

The Town of White Bluff, Tennessee Municipal Zoning Ordinance



Last Amended February 2025

White Bluff Town Hall 52 Graham Street

White Bluff, TN 37187

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Table of Amendments

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August 7, 2012	352	Indoor Shooting Ranges: Article IV: Created a new Section 4.100 Development Standards for Indoor Shooting Ranges.
		Indoor Shooting Ranges: Article V, Section 5.062.2, adds indoor ranges and firearms training facilities as special exceptions and Section 5.063.1 adds indoor ranges and firearms training facilities as special exceptions.
May 2, 2017	388	Dwelling Definitions: Article II, Section 2.020, Definitions, was partly amended by revising the definitions for Single-Detached Dwellings and mobile Home Dwellings (single-wide and double-wide) and deleting Prefabricated Dwellings.
		Article VII, Section 7.020, was partly amended by revising the manufactured home definition.
October 2, 2018	397	Article V, Section 5.061.2, was partly amended by revising Subsection A, Purpose and Intent of District, and F, Dimensional Requirements, 1 & #2.
August 4, 2020	408	Dwelling Definitions: Article II, Section 2.020, was partly amended by revising definitions for single detached and mobile home dwellings (single-wide or double-wide, manufactured home, or trailer).
December 1, 2020	412	Dwelling Definitions: Article II, Section 2.020, was partly amended by revising definitions for townhouses and condominiums and adding attached dwellings.
		Article III, Section 3.090, Addition of subsection G, and 3.120, Amended in part by adding a new language.
		Article VI was entirely deleted and replaced with a new Article VI.
December 3, 2002	222	Zoning Districts: Article V, Deleted and Replaced in Its Entirety.
June 10, 2004	235	Fireworks: Article IV, Section 4.030, was amended by adding Subpart F, Fireworks Sales (Later Repealed and Replaced by Ordinance #420)
December 6, 2005	248	Temporary Structures: Article II, Section 2.020, Definitions, Amended by Adding Temporary Building; Temporary Commercial Building and Temporary Storage Building.
February 6, 2007	266	Warehousing: Article V, Section 5.062, Subpart B, Amended by Deleting Transport and Warehousing and Amending Article V, section

		5.070 by Adding Mini Storage Facilities under Transport and Warehousing.
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January 8, 2008	283	Duplex Bulk Regulations: Article V, Section 5.061.1, Amended Lot Width at Setback Line and Side Setbacks for Duplex Dwellings, and Article V, Section 5.061.2 Amended Side Setbacks for Duplex Dwellings.
February 5, 2008	284	Group Care Homes: Article V was amended to add group child care homes as a special exception in R-1 low-density residential, R-2 medium-density residential, and R-3 high-density residential districts.
July 7, 2009	296	Floodplain Regulations: Article VII, Provisions Governing Floodplain Districts, Deleted and Replaced in its entirety.
July 7, 2009	297	Article IV, Section 4.070, Subpart B-6 was deleted and replaced.
August 7, 2012	352	Definitions: Article II, Section 2.020, Definitions, was amended to add definitions for the firearms training facility and indoor range.
May 4, 2021	419	Article III, Section 3.120, the addition of new subpart D; Article IV, Section 4.110; Article V, Sections 5.062.1, 5.062.2, 5.062.3, and 5.070, the addition of new language.
May 4, 2021	420	Fireworks: Amend Article IV, Section 4.030(F) To Allow for Temporary Sale of Fireworks in Commercial Districts (Repeal/Replace Ord. #235)
June 1, 2021	424	Article III, Section 3.120, addition of new subpart E.
May 3, 2022	440	Duplex: Article II, Section 2.020, replaces the definition of duplex dwelling.
March 14, 2023	457	Site Plan Checklist: Article III, Section 3.120: Repeal and Replace Site Plan Checklist
June 6, 2023	458	Annexation: Article V, Section 5:050: Repeal and Replace language requires that all new territory be annexed as R-1 Low-Density Residential.
November 7, 2023	464	Minimum Lot Size: Article VIII, Section 8.080: Repeal & Replace Absolute Minimum Lot Size.
February 6, 2024	465	Traffic Impact: Article III, Section 3.090: Amend the development requirements that require a traffic assessment study; adopted by reference "Traffic Impact Analysis Guidelines" as a new Appendix to the Municipal

		Zoning Ordinance.
December 5, 2023	466	Landscaping: Article III, Section 3.120: Repeal and Replace the Landscaping and Screening Requirements in their entirety, require a minimum of 50% Native Planting in landscaping, and create a list of approved Native Plants as a new Appendix to the Municipal Zoning Ordinance.
March 5, 2024	469	Planned Unit Development: Complete repeal and replacement of Article VI, Planned Unit Development regulations.

May 7, 2024	470	Renewable Energy: Amend Art. II, Art III, & Art V by adding definitions, site regulations, & Special Exception requirements for Renewable Energy System Facilities & Non-Industrial Renewable Energy Systems.
July 2, 2024	474	Woodland Protection: Amends Art. III by adding section 3.130, Woodland Protection Language.
July 2, 2024	475	Access Control Management: Amends Art. III by adding Section (H) Access Mgmt. Minimum Standards.
September 3, 2024	477	Off-Street Parking Requirements: Repeals and replaces points A, B, D, and E of Art. IV, Section 4.010, replacing it with Off Street Parking Requirements for new point A) All Residential Uses.
September 3, 2024	478	Definitions: Amends Art II by adding Dwelling Unit and Open Space definitions.
		Open Space: Amends Art. III by adding Section 3.140, Open Space Standards.
		Residential Density Standards: Amends Art. V, Residential Density.
February 4, 2025	488	Billboards: An ordinance to Amend Article 4, Section 4.070, Standards for Signs, Billboards, and Other Advertising Structures of the Zoning Ordinance.

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**ARTICLE I
ENACTMENT**

SECTION

1.010 Authority

1.020 Title

1.030 Enactment

1.040 Purpose

1.010 Authority. An ordinance, in pursuance of the authority granted by Sections 13-7- 201 through 13-7-401, Tennessee Code Annotated, to provide for the establishment of districts within the corporate limits of the Town of White Bluff, Tennessee: to regulate within such districts the location, height, bulk, number of stories and size of buildings and other structures, the percentage of the lot which may be occupied, the sizes of yards, courts and other open spaces, the density of population, and the uses of buildings, structures and land for trade, industry, residence, recreation, public activities and other purposes including areas subject to flooding; to provide methods of administration of this ordinance; and to prescribe penalties for the violation thereof.

1.020 Title. This ordinance shall be known as The Zoning Ordinance of White Bluff, Tennessee, dated **June 5, 1990**. The zoning map shall be referred to as the Official Zoning Map, of White Bluff, Tennessee, and all explanatory matter thereon is hereby adopted and made a part of this ordinance.

1.030 Enactment.

WHEREAS, Section 13-7-201 through 13-7-401 of the Tennessee Code Annotated, empowers the Town to enact a zoning ordinance and to provide for its administration enforcement, and amendment, and

WHEREAS, the Town Board deems it necessary, for the purpose of promoting the public health, safety, morals, convenience, order, prosperity and general welfare of the Town to enact such an ordinance, and

WHEREAS, all the requirements of Section 13-7-201 through 13-7-401, of the Tennessee Code Annotated, with regard to the preparation of the zoning plan of the Planning Commission and subsequent action of the Town Board have been met;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN THAT THE ZONING ORDINANCE OF WHITE BLUFF, TENNESSEE, BE ENACTED INTO LAW.

1.040 Purpose. The purpose of this ordinance is to promote the public health, safety, morals, convenience, order, prosperity and general welfare by:

- A. Enhancing the character and stability of residential, business, commercial, and industrial areas, and promoting the orderly and beneficial development of such areas.
- B. Preventing the overcrowding of land.
- C. Conserving the value of land and buildings.
- D. Minimizing traffic hazards and congestion.
- E. Preventing undue concentration of population.
- F. Providing for adequate light, air, privacy, and sanitation.
- G. Reducing hazards from fire, flood, and other dangers.
- H. Assisting in the economic provision, utilization, and expansion of all services provided by the public, including but not limited to roads, water and sewer service, recreation, schools, and emergency services.
- I. Encouraging the most appropriate uses of land; and
- J. Enhancing the natural, man-made, and historical amenities

ARTICLE II DEFINITIONS

SECTION

2.010 Scope

2.020 Definitions

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

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

2.020 Definitions. The following words, terms, and phrases are hereby defined as follows and shall be interpreted as such throughout this ordinance. Terms not herein defined shall have their standard dictionary definitions or such as the context may imply.

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

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

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

Advertising Sign or Structure: See Sign.

Agricultural Use: This includes all forms of agriculture, growing of crops in the open, dairying, grazing, the raising and maintaining of poultry and other livestock, horticulture, viticulture, floriculture, forests, and woods, provided, however, all health codes of White Bluff, Tennessee are

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

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

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

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

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

Attached: Joined together by party wall(s).

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

Automobile Wrecking, Junk, and Salvage Yards: Any lot or place which is exposed to weather and upon which more than two (2) motor vehicles of any kind, incapable of being operated, and which it would not be economically feasible to make operative, are placed, located, or found.

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

Basement: A story partly or wholly underground. For purposes of height measurement, a basement shall be counted as a story when more than one-half (1/2) of its height is above the average ground elevations or when subdivided and used for commercial activities.

Board: The White Bluff, Tennessee Board of Zoning Appeals.

Buffer Strip: A greenbelt planted strip not less than ten (10) feet in width. Such a greenbelt shall be composed of one (1) row of evergreen trees spaced not more than forty (40) feet apart and not less than two (2) rows of shrubs or hedges spaced not more than five (5) feet apart and which grow to a height of five (5) feet or more after one (1) full growing season and which shrubs will eventually grow to not less than ten (10) feet.

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

Building Inspector/Codes Administrator: The building inspector/codes administrator for the Town of White Bluff, Tennessee.

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

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

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

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

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

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

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

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

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

Child Care: the provision of supervision and protection of the basic needs of at least five (5) children who are not related to the primary caregivers for at least three (3) hours per day, but less than twenty-four (24) hours per day.

Clinic: See Medical Facility.

Conditional Use: See SPECIAL EXCEPTION. Such uses may be permitted in a zoning district if they are specially provided for in this ordinance, Article VIII, Section 9.080.

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

Convenience Services: Services that are typically needed frequently or recurrently, such as barber and beauty care, and include the operation of self-service laundromats but exclude other apparel cleaning and repair services.

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

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

Daycare center: A facility that provides childcare for thirteen (13) or more children. Children thirteen (13) years or older who are related to the primary caregiver are not included in the total, provided that the facility is the primary caregiver's occupied residence.

Drop-In Center: is a place or facility that provides casual care for children who are not regularly enrolled at the facility. Such facility shall be operated in connection with a business establishment, recreational facility, or similar activity where children are cared for during short periods of time not to exceed ten (10) hours per week and for no more than six (6) hours each day for any individual child, while the parents are engaged in short term activities such as shopping, recreation, but not including employment.

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

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

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

- A. **Single detached dwelling** means a building and accessories thereto principally used, designed, or adapted for residential use by a single family and entirely separated from structures on adjacent lots. (Modular homes are included and each have a GREEN tag issued by the State of Tennessee Department of Commerce and Insurance. Modular homes are regulated according to standards set in the most current Building Code. Sections 13-24-101 and 68-126-202 of the Tennessee Code Annotated consider modular homes as the same as single-detached dwellings.) Double-wide mobile homes/multi-sectioned manufactured homes are preempted by Section 68- 126-412 of the Tennessee Code Annotated, 42 U.S.C. § 5401, and 24 C.F.R. §3282.11, and said multi-sectioned homes are permitted to be placed in any zoning district where single detached dwellings and modular homes are permitted (see also definition for Mobile Home Dwelling.)
- B. **Duplex dwelling means** two (2) attached units on a single lot that share the floor of a unit with the ceiling of another unit or a common wall from grade to eave at the front facade, which continues for eighty percent (80%) of the common side or twenty feet (20'), whichever is greater; or two (2) detached units on a single lot which are separated by at least six feet (6')
- C. **Apartment dwellings** means a building and accessories thereto principally used, designed, or adapted for use as occupancy by three (3) or more families each of which has separate living quarters. This includes triplexes and quadruplexes.
- D. **Townhouse** means a single-family dwelling unit, with a private entrance, which is part of a structure of three or more dwelling units that are attached horizontally in a linear arrangement and having a totally exposed front and rear wall to be used for access, light, and ventilation. Same as Attached Dwelling (see definition for 'Attached Dwelling.')
- E. **Condominium** means a multi-family structure containing three or more dwelling units being under or intended for separate ownership for each family living accommodation.
- F. **Mobile home dwelling (single-wide or double-wide), manufactured home, or trailer** means a vehicular portable structure designed and constructed in accordance with the requirements of American National Standards Institute Standard A119.1, built on a chassis and designed to be used with or without a permanent foundation as a place for human habitation when connected to the required utilities and: is not designed and constructed in accordance with the applicable provisions of the adopted building code, housing code; and does not contain a plumbing system designed and installed to meet the applicable requirements of the adopted plumbing code; and is denoted by a RED tag issued by the Federal Department of Housing and

Urban Development. This definition excludes Travel Trailers or Recreation Vehicles for use as permanent dwellings (see definitions for Travel Trailer in this chapter, and Recreational Vehicle in ART VII.)

- G. For purposes of this definition, a **double-wide mobile home / multi-sectioned manufactured home** means the same as a single-wide mobile home except a multi-section dwelling with each section built on a chassis, designed to be joined into one integral unit with one title for the whole structure. For placement in any residential zoning district and compatibility with the character offered by a single detached dwelling as defined herein (see also the definition of Single detached dwelling), the following is required of a double-wide mobile home / multi-sectioned manufactured home, as well as all other requirements under Tenn. Code Ann. § 13-24- 202, which requires multi-sectioned manufactured homes to have the same general appearance as required for site-built homes:
- a. An affidavit of affixation so that the manufactured home becomes part of the land
 - b. Perimeter blocking of the underside of structure with substantive material (metal siding or sheeting for blocking is not permitted)
 - c. Removal of the trailer tongue
 - d. Axles and wheels removed or otherwise skirted/blocked from view
 - e. Secondary electric service meter and line from the primary line physically attached to the dwelling
 - f. Dwelling must have three feet by three feet (3' by 3') landing outside the exit doors and steps to ground with handrails and railing for safety
 - g. All piers under the dwelling set on poured concrete pads two feet by two feet (2' by 2') and ten (10) inches deep
 - h. Water line to the home must have a shut-off valve for easy accessibility
 - i. Clean outs on sewer line
 - j. Yard around the multi-sectioned home seeded and strawed
- H. **Multi-family** means a building containing three (3) or more dwelling units. The term includes apartments, townhouses, and condominiums.
- I. **Zero lot line dwelling** means a building or structure containing two units (duplex), each unit being located on its own zone lot in separate ownership.
- J. **Attached Dwelling** means a single-family dwelling unit, with a private entrance, which is part of a structure of three or more dwelling units that are attached horizontally in a linear arrangement and having a totally exposed front and rear wall to be used for access, light, and ventilation. Same as Townhouse (see also definition for 'Townhouse.')

K. **Dwelling Unit** means a building or structure, or part thereof, used as a habitation under A-I hereinabove (e.g., a single detached dwelling is one (1) dwelling unit, a duplex is two (2) dwelling units, an eight-unit apartment building is eight (8) dwelling units, etc.) **(Ord. #478)**

Family: One or more persons related by blood, marriage, or adoption, or a group not all related by blood, marriage, or adoption, occupying the premises and living as a single non-profit housekeeping unit as distinguished from a group occupying a boarding or lodging house or similar dwelling for group use. A family shall not be deemed to include domestic servants employed by said family.

Family Child Care Home: A facility that provides childcare for less than eight (8) children. Children thirteen (13) years or older who are related to the primary care giver are not included. The place or facility must be in the occupied residence of the license applicant (primary care giver).

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

Firearms Training Facility: An indoor facility that provides training course and issues certifications required for law enforcement personnel, State Department of Fish and Wildlife, or by nationally recognized programs that promote shooting matches, target shooting, and safety.

Floor Area: The sum of the gross floor area for each of the several stories under roof, measured from the exterior limits of faces of a building or structure.

Frontage: All the property on one side of a street between two intersecting streets (crossing or terminating) measured along the line of the street, or if the street is dead ended, then all the property abutting on one side between an intersecting street and the dead end of the street.

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

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

Group Child Care Home: A facility that provides childcare for at least eight (8) children but less than thirteen (13) children; provided, that up to three (3) additional school aged children may receive care before and after school, on school holidays, on school snow days, and during summer vacation.

Children thirteen (13) years or older who are related to the primary care giver are not included in the total provided that the facility is the occupied residence of the primary care giver.

Health Department: The Dickson County Health Department.

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

Home Occupation: See Section 4.040.

Hospital: See Medical Facilities.

Indoor Range: An indoor practice range specifically designed for target practice.

Junk Yard: The collecting, dismantling, storage, and salvaging of machinery or vehicles not in running condition or for the sale of parts thereof.

Landscaping: The planting and maintenance of trees, shrubs, lawns, and other 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.

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

Loading Space: An area fourteen (14) feet by fifty-five (55) feet with a fifteen (15) foot height clearance providing for the standing, loading, or unloading of a truck or other vehicle.

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

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

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

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

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

Lot, Interior: A lot other than a corner lot.

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

Lot of Record: A lot which is part of a subdivision recorded in the office of the county register of deeds, or a lot described by metes and bounds, the description of which has been recorded in the office of the county register of deeds prior to the effective date of this zoning ordinance. Regarding noncomplying lots of record see Section 8.060.

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

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

Medical Facilities:

- A. Convalescent, Rest or Nursing Home:** A health facility where persons are housed and furnished with meals and continuing nursing care for compensation.
- B. Dental Clinic or Medical Clinic:** A facility for the examination and treatment of ill and afflicted human out-patients, provided, however, that patients are not kept overnight except under emergency conditions.
- C. Hospital:** An institution providing health services primarily for human in-patient medical care for sick or injured and including related facilities such as laboratories, out-patient facilities, emergency medical services, and staff offices which are an integral part of the facility.
- D. Public Health Center:** A facility utilized by a health unit for the provision of public health services.

Mini-Storage Facilities: An enclosed storage facility of a commercial nature containing independent, fully enclosed, and secured bays which are leased to persons exclusively for dead storage of their household goods or personal property. Such a facility shall be lighted, buffered from residential abutting properties, fenced in, secured, and shall not be used for habitable space nor commercial activity, and shall be maintained and free from debris. There shall be no storage of flammable or other hazardous materials in such a facility.

Mobile Home Park: Any area, tract, site, or plot of land whereupon mobile homes as herein defined are placed, located, or maintained, and shall include all accessory buildings used or intended to be used as part of the equipment thereof.

Non-Complying:

- A. Any lot of record that does not contain sufficient lot area to conform to the area requirements for the zoning district in which the lot is located.
- B. Any lawful building or other structure that does not comply with any one (1) or more of the applicable bulk regulations or
- C. Any lawful use other than a nonconforming use, which does not comply with any part or any one (1) or more of the applicable regulations pertaining to the location along district boundary; or 2) accessory off-street parking and loading, either on the effective date of this Ordinance or as a result of any subsequent amendment.

Non-Conforming Use: A building, structure, or use of land existing at the time of enactment of this ordinance that does not conform to the regulations of the district in which it is located.

Non-Industrial Renewable Energy System: A device or combination of devices or elements that uses direct sunlight as an energy source to heat or cool a structure, heat or pump water, or generate electricity for generally commercial or domestic, **on-site use**. Examples include, but are not limited to, a solar greenhouse, solar panels, or a solar water heater. (Ord.# 470)

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

Open Space: Any lot or property designated or intended for the preservation of land and passive recreational land uses. **(Repealed/replaced by Ord. #478)**

Overall Density: The residential density, stated in dwelling units per acre of any total lot, or development area.

Owner: Includes the owner(s), his duly authorized agent or attorney, devisee, fiduciary, and a person having a vested or contingent interest in the property in question.

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

Parking Space: An off-street space available for parking one motor vehicle, with a minimum area of 10 x 20 feet, exclusive of passageways and driveways, giving access thereto and access to a street or alley.

Party Wall: A wall on an interior lot line, used or adopted for joint service between two (2) buildings; such walls shall extend from the foundation to the underside of the roof sheathing, without openings

which would permit the spread of fire from one building to another, and shall fully comply with fire and all other provisions and standards established for such walls in the Standard Building Code.

Person: An individual, firm, partnership, corporation, company, association, joint stock association, or body politic, and includes a trustee, receiver, assignee, administrator, executor, guardian, or other representative.

Planned Development: A single planned area of land which: (1) has both individual building site and common property such as a park; and (2) is designated and organized to be capable of satisfactory use and operation as a separate entity without necessarily having the participation of other building sites or other common property; the ownership of the common property may be either public or private. Planned developments consist of relatively large, interrelated developments located on a single tract of land. Cluster developments and mixed-use developments of all types are planned unit developments.

Planning Commission: The White Bluff Municipal Planning Commission.

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

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

Private Wastewater Treatment: Individual subsurface sewage disposal systems (e.g., septic tanks), package treatment plants, or individual aeration systems employed for the collection, treatment, and/or disposal of wastewater, as approved by the appropriate county health office.

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

Public Uses: Public parks, schools, and administrative, cultural, and services buildings, not including public land or buildings devoted solely to storing and maintaining equipment and materials.

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

Public Water: A municipal, community or utility district water treatment and distribution system of a type approved by the State Department of Public Health and Environment and the Public Service Commission.

Renewable Energy System Facilities: Any facility or installation such as a windmill, hydroelectric unit or solar collecting or concentrating array designed and intended to produce energy from natural forces such as wind, water, sunlight, or geothermal heat or from biomass for offsite use. (Ord. #470)

Required Yard: That portion of a zoned lot that is required by the specific district regulation to be open from the ground to the sky and which may contain only explicitly listed obstructions.

Right-of-Way: The minimum right-of-way in all streets shall be fifty (50) feet, which measures twenty-five (25) feet from the street's centerline. On each side of all collector streets, the right-of-way shall be thirty (30) feet from the centerline. On arterial streets, the right-of-way shall be forty (40) feet on each side of the street centerline. The official Major Thoroughfare Plan of White Bluff, Tennessee, shows collector and arterial streets.

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

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

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

Sign, Billboard, or Other Advertising Device: Any structure or part thereof or device attached thereto, or represented thereon, which shall display or include any letter, words, model, banner, flag, pennant, insignia, or any representation used as, or which is in the nature of, an announcement, direction, or advertisement. The word "sign" includes the word "billboard" or any other type of advertising device but does not include the flag, pennant, or insignia of any nation, state, city, or other political unit.

A. Advertising Sign: A sign that directs attention to a business commodity, service, or entertainment conducted, sold, or offered elsewhere than on the premises and only incidentally on the premises, if at all.

B. Billboard: A type of advertising sign having more than one hundred (100) square feet of display surface which is either erected on the ground or attached to or supported by a building or structure.

C. Business Sign: A sign that directs attention to the business or profession conducted on the premises.

- D. Flashing Sign:** Any illuminated sign, whether stationary, revolving, or rotating, that exhibits changing light or color effects, provided that revolving or rotating signs that exhibit no changing light or color effects other than those produced by revolution or rotation shall be deemed flashing signs only if they exhibit sudden or marked changes in such light or color effects.
- E. Ground Sign:** A sign supported by a pole, uprights, or braces on the ground.
- F. Illuminated Sign:** A sign designed to emit artificial light or reflect light from an artificial source.
- G. Indirect Illumination Sign:** Any illuminated, non-flashing signs whose illumination is derived entirely from an external artificial source and is so arranged that no direct rays of light are projected from such artificial source into residences or streets.
- H. Off-Premises Sign:** A sign relating to a product, service, or establishment that is not on the premises on which the sign is located.
- I. On-Premises Sign:** A sign relating to a product, service, or establishment on the premises where the sign is located.
- J. Pole Sign or Banjo Sign:** A type of ground sign at least ten (10) feet above the ground supported on a single post or pole most commonly associated with gasoline service stations.
- K. Temporary Sign:** Temporary signs shall include any sign, banner, pennant, valance, or advertising display constructed of wood, metal, cloth, canvas, light fabric, cardboard, wallboard, or other light material, with or without frames, where, either by reason of construction or purpose of the sign, it is intended to be displayed for a short period of time only, e.g., a political sign.
- L. Wall or Flat Sign:** Any sign erected parallel to the face or on the outside wall of any building that projects out at any angle therefrom and projects more than twelve (12) inches beyond the face of such wall.

Special Exception: A use specifically permitted if the owner could demonstrate to the satisfaction of the Board of Zoning Appeals that it will meet certain standards, enumerated safeguards, or qualifying conditions set forth herein.

Story: That portion of a building included between the upper surface of any flood and the upper surface of the floor next above; or any portion of a building between the topmost floor and the roof which is used for human occupancy in which the floor area with eight (8) feet or more head clearance equals fifty (50) percent or more of the floor area of the next story below. Provided it is not used as a dwelling unit, a top floor in which the floor area with eight (8) feet or more of head clearance equals less than fifty (50) percent of the floor area of the story next below shall be a "half-story". A basement

shall be considered as a story if more than half of its height is above the average ground level from which the "height of a building" is measured (if it is used for commercial purposes.)

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

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

Temporary Building: A building that is, by design or otherwise, capable of being readily moved from one site to another, either as a unit or as components. This term includes any non-site-built building, specifically manufactured buildings of all types, even when placed on a permanent foundation.

Temporary Commercial Building: A temporary building specifically designed for office, retail, or service use.

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

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

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

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

Veterinary Clinic: An animal health care facility that treats animals weighing less than two hundred (200) pounds.

Yard: An open space on the same lot with a principal building, open, unoccupied, and unobstructed by buildings from the ground to the sky except as otherwise provided in this ordinance, provided that accessory buildings may be located in a rear yard.

Yard, Front: The yard extending across the entire width of the lot between the nearest part of the principal building, including porches, and the front lot line.

Yard, Rear: The yard extending across the entire width of the lot between the nearest part of the principal building, including porches, and the front lot line.

Yard, Side: The required space unoccupied except as provided herein, measured between the side lot line and the nearest point of the principal building and between the front and rear yards.

Zone Lot: For purposes of this ordinance, a lot is a parcel of contiguous land that is or may be developed or utilized under one ownership as a unit 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 a lot shall have frontage on an improved public street or an approved private street. For the purpose of this definition, the ownership of a zone lot shall be deemed to include a lease of not less than fifty (50) years duration.

Zoning Map: A map or series of maps and special overlays (the official copy being maintained by the Building Inspector/Codes Administrator) showing districts and special districts established under the provisions of and thereby a part of this Ordinance.

Zoning Permit: A written permit issued by the Building Inspector/Codes Administrator is required before commencing any construction, reconstruction, or alteration of any building or other structure or before establishing, extending, or changing any activity or use on any zone lot.

**ARTICLE III
GENERAL PROVISIONS**

Section

- 3.010 Scope**
- 3.020 Only One (1) Principal Building on Any Lot**
- 3.030 Lot Must Abut a Public Street**
- 3.040 Rear Yard Abutting a Public Street**
- 3.050 Corner Lots**
- 3.060 Future Street Lines**
- 3.070 Reduction in Lot Area Prohibited**
- 3.080 Obstruction to Vision at Street Intersections and Railroad Intersections Prohibited.**
- 3.090 Access Control**
- 3.100 Accessory Use Regulations**
- 3.110 Landscaping and Screening Requirements**
- 3.120 Site Plan Requirements**
- 3.130 Non-Industrial Renewable Energy Systems**
- 3.140 Woodland Protection**
- 3.150 Open Space Standards**

3.010 Scope. For the purpose of the zoning ordinance, there shall be certain general provisions which shall apply, except as specifically noted, to the Town as a whole.

3.020 Only One (1) Principal Building on Any Residential Lot. Only one (1) principal building and its customary accessory buildings may hereafter be erected on any residential lot. This provision does not prohibit apartments or other similar complexes as permitted under Article V, Subsection 5.061.4, or Subsection 5.062.3.

3.030 Lot Must Abut a Public Street. No building shall be erected on a lot which does not abut at least one (1) publicly approved and accepted street for a distance of at least fifty (50) feet, or at least thirty (30) feet on cul-de-sac courts, or unless it abuts for fifty (50) feet on a street shown on a final subdivision plat as approved by the White Bluff Planning Commission.

3.040 Rear Yard Abutting a Public Street. When the rear yard of a lot abuts a public street, all structures built in the rear yard shall observe the same setback from the street right-of-way 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 that street.

3.050 Corner Lots. The side yard setback requirements for corner lots shall be the same as the front setback requirements for the next adjacent lot fronting on the street that the side yard of the corner lot faces.

3.060 Future Street Lines. For the purpose of providing adequate space for the future widening of streets, required setbacks, or front yards shall be determined by the right-of-way as shown in the most current official White Bluff, Tennessee Major Thoroughfare Plan.

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

3.080 Obstruction to Vision at Street Intersections and Railroad Intersections Prohibited. On a corner lot in any district within the area formed by the center lines of the intersecting or intercepting streets and/or railroads and a line joining points on such center lines at a distance of seventy-five (75) feet from their intersection, there shall be no obstruction to vision between the height of three and one-half (3 1/2) feet and a height of ten (10) feet above the average grade of each street and/or railroad at the center line thereof. The requirements of this section shall not be construed to prohibit any necessary retaining wall.

3.090 Access Control. 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. A point of vehicle access onto a street shall not exceed thirty (30) feet in width for all residential, retail, and commercial service land uses. All access points shall be constructed to provide for proper drainage property and public streets. The ditch line shall provide a minimum of eighteen (18) inch culverts. For industrial land uses, a vehicle access point onto a street shall not exceed forty-five (45) feet in width.
- B. There shall be no more than two (2) points of access to any one public street for each four hundred (400) feet of lot frontage, or fraction thereof, provided, however, that lots less than one hundred (100) feet in width shall have no more than one point of access to any one public street.
- C. No point of access shall be allowed within twenty-five (25) feet of the right-of-way line of any public intersection. On collectors or arterials, this minimum shall be forty (40) feet.
- D. No curbs on town streets or right-of-way shall be cut or altered without written approval of the White Bluff Building Inspector/Codes Administrator, or if a state highway, a permit must also be obtained from the Tennessee Department of Transportation.
- E. Where two driveways are provided for one lot frontage, the clear distance between the driveways shall not be less than twenty-five (25) feet.
- F. Cases requiring variances relative to the above provisions due to topographic limitations shall be heard and acted upon by the Board of Zoning Appeals, provided, further, that no curb cuts

for off-street automobile storage or parking space shall be permitted where the arrangement would require that vehicles back directly onto a public street.

G. **Traffic Assessment Study (Ord. #465).** A traffic assessment study, prepared by a licensed professional engineer, shall be submitted for review for:

1. Any annexation or rezoning application for a parcel of real property of five (5) acres or more; or
2. Any annexation or rezoning so determined by the Planning Commission or the Planning Director to require a traffic assessment study.
3. Refer to Traffic Impact Analysis Guidelines, an Appendix to this Zoning Ordinance, for further guidance.

H. **Access Management Minimum Standards (Ord. #475).** All lots and developments shall have the following minimum access points to an existing public right of way:

1. Individual residential lots shall have a maximum of two access points.
2. One-and-two-family residential developments shall have the following minimum number of access points:
 - a) 1-30 dwellings: one (1) minimum access point
 - b) 31-150 dwellings: two (2) minimum access points
 - c) 150+ dwellings: three (3) minimum access points
3. Multi-family residential developments shall have the following minimum number of access points:
 - a) 1-100 units: one (1) minimum access point
 - b) 200+ units: two (2) minimum access points
4. Non-residential developments shall have the following minimum number of access points:
 - a) 1-30 parking spaces required: one (1) minimum access point
 - b) 30+ parking spaces required: two (2) minimum access points
5. Access points, as provided herein, shall be considered the minimum for each type of development. Exceptions and access points, in addition to those listed herein, may be approved by the Planning Commission.
6. Developments under 2(b), 2(c), and 3(b), where two (2) or more access points are required, two (2) of the access points shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the development to be served, measured in a straight line between accesses.

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

- A. Be customarily incidental to the principal use established on the same lot.
- B. Be subordinate to and serve such principal use.
- C. Be subordinate in area, intent, and purpose to such principal use.
- D. No accessory building shall extend beyond the required front line of the principal building or beyond the required front, side, or rear yard of lot, and shall not exceed twenty (20) feet in height.

3.110 Landscaping, Screening, and Buffering Requirements (Ord.#466)

A. Purpose. It is the purpose of this Article to promote and protect the public health, safety, and general welfare by providing for the planting, maintenance, and retention of trees, shrubs and other plants within the Town of White Bluff. The intent of this Article is to promote this purpose by:

- 1. Ensuring and encouraging the planting, maintenance, and survival of trees, shrubs and other plants;
- 2. Mitigating soil erosion and sedimentation;
- 3. Reducing storm water runoff and the costs associated therewith;
- 4. Preserving and protecting the water table and surface waters;
- 5. Restoring soils and land denuded as a result of construction and grading;
- 6. Protecting and enhancing property values and aesthetic qualities; and
- 7. Providing visual screening, where appropriate.

B. Applicability.

- 1. General. Except where otherwise exempted by this Section, the provisions of this Article shall apply to all development of land in the County that is subject to the White Bluff Subdivision Regulations, as well as Major or Minor Site Plans. Landscaping, buffering, and screening requirements are each separate elements that shall not serve as replacements for each other.
- 2. Exemptions. The following shall be exempt from the provisions of this Article:
 - a. Single-family dwellings on parcels of record;
 - b. Mobile homes on individual lots;
 - c. Institutional single-family homes (1-8 residents);
 - d. Minor traditional subdivisions; and

- e. Except as provided in Section 3.110.1.2: Parking Area Landscaping, additions or expansions of uses shall only be required to meet the standards of this Article for those portions of the site affected by the addition or expansion.
3. Criteria. When making decisions regarding the landscaping or screening of a site, the following criteria shall be considered by the Planning Commission:
- a. The proximity of the commercial/industrial/institutional site to existing residential structures, proposed residential subdivisions, and institutional land uses.
 - b. The topography of the area.
 - c. The existing vegetation of the proposed site as well as the existing vegetation of nearby properties. Any exiting vegetation that is to be retained shall be so noted on the plan.
 - d. The structure to be used for the proposed non-residential site, including size, bulk, setback, lot coverage ratio, building materials, proposed building setbacks, and other similar criteria.
 - e. The location of accessory buildings, outdoor sales area, outdoor storage, and parking areas of the proposed site.
 - f. The location of utilities with special attention to overhead electric lines.
4. Maintenance. All required screening and/or buffering vegetation, berms, walls, etc., and all landscaping shown on an approved site plan shall be permanently maintained.
5. The property owner(s) and their successors shall be responsible for maintaining all plantings in good health. Dead or badly diseased and dying plants shall be replaced.
6. The Town Planner may grant an extension of up to six (6) months to allow dead or diseased plants to be replaced at an appropriate time of the year so as to maximize the long-term health of the vegetation. Such extension, if granted, shall be in writing.
7. Screening walls and fences or other objects approved as part of the landscaping plan such as rock gardens, fountains, etc. shall be kept in good condition so as to achieve their intended function: enhancing site appearance and/or the screening and buffering of adjoining properties. Fences and walls used for screening and/or buffering shall be kept clean from dirt and mold and well painted or stained as appropriate. Wooden fences that are broken, rotten, or that are structurally unsound shall be repaired.
8. Time of Completion. All required landscaping and screening must be completed in accordance with the approved landscaping plan before a certificate of occupancy may be issued for any building on the lot. Certain exceptions may be made for weather conditions. To allow landscaping to be installed at a time of the year so as to maximize the long-term health of the vegetation, the Town Building Official, in consultation with the Town Planner, may issue one six-month temporary certificate of occupancy so as to allow the owner to complete the landscaping of the site.
9. Enforcement. All plantings and other improvements shown on any approved landscaping plan shall be considered a condition of the approval of the site plan. Failure to install or maintain such improvements shall be considered a violation of this resolution, and the property owner is subject to all penalties and remedies of Article VIII of this Resolution.

3.110.1 **General Provisions.**

A. Landscape Plan Required.

1. When a development is subject to the provisions of this Article, a landscaping plan shall be submitted with an application for a Minor or Major Site Plan or a Final Plat for a major traditional or conservation subdivision.
2. The landscaping plan shall demonstrate how the development will comply with the provisions of this Article and shall include, at a minimum, the location, size, spacing, species, form, and quality of all existing and proposed materials intended to fulfill the requirements of this Article. The landscaping plan shall also illustrate topography, the location of all utilities, and any proposed underground sprinkler system or hose bib attachments.

B. Planting Standards. All plants utilized in the fulfillment of the requirements of this Article shall meet the following requirements:

1. Plants installed shall meet the standards for size, form, and quality set out in the American Standard for Nursery Stock (ANSI Z60.1, latest edition) and
2. Vegetation shall comply with the minimum size requirements established in Table 3-A: Minimum Size Requirements for Vegetation.
3. Minimum Size requirements for vegetation:

Vegetation Type	Minimum Size Requirement
Canopy Trees	3-inch DBH
Understory Trees	2-inch caliper
Evergreen Trees	6 feet in height when planted
Shrubs	3 feet in height when planted

4. **Native & Drought-Tolerant Vegetation.** The Town of White Bluff recognizes that Native Plants are localized, well adapted to the local soils and climate, tend to be more insect—and disease-resistant, and require less watering and fertilizing than non-native plants. Therefore, all required landscaping, buffering, and screening shall comprise 50% or greater Native Plants as defined in Article 2, Section 2.020. The calculation will be based on the quantity of plants. Appendix B lists eligible plants in this Zoning Ordinance. Furthermore, any plant material installed in Landscape and Buffer Strips shall not include any invasive plant species listed in the appendix. The appendices for eligible plants and invasive species should be reviewed periodically. If necessary, they may be updated administratively.

C. Species Diversity. To curtail the spread of disease or insect infestation in a plant species, new plantings shall comply with Table 3-B: Species Diversity standards.

TABLE 3-B: SPECIES DIVERSITY	
Number of Trees Required on Site	Maximum Percentage of Trees that May Be of a Single Species
1-19	50%
20-39	33%
40 or more	25%

D. Existing Vegetation. Existing healthy, well-formed canopy and understory trees, as well as healthy shrubs, may be credited toward the requirements of this Article, provided the vegetation is protected before and during the site's development and maintained thereafter in a healthy growing condition.

E. Use of Buffer Areas.

1. A buffer area may be used for passive recreational uses. It may contain trails, provided that:
 2. There is no reduction in the required plant materials.
 3. The maximum width of the trail shall be 20 percent of the width of the required buffer.
 4. All other regulations of the Resolution are met; and
 5. Where trails connect to any public rights-of-way, the trails shall comply with all applicable State and Federal laws and regulations, including but not limited to the Americans with Disabilities Act.
 6. Swimming pools, tennis courts, sports fields, golf courses, or other such uses shall not be permitted in any required buffer area.
 7. Signs may be in the required streetscape landscaping area, provided they comply with Town of White Bluff sign regulations.

3.110.1.2 Parking Area Landscaping

- A. Purpose. This Section establishes the minimum standards by which parking areas will be screened from adjacent public streets or from adjacent properties. In addition, this Section delineates standards for landscaping within the interior of parking areas.
- B. Perimeter Parking Area Landscaping Required. The perimeter parking area landscaping requirements of this Section shall apply to all off-street parking adjacent to a public street or to a lot line where the parking area is larger than 2,000 square feet.
- C. Areas Adjacent to Public Streets.

1. Parking areas adjacent to public streets shall be separated from the edge of the right-of-way by a perimeter landscape strip no less than 15 feet in width, which shall be landscaped per the standards set forth in Section C below.
2. The public right-of-way and areas reserved for future rights-of-way in compliance with the adopted Major Thoroughfare Plan shall not be used to satisfy the requirements of this Article and
3. Perimeter landscape strips shall be continuous and unbroken except for driveways or sidewalks required to access the parking area.

D. Areas Adjacent to Lot Lines. A perimeter landscaping strip a minimum of 10 feet in width shall separate an access drive or parking area from all adjacent lot lines, which shall be landscaped per the standards set forth below. The following landscaping materials shall be provided within each perimeter landscaping strip:

1. A minimum of 10 aggregate caliper inches of canopy and/or understory trees per 100 linear feet or proportional share thereof; and
2. A minimum of 10 shrubs per 100 linear feet or a proportional share thereof.
3. When a fractional number results from the calculations performed in the sections above, the number shall be rounded upward to the nearest whole number.
4. Trees and other landscaping required in the perimeter strip shall be maintained to ensure unobstructed visibility pursuant to these regulations.
5. Landscaping materials used to comply with this Section may be counted toward the streetscape landscaping requirements and/or the buffer yard landscaping requirements when the landscaping of the perimeter parking area coincides with the streetscape or buffer yard area.

E. Interior Parking Area Landscaping Required. Landscaping shall be provided and maintained within the interior of all parking areas and shall comply with the following standards:

1. Landscape islands shall be located at the end of internal parking bays.
2. Landscape islands shall be located within interior parking bays with a single row of 40 or more spaces such that no more than 15 spaces shall be located without being interrupted by a landscaped island.
3. Landscape islands shall have a minimum size of 135 square feet for single-loaded parking bays and a minimum size of 270 square feet for double-loaded parking bays.
4. A minimum of one canopy tree is required for every 15 parking spaces, and
5. If an existing tree is to be used to meet the requirements of this Subsection, the landscape island shall be equal in size to the tree's drip line area.

F. Non-Conforming Parking Areas. When a parking area that is not in conformance with the provisions of this Article is expanded, the following standards shall apply:

1. When an existing parking area is expanded by less than 25 percent, only the expanded area must comply with the provisions of this Article;

2. When an existing parking area is expanded by 25 percent or more, the entire parking area shall comply with the provisions of this Article and
3. Repeated expansions of a parking area over a period of time commencing with the effective date of this Ordinance shall be combined in determining whether the 25 percent threshold has been reached.

3.110.1.3 Streetscape Landscaping Required.

A. General: Development subject to the requirements of this Article shall provide streetscape landscaping in accordance with the following:

1. Residential use types shall use the following landscaping materials within the required streetscape:
 - a) A minimum of 18 aggregate caliper inches of canopy and/or understory trees per 100 linear feet or proportional share thereof; and
 - b) A minimum of 14 shrubs per 100 linear feet or a proportional share thereof.
 - c) When a fractional number results from the calculations performed in A (1) and A (2) above, the number shall be rounded upward to the nearest whole number.
2. Nonresidential use types shall use the following landscaping materials within the required streetscape:
3. A minimum of 10 aggregate caliper inches of canopy and/or understory trees per 100 linear feet or proportional share thereof; and
4. A minimum of 10 shrubs per 100 linear feet or a proportional share thereof;
5. When a fractional number results from the calculations performed in Section 15.05: A (1) and A (2) above, the number shall be rounded upward to the nearest whole number.

3.110.1.4 Buffer Yard Landscaping Required. Development subject to the requirements of this Article shall provide buffer yard landscaping in accordance with the following:

BUFFER TYPES. Where a particular buffer type is required, the requirements may be met with the combination of minimum buffer width and planting requirements specified under either Option 1, Option 2, or Option 3.

ALL OPTIONS FOR EACH TYPE ARE THE **MINIMUM SCREENING REQUIREMENT PER 100 LINEAR FEET.**

* ACI = Aggregate Caliper Inches

TypeA: Basic. The perimeter buffer is a basic edge, demarcating individual properties with a slight visual obstruction.



Option 1: Min. Width: 35 feet with 9 ACI* of canopy and/or understory trees

Option 2: Min. Width: 25 feet with 12 ACI* of canopy and/or understory trees

Option 3: Min. Width: 15 feet with 15 ACI* of canopy and/or understory trees and 2 evergreens

Type B: Aesthetic. The perimeter buffer functions as an intermittent visual obstruction and creates the impression of spatial separation without eliminating visual contact between uses.



Option 1: Min. Width: 35 feet, 12 ACI* of canopy and/or understory trees, 12 shrubs, and 3 evergreens.

Option 2: Min. Width: 25 feet, 15 ACI* of canopy and/or understory trees, 15 shrubs, and 5 evergreens.

Option 3: Min. Width: 15 feet, 18 ACI* of canopy and/or understory trees, 18 shrubs, and 7 evergreens.

Type C: Semi-Opaque. The perimeter buffer functions as a semi- opaque screen.



Option 1: Min. Width: 35 feet, 15 ACI* of canopy and/or understory trees, 25 shrubs, and 7 evergreens.

Option 2: Min. Width: 25 feet, 18 ACI* of canopy and/or understory trees, 30 shrubs, and 7 evergreens.

Option 3: Min. Width: 15 feet, 21 ACI* of canopy and/or understory trees, 35 shrubs, and 7 evergreens.

Type D: Opaque. This perimeter buffer functions as an opaque screen and prevents visual contact between uses, creating a strong impression of total separation.



Option 1: Min. Width: 35 feet, 24 ACI* of canopy and/or understory trees, 40 shrubs, and 8 evergreens

Option 2: Min. Width: 25 feet, 30 ACI* of canopy and/or understory trees, 50 shrubs, and 10 evergreens.

Option 3: None

A. **REQUIRED BUFFERS.** Table 3-D: Required Buffer Area specifies the type of perimeter landscape buffer that a new development shall provide between it and adjacent properties, based on the use of the development site and that of adjacent properties. The buffer type is indicated by a letter corresponding to one of the four buffer types depicted above in 3-C: Buffer Types.

TABLE 3-D: REQUIRED BUFFER AREA										
PROPOSED USE:										
ADJACENT TO:	Vacant Parcel	Agricultural Use	Agricultural Support and Services Use	Residential Use Classification*	Conservation Subdivisions	Traditional Major Subdivisions	Public /Institutional Uses	Commercial Use	Industrial Use	
Agricultural Use Category	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Agricultural Support and Services Use Category	A	A	N/A	C	C	C	B	N/A	N/A	
Residential Use Classification*	A	B	B	N/A	C	C	B	B	B	
Conservation Subdivisions	A	N/A	A	A	N/A	C	B	B	B	
Traditional Major Subdivisions	A	N/A	A	A	B	N/A	B	B	B	
Public and Institutional Use Classification	A	A	B	C	C	C	N/A	B	B	
Commercial Use Classification	A	B	B	C	D	D	B	N/A	B	
Industrial Use Classification	A	C	C	D	D	D	C	C	N/A	
*(except Conservation and Traditional Major Subdivisions)										

3.110.1.5 Screening Requirements for Outdoor Storage and Equipment:

A. Storage areas for auto service functions, such as storage areas for automobiles, trucks, or other vehicular craft while awaiting repair, shall be screened so as not to be visible from adjoining properties or from any public or private roadway. In areas where topography makes full screening impractical, such storage areas shall be screened as much as reasonably

possible. However, licensed and registered automobiles and trucks not owned by the operator of such service facility awaiting ordinary mechanical service and repair may be parked in non-screened parking areas.

- B. Garbage collection areas shall be fully enclosed by opaque materials on all four (4) sides, with doors to remove containers. The screening shall be at least two (2) feet taller than the dumpster. Where topography may expose interiors of garbage collection areas to view, screening shall be correspondingly taller. Landscape plantings are required around at least two sides of all dumpster screens to soften the effect of fencing.
- C. Above-ground fuel tanks and significant utility and mechanical equipment such as ground-mounted air conditioning, emergency power generators, and sewer pumping stations shall be hidden from public view by screening.

3.120 Site Plan Requirements. (Ord. #457)

- A. **Purpose/Intent.** The purpose of this provision is to prevent development within the Town of White Bluff that creates undesirable conditions for residents, such as creating inadequate traffic and pedestrian circulation patterns and contributing to unnecessary congestion. The site plan's purpose is to allow applicants to demonstrate compliance with the regulations of the Town of White Bluff, by demonstrating their intent to obtain maximum convenience, safety, economy, and identity in relation to adjacent sites while providing maximum flexibility for expansion, change in use, and adaptation to individual needs. To accomplish this purpose, the Town of White Bluff requires applicants desiring to build within the corporate limits of the Town to submit scaled and thorough drawings by a professional competent of such design, according to the particular types of development proposals, to the White Bluff Municipal Planning Commission. Please note that town staff and the Planning Commission may require information not listed.
- B. **Applicability.**
 - 1. The site plan requirements shall be applicable to all development projects that are commercial, industrial, or multi-family in nature.
 - 2. Planned Unit Developments, Mobile Home Parks, and Multi-Family Developments have additional requirements in addition to those listed below.
- C. **Exemptions.** The following developments may be administratively approved by Town of White Bluff staff. Specific items required prior to permitting, that are not contained in this Zoning Ordinance, may be necessary.
 - 1. Single family dwellings.
 - 2. One structure, containing two independent dwelling units.
 - 3. Minor additions to a principal structure that are not greater than 25% of the principal structure size, to a maximum of 2,000 square feet.
 - 4. Accessory structures that are less than 1,000 square feet in size
 - 5. Accessory structures that are no more than 10% of the principal structure's size, to a maximum of 1,500 square feet.

6. Site plan modifications that do not increase or decrease the number of parking spaces on site by more than 10% of the required number, or the number established by the Board of Zoning Appeals.
7. The use of the property or structure is not being changed.
8. There is no reduction or deletion of the landscaping area(s) or number of plants, except as may be necessitated by the construction of the building addition.

D. Final Site Plan Required Features

1. Scale of no smaller than 1" = 100 ft.
2. Date and stamp of the professional designing the site plan.
3. True North symbol
4. Vicinity Map
5. Name of Owner
6. Name, address, and phone number of the site plan designer
7. Graphically depict required setbacks.
8. Tax Map and Parcel Number of the subject property.
9. The actual shape, location, and dimensions of the lot.
10. Topographical contours at no more than 5' intervals
11. Topographical features of importance (including, but not limited to, streams, rivers, creeks, sinkholes, depressions, etc.)
12. Dimensions of parking spaces
13. Label areas intended for loading and unloading of materials, cargo, etc.
14. Indicate parking aisle widths.
15. Indicate the intended circulation of traffic on-site.
16. Indicate the location and width of all driveways, existing and proposed.
17. Clearly denote areas of required buffers, with details on the type of planting.
18. Include a landscaping plan, with details of the type and location of landscaped areas.
19. Clearly indicate the location of all signs proposed on-site, including design details such as size and lighting elements.
20. Include drainage plans.
21. Proposed means of surface drainage.
22. Indicate the location of existing utility lines
23. Indicate the proposed location of utility lines.
24. Identify the location of all existing easements and rights-of-way
25. Identify the location of proposed easements and rights-of-way
26. Location of any proposed outdoor sales or display areas.
27. Positions of fences and walls, with materials identified.
28. Location of waste storage areas, with associated screening details
29. Location of Central Mailbox Units

E. Final Site Plan Required Site Data Notes

30. Purpose Note: The existing and intended use of the lot and all structures upon it.

31. Zoning Designation
32. Proposed total building coverage.
33. Typical lot inset, demonstrating setbacks.
34. Height of all proposed structures on site.
35. Total impervious surface coverage of the lot.
36. Total building square footage
37. Total number of parking spaces, with ADA-accessible spaces clearly labeled.
38. Flood note as required by the National Flood Insurance Program, indicating location of areas subject to flooding.

3.130 Non-Industrial Renewable Energy Systems. (Ord. 470)

- A. Purpose:** The purpose of this chapter is to promote the use of renewable energy and to provide for the land planning, installation, and construction of renewable energy systems in White Bluff, subject to reasonable conditions that will protect public health, safety, and welfare.
- B. Applicability:** Non-Industrial Renewable Energy Systems shall be allowed in any zoning district and may be installed upon receipt of the necessary construction, electrical, and mechanical permit(s). This ordinance applies to renewable energy systems to be installed and constructed for residential or commercial use. Other sections of this zoning ordinance govern Renewable Energy System Facilities, which are the lots primary use.
- C. Design and Installation:** To the extent applicable, the renewable energy system shall comply with the provisions of the International Building Code, as adopted by the Town of White Bluff, and its design shall conform to applicable industry standards.
- D. Setbacks and Height Restrictions:** Any system, whether ground or roof-mounted, shall comply with all accessory setback and maximum height requirements for the zoning district where the system is installed. All exterior electrical and plumbing lines must be buried below the ground's surface and placed in a conduit.

3.140 Woodland Protection (Ord. #474).

- A. Applicability.** The standards of this Section shall apply to the approval of any newly platted development, the construction or erection of any new residential dwelling, and any specific land disturbance activities such as clearing, grading, filling, and construction that require a permit, removal of specimen tree(s) from any development or lot, or timber harvesting and/or clearcutting activities.

Removal of existing vegetation shall not occur on a development or lot subject to the terms of this Section until such time as a permit has been issued.

If vegetation requiring protection under this Section is removed from a site within three years before application for construction or development, such development shall be subject to the re-vegetation requirements of this Section.

Existing trees between a proposed building or structure and the adjacent public right-of-way on a primary or secondary street with a diameter at breast height ("DBH") of eight inches or greater shall be preserved. This preservation requirement related to existing trees with eight-inch DBH or greater may be appealed to the Board of Zoning Appeals under specific conditions or circumstances.

B. Definitions:

Caliper (Tree): A forest standard for measuring tree trunk diameter. For purposes of this ordinance, the caliper shall be the standard diameter measurement of replacement trees and shall be taken six (6) inches above the ground.

Clearcutting: Most or all of the trees on the development or lot(s) are cut down, resulting in barren or near-barren land.

Development Approval: For the purposes of this ordinance, an official authorization issued by the Planning Commission, including, but not limited to, approvals of subdivisions and residential developments.

Hardwood Trees: Any tree botanically classified as an angiosperm. Oaks and Maples are local examples of hardwood trees.

Land Disturbance Activity: Any activity on any property requiring a permit that changes the existing soil cover (vegetative and non-vegetative) and/or soil topography. Land disturbance activities include, but are not limited to, development, redevelopment, demolition, construction, reconstruction, clearing, grading, filling, and excavation.

Revegetation: The replacement of trees and landscape materials into the minimum required landscape areas, as determined by the Zoning Ordinance, conditions of zoning approval, or the provisions of this ordinance.

Softwood Tree: Any tree botanically classified as a gymnosperm. Pines and Spruce are local examples of softwood trees.

Specimen Tree: Any tree in fair or better condition that equals or exceeds the following diameter sizes:

- a) Thirty-inch DBH hardwoods.
- b) Thirty-six-inch DBH softwoods.

A tree in fair or better condition must meet the following minimum standards:

- a) A life expectancy of greater than 15 years.
- b) A structurally sound trunk.
- c) No major insect or pathological problem.

A lesser-sized tree can be considered a specimen tree if it meets at least one or more of the following criteria.

- a) Is of historical significance, including, but not limited to, trees listed on the state Landmark and Historic Tree Registry.

Timber Harvesting: Selectively removing trees from a forested area to achieve specific management objectives, such as removing diseased, dead, or overcrowded trees to promote the health and growth of the remaining trees.

Tree: Any self-supporting, woody perennial plant that normally attains a single trunk diameter of five (5) inches or more and a mature height of a minimum of fifteen (15) feet.

Tree Management Plan: a to-scale map or site plan showing a detailed plan designed to protect and preserve trees before, during, and for two (2) years after construction.

Tree Removal Permit: A formal letter or permit issued by the Town of White Bluff allowing the removal of a tree(s) on a property.

Tree Survey: A to-scale map or site plan noting the location of all specimen trees and all other trees, including those to be removed and retained and counted toward meeting the tree retention standards.

C. Technical Standards

- 1. Specimen Tree Retention.** All specimen trees shall be retained except on an individual lot of one (1) acre or less. Accordingly, no specimen tree shall be cut, removed, pushed over, killed, or otherwise harmed during the course of development. Town staff may permit exceptions if a specimen tree is diseased, dying, or structurally unsound.
- 2. Existing Tree Retention Standards.** Table 6.05(b) establishes the percentage of tree canopy on a development or lot as applicable, that shall be retained and protected based on the percentage of the development or lot covered by trees. The minimum percentage of existing trees that shall be retained (as a percentage of the total tree canopy cover) is subject to a two-year lookback period. If any trees have been removed from the development or lot within the last two years but were not replaced with an eight- inch DBH or greater tree, regardless of whether the removal was permitted, those trees must be included in the existing tree inventory.

Table 6.05(b). Tree Retention Standards

Existing Trees as a percent of the development or lot size)	Minimum Percentage of Existing Trees that Shall be Retained <i>(as a percent of the total pre-development tree canopy cover)</i>
91—100%	48%
81—90%	51%
71—80%	54%
61—70%	57%
51—60%	60%
41—50%	63%
31—40%	66%
21—30%	69%
11—20%	72%
10% or less	75%

3. **Tree Replacement.** If an applicant is unable to retain the trees required according to Table 6.05(b), as a condition of receiving a permit, the applicant shall be obligated to replace the lost trees in a manner sufficient that when the replacement trees reach full maturity, the development or lot shall comply with this Section.

A. **Tree Replacement Plan:** A Tree Replacement Plan must demonstrate compliance with Table 6.05(b).

1. The Tree Replacement Plan shall include planting schedules with proposed tree names, quantity, size, spacing, and special planting notes. Any trees that die or are severely injured within a two-year period after replacement, original replacement, or any subsequent replacement shall be replaced with equivalent species and size.
2. If a Grading Plan demonstrates that it is impractical to preserve existing tree(s) in connection with driveway access, grading, or other site improvements, such trees may be removed subject to administrative approval. Removed trees eight inches in DBH or greater shall be replaced at a rate of one inch for every one inch removed.
3. Decisions concerning the application of this Subsection may be appealed to the Board of Zoning Appeals.

4. **Development Standards.**

A. **Retention of Existing Trees.**

1. **Tree Survey Required for New Dwellings:** Before beginning any tree clearing or removal, development work, or land disturbance activity over 2,500 square feet, the applicant shall prepare and submit a survey of all trees on the development or lot, subject to the following requirements:

A) Generally.

1. The tree inventory shall be prepared at the same scale as a Landscaping Plan and shall identify all trees on the development or lot and their approximate coverage and
2. The inventory shall depict all trees to be retained per this Section.

B) Professionally Prepared; Aerial Photography.

1. **Tree inventories** may be prepared by a landscape architect, surveyor, arborist, forester, or engineer registered with the State. Aerial and site photography may be substituted for the inventory if the photography provides adequate detail to assess compliance with this Section. Said aerial photography shall be no older than the most recent aerial photography accessible by the Town.
2. **Review by the Town of White Bluff.** Any tree inventory prepared by a landscape architect, surveyor, arborist, forester, or engineer registered with the State and submitted to demonstrate compliance with Table 6.05(b) shall be deemed accurate concerning the calculation of existing trees as a percentage of development or lot size. The Town shall review a tree inventory submitted by any other party or resident to assess compliance with Table 6.05(b) concerning the calculation of existing trees as a percentage of development or lot size.
3. **Existing Tree Protection During Construction.** During development, the applicant shall erect barriers necessary to protect existing or installed vegetation from damage during and after construction.

B. Removal of Protected Trees. In cases where tree clearing or removal, development work, land disturbance as part of construction, or intentional damage to trees occurs in violation of the standards of this Section, the following shall apply:

1. Any person, company, or contractor violating any Section of the Tree Ordinance shall be subject to a \$50.00 per day fine for each violation until the violation has been remedied.
2. Replanting shall be required at a rate of 80 trees for each acre disturbed over the tree retention standards defined herein or an inch-by-inch caliper replacement.
3. Replacement trees shall have a minimum DBH of two inches when planted.

4. Replacement trees shall be maintained through an establishment period of at least three years. If they do not survive the period, the applicant shall purchase and install new replacement trees and reset the establishment period.
5. Replacement trees shall not be of any type listed in the current edition of Invasive Exotic Pest Plants, published by the Tennessee Exotic Pest Plant Council.

C. Permit Procedures.

1. Before approval of any regulated activity of this ordinance to which this section applies or the issuance of any Tree Removal Permit, all applicable documents determined by the Town as necessary to demonstrate compliance with this ordinance must be submitted to and reviewed by the Town Planner and/or their designee.
2. The Town Planner and/or their designee shall review all applicable plans and related documentation for conformance to the provisions of this ordinance. Based on this review, the Town Planner will approve, return for revision, or deny the application. If denied, the reasons for denial shall be annotated on the plans or otherwise stated in writing.
3. No tree removal permit shall be issued until it has been determined that the proposed activity complies with the Ordinance.

D. Inspection.

1. Following the receipt of each required component of the completed tree removal application and supporting documents, the Town may schedule and inspect the proposed development site. The applicant or designee shall be advised as to the date and time of the inspection and allowed to participate.
2. After the approval process is completed, the Building Inspector will inspect the site to ensure that trees are adequately protected during the permitted or approved activity.
3. After the activity is completed, the Building Inspector will conduct an on-site inspection to ensure compliance with the Tree Management Plan.

E. Fees. Each applicant requesting a permit under the provisions of this ordinance shall deposit a nonrefundable fee with the Town of White Bluff as per the most recent Municipal Fee Schedule.

F. Natural Disaster or Emergency. In the event of a natural disaster or other emergencies, the Town of White Bluff may suspend the provisions of this ordinance if they would in any way prevent, hinder, or delay necessary action to cope with the disaster or emergency.

G. Exemptions. The following development and construction activities and types of vegetation are exempt from the standards of this Section:

1. The removal of dead or naturally fallen trees or vegetation.

2. The selective and limited removal of trees or vegetation necessary for clear visibility at driveways or intersections, or for necessary field survey work.
3. The removal of vegetation under a permit approved before the Controlling Date.
4. The actions of public and private utility companies within their utility easements.
5. Removal of trees listed in the current edition of Invasive Exotic Pest Plants, published by the Tennessee Exotic Pest Plant Council.

H. Clearcutting.

1. Clearcutting of property is strictly prohibited.
2. All development approvals (as defined by this section), rezoning requests, and land disturbance permits for any property upon which clearcutting has occurred shall be suspended for three years.
3. The suspension period shall begin at the time the clearcutting occurs.

3.150 Open Space Standards (Ord. 478).

3.150.1 Purpose. This section addresses the character and design of those portions of development that are not occupied by platted lots, roadways, or other site development and are instead reserved for formal and informal open space, public or private parks, and greenways. The purpose of this subsection is to:

- a. Establish the standards and criteria under which portions of land associated with development shall be reserved and dedicated to the Town for the purposes of development as a public parkland, greenway, or other recreational space.
- b. Distinguish among the characteristics, requirements, and appropriate locations for formal open space and informal open space.
- c. Establish the standards and criteria under which a portion of residential, nonresidential, and mixed-use development shall set aside a portion of the development area for use as formal private open space.
- d. Establish the standards and criteria under which a portion of residential, nonresidential, and mixed-use development shall set aside a portion of the development area for use as informal private open space or land under permanent conservation.
- e. Establish minimum ownership and maintenance standards for homeowner and property owner associations related to private formal and informal open spaces associated with development.

3.150.2 Applicability. Unless specifically exempted below, the provisions of this subsection shall apply to all land within the Town subject to a Preliminary Plat, PUD, or Site Plan. Applicability per use category shall be as follows:

- a. **Residential Development.** Projects that exceed 10 acres and/or 15 dwelling units shall have open space in accordance with these standards. All other projects shall be exempted from these standards.

- b. **Non-Residential and Mixed-Use Development.** Projects having one or more of the following attributes shall be subject to the relevant standards of this subsection:
 - a) Two or more buildings;
 - b) Five or more nonresidential tenants;
 - c) A gross building area exceeding 50,000 square feet; or
 - d) A site or lot exceeding 5 acres.
- c. **Public Land Dedication.** Dedication of land for a public park, greenway, or recreational use shall be per the policy established by the Town's General Plan, or other policy plan, and shall be approved as part of a development.

3.150.3 Open Space Standards

- a. **Amount of Open Space Required.** Residential, nonresidential, and mixed-use development shall provide a minimum open space, as identified in Table X Required Open Space, below:

Table X	REQUIRED OPEN SPACE		
	Total Requirement	Formal Open Space (% of the Total Requirement)	Informal Open Space (% of the Total Requirement)
Residential Development	30%	25%	75%
Mixed Use Development or PUD	25%	20%	80%
Nonresidential	3%	100%	None

Because not all sites contain natural features appropriate as informal open space, open space provided in accordance with the formal open space requirements may be credited towards fulfilling the informal open space requirement, subject to approval by the Planning Commission.

- b. **Calculation of Open Space**
 - i. **Menu of Elements/ Areas Counted as Formal Open Space.** Formal Open Space shall be actively planned and usable. For the purposes of this subsection, the following menu of elements, areas, and features shall be credited toward formal open space requirements:
 - a) *Neighborhood Amenities:* Land occupied by an amenity center, club house, pavilion, or similar neighborhood amenity typically used by the residents of a subdivision achieves this standard.
 - b) *Gathering Areas and Active Recreational Areas:* Land occupied by organized gathering areas (with seating, cornhole, firepit, etc.); outdoor dining areas; playgrounds; pools,

sports fields; pickleball/ tennis courts; dog parks, or other uses primary for gathering or active recreational purposes achieves this standard.

- c) *Formal Gardens and Public Art*: Areas with formally planted gardens and/ or public art that are publicly accessible and include seating throughout the designated area achieve this standard.
- d) *Squares, Greens, Plazas, and Parks*: Areas designed as publicly accessible squares; greens; plazas; courtyards; or parks or areas that contain water features open to the public achieve this standard.

ii. Areas Counted as Informal Open Space

- a) *Natural Features*. The following and similar natural features meet this standard:
 - 1. Natural Features, including but not limited to: wetlands, hillsides, hillcrests, slopes exceeding 14%, and rock outcrops;
 - 2. Natural hazard areas such as floodplains, floodways, and areas with unsuitable soils for development;
 - 3. Prime agricultural land;
 - 4. Water features, includes, drainageways, ponds, streams, and other bodies of water;
 - 5. Established tree lines, hedgerows, and fencerows;
 - 6. Scenic corridors, gateways, and viewsheds; and/ or
 - 7. Wildlife habitat areas.
- b) *Required Woodland and Tree Protection areas* used for tree preservation and/ or tree protection meet this standard.
- c) *Historic or Culturally Significant Areas*: Cultural and historic resources such as battlefields, cemeteries, and/ or other archeological significance areas meet this standard.
- d) *Passive Parks and Greenways*: Passive Parks and greenways, public or private, meet this standard.
- e) *Lands with Conservation, Public Utility, and Access Easements*: Areas with these easements meet this standard so long as they are designed in a manner acceptable to the Town.
- f) *Stormwater Management Areas*: Detention/ retention ponds and other bio- retention areas meet this standard so long as they are treated as a site amenity and are able to support passive recreational uses by providing access, gentle slopes less than 3:1, and pedestrian elements such as paths, benches, and similar aspects.
- g) *Required or Provided Buffer Areas and Tree Protection Zones*: Areas designated buffers and tree protection areas meet this standard.

iii. Areas Not Counted as Any Kind of Open Space under this Ordinance

The following areas shall not be counted as formal or informal open space:

1. Private yards not subject to permanent open space, conservation, or access easements, acceptable to the Town.
2. Open space lots or easements that are segregated and isolated.
3. Open space lots without at least one (1) direct access to a public Right-of-Way.
4. Public Rights-of-Way, unless otherwise permitted by the Town.
5. Parking lots and driveways.
6. Lands covered by structures that do not permit open space, as designated by this Ordinance.
7. Designated outdoor storage areas.
8. On-site wastewater treatment facilities, septic fields, and/ or drip fields.

iv. Adjacency of Formal Open Space in Residential Subdivisions. In all residential subdivisions, each lot shall be within $\frac{1}{4}$ mile of an area with a formal open space lot or easement to ensure that site amenities are distributed and accessible to the residents. Additionally, each formal open space shall be walkable and bikeable to the subdivision.

**ARTICLE IV
SUPPLEMENTARY PROVISIONS APPLYING TO SPECIFIC DISTRICTS**

SECTION

- 4.010 Off-Street Parking Requirements**
- 4.020 Off-Street Loading and Unloading Requirements**
- 4.030 Temporary Use Regulations**
- 4.040 Customary Incidental Home Occupations**
- 4.050 Fall-Out Shelter Restrictions**
- 4.060 Gasoline Service Station Restrictions**
- 4.070 Standards for Signs, Billboards, and Other Advertising Structures**
- 4.080 Development Standards for Automobile Wrecking, Junk, and Salvage Yards**
- 4.090 Development Standards for Veterinary Clinics**
- 4.100 Development Standards for Indoor Shooting Ranges**
- 4.110 Development Standards for Mixed-Use Developments in C-1 and C-2**

4.010 Off-Street Parking Requirements. Off-street automobile storage or standing space shall be provided on each lot upon which any of the following uses are hereafter established. One (1) vehicle space shall be two hundred (200) square feet in size (10 feet x 20 feet) and such space shall be provided with vehicular access to a street or alley. The number of parking spaces provided shall meet the minimum requirements for the specific uses as set forth below:

- A. All Residential Uses (Ord. 477):** The minimum parking requirement shall be calculated based on the number of bedrooms, as follows, with each required spot being a minimum of 10’x20’ in size:

Bedrooms	Resident Parking	Required Overflow
1 bedroom	1 spot	0.5 spot
2 bedrooms	2 spots	1.0 spot
3 bedrooms	3 spots	1.5 spots
4+ bedrooms	4 spots	2.0 spots

- B. Hotels, Motels, and Other Tourist Accommodations:** Not less than one (1) space for each room to be rented plus one (1) additional space for each employee.
- C. Any Auditorium, Church, Stadium, or Other Place of Public Assembly:** Not less than one (1) space for each four (4) seats provided in such places of assembly. For places of public assembly where seating is not a measure of capacity, such as clubhouses, funeral parlors, etc., at least one (1) space for each two hundred (200) square feet of floor space devoted to that particular use shall be provided.

- D. Manufacturing, Industrial or Wholesaling Use:** Not less than one (1) space for each two (2) employees anticipated during maximum production, with a minimum of five (5) spaces provided for any establishment. For establishments maintaining space for the sale of products at retail, there shall be provided one (1) parking space for every five hundred (500) square feet of floor area devoted to retail sales.
- E. Office and Professional Buildings:** Not less than one (1) parking space for each three hundred (300) square feet of office space located on the first floor plus one parking space for each five hundred (500) square feet of floor space (or fraction thereof) above or below the first or main floor; provided that office space constructed or arranged on the floors above or below the first floors of retail or other business establishments and not used in connection therewith, shall fall within the meaning of this subsection, plus one (1) parking space per each employee.
- F. Retail Sales and Service Establishments:** Not less than one (1) parking space for each two hundred and fifty (250) square feet, or fraction thereof, of floor space.
- G. Medical or Dental Clinic:** Not less than four (4) spaces per doctor, plus one (1) additional space for each employee.
- H. Service Stations:** Not less than five (5) spaces for grease rack or service bay, or one (1) space for each 1,400 square feet of lot area or fraction thereof, whichever is greater.
- I. Restaurants:** Not less than one (1) space per one hundred fifty (150) square feet of gross floor area, plus one (1) space for each two employees. For drive-in restaurants, one (1) space per one hundred (100) square feet of gross floor area, plus one (1) space for each employee.
- J. Shopping Centers:** Five and one-half (5 1/2) parking spaces per each one thousand (1,000) square feet of gross floor area.
- K. Other:** For buildings and uses not listed, the Board of Zoning Appeals shall determine the off-street parking requirements.

4.10 Certification of Minimum Parking Requirements. Each application for a building permit shall include information as to the location and dimensions of off-street parking spaces and the means of ingress and egress to such spaces. This information shall be in sufficient detail to enable the Building Inspector/Codes Administrator to determine whether or not the requirements of this section are met.

4.11 Combination of Required Parking Spaces. The required parking space for any number of separate uses may be combined in one lot, but the required space assigned to one use may not be assigned to another use, except that the parking space required for churches, theaters, or

assembly halls whose peak attendance will be at night or on Sundays may be assigned to a use which will be closed at night or on Sundays.

4.12 Remote Parking Spaces. If the off-street parking space required by this Ordinance cannot be reasonably provided on the same lot on which the principal use is located, such space may be provided on any land within four hundred (400) feet of the main entrance to such principal use, provided such land is in the same ownership or lease as the principal use. Such land shall be used for no other purpose so long as no other adequate provision of parking space, meeting the requirements of this ordinance, has been made for the principal use.

4.13 Extension of Parking Area into a Residential District. Required parking space may be extended one hundred (100) feet into a residential district, provided that:

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

4.14 Requirements for Design of Parking Lots.

- A. Except for parcels of land devoted to one- and two-family residential uses, all areas devoted to off-street parking shall be so designed and be of such size that no vehicle is required to back into a public street to obtain egress.
- B. Parking space shall be no less than two hundred (200) square feet in area.
- C. Entrances and exits for all off-street parking shall comply with the requirements of Section 3.090 of this ordinance.
- D. The parking lot shall be designed in such a manner as to provide adequate drainage and to eliminate the possibility of stagnant pools of water.
- E. There shall be a parking aisle at least twenty-two (22) feet wide serving all ninety (90) degree and sixty (60) degree angled parking spaces. For all thirty (30) and forty- five (45) degree angled parking spaces there shall be a minimum parking aisle of sixteen (16) feet in width.

4.020 Off-Street Loading and Unloading Requirements.

Every building or structure hereafter constructed and used for business or trade involving the receiving or distribution of vehicles, materials, or merchandise shall provide space for the loading and unloading of vehicles off the street or public alley. Such space shall have access to a public street.

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

Total Usable Floors**Spaces Required****(See Area for Principal Building Article II. for Definition)**

5,000 to 20,000 sq. ft.

Two (2) spaces

Over 20,000 sq. ft.

One (1) space for each additional 20,000 sq. ft.

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

- A. Carnival, Circus, Flea Markets, Outdoor Concerts, Car Shows, etc.:** May obtain a Temporary Use Permit in the C-2, M-1, M-2, or M-3 Districts; however, such permit shall be issued for a period of no longer than fifteen (15) days. Such use shall only be permitted on lots where adequate off-street parking can be provided.
- B. Christmas Tree Sale:** May obtain a thirty (30) day Temporary Use Permit for the display and sale of Christmas trees on open lots in any district.
- C. Temporary Buildings:** A Use Permit may be issued for contractor's temporary office and equipment sheds incidental to construction project. Such a permit shall not be valid for more than one (1) year but may be renewed for six (6) month extensions; however, not more than three (3) extensions for a particular use shall be granted. Such use shall be removed immediately upon completion of the construction project, or upon expiration of the Temporary Use Permit, whichever occurs sooner.
- D. Religious Tent Meetings:** In any district a Temporary Use Permit may be issued for a tent or other temporary structure to house a religious meeting. Such a permit shall be issued for not more than a thirty (30) day period. Such activity shall be permitted only on lots where adequate off-street parking can be provided.
- E. Temporary Dwelling Unit in Cases of Special Hardship:** In any residential district, a Temporary Use Permit may be issued to place a mobile home (double-wide excluded) temporarily on a lot in which the principal structure was destroyed by fire, explosion or natural phenomena. The purpose of such placement temporarily shall be to provide shelter for only the residents of the principal structure during the period of reconstruction and to prevent an exceptional hardship on the same. Placement of such temporary structure must not represent a hazard to the community's safety, health, or welfare. An applicant for a temporary Use Permit,

as provided under this subsection, must produce a written statement from the White Bluff Utilities System and the Dickson County Health Department when applicable, approving the water supply and sewerage disposal systems of the temporary structure. Such a permit may be initially issued for nine (9) months. A permit may be renewed for up to six (6) months at a time, the total time for all permits not exceeding a total of eighteen (18) months.

F. Fireworks Sales (Ord. #420): A Temporary Use Permit for the sale of fireworks may be granted, in accordance with and subject to the requirements of the Town Code, as amended, in a C-1 (Central Business) or C-2 (Highway Commercial) Zoned District provided the following conditions are met:

1. That the site for the Temporary Use Permit be located no more than two (2) miles from a municipal fire station as measured by the roadway.
2. That the site for the Temporary Use Permit has adequate off-street parking so as to prevent parking on public rights of way.
3. That such use is conducted at least two hundred (200) feet from gasoline or motor fuel pumps and at least one hundred (100) feet from any structure as measured from the structure.

An applicant for such Temporary Use Permit as provided in this section shall produce a written permit from the Town of White Bluff allowing the sale of fireworks as well as any required State permits for such use. Firework sales shall be limited to the duration specified by the permit granted by the Town of White Bluff, but in no case shall exceed thirty (30) days.

G. Temporary Commercial Buildings: In Commercial and Industrial Districts, a Temporary Use Permit may be issued to allow a Temporary Commercial Building (as defined by this ordinance) to be used for office, retail, or service uses provided such use is permitted in the district in which it is located. Any such temporary building shall be the only primary structure located on the lot and shall be the principal use of the lot on which it is placed unless it is located on the same lot as a structure being constructed or renovated. The Temporary Use Permit shall be issued for a period of no more than eighteen (18) months. However, the permit may be extended for six (6) months if actual construction has occurred for a permanent building that will be occupied by the business using the temporary commercial building.

4.040 Customary Incidental Home Occupations. A customary incidental home occupation is a gainful occupation or profession (including the professional office of an architect, artist, dentist, engineer, lawyer, physician and the like, barber, beauty and tailor shops), conducted by members of a family residing on the premises or only one person in addition to those persons residing therein and conducted entirely within the principal dwelling unit. In connection with a home occupation, no stock in trade shall be displayed outside the dwelling, and no alteration to any building is being utilized in whole or in part for any purpose other than a residential unit, including permitted accessory buildings. An announcement sign of not more than four (4) square feet in area is permitted.

When questions arise regarding the legality of specific home occupations, the Board of Zoning Appeals shall determine whether said home occupation is in compliance with the district in which said home occupation is located. However, activities such as dancing instruction, tea rooms, tourist homes, real estate offices, convalescent homes, mortuaries, animal clinics, retail sales business, or any other activity deemed by the Board to be incompatible with the district or a potential nuisance to the surrounding area shall not constitute an acceptable home occupation.

4.050 Fall-Out Shelter Restrictions. Fall-out shelters are permitted as principal or accessory uses and structures in any district, subject to the yard and lot coverage regulations of the district. Areas of underground fall-out shelters extending not more than thirty (30) inches above the general ground level of the graded lot shall not be included in computations of lot coverage by all buildings. The Board of Zoning Appeals may waive side and rear yard setback requirements to permit construction of joint shelters by two or more property owners, provided, however, that side and rear yard setback requirements shall be met where property involved in the joint proposal abuts or adjoins property not included in the proposal.

4.060 Gasoline Service Station Restrictions. The following regulations shall apply to all gasoline service stations:

- A. There shall be a building setback from all street right-of-way lines of a distance of not less than forty (40) feet, except for canopies designed to cover the gasoline pump islands.
- B. Gasoline pumps shall not be located closer than twenty-five (25) feet to any street right-of-way line.
- C. Sign requirements as established in Article IV, Section 4.070, shall be met.

4.070 Standards for Signs, Billboards, and Other Advertising Structures (Repealed and Replaced by Ord. #488). These conditions are established as a reasonable and impartial method of regulating advertising structures to ensure light, air, and open space, to reduce hazards at intersections, and to protect property values of the entire community. The regulations for signs, billboards, and other advertising structures are enumerated below:

- A. In any zoning district, the following general regulations shall apply as well as the regulations in Chapter 23, "Sign and Outdoor Displays," of the International Building Code:**
 - 1. No illuminated sign shall be permitted within one thousand (1,000) feet of property in any residential district unless the illumination of such sign is so designed that it does not shine or reflect light onto such property.
 - 2. No billboard or ground sign shall be erected to exceed the maximum height limitation for the district in which it is located. No billboard shall exceed forty (40') feet in length or four hundred (400') square feet in area.
 - 3. No billboard shall be erected or placed closer than one thousand (1,000) feet of any residential district.

4. No portable signs shall be permitted. "Portable sign" means any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building.
5. Signs erected and overhanging any sidewalk must be placed at least nine (9) feet above the sidewalk and may extend over the sidewalk a distance equal to two-thirds (2/3) the width of the sidewalk, but in no case exceeding ten (10) feet.
6. Professional signs and signs for home occupations shall not exceed four (4) square feet in area in the residential districts.
7. The sign permit for signs that are not kept in good repair, in the opinion of the building inspector/codes administrator, may be revoked and such signs removed by the Town after notice is provided to the permit holder.
8. No billboard shall be located closer than twenty-five (25) feet of the right-of-way.
9. No sign, billboard, or other advertising device shall intrude upon the public right-of-way.
10. For purposes of distance calculation, the distance between the nearest edge of the sign, billboard, or other advertising device and the closest point of the applicable parcel as measured in a straight line shall be used.
11. Any sign, billboard, or advertising device that exceeds twelve (12) feet in height or one hundred (100) square feet in area is prohibited on and along Highway 70 between the intersection of Highway 70 & White Bluff Road and the Intersection of Highway 70 & Highway 47 East.

B. Temporary signs and posters are subject to the following regulations:

1. Each temporary sign shall not exceed five (5) square feet in area, excluding banners.
2. Each temporary sign shall not be located closer together than five hundred (500') feet.
3. Temporary signs shall not be nailed to trees, fence posts or public utility poles and shall not be located in the public right-of-way, excluding banners.
4. All such signs advertising events shall be removed within ten (10) days after the event date.
5. All such signs shall be valid for thirty (30) days only, after which time they shall be removed.
6. In any district, the following signs shall be permitted:
 - A. For parking areas, entrance and exit signs not exceeding four (4) square feet in area and not more than one (1) sign not more than sixteen (16) square feet in area identifying or designating the conditions of the use of such parking area.
 - B. Nonilluminated "For Sale" or "For Rent" signs not exceeding four (4) square feet in area.
 - C. One (1) sign not more than twelve (12) square feet in area giving the names of the contractors, engineers, or architects, during construction of a building.
 - D. Signs established by, or by order of, any governmental agency.
 - E. For special events of public interest, one (1) sign not over thirty-two (32) square feet in area.
 - F. Flags or emblems of political, civic, philanthropic, educational or religious organizations.
 - G. Small nonilluminated signs, not exceeding one and one-half (1 1/2) square feet in area, displayed strictly for the direction, safety, and convenience of the public including signs which identify rest rooms, freight entrances and the like.

- H. One (1) nonilluminated real estate sign(s) per street frontage, not to exceed thirty- two (32) square feet in sign area. Such signs must be removed fourteen (14) days following sale, rental, or lease.
- I. Temporary political sign(s) shall not exceed thirty-two (32) square feet in sign area excluding billboards. Such signs shall not be erected more than thirty (30) days prior to the election or referendum concerned and shall be removed seven (7) days following such election or referendum. Political signs may be placed only on private property and only with the permission of the property owner.

C. In the Residential Districts, the following regulations shall apply:

- 1. Nameplates indicating name, address, house number, announcement of boarders or roomers, or customary home occupations are permitted.
- 2. For multifamily dwellings and mobile home parks, identification signs not exceeding sixteen (16) square feet in area are permitted.
- 3. Church, school, or public building bulletin boards or identification signs, not exceeding twenty (20) square feet in area are permitted.
- 4. Flashing or intermittent illumination is prohibited.
- 5. Billboard and other advertising structures are prohibited.
- 6. On premise yard sale signs, not exceeding nine (9) square feet in area are permitted. In addition, not more than two (2) signs may be placed off site not exceeding six (6) square feet in area. Yard sale signs may stay in place no longer than a total of seven (7) days and shall be removed within two (2) days of the end of the yard sale. Yard sale signs are considered to be temporary signs and shall conform to all the requirements in Section 4.070, B, herein.

D. In the Commercial Districts, the following regulations shall apply:

- 1. Bulletin boards or identification signs, not exceeding sixty (60) square feet in area, shall be permitted for public recreation use, community facilities, hospitals, and clinics.
- 2. Business signs shall be permitted subject only to the restrictions in Section 4.070, A, of this ordinance. All ground signs shall be located within the property line, and fifteen (15) feet from the right-of-way.
- 3. One business sign, not exceeding one (1) square foot of surface for each two (2) lineal feet of lot fronting on a public street, will be permitted. Such sign shall be directly related to the activity conducted on said premises.
- 4. Billboards and other outdoor advertising structures are permitted, subject to the general restrictions set forth in Section 4.070, A, hereinabove.
- 5. In no event may any sign be placed on the right-of-way. Where no curb and/or sidewalks exist, signs shall be placed at least fifteen (15) feet from the apparent right-of-way. Determination of the right-of-way location shall be at the discretion of the building inspector/codes administrator.

E. In the Industrial Districts, the following regulations shall apply:

1. Business signs shall be permitted which relate to the business on the premises. Such signs shall be located not closer than one-half (1/2) the required building setback from all property lines.
2. Flashing or intermittent illumination is prohibited.
3. Billboards and other outdoor advertising structures are permitted, subject to the general restrictions set forth in Section 4.070, A, hereinabove.

F. Violations—Penalties. Violation of any of the provisions of this ordinance or failure to comply with any of its requirements is hereby deemed and declared a violation of this section of this ordinance and subject to the penalties hereinafter provided, and each day that such violation continues shall constitute a separate and additional violation for each such day. Any person who violates this section of this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined in a sum not to exceed fifty dollars (\$50.00) for each violation. The owner, tenant, and/or occupant of any building, structure, premises, or a part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, aids, or maintains such violation, may be found guilty of a separate offense and suffer the penalties as herein provided.

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

- A. All motor vehicles stored or kept in such yards shall be so kept that they will not catch and hold water in which mosquitoes may breed and so that they will not constitute a place or places in which rats, mice, or other vermin may be harbored, reared, or propagated.
- B. Because salvage yards tend to promote vermin breeding, no such operation shall be permitted closer than three hundred (300) feet from any established residential zone.
- C. All outdoor storage of salvage and wrecking operations shall be conducted entirely within an enclosed opaque fence, screen, or wall, except driveway areas, from eight (8) to twelve (12) feet in height. Storage between the road or street and such fence, screen or wall is expressly prohibited. Any concealment fence, screen, or wall shall be maintained in good condition.
- D. All such yards shall be maintained in sanitary conditions and so as not to be a menace to public health or safety.
- E. Off-Road Parking: As regulated in Article IV, Section 4.010.
- F. Ingress and Egress: The number of vehicular access driveways permitted on any single street frontage shall be limited to:
 1. One (1) driveway where the parcel to be used has a maximum road or street frontage of one hundred (100) feet or less.

2. Two (2) driveways where the road or street frontage exceeds one hundred (100) feet. Driveways used for ingress and egress shall be limited to twenty-five (25) feet in width maximum, exclusive of curb returns.
 3. Other applicable requirements of Section 3.090 shall be met.
- G. *Application for Automobile Wrecking Junk or Salvage Yard Permit:* No person shall own or maintain an automobile wrecking, junk, or salvage yard within White Bluff until he has secured a permit from the White Bluff Building Inspector/Codes Administrator. An application for said permit shall be filed in accordance with Article IX, Section 9.030, of this ordinance. It shall be accompanied by a detailed site plan, a construction schedule, and any other information herein required. The application shall be submitted along with any plans and schedules.

4.090 Development Standards for Veterinary Clinics. The following standards shall be imposed upon the development and construction of veterinary clinics in White Bluff.

1. All animal care uses shall occur in completely walled and roofed structures, except that completely fenced exercise yards may be provided as specified in Subpart 2, below.
2. Exercise yards shall be completely fenced and screened from all abutting streets and lots. They shall not be used for overnight animal boarding.

4.100 Development Standards for Indoor Shooting Ranges. The following standards shall be imposed upon the development and construction of indoor gun ranges in White Bluff.

1. Indoor ranges must be housed in a building furnished with electricity and built of impenetrable walls, floors, and ceilings.
2. Where any building, excluding parking lots, abuts a residential zoning district, there shall be a minimum setback of two hundred (200) feet from all common property lines.
3. All Federal, state, or local statutes, ordinances, and/or regulations must be complied with. The facility owner shall provide on-premises documentation that these regulations have been met.
4. All indoor ranges must provide details to meet Occupational Safety and Health Administration (OSHA) and EPA standards. Building plans that specify building materials and meet applicable building codes must be submitted.
5. The shooting of firearms shall be conducted within a completely enclosed building.

4.110 Development Standards for Mixed Use Developments in C-1 and C-2.

Mixed-Use Developments involve a building containing a permitted commercial use and accommodating a residential unit(s) in another portion of the building. Mixed-use buildings are a common feature of traditional town centers or in areas envisioned for pedestrian-oriented development, where shop owners live above or behind ground-floor businesses and are sometimes called “live-work units.” For developments in the C-1 (Central Business) and C-2 (Highway Commercial District), the following apply:

1. A site plan designed in accordance with ART III, Section 3.120 of this Ordinance, is required. The White Bluff Planning Commission is the reviewing body.

2. Additionally, mixed-use developments are subject to a separate design review. The exterior appearance of any structure or activity in the C-1 and C-2 zoning districts shall be subject to the Design Review Manual White Bluff, Tennessee, and approved as a separate action from the site plan review.
3. Entrances to residential portions should be designed so that access is exclusive from the commercial entranceways, and separated from pedestrian flow on the sidewalk if one exists or is proposed. Porches, stoops, balconies, overhangs, and other home identity devices are encouraged.
4. Patios and other such features for the residential unit should be restricted to the upper story or behind the commercial street frontage. Outdoor dining areas and plazas pertinent to commercial use are permitted, provided they do not interfere with pedestrian access to the sidewalk.
5. Mixed-use developments with upper-story residential units over lower-story commercial uses are encouraged. However, if a lower story is preferred, the residential units should be positioned behind the storefront space/commercial street frontage.
6. Mixed-use developments shall maintain at least 60% of the total square footage for commercial use, with the remainder for residential use. Conversion of the building to an all-commercial use is permitted. *(If lower-story residential units are allowed to occupy storefront space):* Privacy and safety are concerns with residential units that meet the sidewalk. These challenges can be avoided by elevating the first floor so pedestrians cannot look directly into the residence from the sidewalk level.
7. Off-street parking is preferred, with residential parking designated for either an alley or a garage entrance behind the building. On-street parking for commercial use is restricted to customers and small-delivery vehicles.
8. Garbage and refuse containment areas for both the residential and commercial units should be prohibited from location in the front of the building. Efforts should be made to place these areas either in the side or rear of the buildings.

**ARTICLE V
ZONING DISTRICTS**

SECTION

- 5.010 Classification of Districts**
- 5.020 Reserved**
- 5.030 Zoning Map**
- 5.040 Zoning District Boundaries**
- 5.050 Zoning of Annexed Territory**
- 5.060 Specific District Regulations**
- 5.070 Use Classification System**

5.010 Classification of Districts. For the purpose of this ordinance, the following zoning districts are hereby established in the Town of White Bluff, Tennessee.

Zoning District District Abbreviation

Residential Districts

Low-Density Residential	R-1
Medium-Density Residential	R-2
High-Density Residential	R-3
Mobile Home Park	R-4

Business Districts

Central Business District	C-1
Highway Commercial District	C-2
Office-Professional District	C-3

Industrial Districts

Restrictive Industrial District	I-1
General Industrial District	I-2
Special Industrial District	I-3

5.020 (RESERVED)

5.030 Zoning Map. The location and boundaries of the zoning districts established by this ordinance are bounded and defined as shown on the map entitled Zoning Map of White Bluff, Tennessee. The zoning map and any amendment thereto shall be dated with the effective date of the ordinance that adopts the same. Certified prints of the adopted map and zoning map amendments shall be maintained in the office of the Mayor and Zoning Administrator and shall be available for inspection by the public at all reasonable times as long as this ordinance remains in effect.

5.040 Zoning District Boundaries. Unless otherwise indicated on the zoning map amendment, the district boundaries are lot lines, center lines of streets or alleys, as they exist at the time of the enactment of the zoning. Questions concerning the exact locations of district boundaries shall be determined by the Board of Zoning Appeals.

5.050 Zoning of Annexed Territory. All territory annexed into the Town of White Bluff corporate limits shall be zoned R-1, Low-Density Residential. Applicants may seek to rezone the property to a different zoning designation upon completion of the annexation process (**Ord. #458**).

5.060 Specific District Regulations.

5.060.1 R-1, Low-Density Residential District.

A. District Description. This district is designed to provide suitable areas for low- density residential development characterized by an open appearance. Generally, this district will consist of single-family detached dwellings except when otherwise permitted as a planned development and such other structures as are accessory thereto. This district also includes community facilities, public utilities, and open uses which serve specifically the residents of the district, or which are benefited by and compatible with a residential environment. Further, it is the intent of this ordinance that this district be located so that the provision of appropriate urban services and facilities will be physically and economically facilitated. It is the express purpose of this ordinance to exclude from this district all buildings or other structures and uses having commercial characteristics, whether operated for profit or otherwise, except that special exception uses, and home occupations specifically provided for in these regulations for this district shall be considered as not having such characteristics if they, otherwise, conform to the provisions of this ordinance.

B. Uses Permitted. In the R-1, Low-Density Residential District, the following uses are permitted.

Residential Activities:

Single Detached Dwelling

Personal and Group Care Facilities:

Family Child Care Home

C. Accessory Uses and Structures.

1. Private garages and sheds.
2. Outdoor recreational facilities are exclusively for the residents' use.
3. Signs as regulated in Article IV, Section 4.070.
4. Agricultural uses.
5. Home occupations as defined by and subject to the provisions of Article IV, Section 4.040.
6. Other accessory structures and uses that are customarily incidental to the permitted uses.

D. Uses Permitted as Special Exceptions. In the R-1, Low-Density Residential District, the following uses may be permitted as special exceptions after review and approval by the Board of Zoning Appeals in accordance with Article IX, Section 9.080.

Community Facility Activities

Essential Services

Administrative Services

Religious Facilities

Fire Departments

E. Uses Prohibited. In the R-1, Low-Density Residential District, any use not permitted by right, by accessory use, or as a special exception as defined above is strictly prohibited.

F. Density & Bulk Lot Standard. All uses permitted in the R-1, Low-Density Residential District shall comply with the following requirements (**Ord. #478**)

1. **Density:** A maximum of one point five (1.5) dwelling units per acre is permitted in the R-1 district.
2. **Bulk Lot Standards:**
 - Front Yard Setback: 25 feet
 - Side Yard Setback: 10 feet
 - Rear Yard Setback: 25 feet
 - Minimum Lot Width: 80 feet
3. **Height Requirements:** No principal building shall exceed three (3) stories or thirty-five (35) feet in height, and no accessory structure shall exceed two (2) stories in height, except as provided in Article VIII, Section 8.050.
4. **Parking Space Requirements:** As regulated in Article IV, Section 4.010.
5. **(Reserved)**

5.061.2 R-2, MEDIUM-DENSITY RESIDENTIAL DISTRICT

A. Purpose and Intent of District. This class of district is designed to provide suitable areas for medium-density residential development where sufficient urban services and facilities are provided or where the extension of such services can be physically and economically facilitated prior to development. All types of residential activities are permitted. It is the intent of this district to not restrict the number of dwelling units contained in a building provided there is a sufficient area of zone lot and open space on such lot relative to the number of dwelling units thereon. This class of district is also intended to permit community facility and public utility installations which

are necessary to serve and do serve specifically the residents of these districts, or which installations are benefited by and compatible with a residential environment. It is the express purpose of this ordinance to exclude from this class district all buildings and other structures and uses having commercial characteristics and not planned as an integral part of total residential development, whether operated for profit or otherwise, except that conditional uses and home occupations specifically provided for in these regulations for this class of district shall be considered as not having such characteristics if they otherwise conform to the provisions of this ordinance.

B. Uses Permitted: In the R-2, Medium-Density Residential District, the following uses are permitted.

Residential Activities

Single Detached Dwelling

Duplex Dwelling Agricultural Uses

Personal and Group Care Facilities

Family Child Care Home

C. Accessory Uses and Structures.

1. Private garages and sheds.
2. Outdoor recreational facilities exclusively for the use of the residents.
3. Signs, as permitted in Article IV, Section 4.070.
4. Home occupations as defined by and subject to the provisions of Article IV, Section 4.040.
5. Other accessory structures and uses are customarily incidental to the permitted uses.

D. Uses Permitted as Special Exceptions. In the R-2, Medium-Density Residential District, the following uses may be permitted as special exceptions after review and approval by the Board of Zoning Appeals in accordance with Article IX, Section 9.080.

Community Facility Activities

Administrative Services

Fire Departments

Community Education

Cultural and Recreational Services

Essential Services

Intermediate Impact Facilities

Religious Facilities

E. Uses Prohibited. In the R-2, Medium-Density Residential District, any use not permitted by right, by accessory use, or as a special exception as defined above is strictly prohibited.

F. Density & Bulk Lot Standards. All uses permitted in the R-2, Medium-Density Residential District, shall comply with the following requirements (**Ord. #478**).

1. **Density.** A maximum of three (3) dwelling units per acre is permitted in the R-2 district.
2. **Bulk Lot Standards.**
Front Yard Setback: 25 feet
Side Yard Setback: 10 feet
Rear Yard Setback: 20 feet
Minimum Lot Width: 65 feet
3. **Height Requirements.** No principal building shall exceed three (3) stories or thirty-five (35) feet in height, and no accessory structure shall exceed two (2) stories in height, except as provided in Article VIII, Section 8.050.
4. **Parking Space Requirements.** As regulated in Article IV, Section 4.010
5. **(Reserved)**

5.061.3 R-3, High-Density Residential District

A. Purpose and Intent of District. This district is designed to provide more flexibility in development design and to ensure a minimum standard of site development for activities located near the Hwy 70 and Hwy 47 intersection and within proximity to the historic downtown area of White Bluff. This area of town is more conducive to areas for high-density residential development due to less topographically challenged areas and pedestrian accessibility to local places of interest, such as public water and sewer facilities available or where such facilities will be made available prior to development. All types of residential activities are permitted, whether in conventional development or in planned unit development. It is the intent of this district to not restrict the number of dwelling units contained in a building provided there is a sufficient area of zone lot and open space on such lot relative to the number of dwelling units thereon. This class of district is also intended to permit community facilities and personal and group care facilities which are necessary to serve and do serve specifically the residents of these districts, or which installations are benefited by and compatible with a residential environment. Commercial activities may be permitted where included as a part of a planned development (refer to ART VI of this Ordinance for provisions governing planned unit developments.)

B. Uses Permitted. In the R-3, High-Density Residential District, the following uses are permitted.

Residential Activities

Single- detached dwelling

Duplex dwelling
Multi- family dwelling (apartment, townhouse).

Community Facility Activities

Essential Services

Personal and Group Care Facilities

Family Child Care Home

C. Accessory Uses and Structures

1. Private garages and sheds.
2. Outdoor recreational facilities are exclusively for the residents' use.
3. Signs as regulated in Article IV, Section 4.070
4. Home occupations as defined by and subject to the provisions of Article IV, Section 4.040.
5. Other accessory structures and uses that are customarily incidental to the permitted uses.

D. Uses Permitted as Special Exceptions. In the R-3, High-Density Residential District, the following uses may be permitted as special exceptions after review and approval by the Board of Zoning Appeals in accordance with Article IX, Section 9.080.

Community Facility Activities

Administrative Services

Fire Departments

Community Education

Cultural and Recreational Services

Essential Services

Intermediate Impact Facilities

Religious Facilities

E. Uses Prohibited. In the R-3, High-Density Residential District, any use not permitted by right, by accessory use, or as a special exception as defined above is strictly prohibited.

F. Density & Bulk Lot Standards. All uses permitted in R-3, High-Density Residential District shall comply with the following requirements (Ord. #478):

1. Density. A maximum of six (6) dwelling units per acre is permitted in the R-3 district.

2. Bulk Lot Standards.

Front Yard Setback: 25 feet

Side Yard Setback: 5 feet

Rear Yard Setback: 20 feet

Minimum Lot Width:50 feet

- 3. Height Requirements.** No principal building shall exceed four (4) stories or forty- seven (47) feet in height, and no accessory structure shall exceed two (2) stories in height, except as provided in Article VIII, Section 8.050.
- 4. Parking Space Requirements.** As regulated in Article IV, Section 4.010.
- 5. Accessory Structures.** With the exception of signs and fences, accessory structures shall not be erected in any required front yard. Accessory structures shall be located at least five (5) feet from any side lot line, from the rear lot line, and from any building on the same lot.

5.061.4 R-4, Mobile Home Park Districts

- A. District Description.** To provide maximum flexibility in design and to ensure a minimum standard of site development for mobile home parks where complete urban facilities, specifically public sewer, are available or where such facilities will be available prior to development. This district will be characterized by mobile home parks containing both single-wide units and double-wide units. This district will also include community facilities and public utility installations, which will serve the residents of the district. It is the express purpose of this ordinance to exclude from this district all buildings or other structures and uses having commercial characteristics and not planned as an integral part of a total residential development.
- B. Dimensional Requirements for Parks.**
 1. The minimum front setback shall be fifty (50) feet.
 2. The minimum side and rear setbacks shall be thirty (30) feet.
 3. The site shall abut a public street.
 4. There shall be screening along the side and rear site lines. The screening shall either be a five (5) foot wide green strip with evergreen plants at least five (5) feet tall or a fence of a minimum height of six (6) feet. The fence shall be designed to totally block the development's visibility even when the viewer is moving.
 5. Signs as regulated in Article IV, Section 4.070.
 6. No mobile home park shall be permitted unless a public water supply and sewer system serves such park. Water lines shall be a minimum six (6) inch water main looped for adequate water pressure for fire protection with fire hydrants every one thousand (1,000) feet with every mobile home within five hundred feet of a hydrant shall be approved by the water and sewer department. Sewer lines shall be a minimum eight (8) inch sewer pipe, with four (4) inch forces main where applicable, designed according to the standards required in the subdivision regulations and shall be approved by the water and sewer department.
 7. The internal street system within the mobile home park shall consist of paved streets with a paved surface minimum of twenty-two (22) feet wide, measured from the edge of the paved surface to the edge of the paved surface. The sub-base shall consist of six (6) inches of crush run, per the subdivision regulation standards, covered by two (2) inches of asphalt.

8. Three (3) foot wide concrete sidewalks shall be provided from mobile home spaces to the mobile home park office. The sidewalks shall be three inches thick to prevent cracking.
9. No parcel of land containing less than three (3) acres and less than five (5) mobile home spaces, available at the time of first occupancy, shall be utilized for a mobile home park.
10. Recreational vehicles are allowed only for temporary purposes for a period not exceeding thirty (30) days.
11. A mobile home park office is allowed.
12. Ten (10) percent of the mobile home park site shall be set aside for recreation and open space requirements.

C. Dimensional Requirements for Mobile Home Space.

1. The minimum size for a single-wide mobile home space shall be thirty-six hundred (3,600) square feet. The minimum size for a double-wide mobile home space shall be six thousand (6,000) square feet.
2. The minimum width for a single-wide mobile home space shall be thirty-six (36) feet. The minimum width for a double-wide mobile home space shall be sixty (60) feet.
3. The minimum length shall be ninety (90) feet.
4. The minimum front yard setback shall be twenty-five (25) feet.
5. The minimum side yard setback shall be ten (10) feet. If the parking area for the unit is in the side yard, the thirty (30) feet additional setback shall be required.
6. The minimum rear yard setback shall be fifteen (15) feet.
7. All mobile homes permitted under this section shall be set upon concrete pads and elevated on blocks or steel piers which are constructed upon a concrete footing, and each mobile home shall be anchored with approved anchors as required by Tennessee Code, Section 68-45-103. Each concrete pad shall be a minimum of ten (10) feet wide.
8. All mobile homes moved into any mobile home park, existing or new, after the effective date of this ordinance shall be under skirted to prevent the accumulation of refuse and rodents. Under skirting shall consist of new material subject to the approval of the building inspector/codes administrator of White Bluff.
9. There shall be a minimum area of four hundred (400) square feet for paved parking per mobile home space.
10. With respect to mobile homes parked end-to-end, the end-to-end clearance shall not be less than fifteen (15) feet. No mobile home shall be located closer than twenty (20) feet from any building within the mobile home park.

D. Procedure for Approval

1. **Permit.** A permit for a mobile home park shall be issued by the building inspector/codes administrator only as authorized by the White Bluff Planning Commission. A written application, plans and schedules shall be submitted to the planning commission for review. Once the commission determines that the proposed location meets the intent of this ordinance and that the indicated development standards will be followed, a permit shall be issued by the building inspector/codes administrator.

2. **Plans and Schedules Required.** The following information shall be shown on the required site plan:
- a. The location and legal description of the proposed mobile home park.
 - b. The location and size of all buildings, improvements, and facilities constructed or to be constructed within the mobile home park.
 - c. The proposed use of buildings shown on the site plan.
 - d. The location and size of all mobile home spaces.
 - e. The location of all points of entry and exit for motor vehicles and the internal circulation pattern.
 - f. The location of all off-street parking facilities.
 - g. The location of park and recreation areas.
 - h. The name and address of the applicant.
 - i. A comprehensive drainage plan.
 - j. All perimeter Landscaping (screening).
 - k. Such other architectural, engineering, and topographic data as may be required to permit the local health department, the White Bluff Building Inspector/Codes Administrator, the Staff Planner, and the Board of Zoning Appeals to determine if the provisions of these regulations are being complied with shall be submitted with the site plan.
 - l. A time schedule for development shall be prepared, which shall demonstrate the applicant's readiness and ability to provide the proposed services. Said time shall be for a period of not more than one (1) year.
 - m. All mobile home parks that do not conform to the provisions of the zoning ordinance shall be governed in accordance with the provisions of Section 8.020 of this ordinance.

5.062 Commercial Districts.

The Commercial Districts established by this ordinance are designed to promote and protect the health, safety, morals, convenience, order, prosperity and other aspects of the general welfare. These goals include, among others, the following:

1. 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.
2. 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.
3. To protect both retail and service developments and nearby residences against 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.

4. To provide sufficient space in appropriate locations for commercial districts to satisfy function needs of White Bluff, and in particular the need for medical services, and the needs of the general public travel along major highways.
5. To provide sufficient space in appropriate locations for the mixture of compatible high- density residential and restricted commercial developments where standards for development will provide protection for the environmental essentials of either.
6. To provide sufficient space in appropriate locations for all types of commercial and miscellaneous service activities.
7. To enhance the central business district and to promote and protect its service attributes, to lessen congestion in the district, to provide for high intensity of land use consistent with land valuation, and to protect its intended functional aspects against encroachment by detrimental influences.
8. 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 White Bluff, to protect the character of the districts and their peculiar suitability for particular uses, to conserve the value of land and buildings, and to protect the Town's tax revenues.

5.062.1 C-1, Central Business District

A. District Description. This district is designed to provide for a wide range of commercial uses concerned with retail trade and consumer-oriented services; amusement and entertainment establishments; automotive and vehicular service establishments; transient sleeping accommodations; drive-in stores; 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. However, it is not intended that this district permit uses which generate large volumes of truck traffic. Appropriate open space between commercial and residential areas is required. Mixed Use buildings, which primarily are used commercially but include residential habitation above or behind commercial activities, are acceptable developments that are encouraged with the goal of adding vitality to the central business district atmosphere.

B. Uses Permitted. In the C-1, Central Business District, the following uses and their accessory uses are permitted.

Community Facility Activities

Administrative Services

Community Assembly

Community Education

Cultural & Recreational Services

Essential Services

Health Care Facilities

Intermediate Impact Facilities

Personal & Group Care Facilities
Religious Facilities

Commercial Activities

Animal Care & Vet Services
Automotive Service & Repair
Consumer Repair Services
Convenience Commercial
Entertainment & Amusement Services
Financial, Consulting, & Administrative
Food & Beverage Service
Food Service - Drive-In
General Business & Communication Services
General Personal Services
General Retail Trades
Medical & Professional Services
Undertaking Services
Vehicular, Craft & Related Equipment

Residential Activities: Upper Story & Lower Story Residential Dwellings per the requirements in Art. IV, Section 4.110 (as part of a mixed-use development only)

C. Accessory Uses and Structures. The following accessory uses are permitted in the C- 1, Central Business District.

1. Signs in compliance with the regulations set forth in Article IV, Section 4.070.
2. Accessory off-street parking and loading facilities as required in Article IV.
3. Accessory structures and uses customarily incidental to the permitted uses, provided that such accessory structures and uses are carried out on the same lot and are not otherwise prohibited.

D. Uses Permitted as Special Exceptions. In the C-1, Central Business District, the following uses and their accessory uses may be permitted as special exceptions after review and approval in accordance with Article, Section 9.080.

Manufacturing Activities

Limited Manufacturing Activities

E. Uses Prohibited. Any uses or structures not allowable as permitted uses, conditional uses, temporary uses, or accessory uses are prohibited within the C-1, Central Business District.

F. Dimensional Regulations. All uses permitted in the C-1, Central Business District, shall comply with the following requirements:

1. Minimum Lot Size

Minimum Lot Area None

2. Minimum Yard Requirements

Front Yard Setback None

Rear Yard Setback None

Side Yard Setback None, except where the side yard abuts or is adjacent to a residential district, in which case the minimum setback for that yard shall be forty (40) feet.

3. Maximum Lot Coverage. The Impervious Area shall not exceed ninety (90) percent of the total area of the lot.

4. Parking Space Requirement. As regulated in Article IV, Section 4.010. Parking requirements for mixed-use developments are provided in Article IV, Section 4.110.

5. Accessory Structures. Accessory structures shall be located at least five (5) feet from any lot line and any building on the same lot.

G. Landscaping Provisions. The property shall be landscaped as per Article III, Section 3.110.

H. Sidewalks. Where existing sidewalks are provided, or where envisioned by the Town's long-range plan to be provided, sidewalks shall be installed for all new developments and include exclusive walkway connections and entries for upper and lower-story residential dwellings in mixed-use developments.

5.062.2 C-2, Highway Commercial District

A. District Description. This district is designed to provide adequate space in appropriate locations for uses that serve the needs of the motoring public. Automobile and other vehicular service establishments, transient sleeping accommodations, and eating and drinking establishments primarily characterize this district. In addition, commercial trade and service uses are permitted if necessary to serve the recurring needs of people frequenting these districts. Community facilities and utilities necessary to serve these districts or necessary for the general community welfare are also permitted. Bulk limitations required of uses in these districts, in part, are designed to maximize compatibility with less intense use of land or buildings in proximate residential districts. Such districts should be situated in clustered development patterns and not patterns of stripped commercial development. Mixed Use buildings, which primarily are used

commercially but include residential habitation above or behind commercial activities, are acceptable developments.

B. Uses Permitted. In the C-2, Highway Commercial District, the following uses and their accessory uses are permitted.

Community Facility Activities

Administrative Services
Community Assembly
Community Education
Cultural and Recreational Services
Essential Services
Health Care Facilities
Intermediate Impact Facilities
Personal and Group Care Facilities
Religious Facilities

Commercial Activities

Animal Care and Veterinarian Services
Automotive Parking
Automotive Service & Repair
Building Materials & Farm Equipment
Consumer Repair Services
Convenience Commercial
Entertainment & Amusement Services
Financial, Consulting & Administrative
Food & Beverage Service
Food Service - Drive-In
General Business & Communication Services
General Retail Trade
Medical & Professional Services
Transient Habitation
Undertaking Services
Vehicular, Craft & Related Equipment Wholesale Sales

Residential Activities

Upper Story and Lower Story Residential Dwellings per the requirements in Article IV, Section 4.110 (as part of mixed-use developments only)

C. Accessory Uses and Structures. The following accessories are permitted in the C-2 Highway Commercial District.

1. Signs in compliance with the regulations set forth in Article IV, Section 4.070.
2. Accessory off-street parking and loading facilities as required in Article IV.
3. Accessory structures and uses, provided that such accessory structures and uses are carried out on the same lot and are not otherwise prohibited.

D. Uses Permitted as Special Exceptions. In the C-2 Highway Commercial District, the following uses and their accessory uses may be permitted as special exceptions after review and approval in accordance with Article IX, Section 9.080.

Manufacturing Activities

Limited Manufacturing

Commercial Activities

Construction Sales & Services

Group Assembly

Indoor Ranges and Firearms Training Facilities

Agricultural, Resources Production, & Extractive Activities

Plant & Forest Nurseries

E. Uses Prohibited. Any use or structure not allowable as permitted, conditional, temporary, or accessory uses are prohibited within the C-2, Highway Commercial District.

F. Dimensional Regulations. All uses permitted in the C-2, Highway Commercial District, shall comply with the following requirements, except as provided in Article VI.

1. **Minimum Lot Size**

Minimum Lot Area None

2. **Minimum Yard Requirements**

Front Yard Setback 50 ft.

3. **Side Yard Setback**

None, except that if a structure does not abut the side lot line, it must be located ten (10) feet from the side lot line. When adjacent to a residential district, the side yard setback shall be the same as that of the residential district.

4. **Rear Yard Setback**

20 ft., except where the rear yard abuts or is adjacent to a residential district, in which case the minimum setback for that yard shall be fifty (50) feet.

5. **Maximum Lot Coverage.** On any area or parcel of land, the area occupied by all buildings, including accessory buildings, shall not exceed forty-five (45) percent of the total area of such lot or parcel. The Impervious Area shall not exceed eighty (80) percent of the total area of the lot.
6. **Parking Space Requirement.** As regulated in Article IV, Section 4.010. Parking requirements for mixed-use developments provided in ART IV, Section 4.110.
7. **Accessory Structures.** Accessory structures shall be located at least five (5) feet from any lot line, and any building on the same lot.

G. Landscaping Provisions. The property shall be landscaped as per Article III, Section 3.110.

H. Sidewalks. Where existing sidewalks are provided, or where envisioned by the Town’s long-range plan to be provided, sidewalks shall be installed for all new developments and include exclusive walkway connections and entries for upper and lower story residential dwellings in mixed-use developments.

5.062.3 C-3, Office/Professional Service District

A.Purpose. This district is designed to provide for the provision of professional office services, medical and personal services, as well as financial, insurance, real estate and consulting services. In addition to office activities, limited commercial trade and certain community facilities are permitted to serve the needs of people frequenting this district.

B.Uses Permitted. In the C-3 Office/Professional Service District, the following uses and their accessory uses are permitted.

Residential Activities

Dwelling, Single Family

Community Facility Activities

Administrative Services

Essential Services

Religious Facilities

Commercial Activities

Automotive Parking

Financial Consulting

Administrative Services

Medical and Professional Services

C. Accessory Uses and Structures. The following accessory uses and structures are permitted in the C-3 Office/Professional Service District.

1. Signs in compliance with the regulations set forth in Article IV, Section 4.070.
2. Accessory off-street parking and loading facilities as required in Article IV.
3. Accessory structures and uses customarily incidental to the permitted uses, provided that such accessory structures and uses are carried out on the same lot and are not otherwise prohibited.

D. Uses Permitted as Special Exceptions. In the C-3 Office/Professional Service District, the following uses and their accessory uses may be permitted as special exceptions after review and approval in accordance with Article IX, Section 9.080.

Community Facility Activities

Community Education
Cultural and Recreational Services
Health Care Facilities
Centers for Observation or Rehabilitation
Convalescent Homes
Personal and Group Care Facilities

Commercial Activities

General Personal Service
Catering Services
Photographic Studios

General Business and Communication Services

Advertising Agencies and Services
Credit Reporting, Adjustment, and Collection Agencies
Drafting Services
Employment, Personnel, and Temporary Help Services
Interior Decorator and Consulting Services
Mailing, Reproduction, and Commercial Art Services
Management, Consulting, and Public Relations Services
Travel Agencies

E. Uses Prohibited. Any use or structure not allowable as permitted, conditional, temporary, or accessory uses are prohibited within the C-3, Office/Professional Service District.

F. Dimensional Regulations. All uses permitted in the C-3 Office/Professional Service District shall comply with the following requirements, except as provided in Article IV.

1. Minimum Lot Size

Minimum Lot Area 10,000 sq. ft.

2. **Minimum Yard Requirements**

Front Yard Setback 40 ft.

Side Yard Setback

15 ft., except where the side yard abuts or is adjacent to a residential district, in which case the minimum setback for that yard shall be twenty- five (25) feet.

Rear Yard Setback

20 ft., except where the rear yard abuts or is adjacent to a residential district, in which case the minimum setback for that yard shall be fifty (50) feet.

3. **Maximum Lot Coverage.** On any area or parcel of land, the area occupied by all buildings including accessory buildings, shall not exceed sixty (60) percent of the total area of such lot or parcel. The impervious area shall not exceed eighty (80) percent of the total area of the lot.

G. Height Requirements. No building shall exceed forty (40) feet in height, except as provided in Article VIII, Section 8.050.

H. Parking Space Requirement. As regulated in Article IV, Section 4.010.

I. Accessory Structures. Accessory structures shall be located at least five (5) feet from any lot line, and any building on the same lot.

J. Landscaping Provisions. The property shall be landscaped as per Article III, Section 3.110.

K. Sidewalks. Where existing sidewalks are provided, or where envisioned by the Town's long-range plan to be provided, sidewalks shall be installed for all new developments.

5.063 Industrial Districts.

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

1. To provide sufficient space, in appropriate locations, to meet the needs of the area of White Bluff's expected economic expansion for all types of distributives, industrial and related activities, with due allowance for the need for choice of suitable sites.
2. To protect distributive, industrial and related activities, as well as residential and related activities by providing for the separation of these uses, and, as far as possible, provide that

appropriate space needs for distributive and industrial activities are available by prohibiting the use of such space for residential purposes.

3. To encourage industrial development which is free from danger of fire, explosions, toxic or noxious matter, radiation, smoke, dust or other particulate matter, and other hazards, and from offensive noise, vibration, odorous matter, heat, humidity, glare, and other objectionable influences, by permitting such development areas where this ordinance restricts the emission of such nuisances, without regard to the industrial products and processes involved.
4. To protect adjacent residential and commercial areas, and to protect the labor force in other establishments engaged in less offensive types of industrial and related activities, by restricting those industrial activities which involve danger of fire, explosions, toxic or noxious matter, radiation, smoke, dust, or other particulate matter, and other hazards, or create offensive noise, vibration, heat, humidity, glare, and other objectionable influences, by permitting such development in areas where this ordinance restricts the emission of such nuisances, without regard to the industrial products or processes involved.
5. To protect industrial activities and related developments against congestion, as far as is possible and appropriate in each area, by limiting the bulk of buildings in relation to the land around them and to one another, and by requiring space off public ways for parking and loading facilities associated with such activities.
6. To promote the most desirable use of land and direction of building development, to promote stability of industrial and related development, to strengthen the economic base of the White Bluff area, to protect the character of these districts and their peculiar suitability for particular uses, to conserve the value of land and buildings, and to protect White Bluff's tax revenues.

5.063.1 I-1, Light Industrial District

A. District Description. These districts are intended to provide space for a wide range of industrial and related uses which conform to a relatively low level of objectionable influences. It is required that all operations of industrial establishments 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 which have more objectionable influences. New residential activities are excluded, but community facilities and commercial establishments which provide needed services for industry and are complementary thereto are permitted.

B. Uses Permitted. In the I-1, Light Industrial District, the following uses and accessory uses are permitted.

Community Facility Activities

Essential Services

Commercial Activities

Animal Care & Veterinarian Services

Automotive Services and Repair
Building Materials & Farm Equip.
Construction Sales and Services
Transport & Warehousing
Wholesale Sales
Indoor Ranges & Firearms Training Facilities

Manufacturing Activities

Limited Manufacturing
Intermediate Manufacturing

Agricultural, Resources Production, and Extraction Activities

Commercial Feed Lots and Stockyards
Crop and Animal Raising
Plant and Forest Nurseries

C. Accessory Uses and Structures. The following accessory uses are permitted in the I- 1 Light Industrial District.

1. Signs in compliance with the regulations set forth in Article IV, Section 4.070.
2. Accessory off-street parking and loading facilities as required in Article IV.
3. Accessory Structures and uses customarily incidental to the permitted uses, provided that such accessory structures and uses are carried out on the same lot and are not otherwise prohibited.
4. Day care centers are allowed as an accessory use to any Industrial Activity provided that such a use is carried out on the same premises. Such day care centers shall meet all State of Tennessee licensing requirements.

D. Uses Permitted as Special Exceptions. In the I-1, Light Industrial District, the following uses and their accessory uses may be permitted as special exceptions after review and approval in accordance with Article IX, Section 9.080.

1. Adult-Oriented Businesses
2. Community Facility Activities
3. Administrative Services
4. Intermediate Impact Facilities
5. Commercial Activities
6. Consumer Repair Services

E. Uses Prohibited. Any uses or structures not allowable as permitted uses, conditional uses, temporary uses, or accessory uses are prohibited within the I-1 Light Industrial District.

F. Dimensional Regulations. All uses permitted in the I-1 Light Industrial District shall comply with the following requirements, except as provided in Article VI.

1. **Minimum Lot Size**

Minimum Lot Area 20,000 sq. ft.

2. **Minimum Yard Requirements**

Front Yard Setback 50 ft.

Side Yard Setback

20 ft., except where the side yard abuts or is adjacent to a residential district, the minimum setback for that yard shall be forty (40) feet.

Rear Yard Setback

25 ft., except where the rear yard abuts or is adjacent to a residential district, the minimum setback for that yard shall be fifty (50) feet.

3. **Maximum Lot Coverage.** On any area or parcel of land, the area occupied by all buildings, including accessory buildings, shall not exceed fifty (50) percent of the total area of such lot or parcel. The Impervious Area shall not exceed eighty (80) percent of the total area of the lot.

4. **Height Requirements.** No building shall exceed forty-five (45) feet in height except as provided in Article VIII, Section 8.050.

5. **Parking Space Requirement.** As regulated in Article IV, Section 4.010.

6. **Accessory Structures.** Accessory structures shall be located at least five (5) feet from any lot line and any building on the same lot.

G. Landscaping Provisions. The property shall be landscaped as per Article III, Section 3.110.

5.063.2 I-2, GENERAL INDUSTRIAL DISTRICT

A. District Description. These districts are intended to provide space for the types of industrial activities which by reason of volume of raw materials or freight, scale of operation, type of structures required, or other similar characteristics, require location relatively well segregated from non-industrial uses. New residential activities are excluded, but community facilities and commercial establishments which provide needed services for industry and are complementary thereto are permitted.

B. Uses Permitted. In the I-2 General Industrial District, the following uses and accessory uses are permitted.

Community Facility Activities

Essential Services

Commercial Activities

Animal Care and Vet Services
Building Materials and Farm Equipment
Construction Sales and Services
Transport and Warehousing
Wholesale Sales

Manufacturing Activities

Limited Manufacturing
Intermediate Manufacturing

C. Accessory Uses and Structures. The following accessory uses are permitted in the I-2 General Industrial District.

1. Signs in compliance with the regulations set forth in Article IV, Section 4.070.
2. Accessory off-street parking and loading facilities as required in Article IV.
3. Accessory Structures and uses customarily incidental to the permitted uses, provided that such accessory structures and uses are carried out on the same lot and are not otherwise prohibited.
4. Daycare centers are allowed as an accessory use to any Industrial Activity provided that such use is carried out on the same premises. Such daycare centers shall meet all State of Tennessee licensing requirements.

D. Uses Permitted as Special Exceptions. In the I-2 General Industrial District, the following uses and their accessory uses may be permitted as special exceptions after review and approval in accordance with Article IX, Section 9.080.

Manufacturing Activities

Extensive Manufacturing Activities

Agricultural, Resources Production, and Extractive Activities

Mining, Drilling, Quarrying

E. Uses Prohibited. Any uses or structures not allowable as permitted uses, conditional uses, temporary uses, or accessory uses are prohibited within the I-2, General Industrial District.

F. Dimensional Regulations. All uses permitted in the I-2 General Industrial District shall comply with the following requirements, except as provided in Article VI.

1. **Minimum Lot Size**

Minimum Lot Area 40,000 sq. ft.

2. **Minimum Yard Requirements**

Front Yard Setback 100 ft.

Side Yard Setback 40 ft., except where the side yard abuts or is adjacent to a residential district, the minimum setback for that yard shall be eighty (80) feet.

Rear Yard Setback 50 ft., except where the rear yard abuts or is adjacent to a residential district, the minimum setback for that yard shall be one hundred (100) feet.

3. **Maximum Lot Coverage.** On any area or parcel of land, the area occupied by all buildings, including accessory buildings, shall not exceed fifty (50) percent of the total area of such lot or parcel. The Impervious Area shall not exceed eighty (80) percent of the total area of the lot.

G. Height Requirements. No building shall exceed forty-five (45) feet in height except as provided in Article VIII, Section 8.050.

H. Parking Space Requirement. As regulated in Article IV, Section 4.010.

I. Accessory Structures. Accessory structures shall be located at least five (5) feet from any lot line and any building on the same lot.

J. Landscaping Provisions. The property shall be landscaped as per Article III, Section 3.110.

5.063.3 I-3, SPECIAL IMPACT DISTRICT

A. District Description and Purpose. This district is designed to provide suitable areas for those uses that have some special impact or uniqueness such that their effect on the surrounding area and environment cannot be determined in advance of the use being proposed for a particular location. At the time the application is filed, a review of the location, design configuration, and its impact will be conducted by comparing the proposed use, the preliminary development plan, the operational data, and the environmental assessments to the site location criteria. This review will evaluate whether the proposed use should be permitted through a rezoning to the I-3, Special Impact Industrial District, by weighing public need for and benefit to be derived from against the local impacts it may cause. The review considers the proposal in terms of existing zoning and land use in the vicinity of the site, planned and proposed public and private developments that may be adversely affected by the proposed use, whether the proposed location is the most desirable site

for this type of use, and to what extent the public health, safety, and general welfare of the citizens of White Bluff will be affected.

B. Site Location Criteria

1. The proposed site will be located in areas away from concentrations of residential developments and community facilities where people will be present.
2. The proposed use will not pollute or deteriorate air quality, surface or subterranean water, or any other natural features.
3. The proposed site will not be located in an area that could contaminate the source of an existing public water supply.
4. The proposed site will be free of sinkholes, caves, caverns, or other karst features that could potentially collapse the surface or significantly degrade local groundwater resources.
5. Public utilities and services will adequately serve the proposed site to ensure a safe operation.
6. The proposed use will not result in transporting dangerous products or wastes through areas of population concentrations, which would endanger community safety.
7. Access to the site will be from a road classified as an arterial or collector on the Major Road Plan for White Bluff.
8. The proposed lot size is sufficient to avoid danger to the adjoining uses.
9. The proposed site will not be located within a one hundred (100) year floodplain or wetland.

C. Administrative Procedure. The provisions of this section shall govern all applications for rezoning to the I-3 Special Impact Industrial District.

1. **Preliminary Review.** All applications for rezoning to the I-C, Special Impact Industrial District, shall be made by the landowner or his/her authorized agent to the Zoning Administrator in accordance with the provisions of this section. All applications for rezonings shall be accompanied by:

a. Preliminary Development Plan to Include the Following Information:

1. Letter from the owner detailing the proposed zoning change.
2. Location map of the proposed site, including property size.
3. Site plan and topographic map prepared by a Tennessee licensed engineer at a one-inch scale equals two hundred feet (1" = 200').
4. Land use evaluation, including all building locations and historical sites within a one (1) mile radius of the proposed site, including property owners.
5. Location and approximate dimensions of all structures, including appropriate height and bulk and the utilization of all structures and land areas within the site.
6. A tabulation of the land areas to be devoted to all uses and activities.
7. The site must meet the Site Location Criteria in Subsection B, above, along with the General Requirements in Subsection H and the Requirements for Specific Uses in Subsection I, below, for the proposed use of the property.

b. Operational Data to Include the Following Information:

1. Type of operation and detailed description of the operation.
2. Average number of vehicles entering and leaving the site on a daily basis and the routes taken.
3. Types of Federal and State permits required for operation of the proposed facility.
4. Safety measures to be used on-site and in the system for dealing with complaints.
5. Ultimate use and ownership of the site after completion of operation. (Landfills only.)

c. Environmental Assessments to Include the Following Information:

1. Geological data on the site as prepared by a Tennessee-licensed geologist.
2. Effects of the proposed use on groundwater quality in the area.
3. Effects of the proposed use on air quality in the area.
4. Potential danger to any surface water or water supply.

2. Zoning Amendment. After review of the preliminary development plan, operational data, and environmental assessments, the planning commission shall recommend to the Town Council whether the proposed use should be rezoned to the I-3, Special Impact Industrial District. If the Town Council approves the zoning amendment, the landowner may proceed with his development by submitting a final development plan to the planning commission for their approval.

3. Final Development Plan Review. After approval of the rezoning by the Town Council, the landowner may make application to the Planning Commission, for approval of the final development plan, provided that the plan is in compliance with the preliminary development plan. All final development plans shall include the following information:

a. Final Development Plan Shall Include the Following:

1. Final site plan prepared by a Tennessee licensed engineer for the development to include, location of all buildings, interior roads and parking areas, detailed Landscaping plan of the buffer zone prepared by a landscape architect, location and type of all fences, utilities, and all other features and facilities to be installed or used in connection with the proposed operation.
2. Site plan to be at a scale of one-inch equals two hundred feet (1" = 200').
3. Contours at vertical intervals of not more than two (2) feet where the proposed development has an average slope of five (5) percent or less, or at vertical intervals of not more than five (5) feet where the average slope exceeds five (5) percent (contours to be field surveyed or taken from aerial photographs acceptable to the planning commission).
4. Stages of development of the site and the expected time of completion.
5. Copies of all required Federal and State permits the applicant has obtained.

6. Final site plan shall be in compliance with Subsection H, I, and J, below, for the proposed use of the property.

b. Site and Geological Data

1. Soil and geology, with soil borings to a point of refusal, with a minimum of two (2) borings per acre.
2. Final grading and drainage plan for the entire site, including surface drainage patterns, and all areas for surface water detention or retention.
3. Ground water movements and aquifer information.
4. Existing vegetation cover on the site.
5. Annual climate of the area, including annual precipitation and wind direction

D. Uses Permitted. In the I-3 Special Impact Industrial District, the following uses are permitted:

Special Impact Facilities

Airports, Air Cargo Terminals, Heliports, or Other Aeronautical Devices Arsenals

Atomic Reactors

Biosolids – Handling or Distribution Correction & Detention Institutions

Electricity Generating Facilities & Transmission Lines

Explosives Manufacturing & Storage

Fireworks Manufacturing

Garbage Incineration Plants, Including Cogeneration Facilities

Sanitary Landfills

Hazardous Wastes Radioactive Wastes

Solid Waste Landfills

Solid Waste Processing & Recycling Waste Incinerators, Including Hospital & Medical Waste

Community Facility Activities

Extensive Impact Facilities

E. Accessory Uses and Structures

1. Signs in compliance with the regulations set forth in Article IV, Section 4.070.
2. Accessory structures and uses are customarily incidental to the permitted uses, provided that such accessory uses are carried out on the same lot and are not otherwise prohibited.
3. Accessory off-street parking and loading facilities as required in Article IV.

F. Uses Permitted as Special Exceptions. There are no uses permitted as special exceptions in the I-3, Special Impact Industrial District.

G. Uses Prohibited. In the I-3 Special Impact Industrial District, any use not permitted by right or by accessory use as defined above is strictly prohibited.

H. General Requirements Applicable to All Uses

1. No excavation or filling shall be made within one hundred (100) feet of any site boundary.
2. Side slopes of excavation and fills in earth, sand or gravel shall not exceed one (1) foot vertical to three (3) feet horizontal and shall be blended into undisturbed existing surfaces.
3. A chain-link wire fence six (6) feet high with three (3) strands of barbed wire over the top shall be installed along the boundaries of the area developed or the area of active operation and provided with gates of the same construction as the fence. The gates shall remain locked at all times when active operations are not taking place. All fences and gates shall be properly maintained until all operations are completed.
4. Provisions shall be made for the disposal of surface water falling on or crossing the site at all times, during and after the operations are completed. The operations shall not obstruct the normal flow of any public drain or abrogate the riparian rights of any other party to a stream or drain.
5. The depth of excavation and the materials to be used for fill shall not adversely affect the supply, quality, or purity of groundwater or wells.
6. A layer of clean earth at least two (2) feet thick shall be deposited and thoroughly compacted overall fill to bring the surface to the finished surface grade, as shown on the topographic plan filed with the application.
7. The finished surface of the site shall bear the proper relationship to that of adjoining properties.
8. Roads, parking areas, buildings, structures, and operational facilities and equipment shall be installed on the site so that adjoining properties will not be adversely affected.
9. The operation shall be conducted so as not to create a nuisance or cause undue noise, vibration, dust, odor, or candescence to adjacent properties. The premises shall be kept neat and clean at all times. No loose paper or debris shall be allowed on the site except in areas where active filling operations occur. Dusty conditions shall be corrected by sprinkling with water or using calcium chloride or some other approved method.
10. The proposed site must have a public water supply available, capable of providing the required fire flow to a fire hydrant on site.
11. Sanitary toilet facilities shall be provided on-site in accordance with the requirements of the Department of Environment and Conservation.

I. Requirements for Specific Uses

1. Requirements for Incinerators and Atomic Reactors
 - a. No principal building or structure shall be located closer than two hundred (200) feet from any site boundary line, and no accessory building or structure used in conjunction with the operation shall be located closer than two hundred (200) feet from any site boundary line.
 - b. All organic or combustible materials delivered to the site shall be burned in the incinerator.
 - c. All residue resulting from the facility's operations shall be disposed of in compliance with all state and federal regulations.

- d. All materials which are to be burned shall be placed on or in a concrete slab or hopper enclosed by a building, masonry walls, or chain link type fencing at least six (6) feet high, provided with doors or gates which shall be securely locked when the incinerator is not in operation. The materials shall be transferred from the slab or hopper or hopper into the incinerator as soon as they are received, but in any case, all combustible materials shall be burned during the same day that they were delivered. The slab or hopper shall be kept clear of all materials when not in active use.
 - e. All separation or picking of waste materials shall be conducted in an enclosed building only.
 - f. A watchman shall be stationed at the site at all times for whom a suitable shelter shall be provided.
2. Requirements for the Manufacture or Storage of Explosives, Munitions or Fireworks
- a. Any such facility shall not be located on a site having an area of less than fifty (50) acres.
 - b. No principal building or structure shall be located closer than two hundred (200) feet from any site boundary line, and no accessory building or structure used in conjunction with the operation shall be located closer than two hundred (200) feet from any site boundary line.
 - c. A security guard shall be stationed at the site at all times for whom a suitable shelter shall be provided.
3. Requirements for Solid Waste Landfills
- a. All areas used for filling operations shall maintain the minimum setback as required by this section.
 - b. No fires shall be permitted. Any smoldering flame or spontaneous combustion in the fill shall be immediately extinguished.
 - c. All separation or picking of waste materials shall be conducted in enclosed buildings only.
 - d. The premises shall be kept neat and clean at all times. No loose paper or debris shall be allowed on the site, except in areas where active filling operations are taking place. Dusty conditions shall be corrected by sprinkling with water or using calcium chloride or some other approved method.
 - e. Entrance to the site shall be controlled at all times to prevent improper dumping on the site.
4. Requirements for Hazardous and Radioactive Wastes
- a. No principal building or structure shall be located closer than two hundred (200) feet from any site boundary line, and no accessory building or structure used in conjunction with the operation shall be located closer than two hundred (200) feet from any site boundary line.
 - b. All residue resulting from the facility's operations shall be disposed of in compliance with all State and Federal regulations.

- c. All areas used for filling operations shall maintain the minimum setback as required by this section.
 - d. A security guard shall be stationed at the site at all times for whom a suitable shelter shall be provided.
5. Site Requirements for Renewable Energy System Facilities (Ord. 470)
- a. The applicant shall present a decommissioning plan demonstrating the methodology for shutting down the Renewable Energy Facility and how the property will be rehabilitated to allow other owners to use it.
 - b. The applicant shall demonstrate the potential environmental impacts of the Renewable Energy Facility and their plans to mitigate any such impact.
 - c. The applicant shall include any federal or state permits associated with the construction, maintenance, or operation of any Renewable Energy Facility in their application.
 - d. An Emergency Response Plan shall be included with the application, demonstrating how emergencies are to be handled internally at the facility and how the general public's safety within 500 yards of the facility shall be maintained.

J. Dimensional Requirements. All uses permitted in the I-3, Special Impact Industrial District, shall comply with the following requirements:

1. Minimum Lot Size

Minimum Lot Area	10 acres
Lot Width at Building Setback	500 ft.

2. Minimum Yard Requirements

Front Yard Setback	150 ft.
Side Yard Setback	100 ft. except where the side yard abuts or is adjacent to a residential zoned property, in which case the minimum setback for that side yard shall be one hundred-fifty (150) feet.
Rear Yard Setback	100 ft. except where the side yard abuts or is adjacent to a residential zoned property, in which case the minimum setback for that side yard shall be one hundred-fifty (150) feet.

3. **Maximum Lot Coverage.** On any lot or tract containing one or more structures, the area occupied by all structures, including accessory structures, shall not exceed forty (40) percent of the total area.

4. **Height Requirements.** No principal structure shall exceed forty (40) feet in height except as provided in Article VIII, Section 8.050.
5. **Parking Space Requirements.** As regulated in Article IV, Section 4.010.

K. Accessory Structures

1. With the exception of signs, fences, and security buildings, no accessory structures shall be erected in a required front yard.
2. Accessory structures shall be located at least one hundred (100) feet from any side or rear lot line, twenty-five (25) feet from any building on the same lot.

L. Peripheral Buffer Zone Requirements. A peripheral buffer zone of one hundred (100) feet shall be established and maintained throughout the life of the facility along all property boundaries. This buffer will consist of three (3) rows of trees and shrubs spaced no more than twenty (20) feet apart, staggered with each row being twenty (20) feet apart. A minimum of sixty (60) percent of all trees and shrubs placed in the buffer shall be evergreens or conifers. All trees planted on the site shall be a minimum of ten (10) feet in height that will mature at a height of at least forty (40) feet. In addition to the rows of trees, a row of shrubs in front of the trees is required along road frontage. In addition to the required plantings, it is recommended that man-made and natural berms be used to further the effectiveness of the natural planted buffer. The peripheral buffer should only be broken by driveways and walkways that provide access to the site. Any required fencing shall not be located within the buffer zone or between the buffer zone and the property boundaries.

M. Performance Bond Required. Any application for final site plan approval shall be accompanied by a performance bond in the amount of the estimated cost of site improvements including, but not limited to water and sewer installation, parking lot and driveway paving, construction of fencing, screening, and Landscaping. Such bond may be in form of cash, certified check, irrevocable letter of credit, or surety bond. In the event that the applicant fails to comply with the approved site plan, the Zoning Administrator shall cause the bond to be forfeited and have the necessary improvements constructed or completed. The time for completion may be extended with the permission of the Planning Commission, upon the owner-builder furnishing a bond or letter of credit for any approved extended period. Posting of the required performance bond by the developer shall constitute prior permission for the proper designated parties to enter upon said property to complete these improvements.

5.070 USE CLASSIFICATION SYSTEM.

The provisions of this section 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 on the characteristics of the unlisted use.

Listing of Activity Classifications. All activities are hereby classified into the following activity types:

1. Residential Activities.

Permanent:

Upper-Story and Lower-Story Dwelling Units (if part of a mixed-use development)
Dwelling, Single Detached
Dwelling, Duplex
Dwelling, Mobile Home Dwelling
multi-family Mobile Home Park

Semi-Permanent:

Boarding House Rooming House

2. Community Facility

Administrative Activities.
Community Assembly
Community Education
Cultural and Recreation Serv.
Essential Service
Extensive Impact
Health Care
Intermediate Impact
Personal and Group Care Facilities
Religious Facilities

3. **Commercial Activities.**

Animal Care and Veterinarian Services
Automotive Parking
Automotive Service and Repair
Building Materials and Farm Equipment
Consumer Repair Services
Construction Sales and Services
Convenience Commercial
Entertainment and Amusement Services
Financial, Consulting, & Administrative
Food & Beverage Services
Food Service - Drive-In
General Business & Communication Services
General Personal Services

General Retail Trade Group Assembly
Medical & Professional Services
Transient Habitation
Transport & Warehousing
Undertaking Services
Vehicular, Craft, & Related Equipment Sales
Retail & Delivery
Wholesale Sales

4. Manufacturing Activities.

Limited Intermediate Extensive

5. Agricultural, Resources Production, and Extractive Activities. Agricultural Services

Crop, Animal and Poultry Raising Mining and Quarrying
Plant and Forest Nurseries Commercial Feed Lots and Stockyards

G. 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. The accessory uses permitted are presented in the regulation section of each district as set forth in this zoning ordinance.

H. Residential Activities.

1. **Permanent Residential:** The occupancy of living accommodations on a monthly or longer basis, with none of the living units under the same ownership or management on the same zone lot being occupied on a less-than-monthly 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, asylums, halfway houses or prisons, except as provided by general law of the state. The following dwelling types, as defined by this Ordinance, are permanent residential activities; however, only those dwelling types as indicated by individual district regulations may be permitted therein.

Examples:

Dwelling, Single Detached; Dwelling, Mobile Home;
Dwelling, multi-family (apartment, townhouse); Mobile Home Park;
Upper-Story and Lower-Story Dwelling Units (if part of a mixed-use development)

2. **Semi-Permanent Residential:** The occupancy of living accommodations partly on a monthly or longer basis and partly for a shorter time period, but with less than thirty (30) percent of the living units under the same ownership or management on the same zone lot being occupied on a less-than-monthly basis. This shall not include institutional living arrangements involving the provision of a special kind of care or forced residence, such

as nursing homes, orphanages, asylums, halfway houses, and prisons, except as provided by the general law of the state. The following dwelling or rooming unit types, as defined by this Ordinance, are considered semi-permanent residential activities; however, only those dwelling or rooming unit types as indicated by individual district regulations may be permitted therein. *Examples: Boarding House Rooming House*

I. Community Facility Activities

1. **Administrative Services:** The activities typically performed by public, utility, and nonprofit private administrative offices. *These activities would include Municipal, County, State, and Federal Offices, Civil Defense Facilities, Court Buildings, Fire Department Facilities, Police Department Facilities, Post Office*
2. **Community Assembly:** The activities typically performed by or at institutions and installations for various social, athletic, and recreational purposes. These activities do not include facilities primarily utilized for profit. *They would include Civic, Social, Fraternal, and Philanthropic Associations, Private (nonprofit) Clubs, Lodges, Meeting Halls, and Recreation Centers, Temporary Nonprofit Festivals*
3. **Community Education:** The activities typically performed by the following institutions: *Public and Private Nursery Schools, Kindergarten, Primary and Secondary Schools*
4. **Cultural and Recreational Services:** 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 privately owned facilities and operated for profit. *These activities would include Art Galleries, Libraries, Museums, Parks, Playgrounds, Playfields Planetariums and Aquariums, Recreational Centers and Gymnasiums, Swimming Pools and Beaches, Zoological and Botanical Gardens*
5. **Essential Services:** Includes the maintenance and operations of the following installations: *Electrical & Gas Substations, Electrical, Gas, Water & Sewer Distribution and Collection Lines Public Transport, Utility & Communication Towers, Pumping Facilities for Water & Sewer Systems, Rights-of-Way for Transportation Modes, Telephone Switching Facilities*
6. **Extensive Impact Facilities:** The activities that have a high degree of impact upon surrounding land uses due to their hazards or nuisance characteristics, as well as traffic generation, parking, and land requirements and typically performed by, or the maintenance and operation of, the following institutions and installations: *Major Fuel Transmission Lines and Facilities, Major Mail Processing Centers, Military Installations, Public and Private Utility Corporations and Truck Yards, Including Storage Yards, Railroad Yards, and Other Transportation, Equipment Marshalling and Storage Yards*

7. **Health Care Facilities:** Includes the activities typically performed by the following institutions but not including the offices, clinics, etc., of private physicians or other health care professionals: *Centers for Observation or Rehabilitation, Convalescent Homes, Hospitals, Medical Clinics*

8. **Intermediate Impact Facilities:** Activities that significantly affect surrounding land uses due to their traffic generation characteristics, parking requirements, land requirements, or potential nuisances and are typically performed by or the maintenance and operation of the following institutions or installations. Examples include *Cemeteries, Columbariums, and Mausoleums Colleges, Junior Colleges, and Universities, Excluding Profit-Making Business Schools Commercial Boat Docks, Marinas, and Yacht Clubs, Golf Courses, Water Storage Facilities, Water and Sewage Treatment Plants, Radio and TV Transmission Facilities, Country Clubs*

9. **Personal and Group Care Facilities:** The activities and facilities to provide care for children, disabled and handicapped persons needing special care or supervision, care for the elderly and other individuals requiring supervised care, but excluding facilities for delinquent, criminally dangerous, or psychotic people. These activities would include *Associations for Physically or Mentally Handicapped Persons, Day Care Centers, Drop in Center, Family Child Care Home, Group Child Care Home, Group Homes for Physically or Mentally Handicapped Persons, Nursing Homes, Orphanages, Retirement or Rest Homes*

10. **Religious Facilities:** The activities or facilities utilized by various religious organizations for worship or community service functions but excluding any facility, primarily to produce products or printed matter for sale or general distribution. The activities include *Chapels, Churches, Convents or Monasteries, Parsonage, Sanctuaries, Synagogues, Temples*

J. Commercial Activities.

1. **Animal Care and Veterinarian Services:** Includes the provision of animal care, treatment, and boarding services. *Examples: Veterinarian Clinics and Kennels*

2. **Automotive Parking:** Includes the parking and/or storage of motor vehicles excluding junk or scrap vehicles. *Examples: Auto Parking Lots, Parking Garages*

3. **Automotive Services and Repair:** This includes the sale, from the premises, of goods and the provision of services generally required in the operation and maintenance of automotive vehicles and the fulfillment of motorist needs, as well as clean-up, painting, and repair of automotive vehicles, including bodywork and installation of accessories. *Examples: Auto Cleaning & Repair Services, Auto Glass Repair & Replacement Shops,*

Auto Inspection & Diagnostic Services, Auto Paint Shops, Auto Towing Services, Car Washes, Gasoline, Fuel, & Oil Sales and Service, Radiator & Muffler Shops, Tire Retreading & Repair Shops, Wheel Alignment & Transmission Repair Shops

4. **Building Materials and Farm Equipment:** This includes the retail and wholesale sale 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. *Examples: Farm Equipment & Supplies, Feed Milling and Sales Heating, Plumbing, & Electrical Supplies Lumber & Other Building Material Dealers Retail Nurseries, Lawn & Garden Supply Stores Seed Storage & Sales*
5. **Consumer Repair Services:** These include servicing and repairing appliances, furniture, and equipment generally used or owned by individuals, not including the repair of any type of automobile. *Examples include Blacksmith Shops, Electrical Repair Shops, Gunsmith Shops, Instrument Repair Shops, Lawn Mower Repair Shop, Locksmith Shops, Office Equipment Cleaning & Repair, Reupholstery & Furniture Repair, Saddlery Repair Shops, Watch, Clock, & Jewelry Repair*
6. **Construction Sales and Services:** This includes the offices, buildings, and shops of various types of contractors, as well as incidental on-site construction and storage. *Examples include Builder's Supply and Hardware, Carpenter Contractors, Concrete Contractors, Excavation Contractors, General Building Contractors, Glazing Contractors, Highway and Street Construction Contractors, Masonry, Stonework, Tile Setting, & Plastering Contractors, Painting, Paper Hanging, and Decorating Services, Plumbing, Heating, and Electrical Contractors Roofing and Sheet Metal Contractors.*
7. **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 which are typically needed frequently or recurrently, provided that no establishment shall exceed five thousand (5,000) square feet of gross floor area. *Examples include Barber Shops, Beauty Shops, Drug Stores, Fruit and Vegetable Markets, Grocery Stores Hardware Store (no outside storage), Laundry and Dry-Cleaning Pick-Up Stations, Liquor Stores, News Stands, Self-Service Gasoline Pumps, Tobacco Shops.*
8. **Entertainment and Amusement Services:** Include the provisions of cultural, entertainment, educational, and athletic services, other than those classified as Community Facility Activities, to assembled groups of spectators or participants. *Examples include Theatrical Producers, Bands, Orchestras, and Entertainers, Art Galleries (Commercial), Batting and Golf Driving Ranges, Bowling Alleys and Billiard Parlors, Coin Operated Amusement Arcades, Dance Halls and Studios, Exhibition Halls and Auditoriums, Recording and TV Production Services, Skating Rinks, Theaters.*

9. **Financial, Consulting, and Administrative Services:** Include the provision of financial, insurance, and real estate brokerage services, as well as advice, designs, information, or consultations of a professional nature (other than those classified as Community Facility Activities, Medical and Professional Service, or Business and Communication Services). These include the executive, management, or administrative activities of private, profit-oriented firms but exclude the sale and/or storage of goods or chattels unless otherwise permitted by this ordinance. *Examples include Agricultural Credit Institution Banking and Bank-Related Functions, Credit Unions, Holding and Investment Organizations, Insurance Carriers, Agents, Brokers, and Services 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 Title Offices.*
10. **Food and Beverage Service:** Includes the retail sale of prepared food or beverages for primarily on-premises consumption within the principal structure on the zone lot. *Examples: Restaurants, Taverns*
11. **Food Service Drive-In:** 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. *Examples: Drive-In Restaurants, Fast Food Restaurants with Drive-Thru Service*
12. **General Business and Communication Services:** Include the provision of service of a clerical, goods brokerage, and communications of a minor processing nature, copying and blueprinting services, custom printing (except books) but include the sale and/or storage of goods and chattel unless otherwise permitted by this ordinance.

Advertising Agencies and Serv. Commercial Cleaning Serv.
 Commercial Testing Laboratories Communications Services:
 Radio and Television Broadcasting Studios
 Telegraph Offices and Message Centers
 Telephone Exchanges and Relay Towers
 Television and Recording Production Studios
 Computer and Data Processing Serv.
 Credit Reporting, Adjustment, and Collection Agencies
 Detective Agencies and Protective Serv.
 Drafting Serv.
 Employment, Personnel, and Temporary Help Serv.
 Exterminating Services
 Interior Decorator and Consulting Services
 Mailing, Reproduction, and Commercial Art Serv.

Management, Consulting, and Public Relations Services
News Syndicates
Photofinishing Services
Research and Development Laboratories Trading Stamp Services
Travel Agencies
Vehicular and Equipment Rental and Leasing Services
Membership Organizations: *Automobile Clubs; Better Business Bureaus; Chamber of Commerce; Labor Unions; Political Organizations; Professional Associations*

13. **General Personal Service:** Includes the provision to individuals of informational and instructional services and the provision of care and maintenance for personal items. These activities do not include storing or selling goods or chattel unless otherwise permitted herein.

Catering Services Clothing Rental Agencies Health Spas
Laundry, Cleaning, and Garment Serv.
Miscellaneous Personal Services Photographic Studios
Shoe Repair and Hat Cleaning Shops
Special Training and Schooling Services: *Art and Music Schools; Barber and Beauty Schools; Business Schools; Dancing Schools/Exercise Studios; Driving Schools*

14. **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.

Antique and Second-Hand Merchandise Stores Automotive Parts (no exterior storage)
Camera Store
Candy, Nut and Confectionery Stores
Children's and Infant's Stores
Dairy Products Stores Department Stores
Drapery, Curtain, and Upholstery Stores
Drug Stores and Proprietary Stores
Family Clothing Stores
Floor Covering Stores Florists
Fruit Stores and Vegetable Markets
Furniture Stores
Furriers and Fur shops
Gift Shops
Grocery Stores
Hardware Stores
Hobby, Toy, and Game Stores
Household Appliance Stores

Jewelry Stores
 Liquor Stores Luggage Shops
 Meat and Seafood Markets
 Men's and Boy's Clothing and Furnishing Stores
 Music Stores
 News Stands
 Radio and Television Stores Retail Bakeries
 Sewing and Piece Goods Stores Shoe Stores Sporting Goods Stores Tobacco Shops
 Variety Stores
 Women's Accessory and Specialty Stores
 Women's Ready-to-Wear Store
 Miscellaneous Apparel and Accessory Stores: *Bathing Suit Stores; Custom Tailors; Sports Apparel Stores; Uniform 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 Shop
 Lamp and Shade Shop
 Paint and Wallpaper Stores

15. **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 (five hundred (500) or more) or that have a substantial potential impact upon adjoining property. *Examples include Amusement Parks, Commercial Campgrounds, Commercial Resorts, Commercial Sports Arenas, and Playing Fields.*

16. **Medical and Professional Services:** Includes the provision of therapeutic, preventive, or corrective personal treatment services by physicians, dentists, and other practitioners, as well as testing and analysis and the offices of various other professionals, the service of which is provided in an office environment.

Accounting, Auditing, & Bookkeeping Services
 Artist Studios (Excluding Commercial Artists)
 Attorneys & Law Offices
 Chiropractor Offices
 Consulting Scientists
 Dental Offices & Laboratories
 Educational & Scientific Research Services
 Engineering & Architectural Services Optometrists

Physicians' Offices & Clinics (Out Patient Services)
Physiologists & Psychotherapists
Urban Planning Services
Writers and Lecturers

17. **Transient Habitation:** Includes the provision of lodging services to transient guests, having at least seventy (70) percent of its accommodation available on a less-than-weekly basis, other than those classified as residential activities. *Examples: Hotels, Motels, Tourist Courts*

18. **Transport and Warehousing:** Includes the provision of warehousing, storage, freight handling, shipping, and trucking services. Examples:

Bus and Truck Maintenance and Repair
Food Lockers
General Warehousing
Household Goods Storage
Mini-Storage
Packing and Creating Services
Railroad, Bus, and Transient Terminals
Refrigerated Warehousing
Truck Terminals
Freight Handling Services

19. **Undertaking Services:** Include the provision of undertaking and funeral services involving the care and preparation of the human deceased before burial. *Examples include Funeral and Crematory Services.*

20. **Vehicular, Craft, and Related Equipment:** Includes the retail or wholesale sale or rental from the premises of vehicular and related equipment with incidental maintenance. *Examples include Boat and Motor Dealers, Mobile Home Dealers, Motorcycle Dealers, Recreational Vehicle & Utility Trailer Dealers.*

21. **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 excludes the sale or storage of motor vehicles, except for parts and accessories. These would include such uses as:

Apparel, Piece Goods & Notions
Beer, Wine & Distilled Alcoholic Beverages
Chemicals & Allied Products
Drugs, Drug Proprietaries, & Sundries
Electrical Goods & Appliances
Farm Products
Raw Materials
Farm Supplies
Furniture & Home Furnishings
Groceries & Related Products

Hardware, Plumbing, & Heating Equipment & Supplies Lumber & Other Construction Materials
Machinery, Equipment & Supplies Metals & Minerals
Motor Vehicles and Automotive Parts and Supplies Paper & Paper Products
Petroleum & Petroleum Products
Sporting, Recreational, Photographic, & Hobby Goods Tobacco & Tobacco Products
Toys & Supplies

22. **Manufacturing Activities.** Manufacturing activities include the on-site production of goods by methods other than agricultural or extractive in nature.

23. **Limited Manufacturing Activities.** Includes the following operations:

The manufacture, compounding, processing, assembling, packaging, treatment, or fabrication of the following products:

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

Activities and operations which include the following:

Book Binding
Data Processing Service
Photocopying Photoengraving
Precision Machining of Dies, Jigs, and Fixtures Printing
Publishing Upholstering Welding

24. **Intermediate Manufacturing Activities.** Includes the following:

The manufacture, compounding, processing, assembling, packaging, treatment, or fabrication of products, except for the following:

Cotton Seed Oil Explosives Fireworks
Organic Fertilizers

Other activities and operations, except for the following:

Abrasive, Asbestos, and Nonmetallic Mineral Processing Arsenals
Asphaltic Cement Plants Atomic Reactors
Automobile Wrecking Yards, Scrap and Waste Materials Cement and/or Concrete Plants

Chemical Manufacturing above One (1) Ton per Day Cotton Ginning
Fat Rendering Foundries Grain Milling
Junk Yards Offal Processing Ore Reduction Paper Mills
Petroleum Refining Pulp Manufacturing
Rolling and Finishing of Ferrous Materials Slaughtering of Animals
Smelting and Refining of Metals and Alloys Solid Waste Landfills (generated on-site only)
Steel Works (other than those listed) Tanning

25. **Extensive Manufacturing Activities.** Includes all intermediate manufacturing activities (described above) and the exceptions listed above, except as follows:

Arsenals
Atomic Reactors
Biosolids - Handling and Distribution Explosives Manufacturing and Storage
Fireworks Manufacturing
Hazardous Wastes Storage and/or Transfer Radioactive Waste Handling Solid Waste Landfills Solid Waste Processing and Recycling
Waste Incinerators, Including Hospital and Medical Waste Agricultural, Resources Production, and Extractive Activities

26. **Agricultural Services.** Include various activities designed to provide needed services for agricultural uses and are appropriately located in close proximity thereto.

Crop Drying, Storage, and Processing
Crop Planting, Cultivating, and Protection Services Horticultural Services
Livery Stables Riding Stables
Soil Preparation Services

27. **Commercial Feed Lots and Stockyards:** Include facilities and operations involved in the storage and feeding (other than pasture grazing) of animals for resale or slaughter.

28. **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 commercial feed lots and facilities for the processing, packaging, or treatment of agricultural products. *Examples include: Dairies, Farms, Raising of Plants, Animals, and Fish Gardens*

29. **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. *Examples include Forest Nursery, Plant Nursery*

30. Special Impact Facilities.

Airports, Air Cargo Terminals, Heliports, or Other Aeronautical Devices Arsenals

Atomic Reactors

Biosolids - Handling and Distribution Correction and Detention Institutions

Electricity Generating Facilities and Transmission Lines

Explosives Manufacturing and Storage

Fireworks Manufacturing

Garbage Incineration Plants, Including Cogeneration Facilities Sanitary Landfills

Hazardous Wastes Storage and/or Transfer Radioactive Waste Handling

Solid Waste Landfills

Solid Waste Processing and Recycling

Waste Incinerators, Including Hospital and Medical

ARTICLE VI
PROVISIONS GOVERNING
PLANNED UNIT DEVELOPMENT DISTRICTS
Repealed & Replaced by Ordinance #469 Effective Date March 5, 2024

Section

6.010 Purpose

6.020 Categories of Planned Unit Developments

6.030 Components of Planned Unit Developments

6.040 Essential Landscaping Requirements in Planned Unit Developments

6.050 Review Procedures

6.060 Application Requirements

6.010 Purpose. The purpose of the Planned Unit Development (PUD) chapter is to offer a framework allowing the Town to approve diverse development types, designs, or arrangements not permitted by traditional zoning. In such cases, applicants can propose developments guided by the Regulating Pattern Book, which, if accepted, replaces the existing zoning with specific guidelines and restrictions. The core objective of the PUD overlay zoning district is to promote innovative land planning, avoiding the potential monotony associated with large developments by:

1. Allowing flexibility in land development regulations to encourage innovative residential and non-residential development, meeting the growing demand for diverse housing and land use, including traditional neighborhood development.
2. Providing flexibility in architectural design, building placement, clustering, and the use of open areas, as well as considering circulation facilities, pedestrian and parking facilities, and related site design.
3. Encouraging the conservation of natural features, preservation of open space, critical and sensitive areas, and protection from natural hazards.
4. Ensuring efficient use of public facilities.
5. Encouraging and preserving opportunities for energy-efficient development and redevelopment.
6. Promoting attractive and functional environments for non-residential areas that harmonize with surrounding areas.
7. Accommodating exclusively residential, exclusively non-residential, or a compatible mix of residential and non-residential units.
8. Allowing increases in density beyond conventional zoning norms or offsetting reductions in developable lands through open space dedication.

6.020 Categories of Planned Unit Developments

Integration of Diverse Planned Unit Developments. The Planning Commission and Town Council have the authority to evaluate distinct Planned Unit Developments, including residential and commercial

components, under a unified Master Plan using a streamlined administrative process. This is contingent upon the entire tract being under the ownership of a single landowner and possessing sufficient land area to meet the combined requirements of the individual types.

A. **Residential:** Encompasses various densities, including single-family, duplex, and multi-family, as well as any combination thereof. White Bluff's goals for Residential Planned Unit Developments are:

1. Foster both innovative and proven development and design techniques that support affordable development options, offering a variety of housing types that harmonize with the surrounding areas. This includes clustering, zero lot line construction, reduced and/or consolidated parking, diminished road widths, and shared open space.
2. Extend flexibility beyond the traditional subdivision standards.
3. Create opportunities for a diverse range of housing choices.
4. Promote compatibility of new housing projects with existing neighborhoods.
5. Mandate that all housing projects provide adequate infrastructure and mitigation measures to ensure the proper provision of streets, parks, schools, and other public facilities.
6. Support a variety of densities consistent with the underlying zoning regulations.

B. **Commercial and Industrial Planned Unit Developments.** For commercial and industrial Planned Unit Developments (PUDs), the objectives of this chapter are as follows:

1. Incorporate best management practices for commercial and industrial development.
2. Ensure consistency in design, development, and the overall sense of place within commercial or industrial developments.
3. Foster synergy among users of commercial and industrial spaces within the Planned Unit Development, optimizing the consolidated use of resources to improve return on investments and contribute to infrastructure delivery and capacity.

C. **Live/Work Planned Unit Developments.** Live/work units can be authorized in any commercial zone through the commercial PUD process. Each live/work unit will undergo individual scrutiny and conditioning via the PUD process on a case-by-case basis, tailored to the specifics of each proposal. Additional conditions may be applied, considering the unique circumstances of the live/work unit and its proposed use in relation to the surrounding properties. The objectives of Live/Work PUDs are:

1. Live/work unit developments within the suitable zone should primarily be perceived as commercial operations, rather than predominantly residential environments with the capacity for conducting business.
2. The commercial component of the live/work unit is intended to serve as the primary use within the PUD.
3. The residential component of the live/work unit is intended to function as a secondary, accessory use within the PUD.

4. Impacts on the residential component will not be alleviated to the detriment of the business component.
5. Commercial uses within any PUD are allowed to exist within the zone without additional regulations due to the residential component of the live/work units on the site. Anticipated impacts associated with commercial or industrial uses, such as noise levels, vibrations, traffic, light, fumes, and public visits to the site, are expected in these areas.
6. The PUD shall be designed to minimize impacts on the residential portion of the live/work units, where feasible.
7. Encouragement is provided for the presence of multiple live/work units on one site.

6.030 Components of Planned Unit Developments.

All applications for Planned Unit Developments must address the following aspects of development:

- A. Ownership and Division of Land: Approval for a PUD may be sought by a property owner or by an individual or entity with a written option to purchase, including governmental agencies. The landowner of an adopted planned development may divide and transfer parts of the development, provided that the transferee agrees to complete, use, and maintain each part according to the approved PUD and provided that applicable tracts are properly subdivided per the Subdivision Regulations.
- B. Adequate Public Facilities: Approval of a PUD is contingent on the capacity of streets, utilities, and drainage features to serve the proposed development. The applicant must submit relevant studies and documentation demonstrating consultations with utility companies and governmental departments, ensuring adequate capacity. Any deficiencies must be addressed by the applicant.
- C. Landscaping Plan: Landscaping regulations aim to enhance the environment and visual character of the town. Preservation of existing trees and vegetation, along with the planting of new trees and vegetation, is encouraged. Native plants from Tennessee are preferred, and transitional areas between land uses should be established to minimize visual and environmental impacts.
- D. Connectivity:
 1. *Street System Connectivity*: An interconnected street system is essential for orderly development, emergency access, and continuous traffic routes. PUD applications should include a plan showing proposed connections to adjacent properties, compliance with ADA standards, and explanations for any impractical connections.
 2. *Bicycle/Pedestrian Connectivity*: Walkways within the PUD are required to promote pedestrian safety. The plan should provide pedestrian/bicycle access to open space areas and off-site amenities. Topographical challenges may be considered, and alternatives can be presented in the Regulating Pattern Book.
- E. Off-Street Parking: Off-street parking requirements must adhere to Zoning Ordinance standards, unless specified differently in the applicant's Regulating Pattern Book. A parking

study demonstrating the proposed off-street parking and its suitability for the intended uses may be submitted.

- F. Perimeter Requirements: PUDs should harmonize with surrounding residential neighborhoods through landscaping, screening, open space, architectural compatibility measures, density changes, and strategic building placement.
- G. Architectural Design: PUD architecture should exhibit cohesive planning and a clearly identifiable design feature throughout. While not restricting creativity, cohesion can be demonstrated through consistent building scale, materials, ground-level detailing, color, signage, functional systems, and outdoor spaces.
- H. Bulk Regulations: The Town Council may approve a development plan modifying lot size limits, setback requirements, height limits, lot coverage, and other bulk requirements. Any modifications must adhere to applicable building codes and be consistent with zoning regulations.
- I. Minimum Building Separation: Required building separation complies with building and fire codes. Adequate fire protection must be demonstrated for developments where building separation is less than 15 feet.
- J. Waiver of Board of Zoning Appeals Action: Approval of a PUD does not require action from the Board of Zoning Appeals.
- K. Open Space:
 1. *Required Open Space*: At least 25 percent of the gross project area in all PUDs must be designated as open space, with 50 percent of said area being Usable Open Space. Permitted uses in open space may include greenbelts, preservation of natural features, usable open space for active and passive recreation, and stormwater management facilities.
 2. *Areas Not considered open space or usable open space* include public street rights-of-way, private road access easements, or other easements involving roads, drives, or utility lines.
 3. *Phasing of open space and usable open space*: The phasing plan should coordinate the improvement and dedication of open space and usable open space in the development. No occupancy permits will be issued unless the open space and usable open space for that phase have been improved and dedicated.
 4. *Maintenance of Open Space and Usable Open Space*: If deeded to a property owners' association, a declaration of covenants and restrictions must be filed, including provisions for association setup, mandatory membership, permanent restrictions, responsibility for insurance, local taxes, facility maintenance, and cost-sharing.
- L. Recreation Plan: A recreation plan must accompany the Preliminary Master Development Plan for any residential PUD. It should outline anticipated market demographics, proposed recreation facilities, targeted age groups, specifications for each facility, and a direct relationship between facility size and user population characteristics.
- M. Dedication of Public Facilities: The Planning Commission and Town Council may require suitable areas for streets, utilities, public rights-of-way, schools, parks, and public areas to be set aside and/or dedicated to the Town of White Bluff.

N. Timing:

1. *Project Phasing*: The Town Council may permit PUD development in phases, with each phase designed to function as a standalone project if subsequent phases are not implemented as proposed and approved.
2. *Time extension for Concept Plans*: The owner or applicant may request time extensions for Concept Plans in one-year increments, not exceeding two years without re-approval from the Town Council. The Planning Commission may recommend modifications to comply with new regulations or address changes to surrounding properties.
3. *Inactive PUDs*: A PUD is considered inactive if certain conditions, such as the absence of an approved preliminary subdivision plat within one year, are met. Inactive PUDs may be subject to recommendations for extending, modifying, or removing development schedules, amending the concept plan, or rezoning the property to its former classification.

6.040 Essential Landscaping Requirements in Planned Unit Developments

Purpose: The purpose of landscaping in Planned Unit Developments (PUDs) is to enhance compatibility by introducing screens or buffers between different uses, mitigating potential adverse effects such as noise and undesirable views. This section aims to establish landscaping regulations that contribute to the town's environmental and visual character during the development process. The use of plant species native to the State of Tennessee is highly encouraged and preferred. Preserving existing trees and vegetation, along with planting new ones, serves to safeguard public and private investments and promotes high- quality development. Transition areas between land uses are essential to minimize adverse visual impacts, noise, light, and air pollution. Therefore, this section mandates landscaping to:

- A. Preserve existing trees and vegetation and replenish removed vegetation.
- B. Facilitate the creation of attractive and harmonious communities to enhance property values.
- C. Improve the visual quality of the town by minimizing negative development impacts.
- D. Reduce environmental impacts, including noise, air and light pollution, stormwater runoff, and soil erosion; improve soil and water quality, protect wildlife habitat, and decrease heat convection from impervious surfaces.
- E. Minimize conflicts between land uses, reduce visual impacts, create transitions between dissimilar land uses, and provide a sense of privacy.
- F. Establish standards for the location, spacing, quantity, type, size, protection, planting, and maintenance of landscape materials to achieve the listed objectives.

Applicability:

1. New Development: No new building, structure, or development shall be constructed, nor parking area created, without landscaping as required in this section.

2. **Changes to Existing Buildings, Structures, and Developments:** The requirements of this section apply to existing buildings, structures, and developments under specific circumstances:
3. **Change in Uses:** If there is a change in uses requiring rezoning, the entire building, structure, or development, including the parking area, must comply with this section.
4. **New and Separate Construction:** If a new and separate building, structure, development, or parking area is constructed on the same lot as an existing one, only the new components must meet the requirements of this section.

General Requirements:

- A. **Species:** For a list of allowable plantings, please refer to the Town of White Bluff Landscaping Manual, Ordinance #466, Effective January 1, 2024.
- B. **Landscaping Plan Requirements:** A landscaping plan is necessary as part of the PUD review process. If the total floor area exceeds 50,000 square feet or the applicant seeks an alternative compliance method, a licensed landscape architect must draw and stamp the plan. The plan should include:
 - a) **Project Information:** Total square footage, linear feet of property lines, building areas, parking, and vehicular use areas.
 - b) **Project Calculations:** Dimensional attributes and resulting planted areas.
 - c) **Location:** Proposed buildings, parking areas, access points, and vision triangles.
 - d) **Planting Details:** Location, size, and type of existing and proposed planting material.
 - e) **Tree Preservation Plan:** Details for protecting existing plants, critical root zones, and tree credits.
 - f) **Other Improvements:** Location and description of berms, fences, walls, and irrigation systems.
 - g) **Utility and Drainage:** Location of utility and drainage easements.
 - h) **Zoning Designation:** Designation of subject property and adjacent properties.
- C. **Landscaping Requirements for Parking and Vehicular Use Areas:** All off-street parking and vehicular use areas must have landscaping covering at least 10% of the entire area. Landscaping requirements include:
 - a) **Total Required Plant Material:** Multiply the off-street parking area's square footage by 10%, with specified planting ratios.
 - b) **Planting Area Location:** Must be located between parking sections, at the end of parking columns, near structures, along street frontage, or between parking spaces and property lines.
 - c) **Interior Landscaping:** Planting areas should provide shade, contribute to traffic circulation, and include landscaped parking islands.

- d) *Perimeter Landscaping*: Separation of parking areas from right-of-way and property lines, with additional landscaping along right-of-way or within the front yard setback. Grouped landscaping is encouraged for a naturalistic appearance.
- D. **Water Quality**: The use of water quality filters/swales within landscaping areas for enhanced stormwater drainage is encouraged and subject to approval by the Public Works Director.
- E. **Tree Protection During Construction**: Protective barricades must surround the critical root zone of designated trees before development activities commence and remain in place until activities are complete. The protection includes:
- A. *Barrier Installation*: A protective barrier or tree fence at a minimum height of 3 feet around the designated tree or grove.
 - B. *Protection Area*: The protected area must remain free of debris, construction materials, and vehicles.
 - C. *Compliance Enforcement*: Failure to comply may result in landscaping plan modification, requiring Town Council approval and possible review fees.
- F. **Existing Landscape Material**: Existing landscape material proposed to fulfill buffer yard/landscaping requirements must be shown on the required Landscaping Plan. Acceptable material may be used when it meets the Planning Director's requirements and achieves the section's objectives.
- G. **Utility and Drainage Easements**: Landscaping in utility easements requires written approval from the utility provider. If approved, the property owner must execute and record a covenant agreeing to plant material replacement if removed by the utility. Landscaping in drainage easements requires written consent from the Public Works Director.
- H. **Vision Triangle**: Required landscaping must incorporate vision triangles to maintain the visibility of pedestrians and motorists. Plants taller than 30 inches are not allowed within vision triangles.
- I. **Installation, Maintenance, and Enforcement**:
1. Timing and Surety Requirements: Landscaping must be installed before a Certificate of Occupancy is issued. The Director of Building Codes may authorize a delay for planting season conflicts, with a temporary certificate of occupancy issued. A Letter of Credit for 120% of the uncompleted landscaping cost must be submitted, to be released after landscaping installation.
 2. Certificates of Occupancy: A temporary certificate of occupancy will not be issued until a Letter of Credit is submitted. The bond must cover 120% of the uncompleted landscaping cost, with the bond released after landscaping installation.
 3. Installation Standards: All landscaping materials must be installed according to accepted construction and planting procedures, meeting standards for size, form, and quality.

4. Maintenance: The owner is responsible for proper maintenance, including weeding, mowing, watering, fertilizing, and pruning. Shrubs in buffer yards must not be pruned to a height less than 5 feet. Dead or damaged plants must be replaced within 60 days, and seasonal delays may be temporarily approved by the Director of Building Codes.
5. Alternative Methods of Compliance: In unique situations where strict compliance is impractical, an applicant may propose an alternative landscaping scheme. A written justification must be submitted, detailing the modifications, alternative methods, and how they meet or exceed requirements. The Planning Commission will review and grant final approval, denial, or approval with amendments based on site features, adjacent land use, proposed plantings, and the scheme's overall impact.

6.050 Review Procedures

Review Procedure: The review process for a Planned Unit Development (PUD) shall adhere to the following steps:

Step 1 – Preliminary Concept Meeting: The applicant is required to engage in a preliminary concept meeting with the Planning Department. During this meeting, the applicant must provide initial information, including proposed uses, site constraints, road access, utility availability, and proposed density. Staff will offer advisory comments, and although non-binding at this stage, applicants are encouraged to seriously consider these comments.

Step 2 - Pre-Application Conference/Pre-Planning Committee Meeting: A Pre-Planning Committee meeting will be held within 90 days of the preliminary concept meeting. The purpose is to review refined plans, formal application submittal requirements, and the neighborhood meeting. The applicant will provide preliminary information to the Planning Department in a specified format. The meeting will involve coordination with other relevant departments, and the schedule must align with the established Planning Commission Submittal and Review Calendar.

Step 3 - Neighborhood Meeting: Notice of the neighborhood meeting, including time and date, must be adequately provided to the Planning Department. Meetings shall be held at the Bibb Community Center. Efforts should be made to notify the community through local newspapers or informational letters distributed to area property owners. At a minimum, property owners within a 500-foot radius of the proposed PUD must receive informational letters. A written summary of the meeting, part of the Concept Plan application, is to be provided to the Planning Department. This summary should include the method used to notify the community and highlight primary concerns of neighboring property owners. Staff may submit a supplemental summary if necessary. The Planning Director may waive the neighborhood meeting requirement for modifications or reapplications under specific circumstances outlined in the procedure.

Step 4 – PUD Application: Within 90 days of the pre-application conference, the applicant must submit a formal application for review, following the PUD application requirements outlined in this

Article. Failure to apply within the specified timeframe necessitates restarting the review procedure from the pre-application conference (Step 2).

Step 5 – Planning Commission Review and Recommendation: The Municipal Planning Commission (Planning Commission) will review the PUD application, conduct a public meeting, and provide a recommendation to the Town Council within 60 days of the initial application consideration. The applicant may consent to an extension beyond the 60-day period, provided the consent is submitted in writing to the Planning Department.

Step 6 – Town Council Review: The Town Council will review the PUD application, hold a public hearing, and make the final decision per applicable zoning ordinance. While considering the Planning Commission's recommendation, the Town Council is not bound by the same. The Town Council may approve, deny, or approve with conditions. If more information is needed, the Council may defer the application for a specified period. The zoning map will be amended within 30 days after PUD approval.

Step 7 - Site Plan and Subdivision Plat Requirements: If approved, the PUD Regulating Pattern Book becomes the governing document for all future development within the established PUD zone. Site Plan review and Preliminary/Final subdivision plat review procedures, as per the Zoning Ordinance and Subdivision Regulations, will apply to future approvals, decided by the Municipal Planning Commission.

Other Possible Situations:

1. Modifications to a PUD: Following Town Council approval, modifications to the approved Master Plan may be necessary during PUD development. Minor modifications receive administrative approval from the Planning Director, while major modifications require Planning Commission and Town Council review, repeating the process outlined in Steps 3-7.

Procedure for Review: Developers seeking a variation to an approved PUD must submit a written request to the Planning Director, including a description of proposed changes, a modified concept plan, reasons for the amendment, and an explanation of how the modifications align with the original PUD intent. The Planning Director, within ten (10) business days, determines whether the proposed modification is major or minor based on specific criteria.

Major modifications include changes seeking to amend Town Council-required conditions, increase in dwelling or commercial units, alterations to maximum square footage in non-residential PUDs, modification of primary access points, reduction in open space, adjustments to bulk, height, and other expressly enumerated regulations in the Regulating Pattern Book. The Planning Director ultimately determines if the proposed modification is major or minor.

2. Re-application if Denied: If a PUD application is denied by the Town Council, re-application for the same property with the same Regulating Pattern Book is prohibited within nine (9) months

from the date of the previous application's final action, unless initiated by the Planning Department, Planning Commission, or the Town Council.

6.060 Application Requirements

Application Requirements: The submission of an application requires payment of a fee established by the White Bluff Town Council, subject to periodic adjustments. An application is not complete if any of the requirements below are not included or addressed in the submittal.

A. Regulating Pattern Book: All Regulating Pattern Books shall contain the following information:

1. Name, address, contact information of applicant and professional architect, planner, or engineer responsible for preparing the Regulating Pattern Book.
2. A Concept Plan which contains the following minimal information:
 - a) Location, shape and size of property or properties involved in the project.
 - b) The proposed street network within the project which shall include the location and proposed improvements of any road depicted on the Major Thoroughfare Plan.
 - c) The plan shall show all proposed connections to adjacent properties.
 - d) The location of proposed lots and an indication of the proposed use(s) for each lot.
 - e) The location of common open space, pedestrian/bicycle connections, areas proposed for public use (i.e., school, fire station).
 - f) For any nonresidential use, show the general location of proposed buildings, parking areas, loading zones, and screening.
3. Preliminary plat depicting any subdivisions or consolidation of parcels within the PUD area as well as final plat. Such plats shall be compliant with the Subdivision Regulations, including any applicable checklist provided therein.
4. List of allowed uses within the development.
5. List of exceptions from zoning and subdivision regulations that are otherwise applicable to the property including but not limited to setbacks, lot size, and street design.
6. A map showing the subject property, nearby structures, and adjoining properties, using a plot plan, aerial photograph, or a combination of both, within a two-hundred-foot radius. This map should also indicate the current uses of the surrounding properties.
7. A graphic rendering of existing natural features including but not limited to topography, soils, woodlands, wetlands, floodplain, and existing drainage patterns which affect the property.
8. A map showing available utilities, easements, roadways, rail lines and public right-of-way crossing and adjacent to the property.
9. Architectural renderings, architectural plans, or photographs of proposed structures with sufficient clarity to convey the appearance of proposed structures. The plan shall include a written description of proposed exterior building materials, including the siding and roof materials, porches, decks, and any proposed landscaping.
10. Proposed density of structures, residential & non-residential, per acre.
11. A tabulation of the number of lots which would be allowed under the existing zoning, providing a detailed explanation of how this tabulation was calculated.

12. A tabulation and description of amenities within the PUD, including the percentage of open space and usable open space.
13. If the PUD is proposed to be constructed in stages during a period extending beyond a single construction season, then a Phasing plan shall be established. The Phasing Plan shall include:
 - a) The approximate date when construction of the project will begin.
 - b) The order in which the phases will be built.
 - c) The minimum area and approximate location of common open space and public improvements will be required at each stage.
14. **Planned Unit Developments (PUDs) incorporating non-residential uses must furnish, alongside the aforementioned requirements, the subsequent information within the Regulating Pattern Book:**
 - a) A tabulation of maximum total square feet of building floor area proposed for commercial and industrial uses, by general type of use; and the maximum total land area, expressed in acres and as a percent of the total development area, proposed to be devoted to commercial and/or industrial uses.
 - b) A photometric plan of the nonresidential areas, complete with light cut sheets and lighting fixtures examples.
15. **Concept Plan:** The applicant shall submit one 24" x 36" copy of the Concept Plan, at 1" =40' scale.
16. **Continued Maintenance Assurance/Agreement:** The applicant is required to submit a proposed mechanism outlining how the perpetual maintenance of common open spaces or other communal elements will be ensured. This includes governance over the ongoing utilization and protection of the planned development. Any proposed restrictions or covenants intended for implementation in the development, as well as owner's association documents, must be officially submitted for documentation and approved by the Town Attorney.
17. **Owner's Association:**
 - a) All PUD applications are required to incorporate preliminary bylaws for an owners' association. Upon the approval of a PUD application, the applicant is obligated to convey, through deed, all private streets, sidewalks, walkways, curbs, gutters, stormwater drainage facilities, utilities, and any other common areas and open space areas to an owners' association.
 - b) Easements essential for serving and maintaining all property and utilities owned and/or maintained by the Town must be granted before final plat approval. These easements should be recorded separately and depicted on the face of the plat.
 - c) The owners' association shall be empowered to collect dues and assessments and is responsible for enforcing covenants, conditions, and restrictions, along with any rules and regulations deemed necessary for governing the development and use of each lot and common areas within the PUD.
 - d) The owners' association is prohibited from dissolution or conveying any property within the PUD without the explicit written approval of the White Bluff Town Council. In the event of an inactive owners' association, the Town is authorized to assess the costs of maintenance on individual property owners based on their pro rata share of the maintenance costs.

18. **Restrictive Covenants:** Preliminary covenants, conditions, and restrictions (CC&Rs) must be included in all PUD applications to clearly outline responsibilities for the operation and maintenance of commonly owned elements within the PUD. As a condition of PUD approval, the CC&Rs shall encompass the following provisions:
- a) Architectural control standards, subject to approval by a licensed architect.
 - b) Unified architectural control standards designed to maintain a cohesive architectural concept in terms of style, form, bulk, colors, and materials in conformance with the PUD standards outlined in the Master Plan.
 - c) Establishment of a coordinating architect, architectural review board, or a similar mechanism by the owners' association to review plans submitted by lot owners within the PUD, ensuring compliance with the architectural control standards.
 - d) Requirement for all lot owners to submit building and design plans to the established reviewing body before commencing construction on any lot within the PUD.
 - e) Submission of a landscape and lighting plan specifying the type, size, spacing, and maintenance schedule for all landscaping, including lighting elements, within the required buffer areas, open space areas, and other common areas.
 - f) Mandate for the owners' association and individual lot owners to bear financial and operational responsibility for the maintenance of all landscaping, buffer areas, and open space areas.
 - g) Obligation for all future lot purchasers within the PUD to sign an acknowledgment indicating their knowledge of and compliance with these maintenance responsibilities.
 - h) Inclusion of a Private Street Maintenance Plan if private streets are approved within the PUD, outlining responsibilities for their maintenance in the CC&Rs.
 - i) Maintenance of all street-related improvements, including but not limited to automobile travel lanes, parking areas, bicycle lanes, turn-around areas, sidewalks, curbs, gutters, catch basins, storm drainage facilities, streetlights, street signs, pavement markings, medians, planting areas, or similar improvements, by the owners' association if private streets are approved.
 - j) Authorization for the owner's association to recover all costs, including attorney's fees, incurred in any enforcement action.
 - k) Submission of a Stormwater Maintenance Plan indicating the location and type of private stormwater facilities to be owned and/or maintained, individually or collectively, by the owner(s) or tenant(s) of the PUD. The plan must also include the recommended schedule for inspections of these facilities. In cases where private stormwater facilities exist on individual lots, such as rain gardens, bio-swales, or similar, the maintenance plan shall include the design and a maintenance schedule for each facility.
19. **Documentation of Adequate Public Facilities:** The applicant is required to submit relevant studies, encompassing but not limited to traffic and environmental assessments. This documentation must confirm consultations with relevant utility companies and governmental departments and provide assurance that adequate capacity exists. Alternatively, the applicant must commit to upgrading the facilities as necessary. Irrespective of the Planned Unit Development's size or type, a Traffic Impact Study is mandatory as part of the PUD application

process. The Town's engineer will review the Traffic Impact Study, and the applicant is responsible for reimbursing the Town for the associated review costs.

20. **PUD Street Design Standards.** All streets shall be compliant with the Town of White Bluff development standards. In some instances, streets within a planned unit development may be private; provided, that the applicant can demonstrate the following:
- a) The planned unit development ensures adherence to minimum safety standards for emergency vehicle access.
 - b) It provides an adequate travel way width suitable for expected traffic levels, encompassing provisions for off-street and on-street parking, backing, vehicle stacking, pedestrian movements, bicycle movements, truck turning movements, and necessary improvements to accommodate public transit.
 - c) The street layout within the planned unit development aligns with the surrounding street system and does not hinder remote parcels of property from gaining access to the Town street system.
 - d) Approval of a private street does not have a detrimental impact on traffic circulation in the surrounding neighborhood or area.
 - e) Connectivity between the planned unit development and adjacent properties in similar zoning is facilitated, with the applicant ensuring feasibility where adjacent properties are developed.
 - f) The applicant demonstrates the capability to effectively maintain a private street system within the planned unit development.
 - g) Final plat documents reference any restrictive covenants related to private streets and include an acknowledgment statement reflecting Town policy to withhold consideration of private streets for dedication until they meet current minimum Town standards.
21. **Documentation of Neighborhood Meeting:** The applicant shall submit a summary of the neighborhood meeting, including a summary of voiced concerns and the developer's proposed response to those concerns.
22. **Recreation Plan.** A recreational plan must be formulated and submitted alongside the Preliminary Master Development Plan for any prospective Residential, Commercial, or Live/Work planned unit development. This plan is required to outline the general demographic characteristics of the expected market targeted by the proposed development. It should detail the proposed recreation facilities, specifying the age groups these amenities are intended to serve. Additionally, the plan should provide the number and detailed specifications of each type of recreational equipment and facility, with the size being directly proportional to the anticipated user population's age and number. These facilities may be designated for either: (1) Shared limited-use facilities designed to ensure privacy and controlled access exclusively for a specific residential clientele within the development or (2) Shared general-use recreation facilities accessible to all residents of the proposed development. Furthermore, all recreational equipment supplied should be of durable commercial-grade quality.

23. **Additional Information May Be Required:** The Town Council, Planning Commission, and Town Staff retains the authority to request supplementary information deemed essential for evaluating the PUD application and reaching an informed decision.

**ARTICLE VII
PROVISIONS GOVERNING FLOODPLAIN DISTRICTS**

SECTION

7.010 Statutory Authorization, Findings of Fact, Purpose, and Objectives

7.020 Definitions

7.030 General Provisions

7.040 Administration

7.050 Provisions for Flood Hazard Reduction

7.060 Variance Procedures

7.070 Legal Status Provisions

7.010 Statutory Authorization, Findings of Fact, Purpose, and Objectives

A. Statutory Authorization. The Legislature of the State of Tennessee has in Sections 13-7-201 through 13-7-210, Tennessee Code Annotated delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Town of White Bluff, Tennessee, Mayor, and Town Council, do ordain as follows:

B. Findings of Fact.

1. The Town of White Bluff, Tennessee, Mayor and its Legislative Body wishes to establish eligibility in the National Flood Insurance Program (NFIP) and in order to do so must meet the NFIP regulations found in Title 44 of the Code of Federal Regulations (CFR), Ch. 1, Section 60.3.
2. Areas of the Town of White Bluff, Tennessee 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.
3. Flood losses are caused by the cumulative effect of obstructions in floodplains, causing increases in flood heights and velocities; by uses in flood hazard areas which are vulnerable to floods; or construction which is inadequately elevated, floodproofed, or otherwise unprotected from flood damages.

C. 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:

1. Restrict or prohibit uses which are vulnerable to flooding or erosion hazards, or which result in damaging increases in erosion, flood heights, or velocities;
2. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;

3. Control filling, grading, dredging and other development which may increase flood damage or erosion;
4. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

D. Objectives. The objectives of this Ordinance are:

1. To protect human life, health, safety and property;
2. To minimize expenditure of public funds for costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in flood prone areas;
6. To help maintain a stable tax base by providing for the sound use and development of flood prone areas to minimize blight in flood areas;
7. To ensure that potential homebuyers are notified that property is in a flood prone area;
8. To establish eligibility for participation in the NFIP.

7.020 Definitions. Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application given its stated purpose and objectives.

"Accessory Structure" means a subordinate structure to the principal structure on the same lot and, for the purpose of this Ordinance, shall conform to the following:

- A. Accessory structures shall only be used for parking of vehicles and storage.
- B. Accessory structures shall be designed to have low flood damage potential.
- C. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.
- D. Accessory structures shall be firmly anchored to prevent flotation, collapse, and lateral movement, which otherwise may result in damage to other structures.
- E. Utilities and service facilities such as electrical and heating equipment shall be elevated or otherwise protected from intrusion of floodwaters.

"Addition (to an existing building)" means any walled and roofed expansion to the perimeter or height of a building.

"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" see "Special Flood Hazard Area".

"Base Flood" means the flood having a one percent chance of being equaled or exceeded in any given year. This term is also referred to as the 100-year flood or the one (1) percent annual chance flood.

"Basement" means any portion of a building having its floor subgrade (below ground level) on all sides.

"Building" 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 storage of equipment or materials.

"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 land masses. 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 initial floodplain management code or ordinance adopted by the community as a basis for that community's participation in the 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 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 Federal Emergency Management Agency (FEMA) 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 FEMA, 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 FEMA, 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 FEMA, 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 **"Flood" or "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 and 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- w at e r 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 floodplain 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.

"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, blockage of bridge or culvert 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
2. U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register.
3. 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.
4. 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
5. Individually listed on the Town of White Bluff, Tennessee inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
 - A. By the approved Tennessee 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.

"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 permanent 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". (See also definition for **Mobile Home** in ART II of this Ordinance)

"Manufactured Home Park or Subdivision" means a parcel (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 FEMA.

"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 the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

"National Geodetic Vertical Datum (NGVD)" means, as corrected in 1929, 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 on or after the effective date of the initial 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 on or after the effective date of this ordinance or the effective date of the initial floodplain management ordinance and includes any subsequent improvements to such structure.

"North American Vertical Datum (NAVD)" means, as corrected in 1988, 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 agencies.

"Reasonably Safe from Flooding" means base flood waters will not inundate the land or damage structures to be removed from the Special Flood Hazard Area and that any subsurface waters related to the base flood will not damage existing or proposed structures.

1. Built on a single chassis;
2. Four hundred (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;
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 Flood Hazard Area" 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.

"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 one hundred-eighty (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's, Local Planning Assistance Office, as designated by the Governor of the State of Tennessee at the request of FEMA to assist in the implementation of the NFIP for the State.

"Structure" for purposes of this Ordinance, means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

"Substantial Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

"Substantial Improvement" means any reconstruction, rehabilitation, addition, alteration, or other improvement of a structure in which the cost equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the initial improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial improvement, or (2) in the case of substantial damage, the value of the structure prior to the damage occurring. 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 fifty (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.

"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, the North American Vertical Datum (NAVD) of 1988, or other datum, where specified, of floods of various magnitudes and frequencies in the floodplains of riverine areas.

7.030 General Provisions.

- A. Application.** This Ordinance shall apply to all areas within the incorporated area of the Town of White Bluff, Tennessee.
- B. Basis for Establishing the Areas of Special Flood Hazard.** The Areas of Special Flood Hazard identified on the Town of White Bluff, Tennessee, as identified by FEMA, and in its Flood Insurance Study (FIS) Number 47043CV000A and Flood Insurance Rate Map (FIRM), Community Panel Numbers 47043C0190C, 47043C0260C, 47043C0280C and 47043C0300C, dated, September 25, 2009, along with all supporting technical data, are adopted by reference and declared to be a part of this Ordinance.
- C. Requirement for Development Permit.** A development permit shall be required in conformity with this Ordinance prior to the commencement of any development activities.
- D. 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.
- E. 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.

- F. 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.
- G. 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 damage. This Ordinance shall not create liability on the part of the Town of White Bluff, Tennessee or by any officer or employee thereof for any flood damage that resulted from reliance on this Ordinance, or any administrative decision lawfully made hereunder.
- H. 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. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon adjudication, therefore, be fined as prescribed by Tennessee statutes, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Town of White Bluff, Tennessee, from taking such other lawful actions to prevent or remedy any violation.

7.040 Administration.

- A. Designation of Ordinance Administrator.** The Building Official is hereby appointed as the Administrator to implement the provisions of this Ordinance.
- B. 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:
1. Application Stage
 - a. Elevation in relation to the mean sea level of the proposed lowest floor, including the basement, of all buildings where Base Flood Elevations are available or to a certain height above the highest adjacent grade when applicable under this Ordinance.

- b. Elevation in relation to mean sea level to which any nonresidential building will be floodproofed where Base Flood Elevations are available or to a certain height above the highest adjacent grade when applicable under this Ordinance.
 - c. A FEMA Floodproofing Certificate from a Tennessee-registered professional engineer or architect stating that the proposed nonresidential floodproofed building will meet the floodproofing criteria in Section 7.050, Subsections A and B.
 - d. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
2. Construction Stage. Within AE Zones, where Base Flood Elevation data is available, any lowest floor certification made relative to mean-sea-level shall be prepared by or under the direct supervision of, a Tennessee registered land surveyor and certified by same. The Administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a nonresidential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same. Within approximate A Zones, where Base 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. The Administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a nonresidential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same. For all new construction and substantial improvements, the permit holder shall provide to the Administrator an as-built certification of the lowest floor elevation or floodproofing level upon the completion of the lowest floor or floodproofing. 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.

C. Duties and Responsibilities of the Administrator. Duties of the Administrator shall include, but not be limited to, the following

- 1. Review 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. Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.

3. Notify 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 submit evidence of such notification to FEMA.
4. For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to FEMA to ensure accuracy of community FIRMs through the Letter of Map Revision process.
5. Assure that the flood carrying capacity within an altered or relocated portion of any watercourse is maintained.
6. 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 and substantially improved buildings, in accordance with Section 7.040, Subsection B.
7. Record the actual elevation, in relation to mean-sea-level or the highest adjacent grade, where applicable to which the new and substantially improved buildings have been floodproofed, in accordance with Section 7.040, Subsection B.
8. When floodproofing is utilized for a nonresidential structure, obtain certification of design criteria from a Tennessee registered professional engineer or architect, in accordance with Section 7.040, Subsection B.
9. 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), 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.
10. When Base Flood Elevation data and floodway data have not been provided by FEMA, 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 Town of White Bluff, Tennessee FIRM meet the requirements of this Ordinance.
11. Maintain all records pertaining to the provisions of this Ordinance 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.

7.050 Provisions for Flood Hazard Reduction.

- A. General Standards.** In all areas of special flood hazard, the following provisions are required:
1. New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure;
 2. Manufactured homes shall be installed using methods and practices that minimize flood damage. They must be elevated and anchored to prevent flotation, collapse, and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top

or frame ties to ground anchors. This requirement is in addition to applicable State of Tennessee and local anchoring requirements for resisting wind forces.

3. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
4. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
5. 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;
6. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
7. 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;
8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
9. 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.
10. 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.
11. All new construction and substantial improvement proposals shall provide copies of all necessary Federal and State permits, including Section 404 of the Federal Water Pollution Control Act amendments of 1972, 33 U.S.C. 1334;
12. All subdivision proposals and other proposed new development proposals shall meet the standards of Section 7.050, Subsection B;
13. When proposed new construction and substantial improvements are partially located in an area of special flood hazard, the entire structure shall meet the standards for new construction.
14. When proposed new construction and substantial improvements are located in multiple flood hazard risk zones or in a flood hazard risk zone with multiple Base Flood Elevations, the entire structure shall meet the standards for the most hazardous flood hazard risk zone and the highest Base Flood Elevation.

B. Specific Standards. In all Areas of Special Flood Hazard, the following provisions, in addition to those set forth in Section 7.050, Subsection A, are required:

1. Residential Structures. In AE Zones, where Base Flood Elevation data is available, new construction and substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement, elevated to no lower than one (1) foot 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 shall be provided in accordance with the standards of this section: “Enclosures”.

Within approximate 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 to a level of at least three (3) feet above the highest adjacent grade (as defined in Section 7.020). 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 shall be provided in accordance with the standards of this section: “Enclosures”.

2. Nonresidential Structures. In AE Zones, where Base Flood Elevation data is available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than one foot above the level of 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 shall be provided in accordance with the standards of this section: “Enclosures”.

In approximate A Zones, where Base Flood Elevations have not been established and where alternative data is not available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than three (3) feet above the highest adjacent grade (as defined in Section 7.020). 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 shall be provided in accordance with the standards of this section: “Enclosures”.

Nonresidential buildings located in all A Zones may be floodproofed, 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 Tennessee 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 7.040, Subsection B.

3. Enclosures. All new construction and substantial improvements that include fully enclosed areas formed by foundation and other exterior walls below the lowest floor that are subject to flooding, shall be designed to preclude finished living space and designed to allow for the entry and exit of flood waters to equalize hydrostatic flood forces on exterior walls automatically. Designs for complying with this requirement must either be

certified by a Tennessee professional engineer or architect or meet or exceed the following minimum criteria:

1. Provide a minimum of two openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding;
2. The bottom of all openings shall be no higher than one (1) foot above the finished grade;
3. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
4. The enclosed area shall be the minimum necessary to allow for parking of vehicles, storage or building access.
5. The interior portion of such enclosed area shall not be finished or partitioned 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 7.050, Subsection B.

4. Standards for Manufactured Homes and Recreational Vehicles

- a) 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.
- b) All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that either:
 1. In AE Zones, with Base Flood Elevations, the lowest floor of the manufactured home is elevated on a permanent foundation to no lower than one (1) foot above the level of the Base Flood Elevation or
 2. In approximate A Zones, without Base Flood Elevations, the manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least equivalent strength) that are at least three (3) feet in height above the highest adjacent grade (as defined in Section 7.020).
- c) Any manufactured home, which has incurred “substantial damage” as the result of a flood, must meet the standards of Section 7.050, Subsections A and B.
- d) All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
- e) All recreational vehicles placed in an identified Special Flood Hazard Area must either:
 1. Be on the site for fewer than one hundred-eighty (180) consecutive days;
 2. 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), or
 3. The recreational vehicle must meet all the requirements for new construction.

5. Standards for Subdivisions and Other Proposed New Development Proposals.
Subdivisions and other proposed new developments, including manufactured home parks, shall be reviewed to determine whether such proposals will be reasonably safe from flooding.

- a) All subdivision and other proposed new development proposals shall be consistent with the need to minimize flood damage.
- b) All subdivision and other proposed new development proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- c) In all approximate A Zones require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than fifty (50) lots or five (5) acres, whichever is the lesser, include within such proposals Base Flood Elevation data (See Section 7.050, Subsection E).

6. Standards for Special Flood Hazard Areas with Established Base Flood Elevations and with Floodways Designated

Located within the Special Flood Hazard Areas established in Section 7.030, Subsection B, 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 development 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 shall not result in any increase in the water surface elevation of the Base Flood Elevation, velocities, or floodway widths during the occurrence of a base flood discharge at any point within the community. A Tennessee registered professional engineer must provide supporting technical data, using the same methodologies as in the effective Flood Insurance Study for the Town of White Bluff, Tennessee, and certification, thereof.
- b) New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Section 7.050, Subsections A and B.

7. Standards for Areas of Special Flood Hazard Zones AE with Established Base Flood Elevations but Without Floodways Designated

Located within the Special Flood Hazard Areas established in Section 7.030, Subsection B, 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 construction and substantial improvements shall be located within areas of special flood hazard, unless certification by a Tennessee 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 and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Section 7.050, Subsections A and B.

8. Standards for Streams Without Established Base Flood Elevations and Floodways (A Zones)

Located within the Special Flood Hazard Areas established in Section 7.030, Subsection B, where streams exist, but no base flood data has been provided and where a Floodway has not been delineated, the following provisions shall apply:

- a) The Administrator shall obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from any Federal, State, or other sources, including data developed as a result of these regulations (see 2, below), as criteria for requiring that new construction, substantial improvements, or other development in approximate A Zones meet the requirements of Section 7.050, Subsections A and B.
- b) Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than fifty (50) lots or five (5) acres, whichever is the lesser, include within such proposals Base Flood Elevation data.
- c) Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, 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 (as defined in Section 7.020). All applicable data including elevations or floodproofing certifications shall be recorded as set forth in Section 7.040, Subsection B. Openings sufficient to facilitate automatic equalization of

hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Section 7.050, Subsection B.

- d) Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, 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 Tennessee 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 Town of White Bluff, Tennessee. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.
 - e) New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Section 7.050, Subsections A and B. Within approximate A Zones, require that those subsections of Section 7.050, Subsection B, dealing with the alteration or relocation of a watercourse, assuring watercourse carrying capacities are maintained and manufactured homes provisions are complied with as required.
9. Standards for Areas of Shallow Flooding (AO and AH Zones). Located within the Special Flood Hazard Areas established in Section 7.030, Subsection B, 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, in addition to those set forth in Section 7.050, Subsections A and B, apply:
- a) All new construction and substantial improvements of residential and nonresidential buildings shall have the lowest floor, including basement, elevated to at least one (1) foot above as many feet as the depth number specified on the FIRM's, in feet, above the highest adjacent grade. If no flood depth number is specified on the FIRM, the lowest floor, including basement, shall be elevated to at least three (3) feet above the highest adjacent grade. Openings sufficient to facilitate automatic equalization of hydrostatic flood forces on exterior walls shall be provided in accordance with standards of Section 7.050, Subsection B.
 - b) All new construction and substantial improvements of nonresidential buildings may be floodproofed in lieu of elevation. The structure together with attendant utility and

sanitary facilities must be floodproofed and designed watertight to be completely floodproofed to at least one (1) foot above the flood depth number specified on the FIRM, 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 on the FIRM, the structure shall be floodproofed to at least three (3) feet above the highest adjacent grade. A Tennessee 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 accordance with Section 7.040, Subsection B.

- c) Adequate drainage paths shall be provided around slopes to guide floodwater around and away from proposed structures.

10. Standards for Areas Protected by Flood Protection System (A-99 Zones). Located within the Areas of Special Flood Hazard established in Section 7.030, Subsection B, are areas of the 100-year floodplain protected by a flood protection system but where Base Flood Elevations have not been determined. Within these areas (A-99 Zones) all provisions of Sections 7.040 and 7.050, shall apply.

11. Standards for Unmapped Streams. Located within the Town of White Bluff, 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) No encroachments including fill material or other development including 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 Tennessee 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 a new flood hazard risk zone, and Base Flood Elevation and floodway data is available, new construction and substantial improvements shall meet the standards established in accordance with Sections 7.040 and 7.050.

7.060 Variance Procedures.

A. Municipal Board of Zoning Appeals

1. Authority. The Town of White Bluff, Tennessee Municipal Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Ordinance.

2. Procedure. Meetings of the Municipal Board of Zoning Appeals shall be held at such times, as the Board shall determine. All meetings of the Municipal Board of Zoning Appeals shall be open to the public. The Municipal Board of Zoning Appeals shall adopt rules of procedure and shall keep records of applications and actions thereof, which shall be a public record. Compensation of the members of the Municipal Board of Zoning Appeals shall be set by the Legislative Body.

3. Appeals: How Taken. An appeal to the Municipal Board of Zoning Appeals may be taken by any person, firm or corporation aggrieved or by any governmental officer, department, or bureau affected by any decision of the Administrator based in whole or in part upon the provisions of this Ordinance. Such appeal shall be taken by filing with the Municipal Board of Zoning Appeals a notice of appeal, specifying the grounds thereof. In all cases where an appeal is made by a property owner or other interested party, a fee of fifty (\$50) dollars for the cost of publishing a notice of such hearings shall be paid by the appellant. The Administrator shall transmit to the Municipal Board of Zoning Appeals all papers constituting the record upon which the appeal action was taken. The Municipal Board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to parties in interest and decide the same within a reasonable time which shall not be more than thirty- five (35) days from the date of the hearing. At the hearing, any person or party may appear and be heard in person or by agent or by attorney.

4. Powers. The Municipal Board of Zoning Appeals shall have the following powers:
 - A. Administrative Review.** To hear and decide appeals where it is alleged by the applicant that there is a n error in any order, requirement, permit, decision, determination, or refusal made by the Administrator or other administrative official in carrying out or enforcing any provisions of this Ordinance.

 - B. Variance Procedures.** In the case of a request for a variance the following shall apply:
 1. The Town of White Bluff, Tennessee Municipal Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Ordinance.
 2. Variances may be issued for the repair or rehabilitation of historic structures as defined, herein, 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 necessary deviation from the requirements of this Ordinance to preserve the historic character and design of the structure.
 3. In passing upon such applications, the Municipal Board of Zoning Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Ordinance, and:
 - a) The danger that materials may be swept onto other property to the injury of others;
 - b) The danger to life and property due to flooding or erosion;
 - c) The susceptibility of the proposed facility and its contents to flood damage;

- d) The importance of the services provided by the proposed facility to the community;
 - e) The necessity of the facility to a waterfront location, in the case of a functionally dependent use;
 - f) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - g) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - h) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - i) 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;
 - j) 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, water systems, and streets and bridges.
4. Upon consideration of the factors listed above, and the purposes of this Ordinance, the Municipal Board of Zoning Appeals may attach such conditions to the granting of variances, as it deems necessary to effectuate the purposes of this Ordinance.
 5. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

C. Conditions for Variances

1. Variances shall be issued upon a determination that the variance is the minimum relief necessary, considering the flood hazard and the factors listed in Section 7.060, Subsection A.
2. 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.
3. 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 Elevation will result in increased premium rates for flood insurance (as high as \$25 for \$100) coverage, and that such construction below the Base Flood Elevation increases risks to life and property.
4. The Administrator shall maintain the records of all appeal actions and report any variances to FEMA upon request.

Section 7.070 Legal Status Provisions.

1. Conflict with Other Ordinances. In case of conflict between this Ordinance or any part thereof, and the whole or part of any existing or future Ordinance of the Town of White Bluff, Tennessee, the most restrictive shall in all cases apply.

2. Severability. If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this Ordinance which is not of itself invalid or unconstitutional.
3. Effective Date. This Ordinance shall become effective immediately after its passage, in accordance with the Charter of the Town of White Bluff, Tennessee, and the public welfare demanding it.

**ARTICLE VIII
EXCEPTIONS AND MODIFICATIONS**

SECTION

8.010 Scope

8.020 Nonconforming Uses

8.030 Special Provisions Governing Nonconforming Buildings in Floodplain Districts

8.040 Bulk and Lot Size Noncompliance

8.050 Exceptions to Height Limitations

8.060 Lots of Record

8.070 Exceptions to Front Setback Requirements

8.080 Absolute Minimum Lot Size

8.090 Zero Lot Line Duplex Requirements

8.010 Scope. Article VI of this ordinance is devoted to providing for the necessary exceptions and modifications to the specific zoning district provisions and the supplementary provisions provided in Article IV and Article V.

8.020 Non-Conforming Uses. The districts established in this ordinance (as set forth in district regulations in Article V) are designed to guide the future use of land in White Bluff, Tennessee, by encouraging the development of desirable residential, commercial, and industrial areas with appropriate groupings of compatible, and related uses and thus promote and protect the public health, safety, and general welfare. As a necessary corollary, in order to carry out such purposes, nonconforming uses that adversely affect the development of such areas must be subject to certain limitations. The provisions governing nonconforming uses set forth in this article are therefore established to contain the existing undesirable conditions resulting from such incompatible nonconforming uses, which are detrimental to the achievement of such purposes. While such uses are generally permitted to continue, this ordinance is designed to restrict any expansion of such uses beyond the site that the use occupies upon the effective date of this ordinance. In the case of buildings or other structures not complying with the bulk regulations of this ordinance, the provisions governing noncomplying buildings or other structures set forth in this article are established in order to permit the continued use of such buildings or other structures, but to limit the creation of additional noncompliance or increase in the degree of noncompliance. These provisions are thus designed to preserve the character of the districts established in this ordinance in light of their suitability to particular uses and thus to promote public health, safety, and general welfare.

8.020.1 Provisions Governing Nonconforming Uses. The provisions of this article are applicable to all uses that are not permitted within the districts in which they are located. Additionally, buildings and other structures located within the floodplain are considered within the regulations of nonconforming uses.

8.020.2 Construction or Use Permit Approved Prior to Ordinance Adoption.

Nothing contained herein shall require any change in the overall layout, plans, construction, site, or designated use of any development, building, structure, or part thereof where official approvals and required building permits have been granted before the enactment of this ordinance or any amendment thereto, the construction of which, conforming with such plans, shall have been started prior to the effective date of this ordinance and completion thereof carried on in a normal manner within the subsequent six (6) months period, and not discontinued until completion except for reasons beyond the builder's control. In the event that the activity or construction of such building or other structures is not substantially underway and being diligently pursued within the six (6) month period following the issuance of a building permit, then such permit shall automatically lapse, and the provisions of this ordinance shall apply.

8.020.3 Repairs and Alterations. Nothing in this article shall prevent the strengthening or restoring to a safe condition of any part of any building or structure declared unsafe by proper authority.

8.020.4 Zone Lot Containing Nonconforming Use. A zone lot containing a nonconforming use shall not be reduced in area except to comply with Section 7.023.

8.020.5 Continuation of Nonconforming Use. Any nonconforming use which shall become nonconforming upon enactment of this ordinance, or any subsequent amendments thereto, may be allowed to continue in operation and be permitted provided that no change in use (see Section 7.026) is undertaken.

8.020.6 Change of Nonconforming Use.

- A. General Provisions.** For the purpose of this article, a change in use is a change to another use either under the same activity type or any other activity type or major class of activity; however, a change in occupancy or ownership shall not, by itself, constitute a change of use. A nonconforming use may be changed to any conforming use, and the applicable bulk regulations and accessory off-street parking requirements shall apply to such change of use or to alterations made in order to accommodate such conforming use.
- B. Land with Incidental Improvements.** In all districts, a nonconforming use of land not involving a building or structure or in connection with which any building or structure thereon is incidental or accessory to the principal use of the land shall be changed only to a conforming use.
- C. Nonconforming to Conforming Use.** Whenever a nonconforming use is changed to a conforming use, such use shall not thereafter be changed to a nonconforming use.

8.020.7 Expansion of Nonconforming Uses.

- A. General Provisions.** Any nonconforming use which shall become nonconforming upon enactment of this ordinance, or any subsequent amendments thereto, may be allowed to expand operations and construct additional facilities which involve an actual continuance and expansion of the nonconforming use provided that any such expansion shall not violate the provisions set out below.
- B. Land with Incidental Improvements.** In all districts, nonconforming use of land not involving a building or structure or in connection with which any building or structure thereon is incidental or accessory to the principal use of the land shall not be allowed to expand through the addition of buildings or other structures.
- C. Adequate Space for Expansion.** No expansion or any nonconforming use shall infringe upon or increase the extent of any infringement existing at the time of adoption of this ordinance upon any open space required by this ordinance.
- D. Expansion Limited.** Any expansion of a nonconforming use permitted under the provisions of this section shall take place only upon the zone lot(s) on which said use was operating at the time the use became nonconforming. Nothing within this provision shall be construed so as to operate to permit expansion of any nonconforming use through the acquisition and development of additional land.
- E. Expansion Upon Land Subject to Flood.** No expansion of any nonconforming use shall violate the provisions of Section 7.030.

8.020.8 Damage or Destruction

- A. General Provisions.** Any nonconforming use which shall become nonconforming upon enactment of this ordinance, or any subsequent amendments thereto, may be permitted to reconstruct damaged or destroyed facilities which involve any actual continuance of the nonconforming use provided that any such reconstruction shall not violate the provisions set out below.
- B. Change in Use Prohibited.** No reconstruction of damaged or destroyed facilities may occur which shall act to change the nonconforming use (as regulated in Section 8.026, above) to other than a permitted use.
- C. Land in Use Prohibited.** In all districts, when a nonconforming building or other structure or improvements located on "land with incidental improvements" (as defined by this ordinance) is damaged or destroyed to the extent of twenty- five (25) percent or more of the assessed valuation of all buildings, and other structure or other improvements located thereon (as determined from the assessment rolls effective on the date of damage or destruction), such

nonconforming use shall terminate and the tract of land shall therefore be used only for a conforming use.

- D. **Infringement upon Open Space Restricted.** No reconstruction of damaged or destroyed facilities utilized by a nonconforming use shall increase the extent of any infringement upon any open space required by this ordinance.
- E. **Reconstruction of Flood Damaged Property.** The provisions of Section 7.030 shall apply to the reconstruction of all buildings and structures associated with any nonconforming use located within floodplain districts.
- F. **Discontinuance.** When a nonconforming use of land or the active operation of substantially all the nonconforming uses in any building or other structure or tract of land is discontinued for a period of one (1) year, then the land or building or other structure shall thereafter be used only for conforming use. Intent to resume active operations shall not affect the foregoing provision.

8.030 Special Provisions Governing Non-Conforming Buildings within Floodplain Districts

8.030.1 General Provisions. In all districts or portions thereof, which extend into the floodplain districts as established by Article VII, any building or other structure or use which is not permitted by the floodplain district provisions shall become nonconforming upon the effective date of this ordinance, or subsequent amendment as applicable.

8.030.2 Enlargement of Buildings Within the Floodplain. A building or other structure that is nonconforming by reason of location within the floodplain shall not be enlarged or expanded but may be altered or repaired, as set forth in Section 7.020 or as may be expressly authorized by the Board of Zoning Appeals in order to incorporate floodproofing measures provided that such alteration will not increase the level of the 100- year flood or extend the normal life of such nonconforming building or structure.

8.030.3 Special Provisions Governing Reconstruction of Building or Structure Located Within the Floodplain District. Within the floodplain district, any building or structure in existence prior to the effective date of this ordinance that is hereafter destroyed or substantially damaged by any means may be reconstructed and used as before only if the following requirements are met:

- a) The reconstruction does not exceed the volume and external dimensions of the original structure or does not offer any greater obstruction to the flow of floodwaters than the original structure.
- b) Nonresidential structures may be reconstructed only if the lowest floor (including basement) elevation is at least one (1) foot above the level of the 100-year flood or the

structure is floodproofed (in accordance with the requirements of Subsection 4.054.8 to a height of at least one (1) foot above the level of the 100- year flood).

- c) Residential structures may be reconstructed only if the lowest floor (including the basement) of the structure is elevated to a point at least one (1) foot above the level of the 100-year flood.
- d) That no reconstruction or alteration permitted hereinunder shall result in any increase in the level of the 100-year flood.

8.040 Bulk and Lot Size Non-Compliance

8.040.1 General Provisions. The provisions of this article shall control buildings and other structures which do not meet the bulk or any other provisions applicable in the districts in which they are located except those provisions which pertain to activity or use.

8.040.2 Continuation of Use. The use of a noncomplying building or other structure or parcel may be continued except as otherwise provided by this article.

8.040.3 Repairs and Alterations. Repairs, incidental alterations, or structural alterations may be made in noncomplying buildings or other structures subject to the provisions of Subsection 8.040.4 through 8.040.6.

8.040.4 Enlargements or Conversion. A non-complying building or other structure may be enlarged or converted, provided that no enlargement or conversion may be made, which would either create new noncompliance or increase the degree of noncompliance of a building or other structure or parcel of any portion thereof.

8.040.5 Buildings Non-Compliant as to the Lot Area. If a building does not comply with the applicable district regulations on lot area per dwelling unit (lot area being smaller than required for the number of dwelling units on such zone lot), such building may be converted (except when in the floodplain district), provided that the deficiency in the required lot area is not thereby increased (for example, a noncomplying building on a lot of thirty-five hundred (3,500) square feet, which before conversion required a lot area of five thousand (5,000) square feet and was, therefore, deficient by fifteen hundred (1,500) square feet, can be converted into any combination of dwelling units allowed in the zoning district in question requiring a lot area of no more than five thousand (5,000) square feet).

8.040.6 Damage or Destruction of Noncomplying Uses. A non-complying building that is damaged or destroyed may be reconstructed, provided that the reconstruction will not either create new noncompliance or increase the degree of noncompliance of a building or structure or, parcel or portion thereof.

8.050 Exceptions to Height Limitations. The height limitations of this ordinance shall not apply to church spires, belfries, cupolas, and domes not intended for human occupancy, monuments, water towers, transmission towers, windmills, chimneys, smokestacks, conveyors, flag poles, radio towers, masts, and aerials.

8.060 Lots of Record. The following provisions shall apply to all existing lots of record:

- A. Where the owner of a lot consisting of one or more adjacent lots of official record at the time of the adoption of this ordinance does not own sufficient land to enable him to conform to the yard or other requirements of this ordinance, an application may be submitted to the Board of Zoning Appeals for a variance from the terms of this ordinance. Such lot may be used as a building site, provided, however, that the yard and other requirements of the district are complied with as closely as possible in the opinion of the Board of Zoning Appeals.
- B. No lot which is now or hereafter built upon shall be so reduced in area that the yards and open space will be smaller than prescribed by this ordinance, and no yard, court, or open space provided around any building for the purpose of complying with the provisions hereof, shall again be considered as a yard, court, or other open space for another building.
- C. Where two or more lots of record with a continuous frontage are under the same ownership, or where a substandard lot of record has continuous frontage with a larger tract under the same ownership, such lots shall be combined to form one or more building sites meeting the minimum requirements of the district in which they are located.

8.070 Exceptions to Setback Requirements. The front setback requirement of this ordinance for dwellings shall not apply to any lot where the average depth of existing setbacks on the developed lots located within one hundred (100) feet on each side of such lot is less than the minimum required front yard depth. In such cases, the front yard setback may be less than required but not less than the average of the existing depth for front yards on developed lots within one hundred (100) feet on each side of the lot. In residential districts, however, the setback shall in no case be less than fifteen (15) feet from the street right-of-way line.

8.080 Absolute Minimum Lot Size (Ord. #464). No lot in the Town of White Bluff shall be created that is less than the minimum dimensions required by the underlying zone.

8.090 Zero Lot Line Duplex Requirements. Zero lot line duplex dwellings shall be subject to the following requirements:

- 1. **Density Requirements.** The density of the development permitted shall be determined by the lot area required in an R-2 or R-3 District for a duplex or two-family structure or building type.

2. Parcel (Fee-Simple Lot) Requirements Area and Width Requirements. The Lot area and lot width of any parcel (fee-simple lot) may be variable, provided that no parcel shall be created that contains less than one-half (1/2) of the required lot area per structure or building type as stipulated in Subsection 8.090.1, above.

- A. Coverage Requirements. On any individual parcel of land, the area occupied by all buildings or structures thereon, including accessory structures, if any, shall not exceed thirty (30) percent of said parcel. All accessory structures shall be governed by the provisions of Section 3.100 and Subsections 5.061.2(B)(3) or 5.061.3(B)(6) of the Zoning Ordinance.
- B. Front, Rear, and Side Yard Requirements. The front and rear yard setback requirements shall be as specified in the R-2 and R-3 Zoning Districts of the Zoning Ordinance. Where required, side yard setbacks per each building type shall also follow the R- 2 and R-3 Zoning District Regulations. Such side yard setbacks are required at the end of each individual building or structure located within the development.
- C. Height Requirements. All developments utilizing zero side yards shall contain no more than one (1) story. The height requirements in Subsections 5.061.2(E)(4) or 5.061.3(E)(4) shall be followed.

3. Other Development Requirements.

- A. The exterior material of zero lot line dwellings shall be of such type and quality that it does not adversely affect adjacent dwellings.
- B. The side yard setbacks may be zero on any parcel provided that the parcel(s) adjacent to that (those) side yard(s) is (are) held under the same ownership at the time of initial construction.
- C. No zero-side yard shall be adjacent to any public or private right-of-way, nor shall it be adjacent to any parcel of land not being approved by the Board of Zoning Appeals for a zero-side yard development.
- D. No portion of a dwelling or structure's architectural features shall project over any property line.
- E. Where the same interior property line(s) is (are) utilized for the zero-side yard construction of any dividing structure(s), such dividing structure(s) shall consist of double walls separated by a minimum air space of two (2) inches.
- F. Where the same interior property line(s) is (are) utilized for the construction of any zero side yard structures, all the provisions of the Standard Building Code shall be met, and all such firewalls shall have a rating as required by the White Bluff Fire Department.
- G. All residential structures must contain a firewall between the various dwelling units, from the footing to the peak of the roof, of not less than two (2) hours fire rating. The firewall must be bisected by a line dividing each dwelling unit so that one-half (1/2) of the firewall is on each parcel.

H. Parking and Access Requirements.

1. There shall be two (2) parking spaces per individual parcel subdivided and special attention shall be directed to providing the required spaces in a manner that will minimize points of access onto the public road serving the development.
2. Every dwelling unit shall be located on a parcel fronting or adjacent to a public street. All structures shall be located on the various parcels so as to provide safe, convenient access for the provision of adequate fire protection to such parcels.

I. Utilities Requirements. All zero-side yard residential developments shall be served by public water and sanitary sewer services. Each parcel shall be served by separate utilities.

J. Location Requirements. In authorizing any development anticipated herein, as well as fully considering the criteria cited in Section 9.080 of the Zoning Ordinance, the Board of Zoning Appeals shall consider:

1. The nature, type, density, etc., of development adjoining and within the immediate vicinity of the proposed activity.
2. The location of the development with regard to major streets, and especially in regard to White Bluff's Major Thoroughfare Plan.
3. The availability of all public utilities (specifically including public sewer).
4. The adequacy of fire protection facilities.
5. The adequacy of deed covenants designed to assure the protection of potential purchasers, surrounding owners, and the community at large.

K. Contents of Deed Covenants. At the time of presentation of any final plat involving the use of the procedure contained within this section, deed covenants shall also be prepared, presented, and recorded, which, at a minimum, provide:

1. An agreement covering the status, including the ownership, maintenance, etc., of the common wall separating the units.
2. Adequate language is needed to ensure proper maintenance of any portion of the structure where maintenance must be shared (e.g., common roof). If the correction of a maintenance problem incurred in the dwelling unit on one parcel necessitates construction work or access on the dwelling unit of the other parcel, either parcel owner shall have an easement on the property of the other for the purpose of this construction. Each party shall contribute to the cost of restoration thereof in proportion to such use without prejudice, however, to the right of any such owner to call for a larger contribution from the others under any rule or law requiring liability for negligent or willful acts or omissions.
3. Adequate language to assure that any property divided under this provision shall be continuously subject to the unified plan under which it was originally approved. Such language shall so specifically include clear and precise statements whereby the purchaser is informed that the property may not be used in any manner which would have the effect of negating the unified plan under which original approval was granted and language indicating that the purchaser of any such parcel understands that in no

instance will any such parcel be viewed as a separate independent parcel for zoning purposes.

4. Adequate language covering any and all cross easements as necessary to assure the proper maintenance of all utility services.
 5. If a firewall is destroyed or damaged by fire or other casualty, any owner may restore it, and if the other owner thereafter makes use of the wall, they shall contribute to the cost of restoration thereof in proportion to such use without prejudice, however, to the right of any such owner to call for a larger contribution from the others under any rule or law requiring liability for negligent or willful acts or omissions. Either parcel owner shall have an easement on the property of the other for the purpose of reconstruction and protection of the remaining unity from the elements.
- L. **Subdivision Regulations.** All the requirements of the White Bluff Subdivision Regulations shall be met, as well as the granting of a special exception by the Board of Zoning Appeals allowing said zero-side yard developments before the development may qualify as legally approved. Preliminary subdivision plats shall designate no more than twenty (20) percent of their lots as zero-lot-line dwellings. Moreover, both preliminary and final subdivision plats shall designate specific lots as being "zero-lot-line developments lots," and the planning commission shall approve these locations.
- M. **Requirements for Review and Approval.** No development anticipated by the language contained herein shall be undertaken without an express grant of approval by the Board of Zoning Appeals acting under authority granted to the Board for the approval of special exceptions. Moreover, as stated above, the final subdivision plat of the project shall be submitted to and approved by the planning commission, as well as the required review of the entire project as a special exception by the Board of Zoning Appeals under Section 9.080 of the Zoning Ordinance.

8.100 Board of Zoning Appeals

A Town of White Bluff Board of Zoning Appeals (BZA) is hereby established in accordance with Tenn. Code Ann. §§ 13-7-205 through 13-7-208. The Town of White Bluff Board of Zoning Appeals shall consist of five (5) members, who shall be citizens of the Town but shall not be a member of the Town Council or the Planning Commission. The Town's Mayor shall appoint members and may fix their compensation and their terms, which shall be so arranged that the term of one (1) member will expire each year. The Town Council may remove any member upon cause. Vacancies shall be filled for an unexpired term in the same manner as the case of original appointment

1. **Procedure.** Meetings of the BZA shall be held at the call of the chair, and at such other times as the Board may determine. Such chair, or in his absence, the Vice Chair, may administer oaths and compel the attendance of witnesses. All meetings of the BZA shall be advertised and open to the public. In addition to providing public notice as required by state law and as set forth in this ordinance, town staff shall provide notice of the hearing matter, date and time, via certified mail, to the applicant or appellant and adjacent property owners of any property that may be affected by a

decision of the BZA. The BZA shall adopt rules of procedure and shall keep records of applications action taken thereon. The records and minutes shall be filed in the White Bluff Town Hall and shall be a public record.

2. **Appeals to the BZA.** An appeal to the White Bluff BZA may be taken by any person, firm, or corporation aggrieved by, any administrative decision made by town staff. Such appeal shall be taken by filing with the Town Recorder within thirty (30) days of receiving notice of the administrative decision, a notice of appeal specifying the grounds thereof. The Town Planner shall transmit to the BZA all papers constituting the record upon which the appeal was taken. The BZA shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any person or party may appear in person, by agent, or by attorney.

3. **Powers of the Board.** The BZA shall have the following powers:

A) **Administrative Review:** To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, permit, decision, determination, or refusal made by the Town Planner or other administrative official in the carrying out of enforcement of any provision of this ordinance.

B) **Special Exceptions:** To hear and decide applications for special exceptions as specified in this ordinance, hear requests for interpretation of the zoning map, and for decision on any special questions upon which the BZA is authorized to pass.

C) **Variances:** To hear and decide applications for variances from the requirements of the Zoning Ordinance.

4. **Rules and Regulations of the BZA.** The BZA may adopt rules for the conduct of its meetings. Such rules, if adopted, shall at the minimum require that:

A) The presence of three (3) members of the BZA shall constitute a quorum and the concurring vote of at least three (3) members of the BZA shall be necessary to deny or grant any application before the BZA.

B) No action shall be taken by the BZA on any case until after a public hearing and notice thereof. Said notice of public hearing shall be a legal notice published in a newspaper of general circulation in White Bluff at least ten (10) days before the hearing by the BZA. No hearing shall be considered and heard by the BZA less than fifteen (15) days after filing such appeal. If new information is uncovered regarding an action of the BZA that could not have been reasonably presented in a public hearing before the BZA, the BZA shall establish a date for the purpose of rehearing in accordance with the appropriate procedures herein.

- C) The BZA may call upon any other office or agency of the Town 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 BZA as may be reasonably required.
- D) The Planning Commission shall be permitted to submit an advisory opinion on any matter before the BZA and such opinion shall be made part of the record of such public hearing.
- E) Any officer, agency, or department of the Town or other aggrieved party may appeal any decision of the BZA to a court of competent jurisdiction as provided for by State law.
- F) Any decision made by the BZA on a special exception shall indicate the specific section of this ordinance under which the permit is being considered and shall state clearly the specific conditions imposed in granting such permit.
- G) 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 BZA, good, and sufficient cause being shown.
- H) At the public hearing of the case before the BZA, the appellant shall appear in his 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.

5. **Stay of Proceedings.** An appeal stays all legal proceedings in furtherance of the action appealed from, unless the Town Planner certifies to the BZA, 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 BZA or by a court of competent jurisdiction on application, on notice to the Town Planner, and on due cause shown.

6. **Liability of BZA Members, Town Planner, and Employees.** Any board member, building commissioner, or other employee charged with the enforcement of this ordinance, acting for White Bluff within the scope of the responsibilities assigned under this ordinance shall not thereby render himself liable personally, and is hereby relieved from all personal liability and shall be held harmless by the Town of any damage that may occur 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 BZA member, Town Planner, or employee, charged with the enforcement of any provision of this ordinance, shall be defended by legal representatives furnished by the Town until the final termination of such proceedings.

7. **Right of Entry upon Land.** Upon notice to property owners, the BZA, 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.

8. **Re-hearings.** The BZA shall hold no rehearing except on motion to reconsider the vote or on a written request for a hearing. If the motion to reconsider receives a majority affirmative vote, the BZA may vote on the motion to grant the request for a rehearing, subject to such conditions as the BZA may stipulate. No request to grant a rehearing will be entertained unless new evidence is submitted which could not reasonably be presented at the previous hearing. If the request for a rehearing is granted, the case shall be put on the calendar for a rehearing. In all cases, the request for a rehearing shall be in writing, reciting the reasons for the request and shall be duly verified and accompanied by the necessary data and diagrams. The persons requesting the rehearing shall be notified to appear before the BZA on a date to be set by the BZA. No rehearing for a variance shall be granted an applicant found by a court of competent jurisdiction to be in willful violation of the express provisions of a prior variance granted under the authority of this article.

9. **Variations.** The purpose of this procedure is to modify the strict application of the specific requirements of this ordinance in the case of exceptionally irregular, narrow, shallow, or steep lots, or other exceptional physical conditions, whereby such strict application would result in practical difficulty or unnecessary hardship. The variance shall be used only where necessary to overcome some obstacle, which is preventing an owner from using his property under this ordinance.

A) **Application.** After written denial of a permit, a property owner may make application for a variance, using any form, which might be made available by the BZA.

B) **Hearing.** Upon receipt of an application, the BZA shall hold a hearing to decide whether a variance to the ordinance provisions is, in fact, necessary to relieve unnecessary hardship. The Board shall consider and decide all applications for variances within thirty (30) days of such hearing and in accordance with the standards provided below. A fee, as determined by the Town of White Bluff Town Council, and included within the fee schedule posted in the Town Hall, shall be charged to cover review and processing of each application for a variance. The initial fee shall be set at \$100.00.

C) **Standards for Variations.** The BZA shall not grant a variance, except where special circumstances or conditions fully described in the findings of the BZA, do not apply generally in the district. The burden of showing that the variance should be granted shall be upon the person applying for the variance. In granting a variance, the BZA shall ascertain that the following criteria are met:

i. The particular physical surroundings, shape, are/or topographic conditions of the specific property involved 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.

- ii. The conditions upon which the petition for a variance is based would not be applicable, generally, to other property within the same district.
- iii. The granting of the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other land structures, or buildings in the same district.
- iv. The variance is the minimum variance that will relieve such difficulties or hardship and thereby make possible the reasonable use of the land, building, or structure.
- v. That the granting of the variance will not be detrimental to the public welfare, injurious to other property or improvements in the area in which the subject property is located, or a substantial impairment to the intent and purpose of the zoning district wherein such property is located or of the general provisions of this ordinance.
- vi. That the proposed variance will not impair an adequate supply of light and air to the adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety.
- vii. That the alleged difficulty or hardship has not been knowingly and intentionally created by any person having an interest in the property after the effective date of this ordinance.

D) Restrictions and Variances. 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.

Under no circumstances shall the BZA 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 said district.

The BZA may impose conditions and restrictions upon the premises benefited by a variance as may be necessary to comply with the provisions set out in 6601, C, above, to reduce or minimize the injurious effect upon surrounding property and better carry out the general intent of this ordinance. The BZA may establish expiration dates as a condition or as a part of any variances.

10. **Special Exceptions.**

The BZA establishes the following procedure to provide procedures for review of a proposed use as a conditional use or special exception. The procedure shall be the same whether review is required by this ordinance or whether a review is requested by the Town Planner to determine whether a proposed use is potentially noxious, dangerous or offensive.

- A. Application. An application shall be filed with the BZA for review. Said application shall show the location and intended uses of the site, the names of the property owners, existing land uses within two hundred (200) feet, and any other material pertinent to the request which the BZA may require.
- B. Hearing. Upon receipt of an application, the BZA shall hold a hearing to decide whether the proposed special exception can be operated without detriment to the property or surrounding land uses. The Board shall consider and decide all applications for variances within thirty (30) days of such hearing and in accordance with the standards provided below. A fee, as determined by the White Bluff Town Council, shall be charged to cover review and processing of each application.
- C. Restrictions. In the exercise of its approval, the BZA may impose such conditions upon the proposed uses of buildings or land as it may deem advisable in the furtherance of the general purposes of this ordinance.
- D. Validity of Plans. All approved plans, conditions, restrictions, and rules made a part of the approval of the Board shall constitute certification on the part of applicant that the proposed use shall conform to such regulations at all times.
- E. General Requirements. A special exception shall be granted provided the Board finds that the activity will not adversely affect area property and is so designed, located, and proposed to be operated so that the public health, safety, and welfare will be protected. Special exceptions must also conform to all applicable provisions of this ordinance for the district in which it is to be located and is within the provision of "Special Exceptions" as set forth in this ordinance.

Special Exceptions Appeals. Any person or agency of the Town government may appeal to a court of competent jurisdiction from the BZA decision as provided under statutes of the State of Tennessee. The judgment and findings of the BZA on all questions of fact that may be involved in any appeal, cause, hearing or proceeding under this article shall be final, and subject to review only for illegality or want of jurisdiction. A fee, as per the Fee Schedule posted in the Town Hall of White Bluff, shall be charged to cover review and processing of each application for a special exception.

APPENDICES

Appendix A:
Traffic Impact Study Guidelines
Ordinance #465, Effective Date 02/04/2024
Article 3, Section 3.090, Point G: Points of
Access

Traffic studies are an effective tool used to help White Bluff determine potential impacts to the operation of the surrounding roadway infrastructure. Two (2) types of traffic studies are described in these guidelines: 1) a Traffic Assessment and 2) a Traffic Impact Study.

The reviewing authority is the White Bluff Planning Commission (Planning Commission.) Written recommendations on the applicable traffic study will be provided from the Planning Director and consulting staff to the Planning Commission along with the applicable traffic study. As a preliminary step, a preapplication conference will be conducted between the Planning Director and applicant to determine the specifics of the assumptions for the applicable traffic study, including but not limited to: types of land uses to assume for trip generation, any access concerns, availability of traffic counts, and general familiarity with these guidelines and applicable land use controls used by White Bluff, and the processes involved.

A Traffic Assessment (TA) is designed to be a preliminary assessment of the potential impacts of a rezoning request but requires a reduced amount of effort to produce. This assessment will assist the Planning Commission in determining the amount of potential impact that exists for a proposed zoning change and included in its recommendation to the White Bluff Town Council for final decision on the zoning change.

A Traffic Impact Study (TIS) is a more detailed assessment document, requiring additional investigation and analysis. The TIS is required at the time of submission of a site plan, concept subdivision plan, preliminary plat, preliminary master plan, or any development as so determined by the Planning Director. A traffic impact study may include other relevant traffic studies, including but not limited to: signal warrant analysis, speed study, and signalized intersection level of service.

Either study categories are required to be performed and stamped by a Licensed Professional Engineer with experience in Traffic Engineering.

- 1. Traffic Assessment (TA) Study.** A Traffic Assessment shall be required for all annexation or rezoning applications if:
 - a. Such a request involves a parcel of land (or if multiple parcels are included, the collective parcels of land) that is five (5) acres or more; or
 - b. Any annexation or rezoning application so determined by the Planning Commission or the Planning Director to require a traffic assessment study.

The Planning Commission reserves the absolute discretion to request a Traffic Assessment to be submitted, regardless of the minimum acreage, due to the location of the site to be rezoned, potential foreseeable impact on existing public infrastructure, or other potential factors deemed appropriate to require the Traffic Assessment.

A Traffic Assessment shall not substitute for the Traffic Impact Study requirement, but its findings may contribute to the waiving of a Traffic Impact Study if so determined by the Planning Commission.

A Traffic Assessment is typically an analysis that includes the following sections:

- **General Site Description**
- **Trip Generation**
- **Roadway Conditions and Access Potential**
- **Conclusions**

General Site Description—This section should describe the size of the site (acreage and shape) requesting to be rezoned and details of the surrounding land uses and roadway access(es). This section should also state the specific zoning change requested, including existing zoning of the property(ies) in question and the proposed zoning for said property(ies).

Trip Generation—This section should calculate the Average Daily Traffic, morning peak hour traffic, and afternoon peak hour traffic that could potentially be generated by full development of the land use change. The maximum density allowed by the proposed zoning classification must be used when calculating the number of potential generated trips. The traffic engineering professional conducting the Assessment shall use information and procedures described in the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation manual.

Roadway Conditions and Access Potential—This section should determine the classification of all the roadways and public infrastructure surrounding the site as defined by the latest Major Thoroughfare Plan and the Subdivision Regulations of White Bluff Tennessee for roadway definitions (refer to Article VI, Definitions in the Subdivision Regulations.) The capacity and quality of the roadway(s) involved in the proposed development should have a roadway segment level of service calculation using the methods described in the latest edition of the Highway Capacity Manual. Traffic volumes may be acquired from Tennessee Department of Transportation (TDOT) annual counts. Any potential safety hazard(s) or access concern(s), including sight distance at intersecting roads, should be identified and calculated based upon approach speed on the adjacent road as well as and in addition to the procedures described in the latest edition American Association of State Highway Transportation Officials (AASHTO) manual.

Conclusions—This section must offer an engineering opinion of the ability of the surrounding road network/infrastructure to support the potential traffic generated by the proposed zoning change and future development.

Component of Rezoning Process: Unless waived by these Guidelines or the Planning Commission, the Traffic Assessment shall be considered part of an annexation or rezoning application process at the time of the application's final review and recommendation by the Planning Commission. Failure of the applicant to submit an approved Traffic Assessment or a written waiver shall result in the Planning Director and Staff's recommendation for Deferral of the annexation or rezoning. Deadline to submit it to the Planning Director shall be no less than thirty (30) days prior to the date when the Planning Commission shall consider the rezoning request.

The Planning Commission may waive the requirement of a Traffic Assessment based upon one or more of, but not limited to, the following conditions:

- The use remains the same, but the zoning is being changed to bring the zoning designation into conformance with the land use.
- The proposed rezoning results in fewer trips during the morning and evening road peak-hours at the entrances and key intersections along access routes compared to the same for the existing zoning.
- The proposed rezoning would result in less than an additional 100 trips in the peak hour at the driveway for the site compared to the existing zoning.

2. Traffic Impact Study (TIS). A Traffic Impact Study shall be required for the following:

- a. Any development in excess of 50,000 square feet of floor space;
- b. Any development project reasonably foreseeable to add 150 or more new traffic trips per day to the existing roads providing access to and out of the proposed development,
- c. Any planned unit development;
- d. Major Subdivisions (as defined in Subdivision regulations) including but not limited to concept plan or preliminary plat; or
- e. Any development so determined by the Planning Commission or the Planning Director to require a traffic impact study.

Waiver of Traffic Impact Study Requirement: Any traffic impact study required by these Guidelines may be waived by the Planning Director, subject to the review and consent of the Planning Commission, provided substantial evidence is presented in writing showing that the specific development proposed will not generate additional new traffic trips to warrant a Traffic Impact Study.

3. Traffic Impact Study Process

- a. Whenever a traffic impact study is required by these guidelines and the corresponding regulations and ordinances, the applicant shall be provided a written copy of the Traffic Impact Study Guidelines, Deadline to submit to the Planning Director shall be no less than thirty (30) days prior to the date when the planning commission shall consider whichever review item the study is requested for per Section 2 above.
- b. Either the applicant or the Director Planning may request a traffic scoping meeting with the applicant and transportation engineer preparing the traffic impact study.
- c. The project's traffic impact study shall be submitted to Planning Commission with sufficient time for the Planning Commissioners to thoroughly read and analyze the traffic impact study prior to the Planning Commission's consideration of the application which required the traffic impact study for the project.
- d. A completed and approved traffic impact study shall be a prerequisite to final approval of the application which required the traffic impact study for the project. To that end, all traffic studies required by these guidelines and the corresponding regulations and resolutions must be completed and approved prior to or concurrently with approval of the application which required the traffic impact study for the project.

If the traffic impact study does not contain all the information provided in these guidelines, the applicant will be notified, and a revised study must be submitted. If after the study has been accepted but the proposed development is significantly altered, a revised study will be required for a new review. If the development is

approved by the Planning Commission but is not completed within the vesting period, the traffic impact study shall be deemed expired and a new study will be required.

4. Contents and Methods. The Traffic Impact Study shall meet the following requirements:

- a. Project Description
 - i. Purpose and objectives of the study;
 - ii. Specific location, including description and area mapping;
 - iii. Current site conditions and proposed use (number of lanes, lane widths including road shoulders, roadway classifications, speed limit, ditching or curb and gutter, sidewalks, zoning, proposed development size and type of development, availability of essential utilities, directional signage, etc.);
 - iv. Locations of existing and proposed access point(s), distances between each access and nearby driveways, etc.; and
 - v. Phasing and proposed timing of each phase.
- b. Examination of all signalized intersections within one-half (1/2) mile of the site, including major thoroughfares. List the Level of Service (LOS) for the overall intersection for signalized intersections and the LOS for all critical turning movements for unsignalized intersections. LOS calculations should be based on the latest Highway Capacity Manual. For any intersections operating at LOS E or F, determine if there are feasible measures to improve the traffic operations.
- c. Baseline Traffic Counts (i.e., existing traffic counts) shall be based on actual field data of current trip counts as follows:
 - i. A typical weekday not on a state or federal holiday, and not during any period of uncommon circumstances that may render the baseline traffic erroneously high or low compared to a typical weekday;
 - ii. If any school or schools are located within one-half (1/2) mile of the site or within one-half (1/2) mile of a signalized intersection within the site traffic impact study area, then in addition to all other applicable requirements, traffic counts shall be taken on a day when such schools are in session;
 - iii. AM Peak 6:00 am to 9:00 am;
 - iv. Noon Hour 12:00 pm to 1:00 pm; and
 - v. PM Peak 4 pm to 7:00 pm.
- d. Project-generated traffic shall be determined using the data and methodology defined in the Institute of Transportation Engineers (IT E) "Trip Generation Manual," 10th Edition, or the latest edition.
- e. Traffic forecasts for projects planned or under construction within one-half (1/2) mile of the site.
- f. Horizon Date, i.e., future date when proposed project is anticipated to become operational:
 - i. Three (3) and five (5) year forecasts for existing and project generated traffic provided by the Tennessee Department of Transportation (T DOT) for the five (5) counting periods prior to the study year. If such counts are not available, projections shall be based on special counts factored by an increase of three and one-half percent (3.5%) per year to reach the required projection year;

- ii. A traffic impact study shall be updated with a new revised horizon date whenever the proposed project is not fully operational by the end of the latest Horizon Date set forth in the project traffic impact study.
- g. Cumulative Impacts: Reasonably foreseeable traffic impacts generated by previously approved projects or projects under construction in the study area that are not yet operational but which are expected to be operational within the Horizon Date of the proposed project.
 - i. Cumulative Projects List: The Planning Director shall provide the applicant a list of all recently approved projects and projects under construction within the traffic impact study area of the proposed project, and assist the applicant in obtaining an identical list from any other municipal jurisdictions within the study area; and
 - ii. The cumulative project trip generation shall be the existing baseline trips, project-related trips, project future growth trips, and trips generated by all projects on the Cumulative Projects List.
- h. Passenger Car Equivalency Calculations
 - i. In counting project-generated traffic trips and cumulative project traffic trips, busses, construction-type trucks, three or more axle trucks, and/or any other vehicles that have greater per-vehicle traffic impacts than the per-vehicle impacts of passenger cars shall not be counted equal to passenger car trips.
 - ii. Traffic studies shall employ passenger equivalency calculations of not less than 2 to 1 and adjustments to the trip calculations and impact assessments to account for the greater per-vehicle impacts of busses, construction-type trucks, three or more axle trucks, and/or any other vehicles that have greater per-vehicle traffic impacts than the per-vehicle impacts of passenger cars.
- i. *Conclusions and Recommendations.* Identify and include of the following details provided by this traffic impact analysis:
 - i. Any recommended roadway improvements, including roadway widening, turn lanes/deceleration lanes, new roadway connections and extensions, etc. Specify turn lane storage lengths, taper and transition lengths, and lane widths.
 - ii. Any modifications to existing or additions of new traffic control devices. Include from the LOS analysis if there are prescribed measures to improve the LOS.
 - iii. A list of site access evaluations and recommendations,
 - iv. Scheduled improvements to be performed by a governmental entity. Clearly identify the funding sources for these improvements.
 - v. Timing for the completion of the recommendations. Timing should be based on logical construction phasing for buildout schedule and when the improvements are needed.

**Appendix B: Approved Native Plant Landscaping List
Ordinance #466. Effective Date December 5, 2023**

**Appendix - Approved Native
Plants TN**

Scientific Name	Common name	Other Common Names	Type
Adiantum pedatum	Northern Maidenhair	maidenhair fern, maidenhair	Fern
Asplenium platyneuron	Ebony Spleenwort		Ferns
Athyrium filix-femina	Common Ladyfern	ladyfern, lady fern, asplenium lady fern, red stem fern, sou	Ferns
Cheilanthes (Myriopteris) lanosa	Hairy Lip Fern		Ferns
Cystopteris protrusa	Lowland Bladder Fern		Ferns
Dennstaedtia punctilobula	Eastern Hayscented Fern	easten hay-scented fern, hayscented fern	Ferns
Dryopteris goldieana	Goldie's Woodfern	Goldie's shield fern, giant woodfern, Goldie's fern	Ferns
Dryopteris intermedia	Intermediate Woodfern	glandular wood fern, evergreen wood-fern, fancy wood fer	Ferns
Dryopteris marginalis	Marginal Woodfern	marginal fern, marginal shield fern, marginal wood fern, lee	Ferns
Dryopteris x australis	Dixie Woodfern		Ferns
Onoclea sensibilis	Sensitive Fern	bead fern, sympathy fern	Ferns
Osmunda cinnamomea	Cinnamon Fern		Ferns
Osmunda claytoniana	Interrupted Fern		Ferns
Osmunda regalis	Royal Fern	locust leaf fern, flowering fern	Ferns
Polystichum acrostichoides	Christmas Fern		Ferns
Pteridium aquilinum	Bracken Fern		Ferns
Thelypteris noveboracensis	New York Fern	tapering fern	Ferns
Woodwardia areolata	Netted Chainfern		Ferns
Andropogon gerardii	Big Bluestem	bluejoint beardgrass, bluejoint, turkeyfoot	Grasses & Sedges
Andropogon glomeratus	Bushy Bluestem	bush bluestem, bushy beardgrass, brushy bluestem	Grasses & Sedges
Andropogon ternarius	Splitbeard Bluestem	silvery beardgrass, split bluestem, feather bluestem	Grasses & Sedges
Andropogon virginicus	Broomsedge Bluestem	broom sedge, popotillo, whiskey grass, yellow bluestem	Grasses & Sedges
Botboschoenus fluviatilis	River Bulrush		Grasses &

Carex annectens	Yellowfruit Sedge		Sedges & Sedges
Bouteloua curtipendula	Sideoats Grass	sideoats grass	Grasses & Sedges
Carex appahtica	Appahtian Sedge		Sedges
Carex blanda	Eastern Woodland Sedge	common woodland sedge, common wood sedge	Grasses & Sedges
Bromus pubescens	Hairy Woodland Brome	hairy brome grass	Grasses & Sedges
Carex brevior	Shortbeak Sedge	straw sedge, plains oval sedge, fescue sedge	Sedges
Carex bromoides	Brome-Like Sedge	brome hummock sedge	Grasses & Sedges
Calamagrostis canadensis	Bluejoint	bluejoint reedgrass, Canada bluejoint, canadian reedgrass	Grasses
Carex buxbaumii	Buxbaum's Sedge	brown bog sedge	Grasses & Sedges
Carex cherokeensis	Whitening Sedge	wolf tail sedge, wolf tail sedge	Grasses & Sedges
Carex composita	Eastern Sedge	bristly sedge, porcupine sedge	Grasses & Sedges
Carex crinita	Fringed Sedge		Grasses & Sedges
Carex cristatella	Crested Sedge	crested oval sedge	Grasses & Sedges
Carex crus-corvi	Ravenfoot Sedge		Grasses & Sedges

Carex davisii	Davis' Sedge		Grasses & Sedges
Carex eburnea	Bristleleaf Sedge	bristle-leaved sedge, ebony sedge, ivory sedge	Grasses & Sedges
Carex flaccosperma	Thinfruit Sedge	blue wood sedge	Grasses & Sedges
Carex frankii	Frank's Sedge		Grasses & Sedges
Carex gracillima	Graceful Sedge	purple-sheathed graceful sedge	Grasses & Sedges

Carex granularis	Limestone Meadow Sedge		Grasses & Sedges
Carex gravida	Heavy Sedge		Grasses & Sedges
Carex grayi	Gray's Sedge		Grasses & Sedges
Carex grisea	Inflated Narrow-Leaf Sedge		Grasses & Sedges
Carex hystericina	Porcupine Sedge	bottlebrush sedge	Grasses & Sedges
Carex intumescens	Greater Bladder Sedge	swollen sedge, bladder sedge, shining bur sedge	Grasses & Sedges
Carex jamesii	James' Sedge		Grasses & Sedges
Carex lacustris	Hairy Sedge	lakebank sedge, lake sedge	Grasses & Sedges
Carex laxiculmis	Spreading Sedge	creeping sedge, blue wood sedge	Grasses & Sedges
Carex leavenworthii	Leavenworth's Sedge		Grasses & Sedges
Carex lupulina	Hop Sedge		Grasses & Sedges
Carex lurida	Shallow Sedge	lurid sedge, sallow sedge	Grasses & Sedges
Carex meadii	Mead's Sedge		Grasses & Sedges
Carex molesta	Field Oval Sedge	troublesome sedge	Grasses & Sedges
Carex muehlenbergii	Muhlenberg'S Sedge	sand sedge	Grasses & Sedges
Carex muskingumensis	Muskingum Sedge	palm sedge	Grasses & Sedges

Carex pellita	Woolly Sedge	broad-leaved woolly sedge	Grasses & Sedges
Carex pensylvanica	Pennsylvania Sedge		Grasses & Sedges
Carex plantaginea	Plantainleaf Sedge	plantain-leaved sedge, seersucker sedge	Grasses & Sedges
Carex platyphylla	Broadleaf Sedge	broad-leaved sedge, broadleaf sedge, silver	Grasses &

		sedge	Sedges
Carex radiata	Eastern Star Sedge		Grasses & Sedges
Carex rosea	Rosy Sedge		Grasses & Sedges
Carex scoparia	Broom Sedge	pointed broom sedge, lance-fruited oval sedge	Grasses & Sedges
Carex shortiana	Short's Sedge		Grasses & Sedges
Carex socialis	Low Woodland Sedge	social sedge	Grasses & Sedges
Carex squarrosa	Squarrose Sedge	narrow-leaved cattail sedge	Grasses & Sedges
Carex stipata	Awlfruit Sedge	prickly sedge, awl fruited sedge, stalk-grain sedge	Grasses & Sedges
Carex stricta	Tussock Sedge	uptight sedge, upright sedge	Grasses & Sedges
Carex swanii	Swan's Sedge		Grasses & Sedges
Carex texensis	Texas Sedge	catlin sedge	Grasses & Sedges
Carex tribuloides	Blunt Broom Sedge	awl-fruited oval sedge	Grasses & Sedges
Carex typhina	Cattail Sedge		Grasses & Sedges
Carex utriculata	Northwest Territory Sedge		Grasses & Sedges
Carex vulpinoidea	Fox Sedge	brown fox sedge, common fox sedge	Grasses & Sedges
Chasmantheum sessiflorum	Longleaf Woodoats		Grasses & Sedges
Chasmanthium latifolium	Indian Woodoats	wild oats, inland sea oats, river oats, flathead oats, upland 1	Grasses & Sedges
Chasmanthium laxum	Slender Woodoats	slender chasmanthium	Grasses & Sedges
Cinna arundinacea	Sweet Woodreed		Grasses & Sedges

<i>Cymophyllus fraserianus</i>	Fraser's Sedge	Fraser's cymophyllus	Grasses & Sedges
<i>Danthonia spicata</i>	Poverty Oatgrass	curly grass, poverty wild oatgrass	Grasses & Sedges
<i>Deschampsia flexuosa</i>	Wavy Hairgrass	crinkled hair grass	Grasses & Sedges
<i>Diarrhena americana</i>	American Beakgrain	American beakgrass, beak grass, twin oats	Grasses & Sedges
<i>Diarrhena obovata</i>	Obovate Beakgrain		Grasses & Sedges
<i>Dulichium arundinaceum</i>	Threeway Sedge	three-sided sedge	Grasses & Sedges
<i>Eleocharis acicularis</i>	Needle Spikerush		Grasses & Sedges
<i>Eleocharis erythropoda</i>	Bald Spikerush		Grasses & Sedges
<i>Eleocharis obtusa</i>	Blunt Spikerush	spike-rush	Grasses & Sedges
<i>Eleocharis palustris</i>	Common Spikerush	creeping spikerush, creeping spikesedge	Grasses & Sedges

<i>Eleocharis parvula</i>	Dwarf Spikerush	least spikerush, small spikerush	Grasses & Sedges
<i>Elymus canadensis</i>	Canada Wildrye	Canada wild rye, Canadian wildrye, prairie wildrye, noddinE	Grasses & Sedges
<i>Elymus glabrifloris</i>	Southeastern Wildrye		Grasses & Sedges
<i>Elymus hystrix</i>	Eastern Bottlebrush Grass	bottlebrush grass	Grasses & Sedges
<i>Elymus villosus</i>	Hairy Wildrye	silky wild rye, downy wild rye	Grasses & Sedges
<i>Elymus virginicus</i>	Virginia Wildrye	Virginia wild rye	Grasses & Sedges
<i>Eragrostis spectabilis</i>	Purple Lovegrass	purple love grass, purple plains lovegrass, tumblegrass, pet	Grasses & Sedges
<i>Eragrostis trichodes</i>	Sand Lovegrass		Grasses & Sedges

<i>Glyceria striata</i>	Fowl Mannagrass	fowl manna grass	Grasses & Sedges
<i>Juncus acuminatus</i>	Tapertip Rush		Grasses & Sedges
<i>Juncus brachycephalus</i>	Smallhead Rush		Grasses & Sedges
<i>Juncus canadensis</i>	Canadian Rush	Canada rush	Grasses & Sedges
<i>Juncus dudleyi</i>	Dudley's Rush		Grasses & Sedges
<i>Juncus effusus</i>	Soft Rush	common rush	Grasses & Sedges
<i>Juncus interior</i>	Inland Rush		Grasses & Sedges
<i>Juncus tenuis</i>	Poverty Rush	field rush, path rush, slender yard rush, wiregrass	Grasses & Sedges
<i>Juncus torreyi</i>	Torrey's Rush		Grasses & Sedges
<i>Leersia oryzoides</i>	Rice Cutgrass		Grasses & Sedges
<i>Luzula acuminata</i>	Wood Rush		Grasses & Sedges
<i>Muhlenbergia capillaris</i>	Hairawn Muhly	gulf muhly, long-awn hairgrass, purple muhly, purple muht,	Grasses & Sedges
<i>Muhlenbergia mexicana</i>	Mexican Muhly	leafy satin grass, leafy satin grass, wirestem muhly	Grasses & Sedges
<i>Panicum virgatum</i>	Switchgrass	wand panic grass	Grasses & Sedges
<i>Saccharum alopecuroides</i>	Silver Plumegrass		Grasses & Sedges
<i>Saccharum giganteum</i>	Sugarcane Plumegrass		Grasses & Sedges
<i>Schizachyrium littorale</i>	Woodland Bulrush		Grasses & Sedges
<i>Schizachyrium scoparium</i>	Little Bluestem		Grasses & Sedges
<i>Schoenoplectus pungens</i>	Common Threesquare		Grasses & Sedges

<i>Schoenoplectus tabernaemontani</i>	Softstem Bulrush	great bulrush, soft-stemmed bulrush, common bulrush, gia	Grasses & Sedges
<i>Scirpus atrovirens</i>	Green Bulrush	dark green bulrush, common bulrush	Grasses & Sedges
<i>Scirpus cyperinus</i>	Woolgrass	wool grass, cotton grass bulrush, common wool-grass, man	Grasses & Sedges
<i>Scirpus pendulus</i>	Rufous Bulrush	nodding bulrush, red bulrush	Grasses & Sedges
<i>Sorghastrum nutans</i>	Indiangrass	yellow Indiangrass	Grasses & Sedges

<i>Spartina pectinata</i>	Prairie Cordgrass	freshwater cordgrass, sloughgrass	Grasses & Sedges
<i>Sporobolus heterolipsis</i>	Prairie Drop Seed		Grasses & Sedges
<i>Tridens flavus</i>	Purpletop Tridens	redtop tridens, tall redtop tridens, greasegrass	Grasses & Sedges
<i>Typha latifolia</i>	Broadleaf Cattail	cattail, common cattail	Grasses & Sedges
<i>Achillea millefolium</i>	Common Yarrow		Perennials
<i>Aconitum uncinatum</i>	Blue Monkshood	southern blue monkshood, monk's hood, monkshood	Perennials
<i>Actaea pachypoda</i>	White Baneberry	baneberry, doll's eye	Perennials
<i>Actaea racemosa</i>	Black Baneberry	black snakeroot, fairy candles, black cohosh	Perennials
<i>Agastache nepetoides</i>	Yellow Giant Hyssop		Perennials
<i>Agastache scrophulariifolia</i>	Purple Giant Hyssop		Perennials
<i>Ageratina altissima</i>	White Snakeroot	tall boneset	Perennials
<i>Alisma subcordatum</i>	American Water Plantain		Perennials
<i>Allium canadense</i>	Meadow Garlic	wild garlic, wild onion, tree onion, Canadian garlic	Perennials
<i>Allium cernuum</i>	Nodding Onion	nodding wild onion, wild onion, lady's leek	Perennials
<i>Allium stellatum</i>	Autumn Onion	prairie onion, cliff onion, glade onion	Perennials
<i>Allium tricoccum</i>	Ramp	ramps, wild leek	Perennials
<i>Amsonia tabernaemontana</i>	Eastern Bluestar	bluestar, blue dogbane, willow amsonia, woodland bluesta	Perennials

Anemone canadensis	Canadian Anemone	round-leaf thimbleweed, Canada anemone, windflower, m1	Perennials
Anemone virginiana	Tall Thimbleweed	large anemone	Perennials
Angelica atropurpurea	Purplestem Angelica		Perennials
Angelica triquinata	Mountain Angelica	filmy angelica	Perennials
Antennaria neglecta	Field Pussytoes	pussytoes, pussy toes, prairie everlasting	Perennials
Antennaria plantaginifolia	Plantain-Leaf Pussytoes	pussytoes, woman's tobacco, plantain-leaved pussytoes, la1	Perennials
Antennaria solitaria	Singlehead Pussytoes	single-headed pussytoes,	Perennials
Aquilegia canadensis	American Columbine	eastern red columbine, red columbine, wild columbine, wil1	Perennials
Arisaema dracontium	Green Dragon	dragonroot	Perennials
Arisaema triphyllum	Jack In The Pulpit	Indian Jack in the pulpit	Perennials
Aristolochia tomentosa	Woolly Dutchman's Pipe		Perennials
Arnoglossum atriplicifolium	Pale Indian Plantain	Indian plantain	Perennials
Arnoglossum plantagineum	Prairie Indian Plantain	groovestem Indian plantain, Indian plantain, prairie plantai	Perennials
Aruncus dioicus	Bride's Feathers	goat's beard	Perennials
Asarum canadense	Canadian Wild Ginger	wild ginger, wildginger	Perennials

Asclepias exaltata	Poke Milkweed		Perennials
Asclepias hirtella	Green Milkweed		Perennials
Asclepias incarnata	Swamp Milkweed	pink milkweed	Perennials
Asclepias purpurascens	Purple Milkweed		Perennials
Asclepias syriaca	Common Milkweed		Perennials
Asclepias tuberosa	Butterfly Milkweed	butterfly weed, pleurisy root	Perennials
Asclepias verticillata	Whorled Milkweed	linear-leaved milkweed	Perennials
Asclepias viridiflora	Green Comet Milkweed		Perennials
Astilbe biternata	False Goat's Beard	Appalachian false goat's beard, false goatsbeard	Perennials
Astragalus canadensis	Canadian Milkvetch		Perennials
Baptisia alba	White Wild Indigo	wild white indigo, white false indigo, false indigo	Perennials

Baptisia australis	Blue Wild Indigo	wild blue indigo, wild false indigo, blue false indigo, prairie	Perennials
Baptisia bracteata	Longbract Wild Indigo		Perennials
Baptisia tinctoria	Yellow Wild Indigo	wild indigo, horsefly weed, horseflyweed	Perennials
Blephilia ciliata	Downy Pagoda-Plant	downy woodmint, Ohio horsemint, sunny woodmint	Perennials
Blephilia hirsuta	Hairy Pagoda-Plant	hairy woodmint, hairy wood mint	Perennials
Boltonia asteroides	White Doll's Daisy	false aster, aster-like boltonia, false chamomile	Perennials
Caltha palustris	Yellow Marsh Marigold	marsh marigold, cowslip	Perennials
Camassia scilloides	Atlantic Camas	wild hyacinth	Perennials
Campanula divaricata	Southern Harebell		Perennials
Campanula rotundifolia	Bluebell Bellflower	bluebell of Scotland, bluebell, harebell, witch's thimble	Perennials
Cardamine concatenata	Cutleaf Toothwort	pepper root, cut-leaved toothwort	Perennials
Caulophyllum thalictroides	Blue Cohosh	caulophylle faux-pigamon, papoose-root, squaw-root	Perennials
Chamaelirium luteum	Fairywand	devil's bit, fairy wand, false unicorn, false unicorn root	Perennials
Chelone glabra	White Turtlehead	turtle heads	Perennials
Chelone lyonii	Pink Turtlehead		Perennials
Chelone obliqua	Red Turtlehead	pink turtlehead, rose turtlehead	Perennials
Chrysogonum virginianum	Green And Gold	golden knees, goldenstar	Perennials
Chrysopsis mariana	Maryland Goldenaster	Maryland golden aster	Perennials
Cirsium discolor	Field Thistle		Perennials
Claytonia virginica	Virginia Springbeauty	narrow-leaved spring beauty, meadow beauty	Perennials
Clinopodium glabella	Glade Savory		Perennials

Collinsonia canadensis	Richweed	Canada horse-balm, horse balm, citronella horsebalm, ston	Perennials
Conoclinium coelestinum	Blue Mistflower	wild ageratum, hardy ageratum, blue boneset, pink eupato	Perennials
Convallaria majuscula	American Lily Of The Valley		Perennials
Coreopsis auriculata	Lobed Tickseed	tickseed, dwarf tickseed, early coreopsis,	Perennials

		eared coreopsis	
Coreopsis grandiflora	Largeflower Tickseed		Perennials
Coreopsis lanceolata	Lanceleaf Tickseed	lance-leaved coreopsis, sand coreopsis	Perennials
Coreopsis major	Greater Tickseed	major coreopsis	Perennials
Coreopsis pubescens	Star Tickseed	downy tickseed	Perennials
Coreopsis tripteris	Tall Tickseed	tall coreopsis	Perennials
Coreopsis verticillata	Whorled Tickseed	threadleaf coreopsis, whorled coreopsis, thread-leaved tick	Perennials
Cunila origanoides	Common Dittany		Perennials
Dalea candida	White Prairie Clover		Perennials
Dalea foliosa	Leafy Prairie Clover		Perennials
Dalea purpurea	Purple Prairie Clover	violet prairie clover, red tassel flower, thimbleweed, wana	Perennials
Decodon verticillatus	Swamp Loosestrife	Decodon verticillatus var. laevigatus	Perennials
Delphinium tricornes	Dwarf Larkspur	spring larkspur	Perennials
Desmanthus illinoensis	Illinois Bundleflower		Perennials
Dicentra canadensis	Squirrel Corn		Perennials
Dicentra cucullaria	Dutchman's Breeches		Perennials
Dicentra eximia	Fringed Bleeding Heart	fringed bleeding heart, wild bleeding heart, turkey corn	Perennials
Dodecatheon meadia	Shooting Star	shootingstar, pride of Ohio, Eastern shooting star, roosterh	Perennials
Doellingeria umbellata	Parasol Whitetop	flat-topped aster, parasol whitetop, umbellate aster, flat-to	Perennials
Echinacea pallida	Pale Purple Coneflower	pale coneflower	Perennials
Echinacea purpurea	Eastern Purple Coneflower	purple coneflower	Perennials
Echinacea simulata	Wavyleaf Purple Coneflower		Perennials
Echinacea tenesseeensis	Tennessee Purple Coneflower		Perennials
Equisetum hyemale	Scouring Rush	scouringrush horsetail, rough horsetail	Perennials
Erigeron pulchellus	Robin's Plantain	poor robin's plantain, rose petty, Robert's plantain, blue sp	Perennials
Eryngium yuccifolium	Rattlesnake Master	tall rattlesnake master, button eryngo, button	Perennials

		snakeroot	
Erythronium albidum	White Fawnlily	dogtooth violet, adder's tongue, white troutlily, white trou1	Perennials
Erythronium americanum	Dogtooth Violet	American troutlily, eastern trout lily, yellow troutlily, yello1,1	Perennials
Eupatorium hyssopifolium	Hyssop leaf Thoroughwort	hyssop thoroughwort	Perennials

Eupatorium perfoliatum	Common Boneset	American boneset, thoroughwort	Perennials
Eupatorium serotinum	Lateflowering Thoroughwort	white boneset, late boneset, late-flowering boneset	Perennials
Eupatorium sessifolium	Upland Boneset		Perennials
Euphorbia corollata	Flowering Spurge		Perennials
Eurybia divaricata	White Wood Aster		Perennials
Eurybia hemispherica	Southern Prairie Aster		Perennials
Eurybia macrophylla	Bigleaf Aster	large-leaf wood-aster, large-leaved aster, big-leaved aster	Perennials
Eurybia surculosa	Creeping Aster		Perennials
Euthamia graminifolia	Flat-Top Goldentop	grass-leaved goldenrod, lance-leaved goldenrod, lanceleaf t	Perennials
Eutrochium fistulosum	Hollow Joe-Pye Weed	hollow-stemmed Joe-Pye weed, Joe-Pye weed, queen of th	Perennials
Eutrochium maculatum	Spotted Joe Pye Weed	spotted Joe-Pye-weed, spotted trumpetweed	Perennials
Eutrochium purpureum	Sweetscented Joe Pye Weed	purple Joe Pye weed, sweet Joe Pye weed, sweet Joe-Pye"	Perennials
Euybia saxicastelli	Rockcastle Aster		Perennials
Fragaria virginiana	Wild Strawberry	Virginia strawberry, thickeaved wild strawberry	Perennials
Galax urceolata	Beetleweed	galax, wand flower	Perennials
Geranium maculatum	Spotted Geranium	wild geranium, cranesbill	Perennials
Geum vernum	Spring Avens		Perennials
Gillenia stipulata	American Ipecac		Perennials
Gillenia trifoliata	Bowman's Root	Indian physic, fawn's breath, ipecac	Perennials
Glandularia canadensis	Rose Mock Vervain	rose vervain, sweet William	Perennials
Goodyera pubescens	Downy Rattlesnake Plantain	rattlesnake plantain, downy rattlesnake orchid	Perennials
Hasteola suaveolens	False Indian Plantain		Perennials
Helenium autumnale	Common Sneezeweed	Helen's flower, dogtooth daisy, autumn sneezeweed, fall sr	Perennials
Helenium flexuosum	Purplehead Sneezeweed		Perennials
Helianthus angustifolius	Swamp Sunflower	narrow-leaved sunflower, narrowleaf sunflower	Perennials
Helianthus decapetalus	Thinleaf Sunflower		Perennials

<i>Helianthus divaricatus</i>	Woodland Sunflower	rough sunflower	Perennials
<i>Helianthus eggertii</i>	Eggert's Sunflower		Perennials
<i>Helianthus giganteus</i>	Giant Sunflower	tall sunflower	Perennials
<i>Helianthus grosseserratus</i>	Sawtooth Sunflower		Perennials
<i>Helianthus maximiliani</i>	Maximilian Sunflower	max sunflower	Perennials
<i>Helianthus microcephalus</i>	Small Woodland Sunflower	small-headed sunflower, small wood sunflower	Perennials

<i>Helianthus mollis</i>	Ashy Sunflower	downy sunflower, hairy wild sunflower, gray sunflower	Perennials
<i>Helianthus occidentalis</i>	Fewleaf Sunflower	western sunflower	Perennials
<i>Helianthus silphioides</i>	Ozark Sunflower		Perennials
<i>Helianthus tuberosus</i>	Jerusalem Artichoke	sunchoke, Jerusalem sunflower, girasole	Perennials
<i>Helianthus verticillatus</i>	Whorled Sunflower		Perennials
<i>Heliopsis helianthoides</i>	Smooth Oxeye	oxeye sunflower, false sunflower, early sunflower	Perennials
<i>Hepatica nobilis</i>	Sharplobe Hepatica	sharp-lobed hepatica, mountain hepatica, liverleaf, round-I	Perennials
<i>Heterotheca camporum</i>	Lemonyellow False Goldenaster		Perennials
<i>Heuchera americana</i>	American Alumroot	coral bells	Perennials
<i>Heuchera longiflora</i>	Longflower Alumroot	maple leaf alumroot, long flowered alumroot	Perennials
<i>Heuchera villosa</i>	Hairy Alumroot	rough, maple-leaved alumroot	Perennials
<i>Hexastylis arifolia</i>	Littlebrownjug	little brown jug, heartleaf wild ginger, heartleaf, evergreen	Perennials
<i>Hexastylis virginica</i>	Virginia Heartleaf	little brownjug	Perennials
<i>Hibiscus laevis</i>	Halberdleaf Rosemallow		Perennials
<i>Hibiscus moscheutos</i>	Rose Mallow		Perennials
<i>Houstonia caerulea</i>	Azure Bluet		Perennials
<i>Hydrastis canadensis</i>	Goldenseal	golden-seal, orangeroot	Perennials
<i>Hydrophyllum virginianum</i>	Eastern Waterleaf	Shawnee salad, Virginia waterleaf, northern waterleaf, App	Perennials
<i>Hymenocallis occidentalis</i>	Carolina Spiderlily	shoals spiderlily, spiderlily, Carolina spider-lily, rain lily	Perennials
<i>Hypericum crux-andreae</i>	St. Peters-Wort		Perennials

<i>Hypericum dolabriforme</i>	Straggling St. Johnswort		Perennials
<i>Hypoxis hirsuta</i>	Common Goldstar	hairy stargrass, yellow star grass, common stargrass	Perennials
<i>Iodanthus pinnatifidus</i>	Purplerocket		Perennials
<i>Iris cristata</i>	Dwarf Crested Iris	crested iris	Perennials
<i>Iris fulva</i>	Copper Iris	red iris	Perennials
<i>Iris prismatica</i>	Slender Blue Iris	slender blue flag, coastal iris	Perennials
<i>Iris verna</i>	Dwarf Violet Iris	dwarf iris, vernal iris	Perennials
<i>Iris virginica</i>	Blue Flag Iris	southern blue flag, Virginia blue flag, Virginia iris, great blw	Perennials
<i>Jeffersonia diphylla</i>	Twinleaf	twin leaf, rheumatism root	Perennials
<i>Justicia americana</i>	American Water-Willow		Perennials
<i>Lespedeza capitata</i>	Roundhead Lespedeza	roundhead bush clover, round-headed bush clover	Perennials
<i>Liatris aspera</i>	Tall Blazing Star	tall blazing star, tall gayfeather, button snakeroot, rough bl	Perennials

<i>Liatris cylindracea</i>	Ontario Blazing Star	Ontario blazing star, dwarf blazing star, cylindrical blazing s	Perennials
<i>Liatris microcephala</i>	Smallhead Blazing Star	button snake root, dwarf liatris, dwarf blazing star	Perennials
<i>Liatris scariosa</i>	Devil's Bite	northern gayfeather, plains blazingstar, savanna blazing sta	Perennials
<i>Liatris spicata</i>	Dense Blazing Star	marsh blazing star, dense gayfeather, spike gayfeather, gay	Perennials
<i>Liatris squarrosa</i>	Scaly Blazing Star	scaly gayfeather, scaly liatris	Perennials
<i>Liatris squarrulosa</i>	Appalachian Blazing Star		Perennials
<i>Lilium michiganense</i>	Michigan Lily		Perennials
<i>Lilium superbum</i>	Turk's Cap lily		Perennials
<i>Lobelia cardinalis</i>	Cardinal Flower		Perennials
<i>Lobelia siphilitica</i>	Great Blue Lobelia	blue lobelia	Perennials
<i>Lobelia spicata</i>	Palespike Lobelia		Perennials
<i>Ludwigia alternifolia</i>	Seedbox	rattlebox, smooth seedbox, squarepod waterprimrose.	Perennials
<i>Lycopus americanus</i>	American Water		Perennials

	Horehound		
<i>Lysimachia ciliata</i>	Fringed Loosestrife		Perennials
<i>Lysimachia lanceolata</i> 'Burgundy Mist'	Lanceleaf Loosestrife Cultivar	lance-leaved loosestrife	Perennials
<i>Lythi'um alatum</i>	Winged Lythrum	winged lythrum, angled purple loosestrife	Perennials
<i>Maianthemum racemosum</i>	False Solomon's Seal	feathery false lily of the valley, false spikenard, smilacina, f,	Perennials
<i>Maianthemum stellatum</i>	Starry False Lily OfThe Valley		Perennials
<i>Manfreda virginica</i>	False Aloe	American aloe	Perennials
<i>Marshallia trinerva</i>	Broadleaf Barbara's Buttons		Perennials
<i>Matelea gonocarpos</i>	Angularfruit Milkvine		Perennials
<i>Matelea obliqua</i>	Climbing Milkvine	limerock milkvine, climbing milkweed, angle-pod, angle poc	Perennials
<i>Medeola virginiana</i>	Indian Cucumber	Indian cucumber root	Perennials
<i>Meehania cordata</i>	Meehan's Mint	heart leaf meehania, heart-leafed meehania	Perennials
<i>Melanthera nivea</i>	Snow Squarestem	white melanthera, snow melanthera, salt and pepper	Perennials
<i>Mentha arvensis</i>	Wild Mint		Perennials
<i>Mertensia virginica</i>	Virginia Bluebells		Perennials
<i>Mimulus alatus</i>	Sharpwing Monkeyflower	winged monkeyflower, winged monkey-flower	Perennials
<i>Mimulus ringens</i>	Allegheny Monkeyflower	estuary monkeyflower, square-stemmed monkeyflower, sq	Perennials
<i>Mitchella repens</i>	Partridgeberry	partridge berry, twinberry, running box	Perennials
<i>Mitella diphylla</i>	Twoleaf Miterwort	miterwort, bishop's cap	Perennials
<i>Monarda bradburiana</i>	Eastern Beebalm	beebalm, wild bergamot, bergamot, horsemint, Bradbury n	Perennials

Monarda Citriodora	Lemon Mint		Perennials
Monarda clinopodia	White Bergamot	basil bee balm, basil beebalm, basil-balm	Perennials
Monarda didyma	Scarlet Beebalm	beebalm, oswego tea, red bergamot,	Perennials
Monarda fistulosa	Wild Bergamot	beebalm	Perennials
Monarda punctata	Spotted Beebalm	dotted horsemint, spotted horsemint	Perennials
Nuphar lutea	Yellow Pond-Lily	yellow cow lily, spatterdock, brandy bottle, bullhead lily	Perennials
Nymphaea odorata	American White Waterlily		Perennials
Oenothera filipes	Slenderstalk Beeblossom	threadstalk gaura, slender gaura	Perennials
Oenothera fruticosa	Narrowleaf Evening Primrose	sundrops, narrowleaf evening primrose, narrow leaved eve	Perennials
Oenothera macrocarpa	Bigfruit Evening Primrose		Perennials
Oenothera perennis	Little Evening Primrose		Perennials
Oenothera speciosa	Pinkladies	pink evening primrose, showy evening primrose, Mexican <i>i</i>	Perennials
Opuntia cespitosa	Eastern Prickly Pear	eastern prickly pear, prickly pear, prickly-pear cactus, low p	Perennials
Opuntia humifusa	Eastern Prickly Pear	prickly pear, prickly-pear cactus, low prickly pear, smooth p	Perennials
Oxalis violacea	Violet Woodsorrel	violet wood sorrel	Perennials
Pachysandra procumbens	Allegheny Spurge	mountain spurge	Perennials
Packera aurea	Golden Ragwort	golden groundsel	Perennials
Packera obovata	Roundleaf Ragwort	golden groundsel, roundleaf groundsel, spoon leaved ragw	Perennials
Parnassia grandifolia	Largeleaf Grass of Parnasus		Perennials
Parthenium integrifolium	Wild Quinine	American feverfew, American fever-few, eastern feverfew	Perennials
Peltandra virginica	Green Arrow Arum	arrow arum, tuckahoe	Perennials
Penstemon calycosus	Hairy Beardtongue		Perennials
Penstemon digitalis	Foxglove Beardtongue	Mississippi pentsemon, smooth white beardtongue, white I	Perennials
Penstemon hirsutus	Hairy Beardtongue	northeastern beard-tongue, northeastern beardtongue	Perennials

Penstemon pallidus	Pale Beardtongue		Perennials
Penstemon smallii	Small's Beardtongue	Small's pentsemon	Perennials
Penstemon tenuiflorus	Eastern Whiteflower Beardtongue		Perennials
Penthorum sedoides	Ditch Stonecrop		Perennials
Phacelia bipinnatifida	Fernleaf Phacelia	purple phacelia, forest phacelia	Perennials
Phemeranthus calcaricus	Limestone Fameflower		Perennials
Phlox amoena	Hairy Phlox		Perennials
Phlox bifida	Glade Phlox		Perennials

Phlox divaricata	Wild Blue Phlox	Louisiana phlox, blue woodland phlox, sweet william, blue	Perennials
Phlox glaberrima	Smooth Phlox		Perennials
Phlox maculata	Wild Sweetwilliam	wild sweet William, spotted phlox	Perennials
Phlox paniculata	Fall Phlox	summer phlox	Perennials
Phlox pilosa	Downy Phlox	prairie phlox, fragrant phlox	Perennials
Phlox stolonifera	Creeping Phlox		Perennials
Phlox subulata	Moss Phlox	creeping phlox, moss pink, rock pink	Perennials
Phyla lanceolata	Lanceleaf Fogfruit		Perennials
Physostegia virginiana	Obedient Plant	false dragonhead, obedience	Perennials
Podophyllum peltatum	May Apple	Mayapple, Indian apple, wild mandrake, pomme de mai, pc	Perennials
Polemonium reptans	Jacob's Ladder	creeping Jacob's ladder, Greek valerian	Perennials
Polygonatum biflorum	Smooth Solomon's Seal	Solomon's seal, giant Solomon's seal	Perennials
Polygonum amphibium	Water Knotweed	water smartweed, swamp smartweed, marsh smartweed, s	Perennials
Polygonum hydropiperoides	Swamp Smartweed		Perennials
Pontederia cordata	Pickerelweed		Perennials
Potentilla simplex	Common Cinquefoil		Perennials
Proserpinaca palustris	Marsh Mermaidweed		Perennials
Prunella vulgaris	Common Selfheal	self-heal, all heal	Perennials
Pycnanthemum incanum	Hoary Mountainmint	silverleaf mountain mint, common mountain mint	Perennials
Pycnanthemum loomisii	Loomis' Mountainmint		Perennials

<i>Pycnanthemum muticum</i>	Clustered Mountainmint	blunt mountain-mint, mountain-mint, big leaf mountain mi	Perennials
<i>Pycnanthemum tenuifolium</i>	Narrowleaf Mountainmint	slender mountainmint	Perennials
<i>Pycnanthemum verticillatum</i>	Hairy Mountainmint	American mountainmint, hairy mountainmint	Perennials
<i>Pycnanthemum virginianum</i>	Virginia Mountainmint	Virginia mountain mint, common mountainmint, American	Perennials
<i>Ratibida columnifera</i>	Upright Prairie Coneflower	Mexican hat, prairie coneflower, red spike	Perennials
<i>Ratibida pinnata</i>	Prairie Coneflower		Perennials
<i>Rhexia mariana</i>	Maryland Meadowbeauty		Perennials
<i>Rhexia virginica</i>	Meadow Beauty	handsome Harry, Virginia meadow-beauty	Perennials
<i>Rudbeckia fulgida</i>	Orange Coneflower	orange black-eyed Susan, orange rudbeckia, perennial blacl	Perennials
<i>Rudbeckia hirta</i>	Blackeyed Susan	common black-eyed Susan, brown-eyed Susan	Perennials
<i>Rudbeckia laciniata</i>	Cutleaf Coneflower	green-headed coneflower	Perennials
<i>Rudbeckia subtomentosa</i>	Sweet Coneflower	sweet black-eyed Susan	Perennials

<i>Rudbeckia triloba</i>	Browneyed Susan	brown-eyed Susan, three-lobed coneflower, thin-leaved co	Perennials
<i>Ruellia caroliniensis</i>	Carolina Wild Petunia	low wild petunia, hairy wild petunia	Perennials
<i>Ruellia humilis</i>	Wild Petunia	fringed wild petunia, hairy wild-petunia, hairy ruellia, low 111	Perennials
<i>Sagittaria latifolia</i>	Broadleaf Arrowhead	duckroot, duck-potato, wapato	Perennials
<i>Salvia azurea</i>	Azure Blue Sage		Perennials
<i>Salvia coccinea</i>	Blood Sage	scarlet sage, Texas sage, tropical sage,	Perennials
<i>Salvia lyrata</i>	Lyreleaf Sage	Lyre-leaf sage, lyre-leaved sage, cancer weed	Perennials
<i>Sanguinaria canadensis</i>	Bloodroot		Perennials
<i>Saururus cernuus</i>	Lizard's Tail	breast weed, water dragon, swamp lily	Perennials
<i>Saxifraga pensylvanica</i>	Eastern Swamp Saxifrage	Pennsylvania saxifrage, swamp saxifrage, wild beet	Perennials
<i>Schoenolirion croceum</i>	Sunnybells		Perennials
<i>Scrophularia marilandica</i>	Carpenter's Square	Maryland figwort, late figwort	Perennials
<i>Scutellaria elliptica</i>	Hairy Skullcap		Perennials

Scutellaria incana	Hoary Skullcap	downy skullcap	Perennials
Scutellaria integrifolia	Helmet Flower	hyssop skullcap, hyssop-leaved skullcap, helmet skullcap, re	Perennials
Scutellaria ovata	Heartleaf Skullcap	heart leaf skullcap, heart leafed skullcap, heart leaved skull	Perennials
Scutellaria parvula	Small Skullcap		Perennials
Sedum ternatum	Woodland Stonecrop	wild stonecrop, mountain stonecrop	Perennials
Senna hebecarpa	Wild Senna	American senna	Perennials
Senna marilandica	Maryland Senna	Maryland wild senna, southern wild senna, wild senna	Perennials
Silene caroliniana	Wild Pink	sticky catchfly, Carolina pink	Perennials
Silene regia	Royal Catchfly		Perennials
Silene stellata	Starry Campion	widow's frill	Perennials
Silene virginica	Fire Pink	scarlet catchfly	Perennials
Silphium integrifolium	Wholeleaf Rosinweed	entire leaf rosinweed	Perennials
Silphium laciniatum	Compassplant	rosinweed, gum weed, cut-leaf silphium, turpentine plant, i	Perennials
Silphium mohrii	Mohr's Rosinweed		Perennials
Silphium perfoliatum	Cup Plant	Indian cup	Perennials
Silphium pinnatifidum	Tansy Rosinweed	prairie dock, cup leaf prairie-dock, cup-leafed prairie-dock,	Perennials
Silphium terebinthinaceum	Prairie Rosinweed	prairie dock	Perennials
Silphium trifoliatum	Whorled Rosinweed		Perennials
Sisyrinchium angustifolium	Narrowleaf Blue-Eyed Grass	blue-eyed grass, Bermuda blue eyed grass, stout blue-eyed	Perennials

Sium suave	Water Parsnip	water-parsnip, waterparsnip, hemlock water-parsnip, heml	Perennials
Solidago auriculata	Eared Goldenrod		Perennials
Solidago bicolor	White Goldenrod	prairie goldenrod, prairie flat-top-goldenrod, upland white	Perennials
Solidago caesia	Bluestem Goldenrod	blue-stemmed goldenrod, wreath goldenrod	Perennials
Solidago canadensis	Canada Goldenrod		Perennials
Solidago erecta	Showy Goldenrod		Perennials

<i>Solidago flexicaulis</i>	Zigzag Goldenrod	broad leaf goldenrod, broadleaved goldenrod	Perennials
<i>Solidago gigantea</i>	Giant Goldenrod		Perennials
<i>Solidago juncea</i>	Early Goldenrod		Perennials
<i>Solidago nemoralis</i>	Gray Goldenrod	prairie goldenrod, old field goldenrod, grayleaf goldenrod,	Perennials
<i>Solidago odora</i>	Anisescented Goldenrod	sweet goldenrod, anise-scented goldenrod, blue mountain	Perennials
<i>Solidago patula</i>	Roundleaf Goldenrod		Perennials
<i>Solidago puberula</i>	Downy Goldenrod	dusty goldenrod	Perennials
<i>Solidago rigida</i>	Stiff Goldenrod	hard-leaved goldenrod	Perennials
<i>Solidago rugosa</i>	Wrinkleleaf Goldenrod	rough-leaved goldenrod, roughleaf goldenrod, rough-stem,	Perennials
<i>Solidago speciosa</i>	Showy Goldenrod		Perennials
<i>Solidago sphacelata</i>	Autumn Goldenrod	false goldenrod	Perennials
<i>Solidago stricta</i>	Wand Goldenrod	wand-like goldenrod, willowleaf goldenrod, narrow-leaved	Perennials
<i>Solidago ulmifolia</i>	Elmleaf Goldenrod	elm-leaved goldenrod	Perennials
<i>Sparganium americanum</i>	American Bur-Reed		Perennials
<i>Spigelia marilandica</i>	Woodland Pinkroot	pinkroot, Indian pink	Perennials
<i>Spiranthes odorata</i>	Marsh Lady's Tresses		Perennials
<i>Stylophorum diphyllum</i>	Celandine Poppy	yellow wood poppy	Perennials
<i>Symphotrichum cordifolium</i>	Common Blue Wood Aster	broad-leaved aster, broadleaf aster, heartleaf aster, blue w	Perennials
<i>Symphotrichum drummondii</i>	Drummond's Aster	hairy heart-leaf aster, Ozark heat-leaf aster	Perennials
<i>Symphotrichum ericoides</i>	White Heath Aster		Perennials
<i>Symphotrichum laeve</i>	Smooth Blue Aster		Perennials
<i>Symphotrichum lanceolatum</i>	White Panicle Aster		Perennials
<i>Symphotrichum lateriflorum</i>	Calico Aster	one-sided aster, small white aster, starved aster	Perennials
<i>Symphotrichum novae-angliae</i>	New England Aster	New England American aster	Perennials
<i>Symphotrichum oblongifolium</i>	Aromatic Aster	fall aster, wild blue aster	Perennials
<i>Symphotrichum oolentangiense</i>	Skyblue Aster	sky blue American, azure aster, blue devils	Perennials

Symphyotrichum patens	Late Purple Aster		Perennials
Symphyotrichum praealtum	Willowleaf Aster		Perennials
Symphyotrichum prenanthoides	Crookedstem Aster	crooked-stem aster	Perennials
Symphyotrichum priceae	Lavender Oldfield Aster		Perennials
Symphyotrichum puniceum	Purplestem Aster	Glossy-leaved aster, swamp aster	Perennials
Symphyotrichum shortii	Short's Aster		Perennials
Symplocarpus foetidus	Skunk Cabbage		Perennials
Taenidia integerrima	Yellow Pimpernel		Perennials
Tephrosia virginiana	Goat's Rue	Virginia tephrosia	Perennials
Teucrium canadense	Canada Germander		Perennials
Thalictrum dasycarpum	Purple Meadow-Rue		Perennials
Thalictrum dioicum	Early Meadow-Rue		Perennials
Thalictrum revolutum	Waxy-leaf Meadow Rue		Perennials
Thalictrum thalictroides	Rue Anemone	windflower	Perennials
Thermopsis villosa	Aaron's Rod	Carolina Lupine, Carolina bush pea, bush pea, bushpea	Perennials
Thymella cordifolia	Heartleaf Foamflower	foamflower, heart-leaved foamflower	Perennials
Tipularia discolor	Crippled Crane-fly Orchid	crane-fly orchid	Perennials
Tradescantia ohiensis	Bluejacket	Ohio spiderwort	Perennials
Tradescantia subaspera	Zigzag Spiderwort		Perennials
Tradescantia virginiana	Virginia Spiderwort	common spiderwort, dayflower, flower-of-a-day, Job's tear	Perennials
Trillium catesbaei	Bashful Wakerobin	rose trillium, wake robin, nodding rose	Perennials
Trillium cuneatum	Little Sweet Betsy	toad trillium	Perennials
Trillium erectum	Red Trillium	purple trillium, stinking Benjamin, wakerobin	Perennials
Trillium flexipes	Nodding Wakerobin	white trillium, drooping trillium	Perennials
Trillium grandiflorum	White Trillium	snow trillium, large flower wakerobin, large-flowered trillium	Perennials
Trillium luteum	Yellow Wakerobin	yellow trillium	Perennials
Trillium pusillum	Dwarf Wakerobin	little trillium, dwarf white flowering trillium, least trillium	Perennials
Trillium recurvatum	Bloody Butcher	prairie trillium, wood lily	Perennials

Trillium sessile	Toadshade	wood lily, red trillium, wakerobin	Perennials
Trillium sulcatum	Furrowed Wakerobin	sulcate toadshade, southern red trillium, barksdale trillium,	Perennials
Trillium undulatum	Painted Trillium	painted wakerobin, laurel trillium	Perennials
Trillium vaseyi	Sweet Wakerobin	Vasey's trillium	Perennials

Uvularia grandiflora	largeflower Bellwort	big merrybells, large flower bellwort	Perennials
Valeriana pauciflora	Largeflower Valerian		Perennials
Verbena hastata	Blue Vervain	swamp verbena, blue verbena, American blue vervain, Sim1	Perennials
Verbena simplex	Narrowleaf Vervain	narrow-leaved vervain, narrow-leaved verbena	Perennials
Verbena stricta	Hoary Verbena	hoary vervain, tall vervain, woolly verbena, woolly verbena,	Perennials
Verbesina virginica	White Crownbeard	frostweed, white crownbeard, iceplant, iceweed, Virginia c	Perennials
Vernonia gigantea	Giant Ironweed	tall ironweed	Perennials
Vernonia missurica	Missouri Ironweed		Perennials
Vernonia noveboracensis	New York Ironweed	ironweed	Perennials
Veronicastrum virginicum	Culver's Root		Perennials
Viola pedata	Birdfoot Violet	bird foot violet, birdsfoot violet, bird's foot violet	Perennials
Viola pubescens	Downy Yellow Violet	smooth yellow violet	Perennials
Viola sororia	Common Blue Violet	hooded blue violet, Florida violet, meadow violet, blue viol1	Perennials
Viola striata	Striped Cream Violet	striped violet, cream violet	Perennials
Viola walteri	Prostrate Blue Violet		Perennials
Waldsteinia fragarioides	Appalachian Barren Strawberr	barren strawberry	Perennials
Zizia aptera	Meadow Zizia	heart-leafed golden Alexander, heartleaf Alexanders, mead	Perennials
Zizia aurea	Golden Zizia	golden alexanders	Perennials
Zizia trifoliata	Mountain Golden Alexander		Perennials
Acer leucoderme	Chalk Maple		Trees & Shrubs
Acer rubrum	Red Maple		Trees & Shrubs

<i>Acer saccharum</i>	Sugar Maple		Trees & Shrubs
<i>Aesculus flava</i>	Yellow Buckeye		Trees & Shrubs
<i>Aesculus glabra</i>	Ohio Buckeye		Trees & Shrubs
<i>Aesculus pavia</i>	Red Buckeye	scarlet buckeye, firecracker plant	Trees & Shrubs
<i>Alnus serrulata</i>	Hazel Alder	smooth alder, brookside alder, tag alder, common alder	Trees & Shrubs
<i>Amelanchier arborea</i>	Downy Serviceberry		Trees & Shrubs
<i>Amelanchier canadensis</i>	Canadian Serviceberry	shadblow, shadblow serviceberry, serviceberry, Juneberry,	Trees & Shrubs
<i>Amelanchier laevis</i>	Allegheny Serviceberry	serviceberry, smooth shadbush, smooth serviceberry	Trees & Shrubs
<i>Amelanchier stolonifera</i>	Running Serviceberry	running juneberry, dwarf serviceberry	Trees & Shrubs
<i>Amorpha fruticosa</i>	Desert False Indigo	false indigo, indigo bush, false indigo bush	Trees & Shrubs
<i>Aralia racemosa</i>	American Spikenard	spikenard	Trees & Shrubs

<i>Aralia spinosa</i>	Devil's Walking Stick		Trees & Shrubs
<i>Aronia arbutifolia</i>	Red Chokeberry		Trees & Shrubs
<i>Aronia melanocarpa</i>	Black Chokeberry		Trees & Shrubs
<i>Arundinaria gigantea</i>	Giant Native Cane		Trees & Shrubs
<i>Asimina triloba</i>	Pawpaw	Indian banana	Trees & Shrubs
<i>Betula alleghaniensis</i>	Yellow Birch		Trees & Shrubs
<i>Betula lenta</i>	Sweet Birch		Trees & Shrubs
<i>Betula nigra</i>	River Birch		Trees & Shrubs
<i>Callicarpa americana</i>	American Beautyberry	French mulberry	Trees & Shrubs
<i>Calycanthus floridus</i>	Eastern Sweetshrub	sweet shrub, Carolina allspice	Trees & Shrubs
<i>Carpinus caroliniana</i>	American Hornbeam		Trees & Shrubs
<i>Carya aquatica</i>	Water Hickory		Trees & Shrubs
<i>Carya cordiformis</i>	Bitternut Hickory		Trees & Shrubs
<i>Carya glabra</i>	Pignut Hickory		Trees & Shrubs
<i>Carya illinoensis</i>	Pecan		Trees & Shrubs
<i>Carya laciniata</i>	Shellbark Hickory		Trees & Shrubs
<i>Carya ovata</i>	Shagbark Hickory		Trees & Shrubs
<i>Carya tormentosa</i>	Mockernut Hickory		Trees & Shrubs

<i>Castanea pumila</i>	Chinquapin		Trees & Shrubs
<i>Catalpa speciosa</i>	Northern Catalpa		Trees & Shrubs
<i>Ceanothus americanus</i>	New Jersey Tea	redroot, Indian tea, wild snowball, snowbrush, soapbloom	Trees & Shrubs
<i>Cephalanthus occidentalis</i>	Common Buttonbush	button ball, button willow, buttonbush	Trees & Shrubs
<i>Cercis canadensis</i>	Eastern Redbud	redbud	Trees & Shrubs
<i>Chionanthus virginicus</i>	White Fringetree	fringe tree, old man's beard, flowering ash, grandfather gra	Trees & Shrubs
<i>Cladrastis kentukea</i>	Kentucky Yellowwood	gopherwood, yellowwood, American yellowwood, virgilia	Trees & Shrubs
<i>Clethra acuminata</i>	Mountain Sweetpepperbush	mountain pepper-bush, cinnamonbark clethra	Trees & Shrubs
<i>Clethra alnifolia</i>	Coastal Sweetpepperbush	sweet pepper-bush, coastal sweet pepper-bush, summers	Trees & Shrubs
<i>Comptonia peregrina</i>	Sweetfern		Trees & Shrubs
<i>Cornus alternifolia</i>	Pagoda Dogwood		Trees & Shrubs
<i>Cornus amomum</i>	Silky Dogwood	red willow, silky cornel	Trees & Shrubs
<i>Cornus drummondii</i>	Roughleaf Dogwood		Trees & Shrubs
<i>Cornus florida</i>	Flowering Dogwood	dogwood	Trees & Shrubs

<i>Cornus foemina</i>	Swamp Dogwood		Trees & Shrubs
<i>Cornus obliqua</i>	Silky Dogwood	subspecies of <i>Cornus amomum</i> aka silky dogwood	Trees & Shrubs
<i>Cornus obovatus</i>	American Smoketree		Trees & Shrubs
<i>Cornus sericea</i>	Red Osier Dogwood	red twig dogwood	Trees & Shrubs
<i>Corylus americana</i>	American Hazelnut	American filbert	Trees & Shrubs
<i>Crataegus crusgalli</i>	Cockspur Hawthorn		Trees & Shrubs
<i>Crataegus harbousonii</i>	Harbison's Hawthorn		Trees & Shrubs
<i>Crataegus marshalli</i>	Parsley Leaf		Trees & Shrubs
<i>Crataegus phaenopyrum</i>	Washington Hawthorn		Trees & Shrubs
<i>Crataegus viridis</i>	Green Hawthorn	southern thorn	Trees & Shrubs
<i>Diervilla lonicera</i>	Northern Bush Honeysuckle	low bush honeysuckle, dwarf bush honeysuckle	Trees & Shrubs
<i>Diervilla rivularis</i>	Hairy Bush-Honeysuckle	mountain bush-honeysuckle	Trees & Shrubs
<i>Diospyros virginiana</i>	Common Persimmon	persimmon, eastern persimon, possumwood,	Trees & Shrubs

		american ebc	
<i>Dirca palustris</i>	Leatherwood		Trees & Shrubs
<i>Euonymus americanus</i>	Bursting-Heart	running strawberry bush, strawberry bush, hearts-bustin'-VI	Trees & Shrubs
<i>Euonymus atropurpureus</i>	American Wahoo	eastern wahoo, burningbush and hearts-bursting-with love	Trees & Shrubs
<i>Fagus grandifolia</i>	American Beech		Trees & Shrubs
<i>Foresteria ligustrina</i>	Glade Privet	southern glade privet	Trees & Shrubs
<i>Frangula caroliniana</i>	Carolina Buckthorn	Carolina false buckthorn, yellow buckthorn, Indian cherry,,	Trees & Shrubs
<i>Fraxinus pennsylvanica</i>	Green Ash		Trees & Shrubs
<i>Fraxinus quadrangulata</i>	Blue Ash		Trees & Shrubs
<i>Gaultheria procumbens</i>	Eastern Teaberry	wintergreen, teaberry, checkerberry	Trees & Shrubs
<i>Gaylussacia baccata</i>	Black Huckleberry		Trees & Shrubs
<i>Gaylussacia brachycera</i>	Box Huckleberry		Trees & Shrubs
<i>Gymnocladus dioicus</i>	KV Coffeetree		Trees & Shrubs
<i>Hamamelis virginiana</i>	American Witchhazel	witch hazel	Trees & Shrubs
<i>Hibiscus moscheutos</i>	Crimsoneyed Rosemallow	crimson-eyed rose-mallow, marshmallow hibiscus, hardy hi	Trees & Shrubs
<i>Hydrangea arborescens</i>	Wild Hydrangea	sevenbark	Trees & Shrubs
<i>Hydrangea quercifolia</i>	Oakleaf Hydrangea		Trees & Shrubs
<i>Hydrangea radiata</i>	Silverleaf Hydrangea		Trees & Shrubs
<i>Hypericum densiflorum</i>	Bushy St. Johnswort	dense St. John's wort, dense hypericum	Trees & Shrubs
<i>Hypericum frondosum</i>	Cedarglade St. Johnswort	golden St. John's-wort, blueleaf St. John's wort	Trees & Shrubs
<i>Hypericum prolificum</i>	Shrubby St. Johnswort		Trees & Shrubs
<i>Hypericum punctatum</i>	Spotted St. Johnswort		Trees & Shrubs
<i>Hypericum sphaerocarpum</i>	Roundseed St. Johnswort		Trees & Shrubs
<i>Ilex collina</i>	Longstalk Holly		Trees & Shrubs
<i>Ilex decidua</i>	Possomhaw		Trees & Shrubs
<i>Ilex montana</i>	Mountain Winterberry	mountain holly, big-leaved holly	Trees & Shrubs
<i>Ilex opaca</i>	American Holly		Trees & Shrubs
<i>Ilex verticillata</i>	Common Winterberry	winterberry holly, winterberry, black alder	Trees & Shrubs

<i>Ilex vomitoria</i>	Yaupon Holly		Trees & Shrubs
<i>Itea virginica</i>	Virginia Sweetspire	Virginia willow	Trees & Shrubs
<i>Juglans cinerea</i>	Butternut	white walnut	Trees & Shrubs
<i>Juglans nigra</i>	Black Walnut	eastern black walnut	Trees & Shrubs
<i>Juniperus virginiana</i>	Eastern Redcedar	red cedar juniper, Virginia juniper	Trees & Shrubs
<i>Kalmia latifolia</i>	Mountain Laurel		Trees & Shrubs
<i>Leucothoe fontanesiana</i>	Highland Doghobble	drooping leucothoe, drooping doghobble, drooping laurel,	Trees & Shrubs
<i>Leucothoe fontanesiana</i>	Doghobble		Trees & Shrubs
<i>Lindera benzoin</i>	Northern Spicebush	spicebush, Benjaminbush, Benjamin bush	Trees & Shrubs
<i>Liquidambar styraciflua</i>	Sweetgum		Trees & Shrubs
<i>Liriodendron tulipifera</i>	Tulip Poplar		Trees & Shrubs
<i>Magnolia acuminata</i>	Cucumber Magnolia		Trees & Shrubs
<i>Magnolia fraseri</i>	Fraser Magnolia		Trees & Shrubs
<i>Magnolia grandiflora</i>	Southern Magnolia	evergreen magnolia, loblolly magnolia, great laurel magnol	Trees & Shrubs
<i>Magnolia macrophylla</i>	Bigleaf Magnolia		Trees & Shrubs
<i>Magnolia tripetala</i>	Umbrella Magnolia		Trees & Shrubs
<i>Magnolia virginiana</i>	Sweetbay	sweetbay magnolia, swampbay, swamp magnolia, whiteba	Trees & Shrubs
<i>Morus rubra</i>	Red Mulberry	moral	Trees & Shrubs
<i>Neviusia alabamensis</i>	Alabama Snowreath		Trees & Shrubs
<i>Nyssa sylvatica</i>	Blackgum	sourgum, pepperidge, tupelo, tupelo gum, black tupelo	Trees & Shrubs
<i>Ostrya virginiana</i>	Ironwood	hophornbeam, eastern hop-hornbeam	Trees & Shrubs
<i>Oxydendrum arboreum</i>	Sourwood	sorrel tree	Trees & Shrubs
<i>Philadelphus inodorus</i>	Scentless Mock Orange		Trees & Shrubs
<i>Physocarpus opulifolius</i>	Common Ninebark	Atlantic ninebark, ninebark	Trees & Shrubs

<i>Pinus echinata</i>	Shortleaf Pine		Trees & Shrubs
<i>Platanus occidentalis</i>	American Sycamore	sycamore	Trees & Shrubs
<i>Populus heterophylla</i>	Swamp Cottonwood		Trees & Shrubs
<i>Populus deltoides</i>	Eastern Cottonwood		Trees & Shrubs

Prunus americana	American Plum		Trees & Shrubs
Prunus angustifolia	Chickasaw Plum		Trees & Shrubs
Prunus caroliniana	Carolina Cherry Laurel		Trees & Shrubs
Prunus mexicana	Mexican Plum		Trees & Shrubs
Prunus munsoniana	Wild Goose Plum		Trees & Shrubs
Prunus serotina	Wild Black Cherry		Trees & Shrubs
Ptelea trifoliata	Wafer Ash	hop tree	Trees & Shrubs
Quercus alba	White Oak	northern white oak, stave oak, ridge white oak, forked-leaf	Trees & Shrubs
Quercus bicolor	White Swamp Oak		Trees & Shrubs
Quercus coccinea	Scarlet Oak		Trees & Shrubs
Quercus falcata	Southern Red Oak		Trees & Shrubs
Quercus imbricaria	Shingle Oak		Trees & Shrubs
Quercus laurifolia	Swamp Laurel Oak		Trees & Shrubs
Quercus lyrata	Overcup Oak		Trees & Shrubs
Quercus macrocarpa	Burr Oak		Trees & Shrubs
Quercus marilandica	Blackjack Oak		Trees & Shrubs
Quercus michauxii	Swamp Chestnut Oak	alt. scientific name Quercus prinus	Trees & Shrubs
Quercus muhlenbergii	Chinkapin Oak		Trees & Shrubs
Quercus nigra	Water Oak		Trees & Shrubs
Quercus pagoda	Cherrybark Oak		Trees & Shrubs
Quercus palustris	Pin Oak		Trees & Shrubs
Quercus phellos	Willow Oak		Trees & Shrubs
Quercus prinoides	Dwarf Chinkapin Oak		Trees & Shrubs
Quercus prinus	Chestnut Oak	alt scientific name Quercus michauxii	Trees & Shrubs
Quercus rubra	Northern Red Oak		Trees & Shrubs
Quercus shumardii	Shumard's Oak		Trees & Shrubs
Quercus stellata	Post Oak		Trees & Shrubs
Quercus texana	Nuttall Oak		Trees & Shrubs

Quercus velutina	Black Oak		Trees & Shrubs
Quercus virginiana	Live Oak		Trees & Shrubs
Rhododendron alabamense	Alabama Azalea		Trees & Shrubs
Rhododendron arborescens	Smooth Azalea	sweet azalea	Trees & Shrubs
Rhododendron calendulaceum	Flame Azalea	butterfly azalea	Trees & Shrubs
Rhododendron canescens	Mountain Azalea	pink azalea, hoary azalea, wild azalea, honeysuckle azalea,	Trees & Shrubs
Rhododendron carolinianum	Carolina Rhododendron		Trees & Shrubs
Rhododendron catawbiense	Catawba Rosebay	Catawba rhododendron, mountain rosebay, purple ivy, pur	Trees & Shrubs
Rhododendron maximum	Great Laurel	great rhododendron, wild rhododendron, rosebay rhodode	Trees & Shrubs
Rhododendron periclymenoides	Pinxterbloom Azalea	pinkster, pinxterflower, pink azalea	Trees & Shrubs
Rhododendron viscosum	Swamp Azalea	clammy azalea, swamp honeysuckle	Trees & Shrubs
Rhodoendron viscosum	Swamp Azalea		Trees & Shrubs
Rhus aromatica	Aromatic Sumac		Trees & Shrubs
Rhus copallinum	Winged Sumac	flameleaf sumac, dwarf sumac	Trees & Shrubs
Rhus glabra	Smooth Sumac		Trees & Shrubs
Rhus typhina	lance leaf Sumac		Trees & Shrubs
Ribes americanum	American Black Current		Trees & Shrubs
Ribes odoratum	Clove Currant		Trees & Shrubs
Rosa carolina	Carolina Rose	pasture rose	Trees & Shrubs
Rosa palustris	Swamp Rose		Trees & Shrubs
Rosa virginiana	Virginia Rose		Trees & Shrubs
Rubus occidentalis	Black Raspberry		Trees & Shrubs
Rubus odorata	Flowering Raspberry		Trees & Shrubs
Salix caroliniana	Webb's Willow		Trees & Shrubs
Salix nigra	Black Willow	gulf black willow	Trees & Shrubs
Sambucus canadensis	Elderberry	alt scientific name as ssp. of Sambucus nigra	Trees & Shrubs
Sambucus nigra ssp. canadensis	American Black Elderberry	black elderberry, common elderberry, black elder, Mexican	Trees & Shrubs
Sassafras albidum	Sassafras		Trees & Shrubs

Sideroxylon lycioides	Buckthorn Bumelia		Trees & Shrubs
Spiraea alba	White Meadowsweet	narrow-leaved meadowsweet	Trees & Shrubs
Spiraea tomentosa	Steeplebush	hardback	Trees & Shrubs
Spirea virginiana	Virginia Meadowsweet		Trees & Shrubs

Staphylea trifolia	American Bladdernut		Trees & Shrubs
Styrax americanus	American Snowbell	storax, snowbell, American silverbells, big-leaf snowbell	Trees & Shrubs
Symphoricarpos orbiculatus	Coralberry	buckbrush, Indian currant, devil's shoestring	Trees & Shrubs
Taxodium distichum	Bald Cypress	common bald cypress, southern bald cypress	Trees & Shrubs
Thuja occidentalis	American Arborvitae	northern white cedar, eastern white cedar	Trees & Shrubs
Tilia americana	Basswood		Trees & Shrubs
Tsuga canadensis	Canadian Hemlock		Trees & Shrubs
Ulmus alata	Winged Elm		Trees & Shrubs
Ulmus americana	Princeton Elm		Trees & Shrubs
Vaccinium angustifolium	Lowbush Blueberry	low sweet blueberry, late lowbush blueberry	Trees & Shrubs
Vaccinium arboreum	Farkleberry		Trees & Shrubs
Vaccinium corymbosum	Highbush Blueberry	northern highbush blueberry, southeastern highbush blueb	Trees & Shrubs
Vaccinium macrocarpon	Cranberry	large cranberry	Trees & Shrubs
Viburnum acerifolium	Mapleleaf Viburnum	dockmackie, guelder-rose, maple-leaved arrow-wood, map	Trees & Shrubs
Viburnum bracteatum	Arrowwood Viburnum		Trees & Shrubs
Viburnum cassinoides	Witherod Viburnum		Trees & Shrubs
Viburnum dentatum	Southern Arrowwood	roughish arrow-wood, arrowwood viburnum	Trees & Shrubs
Viburnum nudum	Possumhaw	naked viburnum, smooth withered, possumhaw viburnum,	Trees & Shrubs
Viburnum rufidulum	Rusty Blackhaw		Trees & Shrubs
Xanthorhiza simplicissima	Yellowroot	shrub yellowroot	Trees & Shrubs
Aristolochia (Isotrema) macrophylla	Dutchman's Pipe	dutchman's pipevine, pipevine	Vine
Aristolochia {Isotrema}	Wooly Dutchman's Pipe		Vine

tormentosa			
Bignonia capreolata	Crossvine	cross vine, trumpet flower, trumpet creeper	Vine
Campsis radicans	Trumpet Creeper	trumpet vine, trumpet flower, common trumpet creeper, c	Vine
Celastrus scandens	American Bittersweet		Vine
Clematis glaucophylla	Leather Flower		Vine
Clematis pitcheri	Purple Leather Flower		Vine
Clematis viorna	Vasevine	leatherflower, vase-vine leather-flower, northern leatherflc	Vine
Clematis virginiana	Devil's Darning Needles	virgin's bower, old man's beard, woodbine	Vine
Cocculus carolinus	Carolina Coralbead		Vine
Decumaria barbara	Climbing Hydrangea	woodvamp	Vine
Gelsemium sempervirens	Carolina Jessamine	Carolina jessamine, Carolina yellow jessamine, yellow jessa	Vine

Lonicera sempervirens	Trumpet Honeysuckle	coral honeysuckle, woodbine	Vine
Matelea carolinensis	Maroon Carolina Milkvine		Vine
Parthenocissus quinquefolia	Virginia Creeper	American ivy, fiveleaved ivy, woodbine	Vine
Passiflora incarnata	Purple Passionflower	passionflower, maypop, apricot vine	Vine
Passiflora lutea	Yellow Passionflower	yellow passion vine, yellow passion-flower	Vine
Vitis rotundifolia	Muscadine		Vine
Wisteria frutescens	American Wisteria	Texas wisteria, Kentucky wisteria	Vine
Wisteria macrostachya	KY Wisteria		Vine