

ZONING ORDINANCE

for

CAMDEN, TENNESSEE

FEBRUARY 1984

**READOPTED
AUGUST 2009**

CONTENTS

		Page
ARTICLE I	GENERAL PROVISIONS RELATING TO ZONING	I-1
	1.1. Authority	I-1
	1.2. Title	I-1
	1.3. Purpose	I-1
ARTICLE II	DEFINITIONS	II-1
ARTICLE III	GENERAL PROVISIONS	III-1
	3.1. Zoning Affects Every Building and Use	III-1
	3.2. Continuance of Non-conforming Uses and Structures	III-1
	3.3. Accessory Structures	III-2
	3.4. Temporary Structures	III-2
	3.5. Required Yard Cannot Be Used by Another Building	III-3
	3.6. Minimum Lot Width and Depth	III-3
	3.7. Reduction in Lot Area Prohibited	III-3
	3.8. Rear Yard Abuts a Public Street	III-3
	3.9. Lot of Record	III-3
	3.10. Off Street Parking Requirements	III-3
	3.11. Off Street Loading and Unloading Requirements	III-13
	3.12. Obstruction of Vision at Street Intersections	III-13
	3.13. Access Control	III-13
	3.14. Pedestrian Traffic	III-14
	3.15. Waste Disposal Site	III-14
	3.16. Placement of Manufactured Homes	III-15
	3.17. Site Plan Review Requirements	III-16
	3.18. Orientation of Residential Structures	III-20
ARTICLE IV	ESTABLISHMENT OF DISTRICTS	IV-1
	4.1. Classifications of Districts	IV-1
	4.2. Boundaries of Districts	IV-1
ARTICLE V	PROVISIONS GOVERNING RESIDENTIAL DISTRICTS	V-1
	5.1. Regulations Governing R-1, Low Density Residential Districts	V-1
	5.2. Regulations Governing, R-2, Medium Density Residential Districts	V-4

	5.3. Regulations Governing R-3, High Density Residential Districts	V-8
	5.4. Regulations Governing R-4, Mobile Home Residential Districts	V-12
ARTICLE VI	PROVISIONS GOVERNING BUSINESS DISTRICTS	VI-1
	6.1. Regulations Governing B-1, Neighborhood Commercial Districts	VI-1
	6.2. Regulations Governing B-2, General Commercial Districts	VI-4
	6.3. Regulations Governing B-3, Central Business District	VI-7
	6.4. Regulations Governing H-M, Hospital Medical District	VI-10
	6.5. Regulations Governing O-S, Office Service	VI-10
ARTICLE VII	PROVISIONS GOVERNING INDUSTRIAL DISTRICTS	VII-1
	7.1. Regulations Governing M-1, Light Industrial Districts	VII-1
	7.2. Regulations Governing M-2, Heavy Industrial Districts	VII-5
ARTICLE VIII	PROVISIONS GOVERNING FLOOD HAZARD DISTRICTS	VIII-1
	8.1. Regulation Governing the FH, Flood Hazard Districts	
ARTICLE IX	SPECIAL PROVISIONS	IX-1
	9.1. Regulations Governing Signs	IX-1
	9.2. Regulations Governing Home Occupations	IX- 15
	9.3. Regulations Governing Boarders, Tourist and Renting of Rooms	IX-17
	9.4. Regulations Governing Erosion and Sediment Control	IX-
ARTICLE X	EXCEPTIONS AND MODIFICATIONS	X-1
	10.1. Lot of Record	X-1
	10.2. Setback Line	X-1
	10.3. Exceptions and Height Limitations	X-1
ARTICLE XI	ENFORCEMENT	XI-1
	11.1. Enforcing Officer	XI-1

	11.2. Building Permits and Certificates of Occupancy	XI-1
	11.3. Penalties	XI-1
	11.4. Remedies	XI-2
ARTICLE XII	BOARD OF ZONING APPEALS	XII-1
		XII-1
	12.1. Creation and Appointment	XII-1
	12.2. Procedure	XII-1
	12.3. Appeals	XII-1
	12.4. Powers	
ARTICLE XIII	AMENDMENTS	XIII-1
	13.1. Zoning Amendment Petition	XIII-1
	13.2. Planning Commission Review	XIII-1
	13.3. Public Hearing on Proposed Amendment	XIII-1
ARTICLE XIV	LEGAL STATUS PROVISIONS	XIV-1
	14.1. Conflict with other Ordinances	XIV-1
	14.2. Validity	XIV-1
	14.3. Effective Date	XIV-1
	14.4. Readoption Date	XIV-2
	APPENDICES	A-1
	APPENDIX A1 (Building Permit)	A-2
	APPENDIX A2 (Petition of Change or Relief)	A-3
	APPENDIX A3 (Site Plan Certificates)	A-4

ARTICLE I

GENERAL PROVISIONS RELATING TO ZONING

- 1.1. **Authority** - An ordinance, pursuant to the authority granted by Sections 13-7-201 through 13-7-210, Tennessee Code Annotated, authorizing the Town of Camden, Tennessee, to establish districts or zones within its corporate limits; to regulate, within such district, the location, height, bulk, number of stories and size of buildings and structures, the percentage of lot occupancy, the required open spaces, the density of population and the uses of land, buildings, and structures, to provide methods of administration of this ordinance and to prescribe penalties for the violation thereof.

BE IT ORDAINED by the Mayor and Board of Alderman of the Town of Camden, Tennessee, as follows:

- 1.2. **Title** - This ordinance shall be known as the "Zoning Ordinance of Camden, Tennessee." The map herein referred to, which is identified by the title "Zoning Map of Camden, Tennessee," and the signature of the Mayor attested by the Town Recorder, and all explanatory matter thereon are hereby adopted and made a part of this ordinance.
- 1.3. **Purpose** - The zoning regulations and districts as herein set forth have been made for the purpose of promoting the health, safety, morals, and the general welfare of the community. They have been designed to lessen congestion in the street, to secure safety from fire, panic and other dangers, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements. They have been made with reasonable consideration, among other things, of the character of each district and its peculiar suitability of particular uses, and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the town.

ARTICLE II

DEFINITIONS

- 2.1. **Definitions** - Except as specifically defined herein all words used in this Ordinance have their customary dictionary definitions where not inconsistent with the context of the ordinance. The term "shall" is mandatory. Words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular; the word "building" shall include the word "structure". In case of conflict between building code or dictionary definitions with the definitions contained in this Ordinance, the definition herein shall prevail. The categories established herein to define the permitted uses are derived from the Standard Land Use Coding Manual and adapted to the particular needs of the Town of Camden.

Abandoned / Obsolete Sign: A sign which directs attention to a business or product which is no longer in existence or available at the site to which the sign directs attention or which advertises a product no longer available.

Accessory Building and Use: A detached building or use subordinate to the principal building or use on the same lot and serving a purpose naturally and normally incidental to the principal building or use, including swimming pools and satellite dishes.

Accessory Structure: A subordinate structure detached from to the principal structure which shall not be used for human habitation and when located in a flood hazard district shall be designed to have low flood damage potential; shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters; shall be firmly anchored to prevent flotation which may result in damage to other structures; and service facilities such as electrical and heating equipment shall be elevated or floodproofed.

Act: The statutes authorizing the National Flood Insurance Program that are incorporated in 42 U.S.C. 4001-4128.

Addition (to an existing building): Any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls is new construction.

Agricultural Services: Establishments primarily engaged in supplying soil preparation services, crop services, landscaping, horticultural services, veterinary and other animal services, and farm labor and management services.

Agriculture: Land devoted to the production of crops and/or livestock for sale (see Code 81 of the Standard Land Use Coding Manual).

Alley: A thoroughfare which affords only a secondary means of access to abutting properties.

Amusement: An establishment which provides arcade type entertainment including such items as pinball machines, video games, pool tables, miniature golf, and other amusements. (See Code 73 in the Standard Land Use Coding Manual)

Animated sign: A sign which uses movement or change of light to depict or to create a special effect or scene (does not include time, temperature or message signs).

Apartment: One dwelling unit, including living, cooking and sanitary facilities in a multi-family structure.

Appeal: A request for a review of the Building Inspector's interpretation of any provision of this ordinance or a request for a variance or special exception.

Area of Shallow Flooding: A designated A0 or V0 Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths from one (1) to three (3) 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.

Area of Special Flood Hazard: The land in the floodplain within a community subject to a one (1%) percent or greater chance of flooding in any given year.

Attached Business Sign: Any sign which is affixed directly to a wall or parapet wall of any building or structure with the exposed face on a plane approximately parallel to the plane of such wall.

Automobile Storage Yard: Any land use for the parking and/or storage of one or more abandoned or impounded operable vehicles for which compensation is received.

Awning: See Canopy

Awning Sign: See Canopy Sign

Banner Sign: A sign made of fabric or other non-rigid materials with no enclosing framework. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

Base Flood: The flood level that has a one (1%) percent chance of being inundated in any given year. (See one-hundred year flood)

Basement: A portion of a building having its floor subgrade (below ground level) on all sides.

Boarding House or Rooming House: A building in which lodging and/or meals are provided for compensation for two or more persons for a prearranged time period.

Breakaway Wall: A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

Building: A structure built for support, shelter, or enclosure for any occupancy or storage.

Development: A manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of materials.

Buffer Strip: A strip of land, established to protect one type of land use from another with which it is incompatible, which is landscaped and kept in perpetual open space uses.

Building: Any structure designed or built for the support enclosure, shelter, or protection of persons, animals, chattels, or property.

Building, Height of: The vertical distance as measured from the finished grade at the front line of the building to the highest point of the structure.

Building Inspector: The city official or authorized representative charged with the responsibilities of enforcing the ordinance.

Building Line - Front, Side, Rear: Lines which define the required area for the front, side and rear yards, as set forth in this Ordinance. This line is usually fixed parallel to the lot line and is equivalent to the required yard.

Building, Main or Principal: A building in which the primary use of the lot is conducted.

Bulletin Board Sign: A ground sign with changeable text normally allowed for churches and schools.

Business Identification Sign: A freestanding sign identifying a recognized firm, business, or service.

Business Service: Establishments which provide aid or merchandise to retail trade establishments including, but not limited to: advertising firms; consumer and mercantile credit reporting and collection firms; duplicating, mailing and stenographic services; dwelling and building cleaning services; photo finishing; and trading stamp service (see Code 63 in the Standard Land Use Coding Manual).

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

Canopy Sign: A sign painted on, printed on, or attached flat against the surface of an awning or canopy projecting from and supported by the exterior wall of a building.

Carport: A canopy attached to the main building, open and to remain open on two sides providing a sheltered place for parking an automobile and for entering and alighting from said automobile.

Certified Historic Structure: A building certified in writing by local state or federal historic preservation organization, chartered by the State of Tennessee, as having historic value and significance and also designated as such by the Camden Planning Commission.

Child Care: Refers to the various arrangements made by parents for the care outside their home of children less than 17 years of age, for less than 24 hour periods as provided in the Tennessee Code Annotated, as well as all pertinent rules, regulations, and standards of the Tennessee Department of Human Services.

Child Care Facility: A building or structure used for the care of children as defined herein. Such a facility normally includes one of the following types:

- a. Family Day Care Home: A home operated by any person who receives pay for providing less than 24 hour supervision and care, without transfer of custody, for 5, 6, and 7 children under 17 years of age who are not residents of the household. A license is not required for a home providing care for fewer than 5 children.
- b. Group Day Care Home: Any place operated by a person, social agency, corporation, institution, or other group which receives 8 or more children under 17 years of age less than 24 hours per day for care outside their own homes, without transfer of custody. A group day care home may care for no more than 12 children.
- c. Day Care Center: A place operated by a person, social agency, corporation, institution, or other group that receives pay for the care of 13 or more children under 17 years of age for less than 24 hours per day, without transfer of custody.

Clinic: Any establishment housing facilities for medical or dental diagnosis and treatment exclusive of major surgical procedures for patients who are not kept overnight on the premises (see codes 6511, 6512 and 6517 in the Standard Land Use Coding Manual).

Commercial: Activities related to the provision of products and services. See retail and wholesale trade; financial, business, personal and professional services. (Codes 51-68 in the Standard Land Use Coding Manual)

Communication: Radio, telegraph, and television broadcast receiving and relay facilities (See Code 47 in the Standard Land Use Coding Manual).

Community Facility - A building or structure owned and operated by a governmental agency which provides a governmental service to the public.

Condominium: An ownership arrangement in which the buyer purchases only a dwelling unit and does not receive the title to any real property. This term may apply to either apartments or townhouses. Also, a building, or group of buildings, in which units are owned individually, and the structure, common areas and facilities are owned by all the owners on a proportional, undivided basis.

Construction Sign: A temporary sign identifying an architect, contractor, subcontractor, and/or material supplier participating in construction on the property on which the sign is located.

Cultural Activity: Any institution concerned with the appreciation of nature and the humanities such as but not limited to museums, art galleries, historic sites, and aquariums (see Code 71 in the Standard Land Use Coding Manual).

Density: Maximum number of units per acre allowed by this Zoning Ordinance.

Directional/Informational Sign: Any on-premise sign giving directions, instructions, or facility information, e.g., parking or exit and entrance signs, and which may contain the name or logo of an establishment but no other advertising copy.

District: Any section or sections of the Town of Camden for which the regulations governing the use of land and use, density, bulk, height, and coverage of buildings and other structures are uniform.

Driveway: A paved or gravel way, on private property, providing access from a public way, street or alley, to the main buildings, carport, garage, parking space or other portion of the premises.

Dwelling: A building or portion thereof which is designed for or used for human residential habitation. For the purpose of this Ordinance, the term "dwelling" shall not include boarding or rooming houses, motels, hotels, or other structures designed for transient residence.

Dwelling, Attached: A one-family dwelling attached to two or more one-family dwellings by a common vertical fire wall with each dwelling being located on a separate lot. This shall include zero lot line development.

Dwelling, Single-family - Detached: A building designed for or occupied exclusively by one (1) family which has no connection by a common wall to another building or structure similarly designed.

Dwelling, Multi-family: A building designed for occupancy by three (3) or more families living independently of each other.

Dwelling, Patio Home: A one-family dwelling on a separate lot with open space setbacks on three (3) sides.

Dwelling, Semi-Attached: A one-family dwelling attached to another one-family dwelling by a common vertical fire wall or walls with each dwelling being located on a separate lot. This shall include two-family townhouses and zero lot line developments.

Dwelling, Townhouse: An attached residential dwelling unit for occupancy by one (1) family constructed in a row with each unit consisting at least two (2) stories and each dwelling unit located on a single lot. Each dwelling unit is separated from the adjoining unit in each story by an adjoining fire resistant wall which has no opening in it and extends from the lowest floor through the roof with each dwelling unit having independent access to the exterior in the ground floor. For the purpose of this ordinance a townhouse designation shall apply to three (3) or more units built contiguous to each other. This definition does not preclude condominium standards as set forth in the Southern Standard Building Code.

Dwelling, Two-family (duplex): A building designed to be occupied by two families, living independently of each other having one wall common to both dwelling units, and located on one lot.

Dwelling Unit: One or more rooms designed as a unit for occupancy by one (1) family for cooking, living, and sleeping purposes, which is part of a two-family duplex, townhouse, or multi-family structures.

Dwelling-Mobile Home: See Mobile Home

Education Services: Established schools including primary, secondary, universities, colleges, junior colleges and various private facilities such as correspondence schools and art, dance and music schools (see Code 68 in the Standard Land Use Coding Manual).

Elevated Building: A non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), sheer walls, or breakaway walls.

Emergency Flood Insurance Program or Emergency Program: 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: The process of the gradual wearing away of land masses.

Essential Services: The erection, construction, alteration, or maintenance by public utilities or municipal departments, or commissions, of underground or overhead gas, electrical, steam, or water transmission or distribution system, collection, communications supply or disposal systems, including poles, wire, mains, drains, sewers, pipes, conduits, cables, traffic signals, in connection therewith, but not including buildings or substations reasonably necessary for the furnishing of adequate services by such public utilities or municipal departments or commissions, or for the public health or safety or general welfare.

Exception: 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: Any structure for which the "start of construction" commenced before the effective date of this ordinance.

Existing Manufactured Home or Mobile Home Park or Subdivision: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of this floodplain management ordinance.

Existing Structures: See Existing Construction

Expansion to an Existing Manufactured Home or Mobile Home Park or Subdivision: 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).

Exterior Boundary: See Exterior Yard.

Exterior Yard: A yard adjacent to the side or exterior boundaries of a mobile home park, a multi-family development or planned commercial development which are clear of any structures.

Factory Built Housing: A factory built structure designed for long term residential use. For the purposes of these regulations, factory built housing consist of three (3) types: modular homes, mobile homes, and manufactured homes.

Family: One or more persons related by blood, marriage, or other legal arrangement, or a group of unrelated individuals, not to exceed two persons per bedroom of the house occupied, living as a single non-profit housekeeping unit.

Finance, Insurance and Real Estate Services: Those establishments which provide banking or bank related functions and insurance and real estate brokers. (See Code 61 in the Standard Land Use Coding Manual).

Flashing Sign: Any directly or indirectly illuminated sign which contains an intermittent flashing light source. (This does not include message center or time/temperature signs.)

Flood or Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters or the unusual and rapid accumulation or runoff of surface waters from any source.

Flood Elevation Determination: A determination by the Administrator of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.

Flood Elevation Study: An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

Flood Hazard Boundary Map (FHBM): An official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined as Zone A.

Flood Insurance Rate Map (FIRM): An official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood Insurance Study: The official report provided by the Federal Emergency Management Agency. The report contains flood profiles as well as the Flood Boundary Map and the water surface elevation of the base flood.

Floodplain or Flood-prone Area: Any land area susceptible to being inundated by water from any source (see definition of "flooding").

Floodplain Management: 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: 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: Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Flood-related Erosion: The collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding.

Flood-related Erosion Area or Flood-related Erosion Prone Area: A land area adjoining the shore of a lake or other body of water, which due to the composition of the shoreline or bank and high water levels or wind-driven currents, is likely to suffer flood-related erosion damage.

Flood-related Erosion Area Management: The operation of an overall program of corrective and preventive measures for reducing flood-related erosion damage, including but not limited to emergency preparedness plans, flood-related erosion control works and flood plain management regulations.

Floodway: 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 one (1) foot.

Floor: The top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

Freeboard: A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings and the hydrological effect of urbanization of the watershed.

Freestanding Sign: Any sign supported by uprights or braces placed on or in the ground and not attached to any building.

Functionally Dependent Facility: A facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

Game Room: An establishment which provides arcade type entertainment including such items as pinball machines, video games, and pool tables.

Garage, Private: A building or portion thereof for the storage of motor vehicles owned or used by the residents.

Governmental Agency: An agency of the Federal, State, or the Local Government or any combination thereof.

Governmental Services: Fire, Police, Judicial and other services provided by the government (See Code 67 of the Standard Land Use Coding Manual).

Grade: The ground elevation used for the purpose of regulating the height of building. The ground elevation used for this purpose shall be the average of the finished ground elevations at the front line of the building.

Gross Floor Area: The total floor area, including basements, mezzanines and upper floors, if any, expressed in square feet measured from center lines of joint partitions and exteriors of outside walls.

Ground Sign: A sign mounted at ground level, the height of which is no more than six (6) feet from the surrounding ground level and the face of which begins no more than thirty-six (36) inches above the surrounding grade.

Grouping Signs: Signs identifying a group of stores, businesses, or professional offices located in one development. These include office center signs and shopping center signs.

Habitable Space: Areas within the building designed and/or used as living quarters for human beings.

Height: See Building, height of.

Height, Sign: See Sign Height.

Highest Adjacent Grade: The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a building.

Historic Area: A district or zone designated by a local authority, state or federal government within which the buildings, structures, appurtenances and places are of basic and vital importance because of their association with history, or because of their unique architectural style and scale, including color, proportion, form and architectural detail, or because of their being a part or related to a square, park, or area the design or general arrangement of which should be preserved and/or developed according to a fixed plan based on cultural, historical or architectural motives or purposes.

Historic Structure: Any structure that is;

- A. listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminary determined by

the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

- B. certified or preliminary determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminary determined by the Secretary to qualify as a registered historic district;
- C. individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- D. individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - 1. by an approved state program as determined by the Secretary of the Interior; or
 - 2. directly by the Secretary of the Interior in states without approved programs.

Hospital: An establishment which provides out-patient, inpatient, and emergency services of a medical, surgical and obstetrical nature to ill or injured human patients.

Illegal Sign: Any sign and/or advertising structure erected or altered after the effective date of this Ordinance not complying with the provisions thereof unless said provision was expressly waived or granted a variance.

Incidental Home Occupation: A venture for profit which is incidentally conducted in a dwelling unit as an accessory to the residential use.

Institution: A building occupied or operated by a non-profit society, corporation, individual foundation or governmental agency for the purpose of providing charitable, social educational or similar services of a charitable character to the public.

Interstate Sign: A sign mounted as a pole sign erected within 660 feet of the nearest edge of the right-of-way of Interstate 40. The distance of six-hundred sixty (660) feet is based on The Rules and Regulations of the Control of Outdoor Advertising, Section 1680-2-3.03, published by the Tennessee Department of Transportation.

Junk or Salvage Yard: Any land or building used for the abandonment, storage, keeping, collecting or bailing of paper, rags, scrap metals or other scrap or discarded materials. Any land or building used for the storage, demolition, dismantling or salvaging of inoperable vehicles, machinery or parts thereof.

Kindergartens: See Nursery School

Land Development or Land Use Plan: A general plan for the physical development of a particular area, which can be either a municipality, region or both. The plan will formulate a coordinated, long term development pattern for the identified area the creation of a future land development or land use map, a major road plan and the identification of goals, objectives and policies.

Levee: A man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

Levee System: A flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Loading Space: An off-street space on the same lot with a building or group of buildings for temporary parking of a vehicle while loading and unloading merchandise or materials.

Lot: A legally recorded parcel of land.

Lot Area: The total horizontal area included within lot lines.

Lot, Corner: A lot abutting upon two (2) or more streets at their intersection.

Lot, Double Frontage: A lot having a frontage on two (2) non-intersecting streets as distinguished from a corner lot.

Lot of Record: A parcel legally recorded in the Office of the Benton County Register of Deeds prior to the date of the adoption of this Ordinance.

Lot Coverage: The lot area covered by all buildings located therein.

Lot Width: The horizontal measurement at the building line.

Lowest Floor: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Ordinance.

Manufacturing: Establishments engaged in the mechanical or chemical transformations of materials or substances into new products including the assembling of component parts, the manufacturing of products, and the blending of materials such as lubricating oils, plastics, resins or liquors.

Comment: The term manufacturing covers all mechanical or chemical transformations, whether the new product is finished or semi-finished as raw material in some other process. Manufacturing production usually is carried on for the wholesale market rather than for direct sales. Processing on farms is not classified as manufacturing if the raw material is grown on the farm. The manufacturing is accessory to the major use of farming.

Manufactured Home: A residential dwelling, transportable in two or more sections, which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning and electrical systems contained therein. A manufactured home having the same general appearance as a site built home shall be allowed on individual lots in any residential district provided the following conditions are met:

- a. The unit must be installed on a permanent foundation system in compliance with all applicable requirements of the Southern Standard Building Code.
- b. The home must be covered with an exterior material customarily used on conventional dwellings. The exterior covering material shall extend to the ground except that, when a solid concrete or masonry perimeter foundation is used, the exterior covering material need not extend below the top of the foundation. Suitable exterior materials include but shall not be limited to clapboards, simulated clapboards, such as, conventional or metal material, but excluding smooth, ribbed or corrugated metal or plastic panels.
- c. The hitches or towing apparatus, axles and wheels must be removed.
- d. The roof must be pitched so there is at least a two-inch vertical rise for each twelve (12) inches of horizontal run. The roof must consist of material that is customarily used for conventional dwellings including, but not limited to approved wood, asphalt composition shingles or fiberglass shingles, but excluding corrugated aluminum, corrugated fiberglass or metal roof.
- e. The unit must be oriented on the lot so that its long axis is parallel with the street.
- f. All such units shall be required to connect to a public utility system which includes gas, electric, water, and sewer in compliance with the Southern Standard Building Code and National Electrical Code.

Manufactured Home, Flood Hazard District: For the purpose of interpreting the term "Manufactured Home" as used with the Flood Hazard District Section Manufactured Home means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purpose the term manufactured home also includes park trailers, travel trailers, and other similar vehicles

placed on a site for greater than 180 consecutive days. For insurance purposes, the term manufactured home does not include park trailers, travel trailers, and other similar vehicles.

Manufactured Home or Mobile Home Park or Subdivision: A parcel (or contiguous parcels) of land divided into two or more manufactured home or mobile home lots for rent or sale.

Maintenance (Sign): For the purposes of this Ordinance, the cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

Map: The Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by the Agency.

Mean Sea Level: 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 purposes of this ordinance, the term is synonymous with National Geodetic Vertical Datum (NGVD).

Medical Services: Those establishments which provide aid or merchandise relating to or concerned with the practice of medicine; excluding sanitariums, convalescent and rest home services. (See Code 651 in the Standard Land Use Coding Manual)

Message Board: A sign with changeable, removable letters to allow the user to replace or update the copy on the sign.

Mixed Use Development: The development of a tract of land or building or structure with two or more different uses such as, but not limited to, residential, office, manufacturing, retail, public, or entertainment, in a compact urban form.

Mini-Warehouse: A building or group of buildings in a controlled access and fenced compound that contains various sizes of individual, compartmentalized, and controlled access stalls or lockers for the storage of customers goods or wares.

Mobile Home: A factory-assembled, movable dwelling unit designed and constructed to be towed on its own permanent chassis, comprised of frame and wheels, to be used with or without a permanent foundation for permanent occupancy, but with the necessary service connections for required utilities, and distinguishable from other types of permanent dwellings in that the standards to which it is built include provisions for its mobility on that chassis as a vehicle. The character of a mobile home as a non-permanent dwelling shall not be changed in the view of this Ordinance by removal of the wheels and/or carriage or placement on a permanent foundation. A travel trailer is not to be considered as a mobile home.

Mobile Home Park: Any plot of ground upon which two or more mobile homes are parked for occupancy as dwelling units.

Mobile Home Space: An area of ground within a mobile home park designed for the accommodation of one (1) mobile home.

Model Home: A residential structure that may or may not be furnished that may display a plan of the subdivision in which the structure is located, plans of different homes or structures available for construction within the subdivision and alternative materials of which the structures may be constructed. The home may not display any materials used in the decorating or finishing of the interior of a structure and may not be staffed by more than two (2) agents.

Model Home Sign: A ground sign identifying a model residential structure or example home within a recognized subdivision or residential development.

Modular Home: A residential dwelling which is a structural unit or pre-assembled component unit including the necessary electrical, plumbing, heating, ventilating and other service systems manufactured off-site and transported to the point of use for installation or erection, with or without other specified components, is a finished building and not designed for ready removal to another site.

Motor Vehicle Transportation: Transportation services including bus, taxi and motor freight transportation. (See code 42 of the Standard Land Use Coding Manual)

National Geodetic Vertical Datum (NGVD): as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

New Construction: Structures for which the start of construction commenced on or after June 1, 1981.

New Manufactured Home or Mobile Home Park or Subdivision: A manufactured home or mobile 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.

Non-conforming Lot: A lot, the area, dimensions or location of which was lawful prior to the adoption, revision or amendment of the zoning ordinance, but which fails by reason of such adoption, revision or amendment to conform to the present requirements of the zoning district.

Non-conforming Structure or Building: A structure or building the size, dimensions or location of which was lawful prior to the adoption, revision or amendment to a zoning ordinance, but which fails by reason of such adoption, revision or amendment, to conform to the present requirements of the zoning district.

Non-conforming Use: Any use of building or premises which lawfully existed prior to the adoption of, or amendment of this Ordinance, but which no longer comply with the use regulations of the district in which it is located.

Noxious Matter: Material (in gaseous, liquid, solid, particulate, or any other form) which is capable of causing injury to living organisms by chemical reaction or is capable of causing detrimental effects upon the social, economic, or psychological well-being of individuals (also see toxic materials).

Nursery: Refers to the various arrangements made by parents for the care outside their home of children less than seventeen (17) years of age, for less than 24-hour periods as provided in Tennessee Code Annotated, Section 14-10-101 through 14-10-105 as well as all pertinent rules, regulations, and standards of the Tennessee Department of Human Services.

Nursery School: A building or structure used for the care of children as defined herein. Such a facility normally includes one of the following types.

- (a) Family Day Care Home: A home operated by any person who receives pay for providing less than 24-hour supervision and care, without transfer of custody, for 5, 6, or 7 children under 17 years of age, who are not residents of the household. A license is not required for a house providing care for fewer than 5 children.
- (b) Group Day Care Home: Any place operated by a person, social agency, corporation, institution, or other group which receives 8 or more children under 17 years of age, for less than 24 hours per day, for care outside their home, without transfer of custody. A group day care home may care for no more than 12 children.
- (c) Day Care Center: A place operated by a person, social agency, corporation, institution, or other group that receives pay for the care of 13 or more children under 17 years of age for less than 24 hours per day, without transfer of custody.

Office Center: Two or more offices having a common parking lot.

One-hundred Year Flood: A flood which has, on the average a 1-percent chance of being equaled or exceeded in any given year. It is sometimes referred to as the "1-percent chance flood".

Owner: The fee owner of a sign, the lessee of the sign, the fee holder of the property upon which the sign is located, the lease holder of such property or the individual, person or business who has purchased the copy on a sign.

Pads: The surface on which a trailer is located consisting of concrete footings and a support of the trailer.

Painted Business Sign - Any sign which is painted or inscribed directly to a wall or parapet wall of any building or structure.

Parks: An open area set aside for leisure activities which is not used for the operation of a profit making venture, such as but not limited to playgrounds, athletic or playfields and picnic areas.

Parking Space-Required: A paved and properly drained area enclosed or unclosed required by this Ordinance to be permanently reserved for parking one (1) motor vehicle. Each required parking space shall have a minimum area of one hundred sixty-two (162) square feet and not less than nine (9) feet wide, exclusive of driveways and shall be connected with a public street, alley or by a paved driveway affording safe and convenient ingress and egress. Except on lots occupied by single-family and two-family dwellings, parking spaces and driveways shall be arranged as to provide for both ingress and egress by forward motion of the parked or parking vehicle.

Perimeter Landscaped: A landscaped area intended to enhance the appearance of parking lots and other outdoor auto related uses or to screen incompatible uses from each other along their boundaries.

Periphery Boundary: (See Exterior Yard)

Permitted Use: Any use specifically identified as being allowed in a zoning district and subject to the restrictions applicable to that zoning district.

Person: includes any individual or group of individuals, corporation, partnership, association, or any other entity, including State and local governments and agencies.

Personal Services: Establishments which provide services which include laundry, beauty, funeral, and other services to individuals. (see Code 62 in the Standard Land Use Coding Manual).

Planned Commercial Development: An area of a minimum contiguous size to be planned, developed, operated and maintained as a single entity containing one or more structures to accommodate commercial or office uses, or both and appurtenant common areas and other uses incidental to the predominant uses.

Planned Development: An area of a minimum contiguous size developed according to plan as a single entity and containing one or more structures with appurtenant common areas.

Planned Unit Development (PUD): An area of a minimum contiguous size to be planned and developed as a single entity containing one or more residential clusters or planned unit residential developments and one or more public, quasi-public, commercial or industrial areas in such ranges of ratios of nonresidential uses to residential uses as shall be specified.

Planting Screen: A strip of land containing trees, bushes or shrubbery which serves as a buffer between lots and/or land uses.

Plat: A map, plan or layout indicating the location and boundaries of individual properties and which may indicate structure location and horizontal measurements.

Plot: A parcel of land set aside for an individual mobile home in a mobile home park. This is often synonymous with lot.

Pole Sign: A free-standing sign supported from the ground by a pole or similar support structure of narrow width which by reason of height does not qualify as a ground sign.

Political Sign: A sign displaying the name and/or picture of an individual seeking election to a public office or a sign otherwise relating to a forthcoming public election or referendum.

Portable Accessory Storage Structure: A movable accessory structure which is not permanently attached to a permanent foundation, does not necessitate any grading or excavation, is not intended for habitation and which is subordinate to a nonresidential use and which is used exclusively for storage purposes.

Portable Sign: A sign which is not attached by way of a rigid, non-flexible connection to a building or the ground. Any sign which by its construction or nature may be or is intended to be freely moved from one location to another. When on a trailer, the removal of the wheels or undercarriage does not place the sign in another category; neither does the anchoring of the sign by means of concrete blocks, sandbags or other types of temporary anchors. Portable signs include, but are not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-Frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising.

Principal Building: A building in which is conducted the primary use of the lot on which it is located.

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

Professional Services: Those services normally provided by the established professions such as, but not limited to, physician services, dental services, legal services, engineering services architectural services and accounting services, not to include sanitariums, convalescent and rest home services. (See Code 65 in the Standard Land Use Coding Manual).

Projecting Sign: Any sign, other than a flat wall sign, which is attached to and projects more than 12" from a building wall or other structure not specifically designed to support the sign.

Public Assembly Facility: Any of the following types of institutions or installations where community activities are typically performed such as: parochial and private clubs, lodges, meeting halls, recreation centers and areas; temporary festivals; theaters; public, parochial and private museums and art galleries; places of worship, including any structure or site such as a church, synagogue, chapel, sanctuary or cathedral, used for collective or individual involvement with a religious activity, such as rites, rituals, ceremonies, prayer and discussion; public community centers and recreational areas such as playgrounds, playfields and parks.

Public Uses: Facilities such as, but not limited to parks, schools, and offices owned and operated by governmental bodies.

Public Sign: Any temporary or permanent sign erected and maintained by the City, County, State or Federal Government for traffic direction or for the designation of or direction to any school, hospital, historical site, or public service, property or facility.

Public Utility: Any plant or equipment for the conveyance, production, transmission, delivery of or furnishing of heat, chilled air, water, light, power or water, or sewage facilities, either directly or indirectly to or for the public (see Codes 47 and 48 except Code 4823 and 485).

Real Estate Sign: Any temporary sign advertising the real estate upon which the sign is located as being for rent, lease sale or sold.

Recreational Activities: Sports activity, playground and athletic areas, swimming areas, marinas and other similar activities. (See Code 74 of the Standard Land Use Coding Manual).

Recreational Vehicle: A vehicle which is built on a single chassis, has 400 square feet or less when measured at the largest horizontal projection, is designed to be self-propelled or permanently towable by a light duty truck, and is not designed primarily for use as a permanent dwelling but as temporary living quarters for recreational, camping travel, or seasonal use.

Regulatory Floodway: 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.

Repair Services: Those establishments which fix, mend or overhaul merchandise for households or businesses, not to include automobile body shops (see Code 64 in the Standard Land Use Coding Manual).

Residential Identification Sign: A ground, freestanding or wall sign identifying a recognized subdivision, condominium complex, apartment complex or residential development.

Retail Services: Establishments providing services or entertainment, as opposed to products, to the general public, including eating and drinking places hotels and motels, finance, real estate and insurance, personal services, motion pictures, amusement and recreation services, health, educational and social services, museums and galleries.

Retail Trade: Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. (See Code 52 through 59 in the Standard Land Use Coding Manual).

Right-of-Way (ROW): A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer and similar uses.

Riverine: Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Roof Sign: any sign erected, constructed or maintained wholly or partially upon or over the roof line of any building with the principal structural support on the roof or building structure.

Schools, Parochial: An institution of learning owned and/or operated by a recognized church or religious institution.

School, Private: An institution of learning that is not parochial or public in nature.

School, Public: An institution of learning owned and/or operated by a governmental body.

Services: Establishments primarily engaged in providing services for individuals, business and government establishments and other organizations: including hotels and other lodging places; establishments providing personal, business, repair and amusement services; health, legal, engineering, and other professional services; educational institutions; membership organizations, and other miscellaneous services.

Service Station: Any facility used for dispensing or sale at retail of any motor vehicle fuels.

Setback: The minimum distance required between the lot boundary and the building line as stipulated by the front, side and rear yard provisions of this Ordinance.

Shopping Center: Two or more businesses sharing a common parking lot which shall include indoor and outdoor malls.

Sign: Any object, device, graphic design or part thereof, situated outdoors or indoors and which object, device, graphic design or the effect produced is used to advertise, announce, identify, declare, demonstrate, display, instruct, direct or attract attention by

any means including words, letters, figures, designs, fixtures, colors, motion, illumination, sound and projecting images. Any sign requiring a permit is considered to be a structure.

Sign Area - Freestanding, Roof and Projecting Signs: The area enclosed by one continuous line, connecting the extreme points or edges of the sign. The area shall be determined using the largest sign area or silhouette, but excluding the necessary supports or uprights. Two-sided signs constructed back to back shall use the square footage of one side only for compliance. Three sided signs with no more than 60 degrees between the faces shall be figured using one face only.

Sign Area - Attached Business, Awning and Canopy Signs: The area including all lettering, wording, and accompanying design or symbols together with any background. For a sign composed of individual letters or figures, the area is that of the smallest rectangle or other geometric shape that encompasses all the letters or symbols.

Sign Height: The vertical distance measured from the highest point of the sign, excluding decorative embellishments, to the grade of the adjacent street or the surface grade beneath the sign, whichever is less.

Sign Permit: A written permit granted by the Building Inspector for the erection, construction, enlargement, relocation or conversion of any sign for which a permit is required.

Site Plan, Sketch Plan, General Plan: A plan delineating the overall scheme of the development of a tract including all items as specified in this Ordinance.

Special Exception: A use allowed on appeal to the Board of Zoning Appeals.

Special Hazard Area: An area having special flood, mudslide (i.e., mudflow) and/or flood-related erosion hazard, and shown on an FHBM or FIRM as Zone A, AO, A1-30, AE, A99, or AH.

Start of Construction: The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footing, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include excavation for a basement, footing, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory building, such as garages or sheds not occupied as dwelling units or 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. For other than new construction or substantial improvements under the Coastal Barrier Resources Act, [P.O. 97-3411], including substantial improvement means the date the building permit was

issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition or improvement was within 180 days of the permit date.

State Coordinating Agency: (Tennessee Department of Economic and Community Development, Local Planning Assistance Office) means the agency of the state government, or other office designated by the Governor of the State or by state statute at the request of the Administrator to assist in the implementation of the National Flood Insurance Program.

Story: That portion of a building included between the upper surface of any floor and the upper surface of the floor next above; or any portion of a building used for human occupancy, between the top most floor and the roof. A basement not used for human occupancy shall not be counted as a story.

Story, Half: A story under a slopping roof, the finished floor area which does not exceed one half the floor area of the floor immediately below it, or a basement used for human occupancy, the floor area of the part of the basement thus used not to exceed fifty (50) percent of the floor area of the floor immediately above.

Street or Road: A way for vehicular traffic, whether the road is designated as an avenue, arterial, collector, boulevard, road, highway, street, expressway, lane, alley or other way, and for the purpose of these regulations “roads” are divided into the following categories.

- (a) Arterial: A major highway used primarily for heavy through traffic which will be so designated on the Camden Major Road Plan.
- (b) Collector Street: A street designed to carry traffic from minor streets to the major road system including the principal entrance streets to a residential development and the streets for major circulation within such a development.
- (c) Cul-de-sac or Dead-end Street: A local street with only one outlet for which there are no plans for extension and no need for extension.
- (d) Marginal Access Street: A minor street which is constructed parallel and adjacent to an arterial street for the purpose of providing access to abutting properties and protection from through traffic.
- (e) Minor Residential or Local Streets: A neighborhood or commercial area street used primarily for access to the abutting properties.

Street Line: The property line which bonds the rights-of-way set aside for use as a street. Where sidewalks exist and the location of the property line is questioned the side of the sidewalk farthest from the traveled street shall be considered as the street line.

Street Center Lines: The center of the surface roadway or the surveyed center line of the street

Structure: A walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or other manmade facilities or infrastructures.

Subdivision: The division of a tract or parcel of land into two or more lots, sites, or other divisions requiring new street or utility construction, or any division of land less than five (5) acres, for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and when appropriate to the context, relates to the process of re-subdividing.

Subdivision Development Sign: A ground sign identifying the construction or development of a recognized residential subdivision or condominium complex.

Substantial Damage: 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.

Substantially Improved Existing Manufactured Home or Mobile Home Parks, or Subdivisions: 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.

Substantially Improvement, Flood Hazard District: Any combination of repairs, reconstruction, alteration, or improvements to a building, taking place during one (1) year, in which the cumulative cost equals or exceeds fifty (50%) percent of the market value of the building. The market value of the building should be (1) the appraised value of the building prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the building prior to the damage occurring. This term includes structures which have incurred “substantial damage”, regardless of the actual repair work performed. For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications which have been identified by the Code Enforcement Official and which are solely necessary to assure safe living conditions.

Temporary Structure: A factory assembled, movable building not designed or used as a dwelling unit which is towed on its own chassis composed of a frame and wheels. The structure is to be used without a permanent foundation

Temporary Sign: Any sign, banner, pennant, valance or advertising display or sign constructed of light fabric, cardboard, wallboard, plywood, paper or other light materials, with or without frames, where either by reason of construction or purpose the sign is intended to be displayed for a short period of time only (31 days or less). Temporary signs shall include but not be limited to street banners, posters, construction signs, real

estate signs model signs, special event signs and the permanent attachment of portable signs to a site shall not change the signs to permanent signs.

Telecommunications Structure: A building, tower or other structure and equipment used for the transmission, retransmission, broadcast or promulgation's of telephone, telegraph, radio, television or other communications signals (See Code 47 under Standard Land Use Coding Manual)

Time and Temperature Sign: Electrically controlled public service time, temperature and date signs displayed on a lamp, bank or other electronic display.

Total Floor Area: The area of all floors of a building including finished attics, finished basements, covered porches, and carports.

Toxic Materials: Material (gaseous, liquid, solid, particulate, or any other form) which is capable of causing injury to living organisms by chemical reaction even when present in relatively small amounts.

Transient Lodging: Temporary lodging as set forth in Code 15 of the Standard Land Use Coding Manual.

Total Floor Area: The area of all floors of a building including finished attics, finished basements, covered porches, and carports.

Usable Floor Area: Measurement of usable floor area shall be the sum of gross horizontal areas of the several floors of the building, measured from the interior faces of the exterior walls. Floor area which is used or intended to be used principally for the storage or processing of merchandise or for utilities shall be excluded from this computation.

- (a) For the purposes of computing parking, usable floor area shall be that area used or intended to be used for the sale of merchandise or services, or for use to serve patrons, clients, or customers.
- (b) Where detailed floor plans are not available, the following shall apply:
 - (1) Commercial Building - usable floor area shall equal 75% of the gross floor area.
 - (2) Office buildings other than medical office - usable floor area shall equal 80% of the gross floor area.
 - (3) Medical Office Buildings - usable floor area shall equal 85% of the gross floor area.

Use: The special purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any non-conforming use.

Utilities: Gas, water, electricity, sewer and telephone services provided by government agencies or private companies (see code 48 in the Standard Land Use Coding Manual).

Utility Services: Establishments engaged in the generation, transmission and/or distribution of electricity, gas or steam, including water and irrigation systems and sanitary systems used for the collection and disposal of garbage, sewage and other wastes by means of destroying or processing materials.

Variance: A modification of the strict application of the area (lot, yard and open space) regulations and development standards of this Ordinance due to exceptionally irregular, narrow, shallow, or steep lots, whereby such strict application would result in practical difficulty or unnecessary hardship which would deprive an owner of reasonable use of the property. The salient points of a variance are (1) undue hardship caused by exceptional physical irregularities of the property; and (2) unique circumstances due to the exceptional physical irregularities; and, (3) strict application of the area regulations and development standards which would deprive an owner of reasonable use of the property. A variance is not justified unless all three elements are present.

Vehicle Mounted Sign: Any sign painted on or attached to a vehicle relating to the business, activity, use, service or product of the owner of the vehicle, or to the sale of the vehicle and which sign is incidental to the primary use of the vehicle.

Veterinary Hospital or Clinic: Any establishment maintained and operated by a licensed veterinarian for the surgery, diagnosis and treatment of diseases or injuries of animals. Such an establishment may include accessory boarding facilities provided they are located within the building. (see Code 8221 and 8222 Standard Land Use Coding Manual).

Violation: The failure of a structure or other development to be fully compliant with the community's zoning ordinance and or building code. Also 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.

Warehouse: A structure used exclusively for the storage of merchandise or commodities.

Wholesale Distribution of Paper Scrap and Paper Waste Materials: Establishments primarily engaged in assembly, breaking up, sorting, and wholesale distribution of paper scrap and paper waste materials.

Wholesale Trade: Establishments or places of business primarily engaged in selling merchandise to retailer, to industrial, commercial, farm, or professional business users, or

to other wholesalers, or acting as agents or brokers in buying merchandise for, or selling merchandise to such persons or companies. (See Code 51 in the Standard Land Use Coding Manual).

Window Sign: Any on-premise business sign installed in or on a window and intended to be viewed from the outside.

Yards: Any open space on the same lot with a principal building open, unoccupied and unobstructed by building from the ground to the sky except as otherwise provided in this Ordinance. The measure of a yard shall be the minimum horizontal distance between any part of the principal building and lot or street right-of-way lines.

- (a) Front Yard: The yard extending across the entire width of the lot between the front lot line, and the nearest part of the principal building. On corner lots, the yards adjacent to both streets shall be front yards.
- (b) "Side Yard": The yard between the main building and the side line of the lot, and extending from the required front yard to the required rear yard, and being the minimum horizontal distance between a side lot line and the side building line.
- (c) "Rear Yard": A yard extending across the rear of a lot between the side lot lines and being the required minimum horizontal distance between the rear lot line and the rear building line. On all lots except corner lots, the rear yard shall be defined at the time the building permit is issued.

Zero Lot Line: The location of a building on a lot in such a manner that one or more of the building's sides rest directly on a lot line.

Zoning Districts: Any section of the City for which the zoning regulations, governing the use of buildings and premises, the height of buildings, the size of the yards and the intensity of use are uniform.

ARTICLE III

GENERAL PROVISIONS

For the purpose of this ordinance there shall be certain general provisions which shall apply to the town as a whole.

- 3.1. Zoning Affects Every Building and Use** - No building or land shall hereafter be used and no building or part thereof shall be erected, moved, or altered unless for a use expressly permitted by and in conformity with the regulations herein specified for the district in which it is located, whether operated for or without compensation. However, this shall be construed as authorizing the requirement of building permits or any regulation of any building, other than setback requirements from the right-of-way of a street or alley, on lands devoted to agricultural uses. Nor shall it be construed as limiting or affecting in any way or controlling the agricultural uses of land.
- 3.2. Continuance of Non-conforming Uses and Structures** - It is the intent of this ordinance to recognize that the elimination, as expeditiously as is reasonable, of the existing buildings and structures or uses that are not in conformity with the provisions of this ordinance is as much a subject of health, safety, and welfare as is the prevention of the establishment of new uses that would violate the provisions of this ordinance. It is also the intent of this ordinance to administer the elimination of non conforming uses, buildings and structures so as to avoid an unreasonable invasion of established private property rights. Lawful non-conforming uses, buildings and structures existing at the time of the passage of this ordinance or any amendment thereto shall be allowed to remain subject to the following provisions:
- 3.2.1. An existing non-conforming use of a building may be changed to a conforming use or to another non-conforming use of the same classification; provided, however, that establishment of another non-conforming use of the same classification shall be subject to the written approval of the Board of Zoning Appeals and subject to such conditions as the Board of Zoning Appeals may require in order to protect the area.
- 3.2.2. No existing non-conforming use or structure shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except as herein provided.
- 3.2.3. Non-conforming commercial, business, or industrial uses shall be allowed to expand operations and reconstruct facilities which involve an actual continuance and expansion of activities of the business which were permitted and being conducted prior to the change in zoning, provided that there is a reasonable amount of space for such expansion on the property owned by such business and that any construction, improvements or reconstruction shall be in conformance with the district requirements in which it is located.

- 3.2.4. A non-conforming use of a building or buildings shall not be enlarged to either additional land or buildings after the effective date of this ordinance.
 - 3.2.5. When a non-conforming use of any building or land has ceased for a period of six (6) months, it shall not be re-established or changed to any other non-conforming use.
 - 3.2.6. Any non-conforming building or non-conforming use, which is damaged by fire, flood, wind or other act of God or man, may be reconstructed and used as before, if it occurs within twelve months of such damage, unless such damage is to the extent of more than seventy-five (75%) percent of the fair sales value immediately prior to the damage, in which case any repair or reconstruction shall be in conformity with the provisions of this ordinance.
 - 3.2.7. A non-conforming building or building housing a non-conforming use shall not be structurally altered except in conformance with the provisions of this ordinance. This provision shall not be construed to prevent normal maintenance and repairs or alterations required for structural safety.
 - 3.2.8. A non-conforming residential structure cannot be replaced with a structure that is not permitted in the Zoning District in which the property is situated.
 - 3.2.9. All additions or improvements to an existing non-conforming mobile home park shall be in conformance with these regulations.
- 3.3. Accessory Structures** - No accessory structures shall be utilized for human occupation, shall extend beyond the required front yard or the front line of the principal building and shall not cover more than thirty (30) percent of the required rear yard. Accessory structures shall be located a minimum of five (5) feet from side and/or rear property lines.
- 3.4. Temporary Structures** -A temporary structure for construction and/or real estates sales purposes shall be permitted in any district provided that any building permit issued for such a building shall be valid for not more than six (6) months and may be extended no more than three (3) consecutive times and further provided the following provisions are adhered to:
- 3.4.1. Residential Districts - One (1) temporary structure for construction materials and/or equipment and one (1) temporary office for the sale or rental of real property, if in connection with and incidental to the development, shall be permitted in any residential district.

- 3.4.2. Commercial and Industrial Districts. - Two (2) temporary structures for construction materials and/or equipment, if in connection with and incidental to the development, shall be permitted in any commercial district.
- 3.5. **Required Yard Cannot Be Used By Another Building** - No part of a yard or open space required by this ordinance shall be included as a part of a yard or other open space required in this ordinance for another building.
- 3.6. **Minimum Lot Width and Depth** - No building shall be erected on a lot which does not abut a public street or permanent access easement for at least thirty-five (35) feet.
- 3.7. **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 this ordinance are not maintained. This section shall not apply when a portion of a lot is required for a public purpose.
- 3.8. **Rear Yard Abuts a Public Street** - When a rear yard abuts a public street, all structures built in that rear yard shall observe the same setback from the street line, centerline of the street or property line as required for adjacent properties which front on that street. In addition, any structure located within twenty-five (25) feet of that setback line shall be no closer to any side property line than the distance required for side yards on adjoining properties fronting on that street.
- 3.9. **Lot of Record** - Where the owner of a lot of 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. Permission to use such lot as a building site may be granted, however, providing that the yards and other requirements of the district are complied with as closely as is possible in the opinion of the Board of Zoning Appeals. Where two or more substandard lots of record with continuous frontage are 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.
- 3.10. **Off-Street Parking Requirements** - Except in the B-3 (Central Business District), there shall be provided, at the time of erection of any building, or at the time any principal building is enlarged or increased in capacity by or before conversion from one zone, use, or occupancy to another, permanent off-street parking as specified in this resolution. Parking lots for commercial, industrial, or multi-family uses shall be provided with an asphalt or concrete surface with specifications approved by the Building Inspector within one (1) year of the date of the building permit for the original project. Parking space maintained in connection with an existing and continuing principal building on the effective date of this resolution shall not be counted as serving a new building or addition; nor shall any parking space be substituted for loading space, nor any loading space substituted for a parking space.

3.10.1. Location - Off-street parking shall be located on the same lot which it serves. If the parking cannot be reasonably provided on the same lot, the Board of Zoning Appeals may permit parking space to be provided on other off-street property provided such space lies within three hundred (300) feet of the main entrance to such principal use.

3.10.2. Size and Maneuvering Room - Each parking space shall have a minimum area of one hundred sixty-two (162) square feet and shall be a definitely designated stall adequate for one motor vehicle. The boundaries of each individual parking space shall be clearly marked by painted stripes on the parking lot surface. The width shall not be less than nine (9) feet and the length shall not be less than eighteen (18) feet. A minimum of three hundred twenty-four (324) square feet per parking space shall be used when computing parking area to include maneuvering space. All maneuvering lanes shall be clearly marked with painted arrows, stripes, or other approved measures that provide direction for interior circulation in the parking lot. Except for dwellings with one or two dwelling units, all off-street parking facilities shall be so arranged that no automobile shall back into any street.

3.10.3. Access - Each parking space shall be directly accessible from a street or alley or from an adequate access aisle or driveway leading to or from a street or alley, and shall make use of clearly limited and defined drives providing ingress and egress.

3.10.4. May Serve as Yard Space - Parking space may be included as part of the required yard space associated with the permitted use.

3.10.5. Number of Spaces for Specific Uses

a. Residential

Dwelling, one and two family, townhouses, multi-family and mobile homes	2 spaces per dwelling unit
Fraternities and Sororities	2 spaces per bedroom plus 1 space for each 300 sq. ft. of common space
Retirement home or assisted living home	1 space per dwelling unit
Hotels, motels, tourist courts and similar transient lodging	1 space per unit plus 1 space for each 400 sq. ft. of public mtg. area or restaurant space

All other residential uses not listed	As determined by the planning commission or the board of zoning appeals
---------------------------------------	---

b. Retail

Lumber and Building Materials	1 space per 500 sq. ft. of total floor area
-------------------------------	---

Plumbing and Heating Supply	1 space per 1,000 sq. ft. of total floor area
-----------------------------	---

Hardware and Paint	1 space per 500 sq. ft. of total floor area
--------------------	---

Greenhouse, nursery products, agricultural equipment and lawnmower sales and service	1 space per 1,000 sq. ft. of total floor area plus 1 space for each 5,000 sq. ft. of floor area
--	---

Shopping Centers and Malls	1 space per 200 sq. Ft of total floor area
----------------------------	--

General Merchandise, Clothing, Variety and Department Stores	1 space per 200 sq. ft. of total floor area
--	---

Furniture, Home Furnishings, Art, Antiques and Books and Stationary	1 space per 400 sq. ft. of total floor area
---	---

Grocery Stores and Supermarkets	1 space per 150 sq. ft. of total floor area
---------------------------------	---

Delicatessens and Bakeries	1 space per 150 sq. ft. of total floor area
----------------------------	---

Package Liquor Store and Beverage Store	1 space per 200 sq. ft. of total floor area
---	---

Auto Sales and Service, Auto Parts, Boat Sales	1 space per 500 sq. ft. of total floor area
--	---

and Service, Boat Parts
and Motorcycle Sales
and Service

Mobile Home, Semi-
Truck and Heavy
Equipment Sales.

1 space per 500 sq. ft. of
total floor area

Restaurants, Cafes and
Cafeteria

1 space per 200 sq. ft. of
total floor area.

Restaurants, Fast Food

1 space per 100 sq. ft. of
total floor area

Taverns, Bars and Drive-
In Restaurants

1 space per 150 sq. ft. of
total floor area.

Fuel or Gas Stations

1 space per 250 sq. ft. of
total floor area with a
minimum of 5 parking
spaces

Convenience Store

1 space per 200 sq. ft. of
total floor area

Pawn Shop

1 space per 300 sq. ft. of
total floor area

All other retail trade not
listed

As determined by the
planning commission or
the board of zoning
appeals

c. Finance Insurance and
Real Estate

Banks, Savings and
Loans Real Estate
Offices, and Insurance

1 space per 250 sq. ft. of
total floor area.

All other finance
insurance and real estate
not listed

As determined by the
planning commission or
the board of zoning
appeals.

d. Personal Services

Laundering, dry cleaning, apparel repair and cleaning services	1 space per 350 sq. ft. of total floor area
Beauty, Barber and Photographic Services	1 space per 300 sq. ft of total floor area and 1 space per employee
Kennels	1 space per 1000 sq. ft of total floor area
All other personal services not listed	As determined by the planning commission or the board of zoning appeals

e. Business Services

Advertising, Consumer Credit Reporting and Collections	1 space per 400 sq. ft of total floor area
Printing and Publishing	1 space per 400 sq. ft of total floor area
Photocopying, Mailing, Exterminating and Employment	1 space per 400 sq. ft of total floor area
Freight Forwarding and Trucking Terminals	1 space per 5000 sq. ft of total floor area
Warehousing and storage	3 spaces plus 1 space per 100 units
Clerical Services, Monument Sales	1 space per 500 sq. ft of total floor area
Car Wash, Full Service	1 space per 1000 sq. ft. of floor area

Car Wash, Self Service	2 spaces plus 1 space per wash bay
All other business services not listed	As determined by the planning commission or the board of zoning appeals
f. Repair Services	
Automobile Repair, Oil and Fluid Changing Services, Electrical Repair and Radio and Television Repair	1 space per 500 sq. ft of total floor area with a minimum of 2 spaces
Watch Repair, Reupholstery, and other repair services not listed	1 space per 300 sq. ft of total floor area with a minimum of 2 spaces
All other repair services not listed	As determined by the planning commission or the board of zoning appeals
g. Professional Services	
Physicians and Dentist Offices and Clinics	1 space per 150 sq. ft of total floor area.
Veterinarians and Animal Hospitals	1 space per 300 sq. ft of total floor area.
Hospitals and Sanitariums,	1 space for each employee, two 2 spaces for each bed plus 1 space for each emergency vehicle
Convalescent Homes and Rest Homes	1 space for each employee plus 1 space for each 4 beds with a minimum of 4 spaces
Day Care and Child Care Centers	1.5 spaces/care room (min. 5 spaces) plus a paved unobstructed pick-up area with adequate stacking area.
Attorneys, Accountants,	1 space per 300 sq. ft of

Engineers and other services not listed	total floor area.
All other professional services not listed	As determined by the planning commission or the board of zoning appeals
h. Contract Construction Services	
All Contract Construction Services	1 space per 1000 sq. ft of total floor area.
i. Governmental Services	
All governmental services	As determined by the planning commission or the board of zoning appeals
j. Educational Services	
Elementary school or junior high school	one (1) space for each classroom, plus one (1) space for each staff member and employee other than teachers, plus ten (10) additional spaces. This provision is not applicable where parking space required for an auditorium is provided.
Senior high school	one (1) space for each classroom plus one (1) space for each staff member and employee other than teachers, plus one (1) space for each fifteen (15) students based on the capacity for which the building was designed. This provision is not applicable where parking space required for an

	auditorium is provided.
Other Education Services	1 space per 300 sq. ft of total floor area
k. Miscellaneous Services	
Labor Unions, Clubs Lodges and Civic, Social or Fraternal Associations	1 space per 100 sq. ft of total floor area
Funeral Home or Mortuary	1 space per 100 sq. ft. of useable floor area
Other miscellaneous services not listed	As determined by the planning commission or the board of zoning appeals
l. Cultural Activities	
Libraries, Museums and Art Galleries	1 space per 200 sq. ft. of useable floor area
All other cultural activities not listed	As determined by the planning commission or the board of zoning appeals
m. Public Assembly	
Motion Picture Theaters, Amphitheaters and Stadiums	1 space per 3 seats or 6 feet of bench space
All other public assembly uses not listed	As determined by the planning commission or the board of zoning appeals
n. Amusements	
Fairgrounds and amusement parks	1 sq. ft of parking area for each sq. ft. of activity area
Golf Driving Ranges and Miniature Golf	2 spaces per hole or tee
Arcades and Pool Halls	1 space per 200 sq. ft of total floor area
All other amusements	As determined by the

	not listed	planning commission or the board of zoning appeals
o.	Recreational Activities	
	Roller Skating Rinks, Gymnasiums and athletic clubs	1 space per 250 sq. ft of total floor area
	Playgrounds and athletic fields	
	All other recreation activities not listed	As determined by the planning commission or the board of zoning appeals
p.	Communications and Utilities	
	All communications and utilities services	as determined by the planning commission and Board of Zoning Appeals
q.	Institutional	
	Churches, Synagogues and other Places of Worship	1 space per 3 seats in the sanctuary
	Nursing	1 space for per 4 beds with a minimum of 4 spaces
	All other institutional uses	as determined by the planning commission and Board of Zoning Appeals
r.	Wholesale Trade	
	Drugs, Chemicals and Allied Products	1 space per 1000 sq. ft of total floor area.
	Groceries, Electrical Goods, Hardware and other items not listed	1 space per 1000 sq. ft of total floor area.
	All other institutional	As determined by the

uses Planning Commission and Board of Zoning Appeals

s. Industrial

All Industrial Uses 1 space per 1,000 sq. ft. of floor area or 1.5 spaces for each 2 persons employed on the largest shift, which ever is greater.

3.10.5.1 In all developments, handicapped parking spaces shall be provided which have a minimum width of sixteen (16) feet [or one van accessible space as required below with a 96 inch space and adjacent 96 inch access aisle] unless a 60 inch (5 feet) middle aisle is used in conjunction with two adjacent eleven (11) feet wide parking spaces designed as a van and non-van accessible space (referred to as the universal design standard).

One in every eight accessible parking spaces shall be van accessible with an acceptable overhead clearance of a minimum of 108 inches (9 feet). Two adjacent van accessible spaces shall have a minimum of two 96 inch (8 feet) aisle.

The number of handicapped parking spaces in relation to the total number of spaces is listed below (unless dictated for multi-family or automobile showrooms or specified medical uses as dictated by the North Carolina Handicapped Code):

<u>Total Spaces in Lot</u>	<u>Required number of Handicapped spaces</u>
Up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2% of Total
Over 1000	20 plus 1 for each 100 over 1000

3.10.5.2 Ramp slopes for wheelchair accessibility shall be between 1:12 and 1:20.

3.10.5.3 The travel distance along accessible routes from accessible parking spaces to accessible entrances shall not exceed 200 feet.

3.10.5.4 The number and location of handicapped parking spaces shall be dictated the North Carolina Handicapped Code, the Americans with Disabilities Act, or other applicable code. If there is a conflict, the strictest standard shall apply.

3.11. Off-Street Loading and Unloading Requirements - On the same premises with every building, structure or part thereof, involving the receipt or distribution of vehicles or materials or merchandise, there shall be provided, and maintained on the lot, adequate space for standing, loading and unloading in order to avoid undue interference with public use of dedicated rights-of-way.

3.11.1. All spaces shall be laid out in the dimension of at least ten feet by fifty feet (10' x 50') or five hundred (500) square feet in area, with a clearance of at least fourteen (14) feet in height.

3.11.2. Where trailer trucks are involved, such loading and unloading space shall be an area twelve (12) feet by fifty (50) feet with a fourteen (14) foot height clearance and shall be designed with appropriate means of truck access to a street or alley as well as adequate maneuvering area.

3.11.3. The following ratio of spaces to floor area applies to all districts.

<u>Gross Floor Area</u>	<u>Space Required</u>
0 - 20,000 sq. ft.	One (1) space
20,000 sq. ft. and over	One space plus one (1) additional space for each 20,000 sq. ft. in excess of 20,000 sq. ft.

3.12. Obstruction of Vision at Street Intersections - In all districts on a corner lot, except the B-3 (Central Business District), within the area of streets or street and railroad at a distance of thirty (30) feet from their intersections, there shall be no obstruction to vision for a distance of 100 feet between a height of two and one-half (2 1/2) feet and a height of ten (10) feet above the average grade of each street or railroad at the centerline thereof. The requirements of this section shall not be deemed to prohibit any necessary retaining wall. The Board of Zoning Appeals may reduce this requirement where safety conditions will not be impaired.

3.13. Access Control - In order to promote the safety of the motorist and pedestrian and to minimize traffic congestion and conflict by reducing contact, the following regulations shall apply:

3.13.1. Plan Submission - In order to obtain access to a street, a workable plan relative to openings for ingress and egress, maneuvering, parking, and loading spaces shall

be submitted in accordance with the Site Plan Review requirements in 3.17 of this Article.

- 3.13.2. Number Of Access Points - There shall be no more than two (2) points of access to any one (1) public street on a lot of less than three hundred (300) feet, but not more than one hundred (100) feet in width. Lots in excess of three hundred (300) feet may have two (2) points of access to any one (1) public street for each three hundred (300) feet of frontage. Lots less than one hundred (100) feet in width shall have no more than one (1) point of access to any one (1) public street.
- 3.13.3. Distance Of Intersections - All vehicular access points shall be located at least thirty (30) feet from the intersection of any right-of-way lines of street or a street and a railroad.
- 3.13.4. Width - A point of access, i.e., a driveway or other opening for vehicles onto a public street, shall not exceed twenty-five (25) feet in width for one-way (one lane) ingress or egress and shall not exceed thirty-five (35) feet in width for two-way ingress and/or egress. Points of access up to fifty (50) feet in width for businesses engaged primarily in the servicing of automobile vehicles may be granted on a case by case basis.
- 3.13.5. Effect On Curbs, Drainage Ditches, and Sidewalks - No curbs shall be cut or altered or drainage ditches covered for the purpose of access without written approval by the Building Inspector. Where sidewalks exist, the area existing between the street and an interior parking space or driveway parallel to the street shall have an effective barrier to prevent harm to pedestrians or sidewalk by encroachment of vehicles onto the sidewalk area.
- 3.13.6. Relation To State Highway Regulations - Access control of property abutting state or federal highways shall be governed by official regulations of the Tennessee Department of Transportation.
- 3.13.7. Variances - Causes requiring variance relative to this Section, and hardship not caused by the property owner, shall be heard and acted upon by the Board of Zoning Appeals.
- 3.14. Pedestrian Traffic** - In all multifamily residential, commercial and industrial developments due considerations shall be given to pedestrian traffic circulation. In developments adjacent to existing sidewalks, the extension of the sidewalks shall be required. In all new developments the planning commission shall evaluate the density of the development or the location of the development to determine if a need exists for sidewalks in the area.
- 3.15. Waste Disposal Sites** - Off street refuse collection sites shall be required in all multifamily residential developments, office developments, commercial developments and industrial developments. A refuse collection site shall not be located within any required

front yard and shall be screened and maintained using suitable materials, as determined by the Planning Commission during site plan review. Each refuse collection receptacle shall be placed upon a cement pad of sufficient size to accommodate the desired number of receptacles.

3.16. Placement of Manufactured Homes

3.16.1. The unit must be installed on a permanent foundation system in compliance with all applicable requirements of the Southern Standard Building Code.

3.16.2. The home must be covered with an exterior material customarily used on conventional dwellings. The exterior covering material shall extend to the ground except that, when a solid concrete or masonry perimeter foundation is used and the exterior covering material need not extend below the top of the foundation. Suitable exterior materials include, but shall not be limited to, clapboards, simulated clapboards, such as, conventional or metal material, but excluding smooth, ribbed or corrugated metal or plastic panels.

3.16.3. The hitches or towing apparatus, axles and wheels must be removed.

3.16.4. The roof must be pitched so there is at least a two inch vertical rise for each twelve (12) inches of horizontal run. The roof must consist of material that is customarily used for conventional dwellings including, but not limited to, approved wood, asphalt composition shingles or fiberglass.

3.16.5. The unit must be oriented on the lot so that its long axis is parallel with the street.

3.16.6. All such units shall be required to connect to a public utility system which includes electric, water and sewer in compliance with the Southern Standard Building Code and National Electrical Code.

3.17. Site Plan Review Requirements - The following procedures and standards are established for those sections of this ordinance which require the submission and approval of a site plan prior the issuance of a building permit or certificate of occupancy for any affected lands, structures, or buildings. Site plans shall be reviewed and approved or disapproved under the following procedures and standards as specified by this ordinance.

3.17.1. Site Plan Submission and Review - Site plan review is required under three (3) separate instances by the Camden Municipal Zoning Ordinance. These instances include:

- a. The review and approval of a site plan by the Camden Building Inspector for any addition under two thousand five hundred (2,500) square feet or any single-family residential structure. The building inspector reserves the right to refer any site plan to the appropriate body for additional

review. This power of review may include, but not be limited to setbacks, screening, lighting, parking location, layouts, access and general landscaping requirements. This power shall not include the authority to specify or alter the architectural style of proposed or existing buildings.

- b. The review and approval of a site plan for any Permitted Use by the Camden Municipal Planning Commission as required by this ordinance, provided that the total square footage for any and all buildings proposed for construction for commercial or industrial use on a single lot is 2,500 square feet or greater. Site plans for construction of commercial or industrial-use structures totaling less than 2,500 square feet will be reviewed by the Building Inspector, although the Inspector reserves the right to refer any site plan to the Planning Commission for additional review. Site plans for construction of any multi-family, townhouse, or attached dwelling development, as those structures are defined in Article II of this Ordinance, will be presented to the Planning Commission. The Planning Commission or Building Inspector, whichever is the approving authority, may require such changes in the presented site plan as may be necessary to minimize the impact of the requested use upon the city. This power of review may include, but not be limited to setbacks, screening, lighting, parking location, layouts, access and general landscaping requirements. This power of review shall not include the authority to specify or alter the architectural style of proposed or existing buildings.
- c. The review and approval of a site plan for any Use Permitted on Approval of the Board of Zoning Appeals as required by this ordinance. The Board of Zoning Appeals may require such changes in the presented site plan as may be necessary to minimize the impact of the requested use upon the city. This power of review may include but not be limited to setbacks, screening, lighting, parking location, layouts, access and general landscaping requirements. This power shall not include the authority to specify or alter the architectural style of proposed or existing buildings.

3.17.2. Review Procedure - In instances of review of a site plan by either the Camden Building Inspector, the Camden Municipal Planning Commission or the Camden Municipal Board of Zoning Appeals the following procedures shall apply.

- a. Building Inspector Review - In instances of review by the Camden Building Inspector, the site plan shall be reviewed in light of the provisions of this ordinance and approved or disapproved. The plans shall then be returned to the owner or agent with the date of such approval or disapproval noted thereon. In instances of disapproval, the applicant shall be notified in writing as to the reason(s) the site plan was disapproved.
- b. Planning Commission Review

- (1) The owner or developer shall submit ten (10) copies of the proposed site plan (15) days prior to the regular meeting date of the Planning Commission. The site plan shall be reviewed in light of the provisions of this ordinance and approved or disapproved. The plans shall then be returned to the owner or agent with the date of such approval or disapproval noted thereon. When approval has been granted, the site plan shall be signed and dated by the Secretary of the Planning Commission. In instances of disapproval, the applicant shall be notified in writing as to the reasons(s) the site plan was disapproved.
- (2) Prior to the regular Planning Commission meeting, copies of the proposed site plan shall be distributed to affected city departments for review of areas under their concern. Once city staff has reviewed the proposed development and has submitted a written review, a copy of these reviews shall be distributed to members of the Planning Commission and to the applicant prior to the scheduled meeting. To assist in resolving any potential problems, the owner, developer, or agent shall be required to attend the meeting at which the item is to be heard.

c. Board of Zoning Appeals Review

- (1) The owner or developer shall submit ten (10) copies of the proposed site plan (15) days prior to the scheduled meeting date of the Board of Zoning Appeals. The site plan shall be reviewed in light of the provisions of this ordinance and approved or disapproved. The plans shall then be returned to the owner or agent with the date of such approval or disapproval noted thereon. When approval has been granted, the site plan shall be signed and dated by the Chairman of the Board of Zoning Appeals. In instances of disapproval, the applicant shall be notified in writing as to the reason(s) the site plan was disapproved.
- (2) Prior to the scheduled meeting, copies of the proposed site plan shall be distributed to affected city departments to review areas under their responsibility. Once city staff has reviewed the proposed development and has submitted a written review, a copy of these reviews shall be distributed to members of the Board of Zoning Appeals and to the applicant at least 24 hours prior to the meeting date. To assist in resolving any potential problems, the owner, developer, or agent shall be required to attend the meeting at which the item is to be heard.

3.17.3. Contents of the Site Plan

- a. Building Inspector: - In instances where site plan review is required by the Building Inspector, the site plan shall be drawn to a scale of not less than 1" = 50' and shall include, as a minimum, the following:
- (1) All property lines and their surveyed distances and courses.
 - (2) All building restricting lines, setback lines, easements, covenants, reservations and rights-of-way.
 - (3) Total land area.
 - (4) Present zoning of site and abutting properties.
 - (5) Name, address of owner of record and applicant.
 - (6) Provisions for utilities (water, sewer, etc.)
 - (7) Location and dimensions of the proposed structures.
- b. Planning Commission and Board of Zoning Appeals: - In instances where site plan review is required by either the Planning Commission or the Board of Zoning Appeals, the site plan shall be drawn to a scale of not less than 1" = 50' and shall include, at a minimum, the following:
- (1) Name and address of development.
 - (2) Name and address of the applicant and owner of record.
 - (3) Present zoning of the site and abutting properties.
 - (4) Date, graphic scale, and north point with reference to source of meridian.
 - (5) Courses and distances of center of all streets and all property lines, highway setback lines, property restricting lines, easements, covenants reservations and rights-of -way.
 - (6) The total land area.
 - (7) Topography of the existing ground and paved areas and elevations in relation to mean sea level of streets, alleys, utilities, sanitary and storm sewers, and buildings and structures. Topography to be shown by dashed line illustrating two (2)-foot contours and by spot elevation where necessary to indicate flat areas.

- (8) Certification as to the accuracy of the plan by a licensed architect or engineer.
- (9) A certificate, with a space for a signature and date, which states that the site plan has been approved by either the Camden Municipal Planning Commission or the Camden Municipal Board of Zoning Appeals, which ever is applicable to the type of use that is requested.
- (10) The location, dimensions, site and height of the following when existing:
 - (a) Sidewalks, streets, alleys, easements and utilities.
 - (b) Buildings and structures.
 - (c) Public waste water systems.
 - (d) Slopes, terraces and retaining walls.
 - (e) Driveways, entrances, exits, parking areas and sidewalks.
 - (f) Water mains and fire hydrants.
 - (g) Trees and shrubs.
 - (h) Recreational areas and swimming pools.
 - (i) Natural and artificial water courses.
 - (j) Limits of flood plains.
- (11) The location, dimensions, site and height of the following when proposed:
 - (a) Sidewalks, streets, alleys, easements and utilities.
 - (b) Buildings and structures including the front (street) elevation of proposed buildings.
 - (c) Public waste water systems.
 - (d) Slopes and terraces, and retaining walls.
 - (e) Driveways, entrances, exits, parking areas and sidewalks.

- (f) Water mains and fire hydrants.
- (g) Trees and shrubs.
- (h) Recreational areas.
- (i) Distances between buildings.
- (j) Estimates of the following when applicable:
 - (i) Number of dwelling units.
 - (ii) Number of parking spaces.
 - (iii) Number of loading spaces.
 - (iv) Number of commercial or industrial tenants and employees.
 - (v) Plans for collecting storm water and methods of treatment of natural and artificial water courses including a delineation of limits or flood plains, if any.
 - (vi) Proposed grading, surface drainage terraces, retaining wall heights, grades on paving area, and ground floor elevations of proposed building and structures. Proposed topography of the site shall be shown by two (2) foot contours.

3.17.4. Expiration of Approval and Renewal - A site plan approved by the Planning Commission or the Board of Zoning Appeals shall lapse unless a building permit, based thereon, is issued within one (1) year from the date of such approval unless an extension of time is applied for and granted by the appropriate approving body.

3.18. Orientation of Residential Structures - From and after the time of adoption of this Ordinance, any building constructed for residential purposes shall be arranged so that the front of the structure is oriented toward the street providing access to the structure.

3.19 Fences and Walls – Notwithstanding other provisions of this Ordinance, fences and wall may be permitted in any required yard, or along the edge of any yard, provided that fences or walls along the sides or front edge of any yard be limited to a height of no more than 42 inches (3 ½ feet) with a setback minimum of 15 feet from the curb or the right of way whichever is greater. Buffers may be exempt from these provisions if required by the reviewing authority. No proposed fence, wall or fence shall be permitted, which violates Section 3.12 and any other provision of this ordinance or other City Codes.

ARTICLE IV

ESTABLISHMENT OF DISTRICTS

4.1. Classification of Districts - In order to regulate and restrict the location and use of buildings and land for commerce, residence and other purposes and to regulate and restrict the height and size of yards and open spaces and the density of habitation, the Town of Camden is hereby divided into districts as set forth below:

- R-1** (Low Density Residential)
- R-2** (Medium Density Residential)
- R-3** (High Density Residential)
- R-4** (Mobile Home/High Density Residential)
- B-1** (Neighborhood Business)
- B-2** (General Business)
- B-3** (Central Business District)
- H-M** (Hospital - Medical)
- O-S** (Office – Service)
- M-1** (Light Industrial District)
- M-2** (Heavy Industrial District)
- FH** (Flood Hazard District)

4.2. Boundaries of Districts - The boundaries of districts are hereby established as shown on the map entitled, "Zoning Map of Camden, Tennessee," which is a part of this ordinance and which is on file in the Town Hall of the Town of Camden.

4.2.1. Unless otherwise indicated on the zoning map, the boundaries are lot lines, the center lines of streets or alleys, railroad rights-of-way, or the corporate limit lines as they existed at the time of enactment of this ordinance. Questions concerning the exact location of district boundary lines shall be determined by the Board of Zoning Appeals.

- 4.2.2. Where a district boundary divides a lot, as existing at the time this ordinance takes effect, and the major portion of said lot is in the less restrictive district, the regulations relative to that district may extend as well to such portion of said lot which is not more than twenty (20) feet within the more restricted district.

or private schools

each one hundred (100) students or fraction of one hundred (100) students over one hundred (100).

d. Philanthropic or religious institutions other than churches.

e. All other uses

One (1) acre or more as required by the Board of Zoning Appeals

5.1.6. Minimum Lot Width at the Building Line

a. Single-family dwellings

Seventy (70) feet.

b. Churches and/or cemeteries

Two-hundred (200) feet

c. Schools, including parochial or private schools

Three-hundred (300) feet

d. All other uses

One-hundred (100) feet

5.1.7. Minimum Required Front Yard

a. All lots

Forty (40) feet

5.1.8. Minimum Required Side Yard on Each Side of the Lot

a. Single-family dwellings

Fifteen (15) feet

b. All other uses

Twenty-five (25) feet or more as required by the Board of Zoning Appeals

5.1.9. Minimum Required Rear Yard

a. Single-family dwellings

Thirty (30) feet

b. All other uses

Forty (40) feet or more as required by the Board of Zoning Appeals

5.1.10. Maximum Number of Principal Buildings Permitted

- a. Single family residential uses shall be limited to one (1) principal building per lot.
- b. Uses other than residential shall have no limitations on the number of buildings provided however, that the aggregate of all buildings shall not cover more than thirty (30) percent of the entire lot area.

5.1.11. Height Regulations - The maximum height of all structures shall be as follows:

- a. No building shall exceed three (3) stories or thirty-five (35) feet in height.
- b. No accessory building shall exceed two stories in height.
- c. Free-standing poles, spires, towers, antennae and similar structures not designed for, or suitable to human occupancy, may exceed the height provisions of this ordinance provided that they comply with all other codes and ordinances, and provided that they are located a distance equal to their own height plus ten (10) feet from the nearest property line.

5.1.12. Parking Requirements - Off-street parking space shall be provided on the same lot as the principal building in accordance with Article III, Section 3.10.

5.1.13. Accessory Buildings and Uses - Accessory buildings shall be located on the lot in accordance with Article III, Section 3.3.

5.1.14. Site Plan Review - Prior to the issuance of a building permit, site plan review is required in accordance with Article III, Section 3.17. of this ordinance for all permitted uses and uses permitted on appeal, except for single (1) family or two (2) family residential structures. Once a site plan has been approved and all modifications, if any, have been made a building permit may be issued. The Building Inspector shall maintain a copy of the site plan in the permanent files of the town.

- | | | |
|----|---|--|
| d. | Schools, including parochial or private schools | Five (5) acres plus one (1) acre for each one hundred (100) students or fraction of one hundred (100) students over one hundred (100). |
| e. | Golf courses or country clubs, including publicly owned | Ten (10) acres |
| f. | All other uses | One (1) acre or more as required by the Board of Zoning Appeals |

5.2.6. Minimum Lot Width at the Building Line

- | | | |
|----|--|--------------------------|
| a. | Single-family dwellings | Sixty (60) feet. |
| b. | Two family dwellings | Eighty (80) feet |
| c. | Churches, cemeteries, golf courses, and/or country clubs | Two-hundred (200) feet |
| d. | Schools, including parochial or private schools | Three-hundred (300) feet |
| e. | All other uses | One-hundred (100) feet |

5.2.7. Minimum Required Front Yard

- | | | |
|----|----------|------------------|
| a. | All lots | Thirty (30) feet |
|----|----------|------------------|

5.2.8. Minimum Required Side Yard on Each Side of the Lot

- | | | |
|----|-------------------------|---|
| a. | Single-family dwellings | Ten (10) feet |
| b. | Two-family dwellings | Fifteen (15) feet. |
| c. | All other uses | Twenty-five (25) feet or more as required by the Board of Zoning Appeals. |

5.2.9. Minimum Required Rear Yard

- a. Single-family dwellings Twenty (20) feet
- b. Two-family dwellings Twenty-five (25) feet.
- c. All other uses Forty (40) feet or more as required by the Board of Zoning Appeals

5.2.10. Maximum Number of Principal Buildings Permitted

- a. Single family and two family residential uses shall be limited to one (1) principal building per lot.
- b. Uses other than residential shall have no limitations on the number of buildings provided however, that the aggregate of all buildings shall not cover more than thirty (30) percent of the entire lot area.

5.2.11. Height Regulations - The maximum height of all structures shall be as follows:

- a. No building shall exceed three (3) stories or thirty-five (35) feet in height.
- b. No accessory building shall exceed two stories in height.
- c. Free-standing poles, spires, towers, antennae and similar structures not designed for, or suitable to human occupancy, may exceed the height provisions of this ordinance provided that they comply with all other codes and ordinances, and provided that they are located a distance equal to their own height plus ten (10) feet from the nearest property line.

5.2.12. Parking Requirements - Off-street parking space shall be provided on the same lot as the principal building in accordance with Article III, Section 3.10

5.2.13. Accessory Buildings and Uses - Accessory buildings shall be located on the lot in accordance with Article III, Section 3.3.

5.2.14. Site Plan Review - Prior to the issuance of a building permit, site plan review is required in accordance with Article III, Section 3.17. of this ordinance for all permitted uses and uses permitted on appeal, except for single (1) family or two (2) family residential structures. Once a site plan has been approved and all modifications, if any, have been made a building permit may be issued. The Building Inspector shall maintain a copy of the site plan in the permanent files of the town.

- | | | |
|----|---|--|
| | dwelling | for the first (1st) unit plus three-thousand (3,000) sq. ft. for each additional unit |
| d. | Churches and/or cemeteries | Two (2) acres |
| e. | Schools, including parochial or private schools | Five (5) acres plus one (1) acre for each one hundred (100) students or fraction of one hundred (100) students over one hundred (100). |
| f. | Golf courses or country clubs, including publicly owned | Ten (10) acres |
| g. | All other uses | One (1) acre or more as required by the Board of Zoning Appeals |

5.3.6. Minimum Lot Width at the Building Line

- | | | |
|----|--|--------------------------|
| a. | Single-family dwellings | Sixty (60) feet. |
| b. | Two family dwellings | Eighty (80) feet |
| c. | Townhouse and multi-family dwellings | One-hundred (100) feet |
| d. | Churches, cemeteries, golf courses, and/or country clubs | Two-hundred (200) feet |
| e. | Schools, including parochial or private schools | Three-hundred (300) feet |
| f. | All other uses | One-hundred (100) feet |

5.3.7. Minimum Required Front Yard

- | | | |
|----|----------|------------------|
| a. | All lots | Thirty (30) feet |
|----|----------|------------------|

5.3.8. Minimum Required Side Yard on Each Side of the Lot

- | | | |
|----|--|-------------------|
| a. | Single-family dwellings | Ten (10) feet |
| b. | Two-family, Townhouse and Multi-family dwellings | Fifteen (15) feet |

- c. All other uses Twenty-five (25) feet or more as required by the Board of Zoning Appeals

5.3.9. Minimum Required Rear Yard

- a. Single-family dwellings Twenty (20) feet
- b. Two-family dwellings Twenty-five (25) feet.
- c. Townhouse and Multi-family dwellings Thirty (30) feet
- d. All other uses Forty (40) feet or more as required by the Board of Zoning Appeals

5.3.10. Maximum Number of Principal Buildings Permitted

- a. Single family and two family residential uses shall be limited to one (1) principal building per lot.
- b. All other uses shall have no limitations on the number of buildings provided, however, that the aggregate of all buildings shall not cover more than thirty (30) percent of the entire lot area.

5.3.11. Height Regulations - The maximum height of all structures shall be as follows:

- a. No building shall exceed three (3) stories or thirty-five (35) feet in height.
- b. No accessory building shall exceed two stories in height.
- c. Free-standing poles, spires, towers, antennae and similar structures not designed for, or suitable to human occupancy, may exceed the height provisions of this ordinance provided that they comply with all other codes and ordinances, and provided that they are located a distance equal to their own height plus ten (10) feet from the nearest property line.

5.3.12. Parking Requirements - Off-street parking space shall be provided on the same lot as the principal building in accordance with Article III, Section 3.16.

- 5.3.13 Recreational Facilities** - For all multifamily, townhouse, or apartment developments, exceeding four units and including phased developments, recreational space and facilities shall be provided for. The recreational space shall constitute ten (10) percent of the required minimum lot and shall be landscaped, lighted, and furnished appropriate to the anticipated clientele, i.e., including playground equipment when children are anticipated. The planning commission shall have the authority to modify this proposed recreational space and facilities so as to reasonably serve the anticipated residents.
- 5.3.14. Accessory Buildings and Uses** - Accessory buildings shall be located on the lot in accordance with Article III, Section 3.3.
- 5.3.15. Site Plan Review** - Prior to the issuance of a building permit, site plan review is required in accordance with Article III, Section 3.17 of this ordinance for all permitted uses and uses permitted on appeal, except for single (1) family or two (2) family residential structures. Once a site plan has been approved and all modifications, if any, have been made a building permit may be issued. The Building Inspector shall maintain a copy of the site plan in the permanent files of the town.

5.4. R-4 Mobile Home/High Density Residential District.

5.4.1 Intent - The R-4 (Mobile Home Residential) District is designed to allow for the placement of mobile homes on individual lots and to allow for the construction of mobile home parks, as well as other residential uses.

5.4.2 Uses Permitted

- a. Single-family mobile homes
- b. Mobile home parks
- c. Single-family detached and attached dwellings, not to include mobile homes.
- d. Two-family dwellings, not to include mobile homes.
- e. Townhouses and multiple family dwellings.
- f. Accessory buildings and accessory uses customarily incidental to the above permitted uses.
- g. Signs as permitted in Article VIII, Section 8.1

5.4.3. Uses Permitted on Appeal - None

5.4.4. Uses Prohibited - Any other use not specifically permitted in Section 5.4.2 or permitted on appeal in Section 5.4.3.

5.4.5. Minimum Lot Area

- | | | |
|----|-----------------------------------|---|
| a. | Single family mobile home | Seven thousand five hundred (7,500) sq. ft. |
| b. | Mobile home parks | Five (5) acres. |
| c. | Mobile home in a mobile home park | Four thousand-five hundred (4,500) sq. ft. |
| d. | Single-family dwellings | Seven thousand five hundred (7,500) sq. ft. |
| e. | Two family dwellings | Ten-thousand (10,000) sq. ft. |

5.4.6. Minimum Lot Width at the Building Line

- | | | |
|----|--------------------------------------|--|
| a. | Single family mobile home | Sixty (60) feet. |
| b. | Mobile home parks | One hundred (100) feet for the overall development |
| c. | Single-family dwellings | Sixty (60) feet. |
| d. | Two family dwellings | Eighty (80) feet |
| e. | Townhouse and multi-family dwellings | One-hundred (100) feet |

5.4.7. Minimum Required Front Yard

- | | | |
|----|----------|-------------------|
| a. | All lots | Thirty (30) feet. |
|----|----------|-------------------|

5.4.8. Minimum Required Side Yard on Each Side of the Lot

- | | | |
|----|--|--|
| a. | Single-family mobile homes | Ten (10) feet. |
| b. | Mobile home parks | Twenty-five (25) feet for the overall development. |
| c. | Single-family dwellings | Ten (10) feet. |
| d. | Two-family, Townhouse and Multi-family dwellings | Fifteen (15) feet. |

5.4.9. Minimum Required Rear Yard

- | | | |
|----|--------------------------------------|--|
| a. | Single-family mobile homes | Twenty (20) feet. |
| b. | Mobile home parks | Twenty-five (25) feet for the overall development. |
| c. | Single-family dwellings | Twenty (20) feet |
| d. | Two-family dwellings | Twenty-five (25) feet. |
| e. | Townhouse and Multi-family dwellings | Thirty (30) feet |

5.4.10. Maximum Number of Principal Buildings Permitted

- a. One (1) mobile home per lot outside of a mobile home park.
- b. Mobile homes inside a mobile home park shall have no limitations on the number of buildings provided, however, that the aggregate of all buildings shall not cover more than fifty (50) percent of the entire lot area.

5.4.11. Height Regulations - The maximum height of all structures shall be as follows:

- a. No building shall exceed three (3) stories or thirty-five (35) feet in height.
- b. No accessory building shall exceed two stories in height.
- c. Free-standing poles, spires, towers, antennae and similar structures not designed for, or suitable to human occupancy, may exceed the height provisions of this ordinance provided that they comply with all other codes and ordinances, and provided that they are located a distance equal to their own height plus ten (10) feet from the nearest property line.

5.4.12. Mobile Home Park Development Requirements - All mobile home parks developed in the Town of Camden must meet certain development requirements. A site plan for the proposed mobile home park shall be submitted to the Planning Commission and will adhere to the following development requirements.

- a. Mobile Home Parks Screening - There will be screening along the side and rear lot lines. The screening will either be a five (5) foot wide green strip with evergreen plants at least five (5) foot tall or a fence of a minimum height of six (6) foot. The fence will be designed to totally block visibility of the development even when the viewer is moving.
- b. Mobile Home Space - The site plan will show that there is a lot for each mobile home with the minimum amount of area as required by the minimum lot size. Each space shall front on a street which is part of the mobile home park system.
- c. Mobile Homes Pads
 - (1) All mobile homes permitted under this section shall be set upon masonry 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 Annotated, Section 68-45-103.

- (2) All mobile homes moved into any mobile home park, existing or new, after the effective date of this Ordinance shall be underskirted to prevent the accumulation of refuse and rodents.

d. Street System

- (1) The internal street system shall consist of paved streets that have a paved surface of a minimum of 22 feet measured from the edge of the paved surface to the edge of the paved surface.
- (2) The construction standards for the streets are: The sub-grade shall consist of six (6) inches of compacted chert or gravel topped with asphalt primer as per the subdivision regulation standards.

e. Water Line Requirements - Water lines shall be a minimum of six (6) inches looped for adequate water pressure and fire protection with fire hydrants being located every five hundred (500) feet. The water system shall be designed in accordance with the same standards that are required in the Camden Municipal Subdivision Regulations.

f. Sewer Line Requirements - Sewer lines shall be minimum four (4) inches, with four (4) inch force mains where applicable, designed in accordance with the same standards that are required in the Camden Municipal Subdivision Regulations.

g. Paved Parking Requirements - All mobile home lots or spaces shall provide a minimum of 400 sq. feet of paved parking area.

h. Drainage Plan Requirements - A drainage plan shall be submitted and approved by the town engineer.

i. Recreational Facilities - For all mobile home parks and including phased developments, recreational space and facilities shall be provided and approved as part of the overall development. The recreational space shall constitute fifteen (15%) percent of the required minimum lot area and shall be landscaped, lighted, and furnished appropriate to the anticipated clientele, i.e., including playground equipment when children are anticipated. The planning commission shall have the authority to modify this proposed recreational space and facilities so as to reasonably serve the anticipated residents.

j. Regulations for Establishment of Mobile Home Parks

- (1) Prior to the issuance of a building permit for the construction of mobile home parks, the developer shall submit a site plan to

the Planning Commission for review and approval. The site plan shall adhere to the requirements in Article III, Section 3.17 and shall also include the following;

- (a) the location of the mobile home park;
 - (b) the proposed design including streets, proposed street names, lot line with approximate dimensions, easements, land to be reserved or dedicated for public uses, and any land used for purposes other than mobile home spaces;
 - (c) provisions for water supply, sewerage and drainage; and
 - (d) location of each mobile home lot and pad.
- (2) The Planning Commission may require modification of the site plan with respect to the following items to ensure that the proposed project is compatible with and does not adversely affect the adjacent properties:
- (a) Relocation of drives and parking areas.
 - (b) Require increased lot areas and/or setbacks.
 - (c) Require screening.
 - (d) Alter building locations.
- (3) In addition, the Planning Commission shall have the power to impose greater requirements than those set forth in this section or to impose conditions on the location and design of access points or other features as maybe required to protect the neighborhood from traffic congestion or other undesirable conditions, which may include but not be limited to; the arrangement of structures, parking or the other facilities; required screening, vegetative buffers, or fencing; the location and content of required recreational facilities; and the provision of landscaping.
- (4) The planning commission shall not have the power to regulate the architectural style of buildings or other similar features not directly related to the public health, safety and welfare. The Planning Commission shall state in writing the reasons for denial of any property submitted site plan. Any site plan not acted upon within sixty (60) days from submittal shall be deemed approved.

k. Licenses and License Fees

- (1) It shall be unlawful for any person to maintain or operate within the City of Camden any mobile home park unless such person shall first obtain a license for that park.
 - (2) Licenses shall not be transferred.
 - (3) The annual license fee for each mobile home park shall be established by the Board of Mayor and Aldermen of the City of Camden.
 - (4) The license shall be conspicuously posted in the office of, or on the premises of, the mobile home park at all times.
- l. Application for License - Applications for a mobile home license shall be filed with and issued by the Building Inspector. Applications shall be in writing signed by the applicant and shall contain the following:
- (1) Name and address of applicant.
 - (2) Location and legal description of mobile home park.
 - (3) A valid state permit issued by the Tennessee Department of Environment and Conservation.
 - (4) A site plan in accordance with section 7.10 D. drawn to a scale of one hundred (100) feet to one (1) inch. The plan shall show buildings, and structures, streets, existing road ways, utilities, the location of pads and individual mobile home spaces.
 - (5) Such further information as may be requested by the Building Inspector to enable him to determine if the proposed park will comply with legal requirements.
- m. Issuance of License - The Building Inspector shall inspect the development for conformance with the provisions of this Ordinance, the approved site plan and health and environment laws. If such development conforms to these requirements, the applicant shall be issued a license.
- n. Revocation of License - The Building Inspector shall make periodic inspections of the park to ensure compliance with this Ordinance. In case of non-compliance with any provisions of this Ordinance, the Building Inspector shall serve warning to the licensee. Thereafter, upon failure to the licensee to remove said violation Building Inspector shall have the authority for the revocation of the license. The license may be reissued if the circumstances leading to revocation

have been remedied and the park can be maintained and operated in full compliance with the law.

- o. Register of Mobile Homes - It shall be the duty of the licensee to keep a register containing a record of all mobile home owners located within the park. The register shall contain the following information:
 - (1) The make, model and year of all mobile homes.
 - (2) Owner and lease of each mobile home.
 - (3) The dates of arrival and/or departure of each mobile home or recreational vehicle. The park shall keep the register available for inspection at all times by law enforcement officers, public health officials and other officials whose duties necessitate acquisition of the information contained in the register. The register records shall not be destroyed for a period of three (3) years following the date of registration.

5.4.13 Non-conforming Mobile Home Parks - All additions or improvements to an existing non-conforming mobile home park shall be conforming to these regulations.

5.4.14. Parking Requirements - Off-street parking space shall be provided on the same lot as the principal building in accordance with Article III, Section 3.17.

5.4.15. Accessory Buildings and Uses - Accessory buildings shall be located on the lot in accordance with Article III, Section 3.3.

5.4.16. Site Plan Review - Prior to the issuance of a building permit, site plan review is required in accordance with Article III, Section 3.17. of this ordinance for all permitted uses and uses permitted on appeal, except for single (1) family and two (2) family residential structures and mobile homes outside of a mobile home park. Once a site plan has been approved and all modifications, if any, have been made a building permit may be issued. The Building Inspector shall maintain a copy of the site plan in the permanent files of the town.

ARTICLE VI

PROVISIONS GOVERNING BUSINESS DISTRICTS

6.1. B-1, Neighborhood Commercial District

6.1.1 Intent - The intent of the B-1 (Neighborhood Business) District is to provide for suitable areas that provide commercial activities that are not high traffic generators, are located near residential areas and are serviced by all municipal services.

6.1.2. Uses Permitted

a. Retail trade, Limited to:

- (1) General merchandise
- (2) Food
- (3) Apparel and accessories
- (4) Eating and drinking
- (5) Other retail trade, except for farm and garden supplies

b. Services, limited to:

- (1) Finance, insurance real estate services
- (2) Personal services
- (3) Business services, including only
 - (a) Advertising service
 - (b) Consumer and mercantile credit reporting services, adjustment and collection services.
 - (c) Duplicating, mailing and stenographic services
 - (d) News syndicate services
 - (e) Employment services
 - (f) Other business services, NEC *
- (4) Professional services
- (5) Contract construction services, offices only
- (6) Governmental services, excluding correctional institutions and military bases and reservations
- (7) Educational services
- (8) Miscellaneous services
- (9) Child Day Care services

*NEC - Not Elsewhere Coded

6.1.3. Uses Permitted on Appeal - None.

6.1.4. Uses Prohibited - Any use not specifically permitted in Section 6.1.2 or permitted on appeal in Section 6.1.3.

6.1.5. Minimum Lot Area

a. All Uses Five thousand (5,000) sq. ft.

6.1.6. Minimum Lot Width at the Building Line

a. All Uses Fifty (50) feet

6.1.7. Minimum Required Front Yard

a. All Uses Thirty (30) feet

6.1.8. Minimum Required Side Yard on Each Side of the Lot

a. All Uses Twenty (20) feet provided that when the lot adjoins a residential district it shall adhere to the side yard requirement for the residential district or the twenty (20) feet, which ever is greater. Structures not constructed on the side lot line shall have a setback of ten (10) feet.

6.1.9. Minimum Required Rear Yard

a. All Uses Twenty (20) feet provided that when the lot adjoins a residential district it shall adhere to the rear yard requirement for the residential district or the twenty (20) foot requirement, which ever is greater.

6.1.10. Maximum Number of Principal Buildings Permitted - None provided the provisions of 6.1.5 through 6.1.9 are met.

- 6.1.11. Height Regulations** - The maximum height of all structures shall be as follows:
- a. No building shall exceed three (3) stories or thirty-five (35) feet in height.
 - b. No accessory building shall exceed two stories in height.
 - c. Free-standing poles, spires, towers, antennae and similar structures not designed for, or suitable to human occupancy, may exceed the height provisions of this ordinance provided that they comply with all other codes and ordinances, and provided that they are located a distance equal to their own height plus ten (10) feet from the nearest property line.
- 6.1.12. Parking Requirements** - Off-street parking space shall be provided on the same lot as the principal building in accordance with Article III, Section 3.10.
- 6.1.13. Exterior Storage** - The exterior storage of goods and materials of any kind shall be limited to the rear yard only. In instances of corner lots the rear yard shall be the area behind the principal structure between the front yard and side yard setbacks.
- 6.1.14. Landscaping** - The first seven (7) feet adjacent to a residential district shall be devoted to landscaping.
- 6.1.15. Accessory Buildings and Uses** - Accessory buildings shall be located on the lot in accordance with Article III, Section 3.3.
- 6.1.16. Site Plan Review** - Prior to the issuance of a building permit, site plan review is required in accordance with Article III, Section 3.17 of this ordinance for all permitted uses and uses permitted on appeal. Once a site plan has been approved and all modifications, if any, have been made a building permit may be issued. The Building Inspector shall maintain a copy of the site plan in the permanent files of the town.

6.2. B-2, General Business District

6.2.1. Intent - The intent of the B-2 (General Business) District is to provide for suitable areas that provide a variety of commercial activities located along major transportation routes and are serviced by all municipal services.

6.2.2. Uses Permitted

a. Retail trade, Limited to:

- (1) Building materials, hardware and farm equipment.
- (2) General merchandise.
- (3) Food.
- (4) Automotive, marine craft.
- (5) Apparel and accessories.
- (6) Furniture, home furnishings and equipment.
- (7) Eating and drinking establishments.
- (8) Other retail trade (Not elsewhere coded).

b. Services, limited to:

- (1) Finance, insurance and real estate.
- (2) Personal services.
- (3) Business services, excluding warehousing and storage services.
- (4) Repair services.
- (5) Professional services.
- (6) Governmental services, excluding military bases and reservations and correctional institutions.
- (7) Educational services.
- (8) Miscellaneous services.
- (9) Child Day Care services.

c. Cultural Activities, limited to:

- (1) Libraries.
- (2) Churches
- (3) Museums
- (4) Art galleries.
- (5) Other cultural activities (not elsewhere coded).

d. Public Assembly, limited to:

- (1) Motion picture theaters.

e. Amusements

- f. Recreational activities
- g. Transient lodgings, limited to:
 - (1) Motels
 - (2) Tourist courts
 - (3) Hotels

*NEC - Not Elsewhere Coded

6.2.3. Uses Permitted on Appeal - None.

6.2.4. Uses Prohibited - Any use not specifically permitted in Section 6.2.2 or permitted on appeal in Section 6.2.3.

6.2.5. Minimum Lot Area

- a. All Uses Twenty thousand (20,000) sq.ft.

6.2.6. Minimum Lot Width at the Building Line

- a. All Uses One hundred (100) feet

6.2.7. Minimum Required Front Yard

- a. All Uses Thirty (30) feet

6.2.8. Minimum Required Side Yard on Each Side of the Lot

- a. All Uses Fifteen (15) feet

6.2.9. Minimum Required Rear Yard

- a. All Uses Twenty (20) feet provided that when the lot adjoins a residential district it shall adhere to the rear yard requirement for the residential district or twenty (20) feet, whichever is greater.

- 6.2.10. Maximum Number of Principal Buildings Permitted** - None provided the provisions of 6.2.5 through 6.2.9 are met.
- 6.2.11. Height Regulations** - The maximum height of all structures shall be as follows:
- a. No building shall exceed three (3) stories or thirty-five (35) feet in height.
 - b. No accessory building shall exceed two stories in height.
 - c. Free-standing poles, spires, towers, antennae and similar structures not designed for, or suitable to human occupancy, may exceed the height provisions of this ordinance provided that they comply with all other codes and ordinances, and provided that they are located a distance equal to their own height plus ten (10) feet from the nearest property line.
- 6.2.12. Parking Requirements** - Off-street parking space shall be provided on the same lot as the principal building in accordance with Article III, Section 3.10.
- 6.2.13. Exterior Storage** - The exterior storage of goods and materials of any kind shall be limited to the rear yard only. In instances of corner lots the rear yard shall be the area behind the principal structure between the front yard and side yard setbacks.
- 6.2.14. Landscaping** - The first seven (7) feet adjacent to a residential district shall be devoted to landscaping.
- 6.2.15. Accessory Buildings and Uses** - Accessory buildings shall be located on the lot in accordance with Article III, Section 3.3.
- 6.2.16. Site Plan Review** - Prior to the issuance of a building permit, site plan review is required in accordance with Article III, Section 3.17 of this ordinance for all permitted uses and uses permitted on appeal. Once a site plan has been approved and all modifications, if any, have been made a building permit may be issued. The Building Inspector shall maintain a copy of the site plan in the permanent files of the town.

6.3 B-3, Central Business District

6.3.1. Intent - The intent of the B-3 (Central Business) District is to provide for suitable areas that provide a variety of commercial and cultural activities in the downtown area of Camden.

6.3.2. Uses Permitted

a. Retail trade, Limited to:

- (1) Building materials and hardware.
- (2) General merchandise.
- (3) Food.
- (4) Apparel and accessories.
- (5) Furniture, home furnishings and equipment.
- (6) Eating and drinking establishments.
- (7) Other retail trade (Not elsewhere coded).

b. Services, limited to:

- (1) Finance, insurance and real estate.
- (2) Personal services.
- (3) Business services, excluding warehousing and storage services.
- (4) Repair services.
- (5) Professional services.
- (6) Governmental services, excluding military bases and reservations and correctional institutions.
- (7) Educational services.
- (8) Miscellaneous services, including churches and charitable organizations.

c. Cultural Activities, limited to:

- (1) Libraries.
- (2) Churches
- (3) Museums
- (4) Art galleries.
- (5) Other cultural activities (not elsewhere coded).

6.3.3. Uses Permitted on Appeal with Site Plan -Town houses, multiple family

6.3.4. Uses Prohibited - Any use not specifically permitted in Section 6.3.2 or permitted on appeal in Section 6.3.3.

6.3.5. Minimum Lot Area

- a. All Uses None

6.3.6. Minimum Lot Width at the Building Line

- a. All Uses None

6.3.7. Minimum Required Front Yard

- a. All Uses None, provided that the structure fronts on sidewalks and all parking is located in the rear. Otherwise, minimum front setback – 10 feet

6.3.8. Minimum Required Side Yard on Each Side of the Lot

- a. All Uses None provided that when the lot adjoins a residential district it shall adhere to the side yard requirement for the residential district. Structures not constructed on the side lot line shall have a setback of ten (10) feet.

6.3.9. Minimum Required Rear Yard

- a. All Uses Twenty (20) feet provided that when the lot adjoins a residential district it shall adhere to the rear yard requirement for the residential district or the twenty (20) foot requirement, which ever is greater.

6.3.10. Maximum Number of Principal Buildings Permitted - One.

6.3.11. Height Regulations - The maximum height of all structures shall be as follows:

- a. No building shall exceed three (3) stories or thirty-five (35) feet in height.

- b. No accessory building shall exceed two stories in height.
- c. Free-standing poles, spires, towers, antennae and similar structures not designed for, or suitable to human occupancy, may exceed the height provisions of this ordinance provided that they comply with all other codes and ordinances, and provided that they are located a distance equal to their own height plus ten (10) feet from the nearest property line.

6.3.12. Parking Requirements - Two (2) spaces per building. If the Municipal Planning Commission or Board of Zoning Appeals requires additional parking, all parking is to be placed in the rear of the building.

The Planning Commission reserves the right to waive parking requirements based on shared parking or pedestrian oriented businesses.

6.3.13. Exterior Storage - The exterior storage of goods and materials of any kind shall be limited to the rear yard only. In instances of corner lots the rear yard shall be the area behind the principal structure between the front yard and side yard setbacks.

6.3.14. Landscaping - The first seven (7) feet adjacent to a residential district shall be devoted to landscaping.

6.3.15. Accessory Buildings and Uses - Accessory buildings shall be located on the lot in accordance with Article III, Section 3.3.

6.3.16. Site Plan Review - Prior to the issuance of a building permit, site plan review is required in accordance with Article III, Section 3.17 of this ordinance for all permitted uses and uses permitted on appeal. Once a site plan has been approved and all modifications, if any, have been made a building permit may be issued. The Building Inspector shall maintain a copy of the site plan in the permanent files of the town.

6.4 H-M, Hospital-Medical District

6.4.1. Intent - The intent of the H-M (Hospital-Medical) District is to create a district for the care of humans in the areas of medicine and density and to protect such uses from incompatible uses which would create offensive noise, dust, heavy traffic congestion and other objectionable influences and to create a tranquil environment conducive to the care treatment and recovery of patients.

6.4.2. Uses Permitted

- a. Medical and Other Health services.
- b. Accessory Uses customarily incidental to the permitted uses.
- c. Child Day Care services.

6.4.3. Uses Permitted on Appeal - The following uses shall be permitted on appeal by the Board of Zoning Appeals provided that any advertising of sales shall be confined to the interior of the building and shall not be visible from the outside of the building and that access to any room or enclosure set aside for such sales shall be from the interior of the building only.

- a. Retail trade, Limited to:
 - (1) Eating establishments.
 - (2) Other retail trade (Not elsewhere coded).

6.4.4. Uses Prohibited - Any use not specifically permitted in Section 6.4.2 or permitted on appeal in Section 6.4.3.

6.4.5. Minimum Lot Area

- a. Hospitals 5 Acres
- b. All Other Uses Twenty thousand (20,000) sq. ft.

6.4.6. Minimum Lot Width at the Building Line

- a. All Uses None

6.4.7. Minimum Required Front Yard

- a. All Uses Forty (40) feet

6.4.8. Minimum Required Side Yard on Each Side of the Lot

- a. All Uses Fifteen (15) feet provided that when the lot adjoins a residential district it shall adhere to the rear yard requirement for the residential district or thirty (30) feet, whichever is greater.

6.4.9. Minimum Required Rear Yard

- a. All Uses Thirty (30) ft.

6.4.10. Maximum Number of Principal Buildings Permitted - None provided the provisions of 6.4.5 through 6.4.9 are met.

6.4.11. Height Regulations - The maximum height of all structures shall be as follows:

- a. No building shall exceed three (3) stories or thirty-five (35) feet in height unless each side yard is increased over the required minimum by five (5) feet for every five (5) feet, or fraction thereof, of additional height over thirty-five (35) feet, not to exceed forty (40) feet.
- b. No accessory building shall exceed two (2) stories in height.
- c. Free-standing poles, spires, towers, antennae and similar structures not designed for, or suitable to human occupancy, may exceed the height provisions of this ordinance provided that they comply with all other codes and ordinances, and provided that they are located a distance equal to their own height plus ten (10) feet from the nearest property line.

6.4.12. Parking Requirements - Off-street parking space shall be provided on the same lot as the principal building in accordance with Article III, Section 3.10.

6.4.13. Exterior Storage - The exterior storage of goods and materials of any kind shall be limited to the rear yard only. In instances of corner lots the rear yard shall be the area behind the principal structure between the front yard and side yard setbacks.

6.4.14. Landscaping - The first seven (7) feet adjacent to a residential district shall be devoted to landscaping.

6.4.15. Accessory Buildings and Uses - Accessory buildings shall be located on the lot in accordance with Article III, Section 3.3.

6.4.16. Site Plan Review - Prior to the issuance of a building permit, site plan review is required in accordance with Article III, Section 3.17 of this ordinance for all permitted uses and uses permitted on appeal. Once a site plan has been approved and all modifications, if any, have been made a building permit may be issued. The Building Inspector shall maintain a copy of the site plan in the permanent files of the town.

6.5. O-S, Office Service District

6.5.1 Intent-The intent of the O-S District is to provide for office and services activities that are low traffic generators, located adjacent to residential areas and/or retail commercial districts along major arterial highways. Allowing for such office and service uses will encourage productive use of land while maintaining a transitional area between retail commercial districts, residential neighborhoods, other office developments, and/or public uses preventing the potential problems associated with the encroachment of a purely commercial district into an area with existing residential properties.

6.5.2. Uses Permitted

a. Services, limited to:

(1) Finance, insurance real estate services

(2) Personal services limited to:

(a) Laundry and dry cleaners

(b.) Photographic services

(c.) Funeral homes excluding crematoriums

(3) Business services, including only

(a) Advertising service

(b) Consumer and mercantile credit reporting services, adjustment and collection services.

(c) Duplicating, mailing and stenographic services

(d) News syndicate services

(e) Employment services

(f) Other business services, NEC *

- (4) Professional services limited to:
 - (a) Physicians
 - (b) Dental
 - (c) Medical clinics-out-patient services
 - (d) Legal services
 - (e) Other professional services, NEC. limited to:
 - (1) Engineering and architectural services
 - (2) Educational and scientific research services
 - (3) Accounting auditing and bookkeeping services
 - (4) Urban Planning Services
- (5) Contract construction services, offices only
- (6) Governmental services, excluding correctional institutions and military bases and reservations
- (7) Educational services and child care facilities
- (8) Miscellaneous services including only
 - (a.) Religious activities
 - (b.) Welfare and charitable services
 - (c.) Other miscellaneous services, NEC limited to
 - (1) Business associations
 - (2.) Professional membership organizations
 - (3.) Labor Unions and similar labor organizations
 - (4.) Civic social, and fraternal organizations

*NEC - Not Elsewhere Coded

6.5.3. Uses Permitted on Appeal - None.

6.5.4. Uses Prohibited - Any use not specifically permitted in Section 6.5.2 or permitted on appeal in Section 6.5.3.

6.5.5. Minimum Lot Area

a. All Uses Ten thousand (10,000) sq. ft.

6.5.6. Minimum Lot Width at the Building Line

a All Uses One-hundred (100) feet

6.5.7. Minimum Required Front Yard

kind shall be limited to the rear yard only. In instances of corner lots the rear yard shall be the area behind the principal structure between the front yard and side yard setbacks.

- 6.5.14. Landscaping** - The first seven (7) feet adjacent to a residential district and/or use shall be devoted to landscaping.
- 6.5.15. Accessory Buildings and Uses** - Accessory buildings shall be located on the lot in accordance with Article III, Section 3.3.
- 6.5.16. Site Plan Review** - Prior to the issuance of a building permit, site plan review is required in accordance with Article III, Section 3.17 of this ordinance for all permitted uses and uses permitted on appeal. Once a site plan has been approved and all modifications, if any, have been made a building permit may be issued. The Building Inspector shall maintain a copy of the site plan in the permanent files of the town.

ARTICLE VII

PROVISIONS GOVERNING INDUSTRIAL DISTRICTS

7.1. M-1, Industrial Districts

7.1.1 Intent - The intent of the M-1 (Light Industrial) District is to allow selected industrial uses complemented by other uses such as wholesale sales and limited retail sales services. These areas should be served by all municipal services.

7.1.2 Uses Permitted

a. Wholesale trade, limited to:

- (1) Motor vehicles and automotive equipment.
- (2) Drugs, chemicals and allied products.
- (3) Dry goods and apparel
- (4) Groceries and related products
- (5) Farm products (raw materials) except for livestock, horses and mules
- (6) Electrical goods
- (7) Hardware, plumbing and heating equipment and supplies
- (8) Machinery, equipment, and supplies
- (9) Other wholesale trade, Not Elsewhere Coded, limited to:
 - (a) Metals and minerals (Except petroleum products and scrap)
 - (b) Tobacco and tobacco products
 - (c) Beer, wine and distilled alcoholic beverages
 - (d) Paper and paper products
 - (e) Furniture and home furnishings
 - (f) Lumber and construction materials
 - (g) Other wholesale trade NEC, except for scrap and waste materials

b. Retail trade, limited to:

- (1) Materials, hardware and farm equipment

c. Business services, limited to:

- (1) Dwelling and other building services
- (2) Warehousing and storage services

d. Repair services

- e. Professional services, limited to:
 - (1) Medical laboratory services
 - (2) Dental laboratory services
 - (3) Other medical and health services
 - f. Contract construction services
 - g. Governmental services
 - h. Agricultural related activities, limited to animal husbandry services
 - i. Manufacturing, limited to:
 - (1) Apparel and other finished products made from fabrics, leather and similar materials except for leather tanning and finishing
 - (2) Furniture and fixtures
 - (3) Printing, publishing and allied industries
 - (4) Rubber and miscellaneous plastic products
 - (5) Fabricated metal products
 - (6) Professional, scientific and controlling instruments; photographic and optical goods; watches and clocks
 - (7) Miscellaneous manufacturing, Not Elsewhere Coded.
 - j. Motor vehicle transportation
 - k. Communication
 - l. Utilities
 - m. Other transportation, communication and utilities, Not Elsewhere Coded
 - n. Accessory buildings customarily incidental to the permitted use.
 - o. Signs as permitted in Article VIII, Section 8.1
 - p. Sexually oriented businesses as defined by Camden Municipal Ordinance
 - q. Child Day Care Services
- (1) The sexually oriented business may not be operated within
- (a) 750 feet of a church, synagogue or regular place of religious worship:

- (b) 750 feet of a public or private elementary or secondary school:
 - (c) 750 feet of a boundary of any residential district:
 - (d) 750 feet of a public park:
 - (e) 750 feet of a licensed day-care center:
 - (f) 750 feet of an entertainment business that is oriented priority towards children or family entertainment;
- (2) For the purpose of this ordinance, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a church, synagogue, regular place of worship, or public or private elementary or secondary school, or to the nearest boundary of an affected public park, residential district, or residential lot, or licensed day care center, or child or family entertainment business.
- (3) It shall be unlawful for an owner or operator of a sexually oriented business to allow the merchandise or activities of the establishment to be visible from a point outside the establishment.
- (4) It shall be unlawful for the owner or operator of a sexually oriented business to allow the exterior portion of the sexually oriented business to have flashing lights, or any words, lettering, photographs, silhouettes, drawings or pictorial representations of any manner except to the extent permitted by the provisions of this ordinance.
- (5) Exterior signs shall contain no sexual or sexually oriented photographs, silhouettes, drawings or pictorial representations in any manner, and may contain only the name of the enterprise,
- (6) Violation of any provision of this Section shall constitute a misdemeanor punishable by a fine of \$50 per day, beginning with the date of notification.
- (7) If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

7.1.3. Uses Permitted on Appeal - None.

7.1.4. Uses Prohibited - Any use not specifically permitted in Section 7.1.2 or permitted on appeal in Section 7.1.3.

7.1.5. Minimum Lot Area

a. All Uses None

7.1.6. Minimum Lot Width at the Building Line

a. All Uses None

7.1.7. Minimum Required Front Yard

a. All Uses Thirty (30) feet

7.1.8. Minimum Required Side Yard on Each Side of the Lot

a. All Uses Twenty-feet (25) feet provided that when the lot adjoins a residential district it shall adhere to the yard requirement for the residential district and the twenty-five (25) foot side yard requirement or fifty (50) feet which ever is greater.

7.1.9. Minimum Required Rear Yard

a. All Uses Twenty-feet (25) feet provided that when the lot adjoins a residential district it shall adhere to the yard requirement for the residential district and the twenty-five (25) foot side yard requirement or fifty (50) feet which ever is greater. or the twenty (20) feet, which ever is greater.

- 7.1.10. Maximum Number of Principal Buildings Permitted** - None provided the provisions of 7.1.4 through 7.1.9 are met.
- 7.1.11. Height Regulations** - The maximum height of all structures shall be as follows:
- a. No building shall exceed three (3) stories or thirty-five (35) feet in height.
 - b. No accessory building shall exceed two stories in height.
 - c. Free-standing poles, spires, towers, antennae and similar structures not designed for, or suitable to human occupancy, may exceed the height provisions of this ordinance provided that they comply with all other codes and ordinances, and provided that they are located a distance equal to their own height plus ten (10) feet from the nearest property line.
- 7.1.12. Parking Requirements** - Off-street parking space shall be provided on the same lot as the principal building in accordance with Article III, Section 3.10.
- 7.1.13. Exterior Storage** - The exterior storage of goods and materials of any kind shall be limited to the rear yard only. In instances of corner lots the rear yard shall be the area behind the principal structure between the front yard and side yard setbacks.
- 7.1.14. Landscaping** - The first seven (7) feet adjacent to a residential district shall be devoted to landscaping. As a minimum when a lot line is shared with a residential district a tight fence or compact evergreen hedge of not less than six (6) feet in height shall be provided.
- 7.1.15. Accessory Buildings and Uses** - Accessory buildings shall be located on the lot in accordance with Article III, Section 3.3.
- 7.1.16. Site Plan Review** - Prior to the issuance of a building permit, site plan review is required in accordance with Article III, Section 3.17 of this ordinance for all permitted uses and uses permitted on appeal. Once a site plan has been approved and all modifications, if any, have been made a building permit may be issued. The Building Inspector shall maintain a copy of the site plan in the permanent files of the town.

7.2. M-2, Heavy Industrial Districts,

7.2.1 Intent – The intent of the M-2 (Heavy Industrial) District is to allow a broad range of industrial uses complemented by other uses such as wholesale sales and limited retail sales services. These areas should be served by all municipal services.

7.2.2 Uses Permitted

a. Wholesale Trade – limited to:

- (7) Farm products (raw materials), excluding livestock, horses and mules
- (8) Machinery, equipment and supplies
- (9) Other wholesale trade, Not Elsewhere Coded including only:

- (a) Metals and minerals, excluding petroleum products and scrap
- (b) Petroleum bulk stations and terminals
- (c) Tobacco and tobacco products
- (d) Lumber and construction materials

b. Retail trade – limited to:

- (1) Eating and drinking

c. Business services – limited to:

- (1) Warehousing and storage services, excluding stockyards
- (2) Repair services
- (3) Contract construction services
- (4) Governmental services

d. Manufacturing – limited to:

- (1) Food and kindred products
- (2) Textile mill products
- (3) Apparel and other finished products made from fabrics, leather and similar materials excluding:
 - (a) Leather and wood products
- (4) Lumber and wood products
- (5) Furniture and fixtures
- (6) Paper and allied products, including only:
 - (a) Converted paper and paperboard products (except containers and boxes)
 - (b) Paperboard containers and boxes

7.2.8. Minimum Required Side Yard on Each Side of the Lot

- a. All Uses Twenty-feet (25) feet provided that when the lot adjoins a residential district it shall adhere to the yard requirement for the residential district and the twenty-five (25) foot side yard requirement or fifty (50) feet whichever is greater, or the twenty (20) feet, whichever is greater.

7.2.9. Minimum Required Rear Yard

- a. All Uses Twenty-feet (25) feet provided that when the lot adjoins a residential district it shall adhere to the yard requirement for the residential district and the twenty-five (25) foot side yard requirement or fifty (50) feet whichever is greater, or the twenty (20) feet, whichever is greater.

7.2.10. Maximum Number of Principal Buildings Permitted – None provided the provisions of 7.2.4 through 7.2.9 are met.

7.2.11 Height Regulations – The maximum height of all structures shall be as follows:

- a. No building shall exceed four (4) stories or forty (40) feet in height.
- b. No accessory building shall exceed two stories in height.
- c. Free-standing poles, spires, towers, antennae and similar structures not designed for, or suitable to human occupancy, may exceed the height provisions of this ordinance provided that they comply with all other codes and ordinances, and provided that they are located a distance equal to their own height plus ten (10) feet from the nearest property line.

7.2.12 Parking Requirements – Off-street parking space shall be provided on the same lot as the principal building in accordance with Article III, Section 3.10.

7.2.13. Exterior Storage – The exterior storage of goods and materials of any kind shall be limited to the rear yard only. In instances of corner lots the rear yard shall be the area behind the principal structure between the front yard and side yard setbacks.

7.2.14. Landscaping – The first five-(5) feet of any required yard adjacent to a street and the first seven (7) feet adjacent to a residential district shall be devoted to landscaping. As a minimum when a lot line is shared with a residential district a tight fence or compact evergreen hedge of not less than six (6) feet in height shall be provided.

7.2.15. Accessory Buildings and Uses – Accessory buildings shall be located on the lot in accordance with Article III, Section 3.3.

7.2.16. Site Plan Review – Prior to the issuance of a building permit, site plan review is required in accordance with Article III, Section 3.17 of this ordinance for all permitted uses and uses permitted on appeal. Once a site plan has been approved and all modifications, if any, have been made a building permit may be issued. The Building Inspector shall maintain a copy of the site plan in the permanent files of the town.

ARTICLE VIII

DISTRICT REGULATIONS - FLOODPLAIN DISTRICTS

AN ORDINANCE ADOPTED PURSUANT TO SECTIONS 13-7-201 THROUGH 13-7-210 OF THE TENNESSEE CODE ANNOTATED FOR THE PURPOSE OF AMENDING THE CAMDEN, TENNESSEE MUNICIPAL ZONING ORDINANCE REGULATING THE FLOODPLAIN AREAS OF CAMDEN, TENNESSEE TO MINIMIZE DANGER TO LIFE AND PROPERTY. THIS ORDINANCE SHALL BE INCORPORATED INTO THE CAMDEN MUNICIPAL ZONING ORDINANCE AS CHAPTER 8.

8.1. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES

8.1.1 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 Camden, Tennessee Mayor and Board Of Aldermen, does ordain as follows:

8.1.2 Findings of Fact

- a. The Camden Mayor and Board Of Aldermen wishes to maintain eligibility in the National Flood Insurance Program and in order to do so must meet the requirements of 60.3(d) of the Federal Insurance Administration Regulations found at 44 CFR Ch. 1 (10-1-88 Edition) and subsequent amendments.
- b. Areas of Camden are subject to periodic inundation which could result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
- c. These flood losses are caused by the cumulative effect of obstructions in floodplains, causing increases in flood heights and velocities; and by uses in flood hazard areas which are vulnerable to floods; or construction which is inadequately elevated, flood-proofed, or otherwise unprotected from flood damages.

8.1.3 Statement of Purpose

It is the purpose of this Ordinance to promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas. This Ordinance is designed to:

- a. Restrict or prohibit uses which are vulnerable to water or erosion hazards, or which cause in damaging increases in erosion, flood heights, or velocities;
- b. Require that uses vulnerable to floods, including community facilities, be protected against flood damage;
- c. Control the alteration of natural floodplains, stream channels, and natural protective barriers which accommodate flood waters;
- d. Control filling, grading, dredging and other development which may increase erosion or flood damage, and;
- e. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards.

8.1.4 Objectives

The objectives of this Ordinance are:

- a. To protect human life and health;
- b. To minimize expenditure of public funds for costly flood control projects;
- c. To minimize the need for rescue and relief efforts associated with flooding;
- d. To minimize prolonged business interruptions;
- e. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, street and bridges located in floodable areas;
- f. To help maintain a stable tax base by providing for the sound use and development of flood prone areas;
- g. To ensure that potential buyers are notified that property is in a floodable area; and,
- h. To establish eligibility for participation in the National Flood Insurance Program.

8.2. 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.

- a. "Accessory Structure" shall represent a subordinate structure to the principal structure and, for the purpose of this section, shall conform to the following:
 1. Accessory structures shall not be used for human habitation.
 2. Accessory structures shall be designed to have low flood damage potential.
 3. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.
 4. Accessory structures shall be firmly anchored to prevent flotation which may result in damage to other structures.
 5. Service facilities such as electrical and heating equipment shall be elevated or floodproofed.
- b. "Act" means the statutes authorizing the National Flood Insurance Program that are incorporated in 42 U.S.C. 4001-4128.
- c. "Addition (to an existing building)" means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls is new construction.
- d. "Appeal" means a request for a review of the Building Official's interpretation of any provision of this Ordinance or a request for a variance.
- e. "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 where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
- f. "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.
- g. "Area of Special Flood Hazard" is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the FHBM. After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE or A99.
- h. "Base Flood" means the flood having a one percent chance of being equaled or exceeded in any given year.

- i. "Basement" means that portion of a building having its floor subgrade (below ground level) on all sides.
- j. "Breakaway Wall" means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.
- k. "Building", for purposes of this section, means any structure built for support, shelter, or enclosure for any occupancy or storage. (See "structure")
- l. "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, excavation or drilling operations, or storage of equipment or materials.
- m. "Elevated Building" means a non-basement building (i) built to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), (ii) and adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1-30, AE, A, A99, AO, AH, B, C, X, or D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.
- n. "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.
- o. "Erosion" means the process of the gradual wearing away of land masses. This peril is not per se covered under the Program.
- p. "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.
- q. "Existing Construction" any structure for which the "start of construction" commenced before the effective date of this Ordinance.
- r. "Existing Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of this ordinance.
- s. "Existing Structures" see "Existing Construction"
- t. "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).

- u. "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.
- v. "Flood Elevation Determination" means a determination by the Administrator of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.
- w. "Flood Elevation Study" means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.
- x. "Flood Hazard Boundary Map (FHBM)" means an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the flood related erosion areas having special hazards have been designated as Zone A, M, and/or E.
- y. "Flood Insurance Rate Map (FIRM)" means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.
- z. "Flood Insurance Study" is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles as well as the Flood Boundary Map and the water surface elevation of the base flood.
- aa. "Floodplain" or "flood-prone Area" means any land area susceptible to being inundated by water from any source (see definition of "flooding").
- ab. "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.
- ac. "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.
- ad. "Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate

flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

- ae. "Flood-related Erosion" means the collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding.
- af. "Flood-related Erosion Area" or "Flood-related Erosion Prone Area" means a land area adjoining the shore of a lake or other body of water, which due to the composition of the shoreline or bank and high water levels or wind-driven currents, is likely to suffer flood-related erosion damage.
- ag. "Flood-related Erosion Area Management" means the operation of an overall program of corrective and preventive measures for reducing flood-related erosion damage, including but not limited to emergency preparedness plans, flood-related erosion control works and flood plain management regulations.
- ah. "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 one foot.
- ai. "Floor" means the top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.
- aj. "Freeboard" means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings and the hydrological effect of urbanization of the watershed.
- ak. "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.
- al. "Highest Adjacent Grade" means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.
- am. "Historic Structure" means any structure that is:

Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminary determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

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;

Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

1. By an approved state program as determined by the Secretary of the Interior, or
2. Directly by the Secretary of the Interior in states without approved programs.

- an. "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.
- ao. "Levee System" means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.
- ap. "Lowest Floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Ordinance.
- aq. "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".
- ar. "Manufactured Home Park or Subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
- as. "Map" means the Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by the Agency.
- at. "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 purposes of this Ordinance, the term is synonymous with National Geodetic Vertical Datum (NGVD) or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

- au. "National Geodetic Vertical Datum (NGVD)" as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.
- av. "New Construction" any structure for which the "start of construction" commenced on or after the effective date of this Ordinance. The term also includes any subsequent improvements to such structure.
- aw. "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.
- ax. "100-year Flood" see "Base Flood".
- ay. "Person" includes any individual or group of individuals, corporation, partnership, association, or any other entity, including State and local governments and agencies.
- az. "Recreational Vehicle" means a vehicle which is:
1. built on a single chassis;
 2. 400 square feet or less when measured at the largest horizontal projections;
 3. designed to be self-propelled or permanently towable by a light duty truck; and
 4. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- ba. "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.
- bb. "Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.
- bc. "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.
- bd. "Start of Construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the

stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include 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.

- be. "State Coordinating Agency" (Tennessee Department of Economic and Community Development, Local Planning Assistance Office) means the agency of the state government, or other office designated by the Governor of the State or by state statute at the request of the Administrator to assist in the implementation of the National Flood Insurance Program in that state.
- bf. "Structure", for purposes of this section, means a walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.
- bg. "Substantial Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
- bh. "Substantial Improvement" means any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. 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 identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or; (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".
- bi. "Substantially Improved Existing Manufactured Home Parks or Subdivisions" is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.
- bj. "Variance" is a grant of relief from the requirements of this Ordinance which permits construction in a manner otherwise prohibited by this Ordinance where specific enforcement would result in unnecessary hardship.
- bk. "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.

- bl. "Water Surface Elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

8.3. GENERAL PROVISIONS

8.3.1 Application

This Chapter shall apply to all areas within the incorporated area of Camden, Tennessee.

8.3.2 Basis for Establishing the Areas of Special Flood Hazard

The areas of special flood hazard identified on the Camden, Tennessee, Federal Emergency Management Agency, Flood Insurance Rate Maps, Community - Panel Numbers 47001001-47001007. Effective Date: July 17, 1986 and any subsequent amendments or revisions, are adopted by reference and declared to be a part of this Ordinance. These areas shall be incorporated into the Camden, Tennessee Zoning Map.

8.3.3 Requirement for Development Permit

A development permit shall be required in conformity with this Chapter prior to the commencement of any development activity.

8.3.4 Compliance

No 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.

8.3.5 Abrogation and Greater Restrictions

This Ordinance is not intended to repeal, abrogate, or impair any existing easement, covenant, or deed restriction. However, where this Ordinance conflicts or overlaps with another, whichever imposes the more stringent restrictions shall prevail.

8.3.6 Interpretation

In the interpretation and application of this Ordinance, all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body, and; (3) deemed neither to limit nor repeal any other powers granted under state statutes.

8.3.7 Warning and Disclaimer of Liability

The degree of flood protection required by this Ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Ordinance does not imply that land outside the flood hazard areas or uses permitted within such areas will be free from flooding or flood damages. This Ordinance shall not create liability on the part of the Town of Camden, Tennessee or by any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made hereunder.

8.3.8 Penalties for Violation

Violation of the provisions of this Ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor punishable as other misdemeanors as provided by law. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Town of Camden, Tennessee from taking such other lawful actions to prevent or remedy any violation.

8.4. ADMINISTRATION

8.4.1 Designation of (Building Official)

The Building Official is hereby appointed to administer and implement the provisions of this Ordinance.

8.4.2 Permit Procedures

Application for a development permit shall be made to the Building Official on forms furnished by him prior to any development activity. The development permit may include, but is not limited to the following: plans in duplicate drawn to scale, showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill, storage of materials or equipment, drainage facilities. Specifically, the following information is required:

a. Application stage

1. Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all buildings.*
2. Elevation in relation to mean sea level to which any non-residential building will be flood-proofed, where base flood elevation data is available.*
3. Certificate from a registered professional engineer or architect that the non-residential flood-proofed building will meet the flood-proofing criteria in 8.4.2, where base flood elevation data is available.*
4. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

* (see 2. below)

8.4.3 Construction Stage

Within unnumbered A zones, where flood elevation data are not available, the Building Official shall record the elevation of the lowest floor on the development permit. The elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building and the highest adjacent grade. USGS Quadrangle maps may be utilized when no more detailed reference exists to establish reference elevations.

Within all flood zones where base flood elevation data are utilized, the Building Official shall require that upon placement of the lowest floor, or flood-proofing by whatever construction means, whichever is applicable, it shall be the duty of the permit holder to submit to the Building Official a certification of the elevation of the lowest floor, or flood-proofed elevation, whichever is applicable, as built, in relation to mean sea level. Said certification shall be prepared by, or under the direct supervision of, a registered land surveyor, professional engineer, or architect and certified by same. When flood-proofing is utilized for a particular building, said certification shall be prepared by, or under the direct supervision of,

a professional engineer or architect and certified by same. Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The Building Official shall review the floor elevation survey data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the survey or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

8.4.4 Duties and Responsibilities of the Building Official

Duties of the Building Official shall include, but not be limited to:

- a. Review of all development permits to assure that the requirements of this Ordinance have been satisfied, and that proposed building sites will be reasonably safe from flooding.
- b. Advice to permittee that additional federal or state permits may be required, and if specific federal or state permit requirements are known, require that copies of such permits be provided and maintained on file with the development permit. This shall include Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U. S. C. 1334.
- c. Notification to adjacent communities and the Tennessee Department of Economic and Community Development, Local Planning Office, prior to any alteration or relocation of a watercourse, and submission of evidence of such notification to the Federal Emergency Management Agency.
- d. Record the actual elevation (in relation to mean sea level or highest adjacent grade, whichever is applicable) of the lowest floor (including basement) of all new or substantially improved buildings, in accordance with 8.4.2.
- e. Record the actual elevation (in relation to mean sea level or highest adjacent grade, whichever is applicable) to which the new or substantially improved buildings have been flood-proofed, in accordance with 8.4.2.
- f. When flood-proofing is utilized, the Building Official shall obtain certification from a registered professional engineer or architect, in accordance with 8.4.2.
- g. Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Building Official shall make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in 8.6.
- h. When base flood elevation data or floodway data have not been provided by the Federal Emergency Management Agency then the Building Official shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or

other source, including data developed as a result of these regulations, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the Community FHBM or FIRM meet the requirements of this Chapter.

- i. All records pertaining to the provisions of this Ordinance shall be maintained in the office of the Building Official 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.
- j. Assure that the flood carrying capacity within an altered or relocated portion of any water course is maintained.

8.5. PROVISIONS FOR FLOOD HAZARD REDUCTION

a. General Standards

In all flood prone areas the following provisions are required:

1. New construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure;
2. Manufactured homes shall be elevated and anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces;
3. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
4. New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
5. 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 which is in compliance with the provisions of this Ordinance, shall meet the requirements of "new construction" as contained in this Chapter; and,
10. Any alteration, repair, reconstruction or improvements to a building which is not in compliance with the provision of this Ordinance, shall be undertaken only if said non-conformity is not extended.

8.5.2 Specific Standards

These provisions shall apply to all areas of special flood hazard as provided herein:

In all areas of special flood hazard where base flood elevation data have been provided, including A zones, A1-30 zones, AE zones, AO zones, AH zones and A99 zones, and has provided a regulatory floodway, as set forth in 8.3.2 the following provisions are required:

- a. Residential Construction. New construction or substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement elevated 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 the unimpeded movements of flood waters shall be provided in accordance with standards of 8.5.2.
- b. Non-Residential Construction. New construction or substantial improvement of any commercial, industrial, or non-residential building shall have the lowest floor, including basement, elevated no lower than one (1) foot above the level of the base flood elevation. Buildings located in all A-zones may be flood-proofed in lieu of being elevated provided that all areas of the building below the required elevation are watertight with walls substantially impermeable to the passage of water, and are built with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the (Building Official) as set forth in 8.4.2.
- c. Elevated Building. New construction or substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls.
 1. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria.
 - a. Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - b. The bottom of all openings shall be no higher than one foot above grade; and
 - c. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.

2. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator); and
3. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms in such a way as to impede the movement of floodwaters and all such petitions shall comply with the provisions of 8.5.2.

d. Standards for Manufactured Homes and Recreational Vehicles

1. All manufactured homes placed, or substantially improved, on individual lots or parcels, in expansions of existing manufactured home parks or subdivisions, or in substantially improved manufactured home parks or subdivisions, must meet all the requirements of new construction, including elevations and anchoring.
2. All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that:
 - a. The lowest floor of the manufactured home is elevated no lower than one (1) foot above the level of the base flood elevation on a permanent foundation;
 - b. The manufactured home must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement; and,
 - c. In or outside of an existing or new manufactured home park or subdivision, or in an expansion of an existing manufactured home park or subdivision, on which a manufactured home has incurred "substantial damage" as the result of a flood, any manufactured home placed or substantially improved must meet the standards of 8.5.2(a) and 8.5.2(b) above.

3. All recreational vehicles placed on sites must either:
 - a. Be on the site for fewer than 180 consecutive days;
 - b. Be fully licensed and ready for highway use; or
 - c. The recreational vehicle must meet all the requirements for new construction, including anchoring and elevation requirements of 8.5.2(a) or 8.5.2(b) and 8.5.2(c), above.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached structures.

In all areas of special flood hazard where base flood elevation data or floodway data have not been provided, the provisions of 8.4.4. shall be utilized for all requirements relative to the base flood elevation or floodways.

8.5.3 Standards for Areas of Special Flood Hazard Zones A1-30 and AE With Established Base Flood Elevation But Without Floodways Designated

Located within the areas of special flood hazard established in 8.3.2, where streams exist with base flood data provided but where no floodways have been provided, (zones A1-30 and AE) the following provisions apply:

- 8.5.31 No encroachments, including fill material, new structures or substantial improvements shall be located within areas of special flood hazard, unless certification by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.
- 8.5.32 New construction or substantial improvements of buildings shall be elevated or flood-proofed to elevations established in accordance with Article 5. Section B.

8.5.4 Standards For Areas of Shallow Flooding (AO and AH Zones)

Located within the areas of special flood hazard established in 8.3.2, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one to three feet (1' - 3') where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore, the following provisions apply:

- 8.5.41 All new construction and substantial improvements of residential buildings shall have the lowest floor, including basement, elevated to the depth number specified on the Flood Insurance Rate Map, in feet, above the highest adjacent grade. If no depth number is specified, the lowest

floor, including basement, shall be elevated, at least two (2) feet above the highest adjacent grade.

8.5.42 All new construction and substantial improvements of nonresidential buildings shall:

8.5.421 have the lowest floor, including basement, elevated to the depth number specified on the Flood Insurance Rate Map, in feet, above the highest adjacent grade. If no depth number is specified, the lowest floor, including basement shall be elevated at least two (2) feet above the highest adjacent grade; or,

8.5.422 together with attendant utility and sanitary facilities be completely flood-proofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

8.5.43 Adequate drainage paths shall be provided around slopes to guide floodwaters around and away from proposed structures.

8.5.5 Standards For Areas Protected by Flood Protection System (A-99 Zones)

Located within the areas of special flood hazard established in Article 3. Section B. are areas of the 100-year flood protected by a flood protection system which is under construction but where base flood elevations and flood hazard factors have not been determined. With these areas (A-99 Zones) the following provisions apply:

8.5.51 All provisions of Article 4. and Article 5. Section A. and H. shall apply.

8.5.6 Standards for Areas of Special Flood Hazard With Established Base Flood Elevation And With Floodways Designated

Located within the areas of special flood hazard established in 8.3.2 here streams exist with base flood data and floodways provided, the following provisions apply:

8.5.61 Encroachments, including fill material, new construction, substantial improvements or other developments shall be located within designated floodways, unless certification by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed encroachments or new development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood during the occurrence of the base flood discharge at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.

8.5.62 If 8.5.61 above is satisfied, new construction or substantial improvements of buildings shall be elevated or flood-proofed to elevations established in accordance with Article 5. Section B.

8.5.7 Standards for Subdivision Proposals

Subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, shall be reviewed to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in a flood-prone area, any such proposals shall be reviewed to ensure that:

- 8.5.71 All subdivision proposals shall be consistent with the need to minimize flood damage.
- 8.5.72 All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
- 8.5.73 All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- 8.5.74 Base flood elevation data shall be provided for subdivision proposals and other proposed development (including manufactured home parks and subdivisions) which is greater than fifty lots and/or five acres.

8.6. VARIANCE PROCEDURES

The provisions of this section shall apply exclusively to areas of special flood hazard.

8.6.1 Board of Zoning Appeals

- 8.6.11 The Camden Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Chapter.
- 8.6.12 Variances may be issued for the repair or rehabilitation of historic structures (see definition) upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum to preserve the historic character and design of the structure.
- 8.6.13 In passing upon such applications, the Board of Zoning Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Ordinance, and:
 - 8.6.131 The danger that materials may be swept onto other property to the injury of others;
 - 8.6.132 The danger to life and property due to flooding or erosion;
 - 8.6.133 The susceptibility of the proposed facility and its contents to flood damage;
 - 8.6.134 The importance of the services provided by the proposed facility to the community;
 - 8.6.135 The necessity of the facility to a waterfront location, in the case of a functionally dependent facility;
 - 8.6.136 The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - 8.6.137 The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - 8.6.138 The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - 8.6.139 The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site, and;
 - 8.6.140 The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- 8.6.14 Upon consideration of the factors listed above, and the purposes of this Ordinance, the Board of Zoning Appeals may attach such conditions to

the granting of variances as it deems necessary to effectuate the purposes of this Ordinance.

- 8.6.15 Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

8.6.2 Conditions for Variances

- 8.6.21 Variances shall be issued upon a determination that the variance is the minimum relief necessary, considering the flood hazard; and in the instance of a historical building, a determination that the variance is the minimum relief necessary so as not to destroy the historic character and design of the building.
- 8.6.22 Variances shall only be issued upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship; and (iii) 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.
- 8.6.23 Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance, and that such construction below the base flood level increases risks to life and property.
- 8.6.24 The Building Official shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

8.7. LEGAL STATUS PROVISIONS

8.7.1 Effective Date

This Ordinance shall become effective upon its passage, in accordance with the Charter of Camden, Tennessee, the public welfare demanding it.

Approved and adopted by the Camden, Tennessee Mayor and Board Of Aldermen.

Date

Mayor of Camden, Tennessee

Attest:

City Recorder

Date of Publication of
Caption and Summary

1st Reading _____

2nd Reading _____

3rd Reading _____

8.8 Erosion And Sediment Control

The principal effect that land development activities have on the natural or geologic erosion consists of exposing disturbed soils to precipitation and to surface storm runoff. Uncontrolled erosion and sediment from these areas often cause considerable economic damage to individuals and to society in general. Surface water pollution, channel and reservoir siltation, and damage to public facilities, as well as to private property, are some of many examples of problems caused by uncontrolled erosion and sedimentation. The following are those measures and regulatory requirements which have been set forth for the purpose of controlling erosion and sedimentation caused by soil disturbance.

8.8.1. Definition of Land or Soil Disturbance - Any activity involving the alteration of topography or the shaping of land for construction, development, or excavation purposes which in any way alters the soil cover, affects on-site drainage and storm water runoff, affects drainage on off-site properties~ or alters natural drainage patterns or streams and stream-flow characteristics.

8.8.2. General Planning Guidelines - For erosion and sediment control program to be effective, it is imperative that provisions for sediment control measures be made in the planning stage. The following are guidelines which shall be used in practical combinations during the development and preparation of any erosion and sedimentation plan for any area being developed for residential, industrial, commercial, recreational, transportation or public and institutional uses.

- a. The development plan should be fitted to the soils and topography so as to create the least erosion potential.
- b. Wherever feasible during construction, natural vegetation should be retained and protected. Where inadequate vegetation exists, temporary or permanent vegetation should be established.
- c. Where land must be stripped of vegetation during construction, limit the exposed area to the smallest practical size at any one time.
- d. Limit the duration of exposure to the shortest practical time.
- e. Critical areas exposed during construction should be protected with temporary vegetation and/or mulching.
- f. Permanent vegetation and improvements such as streets, storm sewers or other features of the development, capable of carrying storm runoff in a safe manner, should be installed as early as possible.

- by
- g. Provisions should be made to accommodate the increased runoff caused changed soil and surface conditions during and after development.
 - h. Sediment basins to remove suspended soil particles from runoff waters from land undergoing development should be constructed and maintained wherever erosive conditions indicate they are needed to prevent off-site damages.
 - i. Diversions, grassed waterways, grade stabilization structures, and similar mechanical control measures required by the site should be installed as early in the development of the area as possible.
 - j. Earth cut and fill slopes of 3:1 or flatter are desirable for erosion control and maintenance. The slopes shall not be steeper than 2 horizontal to 1 vertical unless stabilized by structural measures (Ex. retaining walls, cribbing, etc.)

8.8.3. General Criteria For Controlling Erosion And Sediment - The General Criteria is minimum requirements for controlling erosion and sedimentation from “land disturbing activities”. These General Criteria do not replace the requirement for individually developed erosion and sediment control plans; however, they do establish minimum standards of soil conservation practice which apply to all land disturbing projects. Applicable General Criteria shall be satisfied in each approved erosion and sediment control plan; however, if a plan is found to be inadequate (with respect to the General Criteria) in the field, they apply in addition to the provisions of the approved plan, unless a variance has been granted. Local inspectors and persons responsible for carrying out approved plans must therefore be aware of the General Criteria as well as the provisions of the approved plans themselves. Nothing in the General Criteria shall limit the right of the Planning Commission to impose additional or more stringent standards for controlling erosion and sedimentation when recommended by the Town Engineer during the plan approval process.

- a. **Stabilization of Denuded Areas and Soil Stockpiles**
 - (1) Permanent or temporary soil stabilization must be applied to denuded areas within 15 days after final grade is reached on any portion of the site. Soil stabilization must also be applied within 15 days to denuded areas which may not be at final grade but will remain dormant (undisturbed) for longer than 60 days.
 - (2) Soil stabilization refers to measures which protect soil from the erosive forces of raindrop impact and flowing water. Applicable practices include vegetative establishment, mulching, and the early application of gravel base on areas to be paved. Soil stabilization

measures should be selected to be appropriate for the time of year, site conditions and estimated duration of use.

- (3) Soil stockpiles must be stabilized or protected with sediment trapping measures to prevent soil loss.
 - (4) Throughout the implementation phase of any approved plan dust production from all activities shall be strictly controlled. The person responsible for implementing the approved plan shall institute those dust control measures necessary to assure that adjacent properties are not adversely affected by dust.
- b. Establishment of Permanent Vegetation - A permanent vegetative cover shall be established on denuded areas not otherwise permanently stabilized. Permanent vegetation shall not be considered established until a ground cover is achieved which, in the opinion of the Planning Commission is mature enough to control soil erosion satisfactorily and to survive severe weather conditions.
- c. Protection of Adjacent Properties
- (1) Properties adjacent to the site of a land disturbance shall be protected from sediment deposition. This may be accomplished by preserving a well-vegetated buffer strip around the lower perimeter of the land disturbance, by installing perimeter controls such as sediment barriers, filters or dikes, or sediment basins, or by a combination of such measures.
 - (2) Vegetated buffer strips may be used alone only where runoff in sheet flow is expected. Buffer strips should be at least 20 feet in width. If at any time it is found that a vegetated buffer strip alone is ineffective in stopping sediment movement onto adjacent property, additional perimeter controls must be provided.
- d. Timing and Stabilization of Sediment Trapping Measures - Sediment basins and traps, perimeter dikes, sediment barriers and other measures intended to trap sediment on-site must be constructed as a first step in grading and be made functional before upslope land disturbance takes place. Earthen structures such as dams, dikes, and diversions must be seeded and mulched within 15 days of installation.
- e. Sediment Basins - Stormwater runoff from drainage areas with five acres or greater disturbed area must pass through a Sediment Basin or other suitable sediment trapping facility with equivalent or greater storage capacity. The Planning Commission may require sediment basins or traps

for smaller disturbed areas where deemed necessary. This sediment basin requirement may also be waived, by variance, if the Planning Commission agrees that site conditions do not warrant its construction.

- f. Cut and Fill Slopes - Cut and fill slopes must be designed and constructed in a manner which will minimize erosion. Consideration must be given to the length and steepness of the slope, the soil type, upslope drainage area, groundwater conditions and other applicable factors. Slopes which are found to be eroding excessively within one year of construction must be provided with additional slope stabilizing measures until the problem is corrected. The following guidelines are provided to aid site planners and the Town Engineer in developing an adequate design:
 - (1) Roughened soil surfaces are generally preferred to smooth surfaces on slopes.
 - (2) Diversions should be constructed at the top of long steep slopes which have significant drainage areas above the slope. Diversions or terraces may also be used to reduce slope length.
 - (3) Concentrated stormwater should not be allowed to flow down cut or fill slopes unless contained within an adequate temporary or permanent channel, flume or slope drain structure.
 - (4) Wherever a slope face crosses a water seepage plane which endangers the stability of the slope, adequate drainage or other protection should be provided.

- g. Stormwater Management Criteria for Controlling Off-Site Erosion - Properties and waterways downstream from development sites shall be protected from erosion due to increases in the volume, velocity and peak flow rate of stormwater runoff. In the absence of local stormwater management criteria which have been approved by the Soil Conservation Service the following criteria shall apply:
 - (1) Concentrated stormwater runoff leaving a development site must be discharged directly into a well-defined, natural or man-made off-site receiving channel or pipe. If there is no well-defined off-site receiving channel or pipe, one must be constructed to convey stormwater to the nearest adequate channel. Newly constructed channels shall be designed as adequate channels.
 - (2) An adequate channel shall be defined as a natural or man-made channel or pipe which is capable of conveying the runoff from a storm event the Town Engineer deems appropriate without overtopping its banks or eroding after development of the site in

question. A receiving channel may also be considered adequate to any point where the total contributing drainage area is at least 100 times greater than the drainage area of the development site in question; or, if it can be shown that the peak rate of runoff from the site for a storm event the Town engineer deems appropriate will not be increased after development.

- (3) If an existing off-site receiving channel is not an adequate channel, the applicant must choose one of the following options:
 - (a) Obtain permission from downstream property owners to improve the receiving channel to an adequate condition. Such improvements shall extend downstream until an adequate channel section is reached.
 - (b) Develop a site design that will not cause the pre-development peak runoff rate from a storm event the Town Engineer deems appropriate to increase. Such a design may be accomplished by enhancing the infiltration capability of the site or by providing on-site storm water detention measures. The pre-development and post-development peak runoff rates must be verified by sound, accepted engineering methods and calculations.
 - (c) Provide a combination of channel improvement, stormwater detention, or other measures which is satisfactory to the Town Engineer to prevent downstream channel erosion.
- (4) All channel improvements or modifications must comply with all applicable laws and regulations. Modifications to flowing streams should be made in accordance with all applicable laws and regulations.
- (5) If the applicant chooses an option which includes stormwater detention, he must provide the Town with a plan for maintenance of the detention facilities. The plan shall set forth the maintenance requirements of the facility and the party responsible for performing the maintenance. The responsible party may be an individual, organization or the local government--whichever has consented to carry out the maintenance. If the designated maintenance responsibility is with an individual or organization other than the local government~ a maintenance agreement should be executed between the responsible party and the local government.

- (6) Increased volumes of unconcentrated sheet flows which will cause erosion or sedimentation on adjacent property must be diverted to a stable outlet or detention facility.
 - (7) In applying these stormwater management criteria, individual lots in subdivision developments shall not be considered separate development projects, but rather the subdivision development, as a whole, shall be considered a single development project.
- h. Stabilization of Waterways and Outlets - All on-site stormwater conveyance channels shall be designed and constructed to withstand the expected velocity of flow from a 2-year frequency storm without erosion. Stabilization adequate to prevent erosion must also be provided at the outlets of all pipes and paved channels.
- i. Storm Sewer Inlet Protection - All storm sewer inlets which are made operable during construction shall be protected so that sediment-laden water will not enter the conveyance system without first being filtered or otherwise treated to remove sediment.
- j. Working in or Crossing Watercourse
- (1) Construction vehicles should be kept out of watercourses to the extent possible. Where in-channel work is necessary, precautions must be taken to stabilize the work area during construction to minimize erosion. The channel (including bed and banks) must always be restabilized immediately after in-channel work is completed.
 - (2) Where a live (wet) watercourse must be crossed by construction vehicles regularly during construction, a Temporary Stream Crossing must be provided.
- k. Underground Utility Construction - The construction of non-exempt* underground utility lines shall be subject to the following criteria:
- (1) No more than 500 feet of trench are to be opened at one time.
 - (2) Where consistent with safety and space considerations, excavated material is to be placed on the uphill side of trenches.

(3) Trench dewatering devices shall discharge in a manner which will not adversely affect flowing streams, drainage systems or off-site property.

* Non-exempt utility construction includes the installation, maintenance or repair of all utilities which disturb more than 10,000 square feet except:

(a) Individual service connections.

(b) Telephone and electric lines.

(c) Underground public utility lines under existing hard surfaced roads, streets, or sidewalks, provided such land disturbing activity is confined to the area which is hard surfaced.

l. Construction Access Routes - Wherever construction vehicle access routes intersect paved public roads, provisions must be made to minimize the transport of sediment (mud) by runoff or vehicle tracking onto the paved surface. Where sediment is transported onto a public road surface, the roads shall be cleaned thoroughly at the end of each day. Sediment shall be

removed from roads by shoveling or sweeping and be transported to a sediment controlled disposal area. Street washing shall be allowed only after sediment is removed in this manner.

m. Disposition of Temporary Measure~ - All temporary erosion and sediment control measures shall be disposed of within 30 days after final site stabilization is achieved or ~after the temporary measures are no longer needed, unless otherwise authorized by the local program administrator. Trapped sediment and other disturbed soil areas resulting from the disposition of temporary measures shall be permanently stabilized to prevent further erosion and sedimentation.

n. Maintenance - All temporary and permanent erosion and sediment control practices must be maintained and repaired as needed to assure continued performance of their intended function.

8.8.4. Erosion Control Measures - Erosion control measures which may be used singly or in combination are indicated below together with brief statements of their site adaptation or limitations.

a. Vegetative Protection - Suitable for all soils capable of supporting plant growth. Vegetation alone will not provide adequate protection on soils

that are unstable because of their structure, texture, internal water movement, or excessively steep slopes. Vegetation protection is divided into:

- (1) Short Term Seeding to protect areas for 12 months or less.
 - (2) Permanent Seeding or Sodding for areas to be protected longer than 1 year.
- b. To be used with all seedings on disturbed soil areas for temporary use without seeding during months unfavorable to seeding.
 - c. Grassed Waterway - This type of control is a vegetatively lined channel designed to carry concentrated storm water. Such runoff may be flow which has collected in natural depressions or from diversions, or from other site features. Grassed waterways should not be used for long duration base flows.
 - d. Diversions - A diversion consists of a channel or a channel with supporting ridge constructed across a sloping land surface on the contour or with predetermined grades to intercept and divert surface runoff before it gains sufficient volume or velocity to create harmful erosion. It should have capacity to carry storm runoff and may or may not have a vegetative lining, depending upon the velocities anticipated and the soil materials in the channel. Flow from a diversion must be discharged into a protected area or a grassed waterway.
 - e. Grade Stabilization Structures - These structures are used to reduce grade and to dissipate the energy of flowing water by dropping it in a relatively short horizontal distance. By using these, the grades and velocities in grassed waterways or bare channels can be reduced to non-eroding limits. This measure includes drop structures made of concrete, corrugated metal pipe, and other suitable materials.
 - f. Debris Basins - These basins consist of an earth fill type dam and spillway in a drainageway downstream from a construction area for the purpose of trapping sediment and debris. The basin must have an adequate capacity for all sediment or arrangements made to remove it mechanically as the basin becomes filled. The whole structure may be removed after the construction area has become stable or may be retained to enhance the area.
 - g. Land Grading - Re-shaping the ground surface by grading to planned grades and conformation that will be conducive to preventing excessive erosion.

- h. This measure controls erosion by reducing the surface runoff, or lowering a high water table, through underground conduits or filter drains.
- i. Sediment Control, Measure - Dike - A temporary means of trapping and storing sediment from eroding areas under construction in order to protect properties or stream channels below the installation from damage by excessive sedimentation and debris.
- j. Urban Stream Bank Protection - The control of bank erosion in main stream channels can be accomplished in various ways. Methods commonly used in urban areas include concrete, sod, riprap, gabions, and flexible fabric forms filled with mortar. The purpose of bank control measures is to install a barrier that will withstand the erosive forces exerted by flowing water.
- k. Urban Gutter Drain Sediment Barrier - These temporary barriers are used to prevent sediment from entering storm sewer systems prior to the establishment of protective soil cover. The barriers are removed after the area under development is permanently protected against erosion by vegetative or mechanical means.

8.8.5. Erosion And Sediment Control Plan

- a. Plan Submission - No person may engage in any land disturbing activity until he has submitted to the Planning Commission an erosion and sediment control plan for such land disturbing activity and such plan has been reviewed and approved by the Planning Commission.
- b. Plan Review and Approval: Issuing Permits
 - (1) The Planning Commission shall, within forty-five (45) days, approve any such plan if it determines that the plan meets the General Criteria outlined herein, and if the person responsible for carrying out the plan certifies that he will properly perform the measures included in the plan. The plan must be received at the town office at least 15 days prior to the Planning Commission meeting.
 - (2) No person acting on behalf of the Town, including a Town Superintendent or any other agency authorized under any other law to issue grading, building or other permits for activities involving land disturbing activities, may issue any such permit unless the applicant submits with his application the approved erosion and sediment control plan or certification of such approved plan.

- (3) The permit requirement for land disturbing activities shall not apply to agricultural farming operations, commercial nursery operations or to residential landscaping or gardening activities.
- c. Plan Requirements - Erosion and sediment control plans submitted for review and approval by the Planning Commission shall contain the following information:
- (1) Narrative
 - a. Project description - Briefly describe the nature and purpose of the land disturbing activity, and the amount of grading involved.
 - b. Existing site conditions - A description of the existing topography, vegetation, and drainage.
 - c. Adjacent areas - A description of neighboring areas such as streams, lakes, residential areas, roads, etc., which might be affected by the land disturbance.
 - d. Soils - A brief description of the soils on the site giving such information as soil name, mapping unit, erodability, permeability, depth, texture and soil structure.
 - e. Critical Areas - A description of areas of the site which have potentially serious erosion problems
 - f. Erosion and sediment, control measures - A description of the methods which will be used to control erosion and sedimentation on the site. (Must satisfy the “General Criteria”)
 - g. permanent stabilization - A brief description, including specifications~ of how the site will be stabilized after construction is completed.
 - h. Stormwater management considerations - Will the development of the site result in increased peak rates of runoff? Will this result in flooding or channel degradation downstream? if so considerations should be given to stormwater control structures on the site. (See “General Criteria”)
 - i. Maintenance - A schedule of regular inspections and repair of erosion and sediment control structures shall be set forth.

- j. Calculations - Any calculations made for the design of such items as sediment basins, diversions, waterways, and calculations for runoff and stormwater detention basin design.

(2) Site Plan

- a. Vicinity map - A small map locating the site in relation to the surrounding area.
- b. Existing contours - The existing contours of the site shall be shown on a map.
- c. Existing vegetation - The existing tree lines, grassy areas, or unique vegetation shall be shown on a map.
- d. The boundaries of the different soil types shall be shown on a map.
- e. Indicate north - The direction of north in relation to the site shall be shown.
- f. Critical erosion areas - Areas with potentially serious erosion problems should be shown on a map.
- g. Existing drainage patterns - The dividing lines and the direction of flow for the different drainage areas shall be shown on a map.
- h. Final contours - Changes to the existing contours shall be shown on a map.
- i. Limits of clearing and grading - Areas which are to be cleared and graded shall be outlined on a map.
- j. Location of practices - The locations of the erosion and sediment control and stormwater management practices used on the site shall be shown on a map.
- k. Detail drawings - Any structural practices indicated on the plan shall be explained and illustrated with detail drawings.

d. Plan Amendment

An approved plan may be amended upon recommendation by the Planning

Commission:

- (1) Where the person responsible for carrying out the approved plan finds that because of changed circumstances or for other reasons the approved plan cannot be effectively carried out, and proposed amendments to the plan, consistent with the requirements of this act, are agreed to by the Planning Commission and the persons responsible for carrying out the Plan.
- e. Performance Guarantees - The Planning Commission and Camden Town staff, prior to the issuance of any permit, may require from any applicant a reasonable performance bond, cash escrow, letter of credit, any combination thereof or such other legal arrangement deemed acceptable. Within sixty (60) days of the completion of the land disturbing activity, such bond or other instrument shall be refunded to the applicant provided all requirements of the approved erosion control plan have been met.
- f. Inspections - The designated agent shall provide for periodic inspections of the land disturbing activity to ensure compliance with the approved plan. The owner, occupier, or operator shall be given an opportunity to accompany the inspectors.
- g. Violations and Enforcement -
- (1) If the designated agent determines that a permittee has failed to comply with an approved plan, such agent shall immediately serve upon the permittee, by registered or certified mail, a notice to comply. Such notice shall set forth specifically the noted deficiencies and the time within which such measures shall be completed.
 - (2) A violation of an approved plan or commencement of any land disturbing activity without an approved plan, or performance guarantee shall be deemed a misdemeanor and upon conviction shall be subject to a fine not exceeding fifty (\$50) dollars. Each day that a violation continues shall constitute a separate offense.
 - (3) The Town of Camden may apply to any court of competent jurisdiction for injunctive relief to enjoin a violation or threatened violation.
- h. Variations - The Planning Commission may waive or modify any of the General Criteria which are deemed inappropriate or too restrictive for site conditions, by granting a variance. Variations may be granted under the following conditions:

- (1) At the time of plan submission, an applicant may request variances to become part of the approved erosion and sediment control plan. The applicant must explain the reasons for requesting variances in writing. Specific variances which are allowed by the Planning Commission must be documented on the approved plan.
- (2) During construction, the person responsible for implementing the approved plan must request variances in writing to the Planning Commission. The Planning Commission must respond in writing approving or disapproving such request. Without a written approval, no variances shall be considered valid. The Planning Commission shall respond to such variance requests within 45 days.

ARTICLE IX

SPECIAL PROVISIONS

9.1. Regulations Governing Signs

9.1.1 Purpose The regulations set forth herein are established in order to promote and protect public health, safety, comfort, prosperity, welfare, and in order to accomplish the following specific purposes: to enhance the economy, business, and industry of Camden by promoting the reasonable, orderly, and effective use and display of signs; to enhance the physical appearance of the city; to protect the general public from damage and injury which might be caused by the faulty and uncontrolled construction and use of signs within the city; to protect the public use of streets and highways by reducing sign or advertising distractions that may increase traffic accidents; to project the physical and mental well being of the general public by recognizing and encouraging a sense of aesthetic appreciation for the visual environment; and to preserve the value of private property by assuring the compatibility of signs with surrounding land uses.

9.1.2. General Provisions Relating to All Signs - All signs within the Town of Camden shall adhere to following provisions.

- a. All signs shall be located a minimum of ten (10) feet from the edge of any highway, street, or road.
- b. All signs shall be located a minimum of three (3) feet from the edge of any sidewalk.
- c. In no case shall any sign be located on the public right-of-way or extend out over the right-of-way or interfere with traffic or pedestrian safety or vision.

9.1.3. Prohibited Signs - The following types of signs are prohibited in all zoning districts in the Town of Camden.

- a. Signs on public property, except for public signs in conjunction with city, state and federal government uses and temporary signs upon permission by the public authority having jurisdiction.
- b. Signs erected at the intersection of any streets or alleys in such a manner as to obstruct free and clear vision; or in any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic signs, signal or device, or which makes use of the words "STOP, LOOK, DRIVE-IN", "GO SLOW", "CAUTION", or similar wording or other symbols as to interfere with, mislead or confuse traffic. No signs shall be allowed between a height of

two and one-half (2.5) ft. and ten (10) ft. of the front property line in order to prevent any obstruction of vision.

- c. Signs which blend with or can be confused with traffic signals.
- d. Signs which contain reflective materials which present a hazard or danger to traffic or the general public.
- e. Signs which are structurally unsound or which are rendered structurally sound by guy wires.
- f. Signs which display thereon or advertise any obscene, indecent or immoral matter.

9.1.4. Exempted Signs - The following types of signs shall be allowed in all zoning districts of the Town of Camden provided that the sign conforms to these regulations. A sign permit is not required to erect exempt signs described below.

- a. Signs not more than two (2) sq. ft. which identify street numbers, owner names, occupant name, and professional names, as allowed herein.
- b. Official National, State, or Municipal flags properly displayed.
- c. Signs, identifying merchandise, or manufacturer, offering sale if on a dispensing or vending machine, or on windows.
- d. Signs wholly within buildings or windows.
- e. Public signs which are signs erected by, or on the order of a public officer in the performance of his public duty, such as safety signs, danger signs, legal notices and such temporary, emergency or non-advertising signs as may be approved by the Building Inspector.
- f. Historical markers as required by local, State, or Federal authorities.
- g. Signs of a primary decorative nature, clearly, incidental and customary and commonly associated with any national, local or religious holiday.
- h. No trespassing or no dumping signs.
- i. Memorial signs or tablets, names of buildings and date of erection when cut into any masonry surface or when constructed on bond or noncombustible material.
- j. Public signs, or signs specifically authorized for public purposes by any law, statute or ordinance; which may be of any type, number, area, height above grade, location, illumination or animation, required by law, statute or ordinance under which the signs are erected. Also exempted are signs

on public property erected by order of the Mayor and Board of Aldermen, which shall be allowed subject to all appropriate sight, distance, and safety considerations being met, as determined by the Mayor and Board of Aldermen.

- k. Warning signs warning the public of the existence of danger, containing no advertising material, of a size as may be necessary to be removed upon the subsidence of danger.
- l. Private property directional signs such as "no parking", "exit", "parking", etc. not to exceed five (5) sq. Ft.

9.1.5. Public / Semi-Public Signs - All public / semi public organizations including but not limited to Local, State and Federal Buildings, Churches, Schools, Philanthropic and Non Profit Organizations shall be permitted signs in all districts provided the following provisions are adhered to and a sign permit has been granted.

- a. A public / semi-public sign shall be located a minimum of ten (10) feet from the edge of any highway, street, or road and a minimum of three (3) feet from the edge of any sidewalk.
- b. A public / semi-public sign shall be limited to one (1) building sign not to exceed twenty (20) percent of the face of the wall.
- c. A public / semi-public sign shall be limited to one (1) ground sign not to exceed thirty-six (36) square feet.
- d. A public / semi-public sign shall be limited to two (2) off-premises directional signs that do not exceed (6) square feet in area per sign.
- e. A public / semi-public sign shall in no case be located on the public right-of-way, extend out over the right-of-way or interfere with traffic or pedestrian safety or vision.

9.1.6. Real Estate Signs - Real estate signs shall be permitted in all districts provided the following provisions are adhered. A sign permit is not required for real estate signs.

- a. All real estate signs shall not have a height greater than eight (8) ft.
- b. All lots are limited to one real estate sign per frontage road
- c. All real estate signage is limited to twenty (20) sq. ft. in area in a residential district and thirty-two (32) sq. ft. in a commercial or industrial district.

9.1.7. Permitted Signs - For this section, a business is defined as any establishment, firm or business with a valid business license engaged in a commercial, industrial or service oriented activity and shall be allowed signage in accordance with these regulations.

a. Signs permitted in the R-1, R-2, R-3 and R-4 Districts

- (1) Real Estate Signs
- (2) Residential Identification Sign - A residential identification sign shall be limited to one (1) side and shall not be greater than sixteen (16) square feet. Each recognized residential subdivision and apartment complex shall be limited to one (1) sign per vehicular ingress/egress, not to exceed two (2) signs.
- (3) Public /Semi Public Signs
- (4) Temporary Signs
- (5) Any other signage approved by the board of zoning appeals for any use on appeal.

b. Signs permitted in the B-3, H-M, M-1 and M-2 Districts

- (1) Real Estate Signs
- (2) Ground Signs - All ground signs shall not exceed six (6) feet in height, shall be limited to an area of one-hundred (100%) of the total street frontage with a maximum of fifty (50) square feet for all faces and shall be limited to identifying the name of the place or development and any businesses therein.
- (3) Business Sign - All attached business signs and painted business signs shall not extend above the roof line nor project at an angle beyond the edge of any walls or structure and shall be mounted flush with the wall. Each business shall be limited to one (1) attached business sign or one (1) painted sign per building face that faces a public street not to exceed two (2) signs and shall be no greater in area than ten (10%) percent of the face of the wall with a maximum of one hundred (100) square feet.
- (4) Awnings and Canopies - An awning or canopy with a business name or related information is defined as an attached business sign and shall be calculated into the total allowable square footage. The lowest portion of a canopy shall not be less than eight (8) feet above the ground.
- (5) Public / Semi Public Signs.

- (6) Temporary Signs.
- c. Signs permitted in the B-1 and B-2 Districts.
- (1) Real Estate Signs
 - (2) Business Sign - All attached business signs and painted business signs shall not extend above the roof line nor project at an angle beyond the edge of any walls or structure and shall be mounted flush with the wall. Each business shall be limited to one (1) attached business sign or one (1) painted sign per building face that faces a public street not to exceed two (2) signs and shall be no greater in area than twenty (20%) percent of the face of the wall with a maximum of two hundred (200) square feet. The side wall shall be no greater in area than ten (10%) percent of the face of the side wall with a maximum of one hundred (100) square feet.
 - (3) Awnings and Canopies - An awning or canopy with a business name or related information is defined as an attached business sign and shall be calculated into the total allowable square footage. The lowest portion of a canopy shall not be less than eight (8) feet above the ground.
 - (4) Ground Mounted Sign - Each lot is limited to one (1) of the following types of signs for each side of the lot that fronts a public street not to exceed two (2) signs. Lots fronting on two or more streets are allowed the permitted signage for each street frontage. Signage cannot be accumulated and used on one street in excess of that allowed for lots with only one frontage street.
 - (a) Ground Signs - All ground signs shall not exceed six (6) feet in height, shall be limited to an area of one-hundred (100%) of the total street frontage with a maximum of fifty (50) square feet for all faces, shall be located a minimum of 10 feet from the edge of any adjacent street rights-of-way, and shall be limited to identifying the name of the place or development and any businesses therein
 - (b) Grouping Signs - All grouping signs shall not exceed forty (40) feet in height, shall be limited to an area of one-hundred (100%) of the total street frontage with a maximum of one-hundred and fifty (150) square feet for all faces, shall be limited to identifying the name of the place or development and any businesses therein.
 - (c) Pole signs - All pole signs shall not exceed forty (40) feet in height, shall be limited to an area of one-hundred (100%)

of the total street frontage with a maximum of one-hundred (100) square feet for all faces. A maximum of two faces per sign is allowed. A maximum of two signs shall be allowed on the same pole; however, the total sign area for both signs cannot exceed the maximum one hundred (100) square feet. The bottom of the sign must be a minimum of 10 ft. above the ground/pavement elevation.

(5) Public / Semi Public Signs

(6) Temporary Signs

9.1.8 Temporary Signs All temporary signs shall be located a minimum of ten (10) feet from the edge of any highway, street, or road and a minimum of three (3) feet from the edge of any sidewalk. Temporary signs are allowed in all districts as specified below and a sign permit is required for all temporary signs except for vehicle signs, construction signs, posters, and garage sale signs.

- a. Street Banners - It shall be unlawful for any person to have placed across or upon any public street, alley or place a banner, electrical or floral festoon, without first obtaining a permit. Such banner or electrical or floral festoon shall be in conjunction with an official, civic, or philanthropic, festival, or parade and shall be allowed for a period not to exceed thirty-five (35) days as determined by the Building Inspector. Street banners shall be removed within seven (7) days after the event being advertised has occurred.
- b. Off-Building Advertising Banners - Off-building advertising banners shall be allowed, after obtaining a permit, for a period not to exceed fourteen (14) days per calendar quarter. They are subject to the building setback requirements of the zone in which they are located. They may be used only in commercial and industrial districts and may not exceed twenty-four (24) sq. ft. in total area. On-building banners do not require a permit; however, total signage on any face of a building must not exceed 25% of the total surface area.
- c. Posters - Posters shall only be authorized in conjunction with an official, civic, or philanthropic event and shall be allowed only thirty-five (35) days prior to and forty-eight (48) hours after the event.
- d. Vehicular Signs - Any vehicle carrying or having a sign painted on it shall be considered a sign regulated under this chapter. Such signs shall be prohibited unless displayed on a vehicle in operable condition carrying all current valid licenses, tags or plates as required by all governmental authorities. This may include valid dealer licenses, tags or plates.

- e. New Business or Ownership - New business or ownership shall be permitted one (1) temporary sign for a period not to exceed 30 days provided all other provisions in this section are adhered to.
- f. Construction - Construction signs shall be allowed in all districts during the actual period of construction and shall be limited in size to sixty-four (64) sq. ft. and a height of ten (10) ft. The sign announcement shall be limited to the project name, sponsor or funding agent, owner, general contractor and subcontractors, architect or engineer.
- g. Garage Sales - Garage sale signs not exceeding five (5) sq. ft. in area provided it is an on-site sign. This sign shall be allowed to be erected no more than seven (7) days prior to and two (2) days after the event in which it advertises.
- h. Residential Development Signs - Residential developments shall be limited to one (1) on site sign limited to one (1) face and shall be no greater than sixteen (16) square feet and one (1) off site sign which shall be limited to two (2) faces and shall be no greater than ten (10) square feet per face.
- i. Model Home Sales Signs - Model home sales shall be limited to one (1) on site sign limited to one (1) face and shall be no greater than sixteen (16) square feet.
- j. Special Events - Churches, Schools, Philanthropic, Civic and other Non Profit Organizations shall be allowed one (1) on site sign limited to thirty-two (32) square feet and two (2) directions signs each of which may not exceed twelve (12) square feet in area. Such signs shall be allowed seven (7) days prior and one (1) day after said event.
- k. Political and Campaign Signs - Political and campaign signs on behalf of candidates for public office or measures of election ballots provided that said sign conforms to the following regulations.
 - (1) Said signs may be erected no earlier than ninety (90) days prior to said election and shall be removed within fourteen (14) days following said election.
 - (2) No sign shall be located within or over the public right-of-way.
 - (3) The candidate or the candidate's organization must obtain a general sign permit covering all of the candidate's signs in Camden. There will be no charge for this permit.
 - (4) Political signs shall be limited to 16 sq. ft. in area in residential districts and shall be limited to 32 sq. ft. in all other districts.

9.1.9. Illegal, Nonconforming, and Unused Signs

- a. **Illegal Signs** - Any illegal sign shall be removed from the premises upon which it is located within thirty (30) days from the effective date of this Ordinance or notice of violation and shall not remain on the premises or elsewhere in the City until a sign permit is issued.
- b. **Nonconforming Signs** - With the exception of portable signs, any sign that has been erected, constructed or placed in its location and that is being used as of the effective date of this ordinance, shall be conclusively presumed to have been so erected, constructed or placed and used in compliance with the codes and ordinances of the Town of Camden pertaining to signs that were in effect immediately prior to such date.
 - (1) Any sign that is non-conforming because it fails to comply with the provisions of this ordinance may not be repaired, restored or reconstructed provided that such work alters structurally, extends, or enlarges, in whole or in part, unless such sign as so altered, extended or enlarged shall conform with the provisions of this Ordinance and a proper permit is obtained.
 - (2) No owner, user, or other person shall alter any non-conforming sign (including alterations in the colors, letters, words, numbers, objects or symbols appearing thereon excluding message boards), unless such sign as so altered shall conform with the provisions of this ordinance. The violation of any one or more of the following regulations shall constitute a forfeiture of the right to continue to use and maintain a non-conforming sign. Consequently, this sign will now be defined as an illegal sign.
 - (a) A non-conforming sign shall not be replaced with another non-conforming sign.
 - (b) A non-conforming sign shall not have any changes in the words, logo or symbols which are a part of a message unless the sign is a freestanding message board, non-portable.
 - (c) A non-conforming sign shall not be structurally altered so as to prolong the life of the sign, increased in size, or shape, or type, or design.
 - (d) A non-conforming sign shall not be re-established after damage or destruction if the estimated expense of construction exceeds 50% of the value of the original structure.

- (e) A non-conforming sign shall not be re-established after the activity or name of the business or ownership shall be changed requiring a change in the sign name or advertisement itself.
- (3) All signs which are nonconforming because of: the use of flashing, blinking, intermittent or exposed lighting (except neon); signs which constitute a traffic hazard, block or restrict the visibility of motorists or pedestrians; otherwise constitute an immediate hazard to the general health, safety and welfare of the public, shall be brought into conformity within one hundred twenty (120) days of the effective date of this Ordinance. If such signs are not removed within the aforementioned one hundred twenty (120) day period, written notification of the obligation to remove such signs shall be furnished by the Building Inspector and delivered to the sign owner/user/property owner by certified mail and the owner/user/property owner shall thereafter be required to remove said sign from the premises within five (5) days of the receipt of notification from the Building Inspector. Failure to remove such signs within the time periods herein provided shall constitute a violation of this Ordinance.
- (4) Disposition: It shall be the duty of the sign owner/user and property owner to remove any nonconforming sign in accordance with the requirements of this Section.
- (5) A request for a variance or interpretation of this Ordinance, as it pertains to the non-conformity and which is filed within thirty (30) days of the effective date of this ordinance, shall stay further administrative actions pertaining to said sign until such time as the variance or request for interpretation is acted upon.

c. Unused (Abandoned) Signs

- (1) Definition: An unused or abandoned sign is a sign which meets any of the following criteria:
 - (a) A sign which identifies an establishment, goods or services which are no longer provided on the premises where the sign is located.
 - (b) A sign which identifies a time, event or purpose which has passed or no longer applies.
 - (c) This also applies to sign structures with or without a sign.
- (2) Disposition:

- (a) Any sign which is defined under paragraph 1(a) of this subsection and which condition exists for a period of one month and which sign is otherwise nonconforming shall be removed by the owner/user/property owner within five (5) days of the end of the one month (thirty [30] day) period.
- (b) Any sign which is defined under subparagraph 1(a) of this subsection which remains in such condition for a period of one month and which sign is otherwise conforming shall have its copy vacated within thirty (30) days from when the stated circumstances commenced. If the copy remains vacant for a period of six (6) months or more from the date the stated circumstances commenced, the sign structure shall be removed by the owner/user/property owner. Removal shall be within five (5) days following the expiration of the aforementioned six (6) month period.
- (c) Any sign defined under subparagraph 1(b) of subsection C shall be removed by the owner/user/property owner within three (3) days from the time the event or purpose has passed or no longer applies.
- (d) Removal:
 - (i) Any illegal, nonconforming or unused sign which is not removed from the premises by the owner/user/property owner within the time frames prescribed herein shall be considered a violation of the provisions of this Ordinance and shall be subject to the maximum penalties allowed by law. Each day such violation shall continue shall constitute a separate offense.
 - (ii) Failure to Remove: A failure to remove any illegal, nonconforming or unused sign and subsequent failure by the Building Inspector to duly notify the owner/user/property owner of the provisions of this Section shall not be deemed to constitute a waiver of any violations of this Ordinance, nor shall such inaction be deemed to constitute a determination that any such sign is legal, in conformity with this Ordinance or to be given any special status. If, through administrative neglect or inaction, any owner/user/property owner is not notified of the requirements of this Ordinance within the time frames herein set forth, but is later so notified, said owner/user/property owner shall take action to either correct the illegality, nonconformity or nonuse or shall cause the sign to be removed within twenty (20) days of such notification.

9.1.10 Construction, Lighting, and Maintenance Standards

a. General Regulations

- (1) All signs and their locations shall comply with the provisions of the Camden Municipal Zoning Ordinance, the Standard Building Code, the National Electrical Code, current edition, and additional standards hereinafter set forth.
- (2) Signs shall not be erected, constructed or maintained so as to obstruct any fire escape, required exit way, window or door opening used as a means of egress to prevent free passage from one part of a room to another part thereof or access thereto.
- (3) Signs shall not be attached in any form, shape or manner which will interfere with any opening required for ventilation, except that such a sign may be erected in front of and may cover transom windows when not in violation of the provisions of the Building or Fire Prevention Codes.
- (4) The height of the signs shall in no case exceed the height restrictions for buildings in that zoning district.
- (5) In no case shall existing supports, such as utility poles or traffic control sign supports, be utilized for any sign.
- (6) All signs shall maintain clearances from overhead electrical connectors as follows:
 - (a) Under six hundred (600) volt, insulated - 3 feet
 - (b) Under six hundred (600) volt, bare - 5 feet
 - (c) Six hundred one (601) volt to twenty-five hundred (2,500) volt - 5 feet
 - (d) Two thousand five hundred one (2,501) volt to nine thousand (9,000) volt - 6 feet
 - (e) Nine thousand one (9,001) volt to twenty-five thousand (25,000) volt - 9 feet
 - (f) Twenty-five thousand one (25,001) volt to seventy-five (75) KV - 10 feet
 - (g) Above seventy-five (75) KV - 12 feet

- (7) Signs shall not be suspended by chains or other devices that will allow the sign to swing, due to wind action. Signs shall be anchored to prevent any lateral movement that could cause wear on supporting members or connections.
- (8) Supports and braces shall be an integral part of the sign design. Angle irons, chains, or wires used for supports or braces shall be hidden from public view to the extent technically feasible.
- (9) Freestanding signs shall be self-supporting structures and be permanently attached to sufficient foundations.
- (10) Attached business signs must derive their principle and total support from the building to which they are attached.
- (11) All signs shall be constructed to withstand wind loads of 30 pounds per square foot on the largest face of the sign and structure.
- (12) In no case shall the existing ground elevation be built up in order to have a taller sign.

b. Electrical Standards

- (1) Electrical service to on-premise free-standing signs shall be concealed whenever possible.
- (2) Electrical signs shall be marked with input amperes at full load.
- (3) Each illuminated and/or electrical sign shall bear thereon a label or certification visible from the ground, from the Underwriter's Laboratories, Inc., or any other approved independent electrical inspection agency qualified to make such certification or have written approval from the local Electrical Inspector.
- (4) No artificial light, of whatever type or nature used in conjunction with or the lighting of any sign, shall be constructed as to direct or reflect any artificial light onto any structure or to constitute a hazard to the safe and efficient operation of vehicles upon a street or highway.
- (5) Flashing signs, flashing or moving lights on signs, and reflective pennants are prohibited, except that both signs that exhibit time, temperature, date or other similar information and search lights permitted by the Building Inspector as an attention getting device are permitted.
- (6) In no case shall electrical wiring, extension cords, or any other means of power be laid on the ground or parking areas.

c. Maintenance Standards

- (1) Every sign, including, but not limited to those signs for which permits are required, shall be maintained in a safe, presentable and good structural condition at all times, including replacement of defective parts (except when a weathered or natural surface is intended), repainting, cleaning and other acts required for the maintenance of such sign.
- (2) The ground area around any freestanding sign shall be kept free and clean of weeds, trash and other debris.

9.1.11 Appeals to the Board of Zoning Appeals.

a. Right to Appeal

- (1) Except for instances relating to signs located or proposed to be located on public property, which is within the jurisdiction of the Mayor and Board of Alderman, any person who has been ordered by the Building Inspector for the removal of any sign, or any person whose application for a permit for a sign has been refused, may appeal to the Board of Zoning Appeals by serving written notice to the Building Inspector. Such appeals to the Board of Zoning Appeals shall be on forms provided by the Building Inspector and upon filing of a notice of appeal, the Building Inspector shall take no further action with regard to the sign involved until the final decision of the Board of Zoning Appeals has been rendered, unless the Building Inspector finds by reason of condition, location or nature of the sign involved presents an immediate and serious danger to the public, in which case he shall proceed immediately as provided herein.
- (2) Variances. The Board of Zoning Appeals may grant variances concerning the height and setback of signs, the period for removal of nonconforming signs, the maximum sign area, the maximum number of signs, the removal of prohibited signs, and such others as provided for herein only if the following determinations have been made:
 - (a) The appeal falls within the jurisdiction of the Board.
 - (b) That all parties directly in interest have been notified of the proceedings.

- (c) That the granting of the appeal would not have the effect of applying sign standards from a less restrictive zone.
- (d) That the property cannot be reasonably used in conformity with the provisions of this Ordinance.
- (e) That the difficulty complained of is unique to the property in question and is not common to all properties similarly situated.

9.1.12 Permits - No sign shall be erected, altered, or relocated without a building permit acquired subject to the following:

- a. The permit application shall contain the location of the sign structure, the name and address of the sign owner and sign erection, a drawing showing the design, location, materials and colors of the sign.
- b. Required electrical permits shall be obtained prior to submission for a building permit.
- c. A building permit for a sign shall become null and void if the sign has not been completed within six (6) months of the date of the permit or the sign varies in any respect from the approved design and location.
- d. Normal sign maintenance to prolong the life of the sign shall not require a permit.
- e. Permits issued to non-profit organizations will not be charged a fee.

9.2. Regulations Governing Home Occupations - The standards set forth below shall be used by the Board of Zoning Appeals in evaluating an application for a home occupation. In evaluating an application for home occupation, the Board of Zoning Appeals must ensure the following: (1) that the public interest has been adequately protected; (2) that no change in the character of the surrounding neighborhood will occur as a result of the home occupation; (3) that no excessive noise, heat, increased traffic and parking and odor or hazard will result from the home occupation; (4) that the proposed home occupation will not place a strain or burden on existing public facilities and services, particularly sewer and water service, street improvements, fire and police protection; (5) that the home occupation cannot be located in a more appropriate zoning district as a use permitted by right thereby ensuring protection to similar uses located in other appropriate districts.

9.2.1. Performance Standards - Home occupations are permitted as an incidental and subordinate use in specified residential districts when the applicant submits to the Board of Zoning Appeals satisfactory evidence of compliance with all of the following conditions:

- a. Employees - A home occupation shall be conducted solely by the resident occupants in their residence;
 - b. Incidental and Subordinate Uses - The applicant must clearly demonstrate to the Board of Zoning Appeals that the home occupation is incidental and subordinate to its use for residential purposes. To ensure the incidental and subordinate character, the home occupation shall be limited to fifteen (15) percent of the total area of the first floor of the residence in R-1, but no more than three hundred (300) square feet per dwelling unit.
 - c. Appearance - In no way shall the appearance of the structure be altered or the occupations within the residence be conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, signs, or the emission of sounds, noises or vibrations.
 - d. Accessory Buildings - No building or space outside the principle building shall be used for home occupation purposes.
 - e. Traffic - The additional parking generated by the home occupation shall take place on the site and the use may increase vehicular traffic flow and parking by no more than one (1) additional vehicle at a time. The occupation shall not involve the use of commercial vehicles for delivery of materials to or from the premises.
 - f. Nuisance Controls - Home occupations shall not generate traffic, parking noise, vibrations, glare, fumes, odors, or electrical interference beyond what normally occurs in the applicable zoning district.
 - g. Utilities - The public utility cost (water, sewer, electricity, solid waste collection, etc.) incurred in the operation of the home occupation shall not exceed what is normal to the use of the property for residential purposes.
 - h. Signs - only one sign shall be allowed. It may indicate the name of the occupant and/or the name of the home occupation. It shall not exceed one (1) square foot in area, shall be non-illuminated and attached flat to the main structure or visible through a window.
- 9.2.2. Permitted Home Occupations - Home occupations include, but are not necessarily limited to the following provided all of the conditions and standards as set forth herein can be met by the applicant, and subject to the approval of the Board of Zoning Appeals.
- a. Artist and Sculptors
 - b. Authors, Composers, and Musicians

- c. Dressmakers, seamstress and tailors
- d. Home crafts, such as model making, rug weaving lapidary work
- e. Office facility of a rabbi, minister or priest
- f. Office facility of a salesperson, sales representative or manufactures representative provided that no retail or wholesale transactions are made on the premises

9.2.3. Home Occupations Specifically Prohibited - The following are business activities that are specifically prohibited as home occupations.

- a. Antique shop
- b. Barber Shop
- c. Beauty Shop
- d. Funeral Chapel or Funeral Home
- e. Medical or Dental Clinic or Hospital
- f. Renting of trailers
- g. Restaurant
- h. Stable or kennel
- i. Tourist home
- j. Veterinary clinic or hospital
- k. Gun sales or repair

9.2.4. Business License and Certificate of Occupancy - If the special use permit for a home occupation is approved by the Board of Zoning Appeals, that applicant shall secure a license to operate the home occupation from the Office of City Clerk. Prior to the issuance of a Certificate of Occupancy, the Building Inspector will insure that the proper business license has been issued for the home occupation and that all requirements of the character and code or ordinance of the City of Camden are complied with prior to the start of actual operations. The business license and certificate of occupancy shall be renewed annually to insure compliance with applicable municipal codes as well as laws of the State of Tennessee.

9.3. Regulations Regarding Boarders, Tourist and Renting of Rooms.

9.3.1 Specific Standards The standards set forth below shall be used by the Board of Zoning Appeals in evaluating an application to allow for Boarders, Tourists or the Renting of Rooms. The taking of Boarders, Tourists and the Renting of Rooms is a use permitted on appeal specific to each district by the Board of Zoning appeals and shall be considered as an incidental and subordinate use in the district in which it is allowed. Prior to granting a permit for the taking of boarders, tourists or the leasing of rooms the Board of Zoning Appeals shall ensure that the following conditions have been met.

- a. A minimum of one (1) off-street parking space for each room or unit occupied by the boarder, roomer or tourist shall be provided in addition to any residential parking on the premises.
- b. The outside appearance of the dwelling unit shall maintain conformance with the general character of the neighborhood.
- c. The number of rooms or units used for occupancy by boarders, roomers or tourists shall not exceed three (3) units or rooms per dwelling.
- d. All area and yard requirements of the district must be met.
- e. The proposed use of the dwelling shall not be advertised by the display of goods or signs on the lot on which the proposed use is located.
- f. Proprietors of the proposed uses enumerated in this section shall be residents of the dwelling unit in which the use is located.

9.3.2. Criteria for Review - Prior to the approval of any use on appeal, the Board of Zoning Appeals shall ensure the requested use adheres to the following criteria:

- a. The use requested on appeal is to be located on a route designated as either an Arterial or Collector Street on the official Major Road Plan for Camden.
- b. All area, yard and density and parking requirements shall be met.
- c. A site plan of the use shall be submitted to the Board of Zoning Appeals.
- d. If approved, all modifications requested by the Board of Zoning Appeals shall be made prior to the issuance of any building permit. The site plan shall be maintained in the permanent files of the Town of Camden.

ARTICLE X

EXCEPTIONS AND MODIFICATIONS

- 10.1. Lot of Record** - Where the owner of a lot 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, in accordance with Article XV. Permission to use such lots may be granted, however, providing that the yards and other requirements of the district are complied with as closely as is possible in the opinion of the Board of Zoning Appeals.
- 10.1.1. Minimum Size - In no case shall the Board of Zoning Appeals permit a residence to be erected on a lot whose width at the building line is less than sixty (60) feet and whose total lot area is less than three thousand five hundred (3500) square feet.
- 10.1.2. Adjoining Substandard Lots of Record - Where two or more substandard 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.
- 10.2. Setback Line** - The setback requirements 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 feet. In residential districts, however, the setback shall in no case be less than twenty (20) feet from the center line of the streets.
- 10.3. Exceptions on Height Limits** - The height limitations of this ordinance shall not apply to church spires, belfries, cupolas and domes not intended for human occupancy, monuments, water towers, observation towers, transmission towers, windmills, chimneys, smokestacks, derricks, conveyors, flagpoles, radio towers, masts and aerials.

ARTICLE XI

ENFORCEMENT

- 11.1. Enforcing Officer** - The provisions of this ordinance shall be administered and enforced by a building inspector, appointed by the chief legislative body, who shall have the power to make inspection of buildings or premises necessary to carry out his duties in the enforcement of this ordinance.
- 11.2. Building Permits and Certificates of Occupancy** - It shall be unlawful to commence the excavation or filling of any lot for the construction of any buildings, including accessory buildings, or to commence the moving or alteration of any building until the inspector has issued a building permit for such work.
- (a) Issuance of a Building Permit In applying to the building inspector for a building permit, the applicant shall submit a dimensioned sketch or scale plan indicating the shape, size and location of the lot to be built upon; the shape, size, height, and location of all buildings to be erected, altered, or moved, and of any building already on the lot. He shall also state the existing and intended use of all such buildings and supply such other information as may be required by the building inspector for determining whether the provisions of this ordinance are being observed. If the proposed excavation, filling or construction, as set forth in the application, is in conformity with the provisions of this ordinance and other ordinances of the Town of Camden then in force, the building inspector shall issue a building permit for such excavation or construction upon payment of the required fee. If a building permit is refused, the building inspector shall state such refusal in writing with the cause. Building permits must be used within six (6) months after permit is issued. If no substantial progress on construction has been made six (6) months after the permit is issued, the permit is considered to be expired.
- (b) Certificate of Occupancy. Upon the completion of the construction or alteration of a building for which permit has been granted, application shall be made to the building inspector for a certificate of occupancy. Within three (3) days of such application, the building inspector shall make a final inspection of the property in question and shall issue a certificate of occupancy if the building or structure is found to conform to the provisions of this ordinance and the statements made in the application for the building permit. If such certificate is refused, the building inspector shall state such refusal in writing, with the cause. No land or building hereafter erected or altered in its use shall be used until such a certificate of occupancy has been granted.
- 11.3. Penalties** - Any person violating any provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined not less than two dollars (\$2) nor more

than fifty dollars (\$50) for each offense. Each day such violation shall continue constitutes a separate offense.

- 11.4. Remedies** - In case any building, structure or land is used, erected, constructed, reconstructed, repaired, converted or maintained in violation of this ordinance, the building inspector or any other appropriate authority, or any adjacent or neighboring property owner who would be damaged by such violation, in addition to other remedies may institute injunction, mandamus or other appropriate action or proceedings to prevent the occupancy or use of such building.

ARTICLE XII

BOARD OF ZONING APPEALS

- 12.1 Purpose** - The Board of Zoning Appeals is created as an appellate board to review: actions of the Building Inspector; applications for Uses Permitted on Appeal and requests for Variances. In all cases the actions of the Board of Zoning Appeals for the City of Camden shall be governed as set forth below.
- 12.2. Creation and Appointment** - A Board of Zoning Appeals is hereby established in accordance with Section 13-7-205 of the Tennessee Code Annotated. The Board of Zoning Appeals shall consist of seven (7) members, not less than one (1) of whom may be a member of the Camden Municipal Planning Commission appointed by the chief executive officer of the town, and confirmed by a majority vote of the Board of Mayor and Aldermen. The term of membership shall be three (3) years, except that the initial individual appointments to the Board shall be terms of one (1), two (2), and three (3) years, respectively. Vacancies shall be filled for an unexpired term by appointment by the chief executive officer and confirmation by the Board of Mayor and Aldermen.
- 12.3. Procedure**
- a. Meetings Meetings of the Board of Zoning Appeals shall be held at the call of the chairman, and at such other times as the board may determine. The board shall adopt rules of procedure and shall keep records of applications and action thereon, which shall be a public record. All meetings shall be open to the public with advance notice of 7 days in a local newspaper.
 - b. Decisions In any decision made by the Board on a variance, the Board shall indicate the specific section of this Ordinance under which the variance is being considered, and shall state its finding beyond such generalities as "in the interest of public health, safety and general welfare, and in cases pertaining to hardship, shall specifically identify the hardship warranting such action by the Board.
 - c. Process At the public hearing of the case before the Board, 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, *Robert's Rules of Order* shall govern all meetings
- 12.4. Appeals** - An appeal to the Board of Zoning Appeals may be taken by any person, firm or corporation aggrieved, or by any governmental officer, department, board or bureau affected by any decision of the building inspector based in whole or in part upon the provisions of this ordinance. Such appeal shall be taken by filing with the Board of Zoning Appeals a notice of appeal, specifying the grounds thereof. The Building Inspector shall transmit to the Board all papers constituting the record upon which the action appealed was taken. The Board shall fix a reasonable time for the hearing of the appeal, giving public notice thereof, as well as due notice to the parties in interest, and

decide the same within fifteen (15) days from the date of the hearing. Upon the hearing any person or party may appear and be heard in person or by agent or attorney.

12.5. Powers - The Board of Zoning Appeals shall have the following powers:

a. Administrative Review

- (1) To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision or change made by the building inspector or other administrative official in the refusal, carrying out or enforcement of any provision of this Ordinance.
- (2) To permit the extension of a district for a district for a distance of not more than twenty-five (25) feet where the boundary line of a district divides a lot or tract held in a single ownership at the time of the passage of this Ordinance.
- (3) To interpret the Official Zoning Map where questions of designation arise.
- (4) To interpret with the use of the Standard Land Use Coding Manual whether or not a specific use falls into the categories listed in the Commercial and Industrial district sections.

- b. Variance - To hear and decide applications for variance from the terms of this Ordinance, but only where by reason of exceptional narrowness, shallowness or shape of specific piece of property which at the time of adoption of this Ordinance was a lot of record; or where, by reason of exceptional topographic conditions or other extraordinary or exceptional situation or conditions of a piece of property the strict application of the provisions of the ordinance would result in exceptional difficulties or the exceptional and undue hardship upon the owner of such property, provided that such relief may be granted without the substantial detriment to the public and without substantially impairing the intent and purpose of this Ordinance. Financial disadvantage to the property owner is no proof of hardship within the purpose of zoning and as further explained below.

The Board shall not grant a variance unless it makes findings based upon evidence presented to it as follows:

- (1) The particular physical surroundings, shape, 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.
- (2) The conditions upon which the petition for variance is based would not be applicable, generally, to other property within the same district.

- (3) The variance will not authorize activities in a zoning district other than those permitted by this Ordinance.
 - (4) Financial returns alone shall not be considered basis for granting a variance.
 - (5) The alleged difficulty or hardships has not been created by any person having an interest in the property after the effective date of this ordinance.
 - (6) That granting the variance requested will not confer on this applicant any special privilege that is denied by this Ordinance to other lands, structures, or building in the same district.
 - (7) The variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.
 - (8) The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the area in which property is located.
 - (9) The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the area.
 - (10) The variance is not based on the fact of non-conforming use of neighboring lands, structures or buildings in the same district.
 - (11) Under no circumstances shall the Board of Appeals grant a variance to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.
- c. Conditions and Restrictions by the Board The Board may impose such conditions and restrictions upon the premises benefited by a variance as may be necessary to reduce or minimize the injurious effect of such variation upon surrounding property and better carry out the general intent of this Ordinance.
- d. Special Exceptions - Allow, in accordance with the following procedure, the uses designated as Uses Permitted on Appeal provided that prior to the establishment of any use permitted on appeal by the Board of Zoning Appeals, the applicant shall submit a site plan in accordance with Article III, Section 3.17, showing the development concept for the tract with the Board of Zoning Appeals having the right to refer the site plan to the Planning Commission for a review and recommendation, but shall approve or deny the application within thirty (30) days

of submission to the Board unless the applicant allows additional time for action and that all provisions set forth in the appropriate zoning district have been met.

- e. Restrictions - The Board of Zoning Appeals shall not have the power to permit a use prohibited by this ordinance, have the power to expand a non conforming use or have the power to subdivide land.

12.7. Rules of the Board

The Board shall adopt rules for the conduct of its meetings. Such rules shall at a minimum require that:

- a. The presence of 3 members shall constitute a quorum and the concurring vote of at least a majority of the members present shall be necessary to deny or grant any application before the Board.
- b. The Board shall elect from its members its own Chairman and Vice-Chairman and Secretary who shall serve for 1 year and may upon election serve succeeding terms.
- c. Any member of the Board who shall have direct or indirect interest in any property which is the subject matter of, or affected by a decision of the Board shall be disqualified from participating in the discussion, decision, and proceedings of the Board in connection therewith. The burden of revealing any such conflict rests with individual members of the Board. Failure to reveal any such conflict shall constitute grounds for removal from the Board.

12.8. Assistance to the Board of Zoning Appeals

- a. Staff The Board may call upon any other office or agency of the city government for information in the performance of its duties and it shall be the duty of such other agencies to render such information to the Board as may be reasonably required.
- b. Other Boards or Commissions Other Boards or Commissions, other than the City Board, shall be permitted to submit an advisory opinion on any matter before the Board and such opinion shall be made part of the record of such public hearing.
- c. Right to Entry Upon Land The Board, its members and employees, in the performance of its work, may enter upon any land within its jurisdiction and make examinations and surveys and place or remove public notices as required by this Ordinance.

ARTICLE XIII

AMENDMENT

- 13.1. Zoning Amendment Petition** - The Board of Mayor and Alderman, of Camden, Tennessee, may amend the regulations, restrictions, boundaries, or any provision of this ordinance. Any member of the Board of Mayor and Aldermen may introduce such amendment, or any official, board or any other person may present a petition to the Board of Mayor and Aldermen requesting an amendment or amendments to this ordinance.
- 13.2. Planning Commission Review** - No amendment shall become effective until it is first submitted to and approved or disapproved by the Camden Municipal Planning Commission. If the proposed amendment is disapproved by the planning commission, it shall require the favorable vote of a majority of the entire membership of the Board of Mayor and Aldermen to make such amendment effective. If the Camden Municipal Planning Commission does not approve or disapprove an amendment which has been submitted for their review within thirty (30) days after such submission, the failure to act on such amendment shall be deemed approval.
- 13.3. Public Hearing on Proposed Amendment** - Upon the introduction of any amendment to this ordinance or upon the receipt of a petition to amend this ordinance, the Board of Mayor and Aldermen shall publish a notice of such request for an amendment, together with the time set for hearing by the Board of Mayor and Aldermen on the requested change. Said notice shall be published in some newspaper of general circulation in the Town of Camden, Tennessee. Such hearing by the Board of Mayor and Aldermen shall take place not sooner than fifteen (15) days after the date of publication of notice of such hearing shall be collected by the Town of Camden from any party or parties entering a petition for amendment.

ARTICLE XIV

LEGAL STATUS PROVISIONS

- 14.1. 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 Camden, Tennessee, the most restrictive shall in all cases apply.

- 14.2. Validity** - 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.

- 14.3. Effective Date** - This ordinance shall take effect and be in force immediately after adoption, the public welfare requiring it.

Approved and Certified by the Planning Commission.

Secretary of Planning Commission

Date of Public Hearing _____

Passed First Reading _____

Passed Second Reading _____

Mayor

Attest:

Town Recorder

14.4. Readoption Date

Approved and Certified by the Planning Commission.

Secretary of Planning Commission

Date of Public Hearing _____

Passed First Reading _____

Passed Second Reading _____

Mayor

Attest:

Town Recorder

APPENDICES

APPENDIX A1	Building Permit
APPENDIX A2	Petition of Change or Relief
APPENDIX A3	Site Plan Certificates

TOWN OF CAMDEN, TENNESSEE

APPLICATION FOR A BUILDING PERMIT

Permit No. _____ **Date** _____

Owners Name: _____

Address: _____

Name of Subdivision: _____ **Lot Number** _____

Lot Size: _____ ft x _____ ft **Building Size** _____ ft x _____ ft

Type of Construction Residential _____ Commercial _____ Industrial _____ Addition
_____ Accessory _____ Garage _____ Demolition _____ Move _____ Other _____

Purpose of Construction: New Building _____ Repair or Addition to Existing Structure _____

Construction Material: Frame _____ Brick Veneer _____ Masonry _____ Concrete Block _____
Steel Beam/Metal _____ Other _____

Utilities: Public Water (yes no) Public Sewer (yes no) Electricity (yes no) Gas (yes no)

Heating: Gas _____ Oil _____ Electricity _____ Coal _____ Wood _____ Other _____

Flood Elevation (if applicable) _____

I certify that the information shown is correct and that if a permit is granted, I hereby agree to abide by all the requirements of the Town's Building Code, Zoning Law and other Town Laws affecting the proposed structure. It is understood that off-street parking is to be provided by the applicant.

Signature of Applicant

Owner, Contract, Architect, Agent

Address

Telephone Number

This application approved on _____ for construction

cost of _____ amount of \$ _____.

Building Inspector

**PETITION FOR CHANGE OR RELIEF UNDER THE MUNICIPAL ZONING
ORDINANCE OR MAP OF THE TOWN OF CAMDEN**

1. **Applicant** Name _____
Address _____

2. **Owner** Name _____
Address _____

3. **Nature of Petition** Rezoning _____ Use on Appeal _____ Variance _____
Ordinance Amendment _____ Ordinance Interpretation _____

3. **If requesting a Rezoning fill out the following section:**

- a. Street Address: _____
- b. Tax Map Number _____ Parcel Number _____ Area in Acres _____
- c. Vicinity Roads _____
- d. Present Zoning Classification _____
- e. Requested Zoning Classification _____
- f. Available Utilities Water (yes) (no), Sewer (yes) (no), Electric (yes) (no)
- g. Attach Map of affected property

4. **If requesting a Use on Appeal fill out the following section:**

- a. Property address affected _____
- b. Present Zoning _____
- c. Reason for request _____

- d. Attach Site Plan of existing or proposed structure for the use on appeal

5. **Any other request fill out the following section:**

- a. Present Zoning: _____
- b. Reason for request: _____

I hereby certify that the statements made here in by me herein and the maps other accompanying data submitted herewith are true and correct. I will be responsible for the cost of publishing and filing this application.

Signature of Applicant

SITE PLAN CERTIFICATES

CERTIFICATE OF ACCURACY OF ENGINEERING AND DESIGN

I, _____, a professional Architect, Engineer, Surveyor do hereby certify that the plans, engineering and designs governing the construction this site plan are true and correct, and conform to the requirements set forth in the Zoning Ordinance of Town of Camden, Tennessee.

Date

Signature

PLANNING COMMISSION CERTIFICATE

I, _____, do hereby certify that the Camden Municipal Planning Commission has approved this site plan.

(Date)

Secretary, Camden Municipal
Planning Commission