

ORDINANCE NO. P-20190410

AN ORDINANCE TO AMEND THE ZONING MAP OF THE TOWN OF CARTHAGE, TENNESSEE: TO REZONE CERTAIN AREAS/PARCELS FROM THE R-1 RESIDENTIAL DISTRICT TO THE R-2 RESIDENTIAL DISTRICT

WHEREAS, the Town of Carthage, Tennessee has adopted a zoning ordinance and map under authority granted in Tennessee Code Annotated (TCA) Section 13-7-201; and

WHEREAS, Tennessee Code Annotated Section 13-7-204 enables a municipality to amend zoning ordinances and maps; and

WHEREAS, the Carthage Municipal Planning Commission recommended on April 10, 2019 that the zoning classification of certain properties along Main Street North be rezoned from the R-1 (Low Density Residential District) to the R-2 (Medium Density Residential District), and

WHEREAS, pursuant to the requirements of TCA, Section 13-7-203, the Town of Carthage conducted a public hearing prior to the final reading and adoption of this ordinance to allow for community input into the ordinance amendment herein described;

BE IT ENACTED by the Board of Mayor and Alderman for the Town of Carthage, Tennessee as follows:

Section 1. This rezoning will include Parcels 22.00, 23.00, 24.00, 25.00, 26.00 and 26.01 of Tax Map 045P, Group “A”, and shall be rezoned to the R-2 Medium Density Residential District.

Section 2. This Ordinance shall be effective from and after its passage and final reading, as provided by law, the public welfare requiring it.

Section 3. Effective Date. This ordinance shall take effect and be in full force upon its final passage as required by law.

Passed 1st Reading 5/2/19

Passed 2nd Reading 7/11/19

PUBLICATION OF NOTICE: 6/13/19

PUBLIC HEARING HELD: 7/11/19
(At least 15 days public notice)

Mayor

Date

Recorder

Date

CHAPTER 5

SPECIFIC DISTRICT REGULATIONS

SECTION 11-501

R-1, LOW DENSITY RESIDENTIAL DISTRICT

11-501.1 GENERAL DESCRIPTION

The purpose of the R-1 District is to provide a low density residential environment having good access to schools, public water and sewer, and other community services, but well separated from other incompatible uses and activities.

Within the R-1 Low Density Residential District, as shown on the Official Carthage Zoning Map, the following regulations shall apply:

11-501.2 PERMITTED USES

11-501.2A Single-family detached dwellings; excluding mobile homes.

11-501.2B Accessory buildings or uses customarily incidental to aforementioned permitted uses. Such uses may include noncommercial gardens and greenhouses, tool sheds, unattached carports and garages, swimming pools (subject to the conditions of Section 11-604.4 of this Official Zoning Code), gazebos and the like.

11-501.2C Television, radio, and satellite dish antennas when in compliance with conditions specified in Section 11-604.8 of this Official Zoning Code.

11-501.2D Temporary structures, subject to the provisions of Section 11-609 of this Official Zoning Code.

11-501.3 USES PERMITTED ON APPEAL (SPECIAL EXCEPTIONS)

After public notice and hearing and subject to appropriate conditions and safeguards, the Board of Zoning Appeals may permit as special exceptions:

11-501.3A Accessory apartments meeting the following conditions:

1. Only one (1) accessory apartment per single-family dwelling shall be permitted.
2. The accessory apartment shall be located within or connected to the single-family dwelling and shall be a clearly subordinate part thereof.
3. The accessory apartment shall not exceed twenty-five (25) percent of the gross floor area of the principal dwelling; shall not be larger than eight-hundred (800) square feet; and shall not contain more than two (2) bedrooms.
4. The principal dwelling shall be owner-occupied.

5. All exterior entrances to the accessory apartment shall be made from the rear or side of the principal dwelling.
6. Two (2) additional off-street parking spaces shall be provided.
7. The accessory apartment shall conform with all applicable housing and building codes.
8. A floor plan and site plan depicting all proposed changes to the single-family dwelling shall be submitted.

11-501.3B Public utilities such as water, sewer, gas, electric, cable TV and telephone but limited to those facilities necessary to serve the immediate neighborhood and excluding general office buildings, warehouses and storage areas. Opaque screening in conformance with Section 11-601 of this Official Zoning Code shall be provided along all shared lot lines.

11-501.3C Municipal fire or police substation subject to the following conditions:

1. Sites shall contain a minimum of one (1) acre and have a minimum street frontage of one-hundred fifty (150) feet.
2. They shall be located on an arterial or collector street only.
3. Such facilities shall be set back a minimum of fifty (50) feet from all lot lines.
4. Opaque screening in conformance with Section 11-601 of this Official Zoning Code shall be provided along all lot lines adjoining residential properties.
5. Off-street parking shall be provided for all anticipated equipment, employees and visitors.

11-501.3D Customary home occupations provided that the conditions specified in Section 11-604.3 of this Official Zoning Code are complied with.

11-501.3E Public parks and public recreational facilities meeting the following conditions:

1. A minimum lot area of one-half (1/2) acre with a minimum lot width of fifty (50) feet at the building setback line shall be provided.
2. The minimum depth of the front yard shall be thirty-five (35) feet and the minimum depth of the side and rear yards shall be twenty-five (25) feet. The minimum side yard on the street side of corner lots shall be thirty-five (35) feet.
3. The maximum lot coverage for all enclosed buildings shall be ten (10) percent.

11-501.3F Day care home for the care of up to twelve (12) children, provided they meet the minimum standards established by the Tennessee Department of Human Services for such facilities and provided that the conditions specified in Section 11-604.9 of this Official Zoning Code are complied with.

11-501.4 **USES PROHIBITED**

- 11-501.4A Mobile homes; two-family dwellings; and multi-family dwellings.
- 11-501.4B Storage or overnight parking of commercial or industrial vehicles.
- 11-501.4C Commercial and industrial uses.
- 11-501.4D Outdoor storage of any type, except that in connection with and on the premise of active building and/or land developments.
- 11-501.4E Any other use or structure not specifically permitted or permitted on appeal.

11-501.5 **MINIMUM LOT AREA, WIDTH,
AND YARD REQUIREMENTS**

The principal building shall be located so as to comply with the following requirements:

- 11-501.5A Minimum lot area.....10,000 sq. ft.
- 11-501.5B Minimum lot width at building line75 ft.
- 11-501.5C Minimum depth of front yard.....40 ft.
- 11-501.5D Minimum depth of rear yard.....30 ft.
- 11-501.5E Minimum interior side yard:
1. One or two story building..... 15 ft.
 2. Three story building20 ft.
- 11-501.5F Minimum side yard on street side corner lots.....40 ft.

11-501.6 **LOCATION OF ACCESSORY BUILDINGS**

Accessory buildings shall meet the following provisions:

- 11-501.6A No accessory building shall be erected in any required front or side yard.
- 11-501.6B Accessory buildings shall not cover more than twenty (20) percent of the required rear yard.
- 11-501.6C Minimum setback from other buildings10 ft.
- 11-501.6D Minimum setback from all lot lines5 ft.
- 11-501.6E Minimum setback for street side corner lots.....40 ft.
- 11-501.6F Maximum height.....2 stories

11-501.7 MAXIMUM BUILDING AREA

On any lot the area occupied by all buildings, including accessory buildings, shall not exceed twenty-five (25) percent of the total area of such lot.

11-501.8 PARKING REQUIREMENTS

Uses in the R-1 District shall conform with the provisions of Section 11-301 of this Official Zoning Code.

11-501.9 ACCESS REQUIREMENTS

Uses in the R-1 District shall conform with the provisions of Section 11-302 of this Official Zoning Code.

11-501.10 MAXIMUM BUILDING HEIGHT

No structure in the R-1 District shall exceed thirty-five (35) feet or three (3) stories in building height.

11-501.11 SIGN REQUIREMENTS

No billboards or similar off-premise advertising structures are allowed in the R-1 District; all other signs and similar advertising structures shall conform with the provisions of Section 11-605 of this Official Zoning Code.

11-501.12 PLOT PLAN OR SITE PLAN REQUIREMENTS

All developments in the R-1 District requiring building permits shall conform with the applicable plot plan requirements in Section 11-704 of this Official Zoning Code or site plan requirements in Section 11-705 of this Official Zoning Code.

SECTION 11-502**R-2 MEDIUM DENSITY
RESIDENTIAL DISTRICT****11-502.1 GENERAL DESCRIPTION**

The purpose of the R-2 District is to provide a medium density residential environment having good access to schools, public water and sewer, and other community services, but well separated from other incompatible uses and activities.

Within the R-2 High Density Residential District, as shown on the Official Carthage Zoning Map, the following regulations shall apply:

11-502.2 PERMITTED USES

- 11-502.2A Single-family detached and two-family dwellings, excluding mobile homes.
- 11-502.2B Accessory apartments for single-family detached dwellings when in conformance with the provisions of Section 11-501.3A of this Official Zoning Code.
- 11-502.2C Accessory buildings or uses customarily incidental to aforementioned permitted uses. Such uses may include noncommercial gardens and greenhouses, tool sheds, unattached carports and garages, swimming pools (subject to the provisions of Section 11-604.4 of this Official Zoning Code) and the like.
- 11-502.2D Television, radio, and satellite dish antennas when in compliance with the conditions specified in Section 11-604.8 of this Official Zoning Code.
- 11-502.2E Temporary structures, subject to the provisions of Section 11-609 of this Official Zoning Code.
- 11-502.2F Churches and other places of worship; and schools offering general education courses.

**11-502.3 USES PERMITTED ON APPEAL
(SPECIAL EXCEPTIONS)**

After public notice and hearing and subject to appropriate conditions and safeguards, the Board of Zoning Appeals may permit as special exceptions:

- 11-502.3A Multi-family dwellings and apartments provided that the following conditions are complied with:
1. Application and site plan as required in Section 11-602.1 of this Official Zoning Code shall be submitted to and approved by the Carthage Building Inspector.
 2. Development standards as required in Section 11-602.2 of this Official Zoning Code shall be complied with.
- 11-502.3B Bed and breakfast establishments and the renting of rooms by the residents on premises provided that the floor area used for said purpose may not exceed twenty-five (25) percent of total habitable floor area of the dwelling, and provided that the following additional conditions are complied with:

1. Three (3) off-street parking spaces shall be provided for the residence plus one (1) additional space for each room offered for rent. Required additional parking shall not be allowed in any front yard.
2. Signs associated with bed and breakfast establishments shall meet the requirements of Section 11-605 of this Official Zoning Code.

11-502.3C Public parks and public recreational facilities meeting the following conditions:

1. A minimum lot area of one-half (1/2) acre with a minimum lot width of fifty (50) feet at the building setback line shall be provided.
2. The minimum depth of the front yard shall be thirty-five (35) feet and the minimum depth of the side and rear yards shall be twenty-five (25) feet. The minimum side yard on the street side of corner lots shall be thirty-five (35) feet.
3. The maximum lot coverage for all enclosed buildings shall be ten (10) percent.

11-502.3D Public utilities such as water, sewer, gas, electric, cable TV and telephone, but limited to those facilities necessary to serve the immediate neighborhood and excluding general office buildings, warehouses, and storage areas. Opaque screening in conformance with Section 11-601 of this Official Zoning Code shall be provided along all shared lot lines.

11-502.3E Municipal uses such as fire or police substation subject to the following conditions:

1. Sites shall contain a minimum of one-half (1/2) acre and have a minimum street frontage of one-hundred (100) feet.
2. Shall be located on an arterial or collector street only.
3. Such facilities shall have a minimum rear yard of fifty (50) feet, minimum side yard of twenty-five (25) feet, and a minimum front yard of thirty-five (35) feet.
4. Opaque screening in conformance with Section 11-601 of this Official Zoning Code shall be provided along all lot lines adjoining residential properties.
5. Off-street parking shall be provided for all anticipated equipment, employees and visitors.

11-502.3F Day care home for the care of up to twelve (12) children, provided they meet the minimum standards established by the Tennessee Department of Human Services for such facilities and provided that the conditions specified in Section 11-604.7 of this Official Zoning Code are complied with.

11-502.3G Customary home occupations provided that the conditions specified in Section 11-604.3 of this Official Zoning Code are complied with.

11-502.4 USES PROHIBITED

- 11-502.4A Manufactured homes and mobile homes.
- 11-502.4B Storage or overnight parking of commercial or industrial vehicles.
- 11-502.4C Outdoor storage of any type, except that in connection with and on the premise of active building and/or land developments.
- 11-502.4D Any other use or structure not specifically permitted or permitted on appeal.

11-502.5 MINIMUM LOT AREA, WIDTH,
AND YARD REQUIREMENTS

The principal building or buildings shall be located so as to comply with the following requirements:

- 11-502.5A Minimum lot area for single-family dwelling unit7,500 sq. ft.
- 11-502.5B Each additional dwelling unit7,000 sq. ft.
- 11-502.5C Minimum lot width at building line:
1. Single-family dwelling.....50 ft.
 2. Two-family dwelling.....75 ft.
 3. Multi-family dwelling.....100 ft.
- 11-502.5D Minimum depth of front yard.....30 ft.
- 11-502.5E Minimum depth of rear yard.....20 ft.
- 11-502.5F Minimum interior side yard:
1. Single-family dwelling.....10 ft.
 2. Two-family dwelling.....15 ft.
 3. Multi-family dwelling.....20 ft.
- 11-502.5G Minimum side yard for street side corner lots.....30 ft.

11-502.6 LOCATION OF ACCESSORY BUILDINGS

Accessory buildings shall meet the following provisions:

- 11-502.6A No accessory building shall be erected in any required front or side yard.
- 11-502.6B Accessory buildings shall not cover more than twenty (20) percent of the required rear yard.

11-502.6C	Minimum setback from other buildings.....	10 ft.
11-502.6D	Minimum setback from all lot lines.....	5 ft.
11-502.6E	Minimum setback for street side corner lots.....	30 ft.
11-502.6F	Maximum height.....	2 stories

11-502.7 MAXIMUM BUILDING AREA

On any lot the area occupied by all buildings, including accessory buildings, shall not exceed thirty-five (35) percent of the total area of such lot.

11-502.8 PARKING REQUIREMENTS

Uses in the R-2 District shall conform with the provisions of Section 11-301 of this Official Zoning Code.

11-502.9 ACCESS REQUIREMENTS

Uses in the R-2 District shall conform with the provisions of Section 11-302 of this Official Zoning Code.

11-502.10 MAXIMUM BUILDING HEIGHT

No structure in the R-2 District shall exceed thirty-five (35) feet or three (3) stories in building height.

11-502.11 SIGN REQUIREMENTS

No billboards or similar off-premise advertising structures are allowed in the R-2 District, all other signs or similar advertising structures shall conform with the provisions of Section 11-605 of this Official Zoning Code.

11-502.12 PLOT PLAN OR SITE PLAN REQUIREMENTS

All developments in the R-2 District requiring building permits shall conform with the applicable plot plan requirements in Section 11-704 of this Official Zoning Code or site plan requirements in Section 11-705 of this Official Zoning Code.