

ORDINANCE 21-05

AN ORDINANCE OF THE CITY OF WHITE HOUSE, TENNESSEE AMENDING ARTICLES AND SECTIONS OF THE ZONING ORDINANCE, AS INDICATED BELOW, AND AS DETAILED IN ATTACHED EXHIBIT A

ARTICLE 2, SECTION 2.020 DEFINITIONS

ARTICLE 4, SECTION 4.080 PERFORMANCE STANDARDS

ARTICLE 5, SECTION 5.053.1 C-1, CENTRAL BUSINESS SERVICE DISTRICT

WHEREAS, the Board of Mayor and Aldermen wishes to amend the Zoning Ordinance to provide a definition to distinguish Major and Minor Motor vehicle service, add permitted use of Major and Minor Repair and add language to the Commercial Design Standard that only allow dismantling of wrecked cars be approved by the Planning Commission.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen that the Zoning Ordinance Articles V are amended as indicated below.

BE IT FURTHER ORDAINED that this Ordinance has been approved by the Planning Commission.

This ordinance shall become effective upon its final reading and adoption by the Board of Mayor and Aldermen, and publication, the public welfare requiring it.

First Reading: May 20, 2021 PASSED

Second Reading: June 17, 2021 PASSED



Michael Arnold, Mayor

ATTEST:



Derek Watson, City Recorder

EXHIBIT A

Design Standards

Auto Repair and Service

Auto Repair and Service Facilities can be problematic uses characterized by noise, large numbers of parked vehicles, traffic, and the presence of petroleum products, oils, acids, and other hazardous materials. A major problem with older Repair and Service Facilities is inadequate storage for vehicles being serviced, resulting in cars, etc. being parked on the street, sidewalks, landscaping, and neighboring properties. See Exhibit 11.2.

1. Buildings are encouraged to be placed at the minimum front setback. See note 12, Sheet 18.
2. Vehicle repairs should be contained within a building.
3. Provide ample space for drop-off vehicles to avoid stacking overflow on a primary street.
4. The interior work bays shall not be visible from the primary street or any adjacent residential area or open space.
5. **No dismantling of wrecked cars or outdoor storage is allowed on site unless approved by Planning Commission.**
6. Trash bins need to accommodate for the disposal of junk parts, packing material of shipped parts, and oil and lubricants.
7. Buildings shall contribute to a positive street presence.

2.020 Definitions

The following words, terms, and phrases are hereby defined as follows and shall be interpreted as such throughout this Zoning Ordinance. Terms not herein defined shall have their standard dictionary definition or such as the context may imply. (For words not defined herein, reference may be made to the 'New Illustrated Book of Development Definitions' published by the APA).

Motor Vehicle - Any self-propelled wheeled vehicle designed primarily for transportation of persons or goods along public streets.

Motor Vehicle Service and Repair, Major - Such use includes, but shall not be limited to, establishments involved in engine rebuilding, transmission repair, major reconditioning of worn or damaged motor vehicles or trailers, towing and collision service, including body, frame, or frame straightening or repair, and painting of motor vehicles

Motor Vehicle Service and Repair, Minor - Such use includes, but is not limited to, minor repairs to motor vehicles, including repair or replacement of cooling, electrical, fuel and exhaust systems, brake adjustments, relining and repairs, wheel servicing, alignment and balancing, repair and replacement of shock absorbers, and replacement or adjustment of mufflers and tail pipes, hoses, belts, light bulbs, fuses, windshield wipers/wiper blades, grease retainers, wheel bearings, and the like. Motor Vehicle Service and Repair, Minor includes establishments where gasoline and/or fuel oil, and oil, grease, batteries, tires, and automobile accessories are sold in addition to the repair facilities.

4.080 **Development Standards for Automobile Wrecking, Junk and Salvage Yards and Motor Vehicle Service and Repair, Major and Minor**

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

- A. All motor vehicles stored or kept in such yards shall be so kept that they will not catch and hold water in which mosquitoes may breed and so that they will not constitute a place or places in which rats, mice, or other vermin may be harbored, reared, or propagated.
- B. Because of the tendency for salvage yard to promote the breeding of vermin, no such operation shall be permitted closer than three hundred (300) feet from any established residential zone.
- C. All outdoor storage of salvage and wrecking operation shall be conducted entirely within an enclosed opaque fence, screen, or wall, excepting driveway areas, from eight (8) to twelve (12) feet in height. Storage between the road or street and such fence, screen, or wall is expressly prohibited. Any fence, screen, or wall for concealment shall be maintained in good condition.
- D. All such yards shall be so maintained as to be in a sanitary condition and so as not to be a menace to public health or safety.

E. Off-Street Parking

As regulated in Article IV, Section 4.010.

F. Ingress and Egress

The number of vehicular access driveways permitted on any single street frontage shall be limited to:

- 1. One (1) driveway where the parcel to be used has a maximum road or street frontage of one hundred (100) feet or less.
- 2. Two (2) driveways where the road or street frontage exceeds one hundred (100) feet. Driveways used for ingress and egress shall be limited to twenty-five (25) feet in width maximum, exclusive of curb returns.

G. Application for Automobile Wrecking, Junk or Salvage Yard Permit

No person shall own or maintain an automobile wrecking, junk, or salvage yard within the City of White House, until he has secured a permit from the White House Board of Zoning Appeals. An application for said permit shall be filed in accordance with Article IX, of this ordinance and shall be accompanied by a detailed site plan, a schedule for construction, and any other information herein required. Said application shall be submitted along with any plans and schedules. The Board shall vote to approve or disapprove the application in accordance with the time schedule in Article IX, Section 9.030.

H. **MOTOR VEHICLE SERVICE AND REPAIR, MAJOR OR MINOR**

A. Minor motor vehicle service and repair shops may not store the same vehicles outdoors on the site for longer than ten (10) days. Major motor vehicle service and repair shops may not store the same vehicles outdoors on the site for longer than thirty (30) days.

B. All driveways must be located and designed to ensure that they will not adversely affect the safety and efficiency of traffic circulation on adjoining streets.

C. All repair operations shall be fully enclosed. Wrecked or junked vehicles shall not be stored for longer time periods than those specified above and shall be completely screened from the public right-of-way and any adjacent residential districts with a solid board fence and/or evergreen shrubs or equivalent screening as may be approved by the Planning Department.

D. Minor motor vehicle service and repair shops may also include gas stations as a secondary use. All gas stations which are part of such an establishment must comply with the regulations.

5.053.1

C-1, Central Business Service District

A. District Description

This district is designed to provide for a wide range of retail, office, amusement, service uses, and light industrial processes involving high performance standards. 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. Relative high density and intensity of use is permitted in this district.

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 4.080.
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.

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. Warehousing and storage uses.
3. Day care centers.
4. Research services.
5. Retail business supply.
6. Twenty (24) Hour Medical/Veterinarian Clinic Accessory Residential Quarter meeting requirements of 4.160. **(Added by Ordinance 05-09, May 19, 2005)**
7. Commercial Accessory Residential Unit.
- *8. Motor Vehicle Service and Repair, Minor**

***See Article 4, 4.080 Development Standards for Automobile Wrecking, Junk and Salvage Yards and Motor Vehicle Service and Repair, Major and Minor**

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. **(Amended by Ordinance 99-17, July 15, 1999)**

E. Dimensional Regulations

All uses permitted in the C-1, Central Business Service 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 - Twenty (20) Feet. If a building or buildings on an adjacent lot or lots provide front yards less than twenty (20) feet in depth, a front yard equal to the average of adjacent front yards shall be provided. **Rear yard - twenty (20) feet.** Side yard - none is required. However, if an open area extending along a side lot line is provided, it shall be at least ten (10) feet wide, and it shall be unobstructed.

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, **Amended by Ordinance 15-09, May 21, 2015.)** except as provided in Article VII, Section 7.040. **(Amended by Ordinance 03-10, August 21, 2003)**

- 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 sixty-five (65) feet.

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

F. Landscaping Requirements

See Article III, Section 3.130 (c).

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.

5.053.2 C-2, General Commercial

A. District Description

This district is designed to provide for certain types of commercial establishments which have a minimum of objectionable characteristics and do not involve storage, transfer or processing of goods or chattels.

B. Uses Permitted

1. Medical offices and clinics.
2. Office buildings for finance, insurance, real estate, legal, engineering, architectural and similar personnel.
3. Hotels and motels.
4. Churches and other places of assembly.
5. Mortuaries and undertaking services.
6. Government buildings and community centers.
7. General retail trade.
8. Entertainment and amusement.
9. Consumer repair.
10. Utility facilities (without storage yards) necessary for the provision of public services.
11. Communication business services.
12. Day Care Centers.
13. Business colleges and other similar educational services (excluding auto-diesel schools).
14. Convenience retail.
15. Apparel and accessories retail.
16. Food service.
17. Auto service stations.
18. Animal care and veterinary.
19. Essential municipal services.

- 20. Interstate Sign District (C-2) (Zoning Atlas, Dated: **(July 10, 1995)**)
- 21. Accessory Firework Sales.
- 22. Automobile sales provided buffer screen is provided and banner and flag streamers are not placed on the property.
- 23. Retail Package Stores
- *24. Motor Vehicle Service and Repair, Minor**
- *25. Motor Vehicle Service and Repair, Major**

***See Article 4, 4.080 Development Standards for Automobile Wrecking, Junk and Salvage Yards and Motor Vehicle Service and Repair, Major and Minor**

C. Uses Permitted as Special Exceptions

In the C-2, General Commercial District, the following uses and their accessory uses may be permitted as a special exception after review and approval by the Board of Zoning Appeals.

- 1. Warehousing provided that no manufacturing is involved, screening is provided, and the building does not exceed thirty-five (35) feet in height.
- 2. Twenty (24) Hour Medical/Veterinarian Clinic Accessory Residential Quarter meeting requirements of 4.160. **(Added By Ordinance 05-09, May 19, 2005)**

D. Uses Prohibited

- 1. Industrial uses, automobile **wrecking**, and/or recycling uses, junk or salvage yards, van or truck storage uses and uses not specifically permitted as a special exception. **(No body shops per Ordinance 92-12). (Amended by Ordinance No. 99-17, July 15, 1999)**

E. Dimensional Regulations

All uses permitted in the C-2, General Commercial 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.
- 2. Minimum Yard Requirements

Front Yard	20 feet
Two-thirds (2/3) of the front yards must be dedicated to landscaping).	
Side Yard	10 feet
Rear Yard	20 feet
Building Setback	35 feet
- 3. Maximum Lot Coverage
Provided landscaping and parking requirements are met there is no restrictions on the area occupied by all buildings including accessory buildings on a lot or parcel located in the C-2 District.

4. Height Requirements

No building shall exceed fifty-three (53) feet in height (**Amended by Ordinance 15-09, May 21, 2015.**), except as provided in Article VII, Section 7.060.

F. Landscape Requirements

1. As regulated in Article III, Section 3.130, (c).

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 right-of-way.
2. Outdoor storage shall take place in the rear yard and shall be screened by solid, non-transparent fencing or landscaping.