

ORDINANCE NO. 19-05

AN ORDINANCE AMENDING THE ZONING ORDINANCE TO INCLUDE AN ALTERNATIVE CENTRAL BUSINESS SERVICE ZONING DISTRICT INCLUDING RESIDENTIAL USES

WHEREAS, The City's Zoning Ordinance intent includes but is not limited to dividing the city and into zones and districts restricting and regulating therein the location, construction, reconstruction, alteration, and use of buildings, structures, and land for residence, business, commercial, and other specified uses;

WHEREAS, The City's Zoning Ordinance intent includes but is not limited to establishing buildings lines and the location of buildings designated for residential, business, commercial, or other uses within such lines and to prohibiting uses, buildings, or structures which are incompatible with the character of development or the permitted uses within specified zoning districts;

WHEREAS, This Zoning Ordinance amendment is based on the intention of the City's Comprehensive Land Use Plan to promote and permit infill mixed use type developments in the gateway areas to the City's Town Center; and,

WHEREAS, This Zoning Ordinance amendment is intended to provide an alternative zoning district classification to the existing properties designated the C-1, Central Business Service District that would permit property owners to request a formal rezoning process through the White House Planning Commission and Board of Mayor and Aldermen; and,

WHEREAS, The White House Planning Commission at the March 11, 2019 meeting reviewed and discussed this proposed amendment and voted to recommend its passage to the Board of Commissioners; and

NOW, THEREFORE, BE IT ORDAINED AND IT IS HEREBY ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF WHITE HOUSE, TENNESSEE, AS FOLLOWS:

SECTION 1. That the zoning ordinance being the municipal zoning ordinance of City of White House, Tennessee section is hereby amended as listed in "EXHIBIT A" to include a new section 5.053.1.1.

SECTION 2. That the Board of Mayor and Aldermen of the City of White House, Tennessee, hereby certify that this Ordinance has been submitted to the Planning Commission of the City of White House for a recommendation, and a notice of hearing thereon has been ordered after at least fifteen (15) days notice of the time and place of said meeting has been published in a newspaper circulated in the City of White House, Tennessee. This Ordinance shall take effect fifteen (15) days from the date of its final passage, the public welfare demanding it.

SECTION 3. If any section, clause, provision, or portion of this Ordinance is for any reason declared 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 itself invalid or unconstitutional.

SECTION 4. In case of conflict between this Ordinance or any part thereof and the whole or part of any existing or future Ordinance of the City of White House, the most restrictive shall in all cases apply.

First Reading: April 18, 2019 PASSED

Second Reading: May 16, 2019 PASSED



Michael Arnold, Mayor

ATTEST:



Derek Watson, City Recorder

"EXHIBIT A"

New Section
~~Deleted Section~~

5.053.1.1 C-1R Central Business Service District- Gateway Infill Residential

A. District Description

This district is designed to provide for a wide range of retail, office, amusement, service uses, in addition to *residential uses in a mixed-use setting*. In addition, this district provides for governmental uses, and community facilities and utilities necessary to serve the district or which are required for the general community welfare. *The regulations are structured to permit maximum freedom of pedestrian movement and design flexibility need for in-fill type developments on smaller properties to incorporate residential uses on properties and within buildings of commercial permitted uses.* Relative high density and intensity of use is permitted in this district. *The intention is for the CIR zoning districts to be in the gateway areas of the City's Town Center area including Hwy 31W from Raymond Hirsch Parkway to Calista Road and SR 76 from the City park to the town center area at the intersection of Hwy 31W/SR 76/College Street*

B. Uses Permitted

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

1. General retail sales and services.
2. Professional, finance, insurance, real estate, personal, business, and repair services.
- ~~3. Manufacturing, provided it is incidental to the retail business or service which sells the made products on the premises and that such manufacturing activity occupies less than forty (40) percent of the floor area and employs not more than five (5) operators.~~
4. Hotels, motels and boarding houses.
5. Commercial amusement establishments.
6. Churches and other places of assembly.
- ~~7. Mortuaries and undertaking services.~~
- ~~8. Newspaper and printing plants.~~
9. Governmental buildings and community centers.
10. Utility facilities (without storage yards) necessary for the provision of public services.
11. Communication business services.
12. Educational services.
13. Signs and billboards as regulated in Article IV, Section 4.070.
- ~~14. Gasoline service stations.~~
15. Food services.
16. Wholesale sales.
17. Medical services.
- ~~18. Veterinary services (excluding livestock).~~
19. Convenience sales and service.
20. Laundry and dry-cleaning services.
21. Essential municipal services.

~~22. Accessory Firework Sales.~~

23. Vehicular craft, and related equipment sales, rental and delivery.
24. *Residential mixed use including upper story residential, single or two family detached, attached, semi-attached, and multi-family units not exceeding thirteen (13) units per acre.*
25. *Residential single family detached, attached, multi-family not exceeding thirteen (13) units per acre.*

C. Uses Permitted as Special Exceptions

In the C-1, Central Business Service District, the following uses and their accessory uses may be permitted as special exceptions after review and approval in accordance with Article VII, Section 7.060.

1. Automotive parking lot.
2. Day care centers

D. Uses Prohibited

Industrial uses; automobile wrecking, junks, and salvage yards; uses not specifically permitted or uses not permitted upon approval as a special exception.

E. Dimensional Regulations

All uses permitted in the C-1R District shall comply with the following requirements, except as provided in Article VI.

1. Minimum Lot Size Requirements
No minimum lot size shall be required in the C-1 District.

2. Minimum Yard Requirements

Front Yard – Ten (10) feet* See Section 5 Parking Space

Side Yard – Five (5) feet except one- and two-family dwellings side setback- 6.5** feet

*****Five-feet side (5) minimum side setback permitted where fire protection meets City's Fire Department requirements for reduced building separation.***

Rear Yard- Ten (10) feet

3. Maximum Lot Coverage

There are no restrictions on the area occupied by all buildings including accessory buildings on a lot or parcel located in the C-1 District.

4. Height Requirement

No building shall exceed fifty-three (53) feet in height, except as provided in Article VII, Section 7.040.

- a. The maximum building height at the street line shall be thirty-five (35) feet.
- b. For each foot the buildings is set back from the street line, the height of the building may be increased by one and one-half (1 1/2) feet to a *maximum height of five-three (53) feet in height*

5. Parking Space Requirements

As regulated in Article IV, Section 4.010 and 3.090. Increased front setback of thirty (30') feet is required for residential parking areas between secondary public streets and buildings to ensure parking in front would not block public sidewalks or roadways.

F. Landscaping Requirements

See Article III, Section 3.120. Where a transitional buffer yard requires a buffer exceeding ten (10) feet, a solid fence or wall meeting the requirements of the City Commercial Design Standards with a solid understory vegetative screen is permitted to be completed within the ten (10') rear setback as determined by the Planning Commission based on site plan design and property conditions.

G. Outdoor Storage

1. All outdoor storage shall be prohibited in the front yard which shall be interpreted as that portion of the property abutting the portion of the property abutting the right-of-way.
2. Outdoor storage shall take place in the rear yard and shall be screened by fencing or landscaping.

H. *All commercial and all new residential developments including one- and two-family residential buildings shall be regulated by the commercial design standards since the zoning district is intended for a mixed-use zoning district.*