initial appointments which shall be made so as to stagger the terms, the terms of the eight (8) members appointed by the Mayor shall be for five (5) years each. The terms of the mayor and the alderman selected by the City Council shall run concurrently with their terms of office on the City Council. Any vacancy in an appointive membership shall be filled for the unexpired term by the Mayor. (1968 code, § 11-101, modified)

14.102. Organization, powers, duties, etc.
The Planning Commission shall be organized and shall carry out its powers, functions, and duties in accordance with title 13 of the Tennessee Code Annotated. (1968 code, § 11-102)
CHAPTER 2  
PURPOSE AND APPLICABILITY

<table>
<thead>
<tr>
<th>Sections</th>
<th>Pag</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.20 Purpose</td>
<td>2-1</td>
</tr>
<tr>
<td>14.20 Application</td>
<td>2-2</td>
</tr>
<tr>
<td>14.20 Scope of Regulations</td>
<td>2-2</td>
</tr>
<tr>
<td>14.20 Renewals of Uses Where Exceptions, Variances or Conditional Uses Granted</td>
<td>2-3</td>
</tr>
<tr>
<td>14.20 Change of Uses Where Exceptions, Variances or Conditional Uses Granted</td>
<td>2-4</td>
</tr>
<tr>
<td>14.20 Legislative Intent of Administrative Application of Zoning Regulation</td>
<td>2-4</td>
</tr>
</tbody>
</table>

14.201 Purpose
This ordinance is enacted pursuant to Title 13 of Tennessee Code Annotated for the following purposes:

A. To promote and protect the public health, safety, morals, comfort, convenience, and general welfare of the people;

B. To divide the City into zones and districts to restrict and regulate the location, construction, reconstruction, alteration, and use of buildings, structures, and land for residence, business, commercial, manufacturing, and other specified uses;

C. To protect the character and maintain the stability of residential, business, commercial, and manufacturing areas within the city, and to promote the orderly and beneficial development of such areas;

D. To provide adequate light, air, privacy, and convenience of access to property;

E. To regulate the intensity of open spaces surrounding buildings that is necessary to provide adequate light and air and protect the public health;

F. To establish building lines and the location of buildings designated for residential, business, commercial, manufacturing, or other uses within such lines;

G. To fix reasonable standards to which buildings or structures shall conform;
H. To prohibit uses, buildings or structures, which are incompatible with the character of development or the permitted uses within specified zoning districts;

I. To prevent such additions to, and alterations or remodeling of, existing buildings or structures that would not comply with the restrictions and limitations imposed hereunder;

J. To limit congestion in the public streets and so protect the public health, safety, convenience, and general welfare by providing for the off-street parking of motor vehicles and for the loading and unloading of commercial vehicles;

K. To provide protection against fire, explosion, noxious fumes, and other hazards in the interest of the public health, safety, comfort, and general welfare;

L. To prevent overcrowding of land and undue concentration of structures so far as is possible and appropriate in each district by regulating the use and the bulk of buildings in relation to the land surrounding them;

M. To conserve the taxable value of land and the buildings thereon throughout the City;

N. To define and limit the powers and duties of the administrative officers and bodies;

O. To further the specific purposes stated in the various chapters throughout this Title;

P. To implement the city’s Land Use Plan;

Q. To implement the city’s Thoroughfare Plan; and

14.202 Application

No structure shall be constructed, erected, placed or maintained and no land use commenced or continued within The City of Lebanon, Tennessee, except as specifically or by necessary implication, authorized by this Title.

14.203 Scope of Regulations

A. New Uses, Lots, Buildings, or Other Structures

Any new building or other structure or any tract of land shall be used, constructed, or developed only in compliance with this Title.
B. Alteration of Existing Buildings and Other Structures

1. This Title applies to all of the following when they occur after the effective date:

a. structural alterations of existing buildings or structures, including enlargement and additions that occur after the effective date of this Title; and

b. relocation of existing buildings;

2. A development may qualify for minor site plan approval if all of the following apply:

1) The roof coverage on an addition is not expanded by more than 25%;
2) The total area of roof coverage on an addition will not be over 5,000 sq. ft. at the end of the project;
3) A new drive thru (or drive thru traffic pattern) is not proposed; and
4) In the opinion of the Planning Director or the Engineering Director of Development the project does not need full site plan approval.

Otherwise, the project will be considered a regular site plan that will be reviewed by the Planning Commission.

The Director of Planning or the Planning Commission may require upgrades to the site of either improved compliance or full compliance. The Planning Director or the Planning Commission should consider the value (to the City) of full compliance against the value of the property without any additional improvement to determine the level of compliance that will be required.

3. Single-Family residential and Two-Family Residential Developments are exempt from site plan approval unless site plan approval is required by another section of Title 14.

4. A Three-Family and Four-Family Residential Development that does not have more than 5,000 sq. ft. of roofed area on one parcel may be reviewed as minor site plans as regulated in Title 14.1205.B.1

14.204 Renewals of Uses Where Exceptions, Variances or Conditional Uses Granted.

Where no limitation of a use was imposed at the time it was authorized, the use may be continued. Where uses were authorized prior to (February 3, 2015) subject to a term of years, it may continue until the term expires. After that time, the agency that originally
authorized the use may extend the period of continuance. The agency may prescribe appropriate conditions and safeguards to minimize adverse effects of the use on the character of the neighborhood.


In no event shall any use that was granted upon exception, variance, or appeal, be changed. No agency is allowed to permit that type of use to be changed, except to a conforming use or nonconforming use as provided for in Chapter 12. For purposes of this section, a “change of use” is a change to another use either under a different activity type or any other activity type or major class of activity. However, a change in occupancy or ownership does not, by itself, constitute a change in use.

14.206 Legislative Intent of Administrative Application of Zoning Regulation.

Whenever, in the course of administration and enforcement of this Title, it is necessary or desirable to make any administrative decisions, then, unless other standards are provided in this Title, the decision shall be made so that the result will not be contrary to the spirit and purpose of this Title.
CHAPTER 3
USE CLASSIFICATION

Sections:

14.301 General Classification Purpose and Applicability
14.302 Listing of Activity Classifications
14.303 Accessory Uses
14.304 Classification of Combination of Principal Activities
14.305 Residential Activities
14.306 Community Facility Activities
14.307 Commercial Activities
14.308 Industrial Activities
14.309 Agricultural, Resource Production and Extractive Activities

14.301 General Classification Purpose and Applicability
The provisions of this chapter shall be known as the use classifications. The purpose of these provisions is to classify land uses into a number of specifically defined types on the basis of common functional characteristics and similar compatibility with other uses, thereby with criteria that are directly relevant to the public interest. These provisions shall apply throughout the zoning regulations. Where there is a question concerning the appropriate activity classification for any use not listed herein, the Board of Zoning Appeals shall make the determination based upon the characteristics of the unlisted use. A cross reference index that identifies specific uses and the respective use classification is presented in Appendix C.

14.302 Listing of Activity Classifications
All uses and activities are hereby classified into the following activity types:

A. Residential Activities:

Permanent

1. Dwelling, attached
2. Dwelling, single-family detached
3. Dwelling, semi-detached
4. Dwelling, two-family detached
5. Dwelling, mobile home
6. Dwelling, multi-family

Semi-Permanent:

1. Apartment Hotel
2. Boarding or Rooming Houses
3. College or University Dormitories and Fraternity/Sorority Houses
B. Community Facility Activities:

1. Administrative
2. Community Assembly
3. Community Education
4. Cultural and Recreation Services
5. Essential Services
6. Extensive Impact Facilities
7. Health Care Facilities
8. Intermediate Impact Facilities
9. Personal and Group Care Facilities

C. Commercial Activities:

1. Adult Entertainment
2. Animal Care/Shelter and Veterinarian Services
3. Automotive Parking
4. Automotive Repair and Cleaning
5. Automotive Servicing
6. Building Materials and Farm Equipment
7. Consumer Repair Services
8. Construction Sales and Services
9. Convenience Commercial
10. Entertainment and Amusement Services
11. Financial, Consulting, and Administrative
12. Food and Beverage Service
13. Food Service Drive-in and Drive Thru
14. General Business and Communication Services
15. General Personal Service
16. General Retail Trade
17. Group Assembly
18. Medical and Professional Services
19. Transient Habitation
20. Transport and Warehousing
21. Undertaking Services
22. Vehicular, Craft, and Related Equipment Sales, Retail and Delivery
23. Wholesale Sales

D. Manufacturing Activities:

1. Light
2. Medium
3. Heavy

E. Agricultural, Resource Production, and Extractive Activities:

1. Agricultural Services
2. Crop and Animal Raising
3. Mining and Quarrying
4. Plant and Forest Nurseries

14.303 Accessory Uses
In addition to the principal activities expressed above, each activity type shall be deemed to include activities customarily associated with, and appropriate, incidental, and subordinate to the principal activity. Such accessory activities shall be controlled in the same manner as principal activities except as otherwise expressly provided in this Title.

Such accessory activities may include, but are not limited to, the activities indicated below:

A. Off-street parking and loading serving a principal activity, whether located on the same zone lot or on a different zone lot, per Section 14.802(C) of this Ordinance, but only if the facilities involved are reserved for the residents, employees, patrons, or other persons participating in the principal activity.

B. Home occupations accessory to a residential activity that are carried on within a dwelling unit, or rooming unit, by one or more occupants of the dwelling unit or rooming unit subject to further restrictions contained in Chapter 8, Section 14.801(O).

C. Child care for four (4) or less pre-teenage children. The dwelling unit in which this activity occurs shall meet all applicable state and local regulations.

D. Child care for pre-teenage children when operated by a health care, commercial or industrial activity where the care is provided solely for the children of their employees. The facility shall be located on the same zone lot as the principal activity and meet all applicable state and local regulations for a day care center for children.

E. Residential occupancy in connection with a principal nonresidential activity on the same zone lot provided that residential unit is occupied by the owner or operator of the nonresidential activity.

F. Operation of a cafeteria for employees, residents, patrons or other participating in the principal activity by an organization engaged in a community facility activity on the same zone lot. Where the principal activity is permitted by conditional use only, an accessory cafeteria must be approved as a part of the action granting said permit.

G. Sale of goods on the same zone lot as a principal community facility activity, but only if such goods are available to persons participating in the principal activity.

H. Production of goods for sale by a firm engaged in a principal commercial activity on the same zone lot, subject to further requirements in Chapter 8, Section 14.801(R).
I. Storage of goods sold by a principal commercial activity engaged in by the same firm on the same zone lot, and

J. Operation of an administrative office of a firm engaged in a principal manufacturing or commercial activity on the same zone lot,

K. Temporary construction, grading, and demolition activities which are necessary and incidental to the development of facilities on the same zone lot, or on another of several zone lots being developed at the same time.

L. Temporary conduct of a real estate sales office, which is necessary and incidental to, and located on the site of, a subdivision being developed into ten (10) or more zone lots.

M. Storage of flammable and combustible liquids and gases, subject to approval by the Lebanon Fire Chief or a designee.

14.304 Classification of Combinations of Principal Activities
The following rules shall apply where a single zone lot contains activities that resemble two or more different activity types and which are not classified as accessory activities.

A. Separate Classification of Each Establishment

The principal activities on a single zone lot by each individual establishment, management, or institution shall be classified separately.

B. Separate Classification of Different Classes of Activities Conducted by a Single Establishment

If the principal activities conducted by a single establishment, management, or institution resemble two or more different classes of activities, the principal activities of each class shall be classified separately.

C. Classification of Different Activities Within the Same Class, Conducted by a Single Establishment

If principal activities conducted on a single zone lot by a single establishment, management, or institution resemble two or more activity types within the same class of activities, all such principal activities shall be classified in the activity type within said class the description of which type most closely portrays the overall nature of such activities.

D. Classification and Land Use Cross Reference

Appendix C is a cross-reference index to identify many individual land uses and place them into the appropriate activity classification. Reference should be made to this index when questions regarding a specific land use arise.
14.305 Residential Activities

A. **Permanent Residential:** the occupancy of living accommodations on a monthly or longer basis. This shall not include institutional living arrangements involving the provision of any kind of special care or forced residence such as nursing homes, orphanages, mental institutions, half-way houses or prisons, except as provided by general law of the state. The dwelling types as defined by this ordinance and classified in Appendix C are permanent residential activities, however, only those dwelling types as indicated by individual district regulations may be permitted therein. Group homes that qualify for statutory zoning protection are considered a permanent residential use.

B. **Semi-Permanent Residential:** the occupancy of living accommodations partly on a monthly or longer basis and partly for a shorter time period. This shall not include institutional living arrangements involving the provision of a special kind of care or forced residence, such as nursing homes, orphanages, mental institutions, half-way houses, and prisons, except as provided by general law of the state. The dwelling or rooming unit types as defined by this ordinance are considered as semi-permanent residential activities, however, only those dwelling or rooming unit types as indicated by individual district regulations may be permitted therein.

14.306 Community Facility Activities

A. **Administrative Services:** include the activities typically performed by public administrative offices.

B. **Community Assembly:** includes the activities typically performed by or at institutions and installations for various social, religious, athletic, and recreational purposes, but excluding any facility the primary function of which is to produce products or printed matter for sale or general distribution, any retail sales or commercial overnight accommodations or facilities primarily utilized for profit.

C. **Community Education:** includes the activities of an educational nature typically performed by public and private schools. This does not include special training and schooling services offered by private individuals or for profit institutions nor technical schools, colleges, or universities.

D. **Cultural and Recreational Services:** includes the activities of a cultural or recreational nature that are either owned by, or operated for the use and enjoyment of, the general public. This does not embrace such facilities that are privately owned and operated for profit.

E. **Essential Services:** includes the maintenance and operation of the installations that provide essential services for the public, government, or the economy.
F. **Extensive Impact Facilities:** includes the publicly owned activities that have a high degree of impact upon surrounding land use due to their hazards or nuisance characteristics, as well as traffic generation, parking, and land requirements and privately-owned activities that provide an essential public service.

G. **Health Care Facilities:** includes the activities typically performed by the institutions providing medical care and services but not including the offices, clinics, etc., of private physicians or other health care professionals:

H. **Intermediate Impact Facilities:** includes publicly owned activities and privately-owned activities that provide a public service and have a significant effect upon surrounding land uses due to their traffic generation characteristics, parking requirements, land requirements, or potential nuisances but that typically have less impact than Extensive Impact Facilities.

I. **Personal and Group Care Facilities:** includes the activities and facilities to provide for the care of pre-teenage children, excluding living accommodations for the clientele, the elderly and/or disabled and handicapped persons needing special care or supervision but excluding facilities oriented toward medical care and also excluding facilities for delinquent, criminally dangerous, substance abusers or psychotic people.

14.307 **Commercial Activities**

A. **Adult Entertainment:** includes the provision of entertainment and sale of materials that are predominantly directed toward adult sexual activities as further defined herein.

B. **Animal Care and Veterinarian Services:** includes the provision of animal care, treatment, and boarding services.

C. **Automotive Parking:** includes the parking and/or storage of motor vehicles but excluding junk or scrap vehicles.

D. **Automotive Repair and Cleaning:** includes establishments primarily engaged in furnishing auto repair and cleaning services to the general public.

E. **Automotive Servicing:** includes the sale, from the premises, of goods and the provision of services which are generally required for the operation and maintenance of motor vehicles and fulfilling motorist’s needs.

F. **Building Materials and Farm Equipment:** includes the retail and wholesale sales and storage of materials used in the construction of buildings and other structures as well as the retail and wholesale sale and storage of implements, equipment, feed, and seed used in agricultural pursuits.
G. **Consumer Repair Services**: includes the servicing and repair of appliances, furniture, and equipment generally used or owned by individuals.

H. **Construction Sales and Services**: includes the offices, buildings, and shops of various types of contractors as well as incidental on-site construction and storage.

I. **Convenience Commercial**: includes the retail sale, from the premises, of groceries, drugs and other frequently needed personal convenience items, as well as the provision of personal convenience services that are typically needed frequently or recurrently; The purpose is to allow stores at a scale that matches a surrounding residential district.

J. **Entertainment and Amusement Services**: includes the provision of cultural, entertainment, educational and athletic services, other than those classified as Community Facility Activities, to assembled groups of spectators or participants.

K. **Financial, Consultative and Administrative Services**: includes the provision of financial, insurance, real estate brokerage and general business offices, as well as advice, designs, information, or consultations of a professional nature (other than those classified as Community Facility Activities, Medical Service, or Business and Communication Services).

L. **Food and Beverage Service**: includes the retail sale of prepared food or beverages for on-premises consumption within the principal structure on the zone lot.

M. **Food Service Drive-In, Drive-Thru, and Take-Out**: includes the retail sale of prepared food or beverages for either home or on-premises consumption either within the principal structure or within a parked car on the same zone lot or with the principal structure having a pick-up window with a drive-thru lane.

N. **General Business and Communication Services**: includes the provision of services of a clerical, goods brokerage, and communications of a minor processing nature, copying and blueprinting services, custom printing (except books) but exclude the sale and/or storage of goods and property unless otherwise permitted by this ordinance.

O. **General Personal Services**: includes the provision to individuals of informational and instructional services as well as the provision of care and maintenance for personal items. These activities do not include the storage or sale of goods or property unless otherwise permitted herein.

P. **General Retail Trade**: includes the retail sales or rental from the premises, primarily for personal or household use, of goods and/or services but
excluding goods and services listed in the other classifications herein.

Q. **Group Assembly:** includes the provision of cultural, entertainment, educational, and athletic services, other than those classified as Community Facilities, to large groups of assembled spectators and/or participants (150 or more) or that have a substantial potential impact upon adjoining property.

R. **Medical Services:** includes the provision of therapeutic, preventive, or corrective personal treatment services by physicians, dentists, and other practitioners, as well as testing and analysis services of which is provided in an office environment.

S. **Transient Habitation:** includes the provision of lodging services for transient guests. The term shall include four different types of activities as defined in Appendix C.

T. **Undertaking Services:** includes the provision of undertaking and funeral services involving the care and preparation of the human deceased prior to burial, including crematoriums.

U. **Vehicular, Craft, and Related Equipment:** includes the retail or wholesale sale or rental from the premises of watercraft, vehicular and related equipment with incidental maintenance.

V. **Wholesale Sales:** includes the storage and sale from the premises of goods to other firms for resale, as well as the storage of goods and their transfer to retail outlets; but exclude sale or storage of motor vehicles, except for parts and accessories.

### 14.308 Industrial Activities

Industrial activities are divided into categories as follows:

A. **Light Industrial Activities:** includes any use engaged in the manufacture, predominately from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing, all within completely enclosed buildings.

1. The manufacture, compounding, processing, assembling, packaging, treatment, or fabrication of the following products if all such operations are carried out within completely enclosed buildings:

2. Apparel and Apparel Accessories
   - Art Objects
   - Bakery Goods
   - Beverages (nonalcoholic)
   - Dairy Products
   - Instruments for Medical, Dental, Engineering, Optical Instruments and Lens
Printed Matter
Scientific and Other Professional Purposes
Signs

3. Activities and operations which includes the following:

Book Binding
Cabinets and Similar Products
Data Processing Service
Photocopying
Photoengraving
Precision Machining of Dies, Jigs, and Fixtures
Printing
Publishing
Record Pressing
Schools for Instruction of Industrial Processes, such as Welding, HVAC, etc.
Transportation
Upholstering
Warehouse
Welding

B. Medium Industrial Activities: includes any use in which goods are generally mass produced from raw materials, on a large scale through use of an assembly line or similar process, usually for sale to wholesalers or industrial or manufacturing users. These activities do not necessitate the storage of large volumes of highly flammable, toxic, or explosive materials for the industrial processes.

1. The manufacture, compounding, processing, assembling, packaging, treatment, or fabrication of the products listed above in Light Industrial without the requirement that operations be carried out in completely enclosed buildings except for the following:

Cotton Seed Oil
Explosives
Fireworks
Organic Fertilizers

2. Other activities and operations except for the following:

Abrasive, Asbestos, and Non-metallic Mineral Processing
Arsenals
Asphaltic Cement Plants
Atomic Reactors
Automobile Wrecking Yards, Scrap and Waste Materials
Cement and/or Concrete Plants
Chemical Manufacturing in excess of 1 ton per day
C **Heavy Industrial Activities:** includes all exceptions shown under Medium Industrial Activities, any use engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or any use engaged in storage of and manufacturing processes using flammable or explosive materials, or storage and manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.

Arsenals
Atomic Reactors
Explosives Manufacturing and Storage
Fireworks Manufacturing
Hazardous Wastes Storage and/or Transfer
Radioactive Waste Handling

14.309 **Agricultural, Resource Production, and Extractive Activities**

A. **Agricultural Services:** includes various activities designed to provide needed services for agricultural activities and are appropriately located in close proximity thereto.

B. **Crop and Animal Raising:** includes the raising of tree, vine, field, forage, and other plant crops intended to provide food or fiber, as well as keeping, grazing, or feeding animals for animal products, animal increase, or value increase, but specifically excluding confined animal feeding operations and facilities for the processing, packaging, or treatment of agricultural products.

C. **Mining, Drilling, and Quarrying:** includes operations and facilities either utilized by, or in support of the extraction of minerals, ores, petroleum, and natural gas or in the quarrying and collection of stone, gravel, sand, clay, and
other non-metallic minerals (i.e. phosphate rock).

D. **Plant and Forest Nurseries**: includes the cultivation for sale of horticultural specialties, such as flowers, shrubs, and trees, intended for ornamental, landscaping, or tree planting purposes.

14.310 **Temporary Use Permits**

The following regulations shall govern the operation of certain necessary or seasonal uses, which are nonpermanent in nature. Application for a temporary use permit shall be made at the Chief Building Official’s Office. 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, signage, and parking space for the proposed temporary use. Area and bulk regulations of the district in which the use is proposed to be located shall apply as well as the requirement for ingress/egress and surfacing requirements for parking areas. The City may require additional standards to protect the public safety and to reduce any actual or potential adverse off-site impacts.

The City may grant the temporary use permits for the following uses subject to a public hearing, the specific regulations and time limits below, and any other limitation that may be necessary to protect adjoining properties. Certain uses as identified below may be approved by administrative action of the Chief Building Official.

In all commercial, industrial, or specific plan districts no temporary building or structure of any kind may be used for any activity except for temporary uses specifically permitted by the Chief Building Official or special sales or promotions authorized by the Chief Building Official through the issuance of a temporary building permit for a specified period of time not to exceed two (2) weeks. This prohibition shall include tents, trailers, mobile buildings, storage buildings, or similar structures that are not permanent buildings constructed on a legally established lot.

1. Carnival, Circus, or Haunted House: A temporary use permit may be issued in the CG Districts; however, the permit shall be issued for a period of no longer than fifteen (15) days. The use shall only be permitted on lots where adequate off-street parking can be provided and where adjoining uses will not be affected. A temporary use permit may be issued in any commercial district for children’s rides and events provided that adequate parking and traffic circulation are available and any existing business operations will not be disrupted and subject to a maximum time period of seven (7) days. A Haunted House may be permitted in any commercial district for a period of no longer than thirty (30) days. The use shall only be permitted on lots where adequate off-street parking can be provided and where adjoining uses will not be affected.
2. Christmas Tree and Pumpkin Sales: A temporary use permit may be issued for the display and sale of Christmas trees and pumpkins on open lots in any district subject to a maximum time period of forty-five (45) days by administrative action.

3. Outdoor Displays for the Sale of Foods or Merchandise: A temporary use permit may be issued for outdoor displays and sales conducted either as a part of an existing business or as a free-standing use in any commercial or industrial district provided that the sales and displays shall be limited to a maximum of sixty (60) days per year, and provided further, that adequate parking and traffic circulation are available and any existing business operations will not be disrupted. This regulation shall not apply to the Farmer’s Market, which is an established commercial retail use.

4. Outdoor Performances: A temporary use permit may be issued for outdoor plays or musical performances in any commercial or industrial district as a part of an existing business or as a free-standing use provided that adequate parking and traffic circulation are available and any existing business operations will not be disrupted, provided further, that in the event amplified sound systems are used, the sound shall not be a public nuisance nor be conducted later than 10:00 PM. A temporary use permit may be issued for outdoor plays or musical performances in any residential or agricultural district provided that any traffic generated by the temporary use shall not use minor residential or neighborhood streets and can be accommodated on major thoroughfares or collector streets, and provided further, that in the event amplified sound systems are used, the sound shall not be a public nuisance nor be conducted later than 10:00 PM. The permits shall be limited to two (2) days. The Chief Building Official may consider requests for extensions.
CHAPTER 4
ESTABLISHMENT OF DISTRICTS AND
PROVISIONS FOR OFFICIAL ZONING MAP

Sections:
14.401 Establishment of Districts
14.402 Provisions for Official Zoning Map

14.401 Establishment of Districts

A. Regular Districts. The following zoning districts are established:

1. Residential Districts
   RR - Rural Residential Agricultural District
   RS20 - Low Density Single Family District
   RS12 - Medium Density Single Family District 12,000
   RS9 - Medium Density Single Family District 9,000
   RD9 - Medium Density District
   RS6 - High Density Single Family District
   RM6 - High Density Multi-Family District
   R2 - High Density Residential District

2. Commercial Districts
   CN - Commercial Neighborhood
   CD - Commercial Downtown
   CS - Commercial Service District
   CG - Commercial General
   CO - Commercial Office
   OP - Office Professional

3. Industrial Districts
   IP - Planned Business/Industrial Park
   IL - Light Industrial District
   IH - Heavy Industrial District

B. Overlay Districts.
Overlay districts are zoning districts that overlay the base district (e.g. RS-20 would be a base district) and establish additional requirements that may exceed the base district requirements because of special circumstances.

   FD - Floodplain Overlay District
   AD - Airport Zoning Overlay District
   HPD - Historic Preservation District

C. Special Districts.
The following are established as special districts subject to further provisions
as set forth in this ordinance:

SP - Specific Plan District

BPSP – Bel-Air at Providence Specific Plan
HSSP – Hamilton Springs Specific Plan
MLSP - The Mill at Lebanon Specific Plan

UC - University Campus District
RP2 - Medium Density Residential–Professional Office
DMU – Downtown Mixed Use
PUD – Planned Unit Development

14.402 Provisions for Official Zoning Maps

A. Incorporation of Official Zoning Map.
The boundaries of districts established by this ordinance are shown on the Official Zoning Map. The Official Zoning Map is incorporated by reference into this Title. The zoning maps in their entirety, including all amendments, are as much a part of this ordinance as if fully set forth and described in the text.

B. Identification and Alteration of the Official Zoning Map.
The Official Zoning Map is identified by the signature of the Mayor attested by the City Recorder, and bears the seal of the city under the following words: “This is to certify that this is the Official Zoning Map referred to in Chapter 4 of Ordinance Number 14-4796 of the City of Lebanon, Tennessee,” together with the date of the adoption of this ordinance. The Official Zoning Map is located in the office of the Planning Director.

Any changes to the district boundaries on the Official Zoning Map shall be entered on the Official Zoning Map promptly after the amendment has been approved by the City Council.

No amendment to this ordinance, which involves matter portrayed on the Official Zoning Map, shall become effective until after the change and entry has been made on the Official Zoning Map.

Regardless of the existence of purported copies of the Official Zoning Map, the Official Zoning Map is the final authority as to the current zoning status of land and water areas, buildings, and other structures in the city.

The Planning Director may create a digital copy of the Official Zoning Map through the use of geographic information system technology, which shall be known as the “Digital Zoning Map.” The Digital Zoning Map shall contain registration points recorded on the Tennessee Coordinate System of 1983, as amended. The Digital Zoning Map may be used to administer and enforce this Title. However, if there is a discrepancy between the paper original of
the Official Zoning Map and the Digital Zoning Map, the paper original of the Official Zoning Map controls. A printed copy of the Digital Zoning Map that meets the authentication requirements for the Official Zoning Map may serve as the Official Zoning Map.

C. Replacement of Official Zoning Map.
If the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the City Council may by ordinance adopt a new Official Zoning Map, which shall supersede the prior Official Zoning Map. The New Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original or amended Official Zoning Map. The new Official Zoning Map shall be authenticated in the same manner as the original Official Zoning Map as set forth in subsection (b), above.

All prior Official Zoning Maps or any significant parts thereof shall be preserved, together with all available records pertaining to their adoption or amendment.
CHAPTER 5
RESIDENTIAL DISTRICT REGULATIONS

Sections:
14.501 Statement of Purpose
14.502 Purposes of Residential Districts
14.504 Bulk, Yard, and Density Regulations

14.501 Statement of Purpose

The residential districts established in this title are designed to promote and protect the health, safety, morals, convenience, order, prosperity, and other aspects of the general welfare. These general goals include, among others, the following more specific purposes:

A. To provide sufficient space in appropriate locations for residential developments to adequately meet the housing needs of the present and expected future population of the urban area, with due allowance for the need for a variety of choices in site selections;

B. To permit improved movement on the public ways and effectively utilize existing public ways, and as far as possible, to mitigate the effects of heavy traffic and more particularly all through traffic, in residential areas;

C. To protect residential areas against flood, fire, explosions, toxic and noxious matter, radiation, and other dangers, and against offensive matter, heat, glare, humidity, and other objectionable influences;

D. To protect residential areas against undue congestion, as far as possible, by regulating the density of population, the intensity of activity, and the bulk of buildings in relation to the surrounding land and to one another, and by providing for off-street parking spaces for automotive vehicles;

E. To provide for access for light and air to windows and for privacy, as far as possible, by controls over the height of buildings and structures;

F. To provide appropriate space for public and private educational, religious, recreational, and similar facilities and public utilities which serve the needs of nearby residents, which generally perform their own activities more effectively in a residential environment, and which do not create objectionable influences; and to coordinate the intensity of residential land use with the appropriate community facilities;
G. To promote the most desirable use of land and direction of building development in accordance with a well-considered general plan to promote stability of residential development, to protect the character of the district and its peculiar suitability for particular uses, to conserve the value of land and buildings, and to protect the community’s tax revenues.

H. To exclude from these districts all buildings and other structures and uses having commercial characteristics whether operated for profit or otherwise, except that conditional uses and home occupations specifically provided for in these regulations for these districts shall be considered as not having such characteristics if they otherwise conform to the provisions of this title.

14.502 Purposes of Residential Districts
Each residential district has specific purposes as indicated below:

A. RR – Rural Residential Agricultural District

This district is designed to provide permissible areas for the growing of crops, animal husbandry, dairying, forestry, and other similar activities, which generally occur and characterize rural rather than urban areas. Furthermore, this district is designed to provide for very low-density residential development where public sanitary service is least practical. In addition, this district may include areas and lands not suited by reason of soil, geologic, topographic, or other limitations for development. This district may also permit community facilities, public utilities, and major recreational facilities, which require large land areas and are appropriately located away from more intense urban development.

1. Uses Permitted

Accessory agricultural uses (for example: private barns, stables, sheds, and other farm buildings
Agricultural Services
Crop and Animal Raising
Dwelling, one-family detached
Plant and Forest Nurseries

2. Allowed Conditional Uses

Bed & Breakfast Homestay
Community Assembly
Community Education
Cultural and Recreational Services
Intermediate Impact Facilities
3. **Prohibited Uses**
   
   Any use not specifically allowed

4. **Minimum Lot Area**
   
   Area: 130,680 sq. ft.

5. **Minimum Lot Width at Building Line**
   
   Lot Width: 150 ft.

6. **Minimum Yard Depths/Building Setbacks**
   
   Front - 75 ft.
   Rear – 40 ft.
   Side – 40 ft.
   Side on a corner lot – 50% greater than minimum side yard requirement

7. **Maximum Lot Coverage of Structures**
   
   Coverage of Structures – 15% of total lot

8. **Maximum Height:**
   
   Principal building Height – 3 stories
   Accessory Structures Height – 2 stories

**B. RS20 - Low Density Residential District**

This district is designed to provide suitable areas for low density residential development characterized by an open appearance where appropriate urban services and facilities are available or can be physically and economically extended. The residential development will consist of single-family detached dwellings and accessory structures. This district may also permit home occupations, community facilities, public utilities, and open space uses.

1. **Uses Permitted**
   
   Dwelling, one-family detached

2. **Allowed Conditional Uses**
   
   Community Assembly
   Community Education
   Cultural and Recreational Services
   Intermediate Impact Facilities
3. **Prohibited Uses**

   Special training and schooling services offered by private individuals for profit nor technical schools, colleges, or universities
   Any use not specifically allowed

4. **Minimum Lot Area**

   Area: 20,000 sq. ft.

5. **Minimum Lot Width at Building Line**

   Lot Width: 90 ft.

6. **Minimum Yard Depths/Building Setbacks**

   Front -40 ft.
   Rear – 30 ft.
   Side - 1 or 2 stories – 10 ft.
       3 stories – 15 ft.

   Side on a corner lot – 50% greater than minimum side yard requirement

7. **Maximum Lot Coverage of Structures**

   Coverage of Structures – 35% of total lot

8. **Maximum Height:**

   Principal building Height – 3 stories
   Accessory Structures Height – 2 stories

9. **Accessory Structures size limits**

   Accessory structures shall be subordinate in size and height to primary structure

C. **RS12 - Medium Density Residential District 12,000**

   This district is designed to provide suitable areas for medium density residential development where sufficient urban services and facilities are provided or where such services can be physically and economically extended. The residential development will consist of single family detached dwellings and accessory structures and may permit home occupations. This district is intended also to permit community facility and public utility installations that are necessary to serve the public.
1. **Uses Permitted**
   Dwelling, one-family detached

2. **Allowed Conditional Uses**
   
   Community Assembly  
   Community Education  
   Cultural and Recreational Services

3. **Prohibited Uses**
   
   Special training and schooling services offered by private individuals for profit nor technical schools, colleges, or universities  
   Any use not specifically allowed

4. **Minimum Lot Area**
   
   Area: 12,000 sq. ft.

5. **Minimum Lot Width at Building Line**
   
   Lot Width: 75 ft.

6. **Minimum Yard Depths/Building Setbacks**
   
   Front - 30 ft.  
   Rear - 30 ft.  
   Side - 1 or 2 stories – 10 ft.  
   3 stories – 15 ft.  
   
   Side on a corner lot – 50% greater than minimum side yard requirement

7. **Maximum Lot Coverage of Structures**
   
   Coverage of Structures – 35% of total lot

8. **Maximum Height:**
   
   Principal building Height – 3 stories  
   Accessory Structures Height – 1 story

9. **Accessory Structures size limits**
   
   Accessory structures shall be subordinate in size and height to primary structure
D. RS9 - Medium Density Residential District 9,000

This district is designed to provide suitable areas for medium density residential development where sufficient urban services and facilities are provided or where such services can be physically and economically extended. The residential development will consist of single family detached dwellings and accessory structures and may permit home occupations. This district is intended also to permit community facility and public utility installations that are necessary to serve the public.

1. **Uses Permitted**
   
   Dwelling, one-family detached

2. **Allowed Conditional Uses**
   
   Community Assembly  
   Community Education  
   Cultural and Recreational Services

3. **Prohibited Uses**
   
   Special training and schooling services offered but private individuals for profit nor technical school, colleges, or universities  
   Any use not specifically allowed

4. **Minimum Lot Area**
   
   Area: 9,000 sq. ft.

5. **Minimum Lot Width at Building Line**
   
   Lot Width: 60 ft.

6. **Minimum Yard Depths/Building Setbacks**
   
   Front - 25 ft.  
   Rear - 30 ft.  
   Side - 1 or 2 stories – 10 ft.  
   3 stories – 15 ft.  
   Side on a corner lot – 50% greater than minimum side yard requirement

7. **Maximum Lot Coverage of Structures**
   
   Coverage of Structures – 35% of total lot
8. **Maximum Height:**

   Principal building Height – 3 stories  
   Accessory Structures Height – 1 story

9. **Accessory Structures size limits**

   Accessory structures shall be subordinate in size and height to primary structure

E. **RD9 - Medium Density Residential District**

This district is designed to provide suitable areas for medium density development where sufficient urban services are available or where such services can be physically and economically extended. The residential development will consist of single family and two-family detached dwellings and accessory structures and will permit leasing of rooms by family residents on the premises as well as home occupations. This district is intended also to permit community facilities and public utility installations that are necessary to serve the public.

1. **Uses Permitted**

   Dwelling, one-family detached  
   Dwelling, semi-detached  
   Dwelling, two-family detached  
   Boarding or Rooming House

2. **Allowed Conditional Uses**

   Administrative Services  
   Community Assembly  
   Community Education  
   Cultural and Recreational Services  
   Intermediate Impact Facilities

3. **Prohibited Uses**

   Any use not specifically allowed

4. **Minimum Lot Area**

   Area: 9,000 sq. ft. for the first unit 6,000 sq. ft. per additional unit

5. **Minimum Lot Width at Building Line**

   Lot Width: 60 ft.
6. **Minimum Yard Depths/Building Setbacks**

   Front - 30 ft.
   Rear - 30 ft.
   Side – 1 or 2 stories – 10 ft.
   3 stories – 15 ft.
   Side on a corner lot – 50% greater than minimum side yard requirement

7. **Maximum Lot Coverage of Structures**

   Coverage of Structures – 35% of total lot

8. **Maximum Height:**

   Principal building Height – 3 stories
   Accessory Structures Height – 1 story

9. **Accessory Structures size limits**

   Accessory structures shall be subordinate in size and height to primary structure

**F. RS6 - High Density Residential District**

This district is designed to provide suitable areas for high density development where sufficient urban services are available or where such services can be physically and economically extended. The residential development will consist of single family detached and attached dwellings and accessory structures and will permit home occupations. This class of district is intended also to permit community facilities and public utility installations that are necessary to serve the public

1. **Uses Permitted**

   Dwelling, one-family detached

2. **Allowed Conditional Uses**

   Community Assembly
   Community Education
   Cultural and Recreational Services

3. **Prohibited Uses**

   Special training and schooling services offered by private individuals for profit nor technical schools, colleges, or universities
   Any use not specifically allowed
4. **Minimum Lot Area**

   Area: 6,000 sq. ft.

5. **Minimum Lot Width at Building Line**

   Lot Width: 50 ft.

6. **Minimum Yard Depths/Building Setbacks**

   Front - 30 ft.
   Rear – 20 ft.
   Side – 5 ft.
   Side on a corner lot – 50% greater than minimum side yard requirement

7. **Maximum Lot Coverage of Structures**

   Coverage of Structures – 35% of total lot

8. **Maximum Height:**

   Principal building Height – 3 stories
   Accessory Structures Height – 1 story

9. **Accessory Structures size limits**

   Accessory structures shall be subordinate in size and height to primary structure

**G. RM6 - High Density Residential District**

This district is designed to provide suitable areas for high density development where sufficient urban services are available or where such services can be physically and economically extended. The residential development will consist of all types of residential activities and structures with the exception of mobile homes mounted on a single chassis. This district also permits single, two- and multiple family dwellings, community facilities and public utility installations that are necessary to serve the public.

1. **Uses Permitted**

   Dwelling, one-family detached
   Dwelling, semi-detached
   Dwelling, two-family detached
   Dwelling, multi-family
   Dwelling, townhouse
2. **Allowed Conditional Uses**

   Administrative Services  
   Community Assembly  
   Community Education  
   Cultural and Recreational Services

3. **Prohibited Uses**

   Special training and schooling services offered by private individuals for profit nor technical schools, colleges, or universities  
   Any use not specifically allowed

4. **Minimum Lot Area**

   Area: 6,000 sq. ft. for the first unit  
   2,500 sq. ft. for each additional unit

5. **Minimum Lot Width at Building Line**

   Lot Width: 50 ft.

6. **Minimum Yard Depths/Building Setbacks**

   Front -30 ft.  
   Rear – 20 ft.  
   Side – 5 ft.  
   Side on a corner lot – 50% greater than minimum side yard requirement

7. **Maximum Lot Coverage of Structures**

   Coverage of Structures – 40% of total lot

8. **Maximum Height:**

   Principal building Height – 3 stories  
   Accessory Structures Height – 1 story

9. **Accessory Structures size limits**

   Accessory structures shall be subordinate in size and height to primary structure

**H. R2 – High Density Residential**

This district provides a high-quality environment for individual mobile homes, either owned or leased, in a planned development. This district also permits single, two- and multiple family dwellings,
community facilities and public utility installations that are necessary to serve the public.

1. **Uses Permitted**

   - Dwelling, one-family detached
   - Dwelling, two-family detached
   - Dwelling, semi-detached
   - Dwelling, townhouse
   - Dwelling, multi-family
   - Dwelling, mobile home park

2. **Allowed Conditional Uses**

   - Administrative Services
   - Community Assembly
   - Community Education
   - Cultural and Recreational Services

3. **Prohibited Uses**

   - Special training and schooling services offered by private individuals for profit nor technical schools, colleges, or universities
   - Any use not specifically allowed

4. **Minimum Lot Area**

   - Area: 6,000 sq. ft. for the first unit
   - 3,000 sq. ft. for each additional unit

5. **Minimum Lot Width at Building Line**

   - Lot Width: 50 ft.

6. **Minimum Yard Depths/Building Setbacks**

   - Front – 25 ft.
   - Rear - 20 ft.
   - Side - 1 or 2 stories – 5 ft.
   - 3 stories – 10 ft.
   - Side on a corner lot – 50% greater than minimum side yard requirement

7. **Maximum Lot Coverage of Structures**

   - Coverage of Structures – 35% of total lot

8. **Maximum Height:**
9. **Accessory Structures size limits**

Accessory structures shall be subordinate in size and height to primary structure.

14.503 **Use and Structure Provisions**

The uses and structures indicated in this Section are permitted within the various residential districts only in the manner and subject to any specific design criteria that apply.

A. **Uses Permitted**

1. Principal Permitted Uses

   Principal permitted uses for all residential districts are listed in the Land Use Table, as presented in Appendix B.

2. Permitted Accessory Uses

   In addition to the principal permitted uses, each activity type may include accessory activities customarily associated with, and appropriate, incidental, and subordinate to the principal activity located on the same zone lot. These include:

   - Private garages and parking areas,
   - Recreation facilities exclusively for the use of the residents,
   - Home occupations as defined and subject to further regulations contained in Chapter 8, Section 14.801(N),
   - Signs in compliance with the regulations set forth in the Lebanon Sign Ordinance.
   - Within the RR Districts, private barns, stables, sheds, and other farm buildings.

B. **Conditional Uses**

Conditional uses permitted for consideration by the Board of Zoning Appeals are listed in the Land Use Table, as presented in Appendix B and subject to general and specific conditions as presented in Section 14.1208.

C. **Prohibited Uses**

Any use or structure not specifically permitted by right or conditional use as presented in the Land Use Table is prohibited.
D. Home Occupations

Any Home occupations shall meet the following requirements:

1. No more than one (1) person other than members of the family residing on the premises shall be engaged in the occupation;
2. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by the occupants, and not more than twenty-five (25) percent of the floor area of the dwelling unit shall be used in the conduct of the home occupation;
3. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of the home occupation other than one sign, as regulated in the Lebanon Sign Ordinance;
4. No home occupation shall be conducted in any accessory building;
5. There shall be no sales on the premises in connection with the home occupation;
6. No traffic shall be generated by the home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of the home occupation shall be met off the street and other than in a required front yard;
7. No equipment or process shall be used in the home occupation that creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot;
8. The home occupation shall not involve the storage of commercial vehicles or the use of the vehicles for delivery of goods or materials to and from the premises greater than ten thousand (10,000) pounds gross vehicle weight;
9. No home occupation shall require internal or external alterations, construction features, or the use of any equipment that would change the fire rating of the structure;
10. No outdoor display of goods or outside storage of equipment, parts, or materials of any kind used in the home occupation shall be permitted; and
11. The following are specifically prohibited as home occupations:
   a. The repair of motor vehicles.
   b. A barber or beauty shop or any similar activity where clientele or patrons are served on the premises.

14.504 Bulk, Yard, and Density Regulations

The regulations appearing below apply to zone lots and buildings or other structures located on any zone lot or portion of a zone lot including all new developments, enlargements, extensions, or conversions.
A. **Minimum Lot Size and Width**

Within all residential districts, the minimum size lot and width of lot (measured at the building line) used for residential purposes shall be as established in Table 5-1.

B. **Maximum Lot Coverage**

Within all residential districts, the maximum lot coverage by all buildings shall not exceed the percentage of lot area as established in Table 5-1.

C. **Maximum Permitted Height**

No building shall exceed the height requirements as established in Table 5-1.

D. **Density Regulations**

The maximum residential density permitted on any zone lot shall be controlled by the square footage requirements per dwelling or rooming unit or per family as established in Table 5-1.

E. **Yard Regulations**

The minimum yard regulations are established in Table 5-1.

F. **Contextual Front Setback for Infill Projects**

Structures shall be located within the range of front setbacks on the street. This range of setbacks is measured on the basis of the four lots surrounding the project site (the two closest lots in either direction along the street). The new structure shall be located within the range of setbacks (no closer than the narrowest setback, no further than the deepest setback). Where a setback in these four lots is significantly out of the range of setbacks along the street, it may be eliminated from the range. Where the calculation of a range of setbacks is not practicable, such as instances where the subject lot(s) is on or within two lots of a corner, the structure shall be located a minimum of 20 feet from the front property line.
**TABLE 5-1: RESIDENTIAL DISTRICT BULK AND SETBACK REGULATIONS**

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Minimum Lot Area</th>
<th>Minimum Lot Width at Building Line</th>
<th>Minimum Yard Depths/Building Setbacks</th>
<th>Maximum Lot Coverage (area occupied by all structures, including accessory structures)</th>
<th>Maximum Height</th>
<th>Accessory Structures</th>
</tr>
</thead>
<tbody>
<tr>
<td>RR Rural Residential Agricultural</td>
<td>130,680 sq. ft. (3 acres)</td>
<td>150 ft.</td>
<td>Front - 75 ft. Rear - 40 ft. Side - 40 ft. Side on a corner lot - 50% greater</td>
<td>15% of total lot</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RS20 Low Density Single-Family Residential</td>
<td>20,000 sq. ft.</td>
<td>90 ft.</td>
<td>Front – 40 ft. Rear - 30 ft. Side - 1 or 2 stories - 10 ft. 3 stories - 15 ft. Side on a corner lot - 50% greater</td>
<td>35% of total lot</td>
<td>Principal building - 3 stories.</td>
<td>1000 sq. ft. 2 stories</td>
</tr>
<tr>
<td>RS12 Medium Density Single Family Residential</td>
<td>12,000 sq. ft.</td>
<td>75 ft.</td>
<td>Front – 30 ft. Rear - 30 ft. Side - 1 or 2 stories - 10 ft. 3 stories - 15 ft. Side on a corner lot - 50% greater</td>
<td>35% of total lot</td>
<td>Principal building - 3 stories.</td>
<td>750 sq. ft. 1 story</td>
</tr>
<tr>
<td>RS9 Medium Density Single Family Residential 9,000</td>
<td>9,000 sq. ft.</td>
<td>60 ft.</td>
<td>Front - 25 ft. Rear - 30 ft. Side - 1 or 2 stories - 10 ft. 3 stories - 15 ft. Side on a corner lot - 50% greater than</td>
<td>35% of total lot</td>
<td>Principal building - 3 stories</td>
<td>750 sq. ft. 1 story</td>
</tr>
<tr>
<td>RD9 Medium Density Residential</td>
<td>9,000 sq. ft. Minimum lot area per additional family - 6,000 sq. ft.</td>
<td>60 ft.</td>
<td>Front - 30 ft. Rear - 30 ft. Side - 1 or 2 stories - 10 ft. 3 stories - 15 ft. Side on a corner lot - 50% greater</td>
<td>35% of total lot</td>
<td>Principal building - 3 stories</td>
<td>750 sq. ft. 1 story</td>
</tr>
<tr>
<td>Zoning District</td>
<td>Minimum Lot Area</td>
<td>Minimum Lot Width At Building Line</td>
<td>Minimum Yard Depths/Building Setbacks</td>
<td>Maximum Lot Coverage (area occupied by all structures, including)</td>
<td>Maximum Height</td>
<td>Accessory Structures</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>------------------</td>
<td>------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------</td>
<td>----------------</td>
<td>----------------------</td>
</tr>
<tr>
<td><strong>RS6</strong> High Density Single Family Residential</td>
<td>6,000 sq. ft.</td>
<td>50 ft.</td>
<td>Front – 30 ft. Rear - 20 ft. Side - 5 ft. Side on a corner lot - 50% greater than minimum side yard requirement</td>
<td>35% of total lot</td>
<td>Principal building - 3 stories.</td>
<td>400 sq. ft. 1 story</td>
</tr>
<tr>
<td><strong>RM6</strong> High Density Multi- Family Residential</td>
<td>6,000 sq. ft.</td>
<td>50 ft.</td>
<td>Front - 30 ft. Rear - 25 ft. Side - 5 ft. Side on a corner lot - 50% greater than minimum side yard requirement</td>
<td>40% of total lot</td>
<td>Principal building - 3 stories.</td>
<td>400 sq. ft. 1 story</td>
</tr>
<tr>
<td><strong>R2</strong> High Density Residential District</td>
<td>6,000 sq. ft.</td>
<td>50 ft.</td>
<td>Front - 25 ft. Rear - 20 ft. Side - 1 or 2 stories - 5 ft. Side - 3 stories - 10 ft. Side on a corner lot - 50% greater than minimum side yard requirement</td>
<td>35% of total lot</td>
<td>Principal building - 3 stories.</td>
<td>400 sq. ft. 1 story</td>
</tr>
</tbody>
</table>

A lot of record may be a minimum of 3,000 ft. for a residential use.
CHAPTER 6
COMMERCIAL DISTRICT REGULATIONS

Sections:

14.601 Statement of Purpose
14.602 Purposes of Commercial Districts
14-603 Use and Structure Provisions
14-604 Bulk, Lot, and Open Space Requirements
14-605 Other Regulations

14.601. Statement of Purpose

The commercial districts established in this title are designed to promote and protect the health, safety, morals, convenience, order, prosperity, and other aspects of the general welfare. These general goals include, among others, the following:

A. To provide sufficient space, in appropriate locations in proximity to established residential areas, for local retail and service trades catering specifically to the recurring shopping needs of the occupants of nearby residences.

B. To protect both retail and service developments and nearby residences against fire, explosions, toxic and noxious matter, radiation, and other hazards, and against offensive noise, vibration, smoke, dust and other particulate matter, odorous matter, heat, humidity, glare, and other objectionable influences.

C. To protect both retail and service developments and nearby residences against undue congestion, by regulating the intensity of retail and service developments consistent with their marketing functions, by restricting those types of establishments which generate heavy traffic, and by providing for off-street parking and loading facilities

D. To provide sufficient and appropriate space, and in particular, sufficient area to meet the area’s expected future need for modern, planned commercial floor space, including the need for off-street parking space in areas where a large proportion of customers come by automobile, and to encourage the tendency of commercial establishments to concentrate in integrated planned developments, to the mutual advantage of both consumers and merchants.

E. To provide sufficient space in appropriate locations for commercial districts to satisfy specific functional needs of the area.

F. To provide appropriate locations for transitional uses intervening between commercial developments and residential areas, and thereby alleviate the frictions inherent between dissimilar activities.

G. To provide sufficient space in appropriate locations for all types of commercial and miscellaneous service activities.
H. To promote appropriate mixtures of commercial activity within commercial areas but prevent the scattering of commercial activity along highways and within residential areas.

I. To promote the most desirable use of land and direction of building development in accord with a well-considered plan, to promote stability of commercial development, to strengthen the economic base of the area, to protect the character of the districts and their peculiar suitability for particular uses, to conserve the value of land and buildings.


Each commercial district has specific purposes as indicated below:

A. CN – Commercial Neighborhood

This district provides a limited range of commercial uses concerned with retail trade and consumer services and designed to be located in close proximity to residential areas. Permitted uses are those that meet the frequent and regular needs of individuals and accommodate both vehicular and pedestrian traffic. Buildings will be built to complement pedestrian scale activities. Single and multiple-family dwellings are also permitted.

1. Uses Permitted.

   Administrative Services
   Automotive Parking
   Convenience Commercial
   Community Assembly
   Dwelling, single-family
   Dwelling, two-family detached
   Dwelling, semi-detached
   Dwelling, multi-family
   Dwelling, townhouse
   Financial, Consultative, and Administrative Services
   Food & Beverage Services
   Health Care
   General Personal Services
   General Retail Trade
   Light Construction Service
   Medical Services
   Personal & Group Care
   Transient Habitation
   Undertaking Services

2. Allowed as a Conditional Use.

   Building Materials and Farm Equipment
   Deferred Presentment
3. **Uses Prohibited.**

Gas Pumps/Gas Stations
Any use not specifically allowed

4. **Minimum Lot Area**

Area: 5000 sq. ft.
Any building used in whole or in part for a residence shall comply with the requirements of the RM6 residential district for minimum lot area per family

5. **Minimum Building Setbacks.**

Setbacks:
Front – 20 ft.
Rear – 20 ft.
Side - 1 or 2 stories – 5 ft.
3 stories – 10 ft.
Buildings hereafter constructed shall be so located as to comply with the following minimum yard requirements:

6. **Height.**

Building Height – 3 stories or 45 ft.

7. **Building Area**

Area – 50% of the total lot

**B. CD – Commercial Downtown**

This district provides for a wide variety of retail and service activities in the central and oldest commercially developed areas of the city and to recognize the intense development pattern (package stores, tobacco/nicotine sells, differed procurement services and tattoo services are not allowed on the Square). Manufacturing incidental to retail trade and upper story residential units are also permitted.

1. **Uses Permitted.**

Administrative Services
Financial, Consultative and Administrative Services
Food & Beverage Services
General Personal Services
General Retail Trade
Residential Uses shall be allowed on the 1st floor so long as they do not occupy storefronts on the street-side façades and do not use more than seventy-five percent (75%) of the total square footage of the building (all floors):
Dwelling, one-family detached
Dwelling, two-family detached
Dwelling, semi-detached
Dwelling, townhome
Dwelling, multi-family

2. **Allowed as a Conditional Use.**

   None

3. **Uses Prohibited.**

   Deferred Presentment
   Package Stores
   Tattoo Services
   Tobacco/Nicotine/E-Cig Sales
   Any use not specifically allowed

4. **Minimum Lot Area**

   Area: no minimum

5. **Minimum Building Setbacks.**

   Setbacks:
   Front – 0 ft.
   Rear – 0 ft.
   Side – 0 ft.

6. **Height.**

   Minimum Height – 2 stories or 30 ft.
   Maximum Building Height – 4 stories or 60 ft.

7. **Building Area**

   Area – 100% of the total lot

8. **Other Regulations**

   In the block bounded by Maple Street, Gay Street, College Avenue, and Market Street property zoned CD are exempt from landscaping, buffering, on-site parking, and on-site drainage regulations

C. **CS - Commercial Service**

   This district provides a wide range of commercial uses concerned with retail trade and consumer services; however, certain commercial activities that have lower performance characteristics are excluded. Less building bulk is
permitted and more open space is required. A single tenant limit of 50,000 square feet is imposed.

1. **Uses Permitted.**

   - Apartment
   - Administrative Services
   - Automotive Parking
   - Automotive Servicing
   - Consumer Repair Services
   - Convenience Commercial
   - Community Assembly
   - Dwelling, townhome
   - Dwelling, two-family detached
   - Dwelling, semi-detached
   - Dwelling, multi-family
   - Entertainment & Amusement Services**
   - Financial, Consultative & Administrative
   - Food & Beverage Services
   - Food Service Drive-in & Drive-thru
   - General Business & Communication Services
   - General Personal Services
   - General Retail Trade
   - Health Care
   - Hotel
   - Light Construction Service
   - Personal & Group Care
   - Transient Habitation
   - Undertaking Services
   - Wholesale Sales

2. **Allowed as a Conditional Use.**

   - Building Materials and Farm Equipment
   - Deferred Presentment
   - Dwelling, single-family

3. **Uses Prohibited.**

   - Batting and Golf Driving Facilities
   - Any use not specifically allowed

4. **Minimum Building Setbacks.**

   Setbacks:
   - Front – 25 ft.
   - Rear – 20 ft.
   - Side – 10 ft.
5. **Height.**
   Maximum Building Height – 5 stories or 65 ft.

6. **Building Area.**

   Area – 40% of the total lot

**D. CG - Commercial General**

This district provides a wide range of commercial uses concerned with retail trade and consumer services; amusement and entertainment establishments; automotive and vehicular service establishments; transient sleeping accommodations; eating and drinking places; financial institutions; and offices. The uses in this district service a wide market area and, therefore, ease of automotive access is a requirement.

1. **Uses Permitted.**

   Administrative Services
   Animal Care & Veterinarian Services
   Automotive Parking
   Automotive Repair and Cleaning
   Automotive Servicing
   Consumer Repair Services
   Convenience Commercial
   Community Assembly
   Entertainment & Amusement Services**
   Financial, Consultative & Administrative
   Food & Beverage Services
   Food Service Drive-in & Drive-thru
   General Business & Communication Services
   General Personal Services
   General Retail Trade
   Health Care
   Light Construction Service
   Medical Services
   Medium Construction Service
   Personal & Group Care
   Transient Habitation
   Vehicular, Craft & Related Equipment Sales
   Wholesale Sales

2. **Allowed as a Conditional Use.**

   Building Materials and Farm Equipment
   Deferred Presentment
   Group Assembly
3. **Uses Prohibited.**
   Any use not specifically allowed

4. **Minimum Lot Area**
   Area: 10,000 sq. ft.

5. **Minimum Lot Width**
   Lot width 100 ft.

6. **Minimum Building Setbacks.**
   Setbacks:
   Front – 40 ft.
   Rear – 25 ft.
   Side – 0 ft.
   Side if adjoining a residential district – 20 ft.

7. **Height.**
   Maximum Building Height – 7 stories

8. **Building Area**
   Area – 40% of the total lot

E. **CO – Commercial Office**
   This district provides a high quality office environment for all types of business and professional offices and corporate home office campuses. Complementary retail, eating and drinking places are permitted. Building design is reviewed for all commercial uses in this district.

1. **Uses Permitted.**
   Administrative Services
   Automotive Parking
   Automotive Servicing
   Convenience Commercial
   Food & Beverage Services
   Food Service Drive-in & Drive-thru
   Financial, Consultative & Administrative
   General Business & Communication Services
   General Personal Services
   Medical Services
   Personal and Group Facilities
   Transient Habitation

2. 
3. **Allowed as a Conditional Use.**

   Community Assembly

4. **Uses Prohibited.**

   Any use not specifically allowed

5. **Minimum Lot Area**

   Area: 40,000 sq. ft.

6. **Minimum Building Setbacks.**

   Setbacks:
   - Front – 50 ft.
   - Rear – 25 ft.
   - Side - 15 ft.

7. **Height.**

   Maximum Building Height – 4 stories or 60 ft.

8. **Building Area**

   Area – 50% of the total lot

F. **OP - Office Professional**

   This district provides a low intensity office area for appropriate locations near residential areas and a transitional zone between residential and intense commercial areas and generally serving neighborhood or community needs. Permitted uses are those that tend to attract small numbers of people and generate lower volumes of traffic.

1. **Uses Permitted.**

   Administrative Services
   Automotive Parking
   Bed & Breakfast
   Community Assembly
   Community Education
   Cultural and Recreation Services
   Dwelling, one-family detached
   Financial, Consultative & Administrative
   General Business & Communication Services
   General Personal Services
   Medical Services
2. **Allowed as a Conditional Use.**

   None

3. **Uses Prohibited.**

   Any use not specifically allowed

4. **Minimum Lot Area**

   Area: 6,000 sq.

5. **Minimum Building Setbacks.**

   Setbacks:
   
   Front – 25 ft.
   Rear – 20 ft.
   Side –
   
   1 & 2 stories – 10 ft.
   3 stories – 15 ft.

6. **Height.**

   Maximum Building Height – 3 stories or 45 ft.

7. **Building Area**

   Area – 40% of the total lot

G. **Special Regulation for the OP – Office Professional**

1. Location of additions or structural changes. No additions or extensions shall be made to the front or side(s) of any existing structure unless the character of the structure is retained. Prior to the construction of such additions or extensions, a site plan shall be approved as outlined in section (8).

2. Off-street loading and unloading space. If, based on the use, as determined by City Planning Staff and/or the Planning Commission, an off-street loading/unloading space is required, such space shall be provided behind the building or structure. The space shall be not less than thirty (30) feet in depth and of adequate width to provide for the loading and unloading of delivery vehicles.

3. Outdoor storage and display.

   a. Property used for non-residential purposes. Exterior storage of goods or materials of any kind is prohibited. All such storage shall be located in an enclosed building. Outdoor display of merchandise is prohibited.
b. Property used for residential purposes. The previous regulation, relative to outdoor storage and display shall not apply to property used residentially.

4. Off-street parking. Off-street parking shall be provided in compliance with Appendix D.
   a. Property used for non-residential purposes. Parking shall be located at the rear of the building; an exception to this requirement may be made by the planning commission depending on the specific site conditions. Landscaping and/or other effective screening, a minimum of twenty (20) feet in width, shall be provided between parking and property lines.

b. Property used for residential purposes. The previous regulation, relative to the location of off-street parking shall not apply to property used residentially.

5. Landscaping and screenings.
   a. Landscaping and screening in the OP zoning district should be in accordance with the regulations in Chapter 8 Section 14.805.

6. The property owner of land abutting a right-of-way shall be responsible for landscaping and maintenance of any right-of-way area between the property line and curb or street.

7. All plantings are subject to periodic inspection by city staff. If found not to comply with the approved landscape plan or not being properly maintained, the property owners may be subject to a hearing by the Planning Commission. Such a hearing will be added to the next available regular meeting agenda with notice being provided to the property owner.

8. Site plan review. Site plan review by the Lebanon Planning Commission is required for all new buildings, building additions, demolitions and site alterations including the construction of driveways, loading areas and parking areas. Applicants must submit scale drawings, according to the particular type of development, to the Lebanon Planning Commission in accordance with the procedures set forth in this chapter and § 14-216 Chapter 2. Upon approval by the Planning Commission, a site plan is valid for a period of thirty-six (36) months, after which it becomes void unless a building permit has been issued based upon the site plan.

Requirements with respect to the minimum information, notes and certificates that shall be provided on the site plan may be found in Title 14 Chapter 8.

9. Building Design. All architectural designs, including those for alterations, additions, or demolition are subject to review and approval of the Planning Commission. Accessory buildings and signage shall be compatible with the architecture, consistent in design and use similar materials as the principle building. In conjunction with any required site plan review, any required building
design review shall be conducted by the Planning Commission. Requirements with respect to the minimum information that shall be provided in order to appropriately evaluate the proposed building or signage design are to be in accordance with the requirements in Chapter 12 Section 14.1205.

10. Demolition. Within properties zoned OP, the City of Lebanon seeks to preserve and protect the integrity of the area. Repair and renovation are preferred over the demolition of structures. Demolition should be considered a last resort.

11. Demolition permit. Demolition permits are required for the removal of any structure, including accessory structures. Upon submission of a demolition permit, or for permission to remove a major part thereof, the building division will determine if the subject property is zoned OP. If the property is zoned OP, the Planning Commission shall be required to review and approve the request for permission to demolish, or significantly alter, the structure prior to a demolition permit being issued. If required to be reviewed by the Planning Commission, the applicant shall provide information relative to the date of construction of the structure(s) and any subsequent alteration(s). City Staff will complete preliminary research relative to the architectural style of the structure and any available history of the structure(s). Information that will be reported to the Planning Commission should include, as available, the following:

i. Date of construction and any additions or modifications;
ii. Description of the architectural style, significant architectural features and building materials;
iii. Names of property owners and/or tenants of the structure; and
iv. Significant events that may have occurred on the property.

12. The Planning Commission should consider this information and any other information that may be available to them in their determination of the significance of the subject structure(s). In all cases, when property is located in the OP district, including requests for permission to demolish a structure that is determined not to be a significant structure, the Planning Commission shall not grant approval for demolition without reviewing at the same time preliminary plans for the redevelopment of the property. The Planning Commission may grant permission to demolish a structure having only reviewed preliminary plans, with the requirement that more detailed plans, in accordance with these regulations shall be brought to the Planning Commission within a reasonable time period. The reasonable time period shall be determined by the Planning Commission at the time that preliminary plans are reviewed and shall be based on the scale of the redevelopment project.

a. Delay of demolition. Prior to a permit being issued for the demolition of any structure, determined to be significant, within the OP district, the Planning Commission shall review the demolition request. A request for demolition shall be delayed in order to afford public review of a demolition permit application for significant structures. Upon the demolition of a structure(s) being delayed, City Staff will provide City Council notice of such delay. A public notice, stating the time and place
of the Planning Commission meeting, shall be published within a newspaper of general circulation in the municipality at least fourteen (14) days prior to the meeting at which demolition of a significant structure may be considered. In addition, such public notice will be sent to adjacent property owners and members of City Council.

b. Significant structures. Once the significance of a structure is determined, that significance may change due to a change in circumstances. When the Planning Commission determines that a building is significant and should be preserved, demolition may be delayed by the Planning Commission for a period not to exceed six (6) months to allow the city, a historical society, or other interested property owners the opportunity to develop viable solutions for the preservation of the building. Within that period of time, the applicant may be required to provide cost estimates for the repair/renovation versus demolition of the subject structure(s). Also during that time, the City Council will have the opportunity to take action to designate the building as a local landmark. After the six (6) months have passed, the Planning Commission shall review all of the information gathered during that time and make a decision regarding either approving or denying the demolition request.

c. Demolition is inappropriate:

   i. If a building is of such architectural interest and value that its removal would be detrimental to the public interest;
   ii. If a building is of such unusual or uncommon design and materials that it could not be reproduced without great difficulty or expense; or character of the neighborhood or would be visually incompatible.

d. Demolition is appropriate:

   i. If a building has lost its architectural integrity and its removal will not result in a more negative, less appropriate visual effect on the neighborhood;
   ii. If a building does not contribute to the architectural character and importance of the neighborhood and its removal will result in a more positive, appropriate visual effect on the neighborhood; or
   iii. If denial of the demolition will result in an economic hardship on the applicant, as determined by the Lebanon Planning Commission. The applicant shall provide proof, in the form of cost estimates for renovation of the structure, anticipated value of the property after renovation, expected income after renovation if the property is to be sold or rented, and any other information that may be requested by the Planning Commission as they make their decision regarding a potential economic hardship for the applicant.
   iv. If a building is deemed to be a safety hazard as determined by
the Chief Building Official. At the same time that the Planning Commission considers approval of the demolition of a structure(s), the Planning Commission shall also consider approval of the plans for redevelopment of the property. In order to ensure that the applicant proceeds in a timely manner with the approved redevelopment plans, the applicant shall provide a letter of credit in the amount of twenty percent (20%) of the development costs of the approved plans as reviewed by the Chief Building Official. The Chief Building Official will have the final say with respect to the reasonableness of the development costs provided by the applicant.

e. Demolition review exemptions. Review of demolition requests for structures in the OP district shall not be required if a structure is condemned for structural reasons by the Chief Building Official or for any structure which is less than two hundred (200) square feet in size.

f. Appeals. Any person affected by a determination made by the Planning Commission relative to a determination of the significance of a structure and/or the approval or denial of a demolition permit may appeal such determination to chancery court.


The uses and structures indicated herein may be permitted within the various commercial districts only in the manner and subject to any specific design criteria that apply. All uses shall take place within permanently constructed structures that meet all building code requirements except for temporary uses as authorized.

A. Uses Permitted

1. Principal Permitted Uses

   Principal Permitted Uses for all commercial districts are established in the Land Use Table as presented in Appendix B.

2. Permitted Accessory Uses

   In addition to the principal permitted uses, each activity type may include accessory activities customarily associated with, and appropriate, incidental, and subordinate to the principal activity located on the same zone lot. These include, but are not necessarily limited to the following:

   a. Off-street parking and loading serving a principal activity, whether located on the same zone lot or on a different zone lot, but only if the facilities involved are reserved for the residents, employees, patrons, or other persons participating in the principal activity.

   b. Childcare for pre-teenage children when operated by a health care,
commercial or industrial activity where the care is provided solely for the children of their employees. The facility shall be located on the same zone lot as the principal activity and meet all applicable state and local regulations for a day care center for children.

c. Residential occupancy in connection with a principal nonresidential activity on the same zone lot, but only if:

i. The occupancy is a part of a live/work unit,

ii. The occupancy is a part of a development designed for first floor business occupancy and second/third story residential occupancies, and

iii. The nonresidential activity does not constitute a hazardous occupancy.

d. Operation of a cafeteria for employees, residents, patrons, or others participating in the principal activity by an organization engaged in a community facility activity on the same zone lot. Where the principal activity is permitted by conditional use only, an accessory cafeteria must be approved as a part of the action granting said permit.

e. Production of goods for sale by a firm engaged in a principal commercial activity on the same zone lot but only if in the DC or CS Districts and subject to the following requirements:

i. All goods so produced are sold at retail by the same firm on the same zone lot; and

ii. Such production does not in any case occupy more than two thousand (2,000) square feet of such floor area; and

iii. Such production may only be permitted in an enclosed building; and

iv. The number of operatives employed in such production shall not exceed five (5) in the CD District and ten (10) in the CS District

f. Storage of goods sold by a principal commercial activity engaged in by the same firm on the same zone lot and in the same principal building, and

g. Operation of an administrative office of a firm engaged in a principal manufacturing or commercial activity on the same zone lot, including open sales, display, storage, production, and service area occupied by the same firm on the same zone lot.

h. Signs permitted in accordance with the Lebanon Sign Ordinance.
Within all commercial districts in which gasoline sales are permitted, an overhead canopy that is open on all sides may encroach into the required building setback to within twenty-five (25) feet of the street right-of-way.

### Conditional Uses

Conditional uses permitted for consideration of the Board of Zoning Appeals are established in the Land Use Table, as presented in Appendix B.

### Prohibited Uses

Any use or structure not specifically permitted by right or conditional use is prohibited. The use of a mobile home or similar structure as an office, storage space, retail space, or in any manner is expressly prohibited.

### 14.604. Bulk, Lot, and Open Space Requirements.

The regulations appearing below apply to zone lots and buildings or other structures located on any zone lot or portion of a zone lot including all new development, enlargements, extensions, or conversions.

#### A. Minimum Lot Size

Within all commercial districts, the minimum size lot and width of lot (measured at the building line) used for commercial purposes shall be as established in Table 6-1.

#### B. Maximum Lot Coverage

Within all commercial districts, the maximum lot coverage by all buildings shall not exceed the percentage of lot area as established in Table 6-1.

#### C. Maximum Permitted Height

No building shall exceed the height requirements as established in Table 6-1.

#### D. Yard Regulations

Within all commercial districts, the minimum yard regulations established in Table 6-1,

#### E. Within those commercial districts that permit residential uses, the density requirements of the RM6 district shall apply.

### 14.605. Other Regulations.

The following regulations are supplementary and apply as indicated.

#### A. Special Provisions Applying to Required Yards and Building Setbacks
along District Boundaries Coincident with Side and Rear Lot Line of Zone Lot in Any Residential District

In all commercial districts, along such portion of the boundary of a commercial district that coincides with a lot line of a zone lot in any residential district the following yard provisions shall apply.

1. Special Front Setback

Regardless of the front yard provisions established for any commercial district, no building located on any zone lot adjacent to any residential district with frontage on the same street shall extend closer to the street than the average of the distances of the buildings located within one hundred (100) feet of the lot on which the commercial activity is located; provided that no building shall be required to setback more than twice the minimum front yard applicable within the commercial district.

2. Special Side and Rear Yards

Along all portions of the boundary of any commercial zone lot where such lot abuts or is contiguous to a side or rear yard of any residential zone lot the minimum yards within the commercial district shall conform to the respective yard requirements for the adjoining residential district. However, in no instance shall any rear or side yard required herein have a minimum width or depth of less than ten (10) feet.

B. Exterior Storage

1. Within the Commercial Districts, exterior storage of goods, materials, or property is permitted only in the rear of the principal building provided that Vehicular, Craft, and Related Equipment Sales may be permitted to display such in the front or side subject to required yard provisions. Waste disposal receptacles shall be located in the rear of the principal buildings and shall be located inside an enclosure that is constructed of similar materials as the principal building. Such enclosure shall be appropriately screened from public view.

2. All exterior storage areas shall be surfaced to provide a durable, dust-free surface. All areas shall be graded and drained so as to dispose of all surface water accumulated within the area.

3. Except for Vehicular, Craft, and Related Equipment Sales Activities, all exterior storage areas shall be screened from public view by a suitable fence, wall, or plant material screen. Fences and walls shall not exceed fifteen (15) feet in height, and metal materials shall be prohibited. All stored materials shall be kept at least one (1) foot below the top of such wall, fence, or screen.
C. Special Provision Applying to Required Yards and Building Setbacks Coincident with Interstates to allow a reduced setback along interstates

1. Railroad or Interstate right-of-way shall be treated as a side or rear yard not a front yard. The Railroad or Interstate right-of-way shall be treated as a rear yard if said right-of-way is parallel to the street right-of-way.

2. Setbacks along an interstate right-of-way shall be reduced by fifty percent (50%).

**TABLE 6-1: COMMERCIAL DISTRICT BULK AND SETBACK REGULATIONS**

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Minimum Lot Area</th>
<th>Minimum Yard</th>
<th>Maximum Height</th>
<th>Building Area</th>
<th>Other Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>CN – Commercial Neighborhood</td>
<td>Any building used in whole or in part for a residence shall comply with the requirements of the RM6 residential district for minimum lot area per family</td>
<td>Front – 20 ft. Rear – 20 ft. Side 1 &amp; 2 story bldg. – 5 ft. 3 story bldg. – 10 ft.</td>
<td>3 stories or 45 feet</td>
<td>50% of total lot area</td>
<td></td>
</tr>
<tr>
<td>CD – Commercial Downtown</td>
<td>None</td>
<td>Front – 25 ft. Rear – 20 ft. Side – 10 ft.</td>
<td>4 stories or 60 feet</td>
<td>100% of total lot area</td>
<td>Minimum Height 2 stories or 30 ft.</td>
</tr>
<tr>
<td>CS – Commercial Service</td>
<td>Any building used in whole or in part for a residence shall comply with the requirements of the RM6 residential district for minimum lot area per family</td>
<td>Front – 25 ft. Rear – 20 ft. Side – 10 ft.</td>
<td>5 stories or 65 feet</td>
<td>40% of total lot area</td>
<td></td>
</tr>
<tr>
<td>CG – Commercial General</td>
<td>10,000 sq. ft.</td>
<td>Front – 40 ft. Rear – 25 ft. Side – 0 ft. Side if adjoining a residential district - 20 ft.</td>
<td>7 stories</td>
<td>40% of total lot area</td>
<td>Minimum lot width at building line shall be 100 feet</td>
</tr>
<tr>
<td>OP – Office Professional</td>
<td>6,000 sq. ft.</td>
<td>Front – 25 ft. Rear – 20 ft. Side – 1 &amp; 2 story 10 ft. 3 story 15 ft.</td>
<td>3 stories or 45 ft.</td>
<td>40% of total lot area</td>
<td>Maximum floor Area Ratio – 0.3</td>
</tr>
<tr>
<td>CO – Commercial Office</td>
<td>40,000 sq. ft.</td>
<td>Front – 50 ft. Rear – 25 ft. Side – 15 ft.</td>
<td>4 stories or 60 ft.</td>
<td>50% of total lot area</td>
<td>Maximum floor area ratio - 0.75</td>
</tr>
</tbody>
</table>

A lot of record may be a minimum of 3,000 ft. for a residential use (except in the CD district)
CHAPTER 7 INDUSTRIAL DISTRICT REGULATIONS

Sections:

14.701 Statement of Purpose
14.702 Purposes of Industrial Districts
14.704 Bulk, Lot, and Open Space Requirements.
14.705 Other Regulations

14.701. Statement of Purpose

The industrial districts established by this ordinance are designed to provide sufficient space, in appropriate locations, to meet the needs for industrial expansion within the city; to encourage industrial development which is free from hazards to the public health and from other objectionable influences; to protect industrial activities against congestion, encroachment, and other adverse characteristics; to protect adjacent residential and commercial areas from offensive influences; and to promote the most efficient and desirable use of land.


Each industrial district has specific purposes as indicated below:

A. IP – Planned Business/Industrial Park

This district provides for business/commercial uses and limited industrial uses that have little off-site impact and no toxic or noxious emissions in a planned environment.

1. Uses Permitted.

   Administrative Services
   Animal Care & Veterinarian Services
   Automotive Parking
   Automotive Servicing
   Auto Repair and Cleaning
   Building Materials and Farm Equipment
   Commercial
   Community Assembly
   Consumer Repair Services
   Convenience
   Cultural and Recreation Services
   Entertainment & Amusement Services
   Extended Stay Hotel/Motel
   Financial, Consultative & Administrative
   Food & Beverage Services
   General Business & Communication Services
General Retail Trade
Light Construction Service
Light Industry
Medical Services
Medium Construction Service
Transient Habitation
Transport & Warehousing
Vehicular, Craft & Related Sales
Wholesale Sales

2. **Allowed as a Conditional Use.**

    Heavy Construction Service
    Medium Industry
    Intermediate Impact

3. **Uses Prohibited.**

    Any use not specifically allowed

4. **Minimum Lot Area**

    Area: 20,000 sq.

5. **Minimum Lot Width**

    Lot width 150 ft.

6. **Minimum Building Setbacks.**

    Setbacks:
    Front – 60 ft.
    Rear – 25 ft.
    Side – 25 ft.
    Adjoining a residential district - 75 ft.
    No yard is required for that part of the lot that abuts a railroad right-of-way.

7. **Height.**

    Maximum Building Height – 6 stories or 75 ft.

8. **Building Area**

    Area – 50% of the total lot

**B. IL – Light Industrial District**

This district provides space for a range of industrial and related uses that conform to a high level of performance standards and have the least
objectionable characteristics. It is required that all operations of such establishments with the exception of limited outdoor storage be carried on within completely enclosed buildings thus providing a standard of development which removes most adverse characteristics that affect neighboring properties. These districts may provide a buffer between other districts and other industrial activities that have more objectionable influences. New residential activities are excluded, and community facilities and commercial establishments that complement and provide needed services for industry are permitted.

1. **Uses Permitted.**

   Administrative Services  
   Animal Care & Veterinarian Services  
   Automotive Parking  
   Automotive Servicing  
   Building Materials and Farm Equipment  
   Commercial  
   Community Assembly  
   Consumer Repair Services  
   Convenience  
   Entertainment & Amusement Services  
   Financial, Consultative & Administrative  
   Food & Beverage Services  
   General Business & Communication Services  
   Heavy Construction Service  
   Light Construction Service  
   Light Industry  
   Medium Construction Service  
   Medium Industry  
   Plant & Forest Nurseries  
   Transport & Warehousing  
   Undertaking Services  
   Vehicular, Craft & Related Equipment Sales  
   Wholesale Sales

2. **Allowed as a Conditional Use.**

   Cultural and Recreation Services  
   Intermediate Impact

3. **Uses Prohibited.**

   Any use not specifically

4. **Minimum Lot Area**

   Area: 15,000 sq. ft.
5. **Minimum Building Setbacks.**

Setbacks:
- Front – 40 ft.
- Rear – 40 ft.
- Side – 40 ft.

No yard is required for that part of the lot that abuts a railroad right-of-way.
Adjoining a residential district - 75 ft.

6. **Height.**

Maximum Building Height – 5 stories or 75 ft.

7. **Building Area**

Area – 50% of the total lot

C. **IH - Heavy Industrial District**

This district provides space for industrial activities, which by reason of volume of raw materials or freight, scale of operations, type of structures required, or similar characteristics require locations relatively well separated from non-industrial uses. New residential activities are excluded, and commercial establishments and community facilities that complement and provide needed services for industry are permitted.

1. **Uses Permitted.**

   Animal Care & Veterinarian Services
   Automotive Parking
   Automotive Servicing
   Building Materials and Farm Equipment
   Commercial
   Community Assembly
   Convenience
   Entertainment & Amusement Services
   Extensive Impact
   Financial, Consultative & Administrative
   Food & Beverage Services
   General Business & Communication Services
   Heavy Construction Service
   Light Construction Service
   Light Industry
   Medium Construction Service
   Medium Industry
   Plant & Forest Nurseries
   Transport & Warehousing
   Vehicular, Craft & Related Equipment Sales
   Wholesale Sales
2. **Allowed as a Conditional Use.**

   Administrative Services  
   Adult Entertainment Activities  
   Cultural and Recreation Services  
   Heavy Industry  
   Intermediate Impact  
   Mining & Quarrying

3. **Uses Prohibited.**

   Any use not specifically allowed

4. **Minimum Lot Area**

   Area: None.

5. **Minimum Building Setbacks.**

   Setbacks:  
   - Front – 50 ft.  
   - Rear – 40 ft.  
   - Side – 30 ft.  
   - Adjoining a residential district - 75 ft.  
   No yard is required for that part of the lot that abuts a railroad right-of-way.

6. **Height.**

   Maximum Building Height – 5 stories or 75 ft.

7. **Building Area**

   Area – 60% of the total lot

**14.703. Use and Structure Provisions**

The following uses and structures are permitted within the various industrial districts subject to the criteria that established in the district regulations.

A. **Uses Permitted**

1. **Principal Permitted Uses**

   Principal permitted uses for all industrial districts are listed in the Land Use Table, as presented in Appendix B.

2. **Permitted Accessory Uses**

   In addition to the principal permitted uses, each activity type may
include accessory activities or structures customarily associated with, and appropriate, incidental, and subordinate to the principal activity located on the same zone lot. These include, but are not necessarily limited to the following:

a. Off-street parking and loading serving a principal activity, whether located on the same zone lot or on a different zone lot, but only if the facilities involved are reserved for the employees, patrons or other persons participating in the principal activity.

b. Child care for pre-teenage children when operated by a health care, commercial or industrial activity where the care is provided solely for the children of their employees. The facility shall be located on the same zone lot as the principal activity and meet all applicable state and local regulations for a day care center for children.

c. Operation of a cafeteria for employees, residents, patrons, or others participating in the principal activity on the same zone lot. Where the principal activity is permitted by conditional use only, an accessory cafeteria must be approved as a part of the action granting said permit.

d. Signs permitted in accordance with the Lebanon Sign Ordinance.

B. Conditional Uses

Conditional uses permitted for consideration of the Board of Zoning Appeals established in the Land Use Table, as presented in Appendix B.

C. Prohibited Uses

Any use or structure not specifically permitted by right or conditional use as presented in the Land Use Table in Appendix B is prohibited.

The regulations appearing below apply to zone lots and buildings or other structures, located on any zone lot or portion of a zone lot including all new developments, enlargements, extensions, or conversions.

A. Minimum Lot Size

Within all industrial districts, the minimum size lot and width of lot (measured at the building line) used for permitted purposes shall be as established in Table 7-1.

B. Maximum Lot Coverage

Within all industrial districts, the maximum lot coverage by all buildings shall
not exceed the percentage of lot area as established in Table 7-1.

C. Maximum Permitted Height

No building shall exceed the height requirements as established in Table 7-1.

D. Yard Regulations

Within all industrial districts, the minimum yard and setback regulations established in Table 7-1 apply.

14.705. Other Regulations. The following regulations are supplementary and apply as indicated:

A. Yards and Building Setbacks Adjoining Residential District

The following provisions apply to industrial districts along the boundary that coincides with a lot line of a zone lot in any residential district or in a CN, CO, CD, or OP District:

1. Special Front Setback

Where the residential, CN, CO, CD, or OP district has frontage on the same street, the minimum front setback is the average of the distances of the buildings located within one hundred (100) feet of the lot where the industrial activity is located, up to twice the minimum front yard applicable to the commercial district.

2. Special Side and Rear Yards

Where an industrial zoned lot abuts a side or rear yard of any residential, CN, CO, CD, or OP zone lot, the minimum yards within the industrial district shall generally conform to the respective yard requirements for the adjoining district. However, in no instance shall any required rear or side yard required have a minimum width or depth of less than the minimum prescribed in Table 7-1.

B. Use of Required Yard Areas

1. Within the IL and IP Districts, all required yards shall be landscaped. However, a driveway or parking area may penetrate up to one-half of any required side or rear yard subject to the provisions of Chapter 8, Section 14-805(G)(2).

2. Within the IH Districts, the front yard shall be landscaped but may be crossed by driveways or sidewalks.

3. Within all industrial districts in which gasoline sales are permitted, an
overhead canopy that is open on all sides may encroach into the required building setback to within twenty-five (25) feet of the street right-of-way.

C. Exterior Storage

1. Within the Industrial Districts, exterior storage of goods, materials, or property is permitted on the side or the rear of the principal building provided that Vehicular, Craft, and Related Equipment Sales may be permitted to display such in the front or side subject to required yard provisions. Waste disposal receptacles shall be located in the rear of the principal building and shall be located inside an enclosure that is constructed of similar materials as the principal building. Such enclosure shall be appropriately screened from public view.

2. All exterior storage areas shall have paved entrances and exits. The rest of the lot maybe gravel if rocks are prevented from getting into the public streets. All areas shall be graded and drained so as to dispose of all surface water accumulated within the area.

3. Except for Vehicular, Craft, and Related Equipment Sales Activities, all exterior storage areas shall be screened from public view by a suitable fence, wall, or plant material screen. Fences and walls shall not exceed fifteen (15) feet in height, and metal materials are prohibited. All stored materials shall be kept at least one (1) foot below the top of the wall, fence, or screen.

4. Utilities

All utility services connections shall be underground and shall commence at the property line unless otherwise approved by the Lebanon Planning Commission. All lighting plans must meet the Middle Tennessee Electric Membership Standards

D. Special Provision Applying to Required Yards and Building Setbacks Coincident with Interstates to allow a reduced setback along interstates

3. Interstate right-of-way shall be treated as a side or rear yard not a front yard. The Interstate right-of-way shall be treated as a rear yard if said right-of-way is parallel to the street right-of-way.

4. Setbacks along an interstate right-of-way shall be reduced by fifty percent (50%).
<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Minimum Lot Area and Yard Depths</th>
<th>Minimum Yard Depths</th>
<th>Maximum Height</th>
<th>Maximum Lot Coverage</th>
<th>Other Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>IP – Planned Business/Industrial Park</td>
<td>20,000 sq. ft.</td>
<td>Front – 60 ft.</td>
<td>6 stories or 75 ft.</td>
<td>50% of total lot area</td>
<td>Minimum lot width at the building line – 150 ft. Enclosed shall mean to be completely contained within a building.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rear – 25 ft.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Side – 25 ft.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>No yard is required for that part of the lot that abuts a railroad right-of-way. Lots adjacent to a residential zone shall have: Rear – 75 ft. Side – 75 ft.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IL – Industrial Light</td>
<td>15,000 sq. ft.</td>
<td>Front – 40 ft.</td>
<td>5 stories or 75 ft.</td>
<td>50% of total lot area</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rear – 40 ft.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Side – 40 ft.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>No yard is required for that part of the lot that abuts a railroad right-of-way. Lots adjacent to a residential zone shall have: Rear – 75 ft. Side – 75 ft.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IH – Industrial Heavy</td>
<td>None</td>
<td>Front – 50 ft.</td>
<td>5 stories or 75 ft.</td>
<td>60% of total lot area</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rear – 40 ft.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Side – 30 ft.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>No rear yard is required for that part of the lot which fronts on or abuts a railroad right-of-way. Lots adjacent to a residential zone shall have: Rear – 75 ft. Side – 75 ft.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
CHAPTER 8
DEVELOPMENT STANDARDS

Sections:
14.801 Intent
14.802 Applicability
14.803 Supplementary Bulk Regulations
14.804 Off-street Parking and Loading Requirements
14.805 Landscaping, Screening, and Buffering
14.806 Open Space
14.807 Circulation and Mobility
14.808 Building Design
14.809 Lighting
14.810 Development Standards for a Mobile Home Community
14.811 Wireless Telecommunications Towers and Antennas
14.812 Conservation Subdivision Option
14.813 Signage

14.801 INTENT

The design standards set forth in Chapter 8 of the City of Lebanon Zoning Ordinance, are referred to collectively as the “Development Standards” or the “Standards.” The purpose of the Development Standards is to shape the City’s physical form and to promote the quality, character and compatibility of new development within the City. The Standards are intended:

A. To guide the expansion and renovation of existing structures and the construction of new buildings and parking within the City;

B. To permit new development, while preserving and enhancing Lebanon’s character, as described in the City’s Future Land Use Plan; and

C. To assist the City in reviewing development proposals.
14.802 APPLICABILITY

A. Standards within this Chapter shall apply to all zoning districts within the City of Lebanon, unless specifically stated otherwise. The standards in this section apply to all subdivisions creating three or more lots, final site plans, and building permit requests in the City that are submitted after the effective date of this ordinance, unless otherwise specified within this section. Final plats and site plans based upon previously approved plats shall conform with the regulations applicable at the time of their approval.

B. Applicability of Other Articles
a. Unless exemptions or alternate standards are explicitly established in this Ordinance, all standards and provisions of this Chapter shall apply to development within any zoning district.

b. If conflicts exist between the requirements of this Chapter and other Chapters of this Ordinance, the requirements of this Chapter shall supersede.

C. Where a zoning district is overlaid by an Overlay or Special District, the standards set forth within that district shall also apply.
14.803 SUPPLEMENTAL BULK REGULATIONS

A. Accessory Buildings

No accessory building or structure shall be erected between the front lot line and the front wall of the principal building or in any required side yard. In addition, accessory buildings shall (this section is not intended to regulate agricultural uses):

1. Be customarily incidental to the principal use established on the same lot.
2. Be subordinate to and serve the principal use.
3. Be subordinate in area, intent, height, and purpose to the principal use.
4. Contribute to the comfort, convenience, or necessity of users of the principal use.
5. Not exceed the height requirements as shown in tables 5.1, 6.1 and 7.1 as measured from the highest point of the structure to the finished floor.
6. No building(s) or structure(s) shall exceed the maximum size as specified in each district.
7. No accessory use or structure shall be constructed or established on any lot prior to the time of construction of the principal structure to which it is an accessory. This section shall not be construed to govern the sequencing or phasing of a construction project in which both the principal and accessory structures are to be built simultaneously.
8. Not be located within five (5) feet of the side or rear lot lines (see Figure 14.803-1 and Fire Code in Title 7 of the Municipal Code).
9. Not be located within required buffer yards.
10. On any corner lot adjoining in the rear of another lot which is in a residential district, no part of any accessory structure within twenty-five (25) feet of the common lot line shall be nearer the side street line than the depth of any required front yard for a dwelling along the side street (see Figure 14.803-2).
Combined square footage of accessory structure(s) and principal building cannot exceed applicable maximum lot coverage or F.A.R. requirements.

Figure 14.803-2 Location of Accessory Buildings on Corner Lots
B. Minimum Spacing of Buildings on a Single Zone Lot

In districts where permitted, the minimum distance between any two (2) buildings on any single zone lot shall be as provided in this section, except that these provisions do not apply to space between a building enclosing a principal permitted use and a garage or other unoccupied building accessory thereto.

1. Minimum Distance Between Buildings
   a. Within the districts as permitted, two (2) or more buildings may be constructed on a single zone lot subject to regulations in Title 7 of the Municipal Code.

2. Minimum Required Yard Area
   Regardless of the orientation of buildings, no less than the minimum yards required by the district regulations in which the development is located shall be maintained along the outer boundaries of the zone lot, with the exception of Accessory Buildings as permitted in 14.803 B.

3. Subdivision of Zone Lot After Development
   In all districts, after any portion of a zone lot has been developed under the provisions of this section, the zone lot may be subdivided into smaller zone lots only if each resulting zone lot and building or buildings thereon comply with all of the appropriate regulations pertaining to bulk, yards, open space, and parking and loading requirements of the district in which they are located, unless a hardship is found and relief is approved by the Planning Commission as part of a subdivision plat approval or a variance is granted by the Board of Zoning Appeals.

C. Exception to Height Regulations

The height limitations contained in the district regulations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, parapets, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

D. Rear Yard Abutting 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, center line of the street, 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.
E. Corner Lots

The minimum widths of side yards along intersecting streets shall be fifty (50) percent greater than the minimum side yard requirements. Accessory buildings shall also comply with this setback from an intersecting street.
F. Reduction in Lot Area Prohibited

No zone lot, even though it may consist of one (1) 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 Title are not maintained. This section shall not apply when a portion of a lot is acquired for a public purpose.

G. Permitted Obstructions in Required Yards

In all districts, elements that are uncovered or not under roof shall not be considered obstructions when located within a required yard except these items shall comply with Chapter 8, Sections 14.805.E.1 and 14.805.D.2 (Visibility at Intersections and Fences, Walls, and Hedges). Roof overhangs, gutters, or downspouts projecting into or over required yards shall not project more than eighteen (18) inches. Accessory structures are permitted to encroach on required yards as provided in 14.803 B.

H. Portable Building Regulations

A portable building is defined as any structure enclosed by walls and a roof designed to be transported on its own wheels or on a flatbed truck or trailer and delivered to a site ready for occupancy or use. This definition shall not include mobile homes as defined elsewhere herein or factory manufactured modular units that comply with the adopted building code.

1. In any residential zone, a portable building shall be an accessory use and used only for storage of materials commonly incidental to the occupancy of the principal residential use. The portable buildings shall meet all requirements for building coverage. The use of a movable trailer or a metal storage structure brought into an area by truck shall not be allowed as an accessory portable building included in this section. The movable trailers or metal storage structures may be utilized for temporary storage during remodeling or for household moves but shall be located on the premises no longer than sixty (60) days. One permit extension for no more than sixty (60) additional days may be requested and granted.

2. In all other districts, a portable building shall be an accessory use and used only for storage in zoning districts that permit outside storage as otherwise permitted herein provided all site planning standards are met.

3. Mobile homes as defined may be used only for residential occupancy, may be located only in approved or existing mobile home parks, or temporary residential occupancy to replace an existing home. Mobile homes used for temporary residential occupancy shall be allowed for no more than five (5) years from the date the mobile home is placed on the site.

4. In the event of damage or destruction of an existing building caused by fire, explosion, or natural disaster that results in the building being unusable, the Chief Building Official may issue a temporary building permit for a portable building to be used as emergency quarters while the permanent building is being reconstructed. The purpose of the placement temporarily shall be to
provide shelter for only the residents of the principal structure during the period of reconstruction and to prevent exceptional hardship on the same. Water supply and appropriate sewage disposal must be available. The permit shall expire and the portable building removed when the certificate of occupancy is issued for the reconstructed building.

5. In any district, the Chief Building Official may issue a temporary building permit for a contractor’s temporary office and equipment sheds that are incidental to a construction project. The buildings or sheds shall be removed when the certificate of occupancy is issued for the reconstructed building or when the certificate of occupancy is issued for the last house in a new housing development.
14.804 OFF-STREET PARKING AND LOADING REQUIREMENTS.

A. Intent

It is the intent of this section to ensure the adequate provision of off-street parking facilities for specific land uses within the City. These standards are also intended to ensure that parking areas are designed to be safe, accessible, convenient, and attractive. Off-street parking and loading areas should reduce traffic congestion, hazards and pedestrian and vehicular conflicts; protect neighborhoods from the effects of vehicular noise and traffic generated by more intense land uses and districts.

B. Applicability

Each use, including a change or expansion of a use or structure, except as otherwise provided for within this Ordinance shall have appropriately maintained off-street parking and loading areas in compliance with the provisions of this Chapter and Appendix D.

C. General Provisions

In all districts, accessory off-street parking, open or enclosed, shall be provided in conformity with the requirements set forth in this section for all uses. In addition, all other applicable requirements of this section shall apply as a condition precedent to the use of the development.

Parking requirement calculations that result in a fractional amount may be rounded down to the nearest whole number. For an enlargement or modification resulting in a net increase in the floor area or other applicable unit of measurement specified herein, the same requirements shall apply to the net increase in the floor area or other specified unit of measurement.

In the case of uses where the Board of Zoning Appeals is required to prescribe the number of parking spaces, it shall base its determination on recommendations from the Lebanon Planning Staff and such other factors as the traffic generation of the facilities, the time of operation of the facilities, their location, and other such factors that affect the need for off-street parking as required under the conditional use provisions.

D. Off-Street Parking Requirements

See Appendix D for off-street parking requirements.

E. Shared Parking Required

The Planning Commission shall consider a shared parking plan for projects when uses are located near one another and have different peak parking demands and operating hours. Planning Commission approval should be based upon a favorable recommendation of a shared parking study and site plan from the city's traffic engineer.

In reviewing an application including shared parking, the following shall be considered:

1. Characteristics of each use and projected peak parking demand, including hours of operation;
2. Potential reductions in vehicle movements afforded by multipurpose use of spaces by employees, customers or residents; and
3. Potential improvements in access, design, open space preservation and circulation afforded.

F. Off-Site Parking Requirements

Off-street parking space accessory to any permitted use may be located on a zone lot other than the same zone lot as the use to which the spaces are accessory, provided that:

1. The spaces are not located within a residential or agricultural district; and
2. The spaces are located to draw a minimum of vehicular traffic to and through streets having predominantly residential frontage; and
3. The spaces are located no farther than 1,000 feet from the main entrance of the use being served by the off-site parking; and
4. The spaces are in the same ownership as the use to which they are accessory and necessary instruments are executed to ensure the required number of spaces will remain available throughout the life of the use or the spaces are covered by a lease agreement; and
5. The spaces conform to all applicable district regulations of the district in which they are located.

G. Special Provisions for Accessible Parking

The following provisions shall apply to all uses and structures for which accessible parking spaces are required.

1. Number of Spaces Required

<table>
<thead>
<tr>
<th>TOTAL SPACES PER LOT</th>
<th>MINIMUM NO. OF ACCESSIBLE SPACES</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 to 25</td>
<td>1</td>
</tr>
<tr>
<td>26 to 50</td>
<td>2</td>
</tr>
<tr>
<td>51 to 75</td>
<td>3</td>
</tr>
<tr>
<td>76 to 100</td>
<td>4</td>
</tr>
<tr>
<td>101 to 150</td>
<td>5</td>
</tr>
<tr>
<td>151 to 200</td>
<td>6</td>
</tr>
<tr>
<td>201 to 300</td>
<td>7</td>
</tr>
<tr>
<td>301 to 400</td>
<td>8</td>
</tr>
<tr>
<td>401 to 500</td>
<td>9</td>
</tr>
<tr>
<td>501 to 1000</td>
<td>2% of total</td>
</tr>
<tr>
<td>1001 and over</td>
<td>20 plus 1 for each 100 over 1000</td>
</tr>
</tbody>
</table>
2. One in every eight accessible spaces, but not less than one, shall be served by an access aisle 8’ wide minimum and shall be designated "van accessible".

3. At least one accessible route shall be provided within the site from accessible parking spaces and accessible passenger loading zones; public streets and public sidewalks; and public transportation stops to the accessible building or facility entrance they serve.

4. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance.

5. Accessible parking must be 9’ minimum in width and 20’ in length for 90° parking stalls.

6. Wheel stops must be included such that the overhang from automobiles is not within the path of travel.

7. Parking spaces and access aisles shall be level with surface slopes not exceeding 1:50 (2%) in all directions.

8. Accessible parking spaces shall be designated as reserved by a sign showing the international symbol of accessibility. Van Accessible spaces shall have an additional sign "Van-Accessible" mounted below the symbol of accessibility. Such signs shall be located so they cannot be obscured by a vehicle parked in the space. Signs designating parking places for disabled people can be seen from a driver’s seat if the signs are mounted high enough above the ground (minimum of 5’ above the finished grade to bottom of sign) and located at the front of a parking space. Pavement markings, although not required, may be used in conjunction with the mounted signs.

Figure 14.804-1 International Symbol of Accessibility
(blue background white character)

9. Curb ramps shall be provided wherever an accessible route crosses a curb.

10. The least possible slope shall be used for any ramp. Handrails shall be installed for any ramp exceeding a 5% slope. The maximum running grade of a ramp in new construction shall be 1:12. The maximum rise for any run shall be 30 in. (Ramp slopes between 1:16 and 1:20 are preferred.) Transitions from ramps to walks, gutters, or streets shall be flush and free of abrupt changes. Maximum slopes of adjoining gutters, road surface immediately adjacent to the curb ramp, or accessible route shall not exceed 1:20.
11. The minimum clear width of a ramp shall be 3’, exclusive of the flared sides.

12. Landings: Ramps shall have level landings at bottom and top of each ramp and each ramp run. The landing may be considered part of the access aisle. Landings shall have the following features:
   a. The landing shall be at least as wide as the ramp run leading to it.
   b. The landing length shall be a minimum of 5’ clear.
   c. If ramps change direction at landings, the minimum landing size shall be 5’ by 5’.
   d. If a doorway is located at a landing, then the area in front of the doorway shall include the doorway width as well as 2’ each side of the door by a width of 5’.

13. The cross slope of ramp surfaces shall be no greater than 1:50. Ground and floor surfaces along accessible routes and in accessible rooms and spaces including floors, walks, ramps, stairs, and curb ramps, shall be stable, firm, and slip-resistant.

14. A curb ramp shall have a detectable warning that shall extend the full width and depth of the curb ramp at any public access point.

15. Built-up curb ramps shall be located so that they do not project into vehicular traffic lanes.

16. If a curb ramp is located where pedestrians must walk across the ramp, or where it is not protected by handrails or guardrails, it shall have flared sides (5’ flare minimum); the maximum slope of the flare shall be 1:10.

17. The standard accessible aisle width is 5’ along main entrance route, but can be reduced to 3’ at minor entrances.

18. Access aisles shall be marked so as to discourage parking in them.

Figure 14.804-2 Passenger Loading Zone Access Aisle
19. Access aisles shall adjoin an accessible route. Two parking spaces shall be permitted to share a common access aisle.

**Figure 14.804-3 Parking Access Aisle**

20. Where provided, curb ramp flares shall not be steeper than 1:10.

**Figure 14.804-4 Sides of Curb Ramps**

21. Landings shall be provided at the tops of curb ramps. The landing clear length shall be 36 inches (915 mm) minimum. The landing clear width shall be at least as wide as the curb ramp, excluding flared sides, leading to the landing.
22. Landings subject to wet conditions shall be designed to prevent the accumulation of water.

23. Diagonal or corner type curb ramps with returned curbs or other well-defined edges shall have the edges parallel to the direction of pedestrian flow. The bottom of diagonal curb ramps shall have a clear space 48 inches (1220 mm) minimum outside active traffic lanes of the roadway. Diagonal curb ramps provided at marked crossings shall provide the 48 inches (1220 mm) minimum clear space within the markings. Diagonal curb ramps with flared sides shall have a segment of curb 24 inches (610 mm) long minimum located on each side of the curb ramp and within the marked crossing.

24. Raised islands in crossings shall be cut through level with the street or have curb ramps at both sides. Each curb ramp shall have a level area 48 inches (1220 mm) long minimum by 36 inches (915 mm) wide minimum at the top of the curb ramp in the part of the island intersected by the crossings. Each 48
inch (1220 mm) minimum by 36 inch (915 mm) minimum area shall be oriented so that the 48 inch (1220 mm) minimum length is in the direction of the running slope of the curb ramp it serves. The 48 inch (1220 mm) minimum by 36 inch (915 mm) minimum areas and the accessible route shall be permitted to overlap.

14.804-7 Islands in Crossings

H. 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. The spaces shall have access to a public or private alley, or if there is no alley, to a public street and shall be a minimum of twenty-five (25) feet in length. The minimum required spaces for this provision shall be based on the total usable floor area of each principal building according to the following table:

<table>
<thead>
<tr>
<th>TOTAL USABLE FLOOR AREA</th>
<th>SPACE REQUIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 9,999 square feet</td>
<td>One (1) space (10 by 25 feet)</td>
</tr>
<tr>
<td>10,000 to 14,999 square feet</td>
<td>One (1) space (10 by 50 feet)</td>
</tr>
<tr>
<td>15,000 to 19,999 square feet</td>
<td>Two (2) spaces (10 by 50 feet)</td>
</tr>
<tr>
<td>Over 20,000 square feet</td>
<td>Two (2) spaces (10 by 50 feet), plus one (1) additional space for each additional 20,000 square feet</td>
</tr>
</tbody>
</table>

The Board of Zoning Appeals may consider a request for a variance to these requirements.

Loading docks, delivery and/or service entrance areas shall also be surfaced with
asphalt, concrete, or equivalent material.

Storage areas larger than two (2) acres in industrial zones, IP, IL, and IH are exempt from the paving requirement. The planning commission shall have discretionary authority to grant an exemption for a storage area less than two (2) acres, subject to the consideration by the commission as to any ill effect such approval may have on adjacent and/or surrounding properties, and/or the use of such properties.

I. Off-Street Parking Lot Design Standards

1. Design Objectives

Parking areas shall be designed with careful regard given to orderly arrangement, topography, amenity of view, ease of access, and as an integral part of the overall site design. All parking areas shall be landscaped in accord with the requirements contained in Chapter 8, Section 14-805.

For reasons of use and appearance, it is desirable that parking areas be level or on terraces formed with the slope of the land. Changes in level between the terraces should be formed by retaining walls or landscaped banks.

2. Access Regulations

In order to promote the safety of the motorist and pedestrian and to minimize traffic congestion and conflict by reducing the points of contact, the following regulations shall apply.

a. Maximum width of driveway openings at the property line:

Multi-family residential uses with greater than eight (8) units: Twenty-four (24) feet.

Multi-family residential uses with eight (8) units or less; Single-family and duplexes (RS12, RS9, RD9, RS6, RM6, R2): Twelve (12) feet.

Single-family (RR, RS20): Eighteen (18) feet.

All other non-residential uses: Thirty-five (35) feet.

b. Minimum distance from an adjoining interior lot line and a driveway opening at the street right-of-way line:

Non-residential and multi-family uses with greater than eight (8) units: Twelve and one-half (12 1/2) feet.

c. Minimum distance from the intersection of street right-of-way lines on a corner lot and a driveway opening at the right-of-way line:

Single-family Residential uses: Twenty-five (25) feet.

Non-residential and Multi-family uses: Fifty (50) feet.

d. Minimum distance between two driveways serving the same property and which provide access to the same street, measured at property line:

Residential uses: Twenty-five (25) feet.

Non-residential uses: Thirty-five (35) feet.
All uses on a state highway: Thirty-five (35) feet or the same as the widest driveway, whichever is greater.

Multi-family developments with greater than eight (8) units: Between a one-way access point and another access point, centerline to centerline: two hundred (200) feet.

Between two-way access points, centerline to centerline: three hundred (300) feet.

e. Radius of Curb Return: The curb return radius shall meet the following requirements; provided, however, that no radius shall exceed the distance between the driveway opening at the property line and the adjoining property line or one-half (1/2) the distance to an adjacent driveway:

Residential uses: Five (5) feet minimum, fifteen (15) feet maximum.

Non-residential uses: Five (5) feet minimum, thirty (30) feet maximum.

f. Drainage: All driveways shall be constructed with proper drainpipes sized for the amount of water each should carry. The pipes shall be concrete, and headwalls and endwalls shall be constructed.

g. Nothing in this section shall be interpreted to prohibit shared drives for adjoining parcels or larger developments

3. Surfacing and Border Barriers

a. All impervious off-street parking areas shall be surfaced with asphalt, concrete, or other hard surfaced material and so constructed to provide for adequate drainage for both on and off-site and to prevent the release of dust. In no case shall drainage be allowed to cross sidewalks.

b. Pervious Pavement or Pervious Pavement Systems

Pervious pavement or pervious pavement systems, including pervious asphalt, pervious concrete, modular pavers designed to funnel water between blocks, or similar structured and durable systems are permitted. Gravel, turf, or other materials that are not part of a structured system designed to manage stormwater shall not be considered pervious pavement or a pervious pavement system.

Pervious pavement and pervious pavement systems shall meet the following conditions:

i. All materials shall be installed per industry standards. Appropriate soils and site conditions shall exist for the pervious pavement or pervious pavement system to function. For parking lots of ten (10) spaces or more documentation that verifies appropriate soils and site conditions shall be provided.

ii. Pervious pavement or pervious pavement systems, except for pervious asphalt or pervious concrete, shall not be used for accessible parking spaces or the accessible route from the accessible space to the principal structure or use served.
iii. Pervious pavement or pervious pavement systems shall be prohibited in areas used for the dispensing of gasoline or other engine fuels or where hazardous liquids could be absorbed into the soil through the pervious pavement or pervious pavement system.

iv. Pervious pavement or pervious pavement systems, except for pervious asphalt, pervious concrete, or modular pavers shall not be used for drive aisles or driveways.

c. All off-street parking areas shall be provided with a rail, curb, fence, wall, earth berm, or other continuous barrier of a height sufficient to retain all cars completely within the property together with appropriate landscaping except at access driveways.

4. Lighting
See Section 14.809 Outdoor Lighting.

5. Parking Stalls
The size of each parking space shall be as shown on the sample layout illustration according to the angle of parking and appropriately marked with painted lines or curbs.

6. Maneuvering Space
Minimum width of driveways providing maneuvering space within a parking lot for ingress to and egress from parking stalls shall be as indicated on the illustration for parking lot design details.

7. Slope in Parking Areas
The maximum slope within the area of the parking stalls shall be five (5) percent. The maximum slope of driveways shall be ten (10) percent.

8. Compact Spaces
In parking areas with 20 parking space or more, a minimum of 85% of the total spaces required shall be standard spaces and the remaining amount may be compact parking spaces. All compact stalls must be designated by signage or pavement markings.
Figure 14.804-8 Dimensions of Parking

<table>
<thead>
<tr>
<th>Standard Parking Area Dimensions</th>
<th>Compact Parking Area Dimensions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Parking Angle (Degrees)</strong></td>
<td><strong>Parking Angle (Degrees)</strong></td>
</tr>
<tr>
<td>Curb length [A]</td>
<td>Curb length [A]</td>
</tr>
<tr>
<td>Stall Depth [B]</td>
<td>Stall Depth [B]</td>
</tr>
<tr>
<td>Aisle Width [C]</td>
<td>Aisle Width [C]</td>
</tr>
<tr>
<td>90°</td>
<td>90°</td>
</tr>
<tr>
<td>60°</td>
<td>60°</td>
</tr>
<tr>
<td>45°</td>
<td>45°</td>
</tr>
<tr>
<td>30°</td>
<td>30°</td>
</tr>
<tr>
<td>0°</td>
<td>0°</td>
</tr>
<tr>
<td>18.5 [1]</td>
<td>16 [1]</td>
</tr>
<tr>
<td>18.5</td>
<td>16</td>
</tr>
<tr>
<td>14.5</td>
<td>14</td>
</tr>
<tr>
<td>9</td>
<td>8</td>
</tr>
<tr>
<td>24</td>
<td>24</td>
</tr>
<tr>
<td>22</td>
<td>22</td>
</tr>
<tr>
<td>20</td>
<td>20</td>
</tr>
<tr>
<td>18</td>
<td>18</td>
</tr>
<tr>
<td>14</td>
<td>14</td>
</tr>
<tr>
<td>Note:</td>
<td>Note:</td>
</tr>
<tr>
<td>[1] Stall Depth may be reduced by 2 feet when a parking stall abuts a landscape island or sidewalk that is seven feet in width or wider.</td>
<td>[1] Stall Depth may be reduced by 2 feet when a parking stall abuts a landscape island or sidewalk that is seven feet in width or wider.</td>
</tr>
</tbody>
</table>

**J. Parking, Storage, or Use of Major Recreation Equipment**

For purpose of these regulations, major recreational equipment is defined as including boats and boat trailers, travel trailers, tent trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by the equipment or not. No such equipment shall be used for living, sleeping, or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for the use.
14.805 LANDSCAPING, SCREENING, AND BUFFERING

A. Intent

1. The intent of this section is to establish a set of minimum landscape standards in order to promote the health, safety, and welfare of the general public; to improve the overall appearance of the community; to reduce storm water runoff, noise, heat, and chemical pollution through the preservation and installation of canopy trees; and to reduce the impact of adjacent land-uses through requirements for buffer yards along zoning boundaries which will minimize potential harmful effects of one use on another. The Planning Commission may grant waivers from these standards as indicated in the various subsections.

B. Applicability

1. The standards in this section apply to all subdivisions creating three or more lots, as well as final site plans for multi-family of more than four (4) units and non-residential development in the City that are submitted after the effective date of this ordinance, unless otherwise specified within this section. Final plats and site plans based upon previously approved plats shall conform with the regulations applicable at the time of their approval.

C. Waiver or Modification of Standards for Special Situations

1. The Planning Commission may determine existing landscaping or screening intended to be preserved satisfies the requirements of this section, or the Commission may accept a different landscape design that would provide all or part of the required landscaping and screening. In making such a determination to waive or reduce the landscape and screening requirements of this Section, the following must be considered:

2. The extent that existing natural vegetation provides desired screening;
3. Steep changes in topography that may limit the benefits of required landscaping;
4. The presence of existing wetlands or environmentally sensitive areas that would preclude the required installation;
5. Existing and proposed building placement;
6. Abutting or adjacent land is planned for a future use that is different from its underlying zoning;
7. Building heights and views;
8. Existing and proposed utility placement; and
9. Similar conditions to the above exist such that no good purpose would be served by providing the landscaping or screening required.
D. General Landscape Standards

1. Credit for Existing Vegetation

Existing healthy, well-formed canopy and understory trees as well as healthy shrubs may be credited toward the requirements of this section, provided the vegetation is: identified and protected before and during development of the site; located in areas suitable to meet the standards of this section; and maintained after development of the site is complete. Existing vegetation shall be protected as shown in Figure 14.805-1.

Figure 14.805-1 Tree Protection

2. Sight Distance Requirements for Landscape Materials

   a. At any public or private street intersection and at the access point for private driveways to public or private streets, a clear zone for sight distance shall be maintained. No landscape material that exceeds the height of eighteen (18)
inches at maturity or branches lower than six (6) feet shall be planted in any sight distance clear zone as indicated in Figure 14.805-2.

b. In order to protect safe sight visibility lines for street intersections, landscape buffers and shrubs shall not be located within thirty-five (35) feet of a street corner.

![Figure 14.805-2 Visibility at Intersections](image)

3. Parking Landscaping

a. Islands

i. One (1) landscape island with a minimum size of nine (9) feet x eighteen (18) feet (see Figure 14.805-3) measured from face of curb to face of curb shall be placed at a minimum of every fifteen (15) spaces in any proposed row of parking.

ii. A minimum of one (1) two and a half (2 1/2)-inch caliper or larger canopy tree is to be placed in each proposed island. Said canopy trees can be used toward the overall tree requirements but not toward any existing tree replacement.

iii. The islands are to be free of all asphaltic, construction, and/or trash materials. (see Figure 14.805-4)
b. Screening
   i. Landscape screening shall be required between those portions of an off-street parking area containing five (5) or more parking spaces and a public street where the separation between the parking area and public street edge of pavement is forty (40) feet or less.
   
   ii. Standards
       1) Parking lot screening must be provided within ten (10) feet of the perimeter of the parking lot to be screened.
2) Parking lot screening must be a minimum of three (3) feet and a maximum of six (6) feet in height as measured from the adjacent finished surface of the parking area.

3) Evergreen Shrubs shall be used to provide the screen. Such shrubs must be at least two (2) feet tall at planting and anticipated to grow to at least four (4) feet tall at maturity.

4) Parking lot screening, at a minimum, must consist of:
   a) a compact hedge of evergreen shrubs spaced to ensure closure into a solid hedge at maturity;
   b) an architecturally compatible opaque wall or fence (see Section 14.805.E.5.g. “Fences, Walls, and Hedges”);
   c) a seat wall at seating height; or
   d) a combination of the above.

4. **Landscape Buffers**

   a. Intent

   Landscape Buffers shall be required between different land uses and to screen less-intensive uses from more intensive uses. The buffer provides a transition between the incompatible uses by providing a landscape yard of a minimum specified depth along the shared property line with a year-round visual obstruction.

   b. Exemptions

   No landscape buffer yard shall be required when a zoning boundary falls along a public street, along an elevated railroad bed, utility line easement of fifty feet wide or greater, navigable river, or controlled access highway.

   The Planning Commission may also waive buffer yard requirements when:

   i. existing vegetation is deemed to satisfy the transition requirement or when a lack of existing or projected development exists along zoning district boundary lines. In order to waive the buffer yard requirements in favor of existing vegetation, the width of existing vegetation must be a minimum of ten (10) feet, measured from the adjoining property line; or
ii. Development is located within the boundary identified on the map in 14.805-6.

Figure 14.805-6 Pre-1950 Area

c. Procedure

Refer to the matrix in Table 14.805-1 below to determine landscape buffer requirements.

i. Identify the type of zoning for the proposed development that will be providing the buffer yard (along the top of the matrix) and each adjoining property (along the left side of the matrix).

ii. Find where the zoning of the proposed development and each adjoining property intersect on the matrix.

iii. If a buffer yard is required, a capital letter will indicate the type of buffer to be applied.

iv. Details for each buffer yard type are provided below the matrix in Section 14.805.E.3.d.
### Table 14.805-1: Buffer Matrix

<table>
<thead>
<tr>
<th>Abutting Properties</th>
<th>RR</th>
<th>RS20</th>
<th>RS12, RS9, RD9</th>
<th>RS6, RM6, R2</th>
<th>CD and DMU</th>
<th>OP, CN, CS</th>
<th>CO, RP2, CG</th>
<th>IP and IL</th>
<th>IH</th>
</tr>
</thead>
<tbody>
<tr>
<td>RR</td>
<td>n/a</td>
<td>n/a</td>
<td>A</td>
<td>B</td>
<td>B</td>
<td>C</td>
<td>D</td>
<td>D</td>
<td>D</td>
</tr>
<tr>
<td>RS20</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>A</td>
<td>B</td>
<td>C</td>
<td>D</td>
<td>D</td>
<td>D</td>
</tr>
<tr>
<td>RS12, RS9, RD9</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>A</td>
<td>B</td>
<td>C</td>
<td>D</td>
<td>D</td>
<td>D</td>
</tr>
<tr>
<td>RS6, RM6, R2</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>A</td>
<td>B</td>
<td>C</td>
<td>D</td>
<td>D</td>
</tr>
<tr>
<td>CD and DMU</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>A</td>
<td>B</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>OP, CN, CS</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>A</td>
<td>B</td>
<td></td>
</tr>
<tr>
<td>CO, RP2, CG</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>A</td>
<td></td>
</tr>
<tr>
<td>IP and IL</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>IH</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td></td>
</tr>
</tbody>
</table>

### d. Buffer Types

All plantings shall meet the installation and planting size requirements specified in 14.805. E.6. “Plant Material Standards.”

i. Type A

10 feet deep Landscape Yard installed with the following:

1) One (1) row of large evergreen shrubs spaced a maximum of ten (10) feet apart, or two (2) staggered rows of medium evergreen shrubs spaced a maximum of six (6) feet apart; and

2) One (1) row of Class II Shade Trees spaced a maximum of thirty (30) feet on-center.

ii. Type B

20 feet deep Landscape Yard installed with the following:

1) Two (2) staggered rows of large evergreen shrubs spaced a maximum of ten (10) feet apart, or three (3) staggered rows of medium evergreen shrubs spaced a maximum of six (6) feet apart; and

2) One (1) row of Class I Shade Trees spaced a maximum of fifty (50) feet on-center.

iii. Type C

20 feet deep Landscape Yard installed with the following:

1) Six (6) feet tall masonry wall, fence, or combination thereof along the property line;

2) Two (2) staggered rows of large evergreen shrubs spaced a maximum of ten (10) feet apart, or three (3) staggered rows of medium evergreen shrubs spaced a maximum of six (6) feet apart; and
3) One (1) row of Class I Shade Trees spaced a maximum of fifty (50) feet on-center.

iv. Type D

Thirty (30) Feet deep Landscape Yard installed with the following:

1) Eight (8) feet masonry wall, fence, or combination thereof along the property line;

2) One (1) row of small evergreen trees spaced a maximum of twenty (20) feet apart;

3) One (1) row of large evergreen shrubs spaced a maximum of ten (10) feet apart, or two (2) staggered rows of medium evergreen shrubs spaced a maximum of six (6) feet apart; and

4) One (1) row of Class I Shade Trees spaced a maximum of fifty (50) feet on-center.

Figure 14.805-7 Buffer Illustrations

Buffer ‘A’  Buffer ‘A’ (alternate)
5. **Landscape Screening**

a. **Intent**

The intent of this section is to establish requirements to screen specific unsightly elements, uses, or structures from public view.

b. **Dumpsters and Trash Receptacles**

All dumpsters, trash receptacles, and refuse storage containers shall be located within an enclosure providing screening, unless located adjacent to a loading dock at the rear of the building. Enclosure shall meet one of the following standards:

i. A decorative masonry wall (minimum six feet in height) on three sides and a gate on the fourth side. The gate shall be constructed with an opaque, non-masonry material. The construction materials of the wall shall match materials used on the principal building located on the same lot.

ii. Medium-sized evergreen shrubs shall be arranged, planted a maximum of 6 feet on-center, around the perimeter of the pad area except the side where the gate is located. This landscaping requirement does not apply when the enclosure is an architectural extension of a principal building.

Dumpster enclosures and trash receptacles should not be located in front of the principal building and should be subordinate to the principal building.

c. **Ground-mounted equipment**

When technically feasible, outdoor equipment should be placed underground. All proposed ground-mounted equipment (i.e., transformers, air conditioner units, etc.) within view from a public right of way shall be screened by evergreen shrubs. Medium-sized evergreen shrubs shall be arranged, planted a maximum of 6 feet on-center, around the boundary of the equipment.
d. Water/Wastewater Stations

Proposed water pump stations and wastewater lift stations shall be screened from public view. In order to screen these facilities, the following elements shall be incorporated:

i. An eight-foot wide landscape area with one small evergreen tree per 12 linear feet, provided that said trees shall be planted no closer than eight feet and no more than 16 feet apart.

e. Outdoor Storage

In industrial and commercial districts, storage of materials, products, or equipment outside of a fully-enclosed building shall be one hundred (100) percent screened from the public right of way. Outdoor storage shall be screened from public view as follows:

i. All outdoor storage or equipment rental areas that are visible from a public right-of-way or customer parking area shall be enclosed with materials compatible to the building architecture such as decorative fencing (i.e., wrought iron), a building wall or other similar enclosure. Limited visibility into the display confinement area may be permitted depending upon the location of the area and the visibility of the area from nearby roadways. The display merchandise may not extend above or be stacked higher than the confinement area enclosure.

ii. If a permitted outdoor sales display area is proposed by the business owner to be fenced, such as with plant nurseries or sales of automobiles, motorcycles, mobile homes, boats, recreational vehicles, etc., all fencing visible from the public right-of-way shall consist of a masonry wall, masonry pilasters and wood fencing, or if open screening is to be used, it shall be made of a decorative material including wrought iron, masonry pilasters and open mesh wiring or other similar material as approved by the Planning Commission.

f. Loading areas

All loading areas visible from public view shall be screened. Side and front-facing truck delivery stalls and loading bays shall be screened from the public right-of-way as described below.

i. Installation of a minimum six (6) feet wall or fence, composed of masonry, masonry pilasters, wood fencing, or a combination thereof. If the wall includes a gate, it shall be constructed with an opaque, non-masonry material. The construction materials of the wall shall match material used on the principal building located on the same lot; and

ii. A landscaped area that is a minimum of six (6) feet deep, adjacent to the constructed screen with one small evergreen tree or one large evergreen shrub per twelve (12) linear feet of wall constructed, provided that said trees shall be planted no closer than six (6) feet and no farther than eight (8) feet apart.
g. Fences, Walls, and Hedges

i. Notwithstanding other provisions of this ordinance, fences, walls, and hedges may be permitted in any required yard, or along the edge of any yard except as prohibited in Chapter 8, Section (A) above.

ii. In any residential district, no fence or wall shall exceed eight (8) feet in height and shall not extend past the front of the principal building. Between the principal building and the street right-of-way, no fence or wall shall exceed four (4) feet in height. Vinyl slats or thin fabric inserts or coverings are not allowed to be used in any fencing.

iii. In commercial or industrial districts, no fence or wall shall exceed fifteen (15) feet in height and shall not extend past the front of the principal building. Between the principal building and the street right-of-way, no fence or wall shall exceed six (6) feet in height. This section is not intended to prevent the screening of recycle centers, junk yards, and scrap yards from the view of surrounding properties or public right-of-way.

iv. Fences shall be designed and installed so that the finished side of the fence is oriented toward adjacent properties and the public right-of-way and the structural side of the fence is oriented toward the interior of the lot.

Figure 14.805-8 Fences and Walls – Residential
h. Infill Development

Infill development is the process of developing vacant or under-utilized parcels within existing urban areas that are already largely developed. Landscape buffer and screening should be reduced or waived for infill single-family, multifamily, mixed-use, or commercial development where the Planning Commission finds the design, height, location of uses, massing, and landscaping of the infill project mitigates potential adverse effects and promotes compatibility with surrounding structures and the character of the neighborhood.

6. Plant Material Standards

a. Intent

All landscaping materials shall be consistent with the current edition of American Standard for Nursery Stock (ANSI Z60.1) and installed in a professional manner. It is the intent of this Section that a diverse mixture of plantings be provided within the City of Lebanon. Therefore, all required landscaping shall comply with the following minimum plant material standards.

b. Native Vegetation, Drought Resistance / Xeriscape and Irrigation.

i. Native vegetation and drought resistant plant material shall be used wherever possible.

ii. If native vegetation or drought resistant plant materials are not used, then a temporary or permanent irrigation system shall be installed to provide water to the landscape for a minimum twelve (12) month establishment period.
iii. Xeriscape landscape practices are allowed as a way to minimize the need for supplemental watering. The following techniques shall be used where possible:

1) Use plant materials with lower moisture requirements;
2) Select plants on the basis of specific slope, aspect, soil and micro climate conditions;
3) Plant native and adapted plant species;
4) Minimize the amount of irrigated turf area;
5) Design slopes to minimize runoff, using terracing in lieu of a consistent slope, where possible;
6) Separate irrigation zones according to plant water requirements to reduce evaporation;
7) Amend topsoil by deeply loosening soil and incorporating organic matter and amendments based on soil tests; and
8) Use mulch in planting areas to reduce weed growth, promote soil cooling, and reduce evaporation.

c. Plant Quality
Plant materials permitted in required landscaped areas shall be hardy to the climate of Middle Tennessee, long-lived, resistant to disease and insect attack, and shall have orderly growth characteristics. All plant materials shall be well-formed, sound, vigorous, healthy and free from disease, sun scald, wind burn, abrasion, and harmful insects at the time of planting.

d. Plant Size Specifications
All required plant materials shall be of the following sizes at the time of planting, unless otherwise stated in this Section.

i. Class I Shade Trees
All Class I Shade Trees shall be installed at a minimum caliper of two and a half (2 ½) inches as measured from six (6) inches above grade level. Class I Shade Trees shall also have a minimum expected maturity height of at least fifty (50) feet and a minimum canopy spread of at least thirty (30) feet. Evergreen trees can be treated as Class I Shade Trees provided they meet the minimum maturity height and canopy spread criteria.

ii. Class II Shade Trees
All Class II Shade Trees shall be installed at a minimum caliper of two (2) inches as measured at six (6) inches above grade level from the base of the tree. Class II trees shall have a maximum expected maturity height of forty (40) feet and a minimum canopy spread of twenty (20) feet.

iii. Ornamental Trees
All Ornamental Trees shall be installed at a minimum caliper of one and a half (1 ½) inches as measured at six (6) inches above grade level from the base
of the tree. Ornamental trees shall have a maximum expected maturity height of thirty (30) feet and a maximum canopy spread of thirty (30) feet.

iv. Small Evergreen Trees
Small Evergreen trees are used to meet the tree planting requirements of the Landscape Buffering and Screening Sections. All evergreen trees shall be installed at a minimum height of eight (8) feet and have a minimum expected mature spread of eight (8) feet.

v. Large Evergreen Shrubs
All Large Evergreen shrubs shall be installed at a minimum size of seven (7) gallons and have an expected mature height of at least eight (8) feet and a mature spread of at least six (6) feet.

vi. Medium Evergreen Shrubs
All Medium Evergreen shrubs shall be installed at a minimum size of five (5) gallons and have an expected mature height of at least four (4) feet and a mature spread of at least four (4) feet.

vii. Small Evergreen and Deciduous Shrubs
All Small Evergreen and Deciduous shrubs shall be installed at a minimum size of three (3) gallons and have an expected mature height of at least two (2) feet and a mature spread of at least two (2) feet.

e. Mulch Material
All mulch materials shall be installed at a minimum depth of three (3) inches for planted trees and shrubs, and shall be installed in a manner as to present a finished appearance.

7. Maintenance
The developer, its successor and/or subsequent owners and their agents, shall maintain landscaping on the property on a continuing basis for the life of the development.

a. All landscaping is subject to periodic inspection by the Planning Director or Designee. The City may cause removal of any dead or diseased trees, plants and shrubs on private property within the City, when those trees, plants and shrubs constitute a hazard to life and/or property or harbor insects or disease which constitutes a potential threat to other trees, plants or shrubs within the City. If the Planning Director determines that removal of any diseased tree, plants or shrubs are necessary; the Planning Official shall provide the property owner written notice of the required maintenance or removal.

b. All required landscaping shall be provided with a readily available and acceptable water supply. Underground sprinkler systems are encouraged for all required street yard landscaping, parking lot landscaping, landscape buffer yards, and landscape screening. If underground sprinklers are not provided, an outside hose attachment within two-hundred (200) feet of all landscaping required by this ordinance shall be required.
c. Warranty period

Completed landscaping shall comply with the approved landscape plan, including the quantities, location, species, and size of plants and other landscape materials, and that such landscaping will remain in good condition free from defects in material and/or workmanship during the warranty period.

i. For the purpose of this subsection "warranty period" means a period of one year beginning when the City accepts the landscaping as complete.

ii. During the warranty period, defective materials, equipment, and workmanship shall be repaired, corrected, or replaced without charge or cost to the City. The City may at any time during the warranty period inspect, photograph, or televise such landscaping and shall notify the developer of any necessary repair, correction, or replacement.

8. Specific Landscape Standards

1. Planting Strip

A Planting Strip shall be provided between the back of curb and sidewalk for all new development. Planting Strip areas vary based on the design intent of zoning districts. The Planting Strip areas shall be designed as follows:

a. Planting Strip Width

   i. Low Density Residential District (RS20) – five (5) feet minimum

   ii. Medium/High Density Residential Districts (RS12, RS9, RD9, and RS6) – five (5) feet minimum

   iii. Medium/High Density Residential Districts (RM6 and R2) – six (6) feet minimum

   iv. Urban Mixed Use/Commercial Districts (CD and DMU) – six (6) feet minimum with one-foot dismount strip provided within the planting strip to accommodate pedestrian circulation from on-street parking

   v. Limited Commercial Districts (OP, CN, and CS) -- six (6) feet minimum with one-foot dismount strip provided within the planting strip to accommodate pedestrian circulation from on-street parking

   vi. General Commercial Districts (CO, RP2, and CG) -- six (6) feet minimum

   vii. Light Industrial Districts (IP and IL) and Heavy Industrial District (IH) -- seven (7) feet minimum

b. Planting Strip Character

Plant materials in the Planting Strip area vary greatly in their potential to provide optimum pedestrian and environmental benefits. Turf grass may be the most predominate plant material used beneath street trees in the planting strip, but the installation of low (24-30 inches) shrubs, perennials, or groundcover plantings that provide a superior degree of separation between the sidewalk and street are also appropriate. Under some conditions, a combination of the plantings and grass or plantings and pavers may be appropriate depending on the street classification and need to accommodate on-street parking. Trees in wells,
planters, or grates will be more appropriate than a continuous planting strip in areas with or anticipated to have high levels of pedestrian activity.

i. Low Density Residential District (RS20) – continuous planting strip composed of turf grass

ii. Medium/High Density Residential Districts (RS12, RS9, RD9, and RS6) – continuous planting strip composed of turf grass, low shrubs, perennials, or groundcover plantings

iii. Medium/High Density Residential Districts (RM6 and R2) – continuous planting strip composed of turf grass, low shrubs, perennials, or groundcover plantings for single-family development. Multi-family developments shall provide a bike rack, trash receptacle, bench, lighted bollard, or other approved element of street furniture for every one-hundred (100) feet of street frontage. Multi-family developments shall utilize tree planters or wells as opposed to continuous landscape strips, to maximize pedestrian circulation throughout the planting strip area.

iv. Urban Mixed Use/Commercial Districts (CD and DMU) – Planting strips shall be composed of trees in grates, wells, or planters. Planting strips shall not contain turf grass. While the street trees are the only plant materials required in the planting strip, low-growing shrubs and groundcovers are also encouraged within wells and planters. All developments shall provide a bike rack, trash receptacle, bench, lighted bollard, or other approved element of street furniture for every one-hundred (100) feet of street frontage.

v. Limited Commercial Districts (OP, CN, and CS) -- continuous planting strip composed of turf grass, low shrubs, perennials, or groundcover plantings are appropriate unless otherwise noted. Multi-family and non-residential developments within the CN district shall provide a bike rack, trash receptacle, bench, lighted bollard, or other approved element of street furniture for every one-hundred (100) feet of street frontage. Multi-family and non-residential developments within the CN district shall utilize tree grates, planters, or wells, as opposed to continuous landscape strips, to maximize pedestrian circulation throughout the planting strip area.

vi. General Commercial Districts (CO, RP2, CG) -- continuous planting strip composed of turf grass, low shrubs, perennials, or groundcover plantings

vii. Light Industrial Districts IP and IL and Heavy Industrial District (IH) -- continuous planting strip composed of turf grass

c. Street Trees

Along all street frontages, street trees shall be planted so that a minimum of one (1) tree is required for every forty (40) feet of street frontage. The applicant has the option of planting the required street trees in a pattern other than one every forty (40) feet so long as the minimum number of trees planted complies with the formula of there being one (1) tree every forty (40) feet.
Example:
Parcel is on a corner with 100 feet of frontage along one street and 150 feet of frontage along the other street:
100–foot frontage: 100 divided by 40 equals 2.5 trees, therefore round-up to 3 trees. The 3 trees may be planted in any combination so long as 3 trees are planted along that street frontage.
150-foot frontage: 150 divided by 40 equals 3.75 trees, therefore round-up to 4 trees. The 4 trees may be planted in any combination so long as 4 trees are planted along that street frontage.
See Appendix E for recommended trees for the City of Lebanon. Otherwise, the required street trees shall be planted outside of any rights-of-way and public utility and drainage easements.

2. Sidewalk Zone

A continuous sidewalk shall be provided on all sides of streets being developed. The sidewalk shall be located between the edge of the planting strip area and the front property line.

The Sidewalk Zone shall comply with the following standards:

a. Low Density Residential District (RS20) – five (5) feet minimum
b. Medium/High Density Residential Districts (RS12, RS9, RD9, and RS6) – five (5) feet minimum
c. Medium/High Density Residential Districts (RM6 and R2) – six (6) feet minimum
d. Urban Mixed Use/Commercial Districts (CD and DMU) – eight (8) feet minimum
e. Limited Commercial Districts (OP, CN, and CS) -- six (6) feet minimum with one-foot dismount strip provided within the planting strip to accommodate pedestrian circulation from on-street parking
f. General Commercial Districts (CO, RP2, and CG) -- six (6) feet minimum
g. Light Industrial Districts (IP and IL) and Heavy Industrial District (IH) – The Planning Commission shall determine whether sidewalks are required in industrial districts. The Planning Commission shall make this determination after considering the following:

i. Are there uses within one-quarter (1/4) mile of the development that may generate pedestrian activity? Uses may include, but are not limited to schools, major employers, transit stops, government offices, hotels, and public housing.

i. How many people live in the area? Is it too far away from concentrations of housing for people to feasibly walk to?

ii. Are there existing sidewalks in the area that could be connected to now or in the future?

iii. How busy is the street? Is it a major arterial? Will pedestrians feel comfortable walking along the shoulder or outside of the travelway?
iv. Does the Future Land Use Plan envision the area as transitioning into a less industrial and more mixed-use and walkable neighborhood in the future?

v. Have there been any reported pedestrian safety concerns in the immediate area that could be addressed with the installation of new sidewalks?

vi. If the Planning Commission determines that a sidewalk is required, a continuous sidewalk at least five (5) feet in width shall be provided on all sides of streets being developed.

Figure 14.805-10 Planting Strip and Sidewalk Zone Diagrams
3. Front Yard Landscaping
   a. Purpose

   Landscaping shall be selected and placed in the front yards of newly-developed property to soften the effect of the built environment. An arrangement of vegetation such as trees, shrubs, and grasses shall be required for new development.

   b. Requirements

   Front yard landscaping shall be provided as follows:

   i. High Density Residential Districts (RM6 and R2)

      1) A foundation planting along one-hundred (100) percent of the façade of each building which abuts a public street, excluding necessary breaks for sidewalks, entrances, etc. The foundation planting area shall have a minimum depth of six (6) feet.

      2) The foundation planting shall include:

         a. Two (2) Medium Evergreen Shrubs as specified in Section 14.805.D.6 for every thirty (30) feet of building façade;

         b. Eight (8) Small Evergreen or Deciduous Shrubs (or a combination thereof) of at least two different species as specified in Section 14.805.D.6 for every thirty (30) feet of building façade. The shrub requirement may also be met with a combination of shrubs and ornamental grasses;

         c. One Class II Shade Tree or two (2) Ornamental Trees as specified in Section 14.805.D.6 for every fifty (50) feet of building façade. Front Yard Landscaping

   ii. Urban Mixed Use/Commercial Districts (CD and DMU) – No front yard landscaping required.

   iii. Limited Commercial Districts (OP, CN, and CS)

      1) A foundation planting along one-hundred (100) percent of the façade of each building which abuts a public street, excluding necessary breaks for sidewalks, entrances, etc. The foundation planting area shall have a minimum depth of six (6) feet.

      2) The foundation planting shall include:

         a. Two (2) Medium Evergreen Shrubs as specified in Section 14.805.D.6 for every thirty (30) feet of building façade;

         b. Eight (8) Small Evergreen or Deciduous Shrubs (or a combination thereof) of at least two different species as specified in Section 14.805.D.6 for every thirty (30) feet of building façade. The shrub requirement may also be met with a combination of shrubs and ornamental grasses;
c. One Class I Shade Tree, two (2) Class II Shade Trees, or three (3) Ornamental Trees as specified in Section 14.805.D.6 for every sixty (60) feet of building façade.

iv. General Commercial Districts (CO, RP2, and CG)

1) A foundation planting along one-hundred (100) percent of the façade of each building which abuts a public street, excluding necessary breaks for sidewalks, entrances, etc. The foundation planting area shall have a minimum depth of six (6) feet.

2) The foundation planting shall include:

   a. Two (2) Medium Evergreen Shrubs as specified in Section 14.805.D.6 for every thirty (30) feet of building façade;

   b. Eight (8) Small Evergreen or Deciduous Shrubs (or a combination thereof) of at least two different species as specified in Section 14.805.D.6 for every thirty (30) feet of building façade. The shrub requirement may also be met with a combination of shrubs and ornamental grasses;

   c. Two Class I Shade Trees, three (3) Class II Shade Trees, four (4) Ornamental Trees, or a combination thereof to achieve a minimum of four (4) trees as specified in Section 14.805.D.6 for every ninety (90) feet of building façade.

v. Light Industrial Districts (IP and IL) and Heavy Industrial District (IH)

1) A foundation planting along one-hundred (100) percent of the façade of each building which abuts a public street, excluding necessary breaks for sidewalks, entrances, etc. The foundation planting area shall have a minimum depth of eight (8) feet.

2) The foundation planting shall include:

   a. Two (2) Large Evergreen Shrubs as specified in Section 14.805.D.6 for every thirty (30) feet of building façade;

   b. Four (4) Medium Evergreen Shrubs as specified in Section 14.805.D.6 for every thirty (30) feet of building façade;

   c. Eight (8) Small Evergreen or Deciduous Shrubs (or a combination thereof) of at least two different species as specified in Section 14.805.D.6 for every thirty (30) feet of building façade. The shrub requirement may also be met with a combination of shrubs and ornamental grasses; and

   d. Two Class I Shade Trees, three (3) Class II Shade Trees, four (4) Ornamental Trees, or a combination thereof to achieve a minimum of four (4) trees as specified in Section 14.805.D.6 for every ninety (90) feet of building façade.
vi. Low/Medium/High Density Residential Districts (RR, RS20, RS12, RS9, RD9, and RS6)

1) The following front yard landscaping standard will apply only to non-residential uses in the RR, RS20, RS12, RS9, RD9, and RS6 zoning district.

2) A foundation planting long one-hundred (100) percent of the façade of each building which abuts a public street, excluding necessary breaks for sidewalks, entrances, etc. The foundation planting area shall have a minimum depth of six (6) feet.

3) The foundation planting shall include

a. Two (2) Medium Evergreen Shrubs as specified in Section 14.805.D.6 for every forty (40) feet of building façade;

b. Eight (8) Small Evergreen or Deciduous Shrubs (or a combination thereof) of at least two different species as specified in Section 14.805.D.6 for every thirty (30) feet of building façade. The shrub requirement may also be met with a combination of shrubs and ornamental grasses;

c. One Class II Shade Tree or two (2) Ornamental Trees as specified in Section 14.805.D.6 for every fifty (50) feet of building façade.
1/7/2020

14.806 OPEN SPACE

RESERVED
A. Intent
The purpose of this section is to support the creation of a highly connected transportation system within the City in order to provide choices for drivers, bicyclists, and pedestrians; promote walking and bicycling; connect neighborhoods to each other and to local destinations such as employment, schools, parks, and shopping centers; reduce vehicle miles of travel and travel times; improve air quality; reduce emergency response times; mitigate the traffic impacts of new development, and free up arterial capacity to better serve regional long-distance travel needs. These standards attempt to avoid the creation of large, isolated tracts without routes for through traffic or pedestrian and bicycle connections.

B. Applicability
The standards in this section apply to all subdivisions creating three or more lots, final site plans, or building permit requests in the City that are submitted after the effective date of this ordinance, unless otherwise specified within this section. Refer to Article III. of the Subdivision Regulations for additional street design standards.

C. Arrangement of Streets
New streets shall be arranged according to the following standards:

1. All streets shall be properly integrated with the existing and proposed system of streets and dedicated rights-of-way as established in the Major Thoroughfare Plan;
2. All streets shall be properly related to special traffic generators, such as industries, business districts, schools, churches, and shopping centers; to population densities; and to the pattern of existing and proposed land uses;
3. Local streets shall be laid out to conform as much as possible to the topography, to provide for the efficient dispersal of internal traffic, and to permit efficient drainage and accommodate utility systems;
4. The use of an interconnected street system shall be used to broadly disperse internal traffic and provide maximum alternatives for access to property for both public and private movement;
5. Cul-de-sac streets shall not be permitted unless required due to topography or preservation of a natural feature; and
6. In non-residential and mixed-use developments, the streets and other access routes shall be planned in connection with the grouping of buildings, loading, and maneuvering areas, and location of walks and parking areas to minimize conflict of movement between the various types of traffic, including pedestrian traffic.

D. Connectivity, Access and Blocks
1. Internal Street Connectivity
   a. Connectivity
      i. Developments shall provide roadways permanently open to the public that provide community wide access as part of an overall connectivity network whose spacing generally occurs at intervals as stated in Chapter 8 Section 14.807 of this Ordinance.
ii. Existing streets in adjacent or adjoining areas shall be continued in a new development. Whenever connections to anticipated or proposed surrounding streets are required by this Ordinance, the Subdivision Regulations or the Major Thoroughfares Plan (or other adopted Transportation Plan), the right-of-way shall be extended and the street developed to the property line of the property at the point where the connection to the anticipated or proposed street is expected. Temporary turnarounds may be required to be constructed at the end of such streets pending their extension when such turnarounds appear necessary to facilitate the flow of traffic or accommodate emergency or service vehicles. No dead-end street shall be permitted in excess of 500 feet unless no other practical alternative is available and a special exception is granted by the Planning Commission.

iii. Developments shall provide sufficient external access points to the existing or future roadway network as follows, however, in the case of any conflict between the provisions of this section.

1. Any residential development of greater than 75 units shall include at least two access points. The second access may consist of a future access or a stub street.

2. Any residential development of greater than 124 units shall include at least two access points. Future access points or stub streets shall not be considered part of the two access points.

3. No more than 124 units’ certificates of occupancy may be issued within the development until the required secondary access has been constructed.

4. Residential developments of 200 or more units shall provide three separate access points. Where three or more access points are required, the Planning Commission may waive the requirement for immediate construction of more than two access points, provided that development’s phasing and design illustrates the additional required connections. For those developments large enough to require a third access, a stub-out street may be credited as a required access if the two functioning points of access are both connected to a collector or arterial road.

5. Any residential development of greater than 200 units shall include at least three access points. An additional access point shall be provided for every 100 units over 200 units, at the recommendation of City Staff. Future access points or stub streets shall not be considered part of the three access points but may be used to meet the requirement for any additional required access points.

6. A special exception of these standards may be granted by the Planning Commission only in extreme cases where limited frontage, natural features (slope, topography), or similar circumstances preclude the required connections and there is no substantial impact noted regarding emergency service delivery. An alternate public emergency access roadway may be provided to satisfy the requirements above with approval of the Planning Commission.
iv. Street stubs into adjacent properties shall be required to ensure adequate circulation. All existing stub streets, contiguous to the property, shall be connected to the proposed street system. A special exception from these requirements for street stubs shall require approval of the Planning Commission.

b. Residential Development Access to Existing Public Street

i. A minimum of two points of access to an arterial or collector street shall be required for all residential developments consisting of 124 or more lots and/or units. The second point of access may connect to adjacent developments as long as the adjacent development has direct access to an arterial or collector street.

ii. Two points of access shall not be on the same street unless no alternative exists, providing two unique paths to an arterial or collector without overlap. If no alternative exists, a future point of access shall be provided to a future street.

iii. The Planning Commission, Planning Staff or Engineering Staff may require more than two points of access when additional access points are readily available or as other sections of this Ordinance and the Subdivision Regulations require.

iv. In certain limited instances where the second point of access cannot be reasonably provided, a traffic study is required to demonstrate that an adequate level of service can be met. All traffic studies are subject to review by City Staff and/or a City chosen professional to determine if recommendations are consistent with all transportation programs and needs.

v. When a second point of access cannot be reasonably provided, a second future point of access shall be provided. An access or ingress/egress easement may be required by Planning or Engineering Staff.

vi. When a street stubs to the subject property, such stub shall be extended through the subject property as public or private street.

c. Blocks

i. Blocks shall be defined as section of land bound by four (4) intersecting streets.

ii. Blocks shall not be more than twelve hundred (1,200) feet in length. Block length shall be measured along the center line of the longest street of a block from intersecting street to intersecting street.

iii. Block perimeter shall not be more than five thousand seven hundred (5,700) feet. Block perimeter shall be measured along the center line of intersecting streets that encompass a block.

iv. Residential blocks shall have sufficient width to provide for two tiers of residential lots, except where outlined in the Connectivity, Access and Block Special Exceptions section of this Chapter.

v. In blocks greater than eight hundred (800) feet in length, a pedestrian access easement a minimum of ten (10) feet in width may be required to traverse
blocks deemed essential to provide access to Community Facility Activities or Commercial Activities uses.

d. Connectivity, Access, and Blocks Special Exceptions

i. The Planning Commission may consider a special exception from the Connectivity, Access and Blocks standards when one of the following hardships prohibits compliance:

1. A railroad track would need to be crossed.
2. The Interstate would need to be crossed.
3. The airport land would need to be crossed.
4. A stream would need to be crossed that is an order number 4 stream or higher. A stream order map is available from the Planning Department.
   - The block perimeter shall be doubled for number 4 order streams
   - The block perimeter shall be tripled for number 5 order streams
   - The Planning Commission can require stream crossings for any stream as required in the Major Thoroughfare Plan or as needed for a pressing transportation concern
5. A topographic feature that would cause the slope of a street to be greater than 10%.
6. An existing development pattern (including cemeteries) prevents the reasonable extension of a road. If this is the case, additional pedestrian connections or a pocket park should be required based on the cost of the land.
7. Anywhere the Subdivision Regulations require access management.

E. Cross-Access Between Adjacent Uses

To encourage shared parking and shared access points on public streets, Circulation Plans prepared for all new nonresidential and mixed-use development shall comply with the following standards:

1. Internal vehicular circulation areas shall be designed to allow for cross-access with adjacent lots that have nonresidential or mixed uses.
2. A stub for future cross-access shall be provided from the vehicular use area to all adjacent vacant land designated for nonresidential or mixed-use development.
3. Cross-access drives shall allow for two-way traffic, and shall be in the form of a drive aisle with a minimum width of twenty-four (24) feet.
4. When cross-access for vehicles is deemed impractical by the Planning Commission on the basis of topography, the presence of natural features, or vehicular safety factors, the requirement for cross-access may be waived. If a waiver is granted, the Planning Commission should consider requiring bicycle and pedestrian connections between adjacent developments or land uses, either at the street frontage or internal within the site.
5. A cross-access easement must be recorded prior to issuance of a building permit for the development.

F. Pedestrian Circulation

Planning for safe, comfortable, and pleasant movement of pedestrians in and through sites on sidewalks is important for the health of the City of Lebanon. Sidewalks can add value to the city by connecting people in places where they can invest locally, share ideas, and build community. The value added by having sidewalks can be different from location to location. A context appropriate evaluation of sidewalk needs is an effective way to add value to the city. Circulation Plans shall address pedestrian circulation in accordance with the following standards:

1. All commercial, industrial, multifamily, and mixed-use development shall provide a network of onsite pedestrian walkways to and between the following areas:
   a. Entrances to each building on the site, including pad site buildings;
   b. Public sidewalks or walkways on adjacent properties and along public rights-of-way that extend to the boundaries shared with the subject development;
   c. Adjacent public transit station areas, transit stops, park and ride facilities, or other transit facilities;
   d. Adjacent parks, trails, schools, and recreation centers; and
   e. Adjacent non-residential development, as determined by the Planning Commission.

2. Sidewalks Required
   Sidewalks or payment in lieu-of-sidewalk construction shall be required for all new developments.

3. Payment in-lieu-of Sidewalks
   If the Planning Commission determines that allowing payment in-lieu-of sidewalk construction is in the best interest of the city, the payment shall be at a rate of five dollars ($5) per square foot for required sidewalk width along the distance of the street frontage that would have otherwise required sidewalk construction. The Planning Commission is not authorized to waive the payment in lieu of sidewalks. Waiving of the payment in-lieu of sidewalk construction shall be approved only by action of the City Council. The money collected from payments in-lieu-of sidewalks shall go into a fund that can be used for sidewalks, sidewalk maintenance, or trails.

4. Circulation Plans for projects pursuing payment in-lieu-of sidewalk construction shall provide justification for not providing the sidewalk, such as:
   a. Topography;
   b. Absence of surrounding uses that may generate pedestrian activity, such as schools, major employers, transit stops, government offices, hotels, and public housing;
   c. Lack of intensity of surrounding residential development; and
   d. Lack of proximate sidewalk infrastructure to tie into.
5. Sidewalk Standards

Sidewalks shall comply with the following requirements:

a. Shall be constructed in accordance with ADA requirements;

b. Shall be constructed in accordance with Table 14.807-1 below (see also Section 14.805 for additional design requirements);

c. Pedestrian paths for internal use or connecting to a larger trail system may be 4 feet wide;

d. All sidewalks shall be unobstructed, meaning that while sidewalks can be wider than the minimum width, the minimum width shall not be obstructed;

e. Sidewalks shall be installed at the back of the right-of-way with a minimum of six (6) feet from the back of the street curb to the nearest edge of the sidewalk (See Table 14.807-1 below and Section 14.805.E.2 for additional dimensional requirements). In such locations where site constraints do not permit a six (6) foot grass area, the City Engineer shall have the authority to reduce the setback of the sidewalk. Such relief shall be the minimum deviation that will make possible the reasonable use of the site.;

f. Shall be distinguishable from traffic lanes by painted markings, pavement material, texture, or raised in elevation (striped asphalt does not count); and

g. Shall have adequate lighting for security and safety.

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Minimum Planting Strip Width</th>
<th>Sidewalk Width</th>
<th>Street Tree Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>RR</td>
<td>no requirement</td>
<td>no requirement</td>
<td>no requirement</td>
</tr>
<tr>
<td>RS20, RS12, RS9, RD9, RS6</td>
<td>6 feet</td>
<td>5 feet</td>
<td>continuous planting strip</td>
</tr>
<tr>
<td>RM6, R2</td>
<td>6 feet</td>
<td>5 feet</td>
<td>wells, planters, or grates for RM6 and R2</td>
</tr>
<tr>
<td>CD and DMU</td>
<td>7 feet</td>
<td>8 feet</td>
<td>wells, planters, or grates</td>
</tr>
<tr>
<td>OP, CN, CS</td>
<td>6 feet</td>
<td>5 feet</td>
<td>continuous planting strip</td>
</tr>
<tr>
<td>CO, RP2, CG</td>
<td>6 feet</td>
<td>5 feet</td>
<td>continuous planting strip</td>
</tr>
<tr>
<td>IP and IL</td>
<td>7 feet (if required)</td>
<td>5 feet (if required)</td>
<td>continuous planting strip (if required)</td>
</tr>
<tr>
<td>IH</td>
<td>7 feet (if required)</td>
<td>5 feet (if required)</td>
<td>continuous planting strip (if required)</td>
</tr>
</tbody>
</table>
G. Bicycle Circulation and Parking

1. General on Street Bike Facilitation:
   a. Motor vehicle lanes on streets with shoulders and swale drainage shall be striped at a width of no greater than eleven (11) feet. Depending on the context, lane striping shall be done to maximize the widest portion of pavement shoulder without such shoulder serving or being mistaken as additional motor vehicle lane.
   b. A bicycle lane/sharrow combination should be used on streets where there is not sufficient pavement to provide two dedicated bicycle lanes. A dedicated lane shall be placed in the uphill direction, while a sharrow shall be placed on the downhill side.

2. Outside lane width (pavement shoulder) shall be incorporated into the design of all new and/or improved arterial streets. Bicycle lanes and/or wide outside lanes shall be incorporated in the design of all minor collectors. On local streets, low traffic speeds and volumes allow bicyclists and motorists to safely share the road. Sidewalks are not acceptable as substitutes for bike lanes.

3. Bicycle Parking Standards:
   a. Bicycle parking facilities shall be provided as part of any new construction, changes of use, or substantial improvements for the following:
      i. Multi-dwelling unit developments of four (4) dwelling units or more;
      ii. Development within business, industrial, municipal community facilities, and any special use or special design districts;
      iii. Transit oriented development, transit transfer stations, park-and-ride lots; and
      iv. New development that are within 1,000 feet of a greenway, recreational trail, cross state bike route, or other regional bicycle route.
   b. Bicycle parking facilities as part of any new construction, changes of use, or substantial improvements, shall be provided in the ratio of 1 bicycle parking place for every 25 parking spaces.
   c. When provided, bicycle parking spaces shall:
      i. Provide a convenient place to lock a bicycle, and shall be at least six (6) feet long, two (2) feet wide, and shall provide at least seven (7) feet of vertical clearance, unless a bicycle locker is provided;
      ii. Provide a secure and appropriate bar or similar surface area to which most bicycle locks may be attached;
      iii. Be capable of supporting the bicycle frame in an upright position and be securely anchored to a supporting surface;
      iv. Not interfere with pedestrian circulation and shall be separated from automobile parking;
      v. Located within view of building entrances or in view of windows (visible from the interior of the building), but in no case shall such parking be located greater than 50 feet from the building entrance;
vi. When provided, bicycle parking shall be accessible by safe and convenient connections to and from the street, sidewalk, trail or other public or private way which accommodates such traffic;

vii. Be located at least three (3) feet from any wall or obstruction; and

viii. Be illuminated for safety and nighttime use.

H. Standards Specific to South Hartmann Drive

1. Purpose
South Hartmann Drive is the primary north-south arterial serving travelers on the west side of the City of Lebanon. The purpose of the South Hartmann Drive Access Management Plan is to allow access to land development in a manner that preserves the safety and efficiency of the transportation system, promotes economic development, and protects environmental resources along South Hartmann Drive between Interstate 40 (I-40) and W. Main Street in the City of Lebanon.

2. General
The access management plan includes guidelines and standards where the intent is either advisory (guidelines) or mandatory (standards).

a. Guidelines provide direction on more subjective or qualitative objectives, such as the location of new streets and the spacing of traffic signals.

b. Guidelines are open to interpretation and admit a variety of solutions that support the general intent of the access management plan. They are expressed with terms like "should" and "encouraged".

c. Standards are specific development and design controls that govern quantitative and measurable objectives, such as the location and spacing of driveways. They are expressed with terms like "shall" and "must", and are often described in tables and diagrams that show precise dimensions or fixed limits within which a proposed design must fall.

Many guidelines and standards are dependent upon site specific conditions, including topography, property lines, prior site development, and sight distances, that may prevent the strict application of the guidelines and standards. In such cases, the City of Lebanon Engineering Department will evaluate the options and determine the appropriate application of the guideline or standard in question. The following access management guidelines and standards apply to all properties abutting and street intersections along South Hartmann Drive between I-40 and W. Main Street in the City of Lebanon.

3. Street Network
Providing combined arterial and collector street spacing at closer intervals improves access opportunities, reduces traffic where streets meet, and allows for reduced cross sections. Although north-south street connectivity in the corridor area is generally sufficient with approximately ½ mile spacing of arterials and collectors, east-west connectivity is poor, particularly between Hickory Ridge Road and Leeville Pike.
a. Street Spacing

The minimum of combined arterial and collector spacing should be ½ mile. Accordingly, spacing of arterials and collectors at multiples of adopted signal spacing (see below, “Signalized Intersection Spacing”) will facilitate arterial-to-arterial and arterial-to-collector intersections.

A new collector road should be constructed between Hickory Ridge Road and Leeville Pike to improve east-west connectivity and provide the recommended ½ mile arterial/collector spacing.

b. Sidewalks

For all new developments, abutting a collector or arterial street, on-site sidewalk installation will be required. A continuous, all-weather sidewalk, constructed to a minimum of five feet, shall run parallel to the roadway at the front of the parcel. A buffer zone of 24 inches must separate the sidewalk from the edge of pavement, allowing for an appropriate buffer from vehicular and bicycle traffic as well as future sidewalk connections to adjacent parcels.

When built, new sidewalks shall comply with the standards of the city government; however, a design compatible with existing conditions may be considered and approved by the City Engineering Department upon the advice of the appropriate city government agencies, provided constructing such design would cost no more than would full compliance with public sidewalk standards.

c. Auxiliary Lanes

Right turn deceleration lanes are required when the outside lane has an expected volume of greater than 250 mph and the right turn volume is greater than 55 mph. Left turn deceleration lanes are required at all median openings where left turns are expected to occur. Deceleration lanes shall be designed in accordance with City and TDOT standards, with left turn and right turn storage lengths determined through a traffic analysis.

4. Traffic Signal Systems

Long and uniform spacing of traffic signals allows for coordinated signals that reduce delays and improve safety. Currently, there are six signalized intersections on the study segment of South Hartmann Drive (including the northern limit at W. Main Street), with an average signal spacing of 0.46 miles. The shortest signalized intersection spacing within the study limits is 0.20 miles (approximately 1,050 feet) between Franklin Road and the Shopping Center Entrance/future Crowell Lane.

a. Signal Spacing

i. Ideally, traffic signals should be spaced ½ mile apart for efficient signal progression at speeds of 30 mph to 45 mph, maximizing flow rates while minimizing fuel consumption and emissions. Distances between signals should not vary by more than 10% in order that good progression of traffic may be maintained in both directions.

ii. ½ mile spacing of signalized intersections typically allows efficient traffic progression at speeds of 40 mph using a common 90 second cycle length. In off-peak conditions a shorter cycle may allow efficient progression at higher
speeds, while in peak periods a longer cycle up to 120 seconds may be used for 30 mph progression. Table 14.807-2 shows optimal signal spacing for efficient progression at various speeds/cycle lengths.

Table 14.807-2: Optimum signal spacing for efficient progression at various speeds/cycle lengths (TRB 1996)

<table>
<thead>
<tr>
<th>Cycle Length (sec)</th>
<th>Speed (mph)</th>
<th>Distance in Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>25</td>
<td>30</td>
<td>35</td>
</tr>
<tr>
<td>60</td>
<td>1,100</td>
<td>1,320</td>
</tr>
<tr>
<td>70</td>
<td>1,280</td>
<td>1,540</td>
</tr>
<tr>
<td>80</td>
<td>1,470</td>
<td>1,760</td>
</tr>
<tr>
<td>90</td>
<td>1,630</td>
<td>1,980</td>
</tr>
<tr>
<td>120</td>
<td>2,200</td>
<td>2,640</td>
</tr>
<tr>
<td>150*</td>
<td>2,750</td>
<td>3,300</td>
</tr>
</tbody>
</table>

* Represents maximum cycle length for actuated signal if all phases are fully used.

5. Unsignalized Access

Unsignalized street and driveway connections introduce conflicts and friction into the traffic stream as vehicles enter and leave through-traffic lanes. The 28 existing access points on South Hartmann Drive between I-40 and West Main Street, or approximately 11 access points per mile, plus future connections will present both operational and safety issues.

a. Number of Driveways

The maximum number of driveways is established in Table 14.807-3.

Table 14.807-3 Maximum Number of Driveways

<table>
<thead>
<tr>
<th>Lot Frontage</th>
<th>Number of Driveways</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 150 feet</td>
<td>1</td>
</tr>
<tr>
<td>150 feet to 299 feet</td>
<td>2</td>
</tr>
<tr>
<td>Each additional 300 feet</td>
<td>1</td>
</tr>
</tbody>
</table>

b. Unsignalized Street and Driveway Spacing

The minimum spacing for unsignalized streets and driveways shall be as shown in Table 14.807-4. The required spacing between unsignalized street and/or commercial driveways is based on the minimum separation of driveways to reduce crash potential due to right-turn conflict overlap. Each driveway presents the driver with a minimum of two conflict points as they must be alert for a right-turning vehicle entering mainline traffic or a vehicle making a right-turn into a driveway. The recommended spacing requires each driver to monitor a single driveway at a time, improving safety and traffic operations. All driveways serving properties other than single-family/duplex residential or farming are considered commercial. Spacing between driveways is measured from near edge to near edge of adjacent driveways.
Table 14.807-4 Minimum Connection Spacing

<table>
<thead>
<tr>
<th>Connection</th>
<th>Distance (ft.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unsignalized Street and Commercial</td>
<td>350</td>
</tr>
<tr>
<td>Non-Commercial Driveway</td>
<td>50</td>
</tr>
</tbody>
</table>

The City Engineering Department may allow two one-way driveways to serve a commercial property. Distances between adjacent one-way commercial driveways with inbound traffic upstream from the outbound drive must have a minimum separation distance of 25 feet. Islands having a minimum length of 25 feet measured parallel to the highway must be built between the closely spaced driveways to form definite entrances and exits.

c. Joint Access and Cross Access

Joint and cross access are methods of allowing adjacent properties to share driveways and parking facilities. Joint access is where two adjacent property owners share a driveway along their common property line. Cross access is where traffic moves between adjacent properties without re-entering the public roadway.

If an (access) applicant is unable to comply with the driveway spacing standards listed above, the applicant must attempt to obtain an access or mutual driveway easement from the adjacent property as to allow for one egress to serve two properties. If located all or partially on the applicant’s property, then the adjacent property owner(s) must agree to relocate any existing access to the proposed access and the relocation must be performed in conjunction with the applicant’s development of the property.

If the applicant is unable to obtain an access or mutual driveway easement from an adjacent property owner, then the access of the applicant’s property shall be located on its own property in an area acceptable to the City Engineering Department.

d. Corner Clearance

Important considerations in the safety and operation of intersections are the concepts of functional intersection area and corner clearance. Corner clearance is minimum distance required between an intersection and an upstream or downstream driveway, extending beyond the physical area of the intersection to include the portions of the roadway that are influenced by the intersection (Figure 14.807-1). Upstream from the intersection the corner clearance provides room for vehicles to navigate the intersection, including turn lanes and queues. Downstream, the functional distance extends from the far side of the intersection to provide guidance and tracking to vehicles passing through, or turning from, the intersection. The purpose of corner clearance is to physically separate the functional area of an intersection from the conflicting movements in the area of influence of an adjacent driveway and provide sufficient stacking space for...
queued vehicles at the intersection so that the driveway is not obstructed by traffic backed up from the intersection.

Figure 14.807-1: Functional Intersection Area
(Transportation Research Board, 2003)

Corner clearance is measured like driveway separation, from the closest edge of the driveway connection to the closest edge of the parallel roadway. Unless an exception is granted, the minimum corner clearance for driveways on all four legs of an intersection will be established by an intersection queuing analysis or 200 feet, whichever is larger and applicable. Exceptions may be approved if as a result of the access management standards the property would become landlocked. If an exception to the minimum corner clearance is requested and approved, the access will be right-in/right-out only, and under no circumstances will any part of a driveway be permitted to connect with either the major street or intersecting side street within 50 feet from the near edge of the adjacent street.

e. Throat Length Distances

The connection depth of a driveway (throat length) as measured from the edge of the abutting roadway to the near edge of the internal circulation road or buffer area shall be of sufficient length to allow a driver to enter the site without interfering with the mainline of traffic (Figure 14.807-2). Table 14.807-5 shows the minimum throat lengths based on the site activities. City staff will assist the applicant in determining the appropriate site activity category.
Table 14.807-5 Minimum Throat Length

<table>
<thead>
<tr>
<th>Site Activity</th>
<th>Throat Lengths (ft.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regional shopping centers (malls)</td>
<td>250</td>
</tr>
<tr>
<td>Community shopping center (supermarket, drug store)</td>
<td>80</td>
</tr>
<tr>
<td>Small strip shopping center</td>
<td>30</td>
</tr>
<tr>
<td>Regional office complex</td>
<td>250</td>
</tr>
<tr>
<td>Office center</td>
<td>80</td>
</tr>
<tr>
<td>Small commercial developments</td>
<td>30</td>
</tr>
</tbody>
</table>

Figure 14.807-2: Throat Length (source TxDOT)

6. Medians

Median treatments are one of the most effective ways to regulate access and reduce crashes. National Cooperative Highway Research Program (NCHRP) Report 420, “Impacts of Access Management Techniques,” found that raised medians reduce crashes by over 40 percent in urban areas and over 60 percent in rural areas, based on crash data in seven states. In the divided portion of South Hartmann Drive, northbound and southbound traffic are separated by two foot inside shoulders and a fourteen (14) foot wide raised median consisting of concrete curb surrounding a grass plot (concrete on the Barton’s Creek Bridge). There are median openings at intersecting roadways, existing access points to adjacent properties, and planned future access points. The median openings are flush pavement, which continues as a striped flush median on either side of the intersecting roadway or driveway to the start of the left turn lanes (if applicable), with an average distance of approximately 400 feet between a given access point and resumption of the raised median.
a. Median Opening Spacing

The unsignalized median opening functions as an intersection. Median openings should be designed with auxiliary lanes that allow left turning vehicles to decelerate without interfering with the through movement of the left-most lane. Full median openings shall be spaced a minimum of 1,320 feet apart. Appropriately spaced median openings have already been constructed on the portion of South Hartmann Drive within the study area and no additional full median openings should be considered.
14.808 BUILDING DESIGN

A. Intent
The intent of this section is to establish building design standards to help shape the appearance and form of Lebanon and promote high quality development that will endure for future generations.

B. Applicability
The standards in this section apply to all subdivisions creating three or more lots, as well as final site plans or building permit requests for multi-family and non-residential development in the City that are submitted after the effective date of this ordinance. The standards in this section do not apply to development in the Office Professional District (OP), Historic Preservation Overlay District (HPD), University Campus Special District (UC), and Specific Plan Districts (SP); or development otherwise exempted herein.

C. Transitional Provisions

1. Existing Development
Any existing building or other structure legally established prior to the effective date of this ordinance that does not comply with any provision of these specific regulations is legally non-conforming pursuant to Chapter 11.

2. New Development
New buildings must be constructed or developed in accordance with the applicable provisions of this section.

3. Additions
An addition to an existing building or buildings must be constructed or developed in accordance with the applicable provisions of this section if any of the following criteria are met:
   a. The addition fronts a public street, private street, or open space; or
   b. The gross floor area of the addition exceeds 25% of the footprint of the existing building or structure being modified.

4. Modifications
A modification to an existing element of a building or buildings must comply with the applicable provisions of this section if all the following criteria are met:
   a. The building element is regulated by this section; and
   b. The proposed modification fronts a public street, private street, or open space.

Only modifications that meet the above criteria are required to comply with the provisions of this section. Modifications shall not force compliance of the whole building.

5. Repair and Maintenance
Routine repairs and maintenance of an existing building or site are permitted and are not required to comply with the provisions of this section. If elements have deteriorated beyond the point where they can be retained, they shall be replaced in kind. Elements that are not replaced in kind shall be considered Modifications and
are subject to section C.4.

6. Previously Issued Permits and Pending Applications

Previously issued permits and pending applications will be processed in accordance with and decided pursuant to the law existing on the date the application was filed.

D. General

1. Materials
   a. Applicability
      Building material standards apply to the following:
      i. Façades of buildings that face a public street, private street, or open space (Primary Façades);
      ii. Side Façades of buildings (Secondary Façades); and
      iii. Any building façade that faces property with a residential zoning designation.
      For the purposes of this standard limited access highways shall not be considered a street.

      Figure 14.808-1 Material Applicability

![Diagram of building material applicability]

   b. Material List
      Materials for building Façades shall be selected from Table 14.808-1 according to the requirements relative to zoning designations in this section.
<table>
<thead>
<tr>
<th>BUILDING MATERIALS</th>
<th>LIST 1</th>
<th>LIST 2</th>
<th>LIST 3</th>
<th>LIST 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Masonry</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brick</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stone</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Concrete block, split-faced/fluted</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Concrete block</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cast stone</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manufactured stone veneer siding</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stucco (authentic)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Metals</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Architectural Metal Panels</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Metal siding</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wood</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wood siding/shingles/trim</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Materials</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Concrete, finished</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Concrete, unfinished</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fiber cement siding/shingles/trim</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fiber cement panels</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Composite siding</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Composite panels</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>EIFS (upper stories only)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

c. Alternative Materials

The Planning Commission may approve an alternative material not listed in Table 14.808-1 if it determines that the alternative material is similar to other permitted materials with regard to durability, quality, and appearance.

d. Multiple Materials

Building façades shall be built of no more than two primary materials (see Figure 14.808-2). Façades shall only change material along a horizontal line; at inside corners; or outside corners where the materials wrap the corner a minimum of two (2) feet (see Figure 14.808-3).
14.808-2 Primary and Secondary Materials

![Diagram](image)

**Accent material (decorative cornice)**

**Opening (window)**

**Primary material**

**Accent material (Trim)**

**Opening (door)**

**Accent material (Bay Window Attachment)**

**Primary material**

**Primary material**

**Opening (storefront)**

14.808-3 Material Change Diagram

![Diagram](image)

**Horizontal Line**

**Inside Corner**

**Outside Corner**

2 ft. Wrap
E. Deviations from Standards

1. Deviations from the design standards of this section may only be granted by the Planning Commission as part of the building permit review process, when such deviations will enhance the appearance and design of development subject to review.

2. A request for deviations shall be submitted by the applicant in writing at the time of the initial filing of the application. The request shall state the deviation(s) requested; the grounds for the request; and the facts upon which the applicant is relying.

3. The Planning Commission may approve the request if it determines the deviation(s) will not be detrimental to the health, safety, and welfare of the public; the grounds for the request are unique to the project; the deviations are necessary to achieve the design intent of the project; and the deviations are not contrary to the Comprehensive Plan.

4. The Planning Commission may impose reasonable conditions or restrictions in granting deviation requests to protect the health, safety, and welfare of the public and meet the purposes of this ordinance.

F. Standards Specific to Low/ Medium/ High Density Residential Districts RR, RS20, RS12, RS9, RD9, and RS6

1. Frontage
   All lots shall abut a public street for at least forty (40) feet except that lots may abut a common open space if vehicular access is provided to the rear of the lot by an alley or drive aisle.

2. Orientation
   Principal buildings shall be oriented so that at least one (1) principal pedestrian entrance faces a fronting street or fronting open space. For the purposes of this standard, limited access highways shall not be considered a fronting street.

   The following additional design standards will apply to non-residential uses in the RR, RS20, RS12, RS9, RD9, and RS6 zoning districts.

3. Transition
   Any portion of a building located within 75 ft. of property zoned RS20, RS12, RS9, or RS6 shall not exceed the actual height of the adjacent single-family zoned properties by more than 1.5 times.

4. Façades
   a. Primary Façade Materials
      i. A minimum of 75% of the Primary Façades, exclusive of openings, shall include materials selected from List 2 in Table 14.808-1.
      ii. A maximum of 25% of the Primary Façades, exclusive of openings, may include materials selected from List 3 in Table 14.808-1.
b. Secondary Façade Materials

i. A minimum of 50% of the Secondary Façades, exclusive of openings, shall include materials selected from List 2 in Table 14.808-1.

ii. A maximum of 50% of the Secondary Façades, exclusive of openings, may include materials selected from List 3 in Table 14.808-1.

c. Articulation

Buildings that contain non-residential uses shall comply with the following: Building façades that face a public street, private street, or open space (excluding Preserve type open spaces) shall not exceed thirty (30) feet in length without a building articulation intended to minimize the mass of the building. Permitted articulations include:

i. Façade offset with a minimum depth of two (2) feet that extends to within two (2) feet of the full height of the façade.

ii. Façade projection with a minimum depth of four (4) inches and a minimum width of one (1) foot that extends the full height of the first story of the façade.

iii. Variation in building or parapet height of a minimum two (2) feet for single story buildings and four (4) feet for buildings with two or more stories.

iv. The use of multiple roof forms to create the effect of different building components.

5. Openings

a. Pedestrian Entrances

Required pedestrian entrances shall be defined by a roof covering or by being recessed.

b. Transparency

Building façades that face a public street, private street, or open space (excluding Preserve type open spaces) shall have a minimum transparency of 20% consisting of doors, windows, or a combination thereof. Window and door glazing shall not be heavily tinted to avoid obscuring visibility into the building.

G. Standards Specific to Medium/High Density Residential Districts RM6 and R2 (not applicable to Mobile Home Parks)

1. Frontage

All lots shall abut a public street for at least forty (40) feet except that lots may abut a common open space if vehicular access is provided to the rear of the lot by an alley or drive aisle.

2. Transition

Any portion of a building located within 75 ft. of property zoned RS20, RS12, RS9, or RS6 shall not exceed the actual height of the adjacent single-family zoned properties by more than 1.5 times.

3. Orientation

Principal buildings shall be oriented so that at least one (1) principal pedestrian
entrance faces a fronting street or fronting open space. For the purposes of this standard, limited access highways shall not be considered a fronting street.

4. Façades

a. Primary Façade Materials
   i. A minimum of 75% of the Primary Façades, exclusive of openings, shall include materials selected from List 2 in Table 14.808-1.
   ii. A maximum of 25% of the Primary Façades may include materials selected from List 3 in Table 14.808-1.

b. Secondary Façade Materials
   i. A minimum of 50% of the Secondary Façades shall include materials selected from List 2 in Table 14.808-1.
   ii. A maximum of 50% of the Secondary Façades shall include materials selected from List 3 in Table 14.808-1.

c. Design Variation in Multi-family or Townhouse Developments

Developments with Multi-family or Townhouse uses shall incorporate a variety of distinct building designs according to the number of Multi-family or Townhouse buildings in the development as follows:

6 to 18 Buildings: Two (2) distinct designs
Greater than 18 Buildings: One (1) distinct design every six (6) buildings

A distinct building design shall be achieved by including a minimum of two (2) of the following:
   i. Variation in length of 30% or more;
   ii. Variation in height by 20%;
   iii. Variation in footprint size by 30% or more;
   iv. Variation in use of primary façade materials or color;
   v. Variation in type of unit design that is expressed on exterior façades;
   vi. Variation in roof form; or
   vii. Variation in the location, width, or design of attachments such as porches, stoops, bay windows, and other attachments permitted by this section.

d. Articulation

Buildings that contain Townhouse uses shall be limited to a maximum of eight (8) attached units in a row.

Buildings that contain Multi-family or Townhouse uses shall comply with the following: Building façades that face a public street, private street, or open space (excluding Preserve type open spaces) shall not exceed forty (40) feet in length without a building articulation intended to minimize the mass of the building. Permitted articulations include:
i. Façade offset with a minimum depth of four (4) feet that extends the full height of the façade.

ii. Façade projection with a minimum depth of four (4) inches and a minimum width of one (1) foot that extends the full height of the first story of the façade.

iii. Variation in building or parapet height of a minimum two (2) feet for single story buildings and four (4) feet for buildings with two or more stories.

iv. The use of multiple roof forms to create the effect of different building components.

v. Porches and stoops that meet the standards for Attachments in this section.

14.808-4 Façade Articulation

![Diagram of façade articulation]

e. Garages

Front-loaded garages that face a public or private street shall be recessed a minimum of ten (10) feet behind the forward most building façade.

5. Openings

a. Pedestrian Entrances

Required pedestrian entrances shall be defined by a roof covering or by being recessed.

b. Transparency

Building façades that face a public street, private street, or open space (excluding Preserve type open spaces) shall have a minimum transparency of 20% consisting of doors, windows, or a combination thereof. Window and door glazing shall not be heavily tinted to avoid obscuring visibility into the building.

c. Garage Openings

Garage doors that face a public or private street shall be limited to a maximum of ten (10) feet.
6. Roofs
   a. Sloped roofs that face a public street, private street, or open space shall be symmetrical.
   b. Flat roofs shall have parapet walls on façades that face or are visible from a public street, private street, or open space. The primary material used on parapets shall match the material of its associated façade.
   c. Roof-mounted equipment shall be located or screened in a manner to not be visible from a public street, private street, or open space (excluding Preserve type open spaces).

7. Attachments
   a. Porches shall have a minimum clear depth of six (6) feet excluding steps. Porches shall not encroach into a public right-of-way.
   b. Stoops shall have a minimum clear depth of three (3) feet excluding steps. Stoops shall not encroach into a public right-of-way.
   c. Balconies shall have a minimum clear depth of four (4) feet. Balconies shall not be fully enclosed.
   d. Bay windows shall have visible support, either by extending the bay to grade with a foundation or transferring the projection back to the wall with beams, brackets, or masonry corbeling.

Decks shall be located to the rear or side of buildings.

H. Standards Specific to Urban Mixed-use/Commercial District DMU

1. Frontage
   All lots shall abut a public street for at least forty (40) feet except that lots may abut a common open space if vehicular access is provided to the rear of the lot by an alley or drive aisle.

2. Orientation
   Principal buildings shall be oriented so that at least one (1) principal pedestrian entrance faces a fronting street or fronting open space.

3. Transition
   Any portion of a building located within 75 ft. of property zoned RS20, RS12, RS9, or RS6 shall not exceed the actual height of the adjacent single-family zoned property by 1.5 times.

4. Façades
   a. Primary Façade Materials
      i. A minimum of 75% of the Primary Façades, exclusive of openings, shall include materials selected from List 1 in Table 14.808-1.
      ii. A maximum of 25% of the Primary Façades, exclusive of openings, may include materials selected from List 2 in Table 14.808-1.
b. Secondary Façade Materials
   i. A minimum of 50% of the Secondary Façades, exclusive of openings, shall include materials selected from List 1 in Table 14.808-1.
   ii. A maximum of 50% of the Secondary Façades, exclusive of openings, may include materials selected from List 2 in Table 14.808-1.

c. Articulation
   Buildings that contain Multi-family, Townhouse, and Commercial Activity uses shall comply with the following: Building façades that face a public street, private street, or open space (excluding Preserve type open spaces) shall not exceed thirty (30) feet in length without a building articulation intended to minimize the mass of the building. Permitted articulations include:
   i. Façade offset with a minimum depth of two (2) feet that extends to within two (2) feet of the full height of the façade.
   ii. Façade projection with a minimum depth of four (4) inches and a minimum width of one (1) foot that extends the full height of the first story of the façade.
   iii. Variation in building or parapet height of a minimum two (2) feet for single story buildings and four (4) feet for buildings with two or more stories.
   iv. The use of multiple roof forms to create the effect of different building components.

d. Garages
   Garages shall be located behind the principal building on a property.

e. Parking Structures
   Parking structure façades that are face a public street or private street shall meet the material requirements for building façades in this section.

5. Openings
   a. Pedestrian Entrances
      Required pedestrian entrances shall be defined by a roof covering or by being recessed.
   b. Transparency
      Building façades that face a public street, private street, or open space (excluding Preserve type open spaces) shall have a minimum transparency for each story as described below and consisting of doors, windows, or a combination thereof. Window and door glazing shall not be mirrored or heavily tinted to avoid obscuring visibility into the building.
      i. First story commercial uses shall have a minimum transparency of 50%.
      ii. First story residential uses shall have a minimum transparency of 20%.
      iii. Upper stories shall have a minimum transparency of 15%.
6. Roofs
   a. Sloped roofs that face a public street, private street, or open space shall be symmetrical.
   b. Flat roofs shall have parapet walls on façades that face or are visible from a public street, private street, or open space. The primary material used on parapets shall match the material of its associated façade.
   c. Roof-mounted equipment shall be located or screened in a manner to not be visible from a public street, private street, or open space (excluding Preserve type open spaces).

7. Attachments
   a. Attachments to building façades that face a public street, private street, or open space (excluding Preserve type open spaces) that are prohibited include:
      i. Decks
   b. Attachments to building façades that face a public street, private street, or open space shall meet the following standards:
      i. Porches shall have a minimum clear depth of six (6) feet excluding steps. Porches shall not encroach into a public right-of-way.
      ii. Stoops shall have a minimum clear depth of three (3) feet excluding steps. Stoops shall not encroach into a public right-of-way.
      iii. Balconies shall have a minimum clear depth of four (4) feet. Balconies shall not be fully enclosed. Balcony encroachments into a public right-of-way shall be approved by the authority with ownership of the right-of-way. Balconies approved to encroach into a public right-of-way shall have a minimum clear height of nine (9) feet above adjacent grade.
      iv. Bay windows shall have visible support, either by extending the bay to grade with a foundation or transferring the projection back to the wall with beams, brackets, or masonry corbeling.
      v. Awnings/canopies shall not be internally illuminated. Awnings/canopy encroachments into a public right-of-way shall be approved by the authority with ownership of the right-of-way. Awnings/canopies approved to encroach into a public right-of-way shall have a minimum clear height of nine (9) feet above adjacent grade.
      vi. Drive-through facilities including associated windows, refuse storage, and menu and ordering boards shall be located to the rear or side of buildings. Refuse storage shall be provided near windows associated with drive-through facilities.

I. Standards Specific to Office Professional District OP

Additional regulations for the OP zoning district are located in 14.602 Section G. Special Regulation for the OP- Office Professional

1. Frontage
   All lots shall abut a public street for at least forty (40) feet except that lots may abut a
common open space if vehicular access is provided to the rear of the lot by an alley or drive aisle.

2. Orientation
Principal buildings shall be oriented so that at least one (1) principal pedestrian entrance faces a fronting street or fronting open space. For the purposes of this standard, limited access highways shall not be considered a fronting street.

3. Façades

a. Primary Façade Materials
   i. A minimum of 75% of the Primary Façades, exclusive of openings, shall include materials selected from List 2 in Table 14.808-1.
   ii. A maximum of 25% of the Primary Façades, exclusive of openings, may include materials selected from List 3 in Table 14.808-1.

b. Secondary Façade Materials
   i. A minimum of 50% of the Secondary Façades, exclusive of openings, shall include materials selected from List 2 in Table 14.808-1.
   ii. A maximum of 50% of the Secondary Façades, exclusive of openings, may include materials selected from List 3 in Table 14.808-1.

c. Articulation
Buildings that contain non-residential uses shall comply with the following: Building façades that face a public street, private street, or open space (excluding Preserve type open spaces) shall not exceed thirty (30) feet in length without a building articulation intended to minimize the mass of the building. Permitted articulations include:
   i. Façade offset with a minimum depth of two (2) feet that extends to within two (2) feet of the full height of the façade.
   ii. Façade projection with a minimum depth of four (4) inches and a minimum width of one (1) foot that extends the full height of the first story of the façade.
   iii. Variation in building or parapet height of a minimum two (2) feet for single story buildings and four (4) feet for buildings with two or more stories.
   iv. The use of multiple roof forms to create the effect of different building components.
   v. Porches and stoops that meet the standards for Attachments in this section.

d. Garages and Parking
Parking and garages should be in accordance with 14.602 Section G.

4. Openings

a. Pedestrian Entrances
Required pedestrian entrances shall be defined by a roof covering or by being recessed.

b. Transparency
Building façades that face a public street, private street, or open space (excluding
Preserve type open spaces) shall have a minimum transparency for each story as described below and consisting of doors, windows, or a combination thereof. Window and door glazing shall not be mirrored or heavily tinted to avoid obscuring visibility into the building.

i. First story commercial uses shall have a minimum transparency of 30%.
ii. Upper stories shall have a minimum transparency of 10%.

5. Roofs
   a. Flat roofs shall have parapet walls on façades that face or are visible from a public street, private street, or open space. The primary material used on parapets shall match the material of its associated façade.
   b. Roof-mounted equipment shall be located or screened in a manner to not be visible from a public street, private street, or open space (excluding Preserve type open spaces).

6. Attachments
   a. Porches shall have a minimum clear depth of six (6) feet excluding steps. Porches shall not encroach into a public right-of-way.
   b. Stoops shall have a minimum clear depth of three (3) feet excluding steps. Stoops shall not encroach into a public right-of-way.
   c. Balconies shall have a minimum clear depth of four (4) feet. Balconies shall not be fully enclosed.
   d. Bay windows shall have visible support, either by extending the bay to grade with a foundation or transferring the projection back to the wall with beams, brackets, or masonry corbeling.
   e. Awnings/canopies shall not be internally illuminated.
   f. Decks shall be located to the rear or side of buildings.

J. Standards Specific to Limited Commercial Districts CN and CS

1. Frontage
   All lots shall abut a public street for at least forty (40) feet except that lots may abut a common open space if vehicular access is provided to the rear of the lot by an alley or drive aisle.

2. Orientation
   Principal buildings shall be oriented so that at least one (1) principal pedestrian entrance faces a fronting street or fronting open space. For the purposes of this standard, limited access highways shall not be considered a fronting street.

3. Façades
   a. Primary Façade Materials
      i. A minimum of 75% of the Primary Façades, exclusive of openings, shall include materials selected from List 1 in Table 14.808-1.
ii. A maximum of 25% of the Primary Façades, exclusive of openings, may include materials selected from List 2 in Table 14.808-1.

b. Secondary Façade Materials
   i. A minimum of 50% of the Secondary Façades, exclusive of openings, shall include materials selected from List 1 in Table 14.808-1.
   ii. A maximum of 50% of the Secondary Façades, exclusive of openings, may include materials selected from List 2 in Table 14.808-1.

c. Articulation
   Buildings that contain Multi-family, Townhouse, and Commercial Activity uses shall comply with the following: Building façades that face a public street, private street, or open space (excluding Preserve type open spaces) shall not exceed thirty (30) feet in length without a building articulation intended to minimize the mass of the building (see Figure 14.808-4). Permitted articulations include:
   i. Façade offset with a minimum depth of two (2) feet that extends to within two (2) feet of the full height of the façade.
   ii. Façade projection with a minimum depth of four (4) inches and a minimum width of one (1) foot that extends the full height of the first story of the façade.
   iii. Variation in building or parapet height of a minimum two (2) feet for single story buildings and four (4) feet for buildings with two or more stories.
   iv. The use of multiple roof forms to create the effect of different building components.
   v. Porches and stoops that meet the standards for Attachments in this section.

d. Garages
   Garages shall be located behind the principal building on a property.

4. Openings
   a. Pedestrian Entrances
      Required pedestrian entrances shall be defined by a roof covering or by being recessed.
   b. Transparency
      Building façades that face a public street, private street, or open space (excluding Preserve type open spaces) shall have a minimum transparency for each story as described below and consisting of doors, windows, or a combination thereof. Window and door glazing shall not be mirrored or heavily tinted to avoid obscuring visibility into the building.
      i. First story commercial uses shall have a minimum transparency of 30%.
      ii. First story residential uses shall have a minimum transparency of 15%.
      iv. Upper stories shall have a minimum transparency of 10%.
   c. Garage Openings
      Garage doors that face a public or private street shall be limited to a maximum
width of ten (10) feet.

5. Roofs
   a. Flat roofs shall have parapet walls on façades that face or are visible from a public street, private street, or open space. The primary material used on parapets shall match the material of its associated façade.
   b. Roof-mounted equipment shall be located or screened in a manner to not be visible from a public street, private street, or open space (excluding Preserve type open spaces).

6. Attachments
   a. Porches shall have a minimum clear depth of six (6) feet excluding steps. Porches shall not encroach into a public right-of-way.
   b. Stoops shall have a minimum clear depth of three (3) feet excluding steps. Stoops shall not encroach into a public right-of-way.
   c. Balconies shall have a minimum clear depth of four (4) feet. Balconies shall not be fully enclosed.
   d. Bay windows shall have visible support, either by extending the bay to grade with a foundation or transferring the projection back to the wall with beams, brackets, or masonry corbeling.
   e. Awnings/canopies shall not be internally illuminated.
   f. Decks shall be located to the rear or side of buildings.
   g. Drive-through facilities shall meet the following standards:
      i. Facilities including associated windows, refuse storage, and menu and ordering boards shall be located to the rear or side of buildings;
      ii. Refuse storage shall be provided near windows associated with drive-through facilities;
      iii. Drive-through canopies to the side of buildings shall be recessed a minimum of five (5) feet from the front façade; and
      iv. Drive-through facilities to the side of buildings shall be limited to two lanes excluding one bypass lane.

J. Standards Specific to General Commercial Districts CO, RP2, CG

1. Frontage
   
   All lots shall abut a public street for at least forty (40) feet except that lots may abut a common open space if vehicular access is provided to the rear of the lot by an alley or drive aisle.

2. Orientation
   
   Principal buildings shall be oriented so that at least one (1) principal pedestrian
entrance faces a fronting street or fronting open space. For the purposes of this standard, limited access highways shall not be considered a fronting street. The Planning Commission may waive this requirement if the configuration of the lot forces a principal pedestrian entrance on the side of a building and a pedestrian entrance facing the fronting street or open space serves no function. In such instances, there shall be a clear, unobstructed pedestrian path from the principal side entrance to the public sidewalk network.

3. Transition

Any portion of a building located within 75 ft. of property zoned RS20, RS12, RS9, or RS6 shall not exceed the actual height of the adjacent single-family zoned properties by more than 1.5 times.

Façades

a. Primary Façade Materials

i. A minimum of 75% of Primary Façades, exclusive of openings, shall include materials selected from List 3 in Table 14.808-1

ii. A maximum of 25% of Primary Façades, exclusive of openings, may include materials selected from List 4 in Table 14.808-1

b. Secondary Façade Materials

i. A minimum of 50% of the Secondary Façades, exclusive of openings, shall include materials selected from List 3 in Table 14.808-1.

ii. A maximum of 50% of the Secondary Façades, exclusive of openings, may include materials selected from List 4 in Table 14.808-1.

c. Articulation

Building façades that face a public street, private street, or open space (excluding Preserve type open spaces) shall not exceed fifty (50) feet in length without a building articulation intended to minimize the mass of the building (see Figure 14.808-4). Permitted articulations include:

i. Façade offset with a minimum depth of two (2) feet that extends to within two (2) feet of the full height of the façade.

ii. Façade projection with a minimum depth of four (4) inches and a minimum width of one (1) foot that extends the full height of the first story of the façade.

iii. Variation in building or parapet height of a minimum two (2) feet for single story buildings and four (4) feet for buildings with two or more stories.

iv. The use of multiple roof forms to create the effect of different building components.

v. Awnings, canopies, balconies, and other attachments to façades that meet the standards for Attachments in this section.

4. Openings

a. Pedestrian Entrances

Required pedestrian entrances shall be defined by a roof covering or by being
b. Transparency

Building façades that face a public street, private street, or open space (excluding Preserve type open spaces) shall have a minimum transparency for each story as described below and consisting of doors, windows, or a combination thereof. Window and door glazing shall not be mirrored or heavily tinted to avoid obscuring visibility into the building.

i. The first story shall have a minimum transparency of 20%.

ii. Upper stories shall have a minimum transparency of 10%.

c. Garage Openings

Garage doors that face a public or private street shall be limited to a maximum width of ten (10) feet.

5. Roofs

a. Flat roofs shall have parapet walls on façades that face or are visible from a public street, private street, or open space. The primary material used on parapets shall match the material of its associated façade.

b. Roof-mounted equipment shall be located or screened in a manner to not be visible from a public street, private street, or open space (excluding Preserve type open spaces).

6. Attachments

a. Porches shall have a minimum clear depth of six (6) feet excluding steps. Porches shall not encroach into a public right-of-way.

b. Stoops shall have a minimum clear depth of three (3) feet excluding steps. Stoops shall not encroach into a public right-of-way.

c. Balconies shall have a minimum clear depth of four (4) feet. Balconies shall not be fully enclosed.

d. Bay windows shall have visible support, either by extending the bay to grade with a foundation or transferring the projection back to the wall with beams, brackets, or masonry corbeling.

e. Awnings/canopies shall not be internally illuminated.

f. Drive-through facilities shall meet the following standards:

i. Facilities including associated windows, refuse storage, and menu and ordering boards shall be located to the rear or side of buildings;

ii. Refuse storage shall be provided near windows associated with drive-through facilities;

iii. Drive-through canopies to the side of buildings shall be recessed a minimum of 5 ft. from the front façade; and

iv. Drive-through facilities to the side of buildings shall be limited to two lanes excluding one bypass lane.
K. Standards Specific to Light Industrial Districts IP and IL

1. Frontage
   a. All lots shall abut a public street for at least forty (40) feet.

2. Orientation
   Principal buildings shall be oriented so that at least one (1) principal pedestrian entrance faces a fronting street or fronting open space. For the purposes of this standard, limited access highways shall not be considered a fronting street.

3. Transition
   Any portion of a building located within 100 ft. of property zoned RS20, RS12, or RS9 shall not exceed the actual height of the adjacent single-family zoned properties more than 1.5 times.

4. Façades
   a. Primary Façade Materials
      i. A minimum of 75% of Primary Façades, exclusive of openings, shall include materials selected from List 3 in Table 14.808-1
      ii. A maximum of 25% of Primary Façades, exclusive of openings, may include materials selected from List 4 in Table 14.808-1
   b. Secondary Façade Materials
      i. A minimum of 50% of the Secondary Façades, exclusive of openings, shall include materials selected from List 3 in Table 14.808-1.
      ii. A maximum of 50% of the Secondary Façades, exclusive of openings, may include materials selected from List 4 in Table 14.808-1.
   c. Articulation
      Building façades that face a public street, private street, or open space (excluding Preserve type open spaces) shall not exceed fifty (50) feet in length without a building articulation intended to minimize the mass of the building (see Figure 14.808-4). Permitted articulations include:
      i. Façade offset with a minimum depth of two (2) feet that extends to within two (2) feet of the full height of the façade.
      ii. Façade projection with a minimum depth of four (4) inches and a minimum width of one (1) foot that extends the full height of the first story of the façade.
      iii. Variation in building or parapet height of a minimum two (2) feet for single story buildings and four (4) feet for buildings with two or more stories.
      iv. The use of multiple roof forms to create the effect of different building components.
      v. Awnings and canopies that meet the standards for Attachments in this section.

5. Openings
a. Pedestrian Entrances

Required pedestrian entrances shall be defined by a roof covering or by being recessed.

b. Transparency

Building façades that face a public street, private street, or open space (excluding Preserve type open spaces) shall have a minimum transparency of 20% consisting of doors, windows, or a combination thereof.

6. Roofs

a. Flat roofs shall have parapet walls on façades that face or are visible from a public street, private street, or open space. The primary material used on parapets shall match the material of its associated façade.

b. Roof-mounted equipment shall be located or screened in a manner to not be visible from a public street, private street, or open space (excluding Preserve type open spaces).

7. Attachments

a. Awnings/canopies shall not be internally illuminated. Awning/canopy encroachments into a public right-of-way shall be approved by the authority with ownership of the right-of-way. Awnings/canopies approved to encroach into a public right-of-way shall have a minimum clear height of nine (9) feet above adjacent grade.

b. Drive-through facilities including associated windows, refuse storage, and menu and ordering boards shall be located to the rear or side of buildings.

L. Standards Specific to Heavy Industrial District IH

1. Frontage

a. All lots shall abut a public street for at least forty (40) feet.

2. Orientation

Principal buildings shall be oriented so that at least one (1) principal pedestrian entrance faces a fronting street or fronting open space. For the purposes of this standard, limited access highways shall not be considered a fronting street.

3. Transition

Any portion of a building located within 100 ft. of property zoned RS20, RS12, or RS9 shall not exceed the actual height of the adjacent single-family zoned properties by more than 1.5 times.

4. Façades

a. Primary Façade Materials

i. A minimum of 50% of Primary Façades, exclusive of openings, shall include materials selected from List 3 in Table 14.808-1
ii. A maximum of 25% of Primary Façades, exclusive of openings, may include materials selected from List 4 in Table 14.808-1

b. Secondary Façade Materials

i. A minimum of 50% of the building façades subject to the standards of this section, exclusive of transparency requirements, shall include materials selected from List 3 in Table 14.808-1.

5. Openings

a. Transparency

Building façades that face a public street, private street, or open space (excluding Preserve type open spaces) shall have a minimum transparency of 10% consisting of doors, windows, or a combination thereof.

6. Roofs

a. Flat roofs shall have parapet walls on façades that face or are visible from a public street, private street, or open space. The primary material used on parapets shall match the material of its associated façade.

b. Roof-mounted equipment shall be located or screened in a manner to not be visible from a public street, private street, or open space (excluding Preserve type open spaces).

7. Attachments

a. Awnings/canopies shall not be internally illuminated. Awning/canopy encroachments into a public right-of-way shall be approved by the authority with ownership of the right-of-way. Awnings/canopies approved to encroach into a public right-of-way shall have a minimum clear height of nine (9) feet above adjacent grade.
14.809 OUTDOOR LIGHTING

A. Intent
The intent of these standards is to promote safety and security, to reduce off-site impacts of outdoor lighting, to prevent the reflection and glare of light in a manner which creates a nuisance or safety hazard to drivers, pedestrians, and neighboring land uses, and to promote energy efficiency, while preserving the character of the City of Lebanon.

B. Applicability
Except as provided in this section, all public and private outdoor lighting shall comply with the following standards.

C. Standards

1. Luminaire Shielding
   Any luminaire emitting more than 1800 lumens shall be fully shielded so as to produce no light above a horizontal plane through the lowest direct light-emitting part of the luminaire.

2. Luminaire Height
   Any luminaire shall have a maximum height of twenty-five (25) feet including pedestal.

3. Other Luminaires
   Any luminaire with a lamp or lamps rated at 1800 lumens or less, and all flood or spot lights with a lamp or lamps rated at 900 lumens or less, may be used without restriction to light distribution or mounting height, except that, to prevent light trespass, if any flood or spot light is aimed, directed or focused so as to cause direct light from the luminaire to be directed toward residential buildings on adjacent or nearby land, or to create glare perceptible to pedestrians or persons operating motor vehicles on public ways, the luminaire shall be redirected, or its light output reduced or shielded, as necessary to eliminate such conditions.

4. Lamp Type
   Any luminaire used to illuminate a public area such as a street or walkway shall utilize an energy efficient lamp such as a low pressure sodium lamp, high pressure sodium lamp metal halide lamp, solar powered, or LED. Mercury vapor lamps are prohibited.

5. Luminaires in Public Areas
   Luminaires used in public areas such as roadway lighting, parking lots and for exterior building illumination shall be designed to provide the minimum illumination recommended by the IESNA in the most current edition of the IESNA Lighting Handbook.

6. Parking Lot Lighting
   Any lighting used to illuminate off-street parking areas shall be directed away from property in any residential district. The lighting shall not exceed .5 foot candle at or above any property boundary line.
7. Timers, Dimmers, Motion-sensors

Whenever practicable, outdoor lighting installations shall include timers, dimmers, and/or motion-sensors to reduce overall energy consumption and eliminate unneeded lighting, particularly after 11 p.m.

8. Special Lighting

Moving, fluttering, blinking, or flashing, neon or tubular lights or signs shall not be permitted, except in storefront displays and as temporary seasonal holiday decorations.

9. Signs

Signs may be illuminated only by continuous direct white light with illumination confined to the area of the sign and directed downward.

10. Gas Station Canopy-mounted Luminaires

Luminaires mounted on a gas station canopy shall be recessed in the ceiling of the canopy so that the lens cover is recessed or mounted flush with the ceiling of the canopy and fully shielded. Luminaires shall not be mounted on the sides or top of the canopy, and the sides or fascia of the canopy shall not be illuminated.

D. Exemptions

The following luminaires are exempt from the standards in this section:

1. Luminaires used for public-roadway illumination may be installed at a maximum height of 25 feet and may be positioned at that height up to the edge of any bordering property.

2. All temporary emergency lighting needed by the police, fire or other emergency services, as well as all vehicular luminaires.

3. All hazard warning luminaires required by federal regulatory agencies.

4. Luminaires used primarily for signal illumination may be mounted at any height required to ensure roadway safety, regardless of lumen rating.

5. Seasonal holiday lighting and illumination of the American and state flags, providing that such lighting does not produce glare on roadways and neighboring residential properties.

6. The illumination of outdoor sports fields, courts, and performance areas, providing that the luminaires include a glare control package, are shielded or aimed to illuminate the field, court, or performance area, and illumination does not continue for longer than one (1) hour after the event has ended.

7. Installations existing prior to the effective date of this ordinance.

E. Temporary Lighting

Any temporary outdoor lighting for construction or other purposes that conforms to the requirements of this article shall be allowed. Non-conforming temporary outdoor lighting may be permitted by the Planning Commission after considering:
1. The public and/or private benefits that will result from the temporary lighting.
2. Any annoyance or safety problems that may result from the use of the temporary lighting.
3. The duration of the temporary non-conforming lighting.
The following standards and requirements shall apply to all mobile home communities permitted by the Mobile Home Community District.

A. Permit

1. Application for Permits

   The construction or extension of a mobile home community may not commence within the area of jurisdiction of this ordinance until a building permit has been issued by the Chief Building Official. A building permit may be issued for a mobile home community only in the required zoning district and with the approval by the Lebanon Planning Commission of the site plan.

2. Where conditions are attached by the Lebanon Planning Commission they shall be included as part of the Certificate of Occupancy.

3. Site Plan Required

   A building permit may only be issued for the construction or extension of a mobile home community upon submission and approval by the Lebanon Planning Commission of a site development plan meeting the minimum requirements of Chapter 12, Section 14-1205(B).

B. Development Standards

1. General

   a. No part of the community shall be used for nonresidential purposes, except the uses as are required for the direct servicing and well-being of community residents and for the management and maintenance of the all facilities. 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. Conditions of soil, 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 be used for any purpose which would expose persons or property to hazards.

2. Minimum Development Size

   No mobile home community shall be approved which contains less than three (3) acres in area or has less than fifteen (15) mobile home spaces.

3. Density

   The number of mobile homes permitted within any mobile home park shall not exceed seven (7) units per acre. Along the entire periphery of a mobile home park, yards shall be provided as follows:

   - Front: 40 feet
   - Side: 30 feet
   - Rear: 40 feet
4. Yards

Along the entire periphery of a mobile home community, yards meeting the district regulations shall be provided. Within the interior portions of a mobile home community, no yards, except as required to meet other provisions set forth in this section, are required.

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 lot limits on the ground shall be the same as shown on approved 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 adequate support for the placement and 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, the stand shall comply with the FHA minimum requirements. Permanent foundations shall meet the requirements of the HUD publication Permanent Foundations for Manufactured Housing, September 1996, and any subsequent amendments.

c. Outdoor Living Area: Each mobile home lot shall be provided with an outdoor living and service area. The area should be improved as necessary to assure reasonable privacy and comfort. The minimum area should be not less than three hundred (300) square feet.

6. 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) feet clearance between mobile homes; for mobile homes parked end-to-end, the end-to-end clearance shall not be less than fifteen (15) feet.

b. There shall be a minimum distance of ten (10) feet between the nearest edge of any mobile home and an abutting street within the park.

c. Mobile home stands 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 space area.

C. Utilities and Other Services

1. Water Supply and Distribution System

An accessible, adequate, safe, and potable supply of water shall be provided in each mobile home community on trunk lines not less than six (6) inches. Where a public supply of water of satisfactory quantity, quality, and pressure is available at the site or at the boundary of the site, connection shall be made thereto and its supply used exclusively.

2. Sewage Disposal

Each mobile home community shall be served by public sewer, with service provided each trailer site.
3. Solid Waste Disposal System

Solid waste collection stands shall be provided for waste containers for each mobile home. The stands shall be so designed as to prevent containers from being tipped, to minimize spillage and container deterioration, and to facilitate cleaning around them. Any central waste container shall be screened from view with access appropriately provided.

4. Service Buildings

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.

5. Fire Protection

Each mobile home park shall be equipped with fire hydrants spaced no more than five hundred (500) feet apart; no mobile home shall be farther than three hundred (300) feet from a fire hydrant. The water system shall be capable of providing a required fire flow of five hundred (500) gallons per minute for one (1) hour duration.

6. Insect and Rodent Control

Each mobile home park shall be maintained free of litter and accumulation of any kind of debris that may provide rodent harborage or breeding places for flies, mosquitoes, or other pests.

D. Streets

1. General

All mobile home developments shall be provided with safe and convenient vehicular access from abutting public streets or roads to each mobile home lot. The access shall be provided by streets, driveways, or other means. All internal streets shall be private.

2. Entrance Streets

Entrances to mobile home developments shall have direct connections to a public street and shall be designed to allow free movement of traffic on the adjacent public streets. No parking shall be permitted on the entrance street for a distance of one hundred (100) feet from its point of beginning.

3. Circulation

The 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 (ninety (90) feet diameter cul-de-sac).

4. Pavement Widths

Pavement widths shall be as follows:

- Collector Street with no parking: 20 feet
- Collector Street with on-street parking: 36 feet
- Minor Street with no parking: 20 feet
Minor Street with on-street parking: 34 feet
One-way minor street with no parking: 12 feet
One-way minor street with on-street parking: 28 feet

5. Construction
   Subgrade: The subgrade shall be well-drained, uniformly graded, and compacted.
   Base: The base shall consist of crushed stone or gravel, six (6) inches in depth, compacted.
   Surface: The surface shall be paved with asphaltic concrete plant mix, one and one-half (1 1/2) inches thick, compacted.

E. Walks

1. General Requirement
   All mobile home park developments shall be provided with safe, convenient, all season pedestrian walks a minimum of five (5) feet in width, 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. The common walks shall have a minimum width of five (5) feet.

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

F. Recreation Area

Adequate recreation facilities for the residents of the community shall be provided in locations easily accessible to the living units and where they do not impair the view and privacy of living units. Well-equipped playgrounds of adequate size and number shall be provided where it is anticipated that children will occupy the premises.

G. Buffer and Screening

A landscape buffer shall be provided in accordance with Chapter 8, Section 14-805.

H. 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. A landscape plan shall be submitted with the site development plan.

Existing trees, shrubs, evergreens, and ground cover shall be retained to the extent that they enhance the project, are effective as a screen planting, or are useful in protecting slopes.
I. Parking

Parking shall be provided in accordance with off-street parking requirements in Appendix D.

1. Off-Street Parking

Off-street parking spaces shall be located on each mobile home space.

J. Replacement of Mobile Homes

In any mobile home community, when a mobile home is relocated to a different pad within the development or is moved out of the community for any reason, it may be replaced only with another mobile home which has been certified under the National Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401, et seq.). Prior to any such replacement, the owner/operator of the mobile home community shall first obtain a building permit. After the replacement mobile home has been moved into the community and connected to all utilities but prior to any occupancy, the mobile home shall be inspected to determine its compliance with the above standard and the adopted NFPA 101 Life Safety Code. Existing mobile homes in a mobile home park or on an individual lot may be replaced by another mobile home only if the new mobile home is less than five (5) years old when it is placed on the property.
14.811 Wireless Telecommunications Towers and Antennas

Safety considerations concerning the citizens of the City of Lebanon dictate that any communication tower, mast, or aerial located within any residential zoning district or Special District shall be located so that the base of said communication tower, mast, or aerial is at least as far from the nearest property line as the communication tower, mast, or aerial is tall, plus ten (10) percent. In the residential and special zoning districts, communication towers, masts, and aerials shall in all cases be considered principal structures. Such structures shall be reviewed by the Planning Commission for compatibility.
14.812 Conservation Subdivision Design Standards

Conservation Subdivisions shall comply with the following standards.

A. Building Materials

1. Minimum of two materials but no more than three on any exterior façade.

2. Materials not listed below may be considered and approved or denied by Planning Commission.

3. Prohibited Materials
   - Vinyl Siding
   - Wood (untreated), T1-11 paneling
   - Exposed, smooth-faced CMU
   - Metal building panel siding

4. Recommended Materials
   - Brick
   - Natural stone
   - Split-face or finished-face masonry unit
   - Architectural metal panel
   - Cement board lap siding
   - Exterior Insulation and Finish Systems (EIFS) or similar material in combination with brick, split-face block, or stone.
   - Metal when used in combination with brick, block, or stone

B. Underground Utilities Required:

1. All private utilities, including service connections for cable TV and the like, shall be installed underground.

2. All electrical service connections shall be installed underground and shall be approved by Middle Tennessee Electric (or the electrical provider). Each housing unit shall be metered individually. If underground electric is not approved by Middle Tennessee Electric (or the electrical provider) alternates maybe considered.

C. Parking

1. Parking shall be reviewed on a case-by-case basis.
1/7/2020

14.813 Signage

Standards for signage are located in Title 20 of the Lebanon Municipal Code.
CHAPTER 9
OVERLAY DISTRICTS

Sections:
14.901 Statement of Purpose
14.902 FPD – Floodplain Overlay District
14.903 APD – Airport Overlay District
14.904 HPD – Historic Preservation Overlay District

14.901. Statement of Purpose

Overlay districts are districts that provide an extra layer of regulation to meet specific needs and purposes. These type regulations may supersede the base zone district requirements or modify them in various ways. The general purpose is to provide extra protection beyond the base districts for the specific purposes as defined below.


A. Statutory Authorization, Findings of Fact, Purpose and Objectives

The Legislature of the State of Tennessee has in § 13-7-201 through § 13-7-210, Tennessee Code Annotated, delegated the responsibility to units of local government to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Lebanon, Tennessee Mayor and Aldermen do ordain as follows:

1. Findings of Fact

   a. The Lebanon Mayor and Aldermen wish to maintain eligibility in the National Flood Insurance Program and in order to do so must meet the requirements of 60.3 of the Federal Insurance Administration Regulations found at 44 CFR Ch. 1 (10-1-04 Edition) and subsequent amendments.

   b. Areas of Lebanon are subject to periodic inundation which could result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

   c. These flood losses are caused by the cumulative effect of obstructions in floodplains, causing increases in flood heights and velocities; and by uses in flood hazard areas which are vulnerable to floods; or construction which is inadequately elevated, flood-proofed, or otherwise unprotected from flood damages.
2. Statement of Purpose

It is the purpose of this Ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas. This Ordinance is designed to:

a. Restrict or prohibit uses which are vulnerable to water or erosion hazards, or which result in damaging increases in erosion, flood heights, or velocities;

b. Require that uses vulnerable to floods, including community facilities, be protected against flood damage at the time of initial construction;

c. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation floodwaters;

d. Control filling, grading, dredging and other development which may increase flood damage or erosion, and;

e. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

3. Objectives

The objectives of this section are:

a. To protect human life, health, and property;

b. To minimize expenditure of public funds for costly flood control projects;

c. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

d. To minimize prolonged business interruptions;

e. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodable areas,

f. To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize blight in flood areas;

g. To ensure that potential homebuyers are notified that property
is in a floodable area; and

h. To maintain eligibility for participation in the National Flood Insurance Program.

B. Definitions

Unless specifically defined below, words or phrases used in this section shall be interpreted as to give them the meaning they have in common usage and to give this section its most reasonable application given its stated purpose and objectives. The following definitions are to be used for interpreting the provisions of this section only. These definitions are not intended to permit uses that may be prohibited by the base zoning district.

Accessory Structure:
Shall represent a subordinate structure to the principal structure and, for the purpose of this section, shall conform to the following:

1. Accessory structures shall not be used for human habitation.
2. Accessory structures shall be designed to have low flood damage potential.
3. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.
4. Accessory structures shall be firmly anchored to prevent flotation which may result in damage to other structures.
5. Service facilities such as electrical and heating equipment shall be elevated or flood proofed.

Act:
means the statutes authorizing the National Flood Insurance Program that are incorporated in 42 USC. 4001-4128.

Addition (to an existing building):
means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition, which is connected by a firewall or is separated by an independent perimeter load-bearing wall, shall be considered “New Construction”.

Appeal:
means a request for a review of the local enforcement officer’s interpretation of any provision of this Ordinance or a request for a variance.
Area of Shallow Flooding:
means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate; and where velocity flow may be evident. (Such flooding is characterized by ponding or sheet flow.)

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.

Area of Special Flood Hazard:
is the land in the floodplain within a community subject to a one-percent or greater chance of flooding in any given year. The area may be designated as Zone A on the FHBM. After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE or A99.

Base Flood:
means the flood having a one percent chance of being equaled or exceeded in any given year.

Basement:
means that portion of a building having its floor subgrade (below ground level) on all sides.

Breakaway Wall:
means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

Building:
means any structure built for support, shelter, or enclosure for any occupancy or storage. (See "Structure")

Development:
means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of equipment or materials.

Elevated Building:
means a non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of fill, solid
foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwater, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

**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.

**Erosion:**
means the process of the gradual wearing away of landmasses. This peril is not per se covered under the Program.

**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.

**Existing Construction:**
means any structure for which the "start of construction" commenced before the effective date of the first floodplain management code or ordinance adopted by the community as a basis for that community’s participation in the National Flood Insurance Program (NFIP).

**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, final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management code or ordinance adopted by the community as a basis for that community’s participation in the National Flood Insurance Program (NFIP).

**Existing Structures:** see Existing Construction.

**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).

**Flood or Flooding:**
means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters;
2. The unusual and rapid accumulation or runoff of surface waters from any source.

**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 percent or greater chance of occurrence in any given year.

**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) or flood-related erosion hazards.

**Flood Hazard Boundary Map (FHBM):**
means an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of areas of special flood hazard have been designated as Zone A.

**Flood Insurance Rate Map (FIRM):**
means an official map of a community, issued by the Federal Emergency Management Agency, delineating the areas of special flood hazard or the risk premium zones applicable to the community.

**Flood Insurance Study:**
is the official report provided by the Federal Emergency Management Agency, evaluating flood hazards and containing flood profiles and water surface elevation of the base flood.

**Floodplain or Flood-prone Area:**
means any land area susceptible to being inundated by water from any source (see definition of "flooding").

**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.

**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.

**Floodproofing:**
means any combination of structural and nonstructural additions, changes, or
adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

**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 by some similarly unusual and unforeseeable event which results in flooding.

**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.

**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.

**Floodway:**
means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

**Floor:**
means the top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

**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.

**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.
**Highest Adjacent Grade:**
means the highest natural elevation of the ground surface, prior to construction, adjacent to the proposed walls of a structure.

**Historic Structure:**
means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminary 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 the Tennessee inventory of historic places and determined as eligible by 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 and determined as eligible by 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.

**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.

**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.

**Lowest Floor:**
means the lowest floor of the lowest enclosed area, including a basement. An unfinished or flood resistant enclosure used 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.
Manufactured Home:
means a structure, transportable in one or more sections, which is built on a
dpermant chassis and designed for use with or without a permanent
foundation when attached to the required utilities. The term "Manufactured
Home" does not include a "Recreational Vehicle", unless such transportable
structures are placed on a site for 180 consecutive days or longer.

Manufactured Home Park or Subdivision:
means a parcel (or contiguous parcels) of land divided into two or more
manufactured home lots for rent or sale.

Map:
means the Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate
Map (FIRM) for a community issued by the Agency.

Mean Sea Level:
means the average height of the sea for all stages of the tide. It is used as a
reference for establishing various elevations within the floodplain. For the
purposes of this Ordinance, the term is synonymous with National Geodetic
Vertical Datum (NGVD) or other datum, to which base flood elevations shown
on a community’s Flood Insurance Rate Map are referenced.

National Geodetic Vertical Datum (NGVD):
as corrected in 1929 is a vertical control used as a reference for establishing
varying elevations within the floodplain.

New Construction:
means any structure for which the "start of construction" commenced after
the effective date of this ordinance or the effective date of the first floodplain
management ordinance and includes any subsequent improvements to such
structure.

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 after the effective date of this ordinance or the effective date of
the first floodplain management ordinance and includes any subsequent
improvements to such structure.

North American Vertical Datum (NAVD):
as corrected in 1988 is a vertical control used as a reference for establishing
varying elevations within the floodplain.

100-year Flood see Base Flood.

Person:
includes any individual or group of individuals, corporation, partnership,
association, or any other entity, including State and local governments and
Recreational Vehicle:
means a vehicle which is:

1. Built on a single chassis;

2. 400 square feet or less when measured at the largest horizontal projection;

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.

Regulatory Floodway:
means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Riverine:
means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

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.

Start of Construction:
includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; and includes the placement of a manufactured home on a foundation. (Permanent construction does not include initial land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that...
alteration affects the external dimensions of the building.

**State Coordinating Agency:**
The Tennessee Department of Economic and Community Development at the request of the Administrator to assist in the implementation of the National Flood Insurance Program for the state.

**Structure:**
for purposes of this section, means a walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.

**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 50 percent of the market value of the structure before the damage occurred.

**Substantial Improvement:**
means any repairs, reconstructions, rehabilitations, additions, alterations, or other improvements to a structure, taking place during a 5-year period, in which the cumulative cost equals or exceeds fifty percent of the market value of the structure before the "start of construction" of the improvement. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed.

For the purpose of this definition, “Substantial Improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been pre-identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions and not solely triggered by an improvement or repair project or; (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

**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 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

**Variance:**
is a grant of relief from the requirements of this Ordinance which permits construction in a manner otherwise prohibited by this Ordinance where specific
enforcement would result in unnecessary hardship.

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.

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 floodplains of riverine areas.

C. General Provisions

1. Application

This Ordinance shall apply to all areas within the incorporated area of Lebanon, Tennessee.

2. Basis for Establishing the Areas of Special Flood Hazard

The Areas of Special Flood Hazard identified on the Lebanon, Tennessee, Federal Emergency Management Agency, Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM), Community Panel Numbers 470208 47189C0045D, 0063D, 0154D, 0156D, 0158D, 0160D, 0162D, 0166D, 0170D, 0176D, 0177D, 0178D, 0179D, 0181D, 0183D, 0185D, 0186D, 0190D, 0191D, 0192D, 0285D: Effective Date: February 20, 2008, along with all supporting technical data, and any subsequent amendments or revisions, are adopted by reference and declared to be a part of this Ordinance.

3. Requirement for Development Permit

A development permit shall be required in conformity with this Ordinance prior to the commencement of any development activities.

4. Compliance

No land, structure or use shall hereafter be located, extended, converted, or structurally altered without full compliance with the terms of this Ordinance and other applicable regulations.

5. Abrogation and Greater Restrictions

This Ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Ordinance conflicts or overlaps with another regulatory instrument,
whichever imposes the more stringent restrictions shall prevail.

6. Interpretation
In the interpretation and application of this Ordinance, all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body, and; (3) deemed neither to limit nor repeal any other powers granted under Tennessee statutes.

7. Warning and Disclaimer of Liability
The degree of flood protection required by this Ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Ordinance does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damages. This Ordinance shall not create liability on the part of the City of Lebanon, Tennessee or by any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made hereunder.

8. Penalties for Violation
Violation of the provisions of this Ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance shall constitute a misdemeanor punishable as other misdemeanors as provided by law. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Lebanon, Tennessee from taking such other lawful actions to prevent or remedy any violation.

D. Administration

1. Designation of Ordinance Administrator
The City Engineer is hereby appointed as the Administrator to implement the provisions of this Ordinance.

2. Permit Procedures
Application for a development permit shall be made to the Administrator on forms furnished by the community prior to any development activities. The development permit may include, but is not limited to the following: plans in duplicate drawn to scale and showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill placement, storage of materials or equipment, and drainage facilities. Specifically, the following information is required:
a. Application Stage
   i. Elevation in relation to mean sea level of the proposed lowest floor, including basement, of all buildings where BFE’s are available, or to the highest adjacent grade when applicable under this Ordinance.

   ii. Elevation in relation to mean sea level to which any non-residential building will be flood-proofed where BFE’s are available, or to the highest adjacent grade when applicable under this Ordinance.

   iii. Design certificate from a registered professional engineer or architect that the proposed non-residential flood-proofed building will meet the flood-proofing criteria in Section 14.902(D)(2)(b).

   iv. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

b. Construction Stage

   Within unnumbered A zones, where flood elevation data are not available, the Administrator shall record the elevation of the lowest floor on the development permit. The elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building relative to the highest adjacent grade.

   For all new construction and substantial improvements, the permit holder shall provide to the Administrator an as-built certification of the regulatory floor elevation or floodproofing level upon the completion of the lowest floor or floodproofing. Within unnumbered A zones, where flood elevation data is not available, the elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building relative to the highest adjacent grade.

   Any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of, a registered land surveyor and certified by same. When floodproofing is utilized for a non-residential building said certification shall be prepared by or under the direct supervision of, a professional engineer or architect and certified by same.

   Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The Administrator shall review the above-referenced certification data. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being allowed to proceed.
Failure to submit the certification or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

E. Duties and Responsibilities of the Administrator

Duties of the Administrator shall include, but not be limited to:

1. Review of all development permits to assure that the permit requirements of this Ordinance have been satisfied, and that proposed building sites will be reasonably safe from flooding.

2. Advice to permittee that additional federal or state permits may be required, and if specific federal or state permit requirements are known, require that copies of such permits be provided and maintained on file with the development permit. This shall include Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U. S. C. 1334.

3. Notification to adjacent communities and the Tennessee Department of Economic and Community Development, Local Planning Assistance Office, prior to any alteration or relocation of a watercourse, and submission of evidence of such notification to the Federal Emergency Management Agency.

4. For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to the Federal Emergency Management Agency to ensure accuracy of community flood maps through the Letter of Map Revision process. Assure that the flood carrying capacity within an altered or relocated portion of any watercourse is maintained.

5. Record the elevation, in relation to mean sea level or the highest adjacent grade, where applicable of the lowest floor including basement of all new or substantially improved buildings, in accordance with Section 14.902(D)(2)(b).

6. Record the actual elevation; in relation to mean sea level or the highest adjacent grade, where applicable to which the new or substantially improved buildings have been flood-proofed, in accordance with Section 14.902(D)(2)(b).

7. When flood proofing is utilized for a structure, the Administrator shall obtain certification of design criteria from a registered professional engineer or architect, in accordance with Section 14.902(D)(2)(b).

8. Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field
conditions) the Administrator shall make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Ordinance.

9. When base flood elevation data or floodway data have not been provided by the Federal Emergency Management Agency then the Administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other sources, including data developed as a result of these regulations, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the Community FIRM meet the requirements of this Ordinance.

Within unnumbered A zones, where base flood elevations have not been established and where alternative data is not available, the Administrator shall require the lowest floor of a building to be elevated or floodproofed to a level of at least three (3) feet above the highest adjacent grade (lowest floor and highest adjacent grade being defined in Article II of this Ordinance). All applicable data including elevations or floodproofing certifications shall be recorded as set forth in Section 14.902(D)(2)(b).

10. All records pertaining to the provisions of this Ordinance shall be maintained in the office of the Administrator and shall be open for public inspection. Permits issued under the provisions of this Ordinance shall be maintained in a separate file or marked for expedited retrieval within combined files.

F. PROVISIONS FOR FLOOD HAZARD REDUCTION

1. General Standards

In all flood prone areas, the following provisions are required:

a. New construction and substantial improvements to existing buildings shall be anchored to prevent flotation, collapse, or lateral movement of the structure;

b. Manufactured homes shall be elevated and anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces;

c. New construction and substantial improvements to existing buildings shall be constructed with materials and utility equipment resistant to flood damage;
d. New construction or substantial improvements to existing buildings shall be constructed by methods and practices that minimize flood damage;

e. All electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;

f. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

g. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;

h. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;

i. Any alteration, repair, reconstruction, or improvements to a building that is in compliance with the provisions of this Ordinance, shall meet the requirements of "new construction" as contained in this Ordinance;

j. Any alteration, repair, reconstruction, or improvements to a building that is not in compliance with the provision of this Ordinance, shall be undertaken only if said non-conformity is not further extended or replaced; and,

k. For each cubic yard of fill material placed within the regulatory floodplain on a site, a cubic yard of material shall be removed from the regulatory floodplain on the same site or nearby approved site. Said nearby approved site must be approved by the Planning Commission and the Administrator. The nearby approved site for removing material to create floodplain storage to offset any fill placed within the floodplain or any displacement of floodplain storage shall meet the requirements and/or policy as recommended by the United States Army Corps of Engineers.

2. Specific Standards

These provisions shall apply to ALL Areas of Special Flood Hazard as provided herein:

a. Residential Construction. Where base flood elevation data is available, new construction or substantial improvement of any residential building (or manufactured home) shall have the
lowest floor, including basement, elevated no lower than two (2) feet above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls and to ensure unimpeded movement of floodwater shall be provided in accordance with the standards of Section 14.902(F)(2)(c).

Within unnumbered A zones, where base flood elevations have not been established and where alternative data is not available, the Administrator shall require the lowest floor of a building to be elevated or floodproofed to a level of at least three (3) feet above the highest adjacent grade (lowest floor and highest adjacent grade being defined in Article II of this Ordinance). All applicable data including elevations or floodproofing certifications shall be recorded as set forth in Section 14.902(D)(2)(b).

b. Non-Residential Construction. New construction or substantial improvement of any commercial, industrial, or non-residential building, when BFE data is available, shall have the lowest floor, including basement, elevated or floodproofed no lower than one (1) foot above the level of the base flood elevation.

Within unnumbered A zones, where base flood elevations have not been established and where alternative data is not available, the Administrator shall require the lowest floor of a building to be elevated or floodproofed to a level of at least three (3) feet above the highest adjacent grade (lowest floor and highest adjacent grade being defined in Article II of this Ordinance). All applicable data including elevations or floodproofing certifications shall be recorded as set forth in Section 14.902(D)(2)(b).

Buildings located in all A-zones may be flood-proofed, in lieu of being elevated, provided that all areas of the building below the required elevation are watertight, with walls substantially impermeable to the passage of water, and are built with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Administrator as set forth in Section 14.902(D)(2)(b).

c. Elevated Building. All new construction or substantial improvements to existing buildings that include ANY fully enclosed areas formed by foundation and other exterior walls below the base flood elevation, or required height above the
highest adjacent grade, shall be designed to preclude finished living space and designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls.

i. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria.

(a) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;

(b) The bottom of all openings shall be no higher than one foot above the finish grade; and

(c) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.

ii. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the elevated living area (stairway or elevator); and

iii. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms in such a way as to impede the movement of floodwaters and all such partitions shall comply with the provisions of Section 14.902(F)(2)(c) of this Ordinance.

d. Standards for Manufactured Homes and Recreational Vehicles

i. All manufactured homes placed, or substantially improved, on: (1) individual lots or parcels, (2) in expansions to existing manufactured home parks or subdivisions, or (3) in new or substantially improved manufactured home parks or subdivisions, must meet all the requirements of new construction, including elevations and anchoring.

ii. All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that either:

(a) When base flood elevations are available the lowest floor of the manufactured home is elevated
on a permanent foundation no lower than two (2) feet above the level of the base flood elevation; or,

(b) Absent base flood elevations the manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements) at least three (3) feet in height above the highest adjacent grade.

iii. Any manufactured home, which has incurred “substantial damage” as the result of a flood or that has been substantially improved, must meet the standards of Section 14.902(F)(2)(d)(i) of this Ordinance.

iv. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

v. All recreational vehicles placed on identified flood hazard sites must either:

(a) Be on the site for fewer than 180 consecutive days;

(b) Be fully licensed and ready for highway use. (A recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions.)

(c) The recreational vehicle must meet all the requirements for new construction, including the anchoring and elevation requirements of this section above if on the site for longer than 180 consecutive days.

e. Standards for Subdivisions

Subdivisions and other proposed new developments, including manufactured home parks, shall be reviewed to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in a flood-prone area, any such proposals shall be reviewed to ensure that:

i. All subdivision proposals shall be consistent with the need to minimize flood damage.
ii. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

iii. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.

iv. Base flood elevation data shall be provided for subdivision proposals and other proposed developments (including manufactured home parks and subdivisions) that are greater than fifty lots and/or five acres in area.

3. Standards for Areas of Special Flood Hazard with Established Base Flood Elevations and with Floodways Designated.

Located within the Areas of Special Flood Hazard established in Section 14.902(C) are areas designated as floodways. A floodway may be an extremely hazardous area due to the velocity of floodwaters, debris or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights and velocities. Therefore, the following provisions shall apply:

a. Encroachments are prohibited, including earthen fill material, new construction, substantial improvements, or other developments within the regulatory floodway. Development may be permitted however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the cumulative effect of the proposed encroachments or new development, when combined with all other existing and anticipated development, shall not result in ANY increase in the water surface elevation of the base flood level, velocities or floodway widths during the occurrence of a base flood discharge at any point within the community. A registered professional engineer must provide supporting technical data and certification thereof.

b. New construction or substantial improvements of buildings shall comply with all applicable flood hazard reduction provisions of Section 14.902.

4. Standards for Areas of Special Flood Hazard Zones AE with Established Base Flood Elevations but Without Floodways Designated.

Located within the Areas of Special Flood Hazard established in Section 14.902(C), where streams exist with base flood data provided but where no floodways have been designated (Zones AE), the following provisions apply:
a. No encroachments, including fill material, new structures or substantial improvements shall be located within areas of special flood hazard, unless certification by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.

b. New construction or substantial improvements of buildings shall be elevated or flood-proofed to elevations established in accordance with Section 14.902(F)(2).

5. Standards for Streams without Established Base Flood Elevations or Floodways (A Zones).

Located within the Areas of Special Flood Hazard established in Section 14.902(C), where streams exist, but no base flood data has been provided (A Zones), OR where a Floodway has not been delineated, the following provisions shall apply:

a. When base flood elevation data or floodway data have not been provided in accordance with Section 14.902C, then the Administrator shall obtain, review, and reasonably utilize any scientific or historic base flood elevation and floodway data available from a Federal, State, or other source, in order to administer the provisions of Section 14.902. ONLY if data is not available from these sources, then the following provisions (2 & 3) shall apply:

b. No encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty (20) feet, whichever is greater, measured from the top of the stream bank, unless certification by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.

c. In special flood hazard areas without base flood elevation data, new construction or substantial improvements of existing buildings shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than three (3) feet above the highest adjacent grade at the building site. Openings
sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the standards of Section 14.9002(F)(2), and “Elevated Buildings”.

6. Standards for Areas of Shallow Flooding (AO and AH Zones)

Located within the Areas of Special Flood Hazard established in Section 14.902(C), are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one to three feet (1'-3') where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore, the following provisions apply:

a. All new construction and substantial improvements of residential buildings shall have the lowest floor, including basement, elevated to at least two (2’) feet above the flood depth number specified on the Flood Insurance Rate Map (FIRM), in feet, above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, shall be elevated, at least three (3) feet above the highest adjacent grade. Openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with standards of 14.902(F)(2), and “Elevated Buildings”.

b. All new construction and substantial improvements of nonresidential buildings shall:

i. Have the lowest floor, including basement, elevated to at least one (1’) foot above the flood depth number specified on the Flood Insurance Rate Map (FIRM), in feet, above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, shall be elevated, at least three (3) feet above the highest adjacent grade. Openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with standards of Section 14.902(F)(2), and “Elevated Buildings”.

ii. All new construction and substantial improvements of nonresidential buildings may be flood-proofed in lieu of elevation. The structure together with attendant utility and sanitary facilities must be flood-proofed and designed watertight to be completely flood-proofed to at least one (1’) foot above the specified FIRM flood level, with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. If no depth number is specified, the lowest floor, including basement, shall be flood-proofed
to at least three (3) feet above the highest adjacent grade. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this ordinance and shall provide such certification to the Administrator as set forth above and as required in Section 14.902(F)2.

c. Adequate drainage paths shall be provided around slopes to guide floodwaters around and away from proposed structures.

d. The Administrator shall certify the elevation or the highest adjacent grade, where applicable, and the record shall become a permanent part of the permit file.

7. Standards for Areas Protected by Flood Protection System (A-99 Zones)

Located within the areas of special flood hazard established in Section 14.902C are areas of the 100-year floodplain protected by a flood protection system but where base flood elevations and flood hazard factors have not been determined. Within these areas (A-99 Zones) all provisions of Section 14.902.F shall apply.

8. Standards for Unmapped Streams

Located within Lebanon, Tennessee are unmapped streams where areas of special flood hazard are neither indicated nor identified. Adjacent to such streams the following provisions shall apply:

a. In areas adjacent to such unmapped streams, no encroachments including fill material or structures shall be located within an area of at least equal to twice the width of the stream, measured from the top of each stream bank, unless certification by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the locality.

b. When new elevation data is available, new construction or substantial improvements of buildings shall be elevated or floodproofed to elevations established in accordance with Section 14.902.F.

G. VARIANCE PROCEDURES

The provisions of this section shall apply exclusively to areas of Special Flood Hazard within Lebanon, Tennessee.
1. Board of Zoning Appeals

   a. The Lebanon Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Ordinance.

   b. Variances may be issued for the repair or rehabilitation of historic structures (see definition) upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum to preserve the historic character and design of the structure.

   c. In passing upon such applications, the Board of Zoning Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Ordinance, and:

      i. The danger that materials may be swept onto other property to the injury of others;

      ii. The danger to life and property due to flooding or erosion;

      iii. The susceptibility of the proposed facility and its contents to flood damage;

      iv. The importance of the services provided by the proposed facility to the community;

      v. The necessity of the facility to a waterfront location, in the case of a functionally dependent facility;

      vi. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;

      vii. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;

      viii. The safety of access to the property in times of flood for ordinary and emergency vehicles;

      ix. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site, and;

      x. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
d. Upon consideration of the factors listed above, and the purposes of this Ordinance, the Board of Zoning Appeals may attach such conditions to the granting of variances as it deems necessary to effectuate the purposes of this Ordinance.

e. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

2. Conditions for Variances

a. Variances shall be issued upon a determination that the variance is the minimum relief necessary, considering the flood hazard; and in the instance of a historical building, a determination that the variance is the minimum relief necessary so as not to destroy the historic character and design of the building.

b. Variances shall only be issued upon: a showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship; or a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or Ordinances.

c. Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance, and that such construction below the base flood level increases risks to life and property.

d. The Administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

14.903. AP – Airport Overlay District. This district is intended to protect the integrity of the airport, its airspace, and its environs by restricting the height of structures, uses and electromagnetic interference within horizontal and vertical areas as identified on the map.

A. Definitions

Airport:
The Lebanon Municipal Airport, Lebanon, Tennessee.
**Airport Commission:**
The Lebanon Airport Commission, Lebanon, Tennessee.

**Airport Elevation:**
576 feet above mean sea level.

**Approach Surface:**
A surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in Section 14-903(c) of this chapter. In plan the perimeter of the approach surface coincides with the perimeter of the approach zone. (See Figure F-17.)

**Board of Zoning Appeals:**
A board consisting of five (5) members appointed by the Chief Executive Officer of the city and confirmed by a majority vote of the City Council as provided in Chapter 12 of Title 14 of the Municipal Code (Zoning Ordinance).

**Conical Zone:**
See Section 14-903(C).

**Conical Surface:**
A surface zone extending outward and upward from the periphery of the horizontal surface at a slope of 20:1 for a horizontal distance of 4,000 feet. (See Figure F-18.)

**Hazard to Air Navigation:**
An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.
**Height**
For the purpose of determining the height limits in all zones set forth in the ordinance and shown on the zoning map. The datum shall be mean sea level elevation unless otherwise specified.

**Horizontal Zone:**
See Section 14.903(C)

**Horizontal Surface:**
*A horizontal plane, the perimeter of which in plan coincides with the perimeter of the horizontal zone.* (See Figure F-19.)
Larger Than Utility Runway:
A runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.

Nonconforming Use:
Any pre-existing structure, object of natural growth or use of land that is inconsistent with the provisions of this chapter or an amendment hereto, as of the effective date of such regulations.

Non-precision Instrument Runway:
A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned.

Obstruction:
Any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in 14.903(D) of this chapter.

Person:
Any individual, firm, co-partnership, corporation, company, association, joint stock association or government entity, and includes any trustee, receiver, assignee, or other similar representative thereof.

Precision Instrument Runway
A runway having an existing instrument approach procedure utilizing navigation facilities with both horizontal and vertical guidance, or area type navigation equipment, for which a straight-in precision instrument approach procedure has been approved.

Primary Surface:
A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; for military runways or when the runway has no specially prepared hard surface or planned hard surface, the primary surface ends at each end of the runway. The width of the primary surface is set forth in Section 14.903(C) of this chapter. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

Runway:
A defined area on an airport prepared for landing and take-off of aircraft along its length.

Runway Larger Than Utility With Visual Approach Zone:
See Section 14.903(C).
Runway Larger Than Utility With a Visibility Minimum Greater Than One Quarter-Mile Non-Precision Instrument Approach Zone:
See Section 14.903(C).

Structure:
Any object, including a mobile object, constructed, or installed by man, including but without limitation, buildings, towers, smokestacks, overhead transmission lines, cranes, and earth formation.

Transitional Zones:
See Section 14.903(C).

Transitional Surface:
A surface with extending outward at 90-degree angles to the runway centerline and the runway centerline extended at a slope of the 7:1 from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90-degree angles to the extended runway centerline. (See Figure F-20.)

Tree:
Any object of natural growth.

Utility Runway:
A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.
Visual Runway:
A runway intended solely for the operation of aircraft using visual approach procedures.

B. Airport Airspace Plan

In order to outline definitely the horizontal and vertical limits beyond which the projection of any structure or tree will constitute an airport hazard, Airport Airspace Plan, with a revision date of June 15, 2010, of the Lebanon Municipal Airport, Lebanon, Tennessee, of record in the Office of the Planning Director is hereby incorporated into this chapter and made a part hereof.

1. The established elevation of the airport is 576 feet above mean sea level.
2. The airport reference point is established at a location described as follows: exact center of the runway.

C. Airport Zones

In order to carry out the provisions of this chapter, there are hereby created and established certain airport zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces and conical surfaces as they apply to the airport. Such zones are shown on the Airport Zoning Map, which is incorporated by reference and made a part hereof. An area located in more than one of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

1. Conical Zone – Slopes twenty (20) feet outward for each foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation.

2. Horizontal Zone – Established at 150 feet above the airport elevation or at a height of 250 feet above mean sea level.

3. Transitional Zones – Slope seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 150 feet above the airport elevation. In addition to the foregoing, there are established height limits sloping seven (7) feet outward for each foot upward beginning at the sides of and the same elevation as the approach surface and extending to where they intersect the conical surface.

4. Runway Larger Than Utility With Visual Approach Zone – The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 1,500 feet at a horizontal distance of 5,000 feet.
from the primary surface. Its centerline is the continuation of the centerline of the runway.

5. Runway Larger Than Utility With a Visibility Minimum Greater Than One Quarter-Mile Non-Precision Instrument Approach Zone – The inner edge of this approach zone coincides with the width of the primary surface and is 500 wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

D. Height Limits

Except as otherwise provided in this chapter, no structure or tree shall be erected, allowed to grow or maintained in any zone to a height in excess of the height limit herein established for such zone. For purposes of this regulation, height limits shown on the Airport Zoning Map are hereby established for each of the zones in question.

1. Runway Larger Than Utility Visual Approach Zone – Slopes twenty (20) outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.

2. Runway Larger Than Utility With a Visibility Minimum Greater Than 1/4 Mile Non-Precision Instrument Approach Zone – Slopes thirty-four (34) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.

Nothing in this chapter shall be construed as prohibiting the construction or maintenance of any structure or growth of any tree to a height up to fifty (50) feet above the surface of the land.

E. Land Use Compatibility and Use Restrictions

Notwithstanding any other provisions of this chapter, no use may be made of land or water within any zone in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise endanger or interfere with the landing, takeoff, or maneuvering of aircraft.

1. Incompatible Land Uses
Incompatible land uses around an airport can affect the safe and efficient operation of aircraft and affect the quality of life and safety of the general public. Incompatible land uses can include wildlife-attracting land uses (wetlands and landfills), cell towers and antennae transmitting signals that interfere with radio transmissions and/or
navigational aids, lights that may be disorienting to a pilot, and tall structures including towers and construction cranes that may impact an airport’s airspace. Within an airport’s noise and safety impact areas, residential and public facilities such as schools, churches, public health facilities, and concert halls are sensitive to high noise levels and expose large numbers of people to potential danger. Incompatible land uses include high density residential development, schools, community centers and libraries, hospitals, and buildings used for religious services, tall structures, smoke and electrical signal generators, landfills, and other bird/wildlife attractants.

2. Airport Impact Zones

Zones at the end of each runway and surrounding the airport have been identified as airport impact zones on the Airport Airspace Plan of the Lebanon Municipal Airport, Lebanon, Tennessee, of record in the Office of the Planning Director, and is hereby incorporated into this chapter and made a part hereof. They are defined as: (an example Airport Impact Zones map is included for reference only)

Airport Impact Zone 1 - Runway Protection Zone
Airport Impact Zone 2 - Inner Safety Zone
Airport Impact Zone 3 - Inner Turning Zone (60-degree sector)
Airport Impact Zone 4 - Outer Safety Zone
Airport Impact Zone 5 - Sideline Safety Zone
Airport Impact Zone 6 - Traffic Pattern Zone

The recommended land use in Airport Impact Zones 1, 2 and 5 would discourage residential development and allow low-density commercial and industrial development with less than 5 people per acre. The recommended land uses in Airport Impact Zones 3 and 4 would range from no development to low-density residential development and commercial industrial development ranging from 25 to 40 people per acre. The recommended land uses in Airport Impact Zone 6 would allow low-density residential development and commercial and industrial development accommodating fewer than 100 people per acre. Proposed construction or alteration of any structure in the airport impact zones may be subject to be reviewed by the FAA to see that FAA requirements have been satisfied. This FAA review must be completed prior to receiving final approval by the City of Lebanon planning and engineering staff. The Lebanon Airport Commission acting in an advisory role will also review and make recommendations regarding safety and land use compatibility issues to City of Lebanon planning and engineering staff, boards, and agencies.

3. Use on Appeal

No application for a Use on Appeal within Airport Impact Zones 1 through 6 may be considered by the Board of Zoning Appeals unless a copy of the application has been furnished to the Lebanon Airport Commission for advice as to potential aeronautical effects of the proposed use. The Airport Commission shall respond to the application
within a reasonable time period, otherwise, the Board of Zoning Appeals may act on its own to grant or deny said application.

4. Site Plan and/or Rezoning
Any request for site plan approval or rezoning within Airport Impact Zones 1 through 6 shall be forwarded to the Lebanon Airport Commission. The Airport Commission may make a recommendation regarding the requested action, but shall not hold-up the Planning Commission taking action on the application.

F. Site Lighting

Uncontrolled lighting may cause glare that can impact visibility of pilots. Lighting at and near airports should be relatively dim so as to not harm the pilot’s night vision and cause confusion. In general, lights should be shielded, proper wattage should be used based on the task and unneeded lights should be turned off.

On every site plan the location(s) of proposed light poles and the type of illuminating devices shall be provided. Light poles shall not be located within any easements, including public utility and drainage easements (PUDE). A photometric plan of the entire property shall be provided for review by engineering and planning staff. Required plans, descriptions and data shall be sufficiently complete to enable the engineering and planning staff to readily determine compliance with these requirements. Requests to change light fixtures or illumination levels shall be submitted to the engineering and planning staff, together with adequate information to assure compliance with these requirements and applicable codes, prior to the substitution being made

1. Light from a fixture shall be directed down to greater than fifteen (15) degrees below the horizontal plane.

2. The maximum level of foot-candles at all property lines shall be no greater than 0.5.

3. All outdoor electrically powered illuminating devices shall be installed in conformance with all applicable provisions of these regulations, the Building Code, the Electrical Code, and the Sign Ordinance with appropriate permits being obtained.

4. The use of searchlights, laser source lights or any similar high intensity light for outdoor advertising is prohibited.

5. Outdoor advertising signs of the type constructed of translucent materials and wholly illuminated from within should consist of a dark background with light metering to minimize detrimental effects.

If, upon installation of proposed site lighting, such lighting is found to interfere with airport operations, the site lighting shall be adjusted to the
satisfaction of the Airport Commission at the developer’s/builder’s expense.

G. Nonconforming Uses

1. Regulations Not Retroactive – The regulations prescribed in this chapter shall not be construed to require the removal, lowering or other change or alteration of any structure or tree not conforming to the regulations as the effective date hereof, or otherwise interfere with the continuance of the nonconforming use. Nothing herein contained shall require any change in the construction, alteration or intended use of any structure, the construction or alteration of which was begun prior to the effective date of the provisions in this chapter and is diligently prosecuted and completed within two years thereof.

2. Marking and Lighting – Notwithstanding the preceding provision of this section, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation, or maintenance thereon of such markers and lights as shall be deemed necessary by the Airport Commission to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction. Such markers and lights shall be installed, operated and maintained at the expense of the City of Lebanon.

H. Variances

Any person desiring to erect any structure or increase the height of any structure, permit the growth of any tree, or use property not in accordance with the regulations prescribed in this chapter may apply to the Board of Zoning Appeals for a variance. The application for a variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. No application for a variance to the requirements of this chapter may be considered by the Board of Zoning Appeals unless a copy of the application has been furnished to the Airport Commission for advice as to the aeronautical effects of the variance. The Airport Commission shall respond to the application within a reasonable time period, otherwise, the Board of Zoning Appeals may act on its own to grant or deny said application. Such variance shall be allowed where a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but do substantial justice and be in accordance with the spirit of this chapter.

I. Permits

1. Future Uses – Except as specifically provided in (i), (ii) and (iii) hereinafter, no material change shall be made in the use of land, and no structure or tree shall be erected, altered, planted, or otherwise established in any zone hereby created unless a permit therefore has
been applied for and granted. Each such application for a permit shall indicate the purpose for which the permit is desired with sufficient particularity to permit it to be determined whether the resulting use, structure or tree would conform to the regulations herein prescribed. No permit for use inconsistent with the provisions of the chapter shall be granted unless a variance has been approved in accordance with Section 14.1207.

i. In the area lying within the limits of the horizontal zone and conical zone, no permit shall be required for any tree or structure less than seventy-five (75) feet in vertical height above the ground, except when, because of terrain, land contour or topographic features, such tree or structure would extend above the height limit prescribed for such approach zones.

ii. In areas lying within the limits of the approach zones, but at a distance of not less than 4,200 feet from each end of the runway, no permit shall be required for any tree or structure less than seventy-five (75) feet in vertical height above the ground, except when such tree or structure would extend above the height limit prescribed for such approach zones.

iii. In the areas lying within the limits of the transition zones beyond the perimeter of the horizontal zone, no permit shall be required for any tree or structure less than seventy-five (75) feet in vertical height above the ground, except when such tree or structure, because of terrain, land contour or topographic features, would extend above the height limit prescribed for such transition zones.

Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction or alteration of any structure or growth of any tree in excess of any of the height limits established by this chapter except as set forth in Section 14.603(D).

2. Existing Uses – Before any existing use, structure or tree may be replaced, substantially altered, or repaired, rebuilt, allowed to grow higher or replanted within any zone, a permit must be secured authorizing such replacement, change or repair. No such permit shall be granted that would allow the establishment or creation of any airport hazard or permit a nonconforming use, structure, or tree to be made or become higher or become a greater hazard to air navigation than it was on the effective date of the provisions in this chapter or than it is when the application for a permit is made. Except as indicated, all applications for a permit for replacement, change or repair of any existing use, structure or tree shall be granted.

3. Nonconforming Uses Abandoned or Destroyed – Whenever the Airport
Commission determines that a nonconforming tree or structure has been abandoned or more 80 percent torn down, physically deteriorated or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.

J. Hazard Marking and Lighting

Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this chapter and reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to permit the Airport, at its own expense, to install, operate and maintain thereon such markers and lights as may be necessary to indicate to pilots the presence of an airport hazard. If deemed proper by the Board of Zoning Appeals, this condition may be modified to require the owner, at their own expense, to install, operate and maintain the necessary markings and lights.

K. Appeals

1. Any person aggrieved or any taxpayer affected by any decision of the Building Inspector made in the administration of this chapter or the Airport Commission, if of the opinion that a decision of the Building Inspector is an improper application of this chapter, may appeal to the Board of Zoning Appeals.

2. All appeals must be taken within thirty (30) days as provided by the rules of the Board of Zoning Appeals by filing with the Board of Zoning Appeals a notice of appeal specifying the grounds thereof.

3. An appeal shall stay all proceedings in furtherance of the action appealed from unless the Airport Commission certifies to the Board of Zoning Appeals, after the notice of appeal has been filed with it, that by reason of the facts stated in the certificate a stay would, in the opinion of the Airport Commission, cause imminent peril to life or property. In such case a proceeding shall not be stayed except by order of the Board of Zoning Appeals on notice to the Airport Commission and on due cause shown.

4. The Board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal, give public notice and due notice to the parties in interest and decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent or by attorney.

5. The Board of Zoning Appeals may, in conformity with the provisions of this chapter, reverse or affirm, wholly or partly, or modify the order, requirement, decision or determination as may be appropriate under the circumstances.

6. The Board shall make written findings of fact supporting their
conclusions.

7. The concurring vote of a majority of the members of the Board of Zoning Appeals shall be sufficient to reverse any order, requirement, decision, or determination of the Building Inspector or to decide in favor of the applicant on any matter.

L. Administrative Agency

The Chief Building Official is designated the administrative agency charged with the duty of the administering and enforcing the regulations herein prescribed. The duties of the Chief Building Official shall include that of hearing and deciding all applications for permits under Section (I) herein, but the Chief Building Official shall not have or exercise any of the powers or duties herein delegated to the Board of Zoning Appeals.

M. Penalties

Each violation of this chapter or of any regulation, order or ruling promulgated hereunder shall constitute a misdemeanor and be punishable by a fine of not more than 500 dollars or imprisonment for not more than 180 days or both; and each day a violation continues to exist shall constitute a separate offense.

N. Amendment

1. Procedure – Such regulations, restrictions, and boundaries as are provided for in this chapter may be amended, supplemented, changed, modifies, or repealed. All changes and/or amendments to this chapter shall only be made in compliance with the Tennessee Aeronautical Statutes and after a public hearing.

2. Recommendation from the Planning and Airport Commissions – No amendment shall become effective unless it is first submitted to and agreed to by the Planning Commission and Airport Commission, then submitted to and approved by the Tennessee Department of Transportation Aeronautics Division and if disapproved, shall receive the favorable vote of a majority of the entire membership of the City Council.

14.904- Historic Preservation

A. Historic Preservation Commission

The Historic Preservation Commission was created by Ordinance 13-4325.

B. Historic Preservation Design Guidelines

The Historic Preservation Design Guidelines are included as Appendix F.
CHAPTER 10
SPECIAL DISTRICTS

Sections:
14.1001 Statement of Purpose.
14.1002 UC – University Campus.
14.1003 SP – Specific Plan Districts.
14.1004 RP2 District – Medium Density Residential/Professional Office
14.1005 DMU – Downtown Mixed Use District
14.1006 PUD – Planned Unit Development

14.1001. Statement of Purpose. The general purpose of special districts is to accommodate special needs identified in the community that other zoning districts do not address.

A. UC – University Campus
This class of district is designed to address the peculiar environment of a college campus and nearby areas. Uses permitted include all of the activities normally conducted on a college campus. This class of district also permits single and two-family dwellings, community facilities and public utility installations that are necessary to serve the public.

B. SP – Specific Plan Districts
This class of district is designed to promote flexibility in the location, integration and arrangement of land uses, buildings, structures, utilities, access, transit, parking, and streets. All uses may be considered and are subject to the legislative approval of the City Council.

BPSP – Bel-Air at Providence Specific Plan

HSSP – Hamilton Springs Specific Plan

MLSP - The Mill at Lebanon Specific Plan

C. RP2 - Residential/Professional Office
This class of district is designed to provide areas of mixed use, single family and medium density multi-family residential development with professional offices located either within the same structures or adjacent to residential structures.

D. DMU – Downtown Mixed Use District
This class of district is designed to provide for areas of mixed use development with the flexibility of a traditional downtown area.

E. PUD – Planned Unit Development
14.1002. UC – University Campus

A. Use and Structure Provisions. The uses and structures indicated herein may be permitted within the UC district only in the manner and subject to any specific design criteria that may apply.

B. Uses Permitted.

1. Principal Permitted Uses

   Administrative
   Automotive Parking
   Community Assembly
   Convenience Commercial
   Dormitories & Fraternity/Sorority Houses
   Dwelling, one-family detached
   Dwelling, two-family detached
   Dwelling, townhouses
   Dwelling, multi-family
   Extensive Impact
   Food & Beverage
   General Personal Services
   General Retail Trade
   Intermediate Impact

2. Permitted Accessory Uses

   In addition to the principal permitted uses, each activity type may include accessory activities customarily associated with, and appropriate, incidental, and subordinate to the principal activity located on the same zone lot. These include:

   Private garages and parking areas,
   Recreation facilities exclusively for the use of the residents,
   Home occupations as defined and subject to further regulations contained in Chapter 14.801(N),
   Signs in compliance with the regulations set forth in the Lebanon Sign Ordinance.

C. Conditional Uses

   Boarding & Rooming Houses
   Community Education
Cultural and Recreation Services
Personal & Group Care

D. **Prohibited Uses**

Deferred Presentment
Package Stores
Sanitary Landfill
Tattoo Services
Tobacco/Nicotine Sales

Any use or structure not specifically permitted by right or conditional use as presented in the Land Use Table, as presented in Appendix B, is prohibited.

E. **Bulk, Yard, and Density Regulations**

The regulations appearing below apply to zone lots and buildings or other structures located on any zone lot or portion of a zone lot including all new developments, enlargements, extensions, or conversions within the C/U district. Existing buildings or other structures that do not comply with one or more of the applicable bulk regulations are classified as nonconforming and are subject to the provisions of Chapter 11.

1. **Minimum Lot Size and Width**

   The minimum size lot: 7500 sq. ft.
   and width: 50 ft.

   For Developments with a residential component the DMU Bulk, Yard and Density Regulations will apply

2. **Maximum Lot Coverage**

   The maximum lot coverage by all buildings shall not exceed 35%

3. **Maximum Permitted Height**

   No building shall exceed:
   Maximum Building Height – 5 stories or 65 ft.
   Accessory Building Height – 2 stories

4. **Density Regulations**

   The maximum residential density permitted on any zone lot shall be
controlled by the square footage requirements per dwelling or rooming unit or per family as established in the DMU zoning district.

5. Building Setbacks

The minimum building setback:

Setbacks:

- Front – 25 ft.
- Rear – 25 ft.
- Side – 0 ft.


This section establishes a legislative procedure for context sensitive development. Compatibility with the land uses described in the most currently adopted Land Use Plan may be considered by City Council. The zoning districts promote flexibility in the location, integration, and arrangement of land uses, buildings, structures, utilities, access, transit, parking, and streets. While providing additional flexibility for the developer, the zoning district also provides greater certainty as to the resulting development. The SP district is a zoning district, not an overlay district.

A. Applicability. A specific plan (SP) zoning district may be applied to any property.

B. Procedure. The procedure for creating or modifying an SP zoning district is the text and map amendment procedure established in Chapter 12, Section 14.1209, Amendments, and this Section.

1. Initiation

Any City of Lebanon public official or any other person or entity with ownership interest in the subject property, may file an application to create an SP zoning district.

2. Application

An application to create an SP zoning district must be filed with the Planning Director. Prior to submitting an application to create an SP zoning district, the applicant and their design professional are required to attend a pre-application conference with members of the Planning and Engineering Staff. The pre-application conference must be pre-scheduled and the councilperson for the ward in which the property is located will be invited to attend the pre-application conference. Other staff may also be invited to the pre-application conference as requested by the applicant or design professional or as determined to be
appropriate by the Planning or Engineering Staff. A complete application must include the following:

a. A draft SP ordinance that includes zoning district text that addresses the elements of subsection (4), below.

b. A map of the land area within which the SP ordinance will apply. (This will be adopted as part of the Official Zoning Map pursuant to Section 14.1209).

c. A draft amendment to Chapter 4, Section 14.401 (Establishment of Districts) that lists the proposed SP district.

d. A written document describing the existing conditions on the property and how the proposed use(s) will be consistent with the principles and objectives of the adopted Land Use Plan.

e. Copy of current letter indicating water and sewer availability from the appropriate water and/or sewer provider.

f. A statement that the applicant agrees to be bound by the standards and procedures in the draft ordinance or, if the draft ordinance is altered during the Text Amendment Procedure, any standards, and procedures that the applicant consents to during the process.

C. Processing.

1. The Planning Director will refer a complete application to the Planning Commission. The Planning Commission will then process the application using the Amendment Procedure outlined in Chapter 12, Section 14.1209.

2. The Planning Director will return an incomplete application to the applicant along with an explanation of the deficiencies.

3. If the Planning Commission alters or modifies the draft SP zoning district, the applicant may agree to the changes, withdraw the application, or state its disagreement with the changes. Nothing in this section requires the Planning Commission to recommend approval to City Council of an application if they disagree with the draft SP zoning district.

4. Upon City Council rezoning property to SP by proper ordinance, development plans such as site plans shall follow the review and approval procedure as outlined in the Zoning Ordinance. Development plans for subdivision plats shall follow the review and approval procedure as outlined in the Subdivision Regulations.

D. SP Zoning District Text.

1. Contents. While there is no set “type” of SP zoning district, as each one is unique, there will be different levels of detail required, depending on what is to be accomplished by the SP zoning district and any distinctive site characteristics of the property for which the SP zoning district is
proposed. The SP zoning districts shall substantially conform to the layout and format of the zoning district regulations established in Chapters 5 through 7 of this Title 14. The SP zoning district shall be labeled “SP-“ followed by a use classifier (R- Residential, C- Commercial, I- Industrial/Manufacturing or MU- Mix Use), and a unique suffix (e.g., “SP-MU-Lebanon Acres”). The SP zoning district shall include details regarding the following elements, either as written text, illustrations, tables or exhibits:

a. A list or table of land uses that will be permitted. Based on the uniqueness of the SP zoning district there shall be no allowances for uses permissible on appeal.
b. Required lot area, lot widths, yards, and bulk regulations.
c. Dimensional and massing standards such as floor area ratio, building coverage, height, and facade length.
d. Landscaping standards including proposed open space, screening, and buffering standards.
e. Sign standards.
f. Parking standards.
g. Accessory building standards.
h. Building material and architectural design standards.
i. Parks and open space standards.
j. Street, water, sewer, stormwater management, including natural gas, electric, streetlights and other infrastructure standards.
k. Detailed development plan showing the proposed layout of the entire property with respect to uses, potential road, lot and/or building configurations.
l. Detailed information regarding anticipated traffic volumes, impact to existing roads and need for improvements based on detailed development plan.
m. Information related to drainage patterns and preliminary plans for drainage, including preliminary detention calculations. If the City Engineer or other professional engineering studies determines that drainage problems exist off the site of the proposal and the proposed development could exacerbate those problems, the Planning Director may require a broader and more global assessment of drainage issues be submitted.
n. Detailed development and phasing plan for the entire property.
p. Any other standards deemed necessary and/or appropriate by the Planning, Engineering, Cross-Connection, and/or Fire Departments.
q. Any other standards deemed necessary and/or appropriate by the Planning Commission.
r. Any other standards deemed necessary and/or appropriate by
the City Council during the legislative text amendment process.

E. **SP Zoning District Ordinance.**

   1. Standards need not be uniform for the entire development. If standards are not uniform, provide an illustration, table or written document clarifying where those standards are proposed.

   2. Site plans, subdivision plats or other permits that are processed after the SP zoning district is approved must comply with the City of Lebanon's Subdivision and Stormwater Regulations.

F. **Effect.**

   If the City Council adopts the SP zoning district, the SP zoning district replaces any zoning district regulations previously in effect for the property or land area. All uses, development activity, permits, site plans, subdivision plats, and certificates of occupancy shall conform to the standards that are established in the SP zoning district.

G. **City Council Actions.**

   1. The City Council will consider the elements and standards that are proposed by the applicant during the legislative process. If adopted, they will become codified as part of the Zoning Ordinance.

   2. Upon recommendation by the Planning Commission, the City Council will review the application for an SP zoning district. An SP zoning district application with a negative recommendation from the Planning Commission may be considered by the City Council. Under the legislative power of the City Council to amend the Zoning Ordinance, the council may approve, disapprove, or approve subject to conditions. If the council makes any substantial changes, alterations or establishes conditions, the application for an SP zoning district shall be returned to the Planning Commission for review. The City Council may then take final action to approve or disapprove the application using the Text or Map Amendment Procedures outlined in Chapter 12 of the Zoning Ordinance.

   3. Notwithstanding any provision of this ordinance or law to the contrary, the actions of the City Council in approving or disapproving a SP zoning district shall specifically be a legislative act as authorized by *Tennessee Code Annotated* § 13-7-204.
14.1004. RP2 District – Medium Density Residential/Professional Office

A. Use and Structure Provisions. The uses and structures indicated herein may be permitted within the RP2 district only in the manner and subject to any specific design criteria that may apply.

B. Uses Permitted

1. Principal Permitted Uses

Principal permitted uses for this district:

Automotive Parking
Dwelling, one-family detached
Dwelling, two-family detached
Dwelling, semi-detached
Dwelling, multi-family
Dwelling, townhome
Financial, Consultative, and Administrative
Medical Services
Personal & Group Care

2. Permitted Accessory Uses

In addition to the principal permitted uses, each activity type may include accessory activities customarily associated with, and appropriate, incidental, and subordinate to the principal activity located on the same zone lot. These include:

Private garages and parking areas,
Recreation facilities exclusively for the use of the residents,
Home occupations as defined and subject to further regulations contained in Chapter 8, Section 14.801(N).
Signs in compliance with the regulations set forth in the Lebanon Sign Ordinance.

C. Conditional Uses

Conditional uses permitted

Administrative
Apartment Hotel
Community Assembly
Community Education
Cultural and Recreation Services

D. Prohibited Uses

Any use or structure not specifically permitted by right or conditional use as presented in the Land Use Table in Appendix B is prohibited.

E. Bulk, Yard, and Density Regulations

The regulations appearing below apply to zone lots and buildings or other structures located on any zone lot or portion of a zone lot including all new developments, enlargements, extensions, or conversions within the RP-2 district. Existing buildings or other structures that do not comply with one or more of the applicable bulk regulations are classified as nonconforming and are subject to the provisions of Chapter 11.

1. Minimum Lot Size and Width

Area:

One, two, three & four family dwelling – 6000 sq. ft. for the first unit and 3000 sq. ft. for each additional unit

Mixed use multi-family housing/professional offices located w/in same structure - 4,000 sq. ft. for the first dwelling unit & 3,000 sq. ft. each additional unit & 5,000 sq. ft. for each free-standing office complex

Free standing office structures on separate lot 10,000 sq. ft.

Width:

1 & 2-family - 75 ft.
3 & 4-family - 150 ft.

2. Maximum Lot Coverage

The maximum lot coverage by all buildings shall not exceed 30% of the total lot

3. Maximum Permitted Height

Maximum Building Height – 3 stories

4. Density Regulations

The maximum residential density permitted on any zone lot shall be
controlled by the square footage requirements per dwelling or rooming unit or per family as established in Table 10-1.

5. Building Setback

Setbacks:

Front –
   Arterial street - 50 ft.
   Collector street – 40 ft.
   Minor street - 30 ft.

All structures shall have a side and/or rear yard of 75 feet if the property abuts another zoning district, otherwise the side and rear yard shall be 25 feet.

14.1005. DMU - Downtown Mixed Use District

A. Use and Structure Provisions. The uses and structures indicated herein may be permitted within the DMU district only in the manner and subject to any specific design criteria that may apply.

B. Uses Permitted

1. Principal Permitted Uses

   Administrative Services
   Community Assembly
   Convenience Commercial
   Cultural and Recreational
   Dwelling, one-family detached
   Dwelling, two-family detached
   Dwelling, townhome
   Dwelling, semi detached
   Dwelling, multi-family
   Financial, Consultative, and Administrative
   Food & Beverage Services
   General Personal Services
   General Retail Trade
   Group Assembly
   Medical Services

C. Conditional Uses

   Bed and Breakfast
   Transient Habitation
D. Prohibited Uses

Automotive Servicing
Any Drive-thru
Deferred Presentment
Gas Stations
Package Stores
Tattoo Services
Tobacco/Nicotine/E-cig sales
Vehicular, Craft & Related Equipment Sales

Any use or structure not specifically permitted by right or conditional use as presented in the Land Use Table in Appendix B is prohibited.

E. Bulk, Yard, and Density Regulations

The regulations appearing below apply to zone lots and buildings or other structures located on any zone lot or portion of a zone lot including all new developments, enlargements, extensions, or conversions within the DMU district. Existing buildings or other structures that do not comply with one or more of the applicable bulk regulations are classified as nonconforming and are subject to the provisions of Chapter 11.

1. Minimum Lot Size and Width

Area:
5,000 sq. ft. for the first unit
2,000 sq. ft. for each additional unit

Width: 24 ft.

2. Maximum Lot Coverage

The maximum lot coverage by all buildings shall not exceed 80% of the total lot unless there is a structured parking in part of the building.

3. Maximum Permitted Height

Maximum Building Height – 3 stories or 1.5 times the average height of the directly adjacent buildings, whichever is greater

4. Building to Zone

Build to Line:

Front – 5 ft. to 15 ft.
Setbacks:
- Rear – 5 ft.
- Side – 5 ft.

Setbacks and lot requirements maybe varied by development types in accordance with the Subdivision Regulations.

5. **Commercial or Multi-Family Material Standards**

**General Standards**
- Minimum of two materials but no more than three on any exterior façade.
- Materials not listed may be reviewed by Planning Commission approval.

**Prohibited Materials**
- Vinyl Siding
- Wood (untreated), T1-11 paneling
- Exposed, smooth-faced CMU
- Metal building panel siding

**Recommended Materials**
- Brick
- Natural stone
- Split-face or finished-face masonry unit
- Architectural metal panel
- Cement board lap siding
- Exterior Insulation and Finish Systems (EIFS) or similar material in combination with brick, split-face block, or stone. EIFS and similar materials are not permitted on street level facades; use on upper floor facades only. In all cases this applies except for Single-Family Attached, Single-Family Detached, Two-Family, Three-Family, and Four-Family dwellings.
- Metal when used in combination with brick, block, or stone

6. **Parking**

To be reviewed on an individual basis

Parking shall be located behind the build to line. No parking is permitted between the street and the building. This requirement shall not restrict on-street parking.
SECTION

A. Requirements

B. Purpose

C. Amendments

D. Cancellation

A. Requirements. For purposes of any existing planned unit developments as of the date that the ordinance creating this section is adopted on final reading, the following requirements, and regulations, as outlined in Ordinance #05-2722, shall apply. With the passage of the ordinance creating this section, no new planned unit developments shall be considered. (as added by Ord. #08-3362, Oct. 2008)

B. Purpose. Planned unit developments districts are designed to promote flexibility in design and permit planned diversification in the location of structures; to promote efficient use of land that will facilitate a more economic arrangement of buildings, circulation systems, land use, and utilities; to preserve, as much as possible, existing landscape features and utilize them in a harmonious fashion; to encourage the total planning of tracts of land; and to provide a mechanism for the ownership of land, utilities, streets, and facilities in common as well as the maintenance and disposition thereof. (as added by Ord. #00-2152, Oct. 2000; and replaced by Ord. #05-2722, June 2005, and renumbered by Ord. #08-3362, Oct. 2008)

C. Amendments to the PUD. The terms, conditions, and the preliminary master plan of a PUD may be changed from time to time by official action of the City Council and/or Planning Commission. Any such amendments must remain in compliance with the appropriate zoning regulations and shall not modify the mix of uses or increase the overall density. No changes in the type of structures proposed in the preliminary master plan and approved by City Council shall be made without returning to City Council for approval of an amendment. If a request is made to modify a contingency required as a condition of approval by the City Council such request for modification shall be required to be considered by City Council regardless of what the scope of the requested modification. The landowner, residents and/or owners of or in the PUD may apply to the Planning Commission for an amendment to the preliminary master plan. The Planning Commission may approve such amendment so long as the original intent is not abrogated and the change does not in any way damage any part of the PUD nor any adjoining properties. Minor changes in the location, siting, and height
of buildings, may be authorized by the Planning Commission based on a recommendation from the planning and engineering departments or other City Staff. Changes in use or density shall also require approval of City Council and must be justified by changes in conditions or markets since the preliminary master plan was approved. Minor amendments, such as modifying landscape plats or building elevations, may be approved by the Planning Commission without consideration being provided by City Council. The determination regarding an amendment being minor or major will be determined by planning staff with endorsement of the Planning Commission.

D. Cancellation of an adopted PUD. In the event that a final site plan or final subdivision plat is not acted upon within one year of approval of the preliminary master plan or the phasing plan approved as part of the preliminary master plan is not being followed, the Planning Commission may, after an official meeting with notice to the landowner and/or developer, cancel the preliminary master plan. The preliminary master plan may also be cancelled at any time upon written request by the landowner and/or developer. Any cancellation will result in the property reverting to the zoning in existence prior to the PUD and any related rezoning being considered. (as added by Ord. #00-2152, Oct. 2000, and replaced by Ord. #05-2722, June 2005, and renumbered by Ord. #08-3362, Oct. 2008)
<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Minimum Lot Area</th>
<th>Minimum Lot Width At Building Line</th>
<th>Minimum Yard Depths/ Building Setbacks</th>
<th>Building Area</th>
<th>Maximum Height</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>UC - University Campus</strong></td>
<td>7,500 sq. ft. For developments with a residential component the DMU Bulk, Yard and Density Regulations will apply</td>
<td>50 ft. For developments with a residential component the DMU Bulk, Yard and Density Regulations will apply</td>
<td>For Residential Uses Front - 25 ft. Rear - 25 ft. Side - None For developments with a residential component the DMU Bulk, Yard and Density Regulations will apply</td>
<td>35% of total lot for developments with a residential component the DMU Bulk, Yard and Density Regulations will apply</td>
<td>5 stories or 65 ft. Accessory building - 2 stories</td>
</tr>
<tr>
<td><strong>SP – Specific Plan District</strong></td>
<td>None – established by ordinance</td>
<td>None – established by ordinance</td>
<td>None – established by ordinance</td>
<td>None – established by ordinance</td>
<td>None – established by ordinance</td>
</tr>
</tbody>
</table>
| **RP2 Medium Density Residential – Professional Office** | Single, 2, 3, & 4-family - 6,000 sq. ft. for the first unit & 3,000 sq. ft. each additional unit 1 & 2-family - 75 ft. 3 & 4-family - 150 ft. Mixed use multi-family housing / professional offices - no minimum Free standing office structures on separate lot - 100 ft. Conditional Uses - Churches/places of worship, parish house on same property as place of worship, philanthropic institutions/clubs & public/private schools - 250 ft. Public parks - 50 ft. All other conditional uses permissible on appeal - 100 ft. | Front – Arterial street - 50 ft. Collector street - 40 ft. Minor street - 30 ft. | 30% of total lot | 3 stories.
<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Minimum Lot Area</th>
<th>Minimum Lot Width At Building Line</th>
<th>Minimum Yard Depths/ Building Setbacks</th>
<th>Building Area (area occupied by all structures, including accessory structures)</th>
<th>Maximum Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>DMU- Downtown Mixed Use</td>
<td>5000 sq. ft. for the first unit 2000 sq. ft. for each additional unit</td>
<td>24 ft.</td>
<td>Front – 5 ft. to 15 ft. Rear – 5 ft. Side – 5 ft</td>
<td>80% of the total lot unless structured parking is provided</td>
<td>Building Height – 3 stories or 1.5 times the average height of the directly adjacent buildings, whichever is greater</td>
</tr>
</tbody>
</table>
CHAPTER 11
NONCONFORMING USES, LOTS AND STRUCTURES

Sections:
14.1101 Nonconforming Uses.
14.1102 Nonconforming Lots.
14.1104 Inactive, Abandoned or Discontinued Nonconformities.
14.1105 Maintenance, Repairs, Alterations, Enlargement, and Movement of Nonconformities.
14.1106 Damage or Destruction of Nonconformities.


This Chapter applies to Nonconformities. Nonconformities include several types of situations, as defined below.

A. Continuation Permitted
Any legal nonconformity that existed at the time of adoption of this ordinance may continue, subject to the requirements of this section.

B. Statutory Compliance
This Section shall be applied in a manner consistent with Tennessee Code Annotated (TCA) § 13-7-208. If any provision of this section conflicts with TCA § 13-7-208, then TCA § 13-7-208 applies to the extent that there is an inconsistency.

C. Permits
The Chief Building Official may approve a certification for any nonconformity that is protected by this Section. The Chief Building Official’s determination is appealable to the Board of Zoning Appeals as provided in Chapter 12, Section 14.1206.

D. Determination of Nonconformity Status
The burden of establishing that a nonconformity lawfully exists is on the owner of the land on which the purported nonconformity is located.

E. Exception Due to Variance or Other Modification
This section does not apply to a development standard or feature that is the subject of an approved variance, or a modification of standards in a Specific Plan District. Where a variance or other modification is granted for a development standard or feature that does not otherwise conform to this
ordinance, that development standard or feature is deemed conforming.


Subject to TCA § 13-7-208, a nonconforming use may continue subject to the following:

A. A nonconforming use may not be changed to another nonconforming use. However, a change in occupancy or ownership does not, by itself, constitute a change of use.

B. A nonconforming use that is changed or converted to a conforming use forfeits all nonconforming protections offered by this ordinance.

C. Nonconforming uses shall not expand onto additional land.

D. A legal nonconforming use may expand into additional parts of a building in which it is located at the time it becomes nonconforming, if the building is clearly arranged or designed for the use at the time it became nonconforming.

E. A legal nonconforming use shall be allowed to destroy the existing facilities and reconstruct new facilities necessary to the conduct of the business; provided, that no destruction and reconstruction shall act to change the use classification of the land as classified under this zoning ordinance.


A. Any nonconforming lot that has come into conformity with this Title shall not be changed to a nonconforming lot.

B. Any nonconforming lot or open space on the lot (yard, setbacks, courts, or area), if already smaller than that required by the zoning district regulations, shall not be further reduced so as to increase the nonconformity.

C. A single-family dwelling and customary accessory buildings may be erected on a nonconforming lot if:

1. The zoning district permits single-family dwellings, and
2. The lot is in separate ownership and not of continuous frontage with other lots in the same ownership.

D. Subsection (C) applies even if the lot fails to meet the requirements for area or width, or both, that generally apply in the district. However, yard dimensions and other requirements not involving area or width, or both, of
the lot shall conform to the applicable zoning district regulations. A nonconforming lot of record may be used for building purposes provided that a variance for the nonconformity may be granted by the Board of Zoning Appeals. The variance should be the minimum variance required to provide for the use of the lot.

E. If two (2) or more lots or a combination of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this Title, and if all or part of the lots do not meet the requirements for lot width and area established by this Title, the lots are considered to be an undivided parcel for purpose of applying zoning requirements. No portion of those lots shall be used or sold unless it meets the lot width and area requirements established by this Title, except any lot of record at the time of the passage of this ordinance may be used for residential use without a variance if it is at least 3,000 sq. ft. in size, residential uses are allowed on the property and the development conforms to the setbacks of the zoning district. No division of a lot or parcel shall result in a lot with width or area below the requirements of this ordinance.


No structural alterations to a nonconforming structure are permitted unless:

A. the alterations are required or authorized by a non-zoning law or ordinance, or

B. the alteration accommodates a conforming use and does not increase a nonconformity or create a new nonconformity, or

C. The structural alteration is allowed by TCA § 13-7-208 and Section 14.1101.E above.

Examples of non-zoning structural requirements include modifications that are required by new building codes or the federal Americans with Disabilities Act (ADA).

14.1104. Inactive, Abandoned or Discontinued Nonconformities.

A. After any nonconforming building, structure or land is discontinued for a period of thirty (30) months, it shall conform to the regulations of the district in which it is located.

B. After a nonconforming residential use is discontinued for a period of thirty (30) months, it shall conform to the regulations of the district in which it is located.

C. Discontinuance of an industrial, commercial, or other business
establishment is subject to TCA § 13-7-208(g).

D. Unless otherwise required by TCA § 13-7-208, an intent to resume activity does not allow the nonconformity to continue.


A. Maintenance, repair, alteration, movement, or enlargement of nonconformity is permitted subject to subsection (b) below.

B. No maintenance, repair, alteration, movement, or enlargement is allowed if it creates an additional nonconformity.

C. A nonconforming business use may expand subject to TCA § 13-7-208(c).

14.1106. Damage or Destruction of Nonconformities.

A. A nonconforming residential use or any use that is not classified as a nonconforming industrial, commercial, or other business use is subject to the following:

1. For purposes of this subsection, "damaged" means involuntary harm caused by fire, explosion, flooding, collision, act of God or a public enemy.

2. No building or structure that is damaged to the extent of more than 60% of its fair market value shall be rebuilt unless it conforms to the setbacks, height, bulk, or requirements as to the physical location of a structure upon the site.

3. When a building or structure is damaged by 60% or less of its fair market value, the building may be restored to its preexisting condition within one year of the date of the damage.

A nonconforming industrial, commercial, or other business use may be destroyed and reconstructed subject to TCA § 13-7-208(d), or restored subject to TCA § 13-7-208(d).
CHAPTER 12
ADMINISTRATION AND ENFORCEMENT

Sections:
14.1201 Organization and Purpose
14.1202 Duties of the Chief Building Official
14.1203 Duties of the Planning Director
14.1204 Powers of the Chief Building Official Regarding the Issuance of Permits
14.1205 Building Permits and Certificates of Occupancy
14.1206 The Board of Zoning Appeals
14.1207 Zoning Variances
14.1208 Conditional Use Permits
14.1209 Amendments
14.1210 Remedies and Enforcement

14.1201. Organization and Purpose

A. The administration and enforcement of this ordinance is hereby vested in the following offices of the government of the City of Lebanon.

1. The Office of the Chief Building Official or Authorized Representative
2. The Office of the Planning Director
3. The Board of Zoning Appeals

B. It is the purpose of this chapter to set out the authority of each of these offices and then describe the procedures and substantive standards with respect to the following administrative functions:

1. Issuance of Permits
2. Issuance of Use and Occupancy Permits
3. Variances
4. Conditional Use Permits
5. Amendments

14.1202. Duties of the Chief Building Official

The Chief Building Official shall enforce the terms of this ordinance and in addition thereto and in furtherance of said authority shall:

A. Issue all building permits, and make and maintain records thereof;

B. Issue all use and occupancy permits, and make and maintain all records thereof;

C. Conduct inspections of buildings, structures, and uses of land to determine compliance with the provisions of this ordinance;
14.1203. Duties of the Planning Director

The Planning Director shall:

A. Maintain permanent and current records of this ordinance, and subsequent amendments, including, but not limited to, all maps, amendments, conditional uses, variations, appeals and applications therefore.

B. Initiate, direct and review, from time to time, a study of the provisions of this ordinance, and make reports of the recommendations to the Lebanon Planning Commission.

C. Analyze and report on all requests for amendments to the Lebanon Planning Commission and City Council.

D. Make analyses and recommendations to the board of zoning appeals on all requests for variances and conditional use permits.


A. The Chief Building Official shall have the power to grant building permits and use and occupancy permits, and make inspections of buildings or premises necessary to carry out his duties in the enforcement of this ordinance. It shall be unlawful for the building official to approve any plan or issue any permits as certificates of occupancy for any excavation or construction until appropriate site plans have been approved by the Planning Commission.

B. Under no circumstances is the building official permitted neither to make changes in this ordinance nor to vary its terms and provisions in carrying out his duties.

C. The building official shall not refuse to issue a permit when conditions imposed by this ordinance have been met by the applicant despite the violations of contracts such as covenants or private agreements which may occur upon the granting of said permit.
14.1205. Building Permits and Certificates of Occupancy

A. Building Permits Required

No building or other structure shall be erected, moved, added to, or structurally altered without a building permit issued by the Chief Building Official.

Except as hereinafter provided, no permit pertaining to the use of land or buildings shall be issued by any office, department, or employee of the city unless the application for such permit has been examined by the Chief Building Official indicating that the proposed building or structure complies with all the provisions of this ordinance and the adopted building code. Any building permit or certificate of occupancy issued in conflict with the provisions of this ordinance shall be null and void.

B. Site Plan Required for Building Permits

All applications for building permits shall be accompanied by a site plan meeting the requirements herein and with sufficient copies to provide for staff and Lebanon Planning Commission distribution; provided however, that a site plan is not required when an existing building is converted from one permitted use to another permitted use and no additional construction is required and that no additional impervious surfaces are added to the site. With the exception of one- and two-family dwellings and other structures in subsection (1) below which may be approved internally by staff, the site plan for all buildings shall be approved by the Lebanon Planning Commission prior to the issuance of the building permit. The approval of any site plan shall lapse at the end of three (3) years if construction has not been initiated, and a new submission will be required meeting all zoning requirements including any amendments since the original approval. Minor amendments to an approved site plan may be approved internally by staff.

All site plans shall be prepared and stamped by registrants of the State of Tennessee who are licensed to practice the particular discipline being prepared (e.g. site layout and drainage by civil engineers, boundary surveyors,).

1. No Site Plan Required

   Single-Family Dwellings, Two-Family Dwellings, non-habitable improvements (air conditioners, dog houses etc.) and improvements that are not under a roof (uncovered decks, patios etc.)

2. Minor Site Plan Required

   A development qualifies for a minor site plan when one of the following criteria is met:

   a. Residential development containing three (3) or four (4) dwelling units
b. Any addition to a commercial building that is less than 25% increase in the area under roof and where the total addition is under 5,000 square feet

c. A new drive thru pattern is not proposed

The Planning Director or Engineering Director may elect to send any minor to Planning Commission.

The following items are required of a minor site plan:

a. The actual shape, location, and dimensions of the lot.

b. The shape, size and location of all buildings or other structures to be erected, altered, or moved, and of any building or other structure already on the lot.

c. The existing and intended use of the lot and of all such buildings or other structures upon it, including the number of dwelling units the building is intended to accommodate.

d. Internal parking, traffic flow and property access.

e. Method and location of stormwater runoff control.

f. Location and Dimensions of Existing and Proposed Utilities (including service line and public mains)

g. Such other information concerning the lot or adjoining lots as may be essential for the determining whether the provisions of this ordinance are being observed.

3. All Other Buildings, Structures, and Activities

All site plans shall be prepared and stamped by registrants of the State of Tennessee who are licensed to practice the particular discipline being prepared (e.g. site layout and drainage by civil engineers, boundary surveyors.)

a. The actual shape, location, bearings, and dimensions of the lot.

b. The shape, size, and location of all buildings or other structures to be erected, altered, or moved, and of any building or other structure already on the lot.

c. The existing and intended use of the lot and of all such building or other structures upon it, including the number of dwelling units the building is intended to accommodate.
d. Topographic features (contours not greater than two (2) foot intervals).

e. 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 of all accessory off-street loading berths.

h. Location of open space and outdoor storage areas.

i. Proposed ground coverage, floor area, and building heights.

j. Position of fences and walls (materials specified).

k. Landscape Plan

1. The Landscape Plan shall reflect the developer's, builder's, or property owner's best effort to utilize landscaping in order to soften the impact of development and help blend new development into Lebanon’s existing landscape. The Plan shall illustrate full compliance with the requirements of this Section for new construction and proportional compliance for additions.

2. Landscape Plan Requirements

   a) A separate Landscape Plan shall be submitted at a minimum scale of one (1) inch equals fifty (50) feet. The Landscape Plan shall clearly describe the location, type, size, and spacing of all plant materials. It shall also include planting details and specifications clearly describing material installation, planting mixtures, mulch, material depth, and other necessary information. The Landscape Plan shall correspond with a phasing plan for the development if phasing is proposed. The following elements shall be shown on the landscape site plan:

   b) Zoning of site and adjoining properties;

c) Existing and proposed contours at two (2) foot intervals or less;

d) Boundary lines and lot dimensions;

e) Date, graphic scale, north arrow, title and name of owner, and the phone number of the person or firm responsible for creating the landscape plan;

f) Location of all proposed structures and storage areas;

g) Drainage features and 100-year floodplain, if applicable;
h) Parking lot layout including parking stalls, bays, and driving lanes;
i) Existing and proposed utility lines, and easements;
j) All paved surfaces and curbs;
k) Existing trees or natural areas to be retained;
l) or existing vegetation intended to be credited toward meeting minimum requirements, the delineation, calculations, and language describing plan for protection during construction;
m) Planting details, specifications, and installation information for plant materials, soil preparation, mulches, edging, etc.;
n) Proposed plant material;
o) Language and calculations that indicate overall minimum requirements;
p) Illustration indicating compliance with visibility at intersection requirements;
q) Proposed phasing for the implementation of the plan; and
r) Plant schedule (see below). The schedule must accurately reflect the landscape plan.

i. The schedule shall be divided according to type of plant material: existing and proposed trees (broken into categories of type of shade trees, evergreen trees, accent/ornamental trees, etc.), shrubs, groundcovers, turf types, including any seed mixes.

ii. Plant name abbreviation (if used), plant name (common name, botanical name and variety), and exact quantities of each plant shall be included on the plant schedule.

iii. The schedule shall indicate the size of plants. Size shall be expressed in terms of size of container (five (5) gallons for shrubs, one (1) gallon for perennials and groundcovers), height of plant (for evergreen trees), or caliper of tree (for deciduous trees).

iv. Plant spacing for shrubs and groundcovers must be indicated (for example: “four (4) feet on center – triangular spacing”).
3. Approval of the Plan
   
a) Reviews of Landscape Plans shall be conducted by the Planning Director. The Planning Director will make a report to the Planning Commission, and the Planning Commission will approve, deny, or ask for the plan to be revised and/or resubmitted to meet the requirements. If, in the opinion of the Planning Commission, the submitted Landscape Plan does not satisfy the requirements of this section, then within 30 days from the Planning Commission's decision, an applicant may appeal in writing to the Board of Zoning Appeals for review and decision.

4. Compliance with the Plan
   
a) A field inspection of plant materials will be conducted prior to the issuance of a Certificate of Occupancy. If the landscaping has not been installed and inspected for proper installation prior to receiving a Certificate of Occupancy, a Certificate of Occupancy may be granted provided the following conditions are met:
      
      i. Property owner provides irrevocable letter of credit for the Codes Department;
      
      ii. The amount of the letter of credit shall be based on material and installation costs of the uninstalled landscape material, including a 10% contingency cost, as shown on the submitted landscape plan; and
      
      iii. The cost of the landscaping shall be certified by a landscape contractor.

l. Location of utilities (sanitary sewers, storm sewers, water mains and sizes, and fire hydrants).

m. Location, type, and size of proposed signs.

n. Proposed means of surface drainage.

o. Location of all easements and rights-of-way.

p. For any site subject to flooding, the limits of floodway and fringe areas, the regulatory flood elevation and regulatory flood protection elevation, and the minimum first floor elevation.

q. The stamp and name of the registered engineer, architect, landscape architect, or surveyor preparing the plan.

r. Where subsoil sewage disposal is anticipated, certification from the county health department approving the lot for such use.
s. Circulation Plan

1. A Circulation Plan shall be submitted.

2. The Circulation Plan shall address street connectivity, pedestrian access and circulation, emergency and service vehicle access, drive-through circulation, parking movements, accommodation of loading operations, turning radii, traffic calming measures where future "cut-through" traffic is likely, and similar issues.

3. The Planning Commission may waive the requirement for a Circulation Plan on a case-by-case basis in the event that a new development is expected to have no impact upon circulation or proposes no change in existing circulation patterns. This provision shall not be construed to exempt development that includes additional parking, driveways, or substantial modifications to the existing pedestrian network.

t. Building Plan

1. The Building Plan shall reflect the developer's, builder's, or property owner's best effort to promote and enhance a high quality built environment. The Plan shall illustrate full compliance with the requirements of this Section.

2. Building Plan Requirements
   a. Applicants shall submit a Building Plan with the following information:
   b. Elevation (to scale) of each building façade that faces or is visible from a public street, private street, or open space;
   c. The amount of transparency as measured by dividing the area of windows and doors by the total façade area of a street-facing story; and
   d. List of proposed exterior materials keyed to or noted on each elevation.

3. Approval of Plan
   a. The review of a Building Plan shall be conducted by the Planning Department. The Planning Department will make a recommendation to approve, disapprove, or ask for the plan to be revised and resubmitted to meet the requirements. The applicant may appeal a decision of the Planning Commission to disapprove the Building Plan in writing to the Board of Zoning Appeals for review and decision.

4. Compliance with Plan
   a. A field inspection will be conducted to confirm compliance prior to the issuance of a Certificate of Occupancy.
1. The Lighting Plan shall reflect the developer's, builder's, or property owner's best effort to ensure outdoor lighting promotes adequate safety and security while reducing its impact on adjacent properties and roadways. The Plan shall illustrate full compliance with the requirements of this Section.

2. Lighting Plan Requirements
   a. When required, the applicant shall provide a lighting plan that indicates the location, height, and design of all exterior lighting; and a photometric plan indicating foot candles at property lines. The Lighting Plan may be included as part of other required plans of the submittal.

3. Approval of Plan
   a. The review of a Lighting Plan shall be conducted by the Engineering Department. At a minimum, Lighting Plans must meet the Middle Tennessee Electric Membership Corporation standards and any subsequent amendments and be approved by the Lebanon Planning Commission. The Engineering Department will make a recommendation to approve, disapprove, or ask for the plan to be revised and resubmitted to meet the requirements. The applicant may appeal a decision of the Planning Commission to disapprove the Building Plan in writing to the Board of Zoning Appeals for review and decision.

4. Compliance with Plan
   a. A field inspection will be conducted to confirm compliance prior to the issuance of a Certificate of Occupancy.

4. Certificate of Occupancy Required

   No building or an addition constructed after the effective date of this ordinance, and no addition to a previously existing building shall be occupied, and no land shall be used for any purpose, until a certificate of occupancy has been issued by the Chief Building Official.

5. Application for Certificate of Occupancy

   Every application for a building permit shall be deemed to be an application for a certificate of occupancy. Every application for a certificate of occupancy for a new use of land where no building permit is required shall be made directly to the office of the Chief Building Official.
6. Issuance of Certificate of Occupancy

The following shall apply in the issuance of any certificate of occupancy.

a. Permits Not to be Issued

No certificate of occupancy shall be issued for any building, structure or part or for the use of any land, which is not in accordance with the provisions of this ordinance.

b. Certificate of Occupancy for Existing Buildings

Certificates of occupancy may be issued for existing buildings, structures or parts thereof, or existing uses of land, if, after inspection, it is found that such buildings, structures or parts thereof, or such use of land, are in conformity with the provisions of this ordinance.

c. Temporary Certificate of Occupancy Permits

Nothing in this ordinance shall prevent the issuance of a temporary certificate of occupancy permit for a portion of a building or structure in process of erection or alternation, provided that such temporary permit shall not be effective for a time period in excess of six (6) months, and provided further that such portion of the building, structure, or premises is in conformity with the provisions of this ordinance.

d. Permits for Dwelling Accessory Buildings

Buildings accessory to dwellings shall not require a separate certificate of occupancy but may be included in the certificate of occupancy for the dwelling when shown on the site plan and when completed at the same time as such dwelling.

7. Final Inspection

No certificate of occupancy for a building, structure, or an addition thereto, constructed after the effective date of this ordinance, shall be issued until construction of the building and on-site improvements have been completed and inspected by Chief Building Official, Planning Director, and Director of Public Works as appropriate.

Additionally, the licensed professional that prepared the plan shall certify to the Planning Director that the final construction including all site improvements is in conformity with the plans and specifications which were approved and upon which the building permit was based.
A. Creation of Board of Zoning Appeals

The board of zoning appeals as created by 1968 Code § 11-201 and amended by Ordinance 83-501 shall continue in effect as appointed.

B. Vacancies and Removal

Vacancies of said board shall be filled for the unexpired term of those members whose position has become vacant by appointment of the Mayor with confirmation by the City Council. A member may be removed from such board for continued absences or just cause by action of the Mayor and City Council after proper hearing.

C. Advisory Opinions

The Lebanon Planning Department and/or the Planning Director may submit an advisory opinion to the board on any matter which may come before the board. The opinion shall be made a part of the official record of the board.

D. Powers of the Board

The board is hereby vested with the powers to:

1. Hear and decide appeals where it is alleged in writing by the appellant that there is error in any order, requirement, permit, decision, or refusal made by the Chief Building Official or other administrative official in carrying out or enforcement of any provision of this ordinance;

2. Hear and act upon applications for variances in accordance with TCA § 13-7-207 (3) and Section 14-1207 of this chapter to alleviate hardships by virtue of the inability of the landowner to comply strictly with the provisions of this ordinance by reasons of exceptional narrowness, shallowness or shape of a specific piece of property at the time of enactment of the zoning regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property, the strict application of any regulation would result in peculiar and exceptional practical difficulties to or undue hardship upon the owner of such property;

3. Hear and act upon applications for conditional use permits in the manner and subject to the standards set out in Section 14.1208 of this chapter or for interpretations of the official zoning map;

4. Hear and decide all special questions or other matters referred to it on which it is required to act under this ordinance.
E. Election of Officers

The board shall elect from its members its own chairman and vice-chairman, who shall serve for one year and may upon election serve succeeding terms.

The board shall elect a secretary who may be a member or such other person from city staff as the board and Mayor shall approve. It shall be the duty of the secretary to keep all records, conduct official correspondence, and supervise the clerical work of the board. The Mayor may provide such other assistance as is necessary.

F. Conflict of Interest

Any member of the board who shall have direct or an indirect interest in any property which is the subject matter of or affected by, a decision of the board shall be disqualified from participating in the discussion, decision, and proceedings of the board in connection with the subject matter. The burden for revealing any such conflict rests with individual members of the board. Failure to reveal any such conflict shall constitute grounds for immediate removal from the board for cause.

G. Meetings of the Board

Meetings shall be held at the call of the chairman and at such other times as the board may determine. The chairman, or in his absence the vice-chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public and proper public notice of such meetings shall be given.

H. Rules and Proceedings of the Board

The board shall adopt rules for the conduct of its meetings. Such rules shall at a minimum require that:

1. The presence of three (3) members of the board shall constitute a quorum. The concurring vote of at least three (3) members shall be necessary to deny or grant any application before the board;

2. No action shall be taken by the board on any case until after an opportunity for public comment and notice thereof. Said notice of public hearing shall be a legal notice published in a newspaper of general circulation before the date set for a public meeting and a sign posted on the subject area of the application with a contact phone number. Written notice adjoining property owners should be sent in time to give notice of the meeting at which the action is to be heard. No appeal should be considered and heard by the board unless such appeal shall have been filed within the time frame as established by the published calendar;

3. The board may call upon any other office or agency of the city government for information in the performance of its duties, and it
shall be the duty of such other agencies to render such information to the board as may be reasonably required;

4. Any officer, agency, or department of the city or other aggrieved party may appeal any decision of the board to a court of competent jurisdiction as provided for by state law;

5. In any decision made by the board on a variance the board shall:

a. Indicate the specific section of this ordinance under which the variance is being considered, and shall state its findings beyond such generalities as “in the interest of public health, safety and general welfare”;

b. In cases pertaining to hardship, specifically identify the hardship warranting such action by the board;

c. Any decision made by the board on a conditional use permit shall indicate the specific section of this ordinance under which the permit is being considered and shall state its findings beyond such generalities as “in the interest of public health, safety and general welfare” and shall state clearly the specific conditions imposed in granting such permit;

d. Appeals will be assigned for hearing in the order in which they appear on the calendar thereof, except that appeals may be advanced for hearing by order of the board, good and sufficient cause being shown;

6. At the public hearing of the case before the board, the appellant shall appear in his/her own behalf or be represented by counsel or agent. The appellant’s side of the case shall be heard first and those in objection shall follow. To maintain orderly procedure, each side shall proceed without interruption from the other. Re-hearings may be granted by a majority vote of the board when it is alleged that there was error or mistake in the original facts or upon introduction of new information not available at the original hearing. A vote of the board shall not be reversed on the same set of facts.

I. Stay of Proceedings

An appeal shall stay all proceedings in furtherance of the action for which an appeal is made, unless the Chief Building Official certifies to the board, after such notice of appeal shall have been filed, that by reason of facts stated in the certificate such stay would cause imminent peril to life or property. In such instance, the proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the board or by a court of competent jurisdiction on application, on notice to the Chief Building Official, and on due cause shown.
J. Liability of Board Members and City Employees

Any board member or city employee charged with the enforcement of this ordinance, acting for the city in the discharge of his/her duties, shall not thereby render him/herself liable personally, and he/she is hereby relieved from all personal liability and shall be held harmless by the city of any damage that may accrue to persons or property as the result of any act required or permitted in the proper discharge of their duties. Any suit brought against any board member or city employee charged with the enforcement of any provision of this ordinance shall be defended by legal representation furnished by the city until the final termination of such proceedings.

K. Right to Entry Upon Land

The board, its members, and employees, in the performance of its work, may enter upon any land within its jurisdiction and make examinations and surveys and place or remove public notices as required by this ordinance.

L. Fee

Any application for a hearing before the board shall be accompanied by a nonrefundable fee in an amount established by the City Council to partially defray the cost of processing.

M. Board has Powers of Administrative Official on Appeals; Reversing Decision of Administrative Official

In exercising its powers, the Board of Zoning Appeals may, so long as such action is in conformity with the terms of this ordinance, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination as ought to be made, and to that end shall have the powers of the administrative official from whom the appeal is taken.

14.1207. Zoning Variances

The board of zoning appeals may grant variances where it makes findings of fact based upon the standards prescribed in this section.

A. Application for Variances, Notice of Hearing

A written application for a variance shall be filed with the board by the property owner or his/her designated agent on forms provided by the board or by letter, and the application shall contain information and exhibits as may be required under Section 14.1205(B) of this chapter. No more than 60 days after the filing of the application, a hearing shall be held on the application, unless otherwise withdrawn or postponed by written request by the applicant. Notice of hearing shall be in accordance with Section 14.1206(H)(2) of this chapter.
B. Notice to Affected Property Owners

It shall be the general rule of the board that reasonable efforts shall be made to contact and notify interested parties, who in the opinion of the board, may be affected by any matter brought before the board. In all cases all owners of record of adjoining property, including those separated by a public way from the premises in question shall be notified.

C. Standards for Variances

The board shall not grant a variance unless it makes findings based upon evidence presented to it as follows:

1. The particular physical surroundings, shape, topographic conditions of the specific property involved that would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict application of this ordinance were carried out must be stated;

2. The conditions upon which the petition for a variance is based would not be applicable, generally, to other property within the same district;

3. The variance will not authorize activities in a zone district other than those permitted by this ordinance;

4. Financial returns only shall not be considered as a basis for granting a variance;

5. The alleged difficulty or hardship has not been created by any person having an interest in the property after the effective date of this ordinance;

6. That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same districts;

7. The variance is the minimum variance that will make possible the reasonable use of the land, building, or structure;

8. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the area in which the property is located; and

9. The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the area.
D. Nonconformity Does Not ConSTITUTE Grounds for Granting of a Variance

No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

E. Prohibition of Use Variances

Under no circumstances shall the Board of Zoning Appeals grant a variance to allow a use not permissible under the terms of this ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this ordinance in the district.

F. Conditions and Restrictions by the Board

The Board of Zoning Appeals may impose such conditions and restrictions upon the premises benefited by a variance as may be necessary to comply with the provisions set out in Section 14.1207(C) above to reduce or minimize the injurious effect of such variation upon surrounding property and better carry out the general intent of this ordinance. The board may establish expiration dates as a condition or as a part of the variances.

G. Variance Appeals

Any person including any agency of the city government aggrieved by a decision of the Board of Zoning Appeals on a variance may appeal by certiorari to a court of competent jurisdiction. The judgment and findings of the Board on all questions of fact that may be involved in any appeal, cause, hearing or proceeding under this chapter shall be final and subject to review only for illegality or want of jurisdiction.

14.1208. Conditional Use Permits

A. Conditional Uses

The Board of Zoning Appeals may hear and decide, in accordance with the provisions of this ordinance, requests for conditional use permits. For the purposes of administration of this ordinance, conditional uses shall be construed as synonymous with special exceptions, as controlled by TCA § 13-7-207.

B. Application for Conditional Use Permit, Notice of Public Hearing

The application for a conditional use permit shall be made by the property owner or designated agent and filed in writing with the board and shall contain information and exhibits as may be required under Section 14.1205.B of this chapter or in the case of buildings or other structures or uses to be located within floodplain districts, as may be required by Chapter 9, Section 902. Not more than 60 days after filing such application, a hearing shall be held on the application, unless otherwise withdrawn or postponed upon written request by the applicant. Notice of hearing
shall be held in accordance with Section 14.1206(H)(2) of this chapter.

C. Requirements for Conditional Use Permit

General requirements are hereby established which shall apply to all applications for conditional use permits, and specific standards listed shall apply to the issuance of a conditional use permit as appropriate. The board may impose such other conditions and restrictions upon the premises benefited by a conditional use permit as may be necessary to comply with the provisions set out in this Section in order to reduce or minimize the injurious effect of such conditional use upon and ensure compatibility with surrounding property and to better carry out the general intent of this ordinance. The board may establish expiration dates for the expiration of any conditional use permit as a condition of approval. A permit may be transferred to another owner or type of use without a rehearing before the board provided that previously approved conditions can be met.

D. General Requirements

A conditional use permit shall only be granted provided the board makes specific findings that it:

1. Is so designed, located, and proposed to be operated so that the public health, safety, and welfare will be protected;
2. Will minimize adverse effects to other property in the area in which it is located;
3. Is within the provisions of “Conditional Uses” as set forth in this Ordinance; and
4. Conforms to all applicable provisions of this ordinance for the district in which it is to be located and is necessary for public convenience in that location and meets the specific standards below.
5. Shall be located so as to be compatible with the surrounding area and provide safety to those using the facility.

E. Specific Standards for Community Facility Activities

In addition to the requirements of the applicable district and the general requirements set forth above, a conditional use permit shall be granted for the community facility activities specified below only when the standards established in this section are met as part of the condition for issuing the permit in the applicable zone districts.

1. Special Conditions for Administrative Services
   a. There must be a demonstrated need for such activities to serve
the neighborhood or the total community.

b. All lot, yard, and bulk regulations of the zone district shall apply.

c. Appropriate off-street parking requirements shall apply.

d. Fencing, screening, and landscaping shall be provided as required by Chapter 8, Section 14.805 to protect surrounding properties and reduce any potential adverse impact.

e. The site, landscaping and architectural plans shall be approved by the Lebanon Planning Commission.

2. Special Conditions for Personal and Group Day Care Facilities

The special conditions listed below only apply to day care facilities as defined. For purposes of this ordinance, day care facilities are classified into two types as defined below:

Day Care Home - includes day care in an occupied residence of not more than eight (8) children including children living in the home.

Day Care Center - includes day care for more than eight (8) pre-teenage children in any kind of building

a. Day Care Home

i. The required lot size, yard, and bulk regulations of the district shall apply. No variances shall be permitted for lots on which such use is to be located.

ii. All public utilities and sanitary sewers shall be available and connected to the site unless the site is over one (1) acre in size and sewer is not available. The Fire Department shall approve the facility for safety.

iii. All requirements of the State of Tennessee that pertain to the use shall be met.

iv. An outdoor play area of at least fifty (50) square feet per child in size shall be available and shall be fenced.

v. Fencing, screening, and landscaping shall be provided as required by Chapter 8, Section 14.805 to protect the surrounding area.

vi. A site plan shall be submitted in conjunction with the application for a conditional use permit.
b. Day Care Center

*No such facility shall be permitted on a zone lot in a residential district unless such lot contains twice the lot area requirements of the district except in the RR district where the minimum lot size shall apply.

i. No such facility shall be located on a minor residential street. Locations shall be limited to collector or arterial streets specified on the official major thoroughfare plan.

ii. In commercial districts the side and rear yard requirements of the adjoining residential district, whichever has the highest standards, shall apply.

iii. A fenced outdoor play area shall be provided of at least fifty (50) square feet per child.

iv. All bulk and space regulations of the district shall be met.

v. Special passenger loading and unloading facilities shall be provided on the same zone lot for vehicles to pick-up or deliver children. The facilities shall provide for driveways that do not require any back-up vehicle movements to enter or exit the zone lot.

vi. All public utilities and sanitary sewers shall be available at the site and connected.

vii. All regulations of the State of Tennessee that pertain to the use shall be met.

viii. The facility shall be located so as to be compatible with the surrounding area and provide safety to those using such facilities.

ix. Fencing, screening, and landscaping shall be provided as appropriate as required by Chapter 8, Section 14.805 to protect the surrounding area as well as the facility.

x. A site plan shall be submitted in conjunction with the application for a conditional use permit.

3. Special Conditions for All Other Personal and Group Care Activities

a. All bulk regulations of the district shall be met.

b. The requirements of the accessory off-street parking regulations of this ordinance shall apply.
c. All regulations of the State of Tennessee shall be met.

d. All public utilities and sewage disposal shall be available and connected to the site, and the site and architectural plans for such a facility shall be approved by the Lebanon Planning Commission taking into account the above conditions as well as any other pertinent factors.

4. Special Conditions for Community Assembly

a. No such facility shall be permitted on a zone lot unless it contains twice the lot area requirements of the districts.

b. All bulk regulations of the zone district shall apply.

c. Except for temporary non-profit festivals, fencing, screening, and landscaping shall be provided as required and meeting the standards of Section 14.805.

d. The location and operation of such community assembly facility shall be in keeping with the character of the surrounding area and shall not adversely affect the properties within the surrounding area.

e. All public utilities and sewage disposal shall be available to the site and connected.

f. The site and/or architectural plans shall be approved by the Lebanon Planning Commission taking into account the above conditions.

g. The conditional use provisions of this Section do not apply to religious activities, which are permitted in any district by right but subject to the requirements of Chapter 12, Section 14.1205(B).

5. Special Conditions for Cultural and Recreational Services

a. No such activity shall be permitted on a zone lot unless it contains twice the lot area requirements of the zone district.

b. All bulk regulations of the zone district shall apply.

c. The off-street parking requirements of this ordinance shall apply.

d. Fencing, screening, landscaping shall be provided as required by Section 14.805 to protect the surrounding area.

e. The location and operation of such facility shall be in keeping
with the character of the surrounding area and shall not have an adverse effect on the properties within the surrounding area.

f. The site and architectural plans shall be approved by the Lebanon Planning Commission taking into account the above conditions.

6. Special Conditions for Community Education

a. No such facility shall be permitted on a zone lot unless such lot contains twice the lot area requirements of the zone district.

b. The traffic generated by such facility shall be safely accommodated along the streets that will provide access to the site.

c. The location and design of such facilities shall not have an adverse effect upon surrounding properties.

d. The off-street parking requirements of this ordinance shall apply.

7. Special Conditions for Health Care

a. Minimum Lot Area:

   No health clinic shall be permitted on a zone lot unless it contains a minimum of ten thousand (10,000) square feet, or twice the lot area requirements of the district, whichever is greater.

b. All other regulations of the zone district shall apply.

c. There shall be provided along the entire site boundaries fencing, screening, and landscaping as required in Section 14-805.

d. The location and operation of such facility shall be in keeping with the character of the surrounding area and shall not have an adverse effect on the properties within the surrounding area.

e. All public utilities and sewage disposal shall be available to the site and connected.

f. The site and/or architectural plans shall be approved by the Lebanon Planning Commission taking into account the above conditions.

g. The following activity classes and types may be permitted
accessory to the Health Care Activities provided they appropriately complement the Health Care Activity, will not impose an adverse impact on the surrounding land use and be subject to all other provisions of the zoning district:

i. Community Facility Activities

ii. Commercial Activities
   Convenience Sales and Services
   Automotive Parking
   Food Service
   Medical Service

8. Special Conditions for Intermediate and Extensive Impact

   a. The location, size, and design of such facilities shall be such that the proposed development shall be as compatible as possible 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 major streets without traversing local minor streets.

   c. The proposed facility shall provide a basic community function or essential service necessary for a convenient and functional living environment in order to be located on the proposed site.

   d. The off-street parking requirements of the parking table shall apply or shall be determined by the board taking into account characteristics of the use.

   e. There shall be provided along the entire site boundaries fencing, screening, and landscaping as required in Section 14.805.

   f. The site plan for such facilities shall be approved by the Lebanon Planning Commission taking into account the above conditions as well as any other pertinent factors related to the use and operation of such facility.

F. Specific Conditions for Commercial Activities

A conditional use permit shall not be granted for the commercial activities specified below unless the conditions established therein are met as a part of the conditions for issuing such permit in the applicable districts.

1. Special Conditions for Consumer Repair
1. The operation of any such repair or servicing activity shall be done within completely enclosed buildings, and no outside storage shall be permitted.

b. The operation of the activity shall not include the storage or use of flammable, explosive, or toxic materials or liquids.

2. Special Conditions for Mini-Warehouses

Mini-warehouse, as defined, may be included as a general personal service subject to the following standards:

a. The location, size, and design of such facility shall be compatible with development in the surrounding area;

b. There shall be provided along the entire site boundaries fencing, screening, and landscaping in accordance with Section 14.805. When the outdoor storage of boats, campers and trailers is to be accommodated on the site, the fencing and screening heights shall be increased to completely screen from public view the boats, campers, and trailers.

c. The use of buildings in which the exterior facade is of one hundred (100) percent metal construction shall be prohibited with the buildings which face a street having a minimum of fifty (50) percent brick or stone;

d. All parking areas and driveways shall be paved;

e. All buildings shall be separated by a minimum of twenty (20) feet;

f. The setback for such activities shall be a minimum of sixty-five (65) feet;

g. An apartment on site may be permitted for security purposes;

h. The maximum size of an individual storage unit shall be five hundred (500) square feet;

i. The facilities shall be designed to prohibit the use by and generation of heavy or semi-truck vehicles.

3. Special Conditions for Extended Stay Hotels or Motels

An Extended Stay Hotel or Motel shall comply with the following Conditions:

a. Such facility shall not exceed three (3) stories in height and
shall have no more than 20 rooms for each acre of land.

b. Such facility shall include a 24-hour daily attendant at the front desk.

c. Each guest room shall have a minimum of three hundred twenty-five (325) square feet per room.

4. Special Conditions for Adult Entertainment Activities

a. By virtue of the adoption of this ordinance, the Lebanon City Council finds that adult entertainment activities, by their very nature, historically have been accompanied by secondary effects that are detrimental to the public health, safety, morals, and welfare. These secondary effects include a wide range of criminal and other unlawful activities such as prostitution, narcotics and liquor law violations, breaches of the peace, assaults, sexual conduct involving physical contact between patrons or between entertainers and patrons and employment of or service to minors. The secondary effects also adversely impact residential neighborhoods, viable business districts and can cause declines in property values. These special conditions are necessary to ensure that adult entertainment activities are located a reasonable distance away from places where minors regularly gather, to protect the character of residential areas from the secondary influences, to protect the economic vitality of nearby businesses and to avoid concentration of adult businesses.

In the consideration of an application for a conditional use permit for an adult entertainment activity the board of appeals shall take the above findings of fact into account.

b. No adult entertainment activity shall be located within one thousand (1,000) feet of a residentially zoned district, the property line of a lot devoted to a residential use, church, day care facility, public library, private/public educational facilities that serve students age seventeen (17) or younger, funeral home/parlor, public park, any business licensed or permitted to sell beer or intoxicating liquors or any other adult entertainment activity or use. The distance requirement specified herein shall be measured in a straight line from and to the nearest roofed structure of the respective premises without regard to intervening structures or objects.

c. A certified and signed survey prepared by a licensed surveyor or engineer showing distance measurements in accordance with b. above to all listed uses shall be submitted with any
application for a conditional use permit for an adult entertainment activity.

d. No adult entertainment activity shall be conducted in any manner that permits the observation of any activities inside a building used for adult entertainment purposes from outside the building.

5. Special Conditions for Group Assembly Activities

a. The location, size, and design of such facilities shall be situated so that the proposed development shall not adversely impact the development within the surrounding area.

b. The traffic generated by such facility shall be safely accommodated along major streets without traversing local minor streets.

c. The off-street parking requirements shall be based on the type of use and the needs of the use to adequately accommodate the expected groups of people.

d. The site plan for such facilities shall be approved by the Lebanon Planning Commission taking into account the above conditions as well as any other pertinent factors related to the use and operation of such facilities.

When an application for a Group Assembly permit includes amusement parks, sports arenas, fairgrounds, racetracks, and similar recreational pursuits, the following requirements shall be observed.

ii. The minimum setback of all structures from all public roads shall be one hundred (100) feet.

iii. Such facility shall be situated so that no residential use is located closer than five hundred (500) feet from building entrance of the principal use at the time of approval.

iv. Access to such facility shall be by a paved public road and such road shall be either a major arterial or major collector. Residential streets should be protected and not used as a main entrance.

v. For those facilities which are not utilized on a regular and frequent basis, parking may be provided on adjacent parcels of land provided further that any parcel so used is located no more than five hundred (500) feet from the
vi. Any lighting provided at such facilities shall be designed in accord with Chapter 8, Section 14-806.

vii. Accessory uses may be permitted in conjunction with the principal use of the property provided that such uses are physically designed as a part of or within the principal structure. Such uses may include food sales, gift or souvenir shops, and similar activities.

6. When an application for a Group Assembly permit includes a private campground, the following standards shall be met:

a. Such campground shall have on-site management;

b. The campground may include convenience commercial establishments such as camp stores, laundry facilities, and personal services; provided that such convenience establishments are subordinate to the recreational character of the campground; are located, designed, and intended to serve exclusively the patrons staying in the campground; and such establishments and their parking areas shall not occupy more than ten (10) percent of the area of the park or one (1) acre whichever is smaller;

c. Such campground shall meet the following standards:

i. Minimum size - ten (10) acres.

ii. Maximum density – ten (10) campsites per gross acre.

iii. Sanitary facilities, including flush toilets and showers - within three hundred (300) feet walking distance of each campsite.

iv. Potable water supply - one spigot for each four (4) campsites.

v. Trash receptacle – adequate to serve the entire campground.

vi. Parking – one (1) space per campsite.

vii. Picnic table – one (1) per campsite.

viii. Fireplace or grill - one (1) per campsite.

ix. Administration or safety building – open at all times
wherein a portable fire extinguisher in operable condition and first aid kit is available, and a telephone is available for public use.

d. Such campground shall meet the following design requirements:

i. A bufferyard that will substantially screen the campsites from view of public rights-of-way and neighboring properties shall be provided around or near the perimeter or that part of the campground containing campsites. Such vegetation or fence shall be maintained in good condition at all times.

ii. Each campground shall reserve at least twenty-five (25) percent of its total area as natural open space excluding perimeter screening. Such open space may include recreation and water areas, but may not include utility areas, administration buildings, commercial areas, or similar activities.

iii. Each campsite shall have a minimum setback of twenty-five (25) feet from any exterior boundary line.

iv. Each campsite and all other buildings shall have a minimum setback from any public road of fifty (50) feet.

v. Each separate campsite shall contain a minimum of 3,200 square feet. (A campsite shall be considered to consist of trailer or tent space, parking space, picnic table, fireplace, and one-half (1/2) the road-way providing access).

vi. Each campsite shall be directly accessible by an interior travel way. All such travel ways shall be paved.

vii. All interior roads shall be a minimum of ten (10) feet wide for one-way traffic and eighteen (18) feet wide for two-way traffic.

viii Each campground shall provide a trailer dump station for the disposal of holding tank sewage

7. Deferred Presentment Services

a. At least 500 ft. from the nearest residential district

b. At least 1320 ft. from any other deferred presentment services.
G. Specific Standards for Agricultural and Extractive Activities

A conditional use permit shall not be granted for the agricultural and extractive activity specified below unless the standards established therein are met as a part of the conditions for issuing such permit in the applicable zone districts.

1. Special Conditions for Crop and Animal Raising
   a. This shall apply to the keeping of farm animals only.
   b. Provided however, that hog pens and confinement chicken houses with more than fifteen (15) chickens shall be prohibited.
   c. Minimum lot size shall be three (3) acres for keeping, raising, or grazing horses, cattle, goats, or sheep.
   d. This shall not be construed to include any kind of confined animal feeding operation.

2. Special Conditions for Plant and Forest Nurseries
   a. The minimum lot size shall be twice the district requirement.
   b. Any buildings shall be appropriately screened from adjoining residential property.
   c. Off-street parking shall be provided adequate for the size of the operation.

H. Specific Standards for Residential Activities

A conditional use permit shall not be granted for the residential activities specified below unless the standards established therein are met as a part of the conditions for issuing such permit in the applicable zone districts.

1. Special Conditions for Semi-Permanent Residential
   a. Off-street parking shall be provided in the amount of one (1) space for each rooming unit plus two (2) spaces for the use.
   b. Fencing, screening, and landscaping may be required by the Lebanon Planning Commission based on the location of the building with relation to adjacent buildings to protect adjoining uses.
   c. All public utilities and public sewer service shall be available.
   d. The building shall be first approved for such use by the Lebanon Fire Department.
e. The site plan for such activity shall be approved by the Lebanon Planning Commission.

2. Bed and Breakfast Homestay

a. The owner of the property or the business owner must reside permanently in the home. If two (2) or more owners own equal shares, at least one (1) of the owners shall reside permanently in the home.

b. A maximum of one (1) off-street parking space shall be provided for each guest room. The design of the parking spaces and their number and location shall also take into account the owner's parking spaces. Fencing, screening, and landscaping may be required to buffer and protect adjoining properties. Large expanses of paved area shall be avoided. No more than two (2) such spaces shall be located in the front yard.

c. A maximum of four (4) guest rooms shall be available for rent, and such rooms shall not occupy more than fifty (50) percent of the total habitable floor area. A guest register shall be maintained and made available to the Building Inspector or other enforcing officer.

d. Meal service shall be limited to breakfast and shall be restricted to overnight guests only. No cooking facilities shall be available in any guest room.

e. No exterior structural or architectural alterations or expansions, other than those necessary to ensure the safety of the building, shall be made to the building for the purpose of providing a bed and breakfast homestay.

f. The maximum length of stay for any guest(s) shall be fourteen (14) consecutive days.

g. The building shall comply with the International One and Two-Family Dwelling Code and shall be inspected prior to occupancy by the Chief Building Official and the Fire Chief or other enforcement officials. In the event the home is a historic building the board may consider the varying the strict application of the code requirements as long as the safety of the guests is not compromised.

h. One (1) sign may be permitted in accordance with the Lebanon Sign Ordinance.
3. Chicken Houses

a. Chicken houses shall be located in the rear yard a minimum of ten (10) feet from any property line.

b. A plot plan shall be submitted showing the location of all buildings on the lot.

c. The maximum number of chickens housed in a chicken house shall be fifteen (15). Roosters are prohibited.

I. Specific Standards for Floodway and Flood-fringe Districts

1. A conditional use permit shall not be granted for any use requiring such a permit until the Board of Zoning Appeals has:

   a. Reviewed the contents of the plan required by Chapter 9, Section 14.902 (D) (2) (a);

   b. Made such determinations as required by Chapter 9, Section 14.902 (G) (1) where necessary;

   c. Considered all relevant factors specified below; and

   d. Attached such conditions as it deems necessary for the protection of the public health, safety, and welfare.

2. Factors Upon Which the Decision of the Board shall be Based:

   In its review of any conditional use proposed for location within any area subject to flood, the board shall consider all relevant factors specified in Chapter 9 of this Title, and;

   a. The danger to life and property due to increased flood heights or velocities caused by encroachments.

   b. The danger that materials may be swept on to other lands or downstream to the injury of others.

   c. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions.

   d. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners.

   e. The importance of the services provided by the proposed facility
to the community.

f. The requirements of the facility for a waterfront location.

g. The availability of alternative locations not subject to flooding for the proposed use.

h. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.

i. The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.

j. The safety of access to the property in times of flood for ordinary and emergency vehicles.

k. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood-water expected at the site.

l. Such other factors which are relevant to the purposes of this Title.

3. Conditions Attached to Conditional Uses

Upon consideration of any conditional use proposed for location within any area subject to flood, the board may attach such conditions to the granting of such use as it deems necessary to further the purposes of this Title. Among such conditions, without limitations because of specific enumeration, may be included:

a. Modification of waste disposal and water supply facilities.

b. Limitations of periods of use and operation.

c. Imposition of operations controls, sureties, and deed restrictions.

d. Requirements for construction of channel modifications, dikes, levees, and other protective measures.

e. Flood proofing measures such as those set forth in Chapter 10 of this Title.

J. Conditional Use Permit Appeals

Any person or agency of the city government may appeal to a court of competent jurisdiction from the Board’s decision as provided under statutes of the State of Tennessee. The judgment and findings of the board on all questions of fact that
may be involved in any appeal, cause, hearing or proceeding under this chapter shall be final, and subject to review only for illegality or want of jurisdiction.

14.1209. Amendments

A. General

1. The City Council may, from time to time, amend this Title by changing the boundaries of districts or by changing any other provisions whenever they find the public necessity, convenience, and general welfare require such amendment.

2. Initiation of Amendment

Amendments may be initiated by the City Council, Lebanon Planning Commission or by an application of one or more owners of property affected by the proposed amendment.

3. Application for Amendment Fee

An application by an individual for an amendment shall be accompanied by a fee in an amount as established by the City Council payable to the City, and shall also be accompanied by maps, drawings, and data necessary to demonstrate that the proposed amendment is in general conformance with the adopted land use plan of the area and that public necessity, convenience, and general welfare, require the adoption of the proposed amendment. An accurate legal description and scale drawing of the land and existing buildings shall be submitted with application.

4. Review and Recommendations by the Lebanon Planning Commission.

The Lebanon Planning Commission shall review and make recommendations to the City Council on all proposed amendments to this Title. The review and recommendations of the Lebanon Planning Commission shall be based upon the land use or general plan for the area as adopted and such other considerations as the Lebanon Planning Commission finds to be applicable to the case.

5. Public Hearing and Notice of Hearing

A public hearing shall be held on all proposed amendments to this ordinance prior to enactment by the City Council. Notice of such hearing shall be displayed as follows: Notice in a newspaper of general circulation within the city shall be published at least fifteen (15) days prior to the public hearing. This notice shall specify the location, current and proposed zoning classification and it may contain a graphic illustration of the area.
6. Amendments Affecting Zoning Map

Upon enactment of an amendment to the zoning map that is a part of this ordinance, the planning director shall cause such amendment to be placed upon the zoning map noting there on the ordinance number.

7. Effect of Denial of Application

Whenever an application for an amendment to the text of this Title or for change in the zoning classification of any property is denied, the application for such amendment shall not be eligible for reconsideration for six (6) months following such denial, except in the following cases:

a. Upon initiation by the City Council or Planning Commission;

b. When the new application, although involving all or a portion of the same property, is for a different zoning district than that for which the original application was made;

c. When the previous application was denied for the reason that the proposed zoning would not conform to the land use plan, and the land use plan has subsequently been amended in a manner which will allow the proposed zoning.

14.1210. Remedies and Enforcement

A. Complaints Regarding Violations

Whenever a violation of this ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the cause and basis thereof shall be filed with the Chief Building Official. The Chief Building Official shall record properly such complaint, immediately investigate, and take action as provided in this ordinance.

B. Penalties for Violation

Violation of the provisions of this ordinance or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances or conditional uses) shall be punishable as provided by law. Each day such violation exists shall be deemed a separate offense.

The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person who commits, participated in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.
C. Remedies

In case any building or other structure is proposed to be erected, constructed, reconstructed, altered, extended or converted, or any building or other structure or land is or is proposed to be used in violation of this ordinance, the Chief Building Official or other appropriate authority of the city government or any adjacent or neighboring property owner who would be especially damaged by such violation may, in addition to other remedies, institute injunction, mandamus or other appropriate action or proceeding to prevent such unlawful erection, conversion or use, to correct or abate such violation, or to prevent the occupancy of such building or other structure or land. Where a violation of these regulations exists with respect to a building or other structure or land, the Chief Building Official may, in addition to other remedies, notify all public utilities and municipal service departments of such violation and request that initial or re-establishment of service be withheld there from until such time as the building or other structure or premises are no longer in violation of these regulations, and each such utility or department shall comply with such request.
CHAPTER 13
LEGAL STATUS PROVISIONS

Sections:

14.1301 Interpretation
14.1302 Relationships to Other Laws and Private Restrictions
14.1303 Provisions Do Not Constitute Permit
14.1304 Provisions are Cumulative.
14.1305 Severability.
14.1306 Effective Date.

14.1301 Interpretation.

In their interpretation and application, the provisions of this Title shall be held to be the minimum requirements for the promotion of the public health, safety, morals, and welfare.

14.1302 Relationships to Other Laws and Private Restrictions

A. Where the conditions imposed by any provisions of this ordinance upon the use of land or buildings or other structures or upon the height or bulk of buildings or other structures are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this ordinance or any other law, or ordinance, of any kind, the provisions that are most restrictive shall apply.

B. This ordinance is not intended to abrogate any easement, covenant, or any other private agreement provided that where the regulations of this Title are more restrictive (or impose higher standards or requirements) than such easements, covenants, or other restrictive agreements, the requirements of this Title to the extent that they are more restrictive shall govern.


Nothing contained in this ordinance shall be deemed to be a consent, license, or permit: to use any property; or locate, construct, or maintain any building, structure, or facility; or to carry on any trade, industry, occupation, or activity.

14.1304 Provisions are Cumulative.

The provisions of this ordinance are cumulative with any additional limitations imposed by all other laws and ordinances heretofore passed or which may be passed hereafter governing any subject matter appearing in this ordinance.

It is hereby declared to be the intention of the City Council that the several provisions of this ordinance are separable in accordance with the following:

A. If any court of competent jurisdiction shall adjudge any provision of this ordinance invalid, such judgment shall not affect any other provision of this ordinance not specifically included in said judgment.

B. If any court competent jurisdiction shall adjudge invalid the application of any provision of this ordinance to a particular property, building, or other structure, such judgment shall not affect the application of said provisions to any other property, building, or structure not specifically included in said judgment.

14.1306. Effective Date.

This ordinance shall be in force and effect from and after its passage and adoption, the public welfare requiring it.

Approved and Certified by the Lebanon Planning Commission:

Notice of the Public Hearing was published in the Lebanon Democrat on October 31, 2014

The Public Hearing was held at 5:55 PM in the City Council Chambers on November 18, 2014

Secretary Chairman

Date

Approved by the Lebanon City Council:

Approved on First Reading

Approved on Second Reading
1/7/2020

Mayor

Effective Date: 

ATTEST:

City Recorder

APPROVED AS TO LEGALITY AND FORM:

City Attorney
APPENDIX A

RULES FOR CONSTRUCTION OF LANGUAGE AND DEFINITIONS

Rules for Construction of Language. In the construction of this Title, the rules contained in this Section shall be observed and applied, except when the context clearly indicates otherwise:

(a) The particular shall control the general.

(b) The word “shall” is always mandatory.

(c) The word “may” is permissive.

(d) The word “lot” shall include the words “piece” or “parcel”.

(e) The word “structure” includes all other structures, or parts thereof, of every kind regardless of similarity to buildings; and

(f) The phrase “used for” shall include the phrases “arranged for”, “designed for”, “intended for”, “maintained for”, and “occupied for”.

(g) In the case of any difference of meaning or implication between the text of this Title and any caption, illustration, or table the text shall control.

(h) The word “permitted” or words “permitted as of right”, means permitted without meeting the requirements for a conditional use permit.

(i) The words “conditionally permitted” or “permitted by conditional use permit” means permitted subject to the requirements for a conditional use by special permit pursuant to Chapter 12 of this Title, and all other applicable provisions.

(j) Words used in the present tense shall include the future, and words used in the singular include the plural, and the plural the singular, unless the context clearly indicates the contrary.

(k) Unless the context clearly indicates to the contrary, conjunctions shall be interpreted as follows:

(1) “And” indicates that all connected items, conditions, provisions, or events shall apply.

(2) “Or” indicates that one or more of the connected items, conditions, provisions, or events shall apply.
“Either or” indicates that the connected items, conditions, provisions, or events shall apply single but not in combination.

All public officials, bodies, and agencies to which reference is made are those of The City of Lebanon, Tennessee.

DEFINITIONS

Except where definitions are specifically included in various sections of this Title words in the text or tables of this Title shall be interpreted in accordance with the provisions set forth in this section. Where words have not been defined, the standard dictionary definition shall prevail.

Accessory - An activity, building or structure that is customarily associated with and is appropriately incidental and subordinate to a principal activity and/or building or structure and located on the same zone lot, except as provided for under the provisions of accessory off-street parking.

Activity - The performance of a function or operation, which constitutes the use of land.

Adult Entertainment - Any exhibition of any adult-oriented motion picture, live performance, display or dance of any type, which has a significant or substantial portion of the performance, any actual or simulated performance of specified sexual activities, including removal of articles of clothing or appearing unclothed.

Adult Oriented Establishment - A use type with the same meaning as the term “adult oriented establishment” as used in TCA § 7-51-1102, and in construing this term, the definitions contained in TCA § 7-51-1102 (1) – (6) and (9) – (27), are likewise incorporated by reference into and made a part of this ordinance.

Apartment - One or more rooms in a dwelling designed and intended for occupancy as a separate dwelling unit.

Alley - A public or private way intended to provide only secondary vehicular access to side and rear of abutting properties and no more than twenty-five (25) feet in width.

Attached - Joined together by party wall(s).

Backyard Garden - An area located behind the principal structure either in the ground or in raised beds established for growing vegetables for consumption on the premises.

Bar - A place of business primarily devoted to the serving of alcoholic beverages and in which the service of food is incidental to the consumption of such beverages (may also be known as a tavern).
Basement - A story where the floor is more than twelve (12) inches, but not more than one-half (1/2) of its story height, below the average level of the adjoining ground (as distinguished from a “Cellar” which is a story more than one-half (1/2) of its story height below such level).

Bed and Breakfast Homestay - An owner-occupied building or portion thereof that was formerly a single-family dwelling offering transient lodging accommodations and breakfast to guests where rent is paid in money.

Brew Pub - A restaurant at which beer is brewed on site as an accessory use in small batches for on premise consumption. The brewing operation shall not exceed thirty (30) percent of the gross floor area.

Building - A structure permanently affixed to the ground, with a roof, and intended for the shelter or enclosure of persons or property. Where roofed structures are separated from each other by party walls having no openings for passage, each portion so separated shall be considered a separate building.

Building Permit - A written permit issued by the Building Official that is required before commencing any construction, reconstruction, or alteration of any building or structure or before establishing, extending, or changing any activity or use on any zone lot and may be construed the same as a building permit required by the building code.

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 structures in relation to lot lines, to other walls of the same building, to legally required windows, or to other structures; and
(d) All open areas relating to buildings or other structures and their relationship thereto.

Cellar - (See Basement)

Chicken House - An accessory structure built to contain a limited number of chickens and containing nest boxes for egg laying and perches on which they can sleep.

Common Open Space - A parcel or parcels of land and/or an area of water within the site designated as a planned development to be permanently preserved and designed and intended for use or enjoyment of the occupants of said development or set aside as permanent undeveloped open space. The open space may contain such complementary structures and improvements as necessary and
appropriate for the benefit and enjoyment of the occupants of such development and may be developed as a golf course or community garden with appropriate ancillary uses.

**Completely Enclosed** - Refers to a building or other structure having a roof, and separated on all sides from the adjacent open area or from other buildings or other structures, by exterior walls or party walls, pierced only by windows or entrance and exit doors normally provided for persons, goods, or vehicles.

**Conditional Use** - A conditional use is a use that would not be appropriate generally or without restriction throughout the zoning division or districts 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 division or district as conditional uses, if specific provisions for such use are made in this ordinance. For the purposes of this ordinance, conditional uses shall be construed as synonymous with use on appeal or special exceptions as authorized by Section 13-7-206 Tennessee Code Annotated.

**Confined Animal Feeding Operations** - An animal feeding operation where large numbers of animals are kept and raised in confined situations that requires that feed be brought to the animals rather than the animals grazing or seeking feed in pastures or fields.

**Construction Trailer** - A factory-manufactured structure located on an approved construction site, not designed for use as sleeping quarters, but to be used in support of construction activities.

**Court** - An open, unoccupied space other than a yard, on the same lot with a building or group of buildings and which is bounded on two or more sides by such building or buildings.

**Curb Level** - The mean of the elevations of the side lot lines extended to the street line.

**Development Area Per Dwelling Unit** - The net amount of land area of a single zone lot required for each dwelling unit to be placed on the zone lot (may also be referred to as density).

**Dormitory** - A building specifically designed for long-term stay by students of a college, university, or nonprofit organization for the purpose of providing rooms for sleeping. Common areas and a common kitchen may be included.

**Duplex** - See Dwelling, Two-Family Detached

**Dwelling** - A building, or portion thereof, designed or used exclusively for residential occupancy, but not including transient occupancy.
Dwelling Detached - A building located on a single zone lot surrounded by yards or open area on the same zone lot.

Dwelling, Mobile Home - A one (1) section manufactured home on a single chassis designed to be occupied as a single living unit.

Dwelling, Multi-Family - A building containing two or more dwelling units. The term includes apartments, condominiums, and the like.

Dwelling, Single-Family - A building containing only one dwelling unit. The term is general, including such specialized forms as single-family detached, one-family semi-detached and one-family attached houses. For regulatory purposes, the term is not to include mobile homes, travel trailers, housing mounted on self-propelled or drawn vehicles, tents, or other forms of portable or temporary housing.

Dwelling, Single-Family Detached - A building containing one (1) dwelling unit located on an individual lot. This shall include multi-sectional manufactured homes, provided that such homes shall be less than 5 years old at the time of being placed on its permanent location, an enclosed foundation, and base foundation landscaping. Such foundation shall not include exposed concrete block.
Dwelling, Semi-Detached - A building containing not more than two (2) 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.

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

Dwelling, Three-family Detached - A detached residential building containing three dwelling units, designed for occupancy by not more than three (3) families, also known as a triplex.

Dwelling, Town Home – A building containing three or more single-family dwelling units on individual lots with each dwelling unit being separated from the others by a party wall.
Dwelling Unit – A room or rooms connected together constituting a separate independent living facility for one (1) family only, including permanent living, sleeping, eating, cooking, bathing, and sanitary facilities.

Extended Stay Hotel or Motel - A hotel or motel as defined herein in which the guest rooms have separate sleeping and living areas and may include limited kitchen facilities.

Family – A household of legal relatives or a household of not more than 1.5 people per room. In making this determination kitchens, bathrooms and utility or unfinished rooms will not be counted in this calculation. State or Federally Protected Group Homes will also be considered a family for this Zoning Code.

Flea Market (includes swap meets) – An outdoor commercial activity, not including shopping centers or individual retail operations, that is conducted on an occasional or periodic basis in an open area where goods are offered for sale to the general public by individual sellers from open or semi-open facilities or temporary structures.

Floor Area - The total of the gross horizontal areas 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 buildings or portions thereof, or within lines drawn parallel to and two feet within the roof line of any building or portion thereof without walls, but excluding the following:

(a) Areas used for off-street parking spaces or loading berths and driveways and maneuvering aisles relating thereto where required in this Title; and in the case of nonresidential facilities: arcades, porticoes, and similar open areas which are located at or near street level, which are accessible to the general public, and which are not designed or used as sales, display, storage, service, or production areas.
Floor Area Ratio - The total floor area on a zone lot, divided by the lot area of that zone lot. (For example, a building containing twenty thousand (20,000) square feet of floor area on a zone lot of ten thousand (10,000) square feet has a floor area ratio of (2.0).

Fraternity/Sorority House – A building used as group living quarters for students of a college or university, who are members of a fraternity or a sorority that has been officially recognized by the college or university and has a licenser or charter from the national organization.

Gross Area - An area of land, which is inclusive of all land uses and streets, and other public areas located within the development.

Group Home – A building, or portion thereof, that is licensed by the Department of Human Services or the Department of Public Health as a rooming and/or boarding house for people who are mentally ill or chemically dependent and receives its residents under a contract or other arrangement with the state or local government agency.

Halfway House – A licensed home for inmates on release from more restrictive custodial confinement wherein supervision, rehabilitation and counseling are provided to mainstream residents back into society.

Hazardous Occupancy - The use of a building or any part thereof, that involves the manufacture, use, or storage of highly combustible, flammable, or explosive materials or materials that constitute a high fire hazard and further defined as a type “H” occupancy in Chapter 3, Section 307, ICC International Building Code, 2003 Edition.

Height (of building) - The vertical distance measured from the highest point of a structure (but excluding HVAC systems on roofs) to the average finished grade across the front of the structure.

Home Occupations - An accessory activity of a nonresidential nature that is performed within the dwelling unit or an accessory structure thereto and which is incidental to the residential use of the property and subject further to the supplemental provisions contained in Chapter 8.

Hotel – An establishment providing transient lodging which includes a 24-hour front desk attendant, restaurant, room service, laundry and dry cleaning service, meeting rooms, health club or swimming pool, and concierge/guest services and in which the guest rooms are accessible from an indoor corridor.

Incidental Alterations

(a) Changes or replacements in the nonstructural parts of a building or other structure without limitations to the following examples:
(1) Alterations of interior partitions to improve livability in a nonconforming residential building, provided that no additional dwelling units are created;
(2) A minor addition to the exterior of a residential building, such as an open porch;
(3) Alterations of interior non-load-bearing partitions in all other types of buildings or other structures;
(4) Replacement of, minor change in, capacity of utility pipes, ducts, or conduits; or

(b) Changes or replacements in the structural parts of a buildings or other structure, limited to the following examples or others of similar character or extent:

(1) Making windows or doors in exterior walls;
(2) Replacement of building facades having non-load-bearing capacity;
(3) Strengthening the floor load-bearing capacity, in not more than ten (10) percent of the total floor area, to permit the accommodation of specialized machinery or equipment.

Land With Incidental Improvements - A tract of land that contains improvements including buildings or other structures having a total assessed valuation of five thousand dollars ($5,000) or less.

Landowner - The legal or beneficial owner or owners of all the land proposed to be included in a planned unit development. The holder of an option or contract to purchase, a lessee having a remaining term of not less than fifty (50) years in duration, or other person having an enforceable proprietary interest may be considered a “landowner” for the purpose of this Title.

Landscaping - The planting and maintenance of trees, shrubs, lawns, and other vegetative ground cover or materials, provided that terraces, fountains, retaining walls, street furniture, sculptures, or other art objects, and similar accessory features may be included as landscaping if integrally designed.

Legal Nonconformity – Any existing use, lot, building or other structure that was legally established before the effective date of this zoning ordinance or that is created by amendment and that does not comply with one or more of its provisions. Any nonconforming use, nonconforming structure or nonconforming lot is defined below.

Legally Nonconforming Lot – A lawful lot-of-record that is below the minimum lot size for the zoning district or fails to meet dimensional requirements as of the effective date of this ordinance.

Legally Nonconforming Structure – A lawfully established structure that does not conform to the zoning district regulations that govern size, setbacks, or other dimensional requirements.
Legally Nonconforming Use – A lawfully established use that is not permitted in the zoning district. This typically applies where:

1. the use is no longer allowed in the district, or
2. the use was established without conditions and it would now require a conditional use permit, or
3. the zoning regulations changed due to actions by the city.

A “legally nonconforming residential use” is a nonconforming use that is classified as residential in Chapter 3 and Appendix C of this ordinance.

Lot - For purposes of this Title, a lot is a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street.

Lot Area - The entire area of a zone lot.

Lot Area Per Dwelling Unit - That portion of the lot area required for each dwelling unit located on a zone lot. This may also be known as the development area per dwelling unit.

Lot Coverage - That portion of a zone lot which when viewed directly from above, could be covered by a building or any part of a building.

Lot Frontage - The front of a lot shall be construed to be the portion nearest the street. For the purposes of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under yards.

Lot Line - A boundary of a zone lot.

Lot Measurements

(a) Depth of a lot shall be considered to be the distance from the midpoint of the front lot line to the midpoint of the rear lot line.
(b) Width of a lot shall be considered to be the distance along a straight line connecting the side lot lines measured across the lot at the point of the required front yard setback.

Lot of Record - A lot that is part of a subdivision recorded in the office of the county recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

Lot Types - The diagram, which follows illustrates terminology used in this ordinance with reference to corner lots, interior lots, reversed frontage lots and through lots;
In the diagram, Corner Lot is defined as a lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees.

Interior Lot is defined as a lot other than a corner lot with only one (1) frontage of a street.

Through Lot is defined as a lot other than a corner lot with frontage on more than one street. Through lots abutting two (2) streets may be referred to as double frontage lots.

**TYPES OF LOTS**

Massage Parlor – An establishment or place primarily in the business of providing massage services.

Mobile Home - (See Dwelling, Mobile Home)

Mobile Home Community - A development that is designed and constructed to accommodate mobile homes.

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

Mobile Home Stand - That part of an individual mobile home space that has been reserved for the placement of the mobile home.

Modular Building - A factory manufactured building, not self-propelled, neither designed nor constructed to allow attachment of wheels to either an axle or its
frame, meeting all requirements of the applicable building or housing code, and
designed for use as a residence, office, apartment, storehouse, warehouse, or
any other similar purpose.

**Motel** - An establishment providing transient lodging, which includes a 24-hour
front desk attendant, room service, may or may not include restaurants but no in-
room food preparation and in which the guest rooms are accessible from outdoor
parking areas or walkways and are rented on a less than monthly basis

**Overall Density** - The dwelling units per gross square feet of the total area within
a residential development.

**Party Wall** - A wall on an interior lot line separating two individual dwelling units
which are attached at that wall and which are constructed as a fire wall extending
from the footings to the roof without openings and would inhibit the spread of fire
from one dwelling unit to another.

**Planned Development** – A development of land under unified control to be planned
and developed as a whole according to a master plan in a single development
operation or a definitely programmed series of phases. A planned development
includes all principal and accessory structures and uses related to the character
of development and is built according to detailed plans for all buildings, streets, utilities, drainage facilities, lots, building locations, and landscaping. The development may include areas, facilities, and improvements for common use by the property owners that are and will continue to be privately owned and maintained.

**Plot Plan** – A scaled drawing showing the locations of existing and proposed
buildings on a residential lot that is used for the purpose of locating accessory
structures on a lot.

**Principal Activity** - An activity or use that fulfills a primary function of an
establishment, institution, household, or other entity.

**Principal Building** – A building in which is conducted the principal activity or use
of the lot on which it is situated. In any residential district, any dwelling shall be
deemed the principal building on any lot on which the dwelling is situated. Carports
and garages, if permanently attached to the principal building are deemed to be a
part of the principal building.

**Recycle Center** – An indoor facility in which used materials are separated and
processed for shipment for eventual reuse in new products.

**Required Yard** - That portion of a zone lot that is required by the specific district
regulations to be open from the ground to the sky and may contain only explicitly
listed obstructions.

**Residence** - A building or part of a building containing one (1) or more dwelling
units or rooming units, including single-family or two-family dwelling, multiple
dwellings, boarding or rooming houses, or apartment hotels. However, residences do not include:

(a) Such transient accommodations as transient hotels, motels, tourist homes, or similar establishments, or
(b) Dormitories, fraternity or sorority houses, monasteries, or convents, or similar establishments containing group living or sleeping accommodations, or
(c) Nurses’ residences, sanitariums, nursing homes, convalescent homes, rest homes, or other sleeping or living accommodations in community facility buildings or portions of buildings used for community facilities, or
(d) In a mixed building, that part of the building used for nonresidential uses, except uses accessory to residential use.

**Rooming Unit** - A unit of occupancy of semi-permanent residential activity.

**Sauna** – A steam bath or heated bathing room used for the purpose of bathing, relaxation or reducing utilizing steam or hot air as a cleaning, relaxing or reducing agent.

**Semi-Permanent Residential Establishment** - An establishment where lodging is provided for compensation partly on a monthly or longer basis and partly for a shorter time period, but excluding institutional and group care living arrangements involving the provision of a specific kind of forced residence, such as nursing homes, orphanages, half-way houses, asylums, and prisons.

**Front Setback Line** - A line running parallel to the street that establishes the minimum distance the principal building must be setback from the street line.

**Single Ownership** - Means a proprietary interest of a landlord as defined herein.

**Single Room Occupancy (SRO) Residential Facility** – An establishment providing multiple single room rental units with or without cooking facilities on a monthly or longer basis. These facilities shall be considered to be transient habitation for use; provided however, that due to the duration of stay of the rentals, for zoning purposes and SRO shall be classified as a semi-permanent residential activity.

**Story** - A portion of a building between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, the space between such floor and the ceiling next above it, provided that the following shall not be deemed a story:

(a) A basement or cellar if the finished floor level directly above is not more than six (6) feet above the average adjoining elevation of finished grade; or
(b) An attic or similar space under a gable, hip, or gambrel roof, where the wall plates of any exterior walls are not more than two (2) feet above the floor of such space; and further provided, that a story shall not exceed
Street - A publicly maintained right-of-way, other than an alley, which affords a primary means of access.

Street Line - A lot line dividing a lot or tract from an abutting street.

Structure – Any erected or constructed material or combination of materials that requires a location on the ground, including but not limited to buildings, signs, towers, smokestacks, and overhead transmission lines.

Triplex – See Dwelling, Three-Family.

Use - The performance of a function or operation that constitutes the use of land.

Certificate of Occupancy - A written permit issued by the Chief Building Official required before occupying or commencing to use any building or other structure or any zone lot.

Yard - That part of a zone lot extending open and unobstructed from the lowest level to the sky along the entire length of a lot line, and from a lot line equivalent from a depth or width set forth in the applicable regulations.

Yard, Diagram - The following diagram showing “Yard Setbacks” shall be used in clarifying the usage of the “line” and “yard” definitions of this Title:

Yard, Front – extending along the full length of a front lot line. In the case of a corner lot, a yard of at least full depth required for a front yard in these regulations, and extending along the full length of a street line shall also be established. Each lot shall have a designated front yard.
Yard, Rear – An open space, except for permitted accessory structures, extending for the full length of a rear lot line. On any one parcel there is only one rear lot line (but it can be straight, curved, or meandering). On parcels that have only three lot lines the three lines are either front or side lines. The rear yard will be measured from the rear corner.

Yard, Side – An open unoccupied space extending along a side lot line from the required front yard to the required rear yard. In the case of a corner lot, any yard which abuts a street line and which is not designated a front yard shall be considered a side yard and shall meet the same requirements as a front yard. In the case of a through lot, side yards shall extend between the required front yards, except when such corner lots are required by these regulations specifically to have more than one front yard.

Zone Lot - A parcel of contiguous land which is or may be developed or utilized under one ownership as a site for a use or group of uses and which is of at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have minimum frontage on an improved, dedicated and accepted public street, or on an approved private street, and may consist of a lot of recorded, at the Wilson County Register of Deeds office.
### APPENDIX B: LAND USE ACTIVITY CLASSIFICATION TABLE

<table>
<thead>
<tr>
<th>ZONING DISTRICTS</th>
<th>PERMANENT RESIDENTIAL</th>
<th>SEMI-PERMANENT RESIDENTIAL</th>
<th>COMMUNITY FACILITY ACTIVITIES</th>
<th>COMMERCIAL ACTIVITIES</th>
<th>KEY</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ACTIVITY</strong></td>
<td>RR RS20 RS12 RS9 RD9 RS6 RM6 R2 RP2 SP UC DMU*** CN CD*** CS CG CO OP IP IL IH DMU</td>
<td><strong>ACTIVITY</strong></td>
<td><strong>COMMUNITY FACILITY ACTIVITIES</strong></td>
<td><strong>COMMERCIAL ACTIVITIES</strong></td>
<td><strong>KEY</strong></td>
</tr>
<tr>
<td>Dormitories &amp; Fraternity/Sorority Houses</td>
<td>N N N N N N P P P P N N N N N N N N P</td>
<td>SEMI-PERMANENT RESIDENTIAL</td>
<td>Administrative</td>
<td>N N N C N C C C * P P P P P P P P P C</td>
<td>P - Permitted</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Community Assembly</td>
<td>C C C C C C C C C * C N N N N N N P</td>
<td>N - Not Permitted</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Community Education</td>
<td>C C C C C C C C C * C N N N N N N P</td>
<td>C - Conditional Uses Permitted on Appeal</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Cultural and Recreation Services</td>
<td>C C C C C C C C C * C N N N N N N P</td>
<td>* All uses in the SP District are subject to approval when the SP Ordinance is considered.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Extensive Impact</td>
<td>N N N N N N N N N N * P N N N N P N N N P P</td>
<td>** When Entertainment &amp; Amusement Services are proposed in the CS district, batting and golf driving shall be excluded.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Health Care</td>
<td>N N N N N N N N N N * N N P P N N N N N</td>
<td>*** The CD district does not allow package stores, tobacco/nicotine sells, deferred precurement or tattoo services.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Intermediate Impact</td>
<td>C C N N C N N N N P</td>
<td>(CONTINUED FROM PREVIOUS PAGE)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Personal &amp; Group Care</td>
<td>N N N N N N N N C * P N P N P P P N N N N</td>
<td>(CONTINUED NEXT PAGE)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>ANY USES IN A GIVEN ZONING DISTRICT ARE SUBJECT TO APPROVALS:</strong></th>
<th><strong>ADMINISTRATIVE</strong></th>
<th><strong>COMMERCIAL</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mobile Home Park</td>
<td>N N N N N N N N N N</td>
<td>N N N N N N N N N N</td>
</tr>
<tr>
<td>Mobile Home Park</td>
<td>N N N N N N N N N N</td>
<td>N N N N N N N N N N</td>
</tr>
<tr>
<td>Dormitories &amp; Fraternity/Sorority Houses</td>
<td>N N N N N N N N N N</td>
<td>N N N N N N N N N N</td>
</tr>
<tr>
<td>Residential Districts</td>
<td>N N N N N N N N N N</td>
<td>N N N N N N N N N N</td>
</tr>
</tbody>
</table>

**EXCEPTIONS TO THE CODE:**

- N - Not Permitted
- C - Conditional Uses Permitted on Appeal
- P - Permitted
- * All uses in the SP District are subject to approval when the SP Ordinance is considered.
- ** When Entertainment & Amusement Services are proposed in the CS district, batting and golf driving shall be excluded.
- *** The CD district does not allow package stores, tobacco/nicotine sells, deferred precurement or tattoo services.
### APPENDIX B: LAND USE ACTIVITY CLASSIFICATION TABLE

**ZONING DISTRICTS**

| ACTIVITY | RR | RS20 | RS12 | RS9 | RS6 | RM6 | R2 | RP2 | SP | UC | DMU*** | CN | CD*** | CS | CG | CO | OP | IP | IL | IH | DMU |
|----------|----|------|------|-----|-----|-----|----|-----|----|----|--------|----|--------|---|----|----|----|----|----|----|    |    |     |
| Financial, Consultative and Administrative | N  | N    | N    | N   | N   | N   | N  | N   | P  | *  | N     | P  | P     | P  | P  | P  | P  | P  | P  | P  | Financial, Consultative & Administrative |
| Food & Beverage Services | N  | N    | N    | N   | N   | N   | N  | N   | C  | *  | N     | P  | P     | P  | P  | P  | P  | P  | P  | P  | Food & Beverage Services |
| Food Service Drive-in & Drive-thru | N  | N    | N    | N   | N   | N   | N  | N   | N  | *  | N     | N  | N     | P  | P  | P  | P  | P  | P  | P  | Food Service Drive-in & Drive-thru |
| General Business & Communication Services | N  | N    | N    | N   | N   | N   | N  | N   | N  | *  | N     | N  | N     | P  | P  | P  | P  | P  | P  | P  | General Business & Communication Services |
| General Personal Services | N  | N    | N    | N   | N   | N   | N  | N   | N  | *  | N     | P  | P     | P  | P  | P  | P  | P  | P  | P  | General Personal Services |
| General Retail Trade | N  | N    | N    | N   | N   | N   | N  | N   | N  | *  | N     | P  | P     | P  | P  | P  | P  | P  | P  | P  | General Retail Trade |
| Group Assembly | N  | N    | N    | N   | N   | N   | N  | N   | N  | *  | N     | P  | N     | N  | C  | N  | N  | N  | N  | N  | Group Assembly |
| Heavy Construction Service | N  | N    | N    | N   | N   | N   | N  | N   | N  | *  | N     | N  | N     | N  | N  | N  | C  | P  | N  | Heavy Construction Service |
| Light Construction Service | N  | N    | N    | N   | N   | N   | N  | N   | N  | *  | N     | N  | P     | P  | P  | P  | N  | P  | P  | N  | Light Construction Service |
| Medical Services | N  | N    | N    | N   | N   | N   | N  | N   | N  | *  | N     | P  | P     | P  | P  | P  | P  | P  | N  | Medical Services |
| Medium Construction Service | N  | N    | N    | N   | N   | N   | N  | N   | N  | *  | N     | N  | N     | P  | N  | P  | P  | P  | N  | Medium Construction Service |
| Transient Habitation | N  | N    | N    | N   | N   | N   | N  | N   | N  | *  | N     | C  | P     | P  | P  | N  | P  | N  | N  | Transient Habitation |
| Extended Stay Hotel/Motel | N  | N    | N    | N   | N   | N   | N  | N   | N  | *  | N     | N  | N     | N  | N  | N  | N  | N  | N  | Extended Stay Hotel/Motel |
| Transport & Warehousing | N  | N    | N    | N   | N   | N   | N  | N   | N  | *  | N     | N  | N     | N  | N  | N  | N  | P  | P  | N  | Transport & Warehousing |
| Undertaking Services | N  | N    | N    | N   | N   | N   | N  | N   | N  | *  | N     | P  | P     | N  | N  | N  | N  | N  | P  | N  | Undertaking Services |
| Vehicular, Craft & Related Equipment Sales | N  | N    | N    | N   | N   | N   | N  | N   | N  | *  | N     | N  | N     | P  | N  | P  | P  | P  | N  | Vehicular, Craft & Related Equipment Sales |
| Wholesale Sales | N  | N    | N    | N   | N   | N   | N  | N   | N  | *  | N     | N  | N     | P  | N  | P  | P  | P  | N  | Wholesale Sales |
| **INDUSTRIAL ACTIVITIES**

| Light | N   | N    | N    | N   | N   | N   | N  | N   | N  | *  | N     | N  | N     | N  | N  | N  | N  | P  | P  | P  | Light |
| Medium | N   | N    | N    | N   | N   | N   | N  | N   | N  | *  | N     | N  | N     | N  | N  | N  | N  | P  | P  | P  | Medium |
| Heavy | N   | N    | N    | N   | N   | N   | N  | N   | N  | *  | N     | N  | N     | N  | N  | N  | N  | N  | N  | N  | Heavy |

**AGRICULTURAL RESOURCE PRODUCTION & EXTRACTIVE**

| Agricultural Services | P   | N    | N    | N   | N   | N   | N  | N   | N  | *  | N     | N  | N     | N  | N  | N  | N  | N  | N  | N  | Agricultural Services |
| Crop & Animal Raising | P   | N    | N    | N   | N   | N   | N  | N   | N  | *  | N     | N  | N     | N  | N  | N  | N  | N  | N  | N  | Crop & Animal Raising |
| Mining & Quarrying | N   | N    | N    | N   | N   | N   | N  | N   | N  | *  | N     | N  | N     | N  | N  | N  | N  | N  | N  | N  | Mining & Quarrying |
| Plant & Forest Nurseries | P   | N    | N    | N   | N   | N   | N  | N   | N  | *  | N     | N  | N     | N  | N  | N  | N  | N  | N  | P  | Plant & Forest Nurseries |

**KEY**

- P - Permitted
- N - Not Permitted
- C - Conditional Uses Permitted on Appeal

* All uses in the SP District are subject to approval when the SP Ordinance is considered.

**When Entertainment & Amusement Services are proposed in the CS district, batting and golf driving shall be excluded.**
The following cross reference index lists many types of land uses and references the activity classification in which the use is located for regulatory purposes and which is further detailed in Chapter 3. The index does not necessarily include all possible land uses. Some uses may fall into more than one classification depending upon the use characteristics.

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Activity Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A</strong></td>
<td></td>
</tr>
<tr>
<td>Accounting, Auditing, and Bookkeeping Services</td>
<td>Financial, Consultative, Administrative Services</td>
</tr>
<tr>
<td>Advertising Agencies and Services</td>
<td>General Business and Communication Services</td>
</tr>
<tr>
<td>Adjustment, Collection and Credit Reporting Agencies</td>
<td>General Business and Communication Services</td>
</tr>
<tr>
<td>Adult Bookstore</td>
<td>Adult Oriented Establishments</td>
</tr>
<tr>
<td>Adult Cabaret</td>
<td>Adult Oriented Establishments</td>
</tr>
<tr>
<td>Adult Entertainment</td>
<td>Adult Oriented Establishments</td>
</tr>
<tr>
<td>Adult Mini-motion Picture Theater</td>
<td>Adult Oriented Establishments</td>
</tr>
<tr>
<td>Adult Motion Picture Theater</td>
<td>Adult Oriented Establishments</td>
</tr>
<tr>
<td>Agricultural Credit Institution</td>
<td>Financial, Consultative, Administrative Services</td>
</tr>
<tr>
<td>Airports, Air Cargo Terminals, Heliports, or Other Aeronautical Devices</td>
<td>Extensive Impact Facilities</td>
</tr>
</tbody>
</table>
Aquariums
Arcades – Coin Operated Amusement
Architectural Services
Art and Music Schools
Art Galleries
Art Galleries (private for profit)
Art Studios
Asphalt and Cement Production
Attorneys and Law Offices
Auditing, Accounting, Bookkeeping Services
Auditoriums
Auto Cleaning and Detailing Services
Auto Engine Repair and Replacement Shops
Auto Glass Repair and Replacement Shops
Auto Inspection and Diagnostic Services
Auto Minor Repairs
Auto Paint and Body Shops
Auto Transmission Repair Shops
Auto Towing Services
Automatic Teller Machines (ATM)
Automobile Clubs
Automobile Junk Yards
Automotive Parking Lots and Garages
Automotive Parts (No exterior storage)

Cultural and Recreational Services
Entertainment and Amusement Services
Financial, Consultative, Administrative Services
General Business and Communication Services
Cultural and Recreational Services
Entertainment and Amusement Services
Financial, Consultative, Administrative Services
Heavy Industrial Activities
Financial, Consultative, Administrative Services
Financial, Consultative, Administrative Services
Extensive Impact Facilities and Entertainment/Amusement Services
Automotive Repair and Cleaning
Automotive Repair and Cleaning
Automotive Repair and Cleaning
Automotive Repair and Cleaning
Automotive Repair and Cleaning
Automotive Repair and Cleaning
Automotive Repair and Cleaning
General Personal Services
General Business and Communication Services
Heavy Industrial Activities
Automotive Parking
General Retail Trade
Bail Bonding
Bakeries
Bandstands
Banking and Bank-Related Functions
Barber and Beauty Schools
Barber Shop
Bars
Bathing Suit Stores
Batting and Golf Driving Ranges
Beaches
Beauty Shops
Beverage Production and Bottling
Bedding and Linen Stores
Beer, Wine, and Distilled Alcoholic Beverage Sales
Better Business Bureaus
Beauty Shops
Billiard Parlors and Bowling Alleys
Boarding or Rooming House
Boat and Related Motor Dealers
Book and Stationery Stores (excluding adult bookstores)
Book Binding and De-Binding
Bookkeeping Services
Botanical Gardens
Bowling Alleys and Billiard Parlors
Brew Pub
Builder’s Hardware
Building Contractors

Financial, Consultative, Administrative Services
General Retail Trade/Convenience Commercial
Extensive Impact Facilities
Financial, Consultative, Administrative Services
General Business and Communication Services
General Personal Services/Convenience Commercial
Food and Beverage Services
General Retail Trade
Entertainment and Amusement Services
Cultural and Recreational Services
General Personal Services
Light Industrial Activities
General Retail Trade
General Retail Sales
General Business and Communication Services
Convenience Commercial
Entertainment and Amusement Services
Semi-Permanent Residential
Vehicular, Craft and Related Equipment
General Retail Trade
Light Industrial Activities
Financial, Consultative, Administrative Services
Cultural and Recreational Services
Entertainment and Amusement Services
Food and Beverage Service
Construction Sales and Services
Construction Sales and Services
Bus and Truck Maintenance and Repair
Business Schools

C
Cabinet Making and Similar Products
Camera Stores
Campgrounds (Commercial)
Candy, Nut, and Confectionery Stores
Car Washes
Carpentering Contractors
Cemeteries
Centers for Observation or Rehabilitation
Chamber of Commerce
Chapels
Chemical, Plastic and Rubber Products Manufacturing
Chemicals and Allied Products Storage
Chemical, Fertilizer and Non-Metallic Mineral Mining
Child Care Facilities
Children's and Infant's Stores
Chiropractors Offices
Churches
City, County, State, and Federal Offices
Civic, Social, Fraternal, and Philanthropic
Civil Defense Facilities
Clay, Ceramic, and Refractory Mineral Mining
Cleaning Services (Commercial)
Clothing Stores (Family)

Transport and Warehousing
General Business and Communication Services

Light Industrial Activities
General Retail Trade
Group Assembly
General Retail Trade
Automotive Repair and Cleaning
Construction Sales and Services
Undertaking Services
Health Care Facilities
General Business and Communication Services
Community Assembly
Heavy Industrial Activities
Wholesale Sales
Mining, Drilling, and Quarrying
Personal and Group Care Facilities
General Retail Trade
Medical Services
Community Assembly
Administrative Services
Community Assembly
Administrative Services
Mining, Drilling, and Quarrying
General Business and Communication Services
General Retail Trade
Clothing Rental Agencies
Clocks, Watch and Jewelry Repair
Clubs Private (nonprofit)
Clubs (Automotive)
Coin Operated Amusement Arcades
Collection, Adjustment and Credit Reporting Agencies
Colleges, Junior Colleges, and Universities, excluding Profit Making Business Schools
Columbariums, Cemeteries, and Mausoleums
Commercial Boat Docks, Marinas, and Yacht Clubs
Commercial Camp Grounds
Commercial (Recreational) Resorts
Commercial Sports Arenas and Playing Fields
Commercial Testing Laboratories
Communications Services
Computer and Data Processing Services
Compressed Natural Gas (CNG) Station
Concrete Contractors
Confectionary, Candy, and Nut Stores
Consignment Stores
Consulting Scientists
Contractors (Carpentering)
Contractors (Concrete)
Contractors (Electrical/Heating)
Contractors (Excavation)
Contractors (Plumbing)
Convalescent Homes
Convenience Markets (including gasoline and diesel fuel sales for cars and trucks)
<table>
<thead>
<tr>
<th>Convents or Monasteries</th>
<th>Community Assembly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cookware Stores</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Correction and Detention Institutions</td>
<td>Extensive Impact Facilities</td>
</tr>
<tr>
<td>County, City, State, and Federal Offices</td>
<td>Administrative Services</td>
</tr>
<tr>
<td>Court Buildings</td>
<td>Administrative Services</td>
</tr>
<tr>
<td>Credit Reporting, Adjustment, and Collection Agencies</td>
<td>General Business and Communication Services</td>
</tr>
<tr>
<td>Credit Unions</td>
<td>Financial, Consultative, Administrative Services</td>
</tr>
<tr>
<td>Crematorium</td>
<td>Undertaking Services</td>
</tr>
<tr>
<td>Crop Drying, Storage and Processing</td>
<td>Agricultural Services</td>
</tr>
<tr>
<td>Crop Planting, Cultivating and Protection Services</td>
<td>Agricultural Services</td>
</tr>
<tr>
<td>Custom Tailors</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Cutlery Stores</td>
<td>General Retail Trade</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dairy</td>
</tr>
<tr>
<td>Dairy Products Processing</td>
</tr>
<tr>
<td>Dairy Products Stores</td>
</tr>
<tr>
<td>Dancing Schools/Exercise Studios</td>
</tr>
<tr>
<td>Data Process and Computer Services</td>
</tr>
<tr>
<td>Day Care Facilities</td>
</tr>
<tr>
<td>Decorating Services</td>
</tr>
<tr>
<td>Delicatessen</td>
</tr>
<tr>
<td>Dental Offices and Laboratories</td>
</tr>
<tr>
<td>Dental Instrument Manufacturing</td>
</tr>
<tr>
<td>Department Stores</td>
</tr>
<tr>
<td>Detective Agencies and Protective Services</td>
</tr>
<tr>
<td>Detention Institutions</td>
</tr>
<tr>
<td>Diagnostic Service for Automobiles</td>
</tr>
<tr>
<td>Category</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Dies, Jigs and Fixtures Manufacturing</td>
</tr>
<tr>
<td>Direct Selling Organization</td>
</tr>
<tr>
<td>Distilled Alcoholic Beverages, Beer, and Wine Storage</td>
</tr>
<tr>
<td>Dormitory and Fraternity/Sorority Houses</td>
</tr>
<tr>
<td>Drafting Services</td>
</tr>
<tr>
<td>Drag Strips</td>
</tr>
<tr>
<td>Drapery, Curtain, and Upholstery Stores</td>
</tr>
<tr>
<td>Drive-In Restaurants</td>
</tr>
<tr>
<td>Driving Schools</td>
</tr>
<tr>
<td>Drug Stores and Proprietary Stores</td>
</tr>
<tr>
<td>Drugs, Drug Proprietary, and Sundries</td>
</tr>
<tr>
<td>Dry Cleaning, Laundry Pick-up Stations</td>
</tr>
<tr>
<td>Dwelling Mobile Home Park</td>
</tr>
<tr>
<td>Dwelling, Multi-Family</td>
</tr>
<tr>
<td>Dwelling, Single-Family Detached</td>
</tr>
<tr>
<td>Dwelling, Semi-Detached</td>
</tr>
<tr>
<td>Dwelling, Town Home</td>
</tr>
<tr>
<td>Dwelling, Two-Family Detached</td>
</tr>
<tr>
<td>E</td>
</tr>
<tr>
<td>Educational and Scientific Research Services</td>
</tr>
<tr>
<td>Electrical Equipment and Components Manufacturing</td>
</tr>
<tr>
<td>Electrical Goods and Appliance Sales</td>
</tr>
<tr>
<td>Electrical, Heating and Plumbing Contractors</td>
</tr>
<tr>
<td>Electrical, Heating and Plumbing Supplies</td>
</tr>
<tr>
<td>Electrical Repair Shops</td>
</tr>
<tr>
<td>Electricity Generating Facilities and Transmission Lines</td>
</tr>
<tr>
<td>Employment, Personnel, and Temporary Help Services</td>
</tr>
</tbody>
</table>
Enclosed Feeding and Raising of Hogs and Chickens
Engineering, Architectural, and Planning Services
Escort Service
Excavation Contractors
Exercise Studios/Dancing Schools
Exhibition Halls and Auditoriums
Extended Stay Hotel/Motel
Exterminating Services

F
Family Clothing Stores
Farm
Farm Equipment and Supplies
Farm Products Raw Materials
Farm Supplies
Farmers Market
Feed Lot
Feed Milling and Sales
Fertilizer Manufacturing
Fire Department Facilities
Fireworks and Explosive Manufacturing
Federal, City, County, and State Offices
Festivals (Nonprofit, Temporary)
Floor Covering Stores
Florists
Flea Markets and Swap Sales
Food Lockers

Confined Animal Feeding Operations
Financial, Consultative, Administrative Services
Adult Oriented Establishments
Construction Sales and Services
Entertainment and Amusement Services and General Personal Services
Entertainment and Amusement Services
Transient Habitation
General Business and Communication Services

General Retail Trade
Crop and Animal Raising
Building Materials and Farm Equipment
Wholesale Sales
Wholesale Sales
General Retail Trade
Confined Animal Feeding Operations
Building Materials and Farm Equipment
Heavy Industrial Activities
Administrative Services
Heavy Industrial Activities
Administrative Services
Community Assembly
General Retail Trade
General Retail Trade
General Retail Trade
Transport and Warehousing
Forest Nursery
Fruit Stores and Vegetable Markets
Fuel Oil, Gasoline and Diesel Storage and Distribution
Fuel Sales and Services
Funeral Homes
Furniture and Home Furnishings
Furniture Repair, Upholstery, and Refinishing Shops
Furniture Stores
Furriers and Fur Shops

Garbage or Waste Incineration Plants including Co-generation Facilities
Gasoline Pumps – Self Service
Gasoline Service Stations (excluding fuel services for trucks over 10,000 pounds in gross vehicle)
General Building Contractors
General Merchandise Stores
General Warehousing
Gift Shops
Glassware and China Shops
Glazing Contractors
Golf Courses
Golf Driving Ranges/Batting Cages
Golf (miniature)
Groceries and Related Products Storage and Distribution
Grocery Stores
Group Home for Physically or Mentally Handicapped Persons
Group Living Arrangements
Gun Shops
Gunsmith Shops

Plant and Forest Nurseries
General Retail Trade
Heavy Industrial Activities
Automotive Services
Undertaking Services
General Retail Trade
Consumer Repair Services
General Retail Trade
General Retail Trade
Extensive Impact Facilities
Convenience Commercial/Automotive Servicing
Automotive Servicing
Construction Sales and Service
General Retail Trade
Transport and Warehousing
General Retail Trade
General Retail Trade
Construction Sales and Services
Intermediate Impact Facilities
Entertainment and Amusement Services
Entertainment and Amusement Service
Wholesale Sales
Convenience Commercial/General Retail
Personal and Group Care Facilities
Institutional Care Facilities
General Retail Trade
Consumer Repair Services
Gymnasiums  Cultural and Recreational Services

Halfway Houses  Institutional Care Facilities

Handicapped Persons Associations (Physically/Mentally)  Personal and Group Care Facilities

Hardware Stores (Builders)  Building Materials and Farm Equipment

Hardware Store (No outside storage)  General Retail Trade/Convenience Commercial

Hardware, Plumbing, and Heating Equipment and Supplies  Wholesale Sales

Health Spas  General Personal Services

Heating, Plumbing and Electrical Contractors  Construction Sales and Services

Heating, Plumbing and Electrical Supplies  Building Materials and Farm Equipment

Heliports  Extensive Impact Facilities

Highway and Street Construction Contractors  Construction Sales and Services

Hobby, Toy, and Game Stores  General Retail Trade

Holding and Investment Organizations  Financial, Consultative, Administrative Services

Home Furnishing and Furniture Store  General Retail Trade

Horticultural Services  Plant and Forest Nurseries

Hospitals  Health Care Facilities

Hotel  Transient Habitation

Household Appliance Stores  General Retail Trade

Household Goods Storage  Transport and Warehousing

Infant and Children Stores  General Retail Trade

Instrument Repair Shops  Consumer Repair Services

Insurance Carriers, Agents, Brokers, and Service  Financial, Consultative, Administrative Services

Interior Decorator and Consulting Services  Consumer Repair Services

Investment and Money Management Offices  Financial, Consultative, Administrative Services

Jewelry, Watch and Clock Repair  Consumer Repair Services
<table>
<thead>
<tr>
<th>Industry</th>
<th>Sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jewelry Stores</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Junk Yards (Automotive)</td>
<td>Heavy Industrial Activities</td>
</tr>
<tr>
<td>Junior Colleges, Colleges, and Universities, excluding Private Business Schools</td>
<td>Intermediate Impact Facilities</td>
</tr>
<tr>
<td><strong>K</strong></td>
<td></td>
</tr>
<tr>
<td>Kennels</td>
<td>Animal Care and Veterinarian Services</td>
</tr>
<tr>
<td>Kindergarten, Primary, and Secondary Schools</td>
<td>Community Education</td>
</tr>
<tr>
<td>Knife (Cutlery) Stores</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td><strong>L</strong></td>
<td></td>
</tr>
<tr>
<td>Labor Unions</td>
<td>General Business and Communication Services</td>
</tr>
<tr>
<td>Laboratories (Commercial Testing)</td>
<td>General Business and Communications Services</td>
</tr>
<tr>
<td>Laboratories (Dental)</td>
<td>Medical Services</td>
</tr>
<tr>
<td>Lamp and Shade Shops</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Laundry, Cleaning, and Garment Services</td>
<td>Convenience Commercial/General Personal</td>
</tr>
<tr>
<td>Law and Attorneys Offices</td>
<td>Financial, Consultative, Administrative Services</td>
</tr>
<tr>
<td>Lawn and Garden Supply Stores, Retail Nurseries</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Lawn Mower Repair Shops</td>
<td>Consumer Repair Services</td>
</tr>
<tr>
<td>Lecturers</td>
<td>Financial, Consultative, Administrative Services</td>
</tr>
<tr>
<td>Libraries</td>
<td>Cultural and Recreational Services</td>
</tr>
<tr>
<td>Linens and Bedding Stores</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Liquor Stores*</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Locksmith Shops</td>
<td>Community Repair Services</td>
</tr>
<tr>
<td>Lodges</td>
<td>Automotive Servicing</td>
</tr>
<tr>
<td>Lubricating Services</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Luggage Shops</td>
<td>Building Materials and Farm Equipment</td>
</tr>
<tr>
<td>Lumber and Other Building Materials Dealers</td>
<td></td>
</tr>
<tr>
<td><strong>M</strong></td>
<td></td>
</tr>
<tr>
<td>Machinery, Equipment, and Supplies Sales and Storage</td>
<td>Wholesale Sales</td>
</tr>
<tr>
<td>Category</td>
<td>Classification</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>---------------------------------------</td>
</tr>
<tr>
<td>Mail Order Houses</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Mail Processing Centers (Major)</td>
<td>Extensive Impact Facilities</td>
</tr>
<tr>
<td>Mailing, Reproduction, and Commercial Art Services</td>
<td>General Business/Communication Services</td>
</tr>
<tr>
<td>Major Mail Processing Centers</td>
<td>Extensive Impact Facilities</td>
</tr>
<tr>
<td>Management, Consulting, and Public Relations Services</td>
<td>Financial, Consultative, Administrative Services</td>
</tr>
<tr>
<td>Manufacturing Activities other than those listed herein</td>
<td>Light Industrial Activities</td>
</tr>
<tr>
<td>Marinas</td>
<td>Intermediate Impact Facilities</td>
</tr>
<tr>
<td>Marshalling and Storage Yards</td>
<td>Transport and Warehousing</td>
</tr>
<tr>
<td>Massage Parlor</td>
<td>Adult Oriented Establishments</td>
</tr>
<tr>
<td>Masonry, Stonework, Tile Setting and Plastering Contractors</td>
<td>Construction Sales and Service</td>
</tr>
<tr>
<td>Mausoleums</td>
<td>Undertaking Services</td>
</tr>
<tr>
<td>Meat Byproduct Processing</td>
<td>Heavy Industrial Activities</td>
</tr>
<tr>
<td>Meat Packing and Poultry Processing</td>
<td>Heavy Industrial Activities</td>
</tr>
<tr>
<td>Meat and Seafood Markets</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Medical Clinics</td>
<td>Health Care Facilities</td>
</tr>
<tr>
<td>Medical Instrument Manufacturing</td>
<td>Light Industrial Activities</td>
</tr>
<tr>
<td>Meeting Halls</td>
<td>Community Assembly</td>
</tr>
<tr>
<td>Membership Organizations</td>
<td>General Business and Communication Services</td>
</tr>
<tr>
<td>Men’s and Boy’s Clothing and Furnishing Stores</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Mentally Handicapped Persons Associations</td>
<td>Personal and Group Care Facilities</td>
</tr>
<tr>
<td>Metal and Mineral Sales</td>
<td>Wholesale Sales</td>
</tr>
<tr>
<td>Metal Production</td>
<td>Heavy Industrial Activities</td>
</tr>
<tr>
<td>Metal Ore and Mineral Mining</td>
<td>Mining, Drilling, and Quarrying</td>
</tr>
<tr>
<td>Military Installations</td>
<td>Extensive Impact Facilities</td>
</tr>
<tr>
<td>Milling and Sales (Feed)</td>
<td>Building Materials and Farm Equipment</td>
</tr>
<tr>
<td>Mini Warehouses (included by conditional use only)</td>
<td>Transport and Warehousing</td>
</tr>
<tr>
<td>Miscellaneous Apparel and Accessory Stores</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Miscellaneous General Merchandise Stores</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Miscellaneous Home Furnishings Stores</td>
<td>General Retail Trade</td>
</tr>
</tbody>
</table>
Miscellaneous Personal Services
Mobile Home Dealers
Money Management and Investment Offices
Mosque
Motel
Motor Vehicle and Boat Sales and Leasing
Motor Vehicle and Boat Manufacturing
Motion Picture Theaters (excluding adult entertainment as defined)
Motorcycle Dealers
Motor Vehicle Dealers
Motor Vehicles and Automotive Parts
Motor Vehicle Leasing
Movie Theaters (excluding adult entertainment as defined)
Muffler and Radiator Shops
Museums
Music Schools
Music Stores

News Stands (excluding adult bookstores as defined)
News Syndicates
Notions, Piece Goods, and Apparel
Nursery Schools (Public/Private)
Nurseries, Lawn, and Garden Supply Stores with outside storage
Nursing Homes
Nut, Candy, and Confectionery Stores

Offices of Associations for Physically or Mentally Disabled Persons
Observation Centers
Office Equipment Cleaning and Repair
Optical Instrument and Lens Manufacturing
Optometrists

Consumer Repair Services
Light Industrial Activities
Medical Services

Packing and Crating Services
Transport and Warehousing
Automotive Repair and Cleaning
General Retail Trade
General Personal Services
Wholesale Sales
Heavy Industrial Activities
Cultural and Recreational Services
Automotive Servicing
Animal Care and Veterinarian Services
Animal Care and Veterinarian Services
Heavy Industrial Activities
Heavy Industrial Activities
General Business and Communication Services
General Personal Services
Personal and Group Care Facilities
Medical Services
General Retail Trade
Community Assembly
Cultural and Recreational Services
Financial, Consultative, Administrative Services
Plant and Forest Nurseries
Cultural and Recreational Services
Group Assembly
<table>
<thead>
<tr>
<th>Category</th>
<th>Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Playgrounds</td>
<td>Cultural and Recreational Services</td>
</tr>
<tr>
<td>Plumbing, Heating and Electrical Contractors</td>
<td>Construction Sales and Services</td>
</tr>
<tr>
<td>Plumbing, Heating and Electrical Supplies</td>
<td>Building Materials and Farm Equipment</td>
</tr>
<tr>
<td>Police Department Facilities</td>
<td>Administrative Services</td>
</tr>
<tr>
<td>Political Organizations</td>
<td>General Business and Communication Services</td>
</tr>
<tr>
<td>Post Offices</td>
<td>Administrative Services</td>
</tr>
<tr>
<td>Primary, Secondary and Kindergarten Schools</td>
<td>Community Education</td>
</tr>
<tr>
<td>Printing, Publishing and Engraving</td>
<td>General Business and Communication Services</td>
</tr>
<tr>
<td>Private &amp; Public Utility Corporations</td>
<td>Extensive Impact Facilities</td>
</tr>
<tr>
<td>Product Assembly (within enclosed buildings)</td>
<td>Light Industrial Activities</td>
</tr>
<tr>
<td>Professional Associations</td>
<td>General Business and Communication Services</td>
</tr>
<tr>
<td>Private Business Schools</td>
<td>General Business and Communication Services</td>
</tr>
<tr>
<td>Protective Services and Detective Agencies</td>
<td>General Business and Communications Services</td>
</tr>
<tr>
<td>Psychologists and Psychotherapists</td>
<td>Medical Services</td>
</tr>
<tr>
<td>Public and Private Nursery Schools</td>
<td>Community Education</td>
</tr>
<tr>
<td>Public Utility Corporations</td>
<td>Extensive Impact Facilities</td>
</tr>
<tr>
<td>Race Tracks (Auto, Motorcycle, Dog, and Horse)</td>
<td>Group Assembly</td>
</tr>
<tr>
<td>Radiator and Muffler Shops</td>
<td>Automotive Repair and Cleaning</td>
</tr>
<tr>
<td>Radio and Television Broadcasting Studios</td>
<td>General Business and Communication Services</td>
</tr>
<tr>
<td>Radio and Television Stores</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Radio and Television Transmission Facilities</td>
<td>Extensive Impact Facilities</td>
</tr>
<tr>
<td>Railroad Yards and Other Transportation Equipment</td>
<td>Extensive Impact Facilities</td>
</tr>
<tr>
<td>Marshalling and Storage Yards</td>
<td></td>
</tr>
<tr>
<td>Raising of Plants, Animals and Fish</td>
<td></td>
</tr>
<tr>
<td>Rap Parlor</td>
<td></td>
</tr>
<tr>
<td>Real Estate Brokers, Managers and Appraisers</td>
<td></td>
</tr>
<tr>
<td>Recreational Centers</td>
<td></td>
</tr>
<tr>
<td>Category</td>
<td>Industry/Service</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Recreational Vehicle, including all-terrain vehicles (ATV) and Utility Trailers</td>
<td>Vehicular and Craft and Related Equipment</td>
</tr>
<tr>
<td>Record Pressing</td>
<td>Light Industrial Activities</td>
</tr>
<tr>
<td>Recycling Centers</td>
<td>Light Industrial Activities</td>
</tr>
<tr>
<td>Rediscount and Financing Institutions for Credit Agencies Other Than Banks</td>
<td>Financial, Consultative, Administrative Services</td>
</tr>
<tr>
<td>Refrigerated Warehousing</td>
<td>Transport and Warehousing</td>
</tr>
<tr>
<td>Refrigeration and Air Conditioning Repair</td>
<td>Consumer Repair Shops</td>
</tr>
<tr>
<td>Rehabilitation Centers</td>
<td>Health Care Facilities/Medical Facilities</td>
</tr>
<tr>
<td>Rental Agencies (Clothing)</td>
<td>General Personal Services</td>
</tr>
<tr>
<td>Replacement Items</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Research and Development Laboratories</td>
<td>General Business and Communication Services</td>
</tr>
<tr>
<td>Residential Hotel</td>
<td>Semi-Permanent Residential</td>
</tr>
<tr>
<td>Restaurants</td>
<td>Food and Beverage Services</td>
</tr>
<tr>
<td>Restaurants with Drive-in or Drive-Thru Service</td>
<td>Food Service Drive-In and Drive-Thru</td>
</tr>
<tr>
<td>Retail Bakeries</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Retail Nurseries, Lawn, and Garden Supply Stores (no outside storage)</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Retirement or Rest Homes (without health care)</td>
<td>Personal and Group Care Facilities</td>
</tr>
<tr>
<td>Rock, Stone, and Gravel Quarrying</td>
<td>Mining, Drilling, and Quarrying</td>
</tr>
<tr>
<td>Roofing and Sheet Metal Contractors</td>
<td>Construction Sales and Services</td>
</tr>
<tr>
<td>S Saddlery Repair Shops</td>
<td>Consumer Repair Services</td>
</tr>
<tr>
<td>Sale and Installation of Tires, Batteries, Accessories and Replacement Parts</td>
<td>Automotive Servicing</td>
</tr>
<tr>
<td>Sales (Direct) Organizations</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Salvage Operations</td>
<td>Heavy Industrial Activities</td>
</tr>
<tr>
<td>Sanctuaries</td>
<td>Community Assembly</td>
</tr>
<tr>
<td>Sanitary Landfill</td>
<td>Extensive Impact Facilities</td>
</tr>
<tr>
<td>Savings and Loan Associations</td>
<td>Financial, Consultative, Administrative Services</td>
</tr>
<tr>
<td>Schools (Kindergarten, Primary, Secondary)</td>
<td>Community Education</td>
</tr>
</tbody>
</table>
Scientific and Professional Instrument Manufacturing
Scientists (Medical Research)
Scrap and Waste Processing
Securities Commodities, Brokers, Dealers, and Exchanges
Secondhand Stores and Shops
Seed Storage and Sales
Self-Serve Gasoline Pumps (excluding fuel services for trucks over 10,000 pounds in gross vehicle weight)
Sewage Treatment Plants
Sewing and Piece Goods Stores
Sexual Encounter Center
Schools (Business)
Schools (Dancing)
Schools (Driving)
Schools (Instruction of Industrial Processes Such as Welding, HVAC, etc.)
Scientific/Educational Research Services
Shirt Shops
Shoe Repair Shops
Shoe Stores
Sheet Metal and Roofing
Single Room Occupancy Residential Facility (SRO)
Skating Rinks
Soil Preparation Services
Songwriters, Music Arrangers, Writers and Lecturers
Special Training and Schooling Services
Sporting Goods Stores
Sporting, Recreational, Photographic, and Hobby Goods
Sports Arenas (Commercial)

Light Industrial Activities
Medical Services
Scrap Operations
Financial, Consultative, Administrative Services
General Retail Trade
Building Materials and Farm Equipment
Convenience Commercial
Extensive Impact Facilities
General Retail Trade
Adult Oriented Establishments
General Business and Communication Services
Entertainment and Amusement Services and General Personal Services
General Personal Services
Light Industrial Activities
General Business and Communication Services
General Retail Trade
Convenience Commercial/General Personal Services
General Retail Trade
Construction Sales and Services
Transient Habitation
Entertainment and Amusement Services
Agricultural Services
Financial, Consultative, Administrative Services
General Personal Services
General Retail Trade
General Retail Trade
Extensive Impact Facilities
<table>
<thead>
<tr>
<th>Service Description</th>
<th>Industry Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sports Apparel Stores</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Stadiums, Sports Arenas, Auditoriums, and Bandstands</td>
<td>Extensive Impact Facilities</td>
</tr>
<tr>
<td>State, City, County, and Federal Offices</td>
<td>Administrative Services</td>
</tr>
<tr>
<td>Stationery and Book Stores (excluding adult bookstores)</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Swimming Pools and Beaches</td>
<td>Cultural and Recreational Services</td>
</tr>
<tr>
<td>Synagogues</td>
<td>Community Assembly</td>
</tr>
<tr>
<td>Tattoo Services</td>
<td>General Personal Services</td>
</tr>
<tr>
<td>Tailors (Custom)</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Taverns</td>
<td>Food and Beverage Service</td>
</tr>
<tr>
<td>Telephone Exchanges and Relay Towers</td>
<td>General Business and Communication Services</td>
</tr>
<tr>
<td>Television and Recording Production Studios</td>
<td>General Business and Communication Services</td>
</tr>
<tr>
<td>Television Transmission Facilities</td>
<td>Extensive Impact Facilities</td>
</tr>
<tr>
<td>Temples</td>
<td>Community Assembly</td>
</tr>
<tr>
<td>Temporary Nonprofit Festivals</td>
<td>Community Assembly</td>
</tr>
<tr>
<td>Testing Laboratories (Commercial)</td>
<td>General Business and Communications Services</td>
</tr>
<tr>
<td>Theaters – Legitimate</td>
<td>Entertainment and Amusement Services</td>
</tr>
<tr>
<td>Theatrical Producers, Bands, Orchestras and Entertainers</td>
<td>Entertainment and Amusement Services</td>
</tr>
<tr>
<td>Tire Retreading and Repair Shops</td>
<td>Automotive Repair and Cleaning</td>
</tr>
<tr>
<td>Title Offices</td>
<td>Financial, Consultative, Administrative Services</td>
</tr>
<tr>
<td>Tobacco (leaf)</td>
<td>Wholesale Sales</td>
</tr>
<tr>
<td>Tobacco Products</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Towing (Automotive) Services</td>
<td>Automotive Repair and Cleaning</td>
</tr>
<tr>
<td>Toys and Supplies</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Trading Stamp Services</td>
<td>General Business and Communication Services</td>
</tr>
<tr>
<td>Transmission Repair Shops and Tire Retreading</td>
<td>Automotive Repair and Cleaning</td>
</tr>
<tr>
<td>Truck and Bus Maintenance/Repair</td>
<td>Transport and Warehousing</td>
</tr>
<tr>
<td>Truck Stops with Facilities for Fueling, Parking and Washing</td>
<td>Transport and Warehousing</td>
</tr>
<tr>
<td>Truck Terminals and Freight Handling Services</td>
<td>Transport and Warehousing</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Category</td>
<td>Industry/Service</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>Truck Yards, including Storage Yards</td>
<td>Transport and Warehousing</td>
</tr>
<tr>
<td>Undertakers</td>
<td>Undertaking Services</td>
</tr>
<tr>
<td>Uniform Stores</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Upholstery and Furniture Repair</td>
<td>Consumer Repair Services</td>
</tr>
<tr>
<td>Upholstery, Curtain, and Drapery Stores</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Variety Stores</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Vegetable and Fruit Market/Store</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Vehicular Minor Repairs</td>
<td>Automotive Servicing</td>
</tr>
<tr>
<td>Veterinarian Clinics and Kennels</td>
<td>Animal Care and Veterinarian Services</td>
</tr>
<tr>
<td>Veterinarian Services for Large Animals</td>
<td>Agricultural Services</td>
</tr>
<tr>
<td>Warehouses</td>
<td>Transport and Warehousing</td>
</tr>
<tr>
<td>Watch, Clock, and Jewelry Repair</td>
<td>General Personal Services</td>
</tr>
<tr>
<td>Water Storage Facilities</td>
<td>Intermediate Impact Facilities</td>
</tr>
<tr>
<td>Water Treatment Plants</td>
<td>Extensive Impact Facilities</td>
</tr>
<tr>
<td>Welding and Machine Shops</td>
<td>Light Industrial Activities</td>
</tr>
<tr>
<td>Wood Products Manufacturing and Planing Mills</td>
<td>Light Industrial Activities</td>
</tr>
<tr>
<td>Women’s Accessory and Specialty Stores</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Women’s Ready-to-Wear Store</td>
<td>General Retail Trade</td>
</tr>
<tr>
<td>Wrecker Services</td>
<td>Transport and Warehousing</td>
</tr>
<tr>
<td>Writers</td>
<td>General Business and Communication Services</td>
</tr>
<tr>
<td>Yacht Clubs</td>
<td>Intermediate Impact Facilities</td>
</tr>
<tr>
<td>Zoological and Botanical Gardens</td>
<td>Cultural and Recreational Services</td>
</tr>
</tbody>
</table>
The following listing shows each land use classification and arrays the uses under each appropriate classification.

Residential Activities

(a) Permanent Residential

Dwelling, mobile home park
Dwelling, multi-family
Dwelling, one-family detached
Dwelling, semi-detached
Dwelling, two-family detached
Dwelling, townhouse

(b) Semi-Permanent Residential

Apartment Hotel
Boarding or Rooming House
Dormitory and Fraternity/Sorority Houses
Residential Hotel

Community Facility Activities

(a) Administrative Services

City, County, State, and Federal Offices
Civil Defense Facilities
Court Buildings
Fire Department Facilities
Police Department Facilities
Post Offices

(b) Community Assembly

Churches, Chapels, Convents, Synagogues, Temples, Sanctuaries, and Mosques
Civic, Social, Fraternal, and Philanthropic Associations
Festivals (Nonprofit, Temporary)
Places of Worship
Private (nonprofit) Clubs, Lodges, Meeting Halls, and Recreation Centers
Temporary Nonprofit Festivals

(c) Community Education

Kindergarten, Primary, and Secondary Schools
Nursery Schools (Public/Private)

This does not include special training and schooling services offered by private individuals for profit nor technical schools, colleges, or universities.
1/7/2020

(d) **Cultural and Recreational Services:**

Aquariums  
Art Galleries  
Libraries  
Museums  
Parks, Playgrounds, and Playfields  
Planetariums and Aquariums  
Recreational Centers and Gymnasiums  
Swimming Pools and Beaches  
Zoological and Botanical Gardens

(e) **Extensive Impact Facilities**

Airports, Air Cargo Terminals, Heliports, or Other Aeronautical Devices  
Auditoriums  
Bandstands  
Correction and Detention Institutions  
 Electricity Generating Facilities and Transmission Lines  
 Garbage Incineration Plants including Co-Generation Facilities  
 Major Fuel Transmission Lines and Facilities  
 Major Mail Processing Centers  
 Military Installations  
 Public and Private Utility Corporations and Truck Yards, including Storage Yards  
 Radio and Television Transmission Facilities  
 Railroad Yards and Other Transportation Equipment Marshalling and Storage Yards  
 Sanitary Landfills  
 Sewage Treatment Plants  
 Stadiums and Sports Arenas  
 Utility Corporations  
 Water Treatment Plants

(f) **Health Care Facilities**

Centers for Observation or Rehabilitation  
 Convalescent Homes  
 Hospitals  
 Medical Clinics

(g) **Intermediate Impact Facilities:**

Cemeteries, Columbariums, and Mausoleums  
 Colleges, Junior Colleges, and Universities, but excluding Profit-Making Business Schools  
 Golf Courses  
 Marinas  
 Water Storage Facilities

(h) **Personal and Group Care Facilities**

Child Care Facilities  
 Consignment Stores  
 Day Care Facilities  
 Group Home for Physically or Mentally Handicapped Persons  
 Handicapped Persons Associations (Physically/Mentally)
Nursing Homes
Retirement or Rest Homes (without health care)

Commercial Activities

(a)  Adult Oriented Establishments

Adult Bookstore
Adult Cabaret
Adult Entertainment
Adult Mini-motion Picture Theater
Adult Motion Picture Theater
Escort Service
Massage Parlor
Rap Parlor
Sexual Encounter Center

(b)  Animal Care and Veterinarian Services

Pet Day Care
Pet Grooming and Cleaning
Veterinarian Clinics and Kennels

(c)  Automotive Parking

Parking Lots or Parking Garages

(d)  Automotive Repair and Cleaning

Auto Cleaning and Detailing Services
Auto Engine Repair and Replacement Shops
Auto Glass Repair and Replacement Shops
Auto Inspection and Diagnostic Services
Auto Paint and Body Shops
Auto Towing Services
Auto Transmission Repair Shops
Car Washes
Compressed Natural Gas (CNG) Station
Gasoline, Diesel Fuel, and Oil Sales and Services for Cars and Trucks of All Sizes
Radiator and Muffler Shops
Tire Retreading and Repair Shops

(e)  Automotive Servicing

Gasoline Service Stations, excluding fuel services for trucks over 10,000 pounds in gross vehicle weight
Sale and Installation of Tires, Batteries, Accessories, and Replacement Items
Lubricating Services
Performance of Minor Repairs (brakes, tune-up and similar service)
Wheel Alignment
(e) **Building Materials and Farm Equipment**

- Farm Equipment and Supplies
- Feed Milling and Sales
- Hardware Stores (Builders)
- Heating, Plumbing, and Electrical Supplies
- Lumber and Other Building Materials Dealers
- Seed Storage and Sales

(f) **Consumer Repair Services**

- Clocks, Watch and Jewelry Repair
- Electrical Repair Shops
- Furniture Repair, Upholstery, and Refinishing Shops
- Gunsmith Shops
- Instrument Repair Shops
- Interior Decorator and Consulting Services
- Lawn Mower Repair Shops
- Locksmith Shops
- Office Equipment Cleaning and Repair
- Refrigeration and Air Conditioning Repair
- Saddlery Repair Shops

(g) **Convenience Commercial:** provided that no establishment shall exceed 5,000 square feet of gross floor area.

- Bakeries
- Barber Shops
- Beauty Shops
- Convenience Markets
- Drug Stores
- Grocery Stores
- Hardware Stores (No outside storage)
- Laundry and Dry Cleaning Pick-up Stations
- News Stands (excluding adult bookstores as defined)
- Self-Service Gasoline Pumps, excluding fuel services for trucks over 10,000 pounds in gross vehicle weight
- Shoe Repair Services
- Tobacco Shops*

(h) **Entertainment and Amusement Services**

- Art Galleries (Commercial)
- Batting and Golf Driving Ranges
- Bowling Alleys and Billiard Parlors
- Coin Operated Amusement Arcades
- Dancing Schools/Exercise Studios
- Exhibition Halls and Auditoriums
- Golf (miniature)
- Movie Theaters (excluding adult entertainment as defined)
- Skating Rinks
- Theaters – Legitimate
- Theatrical Producers, Bands, Orchestras, and Entertainers
Financial, Consultative and Administrative Services

Accounting, Auditing, and Bookkeeping Services
Agricultural Credit Institution
Artists Studios
Attorneys and Law Offices
Bail Bonding
Banking and Bank-Related Functions
Consulting Scientists
Credit Unions
Educational and Scientific Research Services
Engineering, Architectural, and Planning Services
Holding and Investment Organizations
Insurance Carriers, Agents, Brokers, and Service
Money Management and Investment Offices
Real Estate Brokers, Managers, and Appraisers
Rediscount and Financing Institutions for Credit Agencies Other Than Banks
Savings and Loan Associations
Securities Commodities, Brokers, Dealers, and Exchanges
Songwriters, Music Arrangers, Writers, and Lecturers
Title Offices

Food and Beverage Service

Bars
Brew Pub
Delicatessen
Restaurants
Taverns

Food Service Drive-In and Drive-Thru

Drive-In Restaurants
Restaurants with Drive-Thru Service

General Business and Communication Services

Advertising Agencies and Services
Art and Music Schools
Automobile Clubs
Barber and Beauty Schools
Better Business Bureaus
Business Schools
Chamber of Commerce
Commercial Cleaning Services
Commercial Testing Laboratories
Communications Services
  Radio and Television Broadcasting Studios
  Telephone Exchanges and Relay Towers
  Television and Recording Production Studios
Computer and Data Processing Services
Consulting Scientists
Credit Reporting, Adjustment, and Collection Agencies
Detective Agencies and Protective Services
Drafting Services
Employment, Personnel, and Temporary Help Services
Exterminating Services
Interior Decorator and Consulting Services
Labor Unions
Mailing, Reproduction, and Commercial Art Services
Management, Consulting, and Public Relations Services
Membership Organizations
News Syndicates
Offices of Associations for Physically or Mentally Handicapped Persons
Photo-finishing Services
Political Organizations
Printing, Publishing and Engraving
Professional Associations
Research and Development Laboratories
Scientific/Educational Research Services
Testing Laboratories (Commercial)
Trading Stamp Services
Writers

General Personal Services

Automatic Teller Machines (ATM)
Barber Shops
Beauty Shops
Business Schools
Clothing Rental Agencies
Dancing Schools/Exercise Studios
Decorating Services
Driving Schools
Laundry, Cleaning, and Garment Services
Miscellaneous Personal Services
Health Spas
Photographic Studios
Painting
Paper Hanging
Shoe Repair Shops
Special Training and Schooling Services
Tattoo Services
Watch, Clock, and Jewelry Repair

General Retail Trade

Antique and Second-Hand Merchandise Stores
Apparel, Piece Goods, and Notions
Appliance Stores
Automotive Parts (No exterior storage)
Bakeries
Bathing Suit Stores
Beer, Wine, and Distilled Alcoholic Beverage Sales
Book and Stationery Stores (excluding adult bookstores)
Camera Stores
Candy, Nut and Confectionery Stores
Children's and Infant's Stores
Consignment Stores
Convenience Markets, including gasoline and diesel fuel sales for cars and trucks
Custom Tailors
Dairy Products Stores
Department Stores
Drapery, Curtain, and Upholstery Stores
Drug Stores and Proprietary Stores
Electrical Goods
Family Clothing Stores
Farmers Market
Flea Markets and Swap Sales
Floor Covering Stores
Florists
Fruit Stores and Vegetable Markets
Furniture Stores
Furriers and Fur Shops
General Merchandise Stores
Gift Shops
Grocery Stores
Hardware Store
Hobby, Toy, and Game Stores
Home Furnishings
Household Appliance Stores
Jewelry Stores
Knife (Cutlery) Stores
Lawn and Garden Supplies, Retail Nurseries
Liquor Stores*
Luggage Shops
Meat and Seafood Markets
Men's and Boy's Clothing
Miscellaneous Apparel and Accessory Stores
Miscellaneous General Merchandise Stores
Direct Selling Organizations Mail Order Houses
Miscellaneous Home Furnishings Stores
Bedding and Linen Stores
Cookware Stores Cutlery Stores
Glassware and China Shops
Lamp and Shade Shops
Paint and Wallpaper Stores
Music Stores
News Stands
Nurseries, Lawn and Garden Supply Stores with outside storage
Radio and Television Stores
Replacement Items
Retail Bakeries
Retail Nurseries, Lawn and Garden Supply Stores
Sewing and Piece Goods Stores
Shirt Shops
Shoe Stores
Sports Apparel Stores
Sporting Goods Stores
Sporting, Recreational, Photographic, and Hobby Goods
Tobacco Products and Shops*
Toys and Supplies
Uniform Stores
Variety Stores
Women's Accessory and Specialty Stores
Women's Ready-to-Wear Store
(o) **Heavy Construction Service**
Concrete Contractors
Excavation Contractors
Highway and Street Construction Contracts

(p) **Group Assembly**
Amusement Parks
Commercial Camp Grounds
Commercial (Recreational) Resorts
Commercial Sports Arenas and Playing Fields
Drag Strips
Race Tracks (Auto, Motorcycle, Dog, and Horse)

(q) **Light Construction Service**
Carpentering Contractors
General Building Contractors
Painting and Paper Hanging

(r) **Medical Services**
Chiropractors Offices
Dental Offices and Laboratories
Optometrists
Physicians’ Offices and Clinics (Out Patient Services only)
Psychologists and Psychotherapists
Rehabilitation Centers

(s) **Medium Construction Service**
Glazing Contractors
Masonry, Stonework, Tile Setting, and Plastering Contractors
Plumbing, Heating, and Electrical Contractors
Roofing and Sheet Metal Contractors

(t) **Transient Habitation**
Extended Stay Hotel/Motel
Hotel
Motel
Single Room Occupancy Residential Facility (SRO)

(u) **Undertaking Services**
Cemeteries
Columbariums
Crematoriums
Funeral Homes
Mausoleums
Undertakers
Vehicular, Craft, and Related Equipment

Boat and Motor Dealers
Mobile Home Dealers
Motor Vehicle Dealers
Motorcycle Dealers
Motor Vehicle Leasing
Recreational Vehicles, including all-terrain vehicles (ATV) and Utility Trailer Dealers

Wholesale Sales

Automotive Parts and Supplies
Beer, Wine, and Distilled Alcoholic Beverages
Chemicals and Allied Products
Drugs, Drug Proprietary, and Sundries
Electrical Goods and Appliances
Farm Products Raw Materials
Farm Supplies
Furniture and Home Furnishings
Groceries and Related Products
Hardware, Plumbing, and Heating Equipment and Supplies
Lumber and Other Construction Materials
Machinery, Equipment, and Supplies
Metals and Minerals
Paints, Varnishes, and Supplies
Petroleum and Petroleum Products
Tobacco (leaf)

Industrial Activities

Light Industrial Activities

The manufacture, compounding, processing, assembling, packaging, treatment, or fabrication of the following products if all such operations are carried out within completely enclosed buildings:

Apparel and Apparel
Accessories  Art Objects
Appliance Manufacturing
Bakery Goods
Beverages (non-alcoholic)
Book Binding
Cabinets and Similar Products
Dairy Products
Data Processing Service
Dies, Jigs, and Fixtures Manufacturing
Electrical Equipment and Components
Instruments for Medical, Dental, Engineering, Scientific, and Other Professional Purposes
Manufacturing Activities other than those listed herein
Optical Instruments and Lens
Photocopying
Photoengraving
Precision Machining of Dies, Jigs, and Fixtures
Printing
Product Assembly  Publishing
Record Pressing
Recycling Centers
Schools for Instruction of Industrial Processes Such as Welding, HVAC, etc.
Signs
Upholstering
Welding and Machine Shops
Wood Products Manufacturing and Planing Mills

(b) **Medium Industrial Activities**

The manufacture, compounding, processing, assembling, packaging, treatment, or fabrication of the products listed above in (a) without the requirement that operations be carried out in completely enclosed buildings.

(c) **Heavy Industrial Activities**

The manufacture, compounding, processing, assembling, packaging, treatment, or fabrication of the products:

- Abrasive, Asbestos, and Non-metallic Materials
- Animal Production or Slaughter
- Asphalt and Cement Production
- Automobile Junk Yards
- Chemical Manufacturing
- Cotton Ginning
- Fertilizers
- Fireworks and Explosives
- Foundries
- Fuel Oil, Gasoline, and Diesel Storage and Distribution
- Grain Milling
- Meat Byproducts
- Meat Packing and Poultry
- Metals Production
- Motor Vehicles and Boats
- Paper
- Petroleum and Petroleum Products
- Petroleum and Petroleum Products
- Storage Salvage Operations
- Scrap Operations
- Waste Materials Handling

(d) **Transport and Warehousing**

- Bus and Truck Maintenance and Repair
- Food Lockers
- General Warehousing
- Household Goods Storage
- Marshalling and Storage Yards
- Mini-Warehouse
- Packing and Crating Services
- Refrigerated Warehousing
- Truck Stops with Facilities for Fueling, Parking and Washing
- Truck Terminals and Freight Handling Services
- Truck Yards, including Storage Yards
- Wrecker Services
- Warehouses
Agricultural, Resource Production, and Extractive Activities

(a) **Agricultural Services**

- Crop Drying, Storage, and Processing
- Crop Planting, Cultivating, and Protection Services
- Horticultural Services
- Soil Preparation Services
- Veterinary Services for Large Animals

(b) **Crop and Animal Raising**

- Animal Grazing
- Dairies
- Farms
- Raising of Plants, Animals, and Fish
- Truck Gardens

(c) **Mining, Drilling, and Quarrying**

- Chemical Fertilizer and Non-metallic Mineral Mining
- Clay, Ceramic, and Refractory Minerals
- Coal Mining
- Crude Petroleum and Natural Gas Production
- Metal Ore and Mineral Mining
- Rock Quarry
- Sand and Gravel Quarrying
- Stone Quarrying

(d) **Plant and Forest Nurseries**

- Forest Nursery
- Horticultural Services
- Plant Nursery
# APPENDIX D: OFF-STREET PARKING REQUIREMENTS

<table>
<thead>
<tr>
<th>Residential Activities</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Permanent</strong></td>
<td></td>
</tr>
<tr>
<td>One-family detached dwellings</td>
<td>One space per dwelling unit</td>
</tr>
<tr>
<td>Two-Family detached dwellings</td>
<td>One space per dwelling unit</td>
</tr>
<tr>
<td>Three-family detached dwellings</td>
<td>One space per dwelling unit</td>
</tr>
<tr>
<td>Semi-detached dwellings</td>
<td>One space per dwelling unit</td>
</tr>
<tr>
<td>Town Homes</td>
<td>One space per dwelling unit</td>
</tr>
<tr>
<td>Multi-family dwellings</td>
<td>0.75 spaces for a one bedroom unit</td>
</tr>
<tr>
<td>Mobile Homes</td>
<td>1 space for two or more bedroom unit</td>
</tr>
<tr>
<td></td>
<td>1 space per mobile home</td>
</tr>
<tr>
<td><strong>Semi-Permanent</strong></td>
<td></td>
</tr>
<tr>
<td>Boarding or rooming house, apartment hotel</td>
<td>0.5 space per unit</td>
</tr>
<tr>
<td>Dormitory</td>
<td>0.5 space per unit</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Community Facility Activities</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Administrative</strong></td>
<td></td>
</tr>
<tr>
<td>Community Assembly</td>
<td>1 space for each 600 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>Religious Activities</td>
<td>1 space for each 10 seats or if no seats are used 5 for each 2000 sq. ft.</td>
</tr>
<tr>
<td>Community Education</td>
<td></td>
</tr>
<tr>
<td>Kindergarten or Nursery</td>
<td>1 space for each 2 employees plus 1 space of overflow parking (unpaved) for each 8 students, teachers and employees</td>
</tr>
<tr>
<td>Elementary &amp; Middle Schools, grades 1-7</td>
<td>1 space for each 2 classrooms or 1 space for each 10 seats in the auditorium or 1 space of overflow parking (unpaved for each 8 students, teachers and employees, whichever is least</td>
</tr>
<tr>
<td>High School, grades 8-12</td>
<td>4 spaces for each 2 classrooms or 1 space for each 10 seats in the auditorium or 1 space for each 8 students, teachers, and employees, whichever is least</td>
</tr>
<tr>
<td>Vocational or Trade Schools</td>
<td>1 space for each 2,000 sq. ft. of gross floor area plus space for each 12 seats in any auditorium</td>
</tr>
<tr>
<td>Cultural &amp; Recreation Services</td>
<td></td>
</tr>
<tr>
<td>Art Galleries, libraries, museums, zoological &amp; botanic gardens, planetariums &amp; Aquariums</td>
<td>1 space for each 1600 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>Swimming pools</td>
<td>15 percent of capacity</td>
</tr>
<tr>
<td>Parks, playgrounds &amp; playfields</td>
<td>5 spaces for each acre of land devoted to recreation, plus 1 space for each 8 spectator seats</td>
</tr>
<tr>
<td>Recreation centers &amp; Gymnasiums</td>
<td>25 percent of the capacity, plus 1 space for each 4 employees</td>
</tr>
<tr>
<td>Essential Services</td>
<td>1 space per facility</td>
</tr>
<tr>
<td>COMMUNITY FACILITIES ACTIVITIES (continued)</td>
<td></td>
</tr>
<tr>
<td>------------------------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>Extensive Impact</strong></td>
<td></td>
</tr>
<tr>
<td>Airports, Air Cargo Terminals, Heliports</td>
<td>1 space for each 4 employees, plus 1 space for every 200 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>or Aeronautical Devices</td>
<td></td>
</tr>
<tr>
<td>Correctional or Detention Institutions</td>
<td>1 space for each 40 employees, plus 1 space for each 2 patrol cars</td>
</tr>
<tr>
<td>Electricity Transmitting Facilities, Communication</td>
<td></td>
</tr>
<tr>
<td>Towers &amp; Transmission Facilities</td>
<td>1 space minimum</td>
</tr>
<tr>
<td>Railroad, Bus &amp; Transit Terminals</td>
<td>1 space for each 200 sq. ft. of waiting room area</td>
</tr>
<tr>
<td>Railroad Yards &amp; Other Transportation Equipment</td>
<td></td>
</tr>
<tr>
<td>Marshalling &amp; Storage Yards</td>
<td>1 space for each 4 employees</td>
</tr>
<tr>
<td>Stadiums, Sports Arenas, Auditoriums &amp; Bandstands</td>
<td>1 space for each 10 seats</td>
</tr>
<tr>
<td>Water &amp; Sewage Treatment Plants</td>
<td>1 space for each 2 employees</td>
</tr>
<tr>
<td>All Other Activities</td>
<td>The board shall determine based upon the pertinent factors of the use</td>
</tr>
<tr>
<td><strong>Health Care</strong></td>
<td></td>
</tr>
<tr>
<td>Centers for Observation, Rehabilitation, Convalescent Homes</td>
<td>1 space for each 8 beds, plus 1 space for each 2,000 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>Hospitals</td>
<td>0.75 spaces for each bed</td>
</tr>
<tr>
<td>Medical or Dental Clinics</td>
<td>1 space for each 400 sq. ft.</td>
</tr>
<tr>
<td>Institutional Care</td>
<td>1 space for each 2 employees plus 1 space for each 6 occupants</td>
</tr>
<tr>
<td><strong>Intermediate Impact</strong></td>
<td></td>
</tr>
<tr>
<td>Colleges, Universities &amp; Junior Colleges</td>
<td>1 space for each 2,000 sq. ft. of gross floor area suited for academic purposes, plus 1 space for each 12 seats in an arena, auditorium or stadium on the same lot</td>
</tr>
<tr>
<td><strong>All Other Activities</strong></td>
<td>The board shall determine based upon the pertinent factors of the use</td>
</tr>
<tr>
<td><strong>Personal &amp; Group Care</strong></td>
<td></td>
</tr>
<tr>
<td>Associations for Physically or Mentally Disabled</td>
<td>1 space for each 2 employees, plus 1 space for each 3 beds</td>
</tr>
<tr>
<td>Day Care Centers</td>
<td>1 space for each 2 employees, plus 1 space for each 5 children</td>
</tr>
<tr>
<td>Nursing Homes</td>
<td>1 space for each 2 employees, plus 1 space for each 3 patients</td>
</tr>
<tr>
<td>Senior Citizen Residential Centers</td>
<td>0.375 spaces per unit</td>
</tr>
<tr>
<td>High-rise Apartments</td>
<td>0.5 spaces for each unit</td>
</tr>
<tr>
<td>Detached or Low-rise Attached Units</td>
<td>1 space for each 12 seats in assembly rooms or halls</td>
</tr>
<tr>
<td>Religious Facilities</td>
<td>1 space for each 12 seats in assembly rooms or halls</td>
</tr>
<tr>
<td>Commercial Activities</td>
<td>Number of Spaces</td>
</tr>
<tr>
<td>------------------------------------------------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>Adult Oriented Activities</td>
<td>1 space for each 500 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>Animal Care and Veterinarian Services</td>
<td>1 space for each 500 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>Automotive Services &amp; Repair</td>
<td>1 space for each 2 employees, plus 2 spaces for each service</td>
</tr>
<tr>
<td>Oil Change Shops</td>
<td>1 space for the use, plus 1 space per oil change bay</td>
</tr>
<tr>
<td>Building Materials &amp; Farm Equipment</td>
<td>1 space for each 2,000 sq. ft. of gross floor area, plus 1 space for each 2 employees</td>
</tr>
<tr>
<td>Consumer Repair Services</td>
<td>1 space for each 500 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>Construction Sales &amp; Services</td>
<td>1 space for each 2,000 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>Convenience Commercial</td>
<td>1 space for each 500 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>Entertainment &amp; Amusement Services</td>
<td>1 space for each 1600 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>Art Galleries</td>
<td>1 space for each 1600 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>Batting &amp; Golf Ranges</td>
<td>To be determined by the Board</td>
</tr>
<tr>
<td>Bowling Alley</td>
<td>2.5 spaces for each alley or lane</td>
</tr>
<tr>
<td>Billiard Parlor</td>
<td>1 space for each 600 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>Coin Operated Amusement Arcades</td>
<td>1 space for each 400 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>Dance Halls, Studios, Schools &amp; Skating Rinks</td>
<td>1 space for each 200 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>Exhibition Halls &amp; Auditoriums</td>
<td>20 percent of capacity</td>
</tr>
<tr>
<td>Motion Picture &amp; Legitimate Theater</td>
<td>1 space for each 10 seats</td>
</tr>
<tr>
<td>Financial, Consultative &amp; Administrative Services</td>
<td>1 space for each 500 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>Food and Beverage Services</td>
<td>1 space for each 4 seats</td>
</tr>
<tr>
<td>Food Service Drive-in or Drive-Thru</td>
<td>1 space for each 300 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>General Business &amp; Communications Services</td>
<td>1 space for each 800 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>General Personal Services</td>
<td>1 space for each 200 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>Funerary &amp; Crematory Services</td>
<td>1 space for each 8 seats</td>
</tr>
<tr>
<td>Funeral &amp; Crematory Services With an Associated Chapel</td>
<td>1 space for each 8 seats</td>
</tr>
<tr>
<td>Health Club</td>
<td>1 space for each 300 sq. ft.</td>
</tr>
<tr>
<td>Self-Storage Facility</td>
<td>1 space for each 40 storage stalls, plus 1 space per managers residence</td>
</tr>
<tr>
<td>All Others</td>
<td>1 space for each 800 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>General Retail Trade</td>
<td>1 space for each 500 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>Furniture Stores</td>
<td>1 space for each 1000 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>Group Assembly</td>
<td>1 space for each 8 seats</td>
</tr>
<tr>
<td>Medical &amp; Professional Services</td>
<td>1 space for each 400 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>Transient Habitation</td>
<td>1 space for each 2 rental rooms, plus 1 space for each 4</td>
</tr>
<tr>
<td>Transportation &amp; Warehousing</td>
<td>1 space for each 4,000 sq. ft., plus 1 space for each 10,000 sq. ft. of open storage area</td>
</tr>
<tr>
<td>Vehicular, Craft &amp; Related Equipment</td>
<td>1 space for each 1,000 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>Wholesale Sales</td>
<td>1 space for each 2,000 sq. ft. of gross floor area</td>
</tr>
</tbody>
</table>
## COMMERCIAL FACILITIES (continued)

<table>
<thead>
<tr>
<th>Commercial Shopping Centers, Complexes, and Malls</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 400,000 sq. ft.</td>
<td>4 spaces for each 2,000 sq. ft. of gross leasable area</td>
</tr>
<tr>
<td>400,001 - 1,000,000 sq. ft.</td>
<td>4.5 spaces for each 2,000 sq. ft. of gross leasable area</td>
</tr>
<tr>
<td>Over 1,000,000 sq. ft.</td>
<td>5.0 spaces for each 2,000 sq. ft. of gross leasable area</td>
</tr>
</tbody>
</table>

### MANUFACTURING ACTIVITIES

| All Activities | 1 space for each 3,000 sq. ft. of gross floor area or 1 space for 3 employees during the largest shift |

### AGRICULTURAL, RESOURCE PRODUCTION OR EXTRACTIVE ACTIVITIES

<table>
<thead>
<tr>
<th>Agricultural Services</th>
<th>1 space for each 2 employees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Veterinary Services</td>
<td>1 space for each 600 sq. ft. of gross floor area</td>
</tr>
<tr>
<td>Confined Animal Feeding Operations</td>
<td>Determined by Board</td>
</tr>
<tr>
<td>Mining, Drilling &amp; Quarrying</td>
<td>0.75 spaces for each 2 employees</td>
</tr>
<tr>
<td>Plant &amp; Forest Nurseries</td>
<td>2.5 spaces, plus 1 space for each 2 employees and 1 space for each 10 acres</td>
</tr>
</tbody>
</table>

### Variance from Required Parking (Section 14.802F)

Providing adequate parking is important but the City of Lebanon also has an interest in reducing the amount of unused impervious cover because of the City’s history with flooding. To help limit the creation of unused parking areas, alternative parking solutions may be considered by the Planning Commission. The bases for an alternative parking solution could be (but is not limited to):

1. Parking demand on similar type developments
2. Availability of shared parking facilities
3. Availability of reasonable pedestrian and bicycle infrastructure
4. Proximity of mass transit (i.e. Music City Star Stations)
5. A general parking study
6. A site specific parking study
7. The level of risk for a negative impact on the normal flow of traffic if the number of parking spaces is not adequate
8. The availability of an area where parking could be expanded if the demand increased

Note:

In all cases, the number of required parking spaces are to be rounded down when the calculations require a partial space.
# PROHIBITED PLANT LIST

The following listed plants shall not be used in any landscape plan required by this ordinance or in any supplemental planting on any site.

## SEVERE THREAT

<table>
<thead>
<tr>
<th>SCIENTIFIC NAME</th>
<th>COMMON NAME</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ailanthus Altissima (Mill.) Swingle</td>
<td>Tree of Heaven</td>
</tr>
<tr>
<td>Albizia Julibrissin Durz.</td>
<td>Mimosa</td>
</tr>
<tr>
<td>Alliaria Petiolata (Bieb.) Cavara &amp; Grande</td>
<td>Garlic Mustard</td>
</tr>
<tr>
<td>Celastrus Orbiculata Thunb.</td>
<td>Asian Bittersweet</td>
</tr>
<tr>
<td>Dioscorea Oppositifolia L.</td>
<td>Air-Potato</td>
</tr>
<tr>
<td>Elaeagnus Umbellata Thunb.</td>
<td>Autumn Olive</td>
</tr>
<tr>
<td>Elaeagnus Pungens Thunb.</td>
<td>Thorny Olive</td>
</tr>
<tr>
<td>Euonymus Fortunei (Turcz.) Hand.-Mazz</td>
<td>Winter Creeper</td>
</tr>
<tr>
<td>Hedera Helix L.</td>
<td>English Ivy</td>
</tr>
<tr>
<td>Lespedeza Cuneata (Dum.-Cours.) G. Don</td>
<td>Sericea Lespedeza</td>
</tr>
<tr>
<td>Ligustrum Sinense Sour.</td>
<td>Chinese Privet</td>
</tr>
<tr>
<td>Ligustrum Vulgare L.</td>
<td>Common Privet</td>
</tr>
<tr>
<td>Lonicera Fragrantissima Lindl. &amp; Paxton</td>
<td>January Jasmine</td>
</tr>
<tr>
<td>Lonicera Japonica Thunb.</td>
<td>Japanese Honeysuckle</td>
</tr>
<tr>
<td>Lonicera Maackii (Rupr.) Maxim.</td>
<td>Amur Bush Honeysuckle</td>
</tr>
<tr>
<td>Lonicera Morrowii A. Gray</td>
<td>Morrow’s Bush Honeysuckle</td>
</tr>
<tr>
<td>Lonicera Tatarica L.</td>
<td>Tartarian Honeysuckle, Twinsisters</td>
</tr>
<tr>
<td>Lonicera X Bella Zabel</td>
<td>Bush Honeysuckle</td>
</tr>
<tr>
<td>Lythrum Salicaria L. (all varieties and cultivars)</td>
<td>Purple Loosestrife</td>
</tr>
<tr>
<td>Microstegium Viminum (Trin.) A.</td>
<td>Camus Nepal Grass, Japanese Grass</td>
</tr>
<tr>
<td>Myriophyllum Spicatum L.</td>
<td>Eurasian Water Milfoil</td>
</tr>
<tr>
<td>Paulownia Tomentosa (Thunb.) Sieb. &amp; Zucc. Ex Steud</td>
<td>Princess Tree</td>
</tr>
<tr>
<td>Phragmites Australis (Cav.) Trin. Ex Steud.</td>
<td>Common Reed</td>
</tr>
<tr>
<td>Polygonum Cuspidatum Seib. &amp; Zucc</td>
<td>Japanese Knotweed, Japanese Bamboo</td>
</tr>
<tr>
<td>Pueraria Montana (Lour.) Merr.</td>
<td>Kudzu</td>
</tr>
<tr>
<td>Rosa Multiflora Thunb.</td>
<td>Multiflora Rose</td>
</tr>
<tr>
<td>Solanum Viarum Dunal</td>
<td>Tropical Soda Apple</td>
</tr>
<tr>
<td>Sorghum Halepense (L.) Pers.</td>
<td>Johnson Grass</td>
</tr>
<tr>
<td>Spiraea Japonica L. f.</td>
<td>Japanese Spirea</td>
</tr>
</tbody>
</table>
## SIGNIFICANT THREAT

<table>
<thead>
<tr>
<th>SCIENTIFIC NAME</th>
<th>COMMON NAME</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alternanthera Philoxeroides (Mart.) Griseb.</td>
<td>Alligatorweed</td>
</tr>
<tr>
<td>Artemisia Vulgaris L.</td>
<td>Mugwort, Common Wormwood</td>
</tr>
<tr>
<td>Arthraxon Hispidus (Thunb.) Makino</td>
<td>Hairy Jointgrass</td>
</tr>
<tr>
<td>Berberis Thunbergii DC.</td>
<td>Japanese Barberry</td>
</tr>
<tr>
<td>Bromus Commutatus Schrad.</td>
<td>Meadow Brome</td>
</tr>
<tr>
<td>Bromus Japonicus Thunb. Ex Murray</td>
<td>Japanese Bromegrass</td>
</tr>
<tr>
<td>Bromus Secalinus L.</td>
<td>Rye Brome</td>
</tr>
<tr>
<td>Bromus Tectorum L.</td>
<td>Thatch Bromegrass, Cheat Grass</td>
</tr>
<tr>
<td>Carduus Nutans L.</td>
<td>Musk Thistle, Nodding Thistle</td>
</tr>
<tr>
<td>Centaurea Biebersteinii DC.</td>
<td>Spotted Knapweed</td>
</tr>
<tr>
<td>Cirsium Arvense (Scop.)</td>
<td>Canada Thistle</td>
</tr>
<tr>
<td>Cirsium Vulagre (Savi) Ten.</td>
<td>Bull Thistle</td>
</tr>
<tr>
<td>Clematis Terniflora DC.</td>
<td>Leatherleaf Clematis</td>
</tr>
<tr>
<td>Conium Maculatum L.</td>
<td>Poison Hemlock</td>
</tr>
<tr>
<td>Coronilla Varia L.</td>
<td>Crown Vetch</td>
</tr>
<tr>
<td>Daucus Carota L.</td>
<td>Wild Carrot, Queen Anne’s Lace</td>
</tr>
<tr>
<td>Dipsacus Fullonim L.</td>
<td>Fuller’s Teasel</td>
</tr>
<tr>
<td>Dipsacus Laciniatus L.</td>
<td>Cutleaf Teasel</td>
</tr>
<tr>
<td>Euonymus Alatus (Thunb.) Sieb.</td>
<td>Burning Bush</td>
</tr>
<tr>
<td>Festuca Arundinacea Schreb.</td>
<td>Tall Fescue</td>
</tr>
<tr>
<td>Festuca Pratensis Huds.</td>
<td>Meadow Fescue</td>
</tr>
<tr>
<td>Hesperis Matronalis L.</td>
<td>Dame’s Rocket</td>
</tr>
<tr>
<td>Hydrilla Verticillata (L.f.) Royle</td>
<td>Hydrilla, Water Thyme</td>
</tr>
<tr>
<td>Lespedeza Bicolor Turcz.</td>
<td>Bicolor Lespedeza, Shrubby Bushclover</td>
</tr>
<tr>
<td>Ligustrum Japonicum Thumb.</td>
<td>Japanese Privet</td>
</tr>
<tr>
<td>Lysimachia Nummularia L.</td>
<td>Moneywort, Creeping Jenny</td>
</tr>
<tr>
<td>Mahonia Bealei (Fortune) Carriere</td>
<td>Oregon Grape</td>
</tr>
<tr>
<td>Melilotus Alba Medik.</td>
<td>White Sweet Clover</td>
</tr>
<tr>
<td>Melilotus Officinalis (L.) Lam.</td>
<td>Yellow Sweet Clover</td>
</tr>
<tr>
<td>Miscanthus Sinensis Andersson</td>
<td>Zebra Grass, Chinese Silver Grass</td>
</tr>
<tr>
<td>Murraya Keisak (Hassk.) Hand. Mass.</td>
<td>Asian Spiderwort</td>
</tr>
<tr>
<td>Myriophyllum Aquaticum (Vell.) Verdc.</td>
<td>Parrot’s Feather, Water Milfoil</td>
</tr>
<tr>
<td>Nandina Domestica Thunb.</td>
<td>Nandina, Sacred-Bamboo</td>
</tr>
<tr>
<td>Rorippa Nasturtium-Aquaticum</td>
<td>Hayek Watercress</td>
</tr>
<tr>
<td>Polygonum Caespitosum Blume</td>
<td>Bunchy Knotweed, Oriental Lady’s Thumb</td>
</tr>
<tr>
<td>Populus Alba L.</td>
<td>White Poplar</td>
</tr>
<tr>
<td>Potamogeton Crispus L.</td>
<td>Curly Pondweed</td>
</tr>
<tr>
<td>Setaria Faberi R.A.W. Herrm.</td>
<td>Nodding Foxtail-Grass, Japanese Bristle</td>
</tr>
<tr>
<td>Setaria Italica (L.) P. Beauv.</td>
<td>Foxtail-Millet</td>
</tr>
<tr>
<td>Setaria Pumila (Poir.) Riem. &amp; Schult.</td>
<td>Yellow Foxtail, Smooth Millet</td>
</tr>
<tr>
<td>Setaria Viridis (L.) B. Beauv.</td>
<td>Green Millet</td>
</tr>
<tr>
<td>Torilis Arvensis (Huds.) Link</td>
<td>Spreading Hedge-Parsley</td>
</tr>
<tr>
<td>Tussilago Farfara L.</td>
<td>Coltsfoot</td>
</tr>
<tr>
<td>Verbacum Thapsus L.</td>
<td>Common Mullein</td>
</tr>
<tr>
<td>Vicia Sativa L</td>
<td>Garden Vetch</td>
</tr>
<tr>
<td>Vinca Minor L.</td>
<td>Common Periwinkle</td>
</tr>
<tr>
<td>Wisteria Sinensis (Sims) DC.</td>
<td>Chinese Wisteria</td>
</tr>
<tr>
<td>Wisteria Floribunda (Wild.) DC.</td>
<td>Wisteria</td>
</tr>
<tr>
<td>Xanthium Strumarium L.</td>
<td>Common Cockerel, Rough Cockerel</td>
</tr>
</tbody>
</table>
The following trees and shrubs have been identified as species that are suitable in this geographic region and are acceptable by the City of Lebanon.

**CANOPY TREES** – (A tree that normally achieves an overall height at maturity of 30 feet or more).

**BOTANICAL NAME** | **COMMON NAME**
--- | ---
Deciduous Canopy:  
Acer rubrum | Red Maple and cultivars  
Acer saccharum | Sugar Maple and cultivars  
Betula nigra | River Birch  
Cercidiphyllum japonicum | Katsura Tree  
Cladrastis kentukea | American Yellowwood  
Fraxinus americana | White Ash – seedless varieties only  
Fraxinus pennsylvanica | Green Ash – seedless varieties only  
Gingko biloba | Gingko, Maidenhair – male only  
Gymnocladus dioicus | Kentucky Coffeetree – fruitless  
Liquidambar styraciflua | Sweetgum – fruitless varieties only  
Liriodendron tulipifera | Yellow Poplar, Tulip Tree  
Metasequoia glyptostroboides | Dawn Redwood  
Nyssa sylvatica | Black Gum, Tupelo  
Platanus occidentalis | Sycamore  
Quercus acutissima | Sawtooth Oak  
Quercus alba | White Oak  
Quercus coccinea | Scarlet Oak  
Quercus imbricaria | Shingle Oak  
Quercus palustris | Pin Oak  
Quercus phellos | Willow Oak  
Quercus prinus | Chestnut Oak  
Quercus rubra | Red Oak  
Quercus shumardii | Shumard Oak  
Taxodium distichum | Bald Cypress  
Evergreen Tall Growing Trees:  
Ilex opaca | American Holly and cultivars  
Juniperus virginiana | Eastern Redcedar  
Magnolia grandiflora | Southern Magnolia  
Picea abies | Norway Spruce  
Pinus sylvestris | Scots Pine  
Pinus virginiana | Virginia Pine  
Tsuga canadensis | Canadian (Eastern) Hemlock  
**UNDERSTORY TREES** – (Trees that normally achieve an overall height at maturity of 15 to 30 feet, and can grow under canopy trees).  
Deciduous Understory Trees1T:  
Acer buergeranum | Trident Maple  
Acer campestre | Hedge Maple  
Acer ginnala | Amur Maple and cultivars  
Acer griseum | Paper Bark Maple  
Acer palmatum | Japanese Maple and cultivars  
Aesculus pavia | Red Buckeye  
Amelanchier arborea | Serviceberry  
Carpinus caroliniana | American Hornbeam  
Cercis canadensis | Eastern Redbud and cultivars
Chionanthus retusus Chinese Fringetree
Chionanthus virginicus White Fringetree
Cornus florida Flowering Dogwood and cultivars
Cornus kousa Kousa Dogwood and cultivars
Crataegus phaenopyrum Washington Hawthorn
Crataegus viridis Green Hawthorn
Franklinia alatamaha Franklin Tree
Ilex decidua Possumhaw
Lagerstroemia indica Crepe Myrtle – Tree forms only
Magnolia x Usovalangiana Saucer Magnolia
Magnolia stellata Star Magnolia
Magnolia virginiana Sweetbay Magnolia
Malus Uculturavarieties Crabapples - disease resistant only
Ostrya virginiana American Hornbeam
Oxydendron arboreum Sourwood
Prunus serrulata Flowering Cherry
Syringa japonica Japanese Snowball
Syringa reticulata Japanese Tree Lilac

1T Evergreen Low Growing Trees

Ilex cornuta ‘Burfordi’ Burford Holly
Ilex x attenuata ‘Fosteri’ Foster’s Hybrid Hollies
Ilex x ‘Nellie R. Stevens’ Nellie R. Stevens Holly
Prunus caroliniana Cherry Laurel
Magnolia grandiflora ‘Little Gem’ Little Gem Magnolia

Shrubs – a woody plant with multiple stems capable of growing to a height of no more than 15 feet.

Shrubs for Buffer Yards: One half of required shrubs should reach a height of 5 feet within 5 years of planting. One half of shrubs must be evergreen species.

Deciduous and Semi-Evergreen Shrubs:

Abelia x grandiflora & cultivars Glossy Abelia
Aronia arbutifolia & cultivars Red Chokecherry
Chaenomeles speciosa Flowering Quince
Clethra alnifolia Sweet Pepperbush
Forsythia x intermedia Flowering Forsythia
Hamamelis Witch Hazel
Hydrangea quercifolia & cultivars Oakleaf Hydrangea
Ilex serrata Finetooth Holly
Ilex verticillata Winterberry
Itea virginica Virginia Sweetspire
Kolkwitzia amabilis Beautybush
Lagerstroemia cultivars Shrub Crepe myrtles
Viburnum species & cultivars Viburnum

Evergreen Shrubs:

Ilex cornuta cultivars Chinese Hollies
Ilex crenata Japanese Holly
Ilex glabra Inkberry
Ilex x meserveae Meservea Hybrid Hollies
Juniperus chinensis cultivars Chinese Juniper
Prunus laurocerasus ‘Otto Luyken’ Otto Luyken and Schip Laurel
and ‘Schipkaensis’
Viburnum pragense Prague Viburnum
Viburnum rhytidophyllum Leatherleaf Viburnum

Shrubs for perimeter: Evergreen shrubs should be maintained at 2 ½ feet.

Buxus sempervirens American Boxwood
Juniperus chinensis Chinese Juniper
Nandina domestica Dwarf Nandina ‘Fire Power’, ‘Harbour Dwarf’
Prunus laurocerasus ‘Otto Luyken’ Otto Luyken and Schip Laurel
and ‘Schipkaensis’
Taxus x media ‘Densiformis’ Densiformis Yew
1. INTENT

The following guidelines are adopted by the Lebanon Historic Preservation Commission for the preservation and rehabilitation of structures within the City of Lebanon, Tennessee, included within such historic districts as shall be created by the City of Lebanon, Tennessee.

The design guidelines set forth in this appendix of the City of Lebanon Zoning Ordinance, are referred to collectively as the “Historic Preservation Design Guidelines” or the “Design Guidelines.” The purpose of the Design Guidelines is to maintain the historic character of significant neighborhoods within the City of Lebanon.

A. To guide the expansion and renovation of Historic Structures and the construction of new buildings within designated districts or landmarked structures; and
B. To permit rehabilitation and new development, where appropriate, while preserving and enhancing Lebanon’s character; and
C. To assist the City in reviewing proposals to maintain Historic Structures.

2. APPLICABILITY

1. Standards within this Appendix include both residential and non-residential guidelines and shall apply to properties within the City of Lebanon’s Historic Preservation districts as stated below:
   a. Residential Guidelines
      i. Greenlawn Historic Preservation District
      ii. East Spring Historic Preservation District
      iii. Cumberland University Historic Preservation District

2. Applicability of Other Articles
   a. Where a Historic District overlays a Zoning District, with its own design standards found in Chapter 8, both the Design Guidelines and Design Standards shall apply with the Design Guidelines taking precedence during any conflict.

3. ECONOMIC HARDSHIP

The Historic Preservation Commission (HPC) can take into consideration economic hardship arguments of the applicant. In its determination, the HPC would consider that by reason of the exceptional deterioration of the structure or by reason of the particular
economics of the proposed project, the strict application of the Design Guidelines would result in peculiar and practical difficulties or undue economic hardship upon the owner to develop the property.

The HPC would also consider whether the relief of the particular hardships would not establish substantial detriment to the public good or substantially impair the intent and purpose of the Historic Preservation Ordinance. The peculiar hardship would apply to the particular land or building regardless of the owner, and the peculiar hardship is not created as a result of an act upon the part of the applicant.

If a Certificate of Appropriateness (COA) is denied to a property owner, the HPC will consider economic hardship and other factors that may affect an owner’s ability to undertake and complete rehabilitation or other work considered. Economic hardship, caused by unusual and compelling circumstances, is based on one or more of the following:

The property cannot reasonably be maintained in the manner dictated by the ordinance;

There are no other reasonable means of saving the property from deterioration or collapse, or;

The property is owned by a nonprofit organization and it is not feasible financially or physically to achieve the charitable purposes of the organization while maintaining the property appropriately.

ECONOMIC HARDSHIP CRITERIA

Economic Hardship is a finding made by the Historic Preservation Commission when the denial of a Certificate of Appropriateness will:

1. Deprive the owner of the property of all reasonable use of, or economic return on, the property, or
2. Place an unreasonable economic burden on the property owner commensurate with the owner’s financial ability to meet the requirements of the COA.

The HPC shall apply the following criteria:

A. The basis to establish economic hardship for an income-producing property shall be that a reasonable rate of return cannot be obtained from a property that retains its historic features or structures in either its present condition or if its features or structures are rehabilitated.

B. Economic hardship in regard to a non-income-producing property shall be found when the property owner demonstrates that the property has no beneficial use as a single-family dwelling or for an institutional use in its present condition or if rehabilitated.

C. Demonstration of an economic hardship shall not be based on or include any of the following circumstances:
1. Willful or negligent acts by the owner.
2. Purchase of the property for substantially more than market value.
3. Failure to perform normal maintenance and repairs.
4. Failure to diligently solicit and retain tenants.
5. Failure to provide normal tenant improvements.

To make a determination of Economic Hardship, the HPC can request the following information in order to make its decision:

A. Cost estimates of the proposed construction, alteration, demolition, or removal and an estimate of the additional costs that would be incurred to comply with the recommendations of the HPC for issuance of a COA.
B. A report from a licensed engineer or architect with expertise in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation.
C. Estimated market value of the property in its current condition; estimated market value after completion of the proposed construction, alteration, demolition, or removal; after any change recommended by the HPC; and in the case of a proposed demolition, after renovation of the existing property for continued use.
D. In the case of a proposed demolition, an estimate from an architect, developer, real estate consultant, appraiser, or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property and its market value for continued use after rehabilitation.
E. For income-producing properties, information on annual gross income, operating and maintenance expenses, depreciation deductions and annual cash flow after debt service, current property value appraisals, assessed property valuations, real estate taxes, and any other information considered necessary by the HPC for determine whether substantial evidence of economic hardship exists.
F. Remaining balance on any mortgage or other financing secured by the property and annual debt service, if any, for the previous two years.
G. All appraisals obtained within the previous two years by the owner or applicant in connection with the purchase, financing, or ownership of the property.
H. Amount paid for the property, the date of purchase, and the party from whom purchased.

Approval of Economic Hardship shall be based on the following criteria:

A. Denial of the COA will diminish the value of the subject property so as to leave substantially no value.
B. Sale or rental of the property is impractical, when compared to the cost of holding such property for uses permitted in this zone.
C. An adaptive reuse study has been conducted and found that utilization of the property for lawful purposes is prohibited or impractical
D. Rental at a reasonable rate of return is not feasible.
E. Denial of the COA would damage the owner of the property unreasonably in comparison to the benefit conferred to the community.
F. All means of involving City sponsored incentives such as financial assistance, building code modifications, loans, grants etc. have been explored to relieve possible economic disincentives.
4. DESIGN GUIDELINES FOR RESIDENTIAL BUILDINGS

THE SECRETARY OF THE INTERIOR’S STANDARDS FOR REHABILITATION

Introduction to the Standards:

The Secretary of the Interior is responsible for establishing standards for all programs under Departmental authority and for advising Federal agencies on the preservation of historic properties listed in or eligible for listing in the National Register of Historic Places.

The Standards for Rehabilitation (codified in 36 CFR 67 for use in the Federal Historic Preservation Tax Incentives Program) addresses the most prevalent treatment. “Rehabilitation” is defined as “the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values.”

Initially developed by the Secretary of Interior to determine the appropriateness of proposed project work on registered properties within the Historic Preservation Fund grant-in-aid program, the Standards for Rehabilitation have been widely used over the years-particularly to determine if rehabilitation qualifies as Certified Rehabilitation for Federal tax purposes. In addition, the Standards have guided Federal agencies in carrying out their historic preservation responsibilities for properties in Federal ownership or control; and State and local officials in reviewing both Federal and Non-Federal rehabilitation proposals. They have also been adopted by historic district and planning commissions across the country.

The intent of the Standards is to assist the long-term preservation of a property’s significance through the preservation of historic materials and features. The Standards pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and interior of the buildings. They also encompass related landscape features and the building’s site and environment, as well as attached, adjacent, or related new construction. To be certified for Federal tax purposes, a rehabilitation project must be determined by the Secretary to be consistent with the historic character of the structure(s), and where applicable, the district in which it is located.

As stated in the definition, the treatment “rehabilitation” assumes that at least some repair or alteration of the historic building will be needed in order to provide for an efficient contemporary use; however, these repairs and alterations must not damage or destroy materials, features, or finishes that are important in defining the building’s historic character. For example, certain treatments – if improperly applied – may cause or accelerate physical deterioration of the historic building. This can include using improper repointing or exterior masonry cleaning techniques, or introducing insulation that damages historic fabric. In almost all of these situations,
use of these materials and treatments will result in a project that does not meet the Standards. Similarly, exterior additions that duplicate the form, material, and detailing of the structure to the extent that they compromise the historic character of the structure will fail to meet the Standards.

The Secretary of the Interior’s Standards for Rehabilitation:

The Standards (Department of Interior regulations, 36 CFR 67) pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and the interior, related landscape features and the building's site and environment as well as attached, adjacent, or related new construction. The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historic development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterized a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New addition and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

4.2 ALTERATIONS TO EXISTING BUILDINGS AND PROPERTY

4.2.1 **Definition:** A change in building material; the addition or elimination of any architectural feature or a structure; a repair that reconstructs any part of an existing building; an addition that extends or increases floor area or height of any building; or construction of an appurtenance.

4.2.2 **General Principles**

These guidelines shall apply only to the exteriors of buildings and to areas of lots clearly visible from public rights-of-way.

Proposals for exterior work to be done on public façades – front and street-related elevations – shall be more carefully reviewed than to be done on other façades. Non-public façades shall mean those façades not visible from the street.

Every reasonable effort shall be made to provide a compatible use for a property, requiring minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.

The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or significant alteration of any historic material or distinctive architectural features should be avoided.

Changes, which may have taken place in the course of time, are evidence of the history and development of a building, structure, or site and its
environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.

Deteriorated architectural features shall be repaired rather than replaced when economically feasible. In the event that replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

It is important to note the presence of different architectural styles from the 1820s to present. Although such elements as roof, windows, doors, porch, etc., may be common to all, each period possesses distinctive details and features that distinguish it from other periods. The integrity of each period should be maintained in the repair/replacement or addition to these details and features.

The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that damage historic building materials shall not be undertaken.

Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material; and when such design is compatible with the size, scale, color, material, and character of the property, neighborhood, and environment.

Whenever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in
the future, the essential form and integrity of the structure would be unimpared.

4.2.3 Additions

Additions are areas that increase the living or working space of a structure. This does not include the addition of architectural elements.

Whenever feasible, an addition should be situated at the rear of a building in such a way that it will not disturb either front or side public façades.

Additions should follow the guidelines for new construction.

![Bungalow](image1)

BUNGALOW

![Folk Victorian](image2)

FOLK VICTORIAN

4.2.4 Architectural Feature

All practical efforts should be employed to retain the original features.

The replacement of irreparable features should be with close visual approximations of the originals.
The replacement of missing original features should be based on accurate duplication, or should be close visual approximations of the originals, based on historic, physical, or pictorial documentation.

Architectural features of any period or style not original to the building should not be introduced.

If artificial siding materials are used, soffits, eaves, and porch ceilings should not be concealed and the material should replicate the original feature.

4.2.5 Materials

Original building materials include wood, brick, stone, terra cotta and stucco.

Original roof materials include slate, metal, wood shingles, and on twentieth century buildings, asphalt shingles.

Original building and roofing materials should be retained. If replacement is necessary, it should be with original materials, whenever economically feasible, or with close visual approximations of the original in both color and content.

4.2.5.1 Masonry

Masonry repointing should be done with care to match the original mortar color. The use of Portland cement should be avoided when repointing old brick.

Original tooling configuration and joint width should be maintained.
Cleaning should be done with the gentlest means possible. Sandblasting causes severe damage to brick and mortar; its use should be avoided.

Stone, terra cotta, limestone, tile, and glass should not be tinted or painted unless it was a characteristic of the original design.

4.2.5.2 Wood

Wood siding should be retained if possible, but vinyl siding may be used, provided the width of the vinyl siding matches the width of the wooden siding which is being covered and replicates a visual representation of the original. Vinyl siding should be smooth-surfaced and not wood-textured.

Replacement wood siding should be consistent with the original in size, direction, and lap dimension.

Decorative elements should never be covered by or removed in favor of artificial siding applications.

Original wall shingles should be maintained.

4.2.6 Color

The Lebanon Historic Preservation Commission does not review and regulate paint colors on historic structures.

NOTE: Paint colors original to the building are generally the most acceptable. If this is not possible or desirable, an appropriate substitute should be made. Appropriate paint colors vary according to the age of the building and guidance for selecting appropriate colors can be provided by the Lebanon Historic Preservation Commission.

4.2.7 Roofs

Original roof pitch, configuration, and architectural features should be maintained.

The original size and shape of dormers should be maintained. Dormers generally should not be introduced where none existed originally.
Original roof materials should be retained. If replacement is necessary, original materials should be used which are a close visual approximation of the original in both color and content.

When it is not economically feasible to replace or repair with original materials or when the original roof is beyond repair, non-original materials of a similar color and content, which are appropriate to the architectural style and period of the house, may be used. Guidance for selecting appropriate non-original materials can be provided by the Lebanon Historic Preservation Commission.

Skylights should be located so as to not be clearly visible from public rights-of-way.

NOTE: Roof architectural features may include, but are not limited to: overhangs, cornices, rafters, cresting, gutter systems, brackets, finials, pendants, vents, and chimneys.

4.2.8 Porches

Original architectural features and shape – outline, roof height, and roof pitch – should be retained.

Original porch materials and architectural features should be maintained. If different materials are substituted, they should be a close visual approximation of the original.

The enclosing of side porches may be considered appropriate if the general visual character of the original porch is maintained. For example, this would include preservation of existing columns or pillars, so as not to change the rhythm of the space.

NOTE: Porch architectural features may include: columns, railings, balustrades, brackets, friezes, ceilings, floors, and steps.
4.2.9 Doors

The original size, shape, and architectural features of door openings should be maintained.

Original transoms, side lights, and doors should be maintained.

Replacement doors should be compatible with original doors in terms of style and material. Flush doors are generally inappropriate.

Original or original-style screen doors are appropriate. Shiny, raw, metallic-like or aluminum, non-original screen doors and storm doors are not appropriate.

Full-view doors, which allow complete viewing of the original front door, painted to match the original front door are appropriate.

New door openings should not be introduced on façades visible from the street.

Original door openings should not be filled in.

NOTE: Door architectural features may include: panels, trim hoods, transoms, side lights, and number and configuration of lights.
FEDERAL AND GREEK REVIVAL
VICTORIAN

Below: A door typical of Italianate and other mid-century styles.

Right: Transitional style doors with glass panels are commonly seen.

Left: Doors from later Victorian styles vary from plain to fancy but are almost always half-glass.

Turn-of-the-century

Right: Typically, turn-of-the-century doors had a large glass panel. There were many versions.

Bungalow

Left: Typical variations of Craftsman and bungalow doors.

Inappropriate doors

Doors to avoid: Flush doors and inappropriate paneled doors like these should be avoided. The use of an old door of one style on an old house of another style should also be avoided.
4.2.10 Windows

Original windows should be repaired rather than replaced.

The original size, shape, and architectural features of windows should be maintained.

The original number and arrangement of panes should be maintained.

In general, storm windows and screens are not appropriate. However, storm windows of appropriate style and color to match the sash color and original window style may be employed.

Shutters, when appropriate to the style of the building, are acceptable. Shutters should fit an opening in height and width so that if they were closed, the opening would be covered.

New window openings should not be introduced unless they match the existing window configuration and their placement harmonizes with the existing rhythm of openings.

Original windows should not be filled in.

NOTE: Window architectural features may include: sash, trim, aprons, number and configuration of lights, hoods, and lintels.

4.2.11 Landscaping

All aspects of site development should be sympathetic to the character of the overall neighborhood landscape development. Architectural structures, fountains, ponds, etc., artistic lawn objects and the types of plants and their spatial treatment of adjacent properties should be appropriate.

If it becomes necessary in the event of storm damage, safety hazards, or disease to prune or cut any trees lining the public rights of way, every effort should be made to maintain the natural symmetry of the tree.

The practice of “topping” of trees is not appropriate and should never be employed for trees which are clearly visible from public rights-of-way.

4.2.12 Lighting

Original exterior light fixtures should be retained if possible or if replaced, the style should be appropriate to the architectural style of the building.

Freestanding lampposts in yards should be in keeping with the architectural style of the house and neighborhood.
Landscape and/or general residential façade lighting, which is visible from public rights-of-way, should employ the minimal illumination required for desired accent or affect and must be unobtrusive to adjacent properties.

4.2.13 Signs

The appearance, size, position, methods of attachment, texture of materials, color, and design of signs shall be in keeping with the collective characteristics of the structures surrounding the property on which the sign will be located and must be harmonious with any official Historic District signage in theme, design, and color.

Off-site signs shall not be permitted.

When appropriately zoned, business signs shall be limited to one (1) sign for each street frontage per premise and if placed in the yard shall not be over five (5) feet in height.

The maximum area of any sign located in a historic residential district shall be four (4) square feet; the maximum area of any sign in a historic commercial district shall be four (4) square feet.

No sign that flashes, blinks, revolves, or is put in motion by the atmosphere shall be permitted. No visible bulbs or luminous paints will be permitted as a part of any sign.

No portable signs are allowed.
Signs attached to the structure shall not cover any architectural feature.

Real estate signs shall be removed no more than ten (10) days after the closing of a sale or a house or lot.
Signs relating to public safety or security-type services are appropriately exempt from style and color restrictions.

4.2.14 Public Spaces

Landscaping, signage, lighting, street furniture, and other work undertaken in public spaces, by any individual, group, agency or municipality shall be presented to the Lebanon Historic Preservation Commission for review for compatibility and appropriateness for the Historic District.

4.2.15 Appurtenances

Appurtenances related to a building (fences, walls, street lamps, steps, paving, sidewalks, and signs) should be visually compatible with the environment to which they are related.
4.2.15.1 **Fences**

Low retaining walls in front yards should be kept where they exist. Introduction of retaining walls where none existed should be avoided, if feasible. However, if introduced, the retaining walls should be visually conducive to the natural landscape of the property. Historic, stacked walls should be maintained in their natural state. Mortar pointing at stress points and in areas of retaining is appropriate.

New stacked stone or brick walls, which are similar to historic walls in the district, are perfectly acceptable and encouraged.

New or reclaimed, lower height, iron fencing may be appropriate for properties with pre-1900 houses. Iron fencing is generally not appropriate for later houses.

Low, wood-picket fences of a style and color which is compatible to the residence are appropriate in front of rear yards.

Decorative board fences, usually taller, with wider boards set close together for privacy, may be appropriate around the rear yards if they are of a style, texture, and color to match the property. In general, decorative board fences designed for privacy should not extend beyond the back yard area.

Chain link, vinyl, metallic-like, or woven fences are inappropriate for front or visible side yards. They may be used in rear yards. If a portion of a rear fence is visible from the street, it must be camouflaged with hedge, vine, or appropriate landscaping.

High, solid walls are inappropriate for a residential district.

**APPROPRIATE FENCES**

![WROUGHT IRON](image1.png)  ![PICKET](image2.png)
4.2.15.2 Gates

Gate entrances should be appropriate in scale relative to the overall entrance and the adjoining fence/wall pillars and be in keeping with the architectural style of the house. Solid gates should be avoided if directly affronting the street.

4.2.15.3 Street Lights, Paving, and Parking

Lighting at the street level should be in keeping with the architectural style of the house and be incorporated for a specific design function; example: driveway entrance, gate entrance, etc.

In principle, driveways, paving, steps, etc. should be sympathetic to the character of landscape development of the property in general, and harmonious with neighborhood aesthetics.

Parking areas which are clearly visible from public rights-of-way, should be balanced in area relative to the size of the building and overall area of the property. In general, appropriate landscaping and paving design should be employed in order to minimize the visual appearance of any parking area.

No type of vehicle used predominately for a recreational, utility, or commercial purpose should be parked in such a manner as to be clearly visible from public rights-of-way.

4.2.15.4 Mailboxes

Mailboxes should reflect the character of the existing house, surrounding buildings, and/or general landscape aesthetics. Mailboxes of a novelty design are not permitted. Wall mounted mailboxes where they have historically existed, shall be maintained in lieu of right-of-way boxes. Mailboxes shall not be permitted in or closely adjacent to public rights-of-way; e.g. (future) sidewalks within the Lebanon Historic Districts.

4.2.15.5 Recreational Facilities

In general, all recreation equipment, devices, and facilities; e.g. ball goals, swimming pools, tennis courts, etc. should be located on the property as to not be visible from public right-of-
way and must be an appropriate distance with proper landscaping as to minimize intrusion with adjacent properties.

4.3 NEW CONSTRUCTION

4.3.1 Definition:

The construction of any freestanding structure on any lot, or addition to existing structure.

4.3.2 General Principles

The guidelines shall apply only to the exteriors of buildings and, predominately, to areas of lots clearly visible from public rights-of-way.

The public façades – front and street-related elevations – of proposals for new buildings shall be more carefully reviewed than other façades.

In considering applications for new construction, the Commission shall take into account the variety and architectural style present within the District. New buildings, which are design compatible and complement existing structures in both size and architecture are encouraged, provided they are proposed as either new infill or additions. New construction generally should not displace existing historic district primary structures.

Reconstruction may be appropriate when it reproduces façades of a building, which no longer exists and which was located in the historic district, if: the building would have contributed to the historical and architectural character of the area; if it will be compatible in terms of style, height, scale, massing, and materials with the buildings immediately surrounding the lot on which the reproduction will be built; and if it is accurately based on pictorial documentation.

Because new buildings usually relate to an established pattern and rhythm of existing buildings, both on the same and opposite sides of a street, the dominance of that pattern and rhythm must be respected and not disrupted.

New construction should be consistent with existing buildings along a street in terms of height, scale, setback, and rhythm; relationship of materials, texture, details, and color; roof shape; orientation; and proportion and rhythm of openings.

In the case of planned new construction between two buildings of equal height of varying heights, an individual judgment will be made by the Lebanon Historic Preservation Commission as to compatibility of the design.
Historically, residential districts were designed as single-family residences of solid, permanent construction and remain so today. Accordingly, all new construction, additions, or relocation of any structures within or to a Historic District shall be of permanent construction and employed solely as single-family residences.

4.3.3 Guidelines for New Construction

4.3.3.1 Height

New buildings must be construed to the same number of stories and to a height, which is compatible with the height of adjacent buildings.

THE RELATIONSHIP BETWEEN WINDOWS AND WALL AREAS SHOULD BE COMPATIBLE WITH THAT FOUND ON HISTORIC BUILDINGS. THE HEIGHT OF NEW STRUCTURES SHOULD BE COMPATIBLE WITH THOSE OF NEIGHBORING HISTORIC BUILDINGS AND THE SURROUNDING CONTEXT. GENERALLY, NEW BUILDINGS SHOULD NOT BE TALLER THAN ADJACENT STRUCTURES.

4.3.3.2 Scale

The size of a new building; its mass in relation to open spaces; and its windows, doors, openings, and porches should be visually compatible with the surrounding buildings.

4.3.3.3 Setback and Rhythm of Spacing

The setback from front and side yard property lines established by adjacent buildings must be maintained. When a definite rhythm along a street is established, infill new buildings should maintain the rhythm.
Maintain the original historic line of the building setback. Maintaining a continuous street frontage is one of the most important elements in prompting pedestrian activity and establishing a quality “face” to the public realm.

4.3.4 Roof Shape

The roofs of new buildings shall be visually compatible, by not contrasting greatly with the roof shape and orientation of surrounding buildings.

4.3.5 Proportion and Rhythm of Openings

The relationship of width to height of windows and doors, and the rhythm of solids to voids in new buildings shall be visually compatible with surrounding buildings.

4.3.6 Relationship of Materials, Texture, Details, and Material Color

The relationship and use of materials, texture, details, and material color of a new building’s public façades shall be visually compatible with and similar to those of adjacent buildings, or shall not contrast conspicuously.

4.3.7 Orientation

The site orientation of new buildings shall be consistent with that of adjacent buildings and shall be visually compatible. Directional expression shall be compatible with surrounding buildings, whether that expression is vertical, horizontal, or non-directional.

4.3.8 Additions to Existing Buildings
New additions to existing buildings should be kept to a
minimum and should be compatible in scale, materials, and
texture; additions should not be visually jarring or contrasting.

Additions to the front of a building should be consistent with the
architectural style of the existing structure. Additions may be
located to the rear of existing buildings in ways, which do not
disturb the public façades.

The creation of an addition through enclosure of a front façade
porch is inappropriate and should be avoided.

4.3.3.9 Outbuildings

Garages and storage buildings should reflect the character of
the existing house and surrounding buildings and should be
compatible in terms of height, scale, roof shape, materials,
texture, and details. If vinyl siding is used, it should be
compatible to the architectural style of the house. No metal or
vinyl storage buildings, garages, or carports are allowed.

Garages, if clearly visible from the street, should be situated on
the lot as historically traditional for the neighborhood.
The location and design of outbuildings should not be visually
disruptive to the character of the surrounding buildings.

4.3.3.10 Appurtenances

Appurtenances related to new buildings, including driveways,
sidewalks, lighting, fences, and walls, shall be visually
compatible with the environment of the existing buildings and
sites to which they relate.

SATELLITE DISHES MUST BE LOCATED IN REAR YARDS.

Satellite dishes, antennas, and other signal-receiving devices
shall not be erected in clearly visible primary or secondary
façades. Buildings on corner lots shall not have these devices
erected in the side yard adjacent to the street.
Dish antennas should be of minimum size relative to standard
technology, and not be visible from any public rights-of-way.
They should also be screened through appropriate
landscaping (not fences) in order to minimize viewing from
adjacent properties. No advertising should appear on the dish.

4.4 RELOCATION

F-26
1.4.1 **Definition:** The moving of a building in a district from one site to another.

4.4.2 **General Principles**

The moving of an existing building which retains architectural and historical integrity and which contributed to the architectural and historical character of the district should be avoided.

The moving out of the district of a building which does not contribute to the historical and architectural integrity to the district or which has lost architectural integrity due to deterioration and neglect shall be appropriate if its removal or the proposal for its replacement will result in a more positive, appropriate visual effect on the district.

4.4.3 **Guidelines for Relocation**

Relocated buildings must be carefully rebuilt to retain and maintain original architectural details and materials.

A building may be moved into the district if it maintains a sense of architectural unity in terms of style, height, scale, massing, materials, texture, and setback with existing buildings along the street.

A building may be moved from one site to another in the district if:
- The integrity of location and setting of the building in its original location has been lost or is seriously threatened;
- The new location will be similar in setting and site;
- The building will be compatible with the buildings adjacent to the new location in style, height, scale, materials, and setback; and
- The relocation of the building will not result in a negative visual effect on the site and surrounding buildings from which it will be removed.

4.5 **DEMOLITION**

4.5.1 **Definition:** The tearing down of a building.

4.5.2 **General Principles**

Since the purpose of historic zoning is to protect historic properties, the demolition of a building, which contributes historically or architecturally to the character, and significance of the district is inappropriate and should be avoided.

4.5.3 **Guidelines**
4.5.3.1 Demolition is Inappropriate:

- If a building is of such architectural or historical interest and value that its removal would be detrimental to the public interest;
- If a building is of such old or unusual or uncommon design and materials that it could not be reproduced or be reproduced without great difficulty and expense; or
- If its proposed replacement would make a less positive visual contribution to the district, or would be visually incompatible.

4.5.3.2 Demolition is Appropriate:

- If a building has lost, its architectural and historical integrity and importance and its removal will not result in a more negative, less appropriate visual effect on the district;
- If a building does not contribute to the historical or architectural character and importance of the district and its removal will result in a more positive, appropriate visual effect on the district.
5. DESIGN GUIDELINES FOR NON-RESIDENTIAL BUILDINGS

The Secretary of Interior’s Standards for Rehabilitation are as follows:

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken in the gentlest means possible.
8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form.

Nonresidential Guidelines Approach and Format

Of primary importance in the approach of design guidelines is the emphasis on preservation over replacement. The frequent use of terms such as retain, maintain, and preserve demonstrates this emphasis. Historic buildings, landscapes, and components should be preserved and well-maintained. If they become damaged, they should be repaired. If the damage is too severe for repair, the minimal area necessary should be replaced using materials and designs that match the historic appearance. Contemporary materials may be used if they possess characteristics similar in scale, design, finish,
The guidelines emphasize the public parts of buildings and settings, defined as those visible from the public right-of-way. Building front elevations, or façades, often contain the elements that define a building’s style, and these elements should remain visible and unaltered. For commercial buildings, the distinctive combination of lower storefront and upper façade found on the primary elevation also illustrates the building’s function. If changes are desired, they should be situated behind buildings and out of public view. Property owners and managers are encouraged to refer to the guidelines when undertaking construction, rehabilitation, or everyday maintenance.

In reference to general routine property maintenance and in-kind repairs within the Historic Preservation Overlay, the design and materials should be appropriate to the age of the building they support. Repair and replacement in-kind does not require a Certificate of Appropriateness, but all work must match the existing architecture design and elements. Owners planning work on existing structures should contact the City of Lebanon Planning Department before beginning work to ensure that a COA is not required.

All other construction activities are required to be reviewed by the Historic Zoning Commission and all of the guideline references will be applied as necessary for the principle of the construction project (new construction, infill, alterations or additions).

5.1 REHABILITATION

a. Essential Principles for Rehabilitation

i. A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationship.

ii. The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationship that characterize a property shall be avoided. Contemporary materials may be used if they possess characteristics similar in scale, design, finish, texture, durability, and detailing to historic materials and meet The Secretary of the Interior's Standards. Exterior Insulation Finish Systems (EIFS) and vinyl are not appropriate exterior materials.

iii. Each property shall be recognized as a physical record of its time, place, and use. Do not try to make the building look older than it really is.

iv. Changes to a property that have acquired significance in their own right shall be retained and preserved.
v. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved. Avoid removing or altering original historic material or distinctive architectural features: if original and in good shape, it shall not be removed or altered.

vi. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and, when possible, material. Replacement of missing features shall be documented. Avoid removing or altering original historic material or distinctive architectural features: if original and in good shape, it shall not be removed or altered.

vii. Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.

viii. Archeological resources shall be protected and preserved in place.

ix. New additions, exterior alterations, or related new construction shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic material, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

x. New additions and adjacent or related new construction shall be undertaken in such a manner, that if removed in the future, the essential form and integrity of the historic property would be unimpaired.

b. General Principles: Street Level Façades

i. Original street-level façades, including storefronts, doors and entryways, display windows, transoms, bulkheads, and pilasters and columns, should be retained, and if needed, repaired using historically appropriate materials and methods.

ii. Replacements of street-level façades should be in keeping with the style and period of the building.

iii. The use of contemporary materials for the replacement elements of street-level façades may be appropriate if they possess characteristics similar in scale, design finish, texture, durability, and detailing to historic materials and meets The Secretary of the Interior’s Standards. Replacement materials are appropriate if:
- The original material no longer exists; or
- The original material is unknown; or
- The new material possesses characteristics similar in scale, design finish, texture, durability and detailing to the historic material.

c. Awnings and Canopies

i. Retain and preserve original wooden or metal awnings.

ii. Do not install modern metal awnings on historic storefronts.
iii. The use of canvas storefront awnings is appropriate.
iv. Awnings should cover only the storefront display windows or transoms and fit within their openings.
v. Do not obscure architectural details with awnings.
vi. If possible, use standard or shed awnings.

vii. Use an awning shape that matches the opening shape, i.e. rectangular awnings in rectangular openings and arched awnings in arched openings. See Figure 1.

![Figure 1: Appropriate Awning Type and Placement](image)

**d. Brick, Stone, and Other Masonry**

Original masonry should be preserved and maintained. Abrasive cleaning of exterior masonry shall not occur, and masonry repointing should match the original. Replacement in-kind does not require a COA but will be reviewed as part of an infill or addition project. Owners planning work on existing masonry should contact the City of Lebanon Planning Department before beginning work to ensure that a COA is not required.

i. Preserve and maintain original exterior masonry walls and details.
ii. Repair and, if needed, replace damaged masonry with new masonry which matches historic masonry as closely as possible in color, texture, and profile.
iii. Do not paint masonry walls that have not been previously painted unless walls have had extensive patching or repointing, resulting in a patchwork of masonry surfaces.
iv. Do not apply stucco or drivit surfaces to historic buildings. Exceptions may be made for rear elevations which are in poor condition or for walls which have been sandblasted.
v. The use of detergent cleaners and chemical stain and paint removers to clean masonry or remove paint is appropriate under most conditions. Abrasive or high-pressure cleaning methods are destructive and should not be used.
vi. Silicone-based water sealants are not recommended for use on historic masonry.
vii. Historic masonry should remain visible and not be concealed or obscured.
viii. Where brick is deteriorated, replacement may be appropriate. When replacement is approved, new brick shall be of the same color, textures, and size; new brick shall be laid in the same pattern as the original, with similar joints, tooling and mortar as the original.
i. Repointing with a hard (Portland Cement) mortar is destructive to historic brick and masonry. Flexible mortar, made from mixing hydrated lime cement and natural sand, should be used when repointing is necessary.
x. Mortar used in repointing should match the historic mortar in width, depth, color, raking profile, composition, and texture.
xii. Brick shall not be sandblasted or cleaned in an abrasive manner. Sandblasting accelerated deterioration of the brick and allows moisture to penetrate the brick.
xii. Painting of brick may be appropriate if: brick has previously been painted; or brick is too deteriorated to withstand weather. A red brick stain, approximating the original color of the building’s brick should be used.

xi. Painting of stone, terra cotta, or glazed brick is not appropriate.

e. Bulkheads

i. Original bulkheads and their component elements should be retained.

ii. Deteriorated or damaged bulkheads should be repaired using historically appropriate materials. Contemporary materials may be used if they possess characteristics similar in scale, design, finish, texture, durability, and detailing to historic materials and meet The Secretary of the Interior's Standards. Exterior Insulation Finish Systems (EIFS) and vinyl are not appropriate exterior materials.

iii. If replacement bulkheads are necessary, replacements should replicate originals. If original bulkheads do not exist, replacements should be appropriate for the building’s style and period of construction.

iv. Appropriate replacement elements include paneled and painted wood, brick, and metal.

v. Historic bulkhead materials should remain visible, not concealed beneath added materials.

Figure 2: Examples of Appropriate Bulkheads
f. Cast Iron, Wood Pilasters, and Columns
   ii. Original pilasters and columns should be retained.
   iii. Original cast iron columns and pilaster shall not be concealed or obscured.
   iv. Applying paint or another surface treatment is an appropriate preservation measure.
   v. Deteriorated or damaged columns and pilasters should be repaired using historically appropriate materials.
   vi. If replacement pilasters or columns are necessary, replacements should match or complement originals in configuration and design.
   vii. Appropriate replacement materials include wood, cast iron, sheet metal, and stone.
   viii. Owners are encouraged to replace pilasters and columns that were original to the building but have been removed.

g. Cornices
   i. Original cornices and other detailing should be retained.
   ii. Deteriorated or damaged cornices or other detailing should be repaired using historically appropriate materials.
   iii. If replacement cornices are necessary, replacements should replicate the originals. If original cornices do not exist, replacements should be appropriate for the building’s style and period. New cornices shall not be added where none existed originally.
   iv. Appropriate replacement materials include sheet metal and wood.
   v. Owners are encouraged to replace cornices that were original to the building but have been removed.
h. Decorative Elements

i. Original decorative elements such as cornices, brick corbelling, arches, brackets, and detailing should be retained without alteration.

ii. Deteriorated, damaged, or missing decorative elements should be repaired using historically appropriate materials. Replacement of decorative elements that are missing or unable to repaired and located on upper façades may use modern materials if the material matches the original in design, texture and workability.

iii. Decorative or ornamental detailing should not be added to buildings unless there is physical or photographic evidence that shows the detailing was original to the building. New designs should be appropriate to the style and period of the building.

---

Figure 4: Examples of Decorative Elements

i. Door and Entryways

i. Original entrances and elements should be preserved and maintained. Do not remove or replace original entrance elements such as doors and transoms unless extensive deterioration is evident.

ii. Do not enclose or remove original entrance openings.

iii. Do not add unfinished aluminum doors to storefronts; if historic doors are so deteriorated that replacements are required, use wooden single-light doors if possible. If metal is desired, use doors with a dark bronze or anodized aluminum finish.

iv. Retain historic designs and dimensions of recessed entrances.

v. Use the historic design in entrance rehabilitation if evidence is available such as historic photographs or discoloration indicating original doors. If such evidence is not available, use new wooden doors with a single glass pane.

vi. Do not add new entrances on storefronts. If an additional door opening is required by codes, add it on the rear elevation.

vii. Keep new entrance openings simple and use detailing similar to that used on the historic entrance. In general, install single-light glass-and-wood doors in new entrances.
viii. Ornamental, frosted, or stained glass in front doors are generally not appropriate, except where incorporated into window graphics and/or business identity.
ix. Glass used in replacement doors should be clear.
x. Generally, new entryways should not be introduced to public façades, unless needed for access to an upper floor or a secondary building use. If a new entrance is needed, it should be compatible with the style and period of the building.

j. Fire Escapes
i. Locate fire escapes and staircases on rear elevations or at a location where they are not visible from the public right-of-way in front of the building.
ii. Fire escapes shall only be visible when no other placement exist.
iii. Do not damage architectural features through the installation of fire escapes and staircases.
iv. Fire escapes may be either open or enclosed as required by fire codes.
v. If enclosed, their surfaces should be of wood siding or brick veneer.
vi. If open, they should be of metal or wood.

k. Gutters and Downspouts
i. Use and maintain gutters and down-spouts.
ii. Retain and, as needed, repair historic boxed or built-in gutters.
iii. If new gutters are used, use half-round or, if the building dates from 1940 or later, ogee designs.
iv. Generally, gutters and downspouts should not be located on the public façades of buildings. Such elements should be installed on the rear elevations of buildings.

v. The installation of gutters and downspouts should not result in the removal or obstruction of historic building elements.

I. Lighting

Historic light fixtures should be retained and maintained, and new light fixtures should be unobtrusive. Replacement in-kind does not require a COA but will be reviewed as part of an infill or addition project. Owners planning work on existing lighting should contact the City of Lebanon Planning Department before beginning work to ensure that a COA is not required.

i. Retain and maintain historic light fixtures.

ii. New light fixtures should not be obtrusive of historic architectural features.

m. Paint

i. The painting of previously painted masonry, wood, and metal surfaces is not reviewed by the HPC. The painting and staining of previously unpainted masonry (brick and stone) are reviewed by the HPC.

ii. Building owners are encouraged to remove paint from masonry. Gentle, non-abrasive chemical cleaning is an appropriate way to remove paint.

iii. Painting of stone and brick is generally not appropriate.

iv. Staining of masonry may be appropriate if: brick has previously been painted, or if brick has been sandblasted or otherwise damaged and is too deteriorated to withstand weather. A brick color approximating the original color of the building’s brick should be used.

v. Historic painted signage on exterior brick walls, at the time of adoption of a nonresidential historic district, should be maintained. Also see section P. Signage for preservation of ghost signs. Preservation of ghost signs is encouraged.

vi. Brick sealers are not recommended for exterior brick as it may cause damage to the brick face over time.

vii. HPC may consider the painting of murals on masonry.

n. Rear Elevations

i. Rear elevations are service-oriented, and are an appropriate place for infrastructure elements such as gutters and downspouts, mechanical systems, and fire stairs. Despite their less public nature, original materials and features should be preserved and maintained.

ii. Generally, original materials and features on rear elevations should be preserved and maintained.
iii. The appearance of rear elevations can be enhanced through the screening of infrastructure elements and the use of signage and awnings.

iv. Rear elevations are appropriate locations for mechanical systems, meters and fire stairs.

Figure 6: Example of Rear Elevations

o. Roofs and Chimneys

Roofs help define buildings as commercial, and their historic shapes should be retained as contributing elements to historic character. Replacement in-kind does not require a COA but will be reviewed as part of an infill or addition project. Owners planning work on existing roofs should contact the City of Lebanon Planning Department before beginning work to ensure that a COA is not required.

i. Retain the historic shape of roofs.

ii. Retain and maintain roof-related features such as parapet walls, cornices, and chimneys.

iii. If modern roof elements like skylights, solar panels, decks, balconies, and satellite dishes are desired, install them so they are not visible from the street.

iv. Maintain historic roof materials like slate and sheet metal.

v. The installation of "green roofs" on commercial buildings is appropriate as long as they are not readily visible from the street.

p. Signage

Historic signs should be preserved. New signs should be at traditional locations, minimal in number, traditional in appearance, and coordinated with their building
and surrounding buildings. Signs should follow the city’s ordinance. Signage may qualify for administrative review. The City of Lebanon Planning Department shall have the discretion to approve signage administratively or to refer the proposed project to the Lebanon Historic Preservation Commission for its consideration.

i. Historic signs should be preserved and maintained. New signs should follow the standards below.

a. Size signs according **Projecting-arm**: 4.5 square feet for total sign surface and hung a minimum of 8 feet from the grade surface (generally defined as the sidewalk). See Figure 7.

![Figure 7: Example of Projecting Arm Signs](image)

b. Wall Sign: 1 linear foot of width of the building façade or store-front (example: 30 feet of width— 30 square feet of total wall sign-age). This will pertain to the total amount of wall signage for the first-floor façade, first-floor storefront, or the first-floor tenant space. Wall signs above the first floor should be a maximum of 9 square feet and proportionate to the building façade and other signage.

c. Sandwich-board: 6 square feet or less per side

d. Monument: 12 square feet for total sign surface and 6 for total sign height to the following:
Figure 8: Example of Historic Sign Locations

ii. Design all signs to have a dark background and light lettering.

iii. Sign colors should complement the colors of the building. Strong primary colors should only be considered as accents.

iv. Do not use more than one freestanding sign per street frontage.

v. Do not use wall signs that exceed the height of the building cornice.

vi. Design awning lettering to be a maximum of 12 square feet or 25 percent of the total square footage of the front-facing panel.

vii. Design sandwich-board signs to have a dark background and light lettering.

viii. Monument-style signs are not recommended for use in nonresidential districts but may be appropriate for civic or institutional properties.

ix. Do not use materials such as plastic, plywood, or unfinished wood for signage materials or plastic for trim, post, or hanging bracket materials. Composite product materials that have the appearance of historic sign materials are acceptable.

x. Do not use neon window signs.

xi. Temporary signs are required to have a dark background and light lettering. Contact the City of Lebanon Planning Department for temporary sign approval.

xii. Place painted or applied wall signs on the flat surface of the building.

xiii. Use traditional locations for wall signs such as above transoms, on cornice fascia boards, or below cornices.

xiv. Locate sign brackets for projecting signs no higher than second floor window sills.
xv. Use wood or painted or otherwise finished metal for sign brackets.
xvi. Construct signs of finished wood, brass letters, carved or sandblasted wood, gold leaf, or glass.
xvii. Mount signs such that they minimize damage to historic materials. Install mounting bolts through mortar joints rather than the face of the masonry.
xviii. Design signs to have no more than two or three colors.
xix. Avoid signs which reflect an earlier period of history such as colonial Williamsburg or New England.
xx. Do not conceal or obscure original decorative designs or detailing with signs.
xxi. Do not cover or obscure transom glass.
xxii. Preserve and maintain historic wall signs painted on exterior masonry walls.
xxiii. As desired, touch up historic wall signs with new paint as long as the paint and design matches the original.
xxiv. Use concealed lighting if possible. If not possible, use projecting fixtures appropriate to the historic period of the building.
xxv. Do not use internally lit signs.
xxvi. Select locations, sizes, and placement of signs to complement those of neighboring or adjacent buildings.
xxvii. Avoid signs which are out of scale or have substantially different locations than signs on surrounding buildings.
xxviii. Ghost signs shall be allowed to fade. See Figure 9.

Figure 9: Example of Ghost Signs

xxix. If an owner wants to restore the sign the proposed method and level of restoration must be approved by the Historic Preservation Commission.
xxx. If a building owner wants to eliminate a ghost sign, approval must be given by the Historic Preservation Commission prior to removal.
Figure 10: Example of Placement of Pier, Door and Window and Awning Signs

Figure 11: Example of Projecting and Sign Band(Flat) Signs
q. Storefronts

Historic storefronts were generally composed of a central or offset recessed entrance, flanking display windows resting on bulkheads, and large transoms. Most of the storefront was of glass to allow easy viewing of merchandise and window displays. Brick piers and cast iron columns were often used on the storefront to support the upper façade yet allow for the extensive use of glass.

Original details should continue to be incorporated into storefront remodeling. If no original detailing exists, a new storefront based upon traditional or historic designs should be added. Historic photographs of downtown commercial buildings exist, and these should be consulted when a new storefront is under design.

i. A building shall have a clearly-defined primary entrance. For most commercial buildings, this shall be a recessed entryway.

ii. Original entrances shall be maintained, restored, or replaced (do not enclose, cover, or alter) including the design, material, depth, and placement.

iii. Maintain and preserve original storefronts. Do not remove original doors, bulkheads, display windows, transoms, decorative glass or other elements unless their deterioration can be demonstrated.

iv. Replace original storefront elements that are clearly deteriorated with elements that match the historic design and materials.

v. Retain storefronts which were remodeled with decorative tile or pigmented structural glass like Carrara glass and are at least 50 years old.

vi. If new storefronts are required, maintain traditional designs and arrangements. Restore remodeled storefronts to their original design or designs based on traditional storefront arrangements.

vii. Preserve and maintain original display windows.

viii. Do not cover display windows or change their size.

ix. Do not install tinted glass.

x. If new display windows are required, use windows that match the original dimensions.

xi. Preserve and maintain original cast iron columns, brick piers, wood columns, and stone piers.

xii. Do not conceal decorative cast iron elements or brick or stone piers.

xiii. Preserve and maintain original wood, brick, concrete, marble, metal, or tile bulkheads.

xiv. Do not alter or conceal original bulkheads.

xv. Do not use raw aluminum in display window mullions or muntins, but instead use copper, bronze, painted aluminum, or material deemed appropriate by HPC.

xvi. Where original glass is missing, install clear insulated glass.

xvii. If privacy is desired, use interior shades or blinds, not tinted glass.
xviii. If original bulkheads are missing, install new bulkheads of wood or brick, stone, or metal bulkheads that match historic brick or are painted to complement other storefront elements.

Figure 12: Elements of Traditional Storefront

r. Transoms

i. Original transoms and their component elements should be retained.

ii. Deteriorated or damaged transoms should be repaired using historically appropriate materials.

iii. If replacement transoms are necessary, replacements should replicate the original. If original transoms do not exist, replacements should be appropriate for the building’s style and period.

iv. Appropriate replacement elements include single or multi-light clear-glass panes and simple wooded or metal frames.

v. Historic transoms should remain visible and not be covered or enclosed.

vi. Preserve and maintain historic transoms and transom openings.

vii. Do not enclose or conceal transoms.

viii. If new transom glass is required, use clear glass. If repairing or replacing destroyed prism glass, use clear or tinted glass.
s. Upper Façades
   i. Original appearance and details of upper-story façades should be retained.
   ii. If repairs are needed, it should use historically appropriate materials and methods.
   iii. Replacements to façades should be in keeping with the style and period of the building.
   iv. The use of contemporary materials for the replacement elements of façades may be appropriate if they possess characteristics similar in scale, design finish, texture, durability, and detailing to historic materials and meet the Secretary of the Interior's Standards.
   v. Interior changes that affect the exterior appearance of upper façades including lowering ceiling heights or raising floor levels should be avoided.

t. Utilities and Mechanical Systems

Utilities are important to the functionality of buildings. Because utilities are modern, they should be placed along rear elevations or otherwise out of view from the main street, and visibility should be further screened through landscaping or fencing. Replacement in-kind does not require a COA but will be reviewed as part of an infill or addition project. HVAC mechanical installation and related mechanical screening may qualify for administrative review. Owners should contact the City of Lebanon Planning Department before beginning work to determine if a COA is required.

   i. Utilities should be placed along rear elevations or otherwise out of view from the main street, and visibility should be further screened through landscaping or fencing.
   ii. Place garbage containers behind building.
   iii. Screen garbage containers from view using plants or fencing, where practical.
   iv. Locate mechanical systems behind or on top of buildings.
   v. Screen grounded mechanical systems from view using fencing or plants. Place roof-mounted systems in such a way that distance or elements like parapets keep them from view.
   vi. Use window mechanical systems only on side or rear elevation where they are minimally visible.
   vii. Locate meters, conduits, and other equipment should be on rear elevations.
   viii. Satellite dishes and may be placed on roofs where they are not readily visible from the street.
   ix. Equipment such as condensers, air conditioners, meters, and conduits should not be visible from the street. Rear elevations and roof locations that are not visible from the public right-of-way are appropriate locations for this equipment.
   x. The installation of mechanical systems should not result in the removal or obstruction of historic building elements.
   xi. Landscape elements such as fencing or low masonry walls should be used to shield ground-level equipment from view and still allow service access.
u. Walls
   i. Original walls, including size and location of openings, recesses, detailing, and ornamentation should be retained. The plane of the exterior wall shall be retained.
   ii. Balconies should not be added to public façades.
   iii. Decorative elements such as cornices, brick corbelling, arches, brackets, terra cotta detailing and any other original wall detail shall not be altered.
   iv. New decorative elements generally should not be added where none existed.

v. Windows
   i. Preserve and maintain original windows, opening dimensions, and details.
   ii. Do not alter original window openings in any way, including enclosing original openings or obscuring windows with added materials.
   iii. Use true divided-light (TDL) or simulated divided-light (SDL) windows as new or replacement windows.
   iv. Replacement window materials should match the historic materials found on the building. Window materials for an addition should relate to the window materials found on the existing structure. Windows for an infill structure should relate to the architectural style of the structure or those found on neighboring buildings.
   v. New and replacement shutters should be wood and appear operable.
   vi. If original windows are missing, install replacement windows that are appropriate for the period of the building. For antebellum structures, six-over-six or four-over-four sashes are appropriate. For late 19th century buildings, four-over-four, two-over-two, or one-over-one sash windows are preferred. For early 20th century designs one-over-one sashes should be installed. These windows should have distinct meeting rails and have the appearance of being operable. Do not install windows with flush or snap on mullions.
   vii. Composite materials that have the appearance of wood are appropriate for windows, stops, jambs, and trim.
   viii. Use wooden, anodized aluminum with dark or bronze finishes, or aluminum with a white baked-enamel finish, or other material deemed appropriate by HPC. Do not use raw or unpainted aluminum windows.
   ix. Original windows and window openings, including dimensions, sash, (configuration, number and arrangement of panes), materials, and detailing (sills, lintels, and decorative hoods) should be retained.
   x. Deteriorated or damaged window openings, windows, and window surrounds should be repaired using historically appropriate materials.
   xi. If replacement windows or window surrounds are necessary, replacements should replicate originals. If original windows do not exist, replacements should be appropriate for the building’s style and period.
xii. If the original windows are missing, replacement windows should use wood, anodized aluminum, or baked-on-enamel aluminum frames and should have single-light or multiple-light clear-glass panes to match the style and period of the building. Multi-pane windows should be true or simulated divided lights with a spacer bar between the glass. Snap-on or between the glass muntins are inappropriate.

xiii. Steel windows should be replaced with steel or aluminum designs that replicate the appearance of the original window.

xiv. Window grills, balcony rails, and shutters are not appropriate window treatments.

xv. Window openings, surrounds, or other elements not original to a building should generally not be introduced to the public façades of the building.

w. Windows (Display)

i. Original display windows and their component elements should be retained.

ii. Deteriorated or damaged display windows should be repaired using historically appropriate materials.

iii. If replacement display windows are necessary, replacements should replicate the originals. If original display windows do not exist, replacements should be appropriate for the building’s style and period.

iv. Appropriate replacement elements include individual or grouped single-light clear-glass panes and simple wood, copper, bronze anodized aluminum, or baked-enamel aluminum frames.

v. Glazing should be clear glass. Ornamental, frosted, spandrel, or stained glass display windows are not appropriate.

vi. Display windows should remain visible and not be concealed or enclosed.

vii. If privacy or shade other than that afforded by awnings is needed, interior shades or blinds are appropriate.
5.1 NEW CONSTRUCTION AND INFILL DEVELOPMENT

a. General Principles

i. These guidelines shall apply only to the exteriors of buildings and to areas of lots visible from public rights-of-way.

ii. The public façades – street related elevations – of proposals for new buildings shall be more carefully reviewed than other façades.

iii. New construction should be consistent with existing buildings along a street in terms of height, scale, setback, and rhythm; relationship of materials, texture, details, and color; roof shape; orientation; and proportion and rhythm of openings. Because new buildings usually relate to an established pattern and rhythm of existing buildings, the dominance of that pattern and rhythm must be respected and not disrupted.

iv. In the case of planned new construction between buildings of equal height or varying heights, an individual judgment will be made by the Historic Preservation Commission as to the compatibility of the design, taking into consideration adjoining properties.

v. Reconstruction may be appropriate when it reproduces façades of a building which no longer exists and which was located within the boundaries of the historic district if: 1) the building would have contributed to the historical and architectural integrity of the area; 2) if it will be compatible in terms of style, height, scale, massing and materials with the buildings immediately surround the lot on which the reproduction will be built; and 3) it is accurately based on pictorial documentation.

Figure 13: Example of Elements to be reviewed on Infill Projects
b. Height
   i. New buildings must be constructed to a height which is compatible with the height of adjacent buildings or buildings within the historic district.
   ii. Infill buildings shall be a minimum of 15 feet or 1 story in height.
   iii. Infill building shall be a maximum of 60 or 4 stories in height.

c. Scale
   i. The size of a new building, its mass in relation to open spaces, and its windows, doors, openings, and appurtenances should be visually compatible with the surrounding buildings.
   ii. In the event that multiple lots or parcels are assembled within the historic district, buildings shall be designed to be compatible with the adjacent structures. Existing traditional and historic buildings are 20 to 50 feet wide. New structures should employ design techniques to break the façades along the right-of-way into multiple vertical elevations as previously described.
   iii. All new buildings should have a base, middle, and cap. Traditionally, buildings were composed of these three basic elements. Adhering to this form will help reinforce the visual continuity of the area.
   iv. The first-floor height shall be a minimum of 16 feet from finished floor to finished floor. Upper floor heights should appear to be similar to historic structures in the district.

d. Setback and Rhythm of Spacing
   i. The setback from the street and side property lines established by adjacent or contiguous buildings shall be maintained. When a definite rhythm along a street is established by uniform lot, building width, or bay patterns within a building façade, infill buildings should maintain the rhythm.
   ii. New buildings should be constructed in line with adjacent historic structures. Corner buildings should avoid setbacks or open corner plazas that disrupt the continuity of the street wall.
   iii. New buildings shall front 100% of the primary street and, where applicable, a minimum of 85% of the secondary street.
e. Roof Shape
   i. The roofs of new buildings shall be visually compatible with the roof shape and orientation of surrounding buildings.
   ii. The roof forms of buildings within the district are typically flat or have a gentle slope behind a parapet wall.

f. Proportion and Rhythm of Openings
   i. The relationship of width to height of windows and doors and the rhythm of solids to voids in new buildings shall be visually compatible with the surrounding buildings.
   ii. Define a clear primary entry. Doorways on primary façades shall appear similar to those used historically. The primary entrance should be defined with a canopy or other architectural feature.
   iii. Windows on upper floors should not be taller than windows on the main floor since historically first floors have higher ceilings than upper floors and so windows were typically taller on the first floor.
   iv. Door and window openings should be recessed on masonry buildings, as they are traditionally, rather than flush with the rest of the wall.
   v. On corner buildings, glazing shall turn the corner facing the secondary street a minimum of one structural bay or 16 feet, whichever is the greater.

g. Relationship of Materials, Texture, Details and Material Color
   i. The relationship and use of materials, texture, details and material colors of a new building's public façades shall be visually compatible with or similar to those of adjacent buildings, or shall not contrast conspicuously.
   ii. Masonry materials were primarily used in the historic district, and should continue to be predominant. Contemporary materials may be used if they
possess characteristics similar in scale, design, finish, texture, durability, and detailing to historic materials and meet The Secretary of the Interior's Standards. Exterior Insulation Finish Systems (EIFS) and vinyl are not appropriate exterior materials.

iii. Wood, brick, stone, and metal were used for window, door and storefront surrounds and should be used for new buildings.

iv. Storefront façade materials may vary in keeping with the materials of the existing buildings. Stone, glazed tile, painted wood, and brick are all appropriate materials.

v. Tinted glass, reflective glass, or colored glass may not be used for windows.

vi. Large expanses of featureless materials are not appropriate.

vii. The color of new building materials should be compatible with historic buildings within the district.

h. Orientation

i. The site orientation of new buildings shall be consistent with that of adjacent buildings and shall be visually compatible. Directional expression shall be compatible with surrounding buildings, whether that expression is vertical, horizontal, or nondirectional.

ii. Primary building entrances shall be oriented to the primary street.

i. Additions to Existing Buildings

i. New additions to existing buildings should be kept to a minimum and should be compatible in scale, materials, and texture; additions should not be visually jarring or contrasting.

ii. Additions should not contribute to the loss of, or obscure, historic character-defining features or materials.

j. Parking/Parking Structures, Plaza, Arcades, Landscape and Open Space

i. Parking, parking structures, plazas, arcades, landscape, and open space may be appropriate components of new construction when the design of such development contributes to the overall character of the district and the streetscape, and the new construction is consistent with the design guidelines for new construction.

ii. Parking structures should be wrapped with retail space or other active use along the street edge.

iii. All applicable guidelines for new construction shall be followed for parking structures.

iv. Removal or demolition of existing historic buildings, or portions of buildings, to create a plaza, arcade, or open space is not appropriate.
5.3 DEMOLITION

a. General Principles
   i. Since the purpose of historic zoning is to protect historic properties, the demolition of a building that contributes historically and architecturally to the character and significance of the district is not appropriate and should be avoided.
   ii. Demolition is considered the removal of any structure or portion of a structure that affects the visual appearance of the building from the exterior. *It includes the removal of floors or sections of the building that are enclosed by the original façade.*

b. Demolition is inappropriate:
   i. If a building, or major portion of a building, contributes to the architectural or historical significance or character of the district; or
   ii. If a building, or major portion of a building is of such old or unusual or uncommon design and material that it could not be reproduced without great difficulty and expense.

c. Demolition is appropriate:
   i. If a building or a major portion of a building does not contribute to the historical or architectural character and importance of the district; or
   ii. If a building or a major portion of a building has irretrievably lost its architectural integrity and importance and its removal will result in a more historically appropriate visual effect on the district; or
   iii. If the denial of the demolition will result in an economic hardship on the applicant as determined by the Historic Preservation Commission in accordance with Appendix F, 3. Economic Hardship, as amended, of the Lebanon Tennessee Historic District Guidelines.
5.4 GLOSSARY OF TERMS

**Accessory Structure:** A structure that is subordinate in use and square footage to a principal structure or permitted use

**Addition:** New construction that increases the footprint, height, or building envelope of an existing structure.

**Alteration:** A replacement or change in a building material; the addition or elimination of any architectural element of a building; a repair that reconstructs any part of an existing building; construction of, or change to, an appurtenance.

**Appropriate:** Suitable for, or compatible with, a property or district, based on accepted standard and techniques for historic preservation.

**Appurtenances:** Fences, walls, paving, streetlights, curbs, gravel, signs, satellite dishes, fountains, mailboxes, and other accessory or adjunct permanent built features related to a building or streetscape.

**Apron:** A decorative, horizontal trim piece on the lower portion of an architectural element

**Arch:** A curved construction of wedge-shaped stones or bricks which spans an opening and supports the weight above it (see flat arch, jack arch, segmental arch and semicircular arch)

**Attic:** The upper level of a building, not of full ceiling height, directly beneath the roof

**Awning:** An awning is a secondary covering attached to the exterior wall of a building without additional supports and is located above a window or entrance. It is typically a metal frame covered in canvas. With the addition of columns or posts, an awning becomes a canopy,

**Baluster:** One of a series of short, vertical, often vase-shaped members used to support a stair or porch handrail, forming a balustrade

**Balustrade:** An entire rail system with top rail and balusters

**Bargeboard:** A board which hangs from the projecting end of a gable roof, covering the end rafters, and often sawn into a decorative pattern

**Bay:** The portion of a façade between columns or piers providing regular divisions and usually marked by windows

**Bay Window:** A projecting window that forms an extension to the floor space of the internal rooms; usually extends to the ground level

**Belt Course:** A horizontal band usually marking the floor levels on the exterior façade of a building

**Board and Batten:** Siding fashioned of boards set vertically and covered where their edges join by narrow strips called battens

**Bond:** A term used to describe the various patterns in which brick (or stone) is laid, such as "common bond" or "Flemish bond"

**Bracket:** A projecting element of wood, stone or metal which spans between horizontal and vertical surfaces (eaves, shelves, overhangs) as decorative support

**Bungalow:** Common house form of the early twentieth century distinguished by horizontal emphasis, wide eaves, large porches and multi-light doors and windows
Canopy: A covered area which extends from the wall of a building to protect an entrance or loading dock. Also see “Awning”.

Capital: The head of a column or pilaster

Casement window: A window with one or two sashes which are hinged at the sides and usually open outward

Certificate of Appropriateness (COA): A legal document issued by the Historic Preservation Commission confirming review and approval of work to be done on property within the boundaries of an historic district. A preservation permit is required before getting a building permit.

Certified Local Government: Any city, county, parish, township, municipality, or borough or any other general purpose subdivision enacted by the National Preservation Act Amendments of 1980 to further delegate responsibilities and funding to the local level

Character-Defining Features: Individual physical elements of any structure, site, street, or district that contribute to its overall historic or architectural character, and for which it is recognized as historically or architecturally significant.

Clapboards: Horizontal wooden boards, thinner at the top edge, which are overlapped to provide a weather-proof exterior wall surface

Classical Order: Derived from Greek and Roman architecture, a column with its base, shaft, capital and entablature having standardized details and proportions, according to one of the five canonized modes: Doric, Tuscan, Ionic, Corinthian, or Composite

Clipped Gable: A gable roof where the ends of the ridge are terminated in a small, diagonal roof surface

Colonial Revival: House style of the early twentieth century based on interpretations of architectural forms of the American colonies prior to the Revolution

Column: A circular or square vertical structural member

Common Bond: A brickwork pattern where most courses are laid flat, with the long "stretcher" edge exposed, but every fifth to eighth course is laid perpendicularly with the small "header" end exposed, to structurally tie the wall together

Corbel: In masonry, a projection, or one of a series of projections, each stepped progressively farther forward with height and articulating a cornice or supporting an overhanging member

Corinthian Order: A classical order characterized by a capital with ornamental acanthus leaves and curled fern shoots and being the most ornate.

Cornice: The uppermost, projecting part of an entablature, or feature resembling it. Any projecting ornamental molding along the top of a wall, building, etc.

Craftsman: An architectural style popular in the United States at the turn to the 20th century. It was influenced by an earlier English and American Arts and Crafts Movement. It emphasized organic materials, asymmetry, and textures, and often included low-pitched roofs, brackets, and exposed beams

Cresting: A decorated ornamental finish along the top of a wall or roof, often made of ornamental metal

Cross-gable: A secondary gable roof which meets the primary roof at right angles

Demolition: The tearing down of a building in whole or in part.
Dentils: A row of small tooth-like blocks in a classical cornice
Doric Order: A classical order with simple, unadorned capitals, and with no base
Dormer Window: A window that projects from a roof
Double-hung Window: A window with two sashes, one sliding vertically over the other
Eave: The edge of a roof that projects beyond the face of a wall
Elevation: A scaled drawing that illustrates the view of a side of a building; any of the external faces of a building
Ell: The rear wing of a house, generally one room wide and running perpendicular to the principal building
Engaged Column: A round column attached to a wall
Entablature: A part of a building of classical order resting on the column capital; consists of an architrave, frieze, and cornice
Façade: The face or front elevation of a building
Fanlight: A semi-circular window usually over a door with radiating muntins suggesting a fan
Fascia: A projecting flat horizontal member or molding; forms the trim of a flat roof or a pitched roof; also, part of a classical entablature
Fenestration: The arrangement of windows on a building
Finial: A projecting decorative element, usually of metal, at the top of a roof turret or gable
Fish Scale Shingles: A decorative pattern of wall shingles composed of staggered horizontal rows of wooden shingles with half-round ends
Flashing: Thin metal sheets used to prevent moisture infiltration at joints of roof planes and between the roof and vertical surfaces
Flat Arch: An arch whose wedge-shaped stones or bricks are set in a straight line; also called a jack arch
Flemish Bond: A brickwork pattern where the long "stretcher" edge of the brick is alternated with the small "header" end for decorative as well as structural effectiveness
Fluting: Shallow, concave grooves running vertically on the shaft of a column, pilaster, or other surface
Footprint: The sum of the square footage area of the largest floors of buildings or structures. Building footprint includes all structures on a lot and any roof-covered surfaces
Foundation: The lowest exposed portion of the building wall, which supports the structure above
Frieze: The middle portion of a classical cornice; also, applied decorative elements on an entablature or parapet wall
Gable Roof: A pitched roof with one downward slope on either side of a central, horizontal ridge
Gable: The triangular section of a wall to carry a pitched roof
Gambrel Roof: A ridged roof with two slopes on either side
Ghosts: Shadows of architectural features, such as porches, that no longer exist
Greek Revival-Style: Mid-nineteenth century revival of forms and ornament of architecture of ancient Greece
Hipped roof: A roof with uniform slopes on all sides
Historic: A structure or site, usually constructed by 1957 or earlier, which possesses historical or architectural significance, based on the criteria for listing in the National Register of Historic Places.

Hood Molding: A projecting molding above an arch, doorway, or window, originally designed to direct water away from the opening; also called a drip mold

Infill: New construction where there had been an opening before, such as a new building between two older structures; or block infill between porch piers or in an original window opening

Ionic Order: One of the five classical orders used to describe decorative scroll capitals

Jack Arch: (see Flat arch)

Keystone: The wedge-shaped top or center member of an arch

Knee Brace: An oversize bracket supporting a cantilevered or projecting element

Lattice: An openwork grill of interlacing wood strips used as screening

Lintel: The horizontal top member of a window, door, or other opening

Marquee: A permanent roof-like shelter over an entrance to a building. Marquees are usually flat roofed and sometimes have supporting posts on the side opposite the side of the marquee that attaches to the building and may include signage and lighting. Historically, marquees were used typically for hotels and theaters. Also see “Canopy”.

Masonry: Exterior wall construction of brick, stone or adobe laid up in small units

Massing: The three-dimensional form of a building

Metal Standing Seam Roof: A roof composed of overlapping sections of metal such as copper-bearing steel or iron coated with a terne alloy of lead and tin. These roofs were attached or crimped together in various raised seams for which the roof is named

Mortar: A mixture of sand, lime, cement, and water used as a binding agent in masonry construction

Mullion: A heavy vertical divider between windows or doors

Multi-light Window: A window sash composed of more than one pane of glass

Muntin: A secondary framing member to divide and hold the panes of glass in multi-light window or glazed door

New Construction: Any freestanding structure on a lot constructed after the designation of the conservation zoning district.

Non-Historic: A structure or site, usually constructed after 1957, which does not possess historical or architectural significance, based on the criteria for listing in the National Register of Historic Places.

Order: A definite arrangement of column, capital, and entablature, each having its own set of rules and ornamental features. Types are the Doric, Ionic, Corinthian, Tuscan, and Composite.

Oriel Window: A bay window which emerges above the ground floor level

Orientation: The directional expression of a building’s front façade.

Paneled Door: A door composed of solid panels (either raised or recessed) held within a framework of rails and stiles

Parapet: A low horizontal wall at the edge of a roof
Pediment: A triangular crowning element forming the gable of a roof; any similar triangular element used over windows, doors, etc.

Period of Significance: The time frame in which a neighborhood developed or was platted into building lots and substantially built out with structures, based on the criteria for listing in the National Register of Historic Places.

Pier: A vertical structural element, square or rectangular in cross-section

Pigmented Structural Glass: Material used on new and existing building exteriors and interiors between the beginning of the Great Depression and Second World War to create an up-to-the-minute Art Deco, Art Moderne, or Streamline appearance. The glass could be sculptured, cut, laminated, curved, colored, textured, and illuminated. Carrara glass, manufactured by the Penn-American Plate Glass Company, was among the most popular trade name and is now sometimes used to reference any pigmented structural glass.

Pilaster: A square pillar attached, but projecting from a wall, resembling a classical column

Pitch: The degree of the slope of a roof

Portico: A roofed space, open or partly enclosed, forming the entrance and centerpiece of the façade of a building, often with columns and a pediment

Portland Cement: A strong, inflexible hydraulic cement used to bind mortar. Mortar or patching materials with a high Portland cement content should not be used on old buildings. The Portland cement is harder than the masonry, thereby causing serious damage over annual freeze-thaw cycles

Preservation: The act of maintaining the form and character of a building as it presently exists. Preservation stops deterioration and stabilizes the structure

Principal Structure: A structure in which the principal use of the lot is conducted on which it is situated

Prism or Prismatic Glass: Rolled glass one-eighth to one-quarter of an inch thick, one face of which consists of parallel prisms that refract the transmitted light, thereby changing the direction of the light rays. A well-known maker of this product was the Luxfer Prism Company, established in the late 1800s

Public Façade: The exterior faces of buildings that front public streets.

Public Right-of-Way: A publicly owned and maintained street or walkway.

Public Space: Any area that is either owned, leased or for which there is held an easement by a governmental entity, or an area that is required to be open to the public.

Reconstruction: The accurate recreation of a vanished, or irreplaceably damaged structure, or part thereof; the new construction recreates the building's exact form and detail as they appeared at some point in history

Rehabilitation: The act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

Repair: See alteration.

Sash: The moveable framework containing the glass in a window

Shall: What must happen.

Sheathing: An exterior covering of boards of other surface applied to the frame of the structure (see Siding)
Should: What must happen unless circumstances illustrate why an alternative is more appropriate.
Siding: The exterior wall covering or sheathing of a structure
Sill: The bottom crosspiece of a window frame
Streetscape: The over façade, not of a single structure, but of the many buildings which define the street.
Stucco: An exterior finish, usually textured, composed of Portland cement, lime, sand, and water
Surround: An encircling border or decorative frame, usually at windows or doors
Transom: A horizontal opening (or bar) over a door or window
Trim: The decorative framing of openings and other features on a façade
Turret: A small slender tower