

ORDINANCE 21-19

AN ORDINANCE OF THE CITY OF WHITE HOUSE, TENNESSEE AMENDING ARTICLE IV OF THE ZONING ORDINANCE, AS INDICATED BELOW, CONCERNING TEMPORARY USE PERMITS ON PUBLIC PROPERTY IN THE CITY OF WHITE HOUSE.

WHEREAS, the Board of Mayor and Aldermen wishes to amend the Zoning Ordinance to provide defined regulation for Temporary Use Permits in Zoning Districts.

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: July 15, 2021 PASSED

Second Reading: August 19, 2021 PASSED



Michael Arnold, Mayor

ATTEST:



Derek Watson, City Recorder

(Definitions)

4.030 Temporary Use Regulations

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

- A. Carnival or Circus. May obtain a Temporary Use Permit in any zoning district; however, such permit shall be issued for a period of no longer than fifteen (15) days. Such use shall only be permitted on lots where adequate off-street parking can be provided.

- B. Temporary Sales. In any district, with special limitations in Residential districts, a temporary use permit shall be valid for no more than fifteen (15) days per individual use or per property twice per year, whichever is more restrictive. Retailers are allowed one day before the sales period in order to set-up, and allowed one day after the sales period for clean-up. Temporary sales are restricted to the hours of 8:00 am until 9:00 pm each day. Temporary Uses in residential districts must be on properties located and with adequate access from a major roadway and not be within a defined residential subdivision. In all districts, property must contain adequate roadway access and area for off-street parking. The use of vacant commercial or industrial parking is prohibited for this use. The requirements of this section shall not apply to permanent sites with temporary sales as shown on approved development site plan approved by Planning Commission. This section does not include accessory uses that are located within close proximity of building entrance (s) or under building canopies. **(Amended by Ordinance 07-31, October 18, 2007)**. Residential garage/yard sales including the sale of miscellaneous items commonly associated with a residential use shall be limited to four (4) sale events per calendar year not exceeding three (3) days per sale event. Residential yard sales shall not create parking and traffic issues. **(Amended by Ord. 12-14, October 18, 2012)**.

- C. Temporary Buildings. In any district, a Temporary Use Permit may be issued for contractor's temporary office and equipment sheds incidental to a construction project. Such permit shall not be valid for more than one (1) year but may be renewed for six (6) month extensions; however, not more than three (3) extensions for a particular use shall be granted. Such use shall be removed immediately upon completion of the construction project, or upon expiration of the Temporary Use Permit, whichever occurs sooner.

- D. Religious Tent Meetings. In any district, a Temporary Use Permit may be issued for a tent or other temporary structure to house a religious meeting. Such permit shall be issued for not more than a thirty (30) day period. Such activity shall be permitted only on lots where adequate off-street parking can be provided.

- E. Temporary Dwelling Unit in Cases of Special Hardship. In any residential district, a Temporary Use Permit may be issued to place a mobile home (double-wide's excluded) on a lot in which the principal structure was destroyed by fire, explosion or natural phenomena. The purpose of such temporary placement shall be to provide shelter for only the residents of the principal structure during the period of reconstruction and to prevent an exceptional hardship on the same. Placement of such temporary structure must not represent a hazard to the safety, health, or welfare of the community.

- F. Storage Containers. In all non-industrial zoning districts, a temporary use permit may be issued for storage containers. Such permit shall be valid for no more than sixty (60) days per year. No more than two (2) storage containers will be permitted. The containers shall not be located in the front yard of any zoning lot or within any required parking spaces. Storage containers incidental

to a construction project are regulated under the provisions of the Temporary Use Regulation, Item C, Temporary Buildings (**Amended by Ordinance No. 06-03, February 16, 2006**)

An applicant for a Temporary Use Permit as provided under this subsection must produce a written statement from the White House Utilities District, White House Sewer Department, Sumner County Health Department or Robertson County Health Department when applicable, approving the water supply and sewage disposal systems of the temporary structure. Such a permit may be initially issued for nine (9) months. A permit may be renewed for up to six (6) months at a time, the total time for all permits not exceeding a total of eighteen (18) months. The temporary structure shall be treated as an accessory building. *All temporary uses on public property must comply with permitting and regulatory requirements in White House Municipal Code Title 9, Chapter 6 Mobile Food Vendors..*