

# Norris Municipal Zoning Ordinance 2010



**NORRIS ZONING ORDINANCE  
PREPARED BY THE  
NORRIS MUNICIPAL PLANNING COMMISSION**

**January 2010**

Retyped to Add Amendments Subsequent to the February 2005 Recodification and  
Readoption  
**Revision #2024-1**

## City of Norris

The following ordinances are to be included into the Zoning Ordinance:

Ordinance 489: Amending the Floodplain Management Ordinance  
Approved by the Norris City Council on November 13, 2005

Ordinance 498: Repealing the Standards for Ridgeline Development and Meeting its intent by improving standards for buffer zones.  
Approved by the Norris City Council on July 14, 2008

Ordinance 499: Amending the Sign Regulations  
Approved by the Norris City Council on August 11, 2008

Ordinance 502: Amending the Floodplain Management Ordinance to reflect changes to two flood map panels.  
Approved by the Norris City Council on April 13, 2009

Ordinance 505: Creating the S-1 Scenic Highway District  
Approved by the Norris City Council on July 13, 2009

Ordinance 509: Clarifying the S-1 Zoning District Language  
Approved by the Norris City Council on October 22, 2009

Ordinance 510: Updating the Sign Regulations to include provisions for the S-1 Zoning District  
Approved by the Norris City Council on October 22, 2009

Ordinance 567: Amending Title 14, Section 14-422 Standards for Streetlights  
Approved by the Norris City Council on May 13, 2013

Ordinance 572: Adding provisions for temporary storage containers.  
Approved by the Norris City Council on March 10, 2014

Ordinance 577: Amending the Floodplain Management Ordinance  
Approved by the Norris City Council on February 9, 2015

Ordinance 586: Adding special exceptions to allow distilleries, breweries, and wineries in the C-2 Commercial, S-1 Scenic, and S-2 Scenic Business Districts.  
Approved by the Norris City Council on October 12, 2015

Ordinance 589: Adding language to define and specify zones for “Event Hosting” within the city.  
Approved by the Norris City Council on December 14, 2015

Ordinance 590: Adding language to define and specify zones for Inns and Hotels/Motels within the city.  
Approved by the Norris City Council on January 11, 2016.

Ordinance 595: Allowing Educational Facilities in the C-2 General Commercial District.  
Approved by the Norris City Council on July 11, 2016

Ordinance 623: Creating exceptions to the duties of the City Building Official.  
Approved by the Norris City Council on October 11, 2021

Ordinance 627: Adopting a threshold for site plan review by the Planning Commission or Building Codes Official.

Approved by the Norris City Council on June 13, 2022

Ordinance 631: Amending the Sign Regulations

Approved by the Norris City Council on January 9, 2023

Ordinance 634: Adding language to specify zones for Short-Term Rental Units

Approved by the Norris City Council on November 14, 2022

Ordinance 636: Creating Chapter 7 of the Norris Municipal Zoning Ordinance addressing Short-Term Rental Units

Approved by the Norris City Council on December 12, 2022

Ordinance 640: Adding language to define and specify zones for self-storage facilities.

Approved by the Norris City Council on March 13, 2023

(All Amendments typed in **Bold** except for the Floodplain Management Ordinance and the Sign Ordinance.)

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## TITLE 14

### PLANNING AND ZONING

#### CHAPTER

1. MUNICIPAL PLANNING COMMISSION
2. ZONING ORDINANCE
3. ZONING DISTRICTS
4. SUPPLEMENTARY PROVISIONS APPLYING TO ALL DISTRICTS
5. EXCEPTIONS AND MODIFICATIONS
6. ADMINISTRATION AND ENFORCEMENT

#### CHAPTER 1

### MUNICIPAL PLANNING COMMISSION

#### SECTION

- 14-101. Creation and Purpose
- 14-102. Membership
- 14-103. Organization, Rules, Staff, and Finances
- 14-104. Powers and Duties

**14-101. Creation and Scope.** In order to guide and accomplish a coordinated and harmonious development of the municipality which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development, a municipal planning commission is hereby created and established as authorized by Chapter 34 of the Tennessee Public Acts of 1935 and said Commission shall be organized and empowered as follows.

**14-102. Membership.** The municipal planning commission shall consist of seven (7) members. One of the members shall be the mayor of the City of Norris. One shall be a member of the city council selected by the council and the five (5) remaining members shall be citizens appointed by the mayor and ratified by the council. The terms of the five (5) appointive members shall be for three (3) years, excepting that in the appointment of the first municipal planning commission under the terms of this chapter, two (2) of the five (5) members shall be appointed for terms of three years, two (2) for terms of two (2) years, and one (1) for a term of one year. Any vacancy in any appointive membership shall be filled for the unexpired term by the mayor, with the approval of the council, who shall have the authority to remove any appointive member with the consent of the council. The terms of the mayor and the member selected from the city council shall run concurrently with their membership on the city council. All members shall serve without compensation.

**14-103. Organization, Rules, Staff, and Finances.** The municipal planning commission shall elect its chairman from among its appointive members. The term of the chairman shall be one year with eligibility for re-election. The commission shall adopt rules for its transactions, findings, and determinations, and shall keep a record of same which record shall be a public record to be filed with the city clerk. The commission may appoint such employees and staff as it may deem necessary for its work and may contract with city planners and other consultants for such services as it may require. The expenditures of the commission, exclusive of gifts, shall be within the amounts appropriated for the purpose by the city council.

**14-104. Powers and Duties.** From and after the time when the municipal planning commission shall have organized and selected its officers, together with the adoption of its rules of procedure, the commission shall have all the powers, duties, and responsibilities as set forth in Chapter 34, Chapter 44, and Chapter 45 of the Tennessee Public Acts of 1935 and other acts relating to the duties and powers of municipal planning commissions adopted subsequent thereto.

**CHAPTER 2**  
**ZONING ORDINANCE**

**SECTION**

**14-201. Zoning Ordinance and Zoning Map**

**14-202. Purpose of the Zoning Ordinance**

**14-203. Definitions**

**14-201. Zoning ordinance and zoning map.** Ordinance, Chapter 2 through 6, inclusive of this code shall be known as the zoning ordinance, and a map entitled "Zoning Map of Norris, Tennessee", dated February 1986, and referred to in this code as the zoning map and all explanatory matter thereon is hereby made a part of the zoning ordinance.

**14-202. Purpose of the zoning ordinance.** The zoning regulations and districts as herein set forth have been made in accordance with a comprehensive plan for the purpose of promoting the public health, safety, convenience, order, prosperity, and general welfare of the community. They have been designed to lessen congestion in the streets, to secure safety from fires, floods, 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; and to insure that the growth and development of Norris is consistent and harmonious with the existing pattern, density, and character of development and contributes to the overall quality of life in the community. They have been made with reasonable consideration among other things as to the character of each district and its peculiar uses, and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the city.

**14-203. Definitions.** For the purpose of this zoning ordinance and in order to carry out the provisions and intentions as set forth herein, certain words, terms, and phrases are to be used and interpreted as defined hereinafter. Words used in the present tense shall include the future tense; words in the singular number include the plural and words in the plural number include the singular; the word "person" includes a firm, partnership or corporation as well as an individual; the term "shall" is always mandatory and not directory; and the word "may" is permissive. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied."

The following words, terms and phrases are hereby defined as follows and shall be interpreted as such throughout the zoning. Terms not herein defined shall have the meaning customarily assigned to them.

**ACCESSORY BUILDING:** A subordinate building, the use of which is incidental to that of a main building and located on the same lot therewith.

**ACCESSORY USE:** A use customarily incidental, appropriate, and subordinate to the principal use of land or buildings and located upon the same lot therewith.

**AGRICULTURE USE:** This includes all forms of agriculture, growing of crops in the open, dairying, grazing, the raising and maintaining of poultry and other livestock, horticulture, forests, and woods, provided however, all health ordinances of Norris are complied with.

**ALLEY AND SERVICE DRIVE:** A minor right-of-way, dedicated to public use, which affords a means of vehicular access to the back or side of properties otherwise abutting a street, and which may be used for public utility purposes.

**AQUACULTURE:** Land devoted to the hatching, raising, and breeding of fish or other aquatic life for sale or personal use.

**AREA, BUILDING:** The total areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings exclusive of uncovered porches, terraces, and steps.

**ATTACHED SIGN:** A sign installed flat against the exterior wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign, has no connection to the ground, and does not project more than twelve (12) inches from such a building or structure. *(Added by Ordinance #499)*

**AUTOMOBILE WRECKING:** The dismantling, storage, sale or dumping of used motor vehicles, trailers, or parts thereof.

**BUFFER ZONE:** An area used to physically separate or screen one (1) use or property from another so as to visually shield or block noise, lights, or other nuisances, and to protect and enhance the existing vegetation. *(Added by Ordinance #498)*

**BUILDING AREA OF A LOT:** That portion of a lot bounded by the required rear yard, side yards, and the building setback line.

**BUILDING:** Any structure intended for shelter, housing, or enclosure of persons, animals, or chattels, including tents, lunch wagons, dining cars, and similar structures, whether stationary or movable.

**BUILDING SETBACK LINE:** A line delineating the minimum allowable distance between the property line and a building on a lot, within which no building or other structure shall be placed except as otherwise provided.

**BUILDING SETBACK LINE, FRONT:** A line delineating the minimum allowable distance between the street right-of-way, or of an official future street right-of-way line, and the front of a building on a lot. The front building setback line extends the full width of the lot and is parallel to or concentric with the street right-of-way.

**BUILDING SETBACK LINE, REAR:** A line delineating the minimum allowable distance between the rear property line and a building on a lot (other than for permitted accessory structures). The rear setback line extends the full width of the lot.

**BUILDING SETBACK LINE, SIDE:** A line delineating the minimum distance between the side property line and a building on a lot. The side setback line extends from the front building setback line to the rear building setback line.

**BULK SOLID WASTE CONTAINER:** A container intended for construction waste material or other refuse, excluding garbage, for the purpose of removing said material from a site. *(Added by Ordinance #572)*

**CARGO CONTAINER:** A container intended for multi-modal transportation via sea going vessel, train, and truck-trailer. These containers are self-contained without axles or wheels. *(Added by Ordinance #572)*

**CHANGEABLE COPY SIGN:** A sign on which the alphabetic, pictographic, or symbolic informational content can be changed or altered manually. *(Added by Ordinance #499)*

**CONSTRUCTION TRAILER/CONTAINER/PORTABLE STRUCTURE: A trailer, portable temporary container, or portable structure with or without axles and wheels intended to support construction activity at a site with an active building permit. *(Added by Ordinance #572)***

**CUT-OFF ANGLE:** An angle formed by a line drawn from the direction of light rays at the light source and a line perpendicular to the ground from the light source, above which no light is emitted.

**DEVELOPMENT:** Any man-made change to improved or unimproved real estate, including but not limited to the construction of buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

**DIRECTIONAL SIGN: A sign whose message is exclusively limited to guiding the circulation and flow of vehicular and/or pedestrian traffic on a site, such as enter/entrance, exit, one-way, and drive-thru. *(Added by Ordinance #499)***

**DRAINAGEWAYS:** Minor watercourses that often accommodate an intermittent or perennial stream. This includes the area within 65 feet of the center of any perennial stream.

**DWELLING:** A building or portion thereof, used for residential purposes.

**DWELLING, MULTIPLE:** A building designed for permanent occupancy by two (2) or more families living independently of each other.

**DWELLING UNIT:** One or more rooms and a single kitchen designated as a unit for permanent occupancy by only one family for cooking, living, and sleeping purposes. The term shall not include travel trailers, tents, motels, motor homes or similar structures designed or used primarily for transient residents.

**ELECTRICALLY-ACTIVATED CHANGEABLE SIGN: A sign on which alphabetic, pictographic, or symbolic informational content, whether luminated or not, can be changed or altered by electric, electro-mechanical, or electronic means. These are not permitted in the City of Norris. *(Added by Ordinance #499)***

**EVENT HOSTING: Places of public assembly including conference and meeting space, banquet and reception halls, catering services, and other businesses that provide event services for a fee. Parking requirements for “Event Hosting” shall be regulated in accordance with Norris Zoning Ordinance, Title 14, Section 14-405, subsection 1.n. “Restaurants.” *(Added by Ordinance #589)***

**EXTERNALLY-ILLUMINATED SIGN: A sign whose light source is not contained within the sign itself and is not visible elsewhere on the plot or parcel where said illumination occurs. *(Added by Ordinance #499)***

**FLOOD:** An overflow of lands not normally covered by water that results in significant effects in the vicinity. For the purpose of this ordinance, land subject to flood shall be considered to be land which is at an elevation lower than the elevation of the 100 year flood.

**FLOODPLAINS:** The contiguous area adjacent to a lake, stream, stream bed or depressional area, the elevation of which is greater than the normal water or pool elevation but equal to or lower than the projected 100 year flood elevation.

**FLOOD, 100 YEAR:** The highest level of flooding that, from statistical data, is likely to occur once every 100 years (i.e., that has a one percent chance of occurring each year).

**FLOODWAY:** The channel of the stream and that portion of the adjoining floodplain designated by the Norris City Council to reasonably provide for the passage of flood flows.

**FLOODWAY FRJNGE AREAS:** Areas lying adjacent to but outside the floodway which lie below the elevation of the 100 year flood.

**FOOTCANDLE:** A unit of illumination produced on a surface, all points of which are one foot from a uniform point source of one candle.

**FREESTANDING SIGN:** A sign that is mounted on a freestanding support so that the bottom edge of the sign face is ten (10) feet or more above grade. *(Added by Ordinance #499)*

**HEIGHT OF BUILDING:** The vertical distance from the established average sidewalk grade, street grade, or finished grade at the building setback line, whichever is the highest, to the highest point of the building.

**HOME OCCUPATION:** An occupation or business activity, carried out by residents of the property, which results in a product or service.

**HOTEL/MOTEL:** Any building(s) containing twelve (12) or more guestrooms intended or designed to be used, or which are used, rented or hire out for sleeping purposes by guests. *(Added by Ordinance #590)*

**INN:** Any building(s) containing eleven (11) or fewer guestrooms intended or designed to be used, or which are used, rented or hired out for sleeping purposes by guests. *(Added by Ordinance #590)*

**INTERNALLY-ILLUMINATED SIGN:** A sign whose light source is either located in the interior of the sign so that the rays go through the face of the sign, or which is attached to the face of the sign and is perceived as a design element of the sign. *(Added by Ordinance #499)*

**LOADING SPACE:** A space within the main building or on the same lot therewith, providing for the standing, loading, or unloading of a truck or other vehicle.

**LOT:** A piece, parcel, or plot of land in one ownership, which may include one or more lots of record, occupied or to be occupied by one principal building and its accessory buildings including the open spaces required under this ordinance.

**LOT, LINES:** The boundary dividing a given lot from the street, an alley, or adjacent lots.

**LOT OF RECORD:** A lot which is part of a subdivision recorded in the office of the county register of deeds, or a lot described by metes and bounds, the description of which has been recorded in the office of the county register of deeds prior to the effective date of this ordinance.

**MINIMUM FLOOR ELEVATION:** The lowest elevation permissible for the construction, erection, or other placement of any floor including a basement floor.

**MOBILE HOME (TRAILER):** A detached single-family dwelling unit with the following characteristics:

- a. Designed for long-term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems.
- b. Designed to be transported after fabrication on its own wheels, or on a flatbed or other trailers or detachable wheels.
- c. Arriving at the site where it is to be occupied as a complete dwelling including major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and assembly operations, location or foundation supports, connection to utilities and the like.

MOBILE HOME OR TRAILER PARK: Any area, tract, site or plot of land whereupon mobile homes as herein defined are placed, located or maintained, and shall include all accessory buildings used or intended to be used as part of the equipment thereof.

**MONUMENT SIGN: A sign which is supported by and integrated with a solid base, as opposed to poles, posts, or other such supports. (Added by Ordinance #499)**

NON-COMMERCIAL AGRICULTURAL USES: This use designates only those uses from which the occupants will derive direct benefit and use. This designates land which is used for dairying and for the raising of agricultural products. forest products, livestock\_ or poultry. swine, and production cattle feeder lots and fur-bearing animal farms. except as may be permitted as a legitimate nonconforming use.

NON-CONFORMING USE: A building, structure, or use of land existing at the time of enactment of the zoning ordinance which does not conform to the regulations of the district in which it is situated.

NOXIOUS MATTER: Material (in gaseous, liquid, or solid particulate or any other form) which is capable of causing injury to living organisms, chemical reactions, or detrimental effects upon the social. economic or psychological well-being of individuals.

OPEN SPACE: Open space lines shall coincide with or be parallel to building setback lines of the same lot.

OPEN SPACE RATIO: The open space ratio is the total amount of open space in a resource category divided by the total area in that category.

PARKING LOT: An off-street facility including parking spaces with adequate provisions for drives and aisles for maneuvering and getting access, and for entrance and exit designed so as to be usable.

PARKING SPACE: An off-street space available for parking one (1) motor vehicle and having an area of not less than two hundred (200) square feet exclusive of passageways and driveways giving access thereto, and having access to a street, alley, or service drive.

PLAT: A map. plan. or layout indicating the location and boundaries of individual properties.

PLANNED UNIT DEVELOPMENT: A planned residential, commercial, or industrial development permitting flexibility in the use and design of structures and land.

**PORTABLE STORAGE CONTAINER: A self-storage container that is delivered to and retrieved from a home or business for long term on-site or off-site storage. Portable Storage On Demand or PODS are a familiar trade name for such containers. These containers are not on a chassis and do not have axles or wheels. (Added by Ordinance #572)**

PRINCIPAL USE: The specific primary purpose for which land or a building is used.

RIDGELINE: A line connecting the high points along a ridge and separating drainage basins or small-scale drainage systems from one another.

RIDGELINE DEVELOPMENT: · Development on or near the crest of a hill which has the potential to create a silhouette or other substantially adverse impact when viewed from a common public viewing area.

RIGHT-OF-WAY: The area or way over which a right-of-way exists; as a strip of land devoted to or over which is built a public road.

**ROUTINE MAINTENANCE:** The painting, installation of siding, roofing, insulation, storm windows, the replacement of existing windows, and other such maintenance activities as may be determined by the building inspector.

**SELF STORAGE FACILITY, ENCLOSED:** A facility for the storage of personal property where individual renters control and access individual storage spaces located within a fully enclosed building that is climate controlled. Retail sales of related terms, such as moving supplies, and facility offices may also be included. *(Added by Ordinance #640)*

**SELF STORAGE FACILITY, OUTDOOR:** A facility for the storage of personal property where individual renters control and access individual storage spaces and where each storage unit has individual vehicular access from the outdoors. Retail sales of related items, such as moving supplies, and facility offices may also be included. *(Added by Ordinance #640)*

**SEMITRAILER:** A mobile trailer of fifty-three (53) feet or less in length with a chassis, axles, and wheels that is towed by a truck or tractor. *(Added by Ordinance #572)*

**SHELTER, FALL-OUT:** A structure or portion of a structure intended to provide protection to human life during periods of danger to human life from nuclear fall-out, air raids, storms, or other emergencies.

**SHOPPING CENTER:** A group of commercial establishments planned, developed, owned, or managed as a unit with off-street parking provided on the property; however, this shall not apply to a group of commercial establishments containing no more than four separate commercial establishments in one structure containing a total of not more than 7,500 square feet of floor area.

**SIGN:** Any device to inform or attract the attention of persons not on the premises on which the sign is located. The following are not regulated as signs for the purposes of this ordinance:

- a. Signs not exceeding one (1) square foot in area and bearing only property numbers, post box numbers, names of occupants of premises, or other relevant identification of premises not having commercial connotations;
- b. Flags and insignia of any government except when displayed in connection with commercial promotion;
- c. Legal notices, identification, informational, or directional signs erected or required by governmental bodies;
- d. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights;
- e. Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.

**SIGN, ON-PREMISE:** A sign relating in its subject matter to the site on which it is located, or to products, accommodations, services, or activities on the premises. On-premise signs do not include signs erected by the outdoor advertising industry in the conduct of the outdoor advertising business.

**SIGN, OFF-PREMISE:** A sign other than an on-premise sign.

**SIGN, TEMPORARY:** A sign that is used in connection with a circumstance, situation, or event that is designed, intended or expected to take place or to be completed within a reasonable short or definite period after the erection of such a sign. If a sign display area is permanent, but the message displayed is subject to periodic changes, that sign shall not be regarded as temporary.

SINKHOLE: A depression in the earth's surface formed by the collapse of the subsurface rock structure due to the solution activity of water.

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 between the topmost floor and the roof which is used for human occupancy or in which the floor area with eight (8) feet or more head clearance equals fifty (50) percent or more of floor area of the next story below. Provided it is not used as dwelling unit, a top floor in which the floor area with eight (8) feet or more of head clearance equals less than fifty (50) percent of the floor area of the story next below shall be a "half-story." A basement shall be considered as a story if its "height of building" is measured or if it is used for residential purposes other than for a janitor or domestic servant, including the families of the same, employed in the building.

STREET: A public or private thoroughfare which affords the principal means of access to abutting property.

STRUCTURE: Any combination of materials, including buildings, constructed or erected, the use of which requires location on the ground or attachment to anything having location on the ground and including among other things, signs, billboards, antennas, satellite dishes (earth stations) and swimming pools.

SWIMMING POOLS: An outdoor swimming pool shall be any pool or open tank not located within a completely enclosed building and containing or normally capable of containing water to a depth of any point greater than one and one-half (1½) feet.

**TEMPORARY STORAGE STRUCTURES: A portable storage unit that does not have a permanent foundation or footing and which includes cargo containers, portable storage containers, truck trailers, construction trailers, and bulk solid waste containers. Such structures shall not be considered a building. (Added by Ordinance #572)**

TOWNHOUSE: A single family attached dwelling unit having no other dwelling unit either above or below.

TRAVEL TRAILER: A vehicular, portable structure designed as a temporary dwelling for travel, recreation, and vacation uses.

TRAVEL TRAILER PARK: A plot of land designed and equipped to accommodate travel trailers for short periods of time.

UNDISTURBED AREA: Areas that are not permanently or temporarily affected during the development process. This includes any areas that have not been cleared, excavated, filled, or otherwise subjected to land disturbing activities.

UNDISTURBED AREA RATIO: The undisturbed area ratio is the total area of all impervious surfaces in a resource category divided by the total area in that category.

USE: The purpose for which land or a building or other structure is designed, arranged or intended, or for which it is or may be occupied or maintained.

**CHAPTER 3**  
**ZONING DISTRICTS**

**SECTION**

- 14-301. Classifications of Districts**
- 14-302. Zoning Map**
- 14-303. Zoning District Boundaries**
- 14-304. FAR Forest, Agriculture, and Recreation District**
- 14-305. R-1 Low Density Residential District**
- 14-306. R-2 High Density Residential District**
- 14-307. R-3 Small Lot Residential**
- 14-308. C-1 Central Commercial District**
- 14-309. C-2 General Commercial District**
- 14-310. I-1 Light Industrial District**
- 14-311. Floodplain Management Ordinance**
- 14-312. W-1 Watershed District**
- 14-313. P-1 Professional and Civic District**
- 14-314. S-1 Scenic Highway District**
- 14-315. S-2 Scenic (2) Highway District (*Added by Ordinance 542*)**

**14-301. Classification of Districts.** For the purpose of this ordinance, the City of Norris, Tennessee, is hereby divided into zoning districts as follows:

<u>Zoning District</u>	District Abbreviation
Forest, Agriculture, and Recreation District	FAR
Low Density Residential District	R-1
High Density Residential District	R-2
Central Commercial District	C-1
General Commercial District	C-2
Light Industrial District	I-1
Professional and Civic District	P-1
Scenic Highway District	S-1
Scenic (2) Highway District	S-2

**14-302. Zoning Map.** The location and boundaries of the zoning districts established by this ordinance are bounded and defined as shown on the map entitled, Zoning Map of Norris, Tennessee. The zoning map or zoning map amendment shall be dated with the effective date of the ordinance that adopts the zoning map or zoning amendment. Certified prints of the zoning map or zoning map amendments shall be maintained in the office of the City Manager of Norris, Tennessee and shall be available for inspection by the public at all reasonable times, as long as this ordinance remains in effect.

**14-303. Zoning District Boundaries.** Unless otherwise indicated on the zoning map, the boundaries are lot lines, the center lines of streets, alleys or service drives, or the corporate limit lines as they exist at the time of the enactment of the zoning ordinance. Questions concerning the exact locations of district boundaries shall be determined by the Board of Zoning Appeals.

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

**14-304. FAR – Forest, Agriculture, and Recreation District.** This district is established to provide large, semi-rural lots, sometimes called baby farms, for residential occupancy. This classification is also appropriate for previously undeveloped areas that, because of adverse physiographic features relating to slope, soils, geology, and related natural factors, are unsuitable for extensive urban development. As shown on the Zoning Map of Norris, Tennessee, the following regulations shall apply:

1. Uses Permitted
  - a. Agriculture uses (no livestock on lots smaller than 4 acres)
  - b. Detached single family dwellings.
  - c. Home occupations, provided the conditions in Section 14-403 are met.
  - d. Recreational uses for the public sector so long as they are not of a commercial nature
  - e. Signs, as regulated in Section 14-411.
  - f. Accessory structures and uses defined by Section 14-203.
2. Special Exceptions
  - a. Churches and educational institutions
  - b. Hospitals for human and animal care
  - c. Golf courses, country clubs, civic clubs, organizations, parks, and fairgrounds
  - d. Museums
  - e. Cemeteries, subject to standards set forth in Section 14-414.
3. Height Regulations. No building shall exceed three (3) stories or thirty-five (35) feet in height except as provided in Section 14-505.
4. Lot and Area Regulations. The principal building, carport and/or garage shall be located so as to comply with the following requirements:
  - a. Minimum lot area..... 2 acres
  - b. Minimum building setback, front..... 50 feet
  - c. Minimum building setback, side..... 35 feet
  - d. Minimum building setback, rear..... 25 feet
  - e. Minimum street frontage for lots shall be one hundred (100) feet, except that seventy-five (75) feet shall be the minimum frontage at the bulb (end) of the cul-de-sac street
5. Location of Accessory Structures
  - a. Accessory structures shall be permitted as follows:
    - 100' from the front lot line
    - 35' from the rear lot line
    - 35' from the side lot line
  - b. Accessory structures on corner lots shall conform with front yard setback for both intersecting streets.
6. Off-Street Parking. As regulated in Section 14-405.

7. Side Building Setback Line on Corner Lots. Setback requirements on corner lot shall conform to the front yard setback requirement for both intersecting streets.
8. Building Area. The combined building are for primary and accessory structure shall not exceed 10 percent of the land area.
9. **Standards for Buffer Zones. FAR-zoned property may be subject to the provisions for buffer zones in section 14-417. (Added by Ordinance #498)**

**14-305. R-1 – Low Density Residential District.** The R-1 Low Density Residential District is established to provide areas which are suitable for low density single family residential development. Attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and through consideration of the proper functional relationship of each element. As shown on the Zoning Map of Norris, Tennessee, the following regulations shall apply:

1. Uses Permitted
  - a. Single family dwelling units
  - b. Accessory uses and buildings, provided such uses are incidental to residential uses.
  - c. Home occupations pursuant to Section 14-403
2. Special Exceptions
  - a. Churches and hospitals
  - b. Golf courses, country clubs, civic clubs, and parks
  - c. Educational institutions
  - d. Cemeteries, subject to standards set forth in Section 14-414.
  - e. Planned Unit Developments, subject to the standards and procedures set forth in Section 14-415.
3. Height Regulations. No building shall exceed three (3) stories or thirty-five (35) feet in height except as provided in Section 14-505. No accessory structure shall exceed two (2) stories or twenty-five (25) feet in height.
4. Lot and Area Regulations. The principal structure shall be located so as to comply with the following requirements:
  - a. Minimum lot area.....10,000 sq. ft.
  - b. Minimum lot width at building line..... 100 ft.
  - c. Minimum building setback, front..... 30 ft.
  - d. Minimum building setback, rear..... 25 ft.
  - e. Minimum building setback, side.....15 ft.
5. Location of Accessory Structures
  - a. No accessory structure shall be erected in any front or side yard. Accessory structures shall be at least ten (10) feet from all lot lines and from any other building on the same lot.

- b. Accessory structures on corner lots shall conform with front yard setback for both intersecting streets.
- 6. Off-Street Parking. As regulated in Section 14-405.
- 7. Side Building Setback Line on Corner Lots. The minimum width of side building setback along an intersecting street shall be twenty (20) feet.
- 8. Building Area. On any lot the area occupied by all buildings, including accessory structures, shall not exceed 40 percent of the total area of such lot.
- 9. **Standards for Buffer Zones. R-1-zoned property may be subject to the provisions for buffer zones in section 14-417. (Added by Ordinance #498)**

**14-306. R-2 - High Density Residential District.** The R-2 Residential District is intended to provide areas which are suitable for single family and multi-family residential development and specific uses which are designed to be of added convenience to the residents of an area. This district is particularly suitable for areas nearer business districts and areas that are served by public water and sewer facilities. As shown on the Zoning Map of Norris, Tennessee, the following regulations shall apply:

- 1. Uses Permitted
  - a. Single-family, multi-family dwellings, and townhouses
  - b. Accessory buildings or uses customarily incidental to any aforementioned uses
  - c. Home occupations pursuant to Section 14-403
  - d. Signs, pursuant to Section 14-411.
- 2. Special Exceptions. The following uses may be permitted on review by the board of Zoning Appeals in accordance with the requirements set forth in Sections 14-605 & 14-606.
  - a. Churches and other places of worship.
  - b. Schools offering general education courses and public libraries.
  - c. Public parks and public recreational facilities
  - d. Hospitals for human care.
  - e. Municipal, county, state, or federal uses except for general office buildings.
  - f. Planned Unit Developments, subject to the standards and procedures set forth in Section 14-415.
- 3. Height Regulations. No building shall exceed three (3) stories or thirty-five (35) feet in height except that freestanding poles, towers, spires and structures not designed for or suitable for human occupancy may exceed this height provided that they comply with the provisions of all other pertinent codes and ordinances, and provided that they are located no closer to the nearest property line than the distance equal to their own height plus five (5) feet. No accessory building shall exceed two (2) stories or twenty-five (25) feet in height.
- 4. Lot and Area Regulations.
  - a. Minimum lot area for one family dwellings..... 8,000 sq. ft.
  - b. Minimum additional lot area for second family..... 3,000 sq. ft.
  - c. Minimum lot area for each additional family after second family..... 2,500 ft.

- d. Minimum lot width at building line.....100 ft.
- e. Minimum building setback, front.....30 ft.
- f. Minimum building setback, rear.....15 ft.
- g. Minimum building setback, on each side of a:
  - i. One-story building.....12 ft.
  - ii. Two-story building.....12 ft.
  - iii. Three-story building.....15 ft.

5. Location of Accessory Structures

- a. No accessory structure shall be erected in any front or side yard. Accessory structures shall be at least ten (10) feet from all lot lines and from any other building on the same lot.
- b. Accessory structures on corner lots shall conform with front yard setback for both intersecting streets.

6. Off-Street Parking. As regulated in Section 14-405.

7. Side Building Setback Line on Corner Lots. The minimum width of side building setback along an intersecting street shall be twenty (20) feet.

8. Building Area. On any lot, the area occupied by all structures, including accessory structures, shall not exceed 50 percent of the total are of such lot.

9. Ridgeline Development. *(Deleted by Ordinance #498)*

9. Standards for Buffer Zones. **R-2-zoned property may be subject to the provisions for buffer zones in section 14-417. (Added by Ordinance #498)**

**14-307. R-3 – Small Lot Residential District.** The R-3, Small Lot Residential District is established to provide areas that are suitable for single family residential development in keeping with "old" Norris. Economical use of space, affordable lots within multiple price ranges, housing mix, and preservation of landscape are encouraged by allowing high density single family housing accompanied by pedestrian access, parks and commons, and preservation of such special places as historic areas, stands of trees, and ponds and water drainages. This district is particularly suitable for areas near to the original Norris town center and neighborhoods. These areas should be served by public water and sewer facilities. Clustering of residential units would be allowed in this district under a residential PUD in order to provide savings in sewer and water facilities, land resources, and energy use through the concentration of dwellings, construction, and physical impact to the landscape. Cluster development would permit variation in lot size, shape, and orientation. Clustering should be encouraged to minimize alteration of natural features and topography, to provide improved views, to avoid adverse effects of shadows, noise, and traffic, to encourage diversity and originality in Joi layout and building design, and to increase open space intended for recreation and public use. As shown on the Zoning Map of Norris, Tennessee, the following regulations shall apply:

1. Uses Permitted

- a. Single-family dwelling units.
- b. Accessory buildings or uses customarily incidental to residential uses.

- c. Home occupations pursuant to Section 14-403.
- 2. Special Exceptions. The following uses may be permitted on review by the board of Zoning Appeals in accordance with the requirements set forth in Sections 14-605 & 14-606.
  - a. Country clubs and civic clubs and parks
- 3. Height Regulations. The principal structure(s) shall not exceed two (2) stories or twenty-five (25) feet in height except as provided in Section 14-505. No accessory structure shall exceed one (1) story or fifteen (15) feet in height.
- 4. Lot and Area Regulations. In general, the principal structure shall be located so as to comply with the following requirements, however under certain conditions the planning commission may allow lot areas of less than 7,500 square feet, as specified in Subsection 5 below.
  - a. Minimum lot area.....7,500 sq. ft.
  - b. Maximum lot area.....15,000 sq. ft.
  - c. Average lot area.....10,000 ft.
  - d. Minimum lot width at building line.....20 ft.
  - e. Minimum building setback adjacent to R-1 and FAR zoned properties  
 Where the R-3 district abuts any property zoned R-1 or FAR, the building setback (whether front, rear, or side) shall be a minimum of twenty-five (25) feet.
  - f. Minimum building setback, front.....20 ft.
  - g. Minimum building setback, rear.....15 ft.
  - h. Minimum building setback, side:  
 The minimum total of side setbacks, including both sides of a lot, shall not be less than twenty (20) feet. However, no side setback shall be less than five (5) feet from a side lot line, unless the development is designed as a planned unit development, in which case a side setback may vary to zero (see Section 14-415). Setbacks for principal buildings on lots shall be arranged so that no principal building in a development is located closer than twenty (20) feet from any other principal building. Any proposed building placements must conform to the City of Norris Building Codes regarding fire and safety regulations.
  - i. The minimum area allowed for zoning to R-3, and for subsequent development shall be two (2) acres with a maximum area of ten (10) acres.
  - j. A development subject to R-3 district regulations shall be required to dedicate at least ten (10) percent of the development site to the City of Norris and/or to the residents of the development as a commons area (land deemed inappropriate for dedication may be reason for denial of the development plan). If no area within the development is found to be suitable or large enough for a commons area the Planning Commission may choose not to accept the dedicated land. However, the option noted in Subsection 5, indicated below, has a more stringent requirement.
- 5. Criteria for Approval of Minimum Lot Areas of 6,000 Square Feet. In the R-3 Residential District. minimum lot areas of 6,000 square feet may be platted in a subdivision when the following requirements are met, in addition to any other applicable zoning or subdivision standards.

- a. The area proposed for development consists of at least two (2) acres, but no more than ten (10) acres.
- b. A comprehensive development plan is created under the Planned Unit Development standards described in Section 14-415.
- c. The developer dedicates a minimum of fifteen (15) percent of the development site to the City of Norris and/or to the residents of the development as a commons area. (However, as stated in Subsection 4 (j) above, the city may decline a dedication of property for public uses, if it deems such land inappropriate.)
- d. Any land dedicated to the city or to residents in the development shall serve two (2) or more of the purposes indicated below (land deemed inappropriate for dedication may be reason for denial of the development plan):
  - i. provides usable space for recreational activities
  - ii. connects with existing pedestrian, trail, or park systems within the City of Norris
  - iii. protects natural features on the site, such as stream banks, trees, and steep slopes, or rock outcrops
  - iv. maintains significant views on the site, including distant vistas or natural corridors

6. Location of Accessory Structures.

- a. No accessory structure shall be erected in any front or side yard. Accessory structures shall be at least five (5) feet from all lot lines and from any other building on the same lot.
- b. Accessory structures on corner lots shall conform with front yard setback for both intersecting streets.

7. Off-Street Parking. As regulated in Section 14-405.

8. Side Building Setback Line on Corner Lots. The minimum width of side building setback along an intersecting street shall be ten (10) feet.

9. Building Area. For any lot with an area of 7,500 to 15,000 square feet, the area occupied by all buildings, including accessory structures, shall not exceed thirty (30) percent of the total lot area. With regard to any lot of less than 7,500 square feet, the area occupied by all buildings and accessory structures shall not exceed forty (40) percent of the total lot area.

**14-308. C-1 – Central Commercial District.** In order to protect and improve the main shopping area of Norris and to discourage uses which do not require a central location and which are not compatible with the function of the area as the primary shopping and office area, a central business district is hereby established. Within the C-1 Central Business District, the following regulations shall apply:

1. Uses Permitted

- a. Dwellings, only when associated with another use permitted in the district, conforming to the following conditions.
  - i. Dwelling units must be located on the same lot as another permitted use or establishment. Where any dwelling is detached from another such use, then the

development must meet the general standards required under Section 14-415 of this document, Standards for Planned Unit Development.

- ii. All sections of any building proposed to include both residential and non-residential uses must meet the requirements of any applicable city codes or regulations, and the standards of the State Fire Marshall's Office.
  - iii. Adequate parking must be provided for both commercial activities and residential uses.
  - iv. A site plan must be submitted for planning commission review and approval, with respect to any location in the C-1 district where dwellings are proposed for construction, regardless of whether they will be attached or detached from another permitted use on the site.
  - b. Retail establishments involving trade in food, apparel and accessories, home furnishings and equipment, pharmaceutical items, hardware, sporting goods, floral arrangement, photographic, video, and electronic equipment. Home occupations pursuant to Section 14-403.
  - c. Financial institutions and offices, including offices devoted to various professional practices.
  - d. Restaurants.
  - e. Services stations.
  - f. Greenhouses devoted to horticulture or floriculture.
  - g. Public buildings and lands.
  - h. On-premises outdoor advertising signs as regulated in Section 14-411
  - i. Accessory uses.
  - j. Event Hosting (Added by Ordinance #598)**
  - j. Inn (Added by Ordinance #590)**
  - k. Short-Term Rental (Added by Ordinance #634)**
2. Special Exceptions. The following uses may be permitted on review by the board of Zoning Appeals in accordance with the requirements set forth in Sections 14-605 & 14-606.
- a. Aquaculture operations, intended primarily for the raising of fish, in conformance with the conditions indicated below:
    - i. Fish shall be hatched, raised, and bred inside and enclosed building.
    - ii. No waste or wastewater from fish ponds or containers shall be released into either the Norris sanitary sewer system or the Norris stormwater system
    - iii. No odor from the operation shall be apparent to the persons located on adjacent properties.
    - iv. An emergency electrical system shall be maintained for the generation of power when the public electrical system cannot provide electricity to the site of the operation.

- v. Measures shall be taken to prevent the seepage of fish pond water into the ground on which the operation occurs.
  - vi. All applicable federal, state, and local regulations shall be met.
3. Height Regulations. No building shall exceed three (3) stories or thirty-five (35) feet in height except as provided in 14-505.
  4. Lot and Area Regulations. The principal structure shall be located so as to comply with the following requirements:
    - a. Minimum lot area.....15,000 sq. ft.
    - b. Minimum lot width at building line..... 75 ft.
    - c. Minimum building setback, front..... 20 ft.
    - d. Minimum building setback, rear..... 15 ft.
    - e. Minimum building setback, side..... 15 ft.
  5. Location of Accessory Structures
    - a. No accessory structure shall be erected in any front or side yard. Accessory structures shall be at least five (5) feet from all lot lines and from any other building on the same lot.
    - b. Accessory structures on corner lots shall conform with front yard setback for both intersecting streets.
  6. Off-Street Parking. As regulated in Section 14-405.
  7. Side Building Setback Line on Corner Lots. The minimum width of side building setback along an intersecting street shall be twenty (20) feet.
  8. Building Area. On any lot the area occupied by all buildings, including accessory buildings, shall not exceed 60 percent of the total area of such lot. In addition, adequate open space shall be grassed, planted or landscaped. At least 10 percent of the land area shall be reserved for open space.
  9. **Ridgeline Development. (Deleted by Ordinance #498)**
  9. **Standards for Buffer Zones. C-1-zoned property may be subject to the provisions for buffer zones in section 14-417. (Added by Ordinance #498)**

**14-309. C-2 – General Commercial District.** The purpose of this district is to provide for general and highway commercial activity along the thoroughfares surrounding Norris. Regulations are designed to preserve the traffic-carrying capacity of the streets and to provide for off street parking and loading.

1. Uses Permitted
  - a. Dwellings, subject to the conditions noted in the Section 14-307, 1. Uses Permitted., except those conditions shall apply to areas designated by the C-2 district.
  - b. Retail establishments, as permitted in the C-1, Central Commercial District
  - c. Financial institutions and offices, including offices devoted to various professional practices.
  - d. **Hotels/Motels (Amended by Ordinance #590)**

- e. Restaurants.
  - f. Services and repair garages, including gasoline stations.
  - g. Commercial recreation uses.
  - h. Wholesale and distributing center.
  - i. Greenhouses devoted to horticulture or floriculture.
  - j. Outdoor advertising as regulated in Section 14-411 of this ordinance.
  - k. Accessory uses or buildings
  - l. **Event Hosting (Added by Ordinance #598)**
  - l. **Educational facilities (Added by Ordinance #595)**
  - m. **Short-Term Rental (Added by Ordinance #634)**
  - n. **Self-Storage Facility, Enclosed (Added by Ordinance #640)**
2. Special Exceptions. The following uses may be permitted on review by the Board of Zoning Appeals according to sections 14-605 & 14-606.
- a. **Craft breweries, distilleries, and wineries may be allowed provided that all rules and permits required by the US ATF, the Tennessee Alcoholic beverage Commission and the City of Norris for the production, sale and/or consumption of alcoholic spirits and beverages are complied with. Restaurants are allowed by right in section 14-309 C-2 General Commercial District and shall be allowed as a part of craft breweries, distilleries and wineries under the provisions of this ordinance. A site plan as regulated in section 14-418 shall be submitted to the board indicating compliance with all provisions of this zoning ordinance. (Added by Ordinance #586)**
3. Height Regulations. No building shall exceed three (3) stories or thirty-five (35) feet in height except as provided in 14-505.
4. Lot and Area Regulations. The principal structure shall be located so as to comply with the following requirements. On lots adjacent to residential districts, adequate buffering shall be provided as required in Section 14-416.
- a. Minimum lot area .....20,000 sq. ft.
  - b. Minimum lot width at building line ..... 100 ft.
  - c. Minimum building setback, front ..... 30 ft.
  - d. Minimum building setback, rear ..... 10 ft.
  - e. Minimum building setback, side ..... 15 ft.
5. Location of Accessory Structures
- a. No accessory structure shall be erected in any front or side yard. Accessory structures shall be at least twenty (20) feet from all lot lines and five (5) feet from any other building on the same lot.
  - b. Accessory structures on corner lots shall conform with front yard setback for both intersecting streets.

6. Off-Street Parking. As regulated in Section 14-405.
7. Side Building Setback Line on Corner Lots. The minimum width of side building setback along an intersecting street shall be twenty (30) feet.
8. Building Area. On any lot the area occupied by all buildings, including accessory buildings, shall not exceed 40 percent of the total area of such lot. In addition, adequate open space shall be grassed, planted or landscaped. At least 25 percent of the land area shall be reserved for open space.
9. **Ridgeline Development. *(Deleted by Ordinance #498)***
9. **Standards for Buffer Zones. C-2-zoned property may be subject to the provisions for buffer zones in section 14-417. *(Added by Ordinance #498)***

**14-310. I-1 – Light Industrial District.** The I-1 Light Industrial District is established to provide areas which are suitable for light manufacturing and similar industry. Particular emphasis is given to suitable access, the topography, and the separation of industrial areas from residential areas. Within the Industrial District, as shown on the Zoning Map of Norris, Tennessee, the following regulations shall apply:

1. Uses Permitted
  - a. Agricultural implement sales and service.
  - b. Automobile and truck sales.
  - c. Repair garages.
  - d. Laundry and dry cleaning plants.
  - e. Building materials and lumber yards.
  - f. Bottling and packaging plants.
  - g. Electrical appliance and equipment assembly.
  - h. Engraving and printing.
  - i. Furniture manufacturing.
  - j. Optical goods and manufacturing.
  - k. Paper products fabrication.
  - l. Public utilities.
  - m. Sporting good manufacturing.
  - n. Engineering offices (contractor) and storage.
  - o. Small engine sales and service.
  - p. A retail or service use only where it directly services or is auxiliary to the needs of the industrial plants.
  - q. On-premise signs as regulated in Section 14-411.
  - r. **Self-Storage Facility, Outdoor *(Added by Ordinance #640)***
2. Special Exceptions. Not applicable in the district.

3. Height Regulations. No building shall exceed three (3) stories or thirty-five (35) feet in height except as provided in 14-505.
4. Lot and Area Regulations. The principal structure shall be located so as to comply with the following requirements. On lots adjacent to residential districts, adequate buffering shall be provided as required in Section 14-416.
  - a. Minimum lot area ..... 2.0 acres
  - b. Minimum lot width at building line ..... 200 ft.
  - c. Minimum building setback, front ..... 50 ft.
  - d. Minimum building setback, rear ..... 50 ft.
  - e. Minimum building setback, side ..... 40 ft.
5. Location of Accessory Structures
  - a. No accessory structure shall be erected in any front or side yard. Accessory structures shall be at least forty (40) feet from all lot lines and ten (10) feet from any other building on the same lot.
  - b. Accessory structures on corner lots shall conform with front yard setback for both intersecting streets.
6. Off-Street Parking. As regulated in Section 14-405.
7. Side Building Setback Line on Corner Lots. The minimum width of side building setback along an intersecting street shall be fifty (50) feet.
8. Building Area. On any lot the area occupied by all buildings, including accessory buildings, shall not exceed 40 percent of the total area of such lot. In addition, adequate open space shall be grassed, planted or landscaped. At least 30 percent of the land area shall be reserved for open space.
9. **Ridgeline Development. (Deleted by Ordinance #498)**
10. **Standards for Buffer Zones. I-1-zoned property may be subject to the provisions for buffer zones in section 14-417. (Added by Ordinance #498)**

**14-311. F-1 – Floodplain District. (Deleted by ordinance #489)**

**14-311. Floodplain Management Ordinance. (Amended by Ordinance #577)**

**ARTICLE I. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES**

**Section A. 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 City of Norris, Tennessee, Mayor and City Council, do ordain as follows:

**Section B. Findings of Fact**

1. The City of Norris, Tennessee, Mayor and its City Council wishes to maintain eligibility in the National Flood Insurance Program (NFIP) and in order to do so must meet the NFIP

regulations found in Title 44 of the Code of Federal Regulations (CFR), Ch. 1, Section 60.3.

2. Areas of the City of Norris, Tennessee 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.
3. Flood losses are caused by the cumulative effect of obstructions in floodplains, causing increases in flood heights and velocities; by uses in flood hazard areas which are vulnerable to floods; or construction which is inadequately elevated, floodproofed, or otherwise unprotected from flood damages.

**Section C. 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:

1. Restrict or prohibit uses which are vulnerable to flooding or erosion hazards, or which result in damaging increases in erosion, flood heights, or velocities;
2. Require that uses vulnerable to floods, including community facilities, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;
4. Control filling, grading, dredging and other development which may increase flood damage or erosion; and
5. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

**Section D. Objectives**

The objectives of this Ordinance are:

1. To protect human life, health, safety and property;
2. To minimize expenditure of public funds for costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in flood prone areas;
6. To help maintain a stable tax base by providing for the sound use and development of flood prone areas to minimize blight in flood areas;
7. To ensure that potential homebuyers are notified that property is in a flood prone area; and
8. To maintain eligibility for participation in the NFIP.

## **ARTICLE II. 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 given its stated purpose and objectives.

**"Accessory Structure"** means a subordinate structure to the principal structure on the same lot and, for the purpose of this Ordinance, shall conform to the following:

1. Accessory structures shall only be used for parking of vehicles and storage.
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, collapse, and lateral movement, which otherwise may result in damage to other structures.
5. Utilities and service facilities such as electrical and heating equipment shall be elevated or otherwise protected from intrusion of floodwaters.

Act - not defined in the model ordinance.

**"Addition (to an existing building)"** means any walled and roofed expansion to the perimeter or height of a building.

**"Appeal"** means a request for a review of the local enforcement officer's interpretation of any provision of this Ordinance or a request for a variance.

**"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 indeterminate; and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

**"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.

**"Area of Special Flood Hazard"** see **"Special Flood Hazard Area"**.

**"Base Flood"** means the flood having a one percent chance of being equaled or exceeded in any given year. This term is also referred to as the 100-year flood or the one (1)-percent annual chance flood.

**"Basement"** means any portion of a building having its floor subgrade (below ground level) on all sides.  
Breakaway Wall - not defined in model ordinance

**"Building"** see **"Structure"**.

**"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, excavating, drilling operations, or storage of equipment or materials.

**"Elevated Building"** means a non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of [deleted the word 'fill', in the model ordinance] solid foundation perimeter walls with openings sufficient to facilitate the unimpeded

movement of floodwater, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

**"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.

**"Erosion"** means the process of the gradual wearing away of land masses. This peril is not "per se" covered under the Program.

**"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.

**"Existing Construction"** means any structure for which the "start of construction" commenced before the effective date of the initial floodplain management code or ordinance adopted by the community as a basis for that community's participation in the NFIP.

**"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, final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management code or ordinance adopted by the community as a basis for that community's participation in the NFIP.

**"Existing Structures"** see **"Existing Construction"**.

**"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).

**"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.

**"Flood Elevation Determination"** means a determination by the Federal Emergency Management Agency (FEMA) 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"** 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) or flood-related erosion hazards.

**"Flood Hazard Boundary Map (FHBM)"** means an official map of a community, issued by FEMA, where the boundaries of areas of special flood hazard have been designated as Zone A.

**"Flood Insurance Rate Map (FIRM)"** means an official map of a community, issued by FEMA, delineating the areas of special flood hazard or the risk premium zones applicable to the community.

**"Flood Insurance Study"** is the official report provided by FEMA, evaluating flood hazards and containing flood profiles and water surface elevation of the base flood.

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

**"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.

**"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.

**"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 and structures and their contents.

**"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 by some similarly unusual and unforeseeable event which results in flooding.

**"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.

**"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 floodplain management regulations.

**"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.

Floor - Not defined in model ordinance

**"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, blockage of bridge or culvert openings, and the hydrological effect of urbanization of the watershed.

**"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.

**"Highest Adjacent Grade"** means the highest natural elevation of the ground surface, prior to construction, adjacent to the proposed walls of a structure.

**"Historic Structure"** means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. 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;
3. Individually listed on the Tennessee inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
4. Individually listed on the City of Norris, Tennessee inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
  - a. By the approved Tennessee program as determined by the Secretary of the Interior or
  - b. Directly by the Secretary of the Interior.

**"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.

**"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.

**"Lowest Floor"** means the lowest floor of the lowest enclosed area, including a basement. An unfinished or flood resistant enclosure used 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.

**"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". [phrase 'unless such transportable structures are placed on a site for 180 consecutive days or longer.' was deleted in the model ordinance]

**"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.

**"Map"** means the Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by FEMA.

**"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 the purposes of this Ordinance, the term is synonymous with the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

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

**"New Construction"** means any structure for which the "start of construction" commenced on or after the effective date of the initial floodplain management Ordinance and includes any subsequent improvements to such structure.

**"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 or the effective date of the initial floodplain management ordinance and includes any subsequent improvements to such structure.

**"North American Vertical Datum (NAVD)"** means, as corrected in 1988, a vertical control used as a reference for establishing varying elevations within the floodplain.

**"100-year Flood"** see **"Base Flood"**.

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

**"Reasonably Safe from Flooding"** means base flood waters will not inundate the land or damage structures to be removed from the Special Flood Hazard Area and that any subsurface waters related to the base flood will not damage existing or proposed structures.

**"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 projection;
3. Designed to be self-propelled or permanently towable by a light duty truck;
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**"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.

**"Riverine"** means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

**"Special Flood Hazard Area"** 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, AI-30, AE or A99. - **[Not defined in model ordinance]**

**"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, AI-30, AE, A99, or AH.

**"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; and includes the placement of a manufactured home on a

foundation. Permanent construction does not include initial 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.

**"State Coordinating Agency"** the Tennessee Department of Economic and Community Development, as designated by the Governor of the State of Tennessee at the request of FEMA to assist in the implementation of the NFIP for the State.

**"Structure"** for purposes of this Ordinance, means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. [Phrase deleted - 'or other man-made facilities or infrastructures'.]

**"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 fifty percent (50%) of the market value of the structure before the damage occurred.

**"Substantial Improvement"** means any reconstruction, rehabilitation, addition, alteration or other improvement of a structure in which the cost equals or exceeds fifty percent ( 50%) of the market value of the structure before the "start of construction" of the initial improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial improvement, or (2) in the case of substantial damage, the value of the structure prior to the damage occurring.

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 pre-identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions and not solely triggered by an improvement or repair project or; (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

**"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 fifty percent (50%) of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

**"Variance"** is a grant of relief from the requirements of this Ordinance.

**"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.

**"Water Surface Elevation"** means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, where specified, of floods of various magnitudes and frequencies in the floodplains of riverine areas.

### **ARTICLE III.     GENERAL PROVISIONS**

#### **Section A.     Application**

This Ordinance shall apply to all areas within the incorporated area of the City of Norris, Tennessee.

**Section B. Basis for Establishing the Areas of Special Flood Hazard**

The Areas of Special Flood Hazard identified on the City of Norris, Tennessee, as identified by FEMA, and in its Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM), Community Panel Number(s) 47001C0128G and 47001C0129G, dated May 4, 2009; and Panel Numbers 47001C0133F, 47001C0137F, and 47001C0145F, dated January 17, 2007, along with all supporting technical data, are adopted by reference and declared to be a part of this Ordinance.

**Section C. Requirement for Development Permit**

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

**Section D. Compliance**

No land, 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.

**Section E. Abrogation and Greater Restrictions**

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

**Section F. 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 Tennessee statutes.

**Section G. 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 Areas of Special Flood Hazard 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 City of Norris, 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.

**Section H. 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 shall constitute a misdemeanor punishable as other misdemeanors as provided by law. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon adjudication therefore, be fined as prescribed by Tennessee statutes, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Norris, Tennessee from taking such other lawful actions to prevent or remedy any violation.

**ARTICLE IV. ADMINISTRATION**

**Section A. Designation of Ordinance Administrator**

The Building Official is hereby appointed as the Administrator to implement the provisions of this Ordinance.

**Section B. Permit Procedures**

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

1. Application stage
  - a. Elevation in relation to mean sea level of the proposed lowest floor, including basement, of all buildings where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Ordinance.
  - b. Elevation in relation to mean sea level to which any non-residential building will be floodproofed where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Ordinance.
  - c. A FEMA Floodproofing Certificate from a Tennessee registered professional engineer or architect that the proposed non-residential floodproofed building will meet the floodproofing criteria in Article V, Sections A and B.
  - d. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

2. Construction Stage

Within AE Zones, where Base Flood Elevation data is available, any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of, a Tennessee registered land surveyor and certified by same. The Administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a non-residential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

Within approximate A Zones, where Base Flood Elevation data is not available, the elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building relative to the highest adjacent grade. The Administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a non-residential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

For all new construction and substantial improvements, the permit holder shall provide to the Administrator an as-built certification of the lowest floor elevation or floodproofing level upon the completion of the lowest floor or floodproofing.

Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The Administrator shall review the above-referenced certification data. Deficiencies detected by such review shall be corrected by the permit holder

immediately and prior to further work being allowed to proceed. Failure to submit the certification or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

**Section C. Duties and Responsibilities of the Administrator**

Duties of the Administrator shall include, but not be limited to, the following:

1. Review all development permits to assure that the permit requirements of this Ordinance have been satisfied, and that proposed building sites will be reasonably safe from flooding.
2. Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
3. Notify adjacent communities and the Tennessee Department of Economic and Community Development, Local Planning Assistance Office, prior to any alteration or relocation of a watercourse and submit evidence of such notification to FEMA.
4. For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to FEMA to ensure accuracy of community FIRM's through the Letter of Map Revision process.
5. Assure that the flood carrying capacity within an altered or relocated portion of any watercourse is maintained.
6. Record the elevation, in relation to mean sea level or the highest adjacent grade, where applicable, of the lowest floor (including basement) of all new and substantially improved buildings, in accordance with Article IV, Section B.
7. Record the actual elevation, in relation to mean sea level or the highest adjacent grade, where applicable to which the new and substantially improved buildings have been floodproofed, in accordance with Article IV, Section B.
8. When floodproofing is utilized for a nonresidential structure, obtain certification of design criteria from a Tennessee registered professional engineer or architect, in accordance with Article IV, Section B.
9. 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 phrase 'the Administrator shall' was deleted in the model ordinance] make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Ordinance.
10. When Base Flood Elevation data and floodway data have not been provided by FEMA, [the phrase 'then the Administrator shall' was deleted in the model ordinance] obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from a Federal, State, or other sources, 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 City of Norris, Tennessee FIRM meet the requirements of this Ordinance.

Within unnumbered A zones, where base flood elevations have not been established and where alternative data is not available, the Administrator shall require the lowest floor of a building to be elevated or floodproofed to a level of at least three (3) feet above the highest adjacent grade (lowest floor and highest adjacent grade being defined in Article II of this Ordinance). All applicable data 12 including elevations or flood proofing certifications shall be recorded as set forth in Article IV. Section B. - **[This paragraph is deleted in the model ordinance.]**

11. Maintain all records pertaining to the provisions of this Ordinance in the office of the Administrator 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.

## **ARTICLE V. PROVISIONS FOR FLOOD HAZARD REDUCTION**

### **Section A. General Standards**

In all areas of special flood hazard, the following provisions are required:

1. New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure;
2. Manufactured homes shall be installed using methods and practices that minimize flood damage. They must be elevated and anchored to prevent flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State of Tennessee and local anchoring 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 and substantial improvements shall be constructed by methods and practices that minimize flood damage;
5. All 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 that is in compliance with the provisions of this Ordinance, shall meet the requirements of "new construction" as contained in this Ordinance;
10. Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provision of this Ordinance, shall be undertaken only if said non-conformity is not further extended or replaced;

11. All new construction and substantial improvement proposals shall provide copies of all necessary Federal and State permits, including Section 404 of the Federal Water Pollution Control Act amendments of 1972, 33 U.S.C. 1334; - **[Deleted from model ordinance.]**
12. All subdivision proposals and other proposed new development proposals shall meet the standards of Article V, Section B; - **[Deleted from model ordinance.]**
13. When proposed new construction and substantial improvements are partially located in an area of special flood hazard, the entire structure shall meet the standards for new construction; - **[Deleted from model ordinance.]**
14. When proposed new construction and substantial improvements are located in multiple flood hazard risk zones or in a flood hazard risk zone with multiple Base Flood Elevations, the entire structure shall meet the standards for the most hazardous flood hazard risk zone and the highest Base Flood Elevation. - **[Deleted from model ordinance.]**

**Section B. Specific Standards**

In all Areas of Special Flood Hazard, the following provisions, in addition to those set forth in Article V, Section A, are required:

1. Residential Structures

In AE Zones where Base Flood Elevation data is available, new construction and substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement, elevated to 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 equalization of flood hydrostatic forces on both sides of exterior walls [phrase 'and to ensure unimpeded movement of floodwater' was deleted in model ordinance] shall be provided in accordance with the standards of this section: "Enclosures".

Within approximate A Zones where Base Flood Elevations have not been established and where alternative data is not available, the Administrator shall require the lowest floor of a building to be elevated - [phrase 'or floodproofed' was deleted in model ordinance] to a level of at least three (3) feet above the highest adjacent grade (as defined in Article II). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

2. Non-Residential Structures

In AE Zones, where Base Flood Elevation data is available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than one (1) foot above the level of the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

In approximate A Zones, where Base Flood Elevations have not been established and where alternative data is not available, new construction and substantial improvement of any

commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than three (3) feet above the highest adjacent grade (as defined in Article II). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

Non-Residential buildings located in all A Zones may be floodproofed, 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 Tennessee registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Administrator as set forth in Article IV, Section B.

### 3. Enclosures

All new construction and substantial improvements that include fully enclosed areas formed by foundation and other exterior walls below the lowest floor that are subject to flooding, 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.

- a. Designs for complying with this requirement must either be certified by a Tennessee professional engineer or architect or meet or exceed the following minimum criteria.
  - 1) Provide a minimum of two openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding;
  - 2) The bottom of all openings shall be no higher than one (1) foot above the finished grade;
  - 3) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
- b. The enclosed area shall be the minimum necessary to allow for parking of vehicles, storage or building access.
- c. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms in such a way as to impede the movement of floodwaters and all such partitions shall comply with the provisions of Article V, Section B.

### 4. Standards for Manufactured Homes and Recreational Vehicles

- a. All manufactured homes placed, or substantially improved, on: (1) individual lots or parcels, (2) in expansions to existing manufactured home parks or subdivisions, or (3) in new or substantially improved manufactured home parks or subdivisions,

must meet all the requirements of new construction. [including elevations and anchoring' - phrase was deleted in model ordinance.]

- b. All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that either:
  - 1) In AE Zones, with Base Flood Elevations, the lowest floor of the manufactured home is elevated on a permanent foundation to no lower than one (1) foot above the level of the Base Flood Elevation or
  - 2) In approximate A Zones, without Base Flood Elevations, the manufactured home chassis is elevated and supported by reinforced piers ( or other foundation elements of at least equivalent strength) that are at least three (3) feet in height above the highest adjacent grade (as defined in Article II).
- c. Any manufactured home, which has incurred "substantial damage" as the result of a flood ['or that has substantially improved' - phrase deleted in model ordinance], must meet the standards of Article V, Sections A and B.
- d. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
- e. All recreational vehicles placed in an identified Special Flood Hazard Area must either:
  - 1) Be on the site for fewer than 180 consecutive days;
  - 2) Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions), or;
  - 3) The recreational vehicle must meet all the requirements for new construction [phrase 'including the anchoring and elevation requirements of this section above if on the site for longer than 180 consecutive days' -was deleted in the model ordinance].

## 5. Standards for Subdivisions and Other Proposed New Development Proposals

Subdivisions and other proposed new developments, including manufactured home parks, shall be reviewed to determine whether such proposals will be reasonably safe from flooding.

[Sentence 'If a subdivision proposal or other proposed new development is in a flood-prone area, any such proposals shall be reviewed to ensure that:' was deleted in model ordinance.]

- a. All subdivision and other proposed new development proposals shall be consistent with the need to minimize flood damage.
- b. All subdivision and other proposed new development proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
- c. All subdivision and other proposed new development proposals shall have adequate drainage provided to reduce exposure to flood hazards.

- d. In all approximate A Zones require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation data (See Article V, Section E).

**Section C. Standards for Special Flood Hazard Areas with Established Base Flood Elevations and With Floodways Designated**

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as floodways. A floodway may be an extremely hazardous area due to the velocity of floodwaters, debris or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights and velocities. Therefore, the following provisions shall apply:

1. Encroachments are prohibited, including earthen fill material, new construction, substantial improvements or other development within the regulatory floodway. Development may be permitted however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the cumulative effect of the proposed encroachments or new development - [phrase 'when combined with all other existing and anticipated development' was deleted in model ordinance] shall not result in any increase in the water surface elevation of the Base Flood Elevation, velocities, or floodway widths during the occurrence of a base flood discharge at any point within the community. A Tennessee registered professional engineer must provide supporting technical data, using the same methodologies as in the effective Flood Insurance Study for the City of Norris, Tennessee and certification, thereof.
2. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Article V, Sections A and B.

**Section D. Standards for Areas of Special Flood Hazard Zones AE with Established Base Flood Elevations but Without Floodways Designated**

Located within the Special Flood Hazard Areas established in Article III, Section B, where streams exist with base flood data provided but where no floodways have been designated (Zones AE), the following provisions apply:

1. No encroachments, including fill material, new construction and substantial improvements shall be located within areas of special flood hazard, unless certification by a Tennessee 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.
2. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Article V, Sections A and B.

**Section E. Standards for Streams without Established Base Flood Elevations and Floodways (A Zones)**

Located within the Special Flood Hazard Areas established in Article III, Section B, where streams exist, but no base flood data has been provided and where a Floodway has not been delineated, the following provisions shall apply:

1. The Administrator shall obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from any Federal, State, or other sources, including data developed as a result of these regulations (see 2 below), as criteria for requiring that new construction, substantial improvements, or other development in approximate A Zones meet the requirements of Article V, Sections A and B.
2. Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation data.
3. Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation data.
4. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, no encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty feet (20), whichever is greater, measured from the top of the stream bank, unless certification by a Tennessee 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 City of Norris, Tennessee. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.
5. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Article V, Sections A and B. Within approximate A Zones, require that those subsections of Article V Section B dealing with the alteration or relocation of a watercourse, assuring watercourse carrying capacities are maintained and manufactured homes provisions are complied with as required.

**Section F. Standards for Areas of Shallow Flooding (AO and AH Zones)**

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore, the following provisions, in addition to those set forth in Article V, Sections A and B, apply:

1. All new construction and substantial improvements of residential and nonresidential buildings shall have the lowest floor, including basement, elevated to at least one (1) foot above as many feet as the depth number specified on the FIRM's, in feet, above the highest adjacent grade. If no flood depth number is specified on the FIRM, the lowest floor, including basement, shall be elevated to at least three (3) feet above the highest adjacent grade. Openings sufficient to facilitate automatic equalization of hydrostatic

flood forces on exterior walls shall be provided in accordance with standards of Article V, Section B.

2. All new construction and substantial improvements of non-residential buildings may be floodproofed in lieu of elevation. The structure together with attendant utility and sanitary facilities must be floodproofed and designed watertight to be completely floodproofed to at least one (1) foot above the flood depth number specified on the FIRM, with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. If no depth number is specified on the FIRM, the structure shall be floodproofed to at least three (3) feet above the highest adjacent grade. A Tennessee registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this Ordinance and shall provide such certification to the Administrator as set forth above and as required in accordance with Article IV, Section B.
3. Adequate drainage paths shall be provided around slopes to guide floodwaters around and away from proposed structures.
4. The Administrator shall certify the elevation or the highest adjacent grade, where applicable and the record shall become a permanent part of the permit file - **[this statement was deleted in the model ordinance.]**

**Section G. Standards For Areas Protected by Flood Protection System (A-99 Zones)**

Located within the Areas of Special Flood Hazard established in Article III, Section B, are areas of the 100-year floodplain protected by a flood protection system but where Base Flood Elevations - [phrase 'and flood hazard factors' has been deleted in the model ordinance] have not been determined. Within these areas (A-99 Zones) all provisions of Article IV and Article V shall apply.

**Section H. Standards for Unmapped Streams**

Located within the City of Norris, Tennessee, are unmapped streams where areas of special flood hazard are neither indicated nor identified. Adjacent to such streams, the following provisions shall apply:

1. No encroachments including fill material or other development including structures shall be located within an area of at least equal to twice the width of the stream, measured from the top of each stream bank, unless certification by a Tennessee 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 locality.
2. When a new flood hazard risk zone, and Base Flood Elevation and floodway data is available, new construction and substantial improvements shall meet the standards established in accordance with Articles IV and V.

**ARTICLE VI. VARIANCE PROCEDURES**

**Section A. Municipal Board of Zoning Appeals**

1. Authority

The City of Norris, Tennessee Municipal Board of Zoning Appeals shall hear and decide appeals

and requests for variances from the requirements of this Ordinance.

2. Procedure

Meetings of the Municipal Board of Zoning Appeals shall be held at such times, as the Board shall determine. All meetings of the Municipal Board of Zoning Appeals shall be open to the public. The Municipal Board of Zoning Appeals shall adopt rules of procedure and shall keep records of applications and actions thereof, which shall be a public record. Compensation of the members of the Municipal Board of Zoning Appeals shall be set by the Legislative Body.

3. Appeals: How Taken

An appeal to the Municipal Board of Zoning Appeals may be taken by any person, firm or corporation aggrieved or by any governmental officer, department, or bureau affected by any decision of the Administrator based in whole or in part upon the provisions of this Ordinance. Such appeal shall be taken by filing with the Municipal Board of Zoning Appeals a notice of appeal, specifying the grounds thereof. In all cases where an appeal is made by a property owner or other interested party, a non-refundable fee of \$25.00 dollars for the cost of publishing a notice of such hearings shall be paid by the appellant. The Administrator shall transmit to the Municipal Board of Zoning Appeals all papers constituting the record upon which the appeal action was taken. The Municipal Board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to parties in interest and decide the same within a reasonable time which shall not be more than 30 (thirty) days from the date of the hearing. At the hearing, any person or party may appear and be heard in person or by agent or by attorney.

4. Powers

The Municipal Board of Zoning Appeals shall have the following powers:

a. Administrative Review

To hear and decide appeals where it is alleged by the applicant that there is error in any order, requirement, permit, decision, determination, or refusal made by the Administrator or other administrative official in carrying out or enforcement of any provisions of this Ordinance.

b. Variance Procedures

In the case of a request for a variance the following shall apply:

- 1) The City of Norris, Tennessee Municipal Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Ordinance.
- 2) Variances may be issued for the repair or rehabilitation of historic structures as defined, herein, 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 necessary deviation from the requirements of this Ordinance to preserve the historic character and design of the structure.

- 3) In passing upon such applications, the Municipal Board of Zoning Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Ordinance, and:
  - a) The danger that materials may be swept onto other property to the injury of others;
  - b) The danger to life and property due to flooding or erosion;
  - c) The susceptibility of the proposed facility and its contents to flood damage;
  - d) The importance of the services provided by the proposed facility to the community;
  - e) The necessity of the facility to a waterfront location, in the case of a functionally dependent use;
  - f) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
  - g) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
  - h) The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - i) 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
  - j) 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, water systems, and streets and bridges.
- 4) Upon consideration of the factors listed above, and the purposes of this Ordinance, the Municipal Board of Zoning Appeals may attach such conditions to the granting of variances, as it deems necessary to effectuate the purposes of this Ordinance.
- 5) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

**Section B. Conditions for Variances**

1. Variances shall be issued upon a determination that the variance is the minimum relief necessary, considering the flood hazard [phrase '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', was not included in the model ordinance] and the factors listed in Article VI, Section A.
2. Variances shall only be issued upon: a showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship; or 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.

3. 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 Elevation will result in increased premium rates for flood insurance ( as high as \$25 for \$100) coverage, and that such construction below the Base Flood Elevation increases risks to life and property.
4. The Administrator shall maintain the records of all appeal actions and report any variances to FEMA upon request.

**ARTICLE VII. LEGAL STATUS PROVISIONS**

**Section A. 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 City of Norris, Tennessee, the most restrictive shall in all cases apply.

**Section B. Severability**

Section B. Severability 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.

**Section C. Effective Date**

This Ordinance shall become effective immediately after its passage, in accordance with the Charter of the City of Norris, Tennessee, and the public welfare demanding it. ***(Adopted by Ordinance #577)***

**14-312. W-1 – Watershed District.** The W-1 Watershed District is intended to provide protection for areas of Norris which are characterized by public water sources and sensitive environmental features, while also allowing uses of land which are consistent with that protection and with any lease or transfer agreements between the City of Norris and the United States of America. Public recreational activities and facilities, prescribed logging operations, and suitable public ways for access are the primary land uses permitted in areas designated by the Watershed District.

1. Uses Permitted.

- a. Recreational uses of a public nature, including, but not limited to, hiking, horseback riding, and bicycling.
- b. Forest resource development, utilization, conservation, and management conducted on a sustained yield basis, done in conformity with transfer and lease agreements between the City of Norris and the United States of America.
- c. Any uses specifically required under the transfer and lease agreements between the City of Norris and the United States of America and its agents.
- d. Construction and operation of utility facilities belonging to the City of Norris or the United States of America and its agents. Other municipal facilities used for recreational purposes or watershed maintenance.
- e. All principal or accessory buildings constructed within the district shall house only the permitted uses stated above. Where applicable, approval by the United States of America and its agents shall be obtained for the construction of a proposed building.

2. Special Exceptions. Not applicable in this district.

3. Height Regulations. No municipal building may exceed two (2) stories or twenty-five (25) feet.
4. Environmental Degradation. No construction or other activity shall be allowed which contributes to the pollution of any stream within the district, nor shall erosion and sedimentation be allowed resulting from such construction or other human activity. No dumping or elimination of refuse or sewage shall be permitted, except for municipal composting operations. Furthermore, the following activities shall not be permitted: removal of vegetation, ground fires, or operation of motorized vehicles, except on trails or roads designated by the Norris Watershed Board.
5. Ridgeline Development. (Deleted by Ordinance #498)

**14-313. P-1 – Professional and Civic District.** In order to provide areas for the development of professional offices and services, medical and other health services, legal services, churches and similar institutions, a professional and civic district is hereby established. Within the professional and civic district, the following regulations shall apply:

1. Permitted Uses.
  - a. Single and multi-family dwellings as permitted in the R-1 and R-2 residential districts.
  - b. Churches and places of worship.
  - c. Professional business and governmental business offices in which no activity is carried on catering retail trade with the general public.
  - d. Educational facilities.
  - e. Places for public assembly, civic facilities, such as government and municipal services.
  - f. Postal services.
  - f. **Hotels/Motel on streets designated as arterial on the Norris Major Street Plan (Added by Ordinance #590)**
  - g. Cultural centers.
  - h. **Short-Term Rental (Added by Ordinance #634)**
2. Special Exceptions. Not applicable in the district.
3. Height Regulations. No building shall exceed three (3) stories or thirty-five (35) feet in height except as provided in Section 14-505.
4. Lot and Area Regulations. The principal structure shall be located so as to comply with the following requirements:
  - a. Minimum lot area.....10,000 sq. ft.
  - b. Minimum lot width at building line.....100 ft.
  - c. Minimum building setback, front.....30 ft.
  - d. Minimum building setback, rear.....15 ft.
  - e. Minimum building setback, side.....15 ft.
5. Location of Accessory Structures.

- a. No accessory structure shall be erected in any front or side yard. Accessory structures shall be at least ten (10) feet from all lot lines and from any other building on the same lot.
  - b. Accessory structures on corner lots shall conform with front yard setback for both intersecting streets.
- 6. Off-Street Parking. As regulated in Section 14-405.
  - 7. Side Building Setback Line on Corner Lots. The minimum width of building setback along an intersecting street shall be twenty (20) feet.
  - 8. Building Area. On any lot the area occupied by all buildings, including accessory buildings, shall not exceed 40 percent of the total area of such lot.
  - 9. Ridgeline Development. *(Deleted by Ordinance #498)*
  - 9. Standards for Buffer Zones. P-1-zoned property may be subject to the provisions for buffer zones in section 14-417. *(Added by Ordinance #498)*

**14-314. S-1 – Scenic Highway.** *(Added by Ordinance #505, then amended by Ordinance #509)*

The intent of this district is to encourage the development of museums, cultural centers, businesses, offices, retail, and mixed-use residential and commercial establishments that support and preserve the natural beauty of the area. Within the Scenic Highway district, the following regulations shall apply:

- 1. Permitted Uses.
  - a. Residential dwellings, only when associated with the another use permitted in the district, conforming to the following conditions:
    - i. Dwelling units must be located on the same lot as another permitted use or establishment.
    - ii. All sections of any building proposed to include both residential and non-residential uses must meet the requirements of any applicable city codes or regulations, and the standards of the State Fire Marshall's Office.
    - iii. Adequate parking must be provided for both commercial activities and residential uses.
    - iv. Residential dwelling must be subordinate in size to the primary permitted use of the property.
  - b. Churches and places of worship.
  - c. Professional business and governmental business offices.
  - d. Financial institutions and offices, including offices devoted to various professional practices.
  - e. Educational facilities
  - f. Places for public assembly, civic facilities, such as government and municipal services.
  - g. Cultural Centers or Museums
  - h. Greenhouses devoted to horticulture or floriculture.
  - i. Public buildings and lands.

- j. On-premises outdoor advertising signs as regulated in Section 14-411.
  - k. Event Hosting *(Added by Ordinance #589)*
  - k. Inn *(Added by Ordinance #590)*
  - l. Short-Term Rental *(Added by Ordinance # 634)*
2. **Special Exception:** The following uses may be permitted on review by the Board of Zoning Appeals according to sections 14-605 & 14-606.
    - a. Craft breweries, distilleries, and wineries may be allowed provided that all rules and permits required by the US ATF, the Tennessee Alcoholic Beverage Commission and the City of Norris are complied with. Restaurants are **NOT** allowed by right in the S-1 Scenic Highway District, but may be allowed on review by the board of zoning appeals as a part of craft breweries, distilleries and wineries under the provisions of this ordinance. Bed and Breakfast Inns are allowed subject to the provisions of section 14-404 of the zoning ordinance. A site plan as regulated in section 14-418 shall be submitted to the board indicating compliance with all provisions of this zoning ordinance. *(Added by Ordinance #586)*
  3. **Height Regulations.** No building shall exceed three (3) stories or thirty-five (35) feet in height except as provided in Section 14-505.
  4. **Lot and Area Regulations.** The principal structure shall be located so as to comply with the following requirements.
    - a. Minimum lot area..... 23,000 sq. ft.
    - b. Minimum lot width at building line..... 100 ft.
    - c. Minimum building setback, front..... 30 ft.
    - d. Minimum building setback, rear..... 25 ft.
    - e. Minimum building setback, side..... 25 ft.
  5. **Location of Accessory Structures.**
    - a. No accessory or subordinate structure shall be erected in any front or side yard. Accessory or subordinate structures shall be at least twenty-five (25) feet from all lot lines and from any other building on the same lot.
    - b. Accessory or subordinate structures on corner lots shall conform to front yard setback for both intersecting streets.
  6. **Off-Street Parking.** As regulated in Section 14-405.
  7. **Side Building Setback Line on Corner Lots.** The minimum width of building setback along an intersecting street shall be twenty (20) feet.
  8. **Building Area.** On any lot the area occupied by all buildings, including accessory building shall not exceed 40 percent of the total area of such lot.
  9. **Standards for Buffer Zones.** S-1 zoned property shall be subject to the provisions for buffer zones in section 14-417.
  10. **Landscape and Screening Requirements.** All S-1 zoned property is subject to the provisions in section 14-420 except that the required buffer area which extends the entire frontage of the

lot along a public road and which is to be reserved for landscaping purposes shall be at least thirty (30) feet in depth.

**14-314. S-2 – Scenic (2) Highway District.** The intent of this district is to encourage the development of museums, cultural centers, businesses, offices, retail, and mixed-use residential and commercial establishments that support and preserve the natural beauty of the area. Within the Scenic (2) Highway district, the following regulations shall apply: *(Added by Ordinance #542)*

**1. Permitted Uses.**

- a. Residential dwellings, only when associated with another use permitted in the district, conforming to the following conditions:
  - i. Dwelling units must be located on the same lot as another permitted use or establishment.
  - ii. All sections of any building proposed to include both residential and non-residential uses must meet the requirements of any applicable city codes or regulations, and the standards of the State Fire Marshall's Office.
  - iii. Adequate parking must be provided for both commercial activities and residential uses.
  - iv. Residential dwelling must be subordinate in size to the primary permitted use of the property.
- b. Churches and places of worship.
- c. Professional business and governmental business offices.
- d. Financial institutions and offices, including offices devoted to various professional practices.
- e. Educational facilities.
- f. Place for public assembly, civic facilities, such as government and municipal services.
- g. Cultural Center or Museums.
- h. Greenhouses devoted to horticulture or floriculture.
- i. Public buildings and lands.
- j. On-premises outdoor advertising signs as regulated in Section 14-411.
- k. Event Hosting *(Added by Ordinance #589)*
- k. Inn *(Added by Ordinance #590)*

**2. Special Exceptions. ~~The Permitted Uses designated for the C-2 Zoning, as defined in section 14-309, are to be permitted in Scenic 2 Zoning, subject to all provisions applicable to Scenic 1 Zoning regulations. (Deleted and Amended by Ordinance #586)~~**

The following uses may be permitted on review by the Board of Zoning Appeals according to sections 14-605 & 14-606.

- a. Craft breweries, distilleries, and wineries may be allowed provided that all rules and permits required by the US ATF, the Tennessee Alcoholic Beverage Commission and the City of Norris are complied with. A site plan as regulated in section 14-418 shall be

submitted to the board indicating compliance with all provisions of this zoning ordinance.

- b. Permitted uses designed for the C-2 General Commercial District are as defined by section 14-309 are to be permitted in the S-2 Scenic highway District subject to all provisions and regulations applicable to the S-2 Scenic Highway District. Bed and Breakfast Inns are to be allowed subject to the provisions of section 14-404 of the zoning ordinance. *(Added by Ordinance #586)*

3. **Height Regulations.** No building shall exceed three (3) stories or thirty-five (35) feet in height except as provided in Section 14-505.

4. **Lot and Area Regulations.** The principal structure shall be located so as to comply with the following requirements:

- a. Minimum lot area..... 23.000 sq. ft.
- b. Minimum lot width at building line..... 100 ft.
- c. Minimum building setback, front..... 30 ft.
- d. Minimum building setback, rear..... 25 ft.
- e. Minimum building setback, side..... 25 ft.

5. **Location of Accessory Structures.**

- a. No accessory or subordinate structure shall be erected in any front or side yard. Accessory or subordinate structures shall be at least twenty-five (25) feet from all lot lines and from any other building on the same lot.
- b. Accessory or subordinate structures on corner lots shall conform to the front yard setback for both intersecting streets.

6. **Off-Street Parking.** As regulated in Section 14-405.

7. **Side Building Setback Line on Corner Lots.** The minimum width of building setback along an intersecting street shall be twenty (20) feet.

8. **Building Area.** On any lot the area occupied by all buildings, including accessory buildings shall not exceed 40 percent of the total area of such lot.

9. **Standards for Buffer Zones.** S-2 zoned property shall be subject to the provisions for buffer zones in section 14-417.

10. **Landscape and Screening Requirements.** All S-2 zoned property is subject to the provisions in section 14-420 except that the required buffer area which extends the entire frontage of the lot along a public road and which is to be reserved for landscaping purposes shall be at least thirty (30) feet in depth.

## CHAPTER 4

### SUPPLEMENTARY PROVISIONS APPLYING TO ALL DISTRICTS

#### SECTION

- 14-401. Access Control
- 14-402. Accessory Use Regulations
- 14-403. Home Occupations
- 14-404. Bed and Breakfast
- 14-405. Off-Street Parking Requirements
- 14-406. Off-Street Loading and Unloading Space Required
- 14-407. General Lot Restrictions
- 14-408. Visibility at Street Intersections
- 14-409. House and Building Numbers
- 14-410. Gasoline Service Station Restrictions
- 14-411. Signs and Other Advertising Structures (*Amended by Ordinance #631*)
- 14-412. Regulations for Areas Subject to Flood Outside the Floodway
- 14-413. Standards for Mobile Homes and Mobile Home Parks
- 14-414. Standards for Cemeteries
- 14-415. Standards for Planned Unit Development
- 14-416. Erosion and Sedimentation Control
- 14-417. Standards for Buffer Zones
- 14-418. Site Plan Review
- 14-419. Residential Site Plan Review
- 14-420. Landscaping and Screening Requirements
- 14-421. Telecommunications Towers
- 14-422. Lighting Standards for Commercial, Industrial, and Multi-Family Residential. Sites
- 14-423. Standards for Ridgeline Development

**14-401. Access Control.** The number and location of access cuts onto city streets or state routes directly affect traffic flow within the city. Standards for the design and placement of access cuts is an important factor in providing a safe and efficient transportation network. The following regulations shall serve as a guide to control the number, placement, and design of access cuts in order to reduce the number of accidents and to maintain traffic flow.

1. Right-of-Way Encroachment. The highway right-of-way shall not be used for servicing vehicles, or the conducting of private business. The buffer area (unpaved area of the right-of-way) is to be kept clear of buildings, fences, business signs, parking areas, service equipment, and appurtenances thereto. Parking is permitted as designated. The buffer area may be graded and landscaped as approved by the public works director.
2. Buffer Areas. In the development of private property and the construction of driveways thereto, it may be necessary to regrade the buffer area by cutting or filling. Such work shall be done in a manner to insure adequate sight distance for traffic operations, proper drainage, suitable slopes for maintenance operations, and good appearance. The buffer area outside the driveways should be treated to prevent use by vehicles. This may be accomplished by grading, use of curbs, rails, guideposts, low shrubs, etc., in a manner that will not impair clear sight across the area.

3. Sight Distance. Where feasible within the frontage limits, any driveway shall be located so as to afford maximum sight distance along the highway.

Where a driveway is provided to a commercial establishment, the buffer area and adjacent border area shall be reasonably cleared so that either the establishment itself or an appropriate sign located outside the right-of-way can be seen at a sufficient distance to enable proper maneuvers on the part of the drivers desiring to enter the establishment.

4. Setbacks. Improvements on property adjacent to the right-of-way should be so located that parking, stopping and maneuvering on the right-of-way will not be necessary in order for the vehicles or patrons to be served.

5. Location of Driveways. Driveways shall be so located that vehicles entering or leaving the establishment will not interfere with the free movement of traffic or create a hazard on the highway. Where feasible they shall be located where there are no sharp curves and steep grades and where sight distance is adequate for safe traffic operation. Driveways should not be located within the intersections, rotaries and interchanges or on highways immediately approaching them. They shall be located so that they will not interfere with the placement of signs, signals or other devices that affect traffic operation.

The Norris Municipal Planning Commission shall have the authority to restrict the location of driveways if, in their opinion, such driveways may contribute to a higher incidence of accidents.

6. Number and Arrangement of Driveways. For property tracts with a sizable frontage on the highway, driveway location and arrangement will be governed by the position of installations thereon. Where driveways are provided to land areas only, i.e., areas with no developments sufficiently near the highway to significantly control driveway arrangements, they shall be located to best advantage with regard to the highway alignment, profile, sight distance conditions, etc.

The permissible number, arrangement, and width of driveways shall be governed in part by the highway frontage of abutting private property. The number of driveways provided shall be the minimum number required to adequately serve the needs of the adjacent property. Frontages of one hundred (100) feet or less shall be limited to one driveway.

Normally not more than two driveways will be provided to any single property tract or business establishment.

Where there are several adjacent roadside establishments each with relatively limited frontage or where there is probability of such development, consideration by the planning commission will be given to the provision of a frontage road for the several driveways so as to reduce the number of separate connections to the highway. Where border width permits, the several driveways shall be connected directly to such an outer road paralleling the highway with connections to the through highway only at the extremities of the frontage road or at well-spaced intervals along it.

Driveways shall be positioned to clear the frontage boundary lines by the specified minimum dimension. Where two driveways are provided for one frontage, the clear distance between driveways measured along the right-of-way line shall not be less than forty (40) feet.

At an intersection of two highways, a driveway connecting each highway with a corner property will be permitted where essential to the conduct of business on the corner tract, provided such driveways comply with the control dimensions herein established. Where traffic in relation to capacity is high, the corner clearance on the approach to the intersection desirability should be greater than that on the far side of the intersection.

7. Driveway Width and Edge Radius. The driveway width shall be adequate to handle properly the anticipated volume and type of traffic and shall be within the limits specified for the particular conditions and type of establishment as set out in these rules and regulations.  
Where space permits, the radius of curve connecting the edge of through traffic land and edge of driveway shall be the maximum radius to permit turns by the largest vehicle to be expected with some frequency. For narrow frontage or narrow border conditions, the combination of driveway width and edge radius of smaller dimension should be adequate to this end. The radii for driveways on streets on which there are outer parallel parking lanes shall be based on turns from the edge of through lane, and parking should be regulated as necessary to keep the turning area free of standing vehicles.
8. Driveway Alignment and Profile. Single driveways shall be positioned at right angles to the roadway. Where two driveways are used on one frontage, and they are to be used for access to and from both directions of travel on the highway, each roadway shall be at right angles with the center line of the roadway as specified in sketches and examples. The driveway angle may be between 45° (min.) and 60° (max.) when the driveway is to be used by vehicles in only one direction of highway travel (right turns only) on a divided highway.  
On uncurbed sections of highway, the gradient of the driveway shall conform with the normal shoulder pitch from the edge of the traveled way to the outer shoulder line and thence slope downward on a suitable grade to the gutter or low point over a culvert (swale where a culvert is not used). Thereafter it shall continue downward or roll upward depending upon the level of its destination with respect to the shoulder.  
Where curbs are used along the roadway and sidewalks are provided or contemplated, the gradient of the driveway usually shall fit the plan of the sidewalk. If the difference in elevation of the gutter and the sidewalk is such that this is not practical, then the sidewalk shall be lowered to provide a suitable gradient for the driveway in such case the surface of the sidewalk should be sloped gently from either side of the driveway. Vertical curves on driveways should be flat enough to prevent dragging of central or overhang portions of passenger vehicles.
9. Curbs and Guidepost. Curbs of the type specified by the city shall be required on driveways, islands within the buffer area, and along property frontage in commercial, industrial, and residential complex developments; but all such curbs shall be outside the limits of the shoulders where the traveled way is not curbed. Where the traveled way is curbed, the returns of the driveway shall join properly the curb of the traveled way.  
It is desirable that all internal curbs be placed twenty-six (26) feet from the center line of the existing roadway where sufficient right-of-way does not exist. Where adequate right-of-way exists, curbs shall be located just outside the frontage boundary line. Final location of curbs is subject to the approval of the street superintendent.
10. Access Control. In order to promote the safety of the motorist and pedestrian and to minimize traffic congestion and property damage by reducing the points of conflict, the following regulations shall apply:
  - a. A point of access for vehicles onto a street shall not exceed thirty (30) feet in width; however, if in the opinion of the road superintendent and/or Board of Zoning Appeals that one access with a width greater than thirty (30) feet is more appropriate to protect the safety of motorists, then said board may require and/or grant a variance from this requirement.
  - b. There shall be no more than two (2) points of access to any one public street for each four hundred (400) feet of lot frontage, or fraction thereof; provided, however, that lots

less than one hundred (100) feet in width shall have no more than one point of access to any one public street.

- c. Where two (2) driveways are provided for one (1) lot frontage, the clear distance between driveways shall not be less than forty (40) feet.
- d. No point of access shall be allowed within forty (40) feet of the center line of any public intersections. The distance shall be measured from the center of the intersection to the center line of the access cut.
- e. No curbs on city streets or rights-of-way shall be cut or altered without written approval of the street department and the Tennessee Department of Transportation when state highways are involved.
- f. Paved acceleration and deceleration lanes may be required along any arterial or major collector street at the discretion of the Board of Zoning Appeals upon recommendation by the superintendent or the Board of Zoning Appeals. The requirement for acceleration and deceleration lanes will be based on the following:
  - i. Existing Road Conditions
    - 1). Width
    - 2). Sight Distance
  - ii. Traffic Volume
    - 1). Average Daily Traffic and Highway Capacity.
    - 2). Average Daily Traffic Flowing into the Development.
- g. All access cuts shall be paved for all commercial, industrial, and residential developments. The minimum area paved shall commence from the edge of existing street pavement to the property line.

11. Control Dimensions. All portions of the driveway shall be within the frontage boundary line. For driveways with angles of about 90°, the edge clearance should not be less than the radius of curvature (R) for the junction of the driveway and pavement (shoulder) edges.

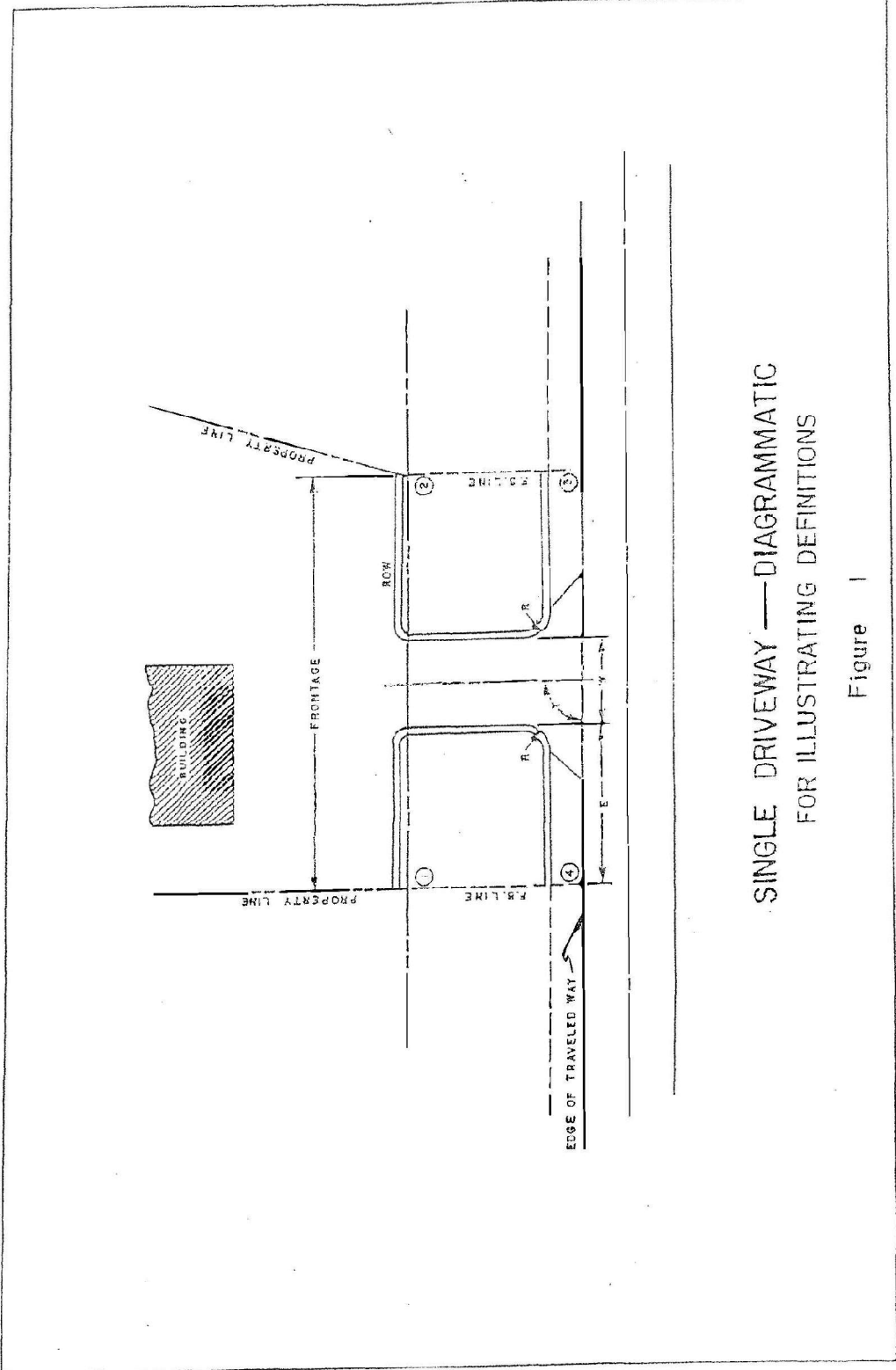
- a. Edge Clearance (E).

Residential.....	5 Feet Minimum
Commercial.....	10.5 Feet Minimum
- b. Width (W).

Residential.....	10 Feet Minimum; 15 Feet Maximum
Commercial, One Way Use.....	20 Feet Maximum; 12 Feet Minimum
Commercial, Two Way Use.....	30 Feet Maximum; 24 Feet Minimum
- c. Driveway Angle (Y).
  - i. Driveways for two-way operation: 90° to centerline of roadway.
  - ii. Driveways for one-way operation:
    - 1). Driveways used by vehicles in both directions of travel on highway: same as for two-way operations (90° to center line of roadway).

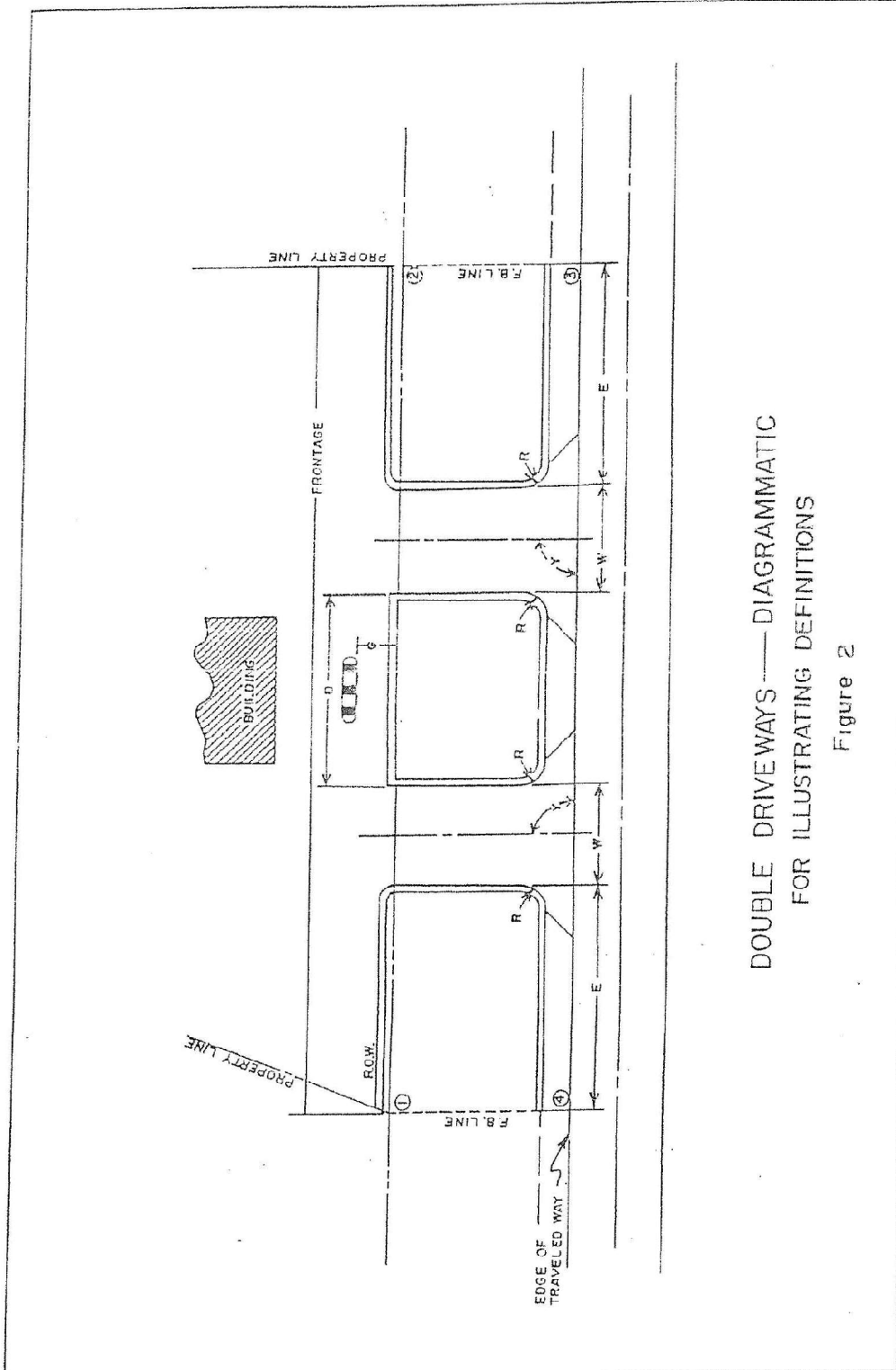
2). Driveways used by vehicles in one direction of travel on divided highway 45° minimum and 60° maximum.

- d. Radius of Curvature (R).  
Residential..... 5 Feet Minimum; 15 Feet Maximum  
Commercial..... 10 Feet Minimum; 20 Feet Maximum
- e. Distance Between Double Driveway (D)..... 40 Feet Minimum  
NOTE: IN NO CASE SHALL THE DISTANCE (D) BE LESS THAN THE LARGEST ADJACENT WIDTH OPENING (W).
- f. Corner Clearance (C)..... 400 Feet Minimum  
Where there are traffic signals at the intersection, desirably the nearside clearance should be two or more times the far side. SEE FIGURE 4.  
NOTE: See Figures 1 – 4 for design standards.



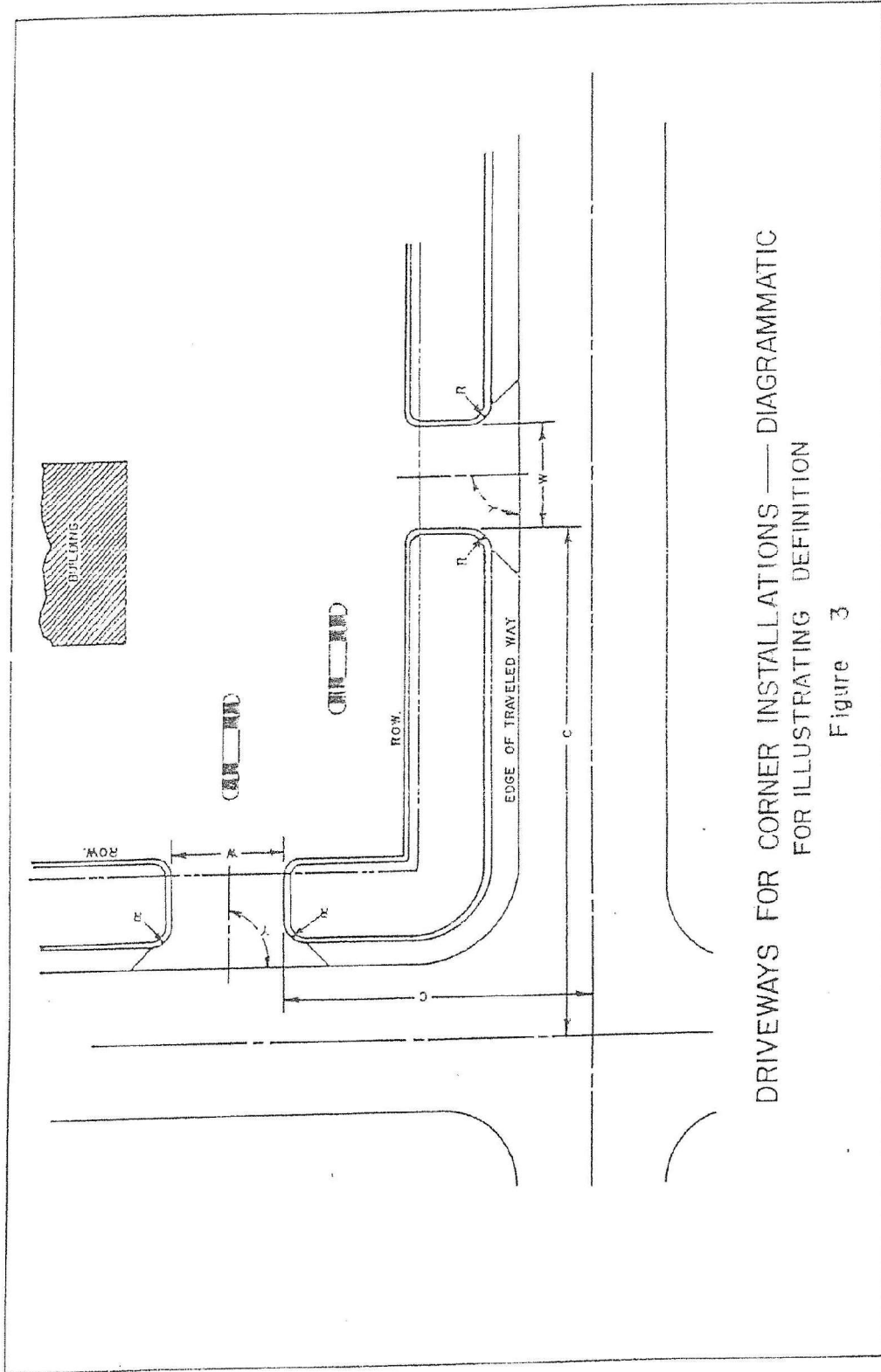
SINGLE DRIVEWAY — DIAGRAMMATIC  
FOR ILLUSTRATING DEFINITIONS

Figure 1



DOUBLE DRIVEWAYS — DIAGRAMMATIC  
FOR ILLUSTRATING DEFINITIONS

Figure 2



DRIVEWAYS FOR CORNER INSTALLATIONS — DIAGRAMMATIC  
FOR ILLUSTRATING DEFINITION

Figure 3

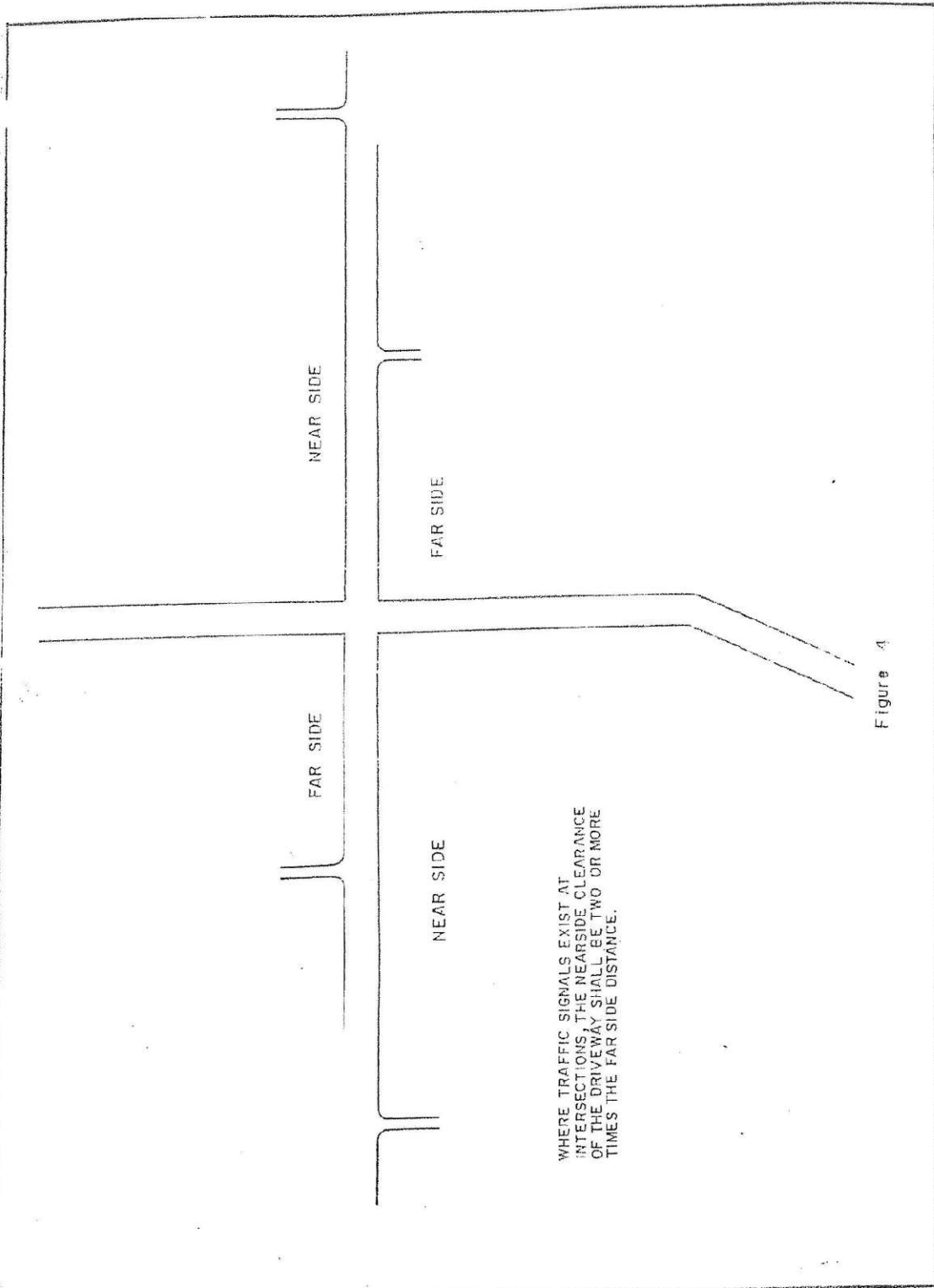


Figure 4

**14-402. Accessory Use Regulations.** The uses of land, buildings, and other structures permitted in each of the districts established by this ordinance are designated by listing the principal uses. In addition to such principal uses, accessory uses which are customarily incidental to the permitted uses are also permitted in each district. Each accessory use shall:

1. Be customarily incidental to the principal use established on the same lot.
2. Be subordinate to and serve such principal use.
3. Be subordinate in area, intent, and purpose to such principal use.
4. Contribute to the comfort, convenience, or necessity of users of the principal use.

**14-403. Home Occupations.** The home occupation (as defined in Chapter 2) is intended to promote home based employment and entrepreneurship opportunities which do not alter or impact the residential character of the district. The home occupation is intended to be flexible, granting the resident(s) the opportunity to conduct a business or service on the property, provided such activity does not infringe upon individual rights of neighbors or property values within the area. Changing technologies and economic/social trends make identification of all conceivable occupations impractical. The primary use of the property shall be residential and in instances where a home occupation begins to be the dominating or principal activity, its use shall be discontinued. The following conditions shall apply to all home occupations:

1. The business activity shall not consume more than twenty (20) percent of the primary structure or fifty (50) percent of any permitted accessory structure. The total floor area used or occupied for business shall not exceed 600 sq. ft. in either case.
2. On-site employment or use of labor from persons who are not bona fide residents of the property shall be limited to no more than 2 persons.
3. There shall be no outdoor storage of materials, equipment, products, or commercial/delivery vehicles other than one vehicle not exceeding  $\frac{3}{4}$  ton. Indoor storage of materials or products shall not exceed the limitations imposed by the building, fire and health codes.
4. The business activity shall not cause any external effect associated with the occupation such as increased noise, excessive lighting, or offensive odor, which is incompatible with the characteristics of a residential district.
5. No traffic shall be generated by such occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the occupation shall be met off the street and other than in the required front yard.
6. Signs shall be wooden and shall not exceed two square feet in area nor shall they be illuminated. Sign wording shall be the name of the occupant or establishment located on premises and/or description of service rendered. Such sign may be attached to the front wall of the building or attached to a fence or post of said property.
7. A permit for a home occupation shall be issued by the building inspector prior to commencing any business/service activity on the premises. The permit shall be voided upon the sale, transfer, lease, or rental of the property. The building inspector will inspect the premises to ensure that the area used for business activity is within the established limits.
8. Prior to the issuance of a permit the board of zoning appeals shall conduct a public hearing. Notices of said hearing shall be sent to all property owners within 200 feet at least 10 days prior to the hearing. A sign reading "THIS RESIDENCE HAS APPLIED FOR A HOME OCCUPATION PERMIT."

A PUBLIC HEARING WILL BE CONDUCTED ON (date)" shall be placed on the property where it can be read from a public road or sidewalk.

9. After the public hearing the board of zoning appeals shall I approve or deny the issuance of the permit. The board may attach conditions to the approval as they consider appropriate. Any conditions shall be noted on the permit, and any deviation by the applicant shall negate the board's approval.
10. Permits shall be reviewed annually and may be revoked by the board of zoning appeals or by the building inspector for cause after a hearing. provided that the permit holder is given 14 days notice of the hearing. Complaints concerning a bed & breakfast inn shall first go to the city's building inspector or city manager. If complaints cannot be resolved at that level they will be brought before the board of zoning appeals.

**14-404. Bed & Breakfast Inns.** Bed & breakfast inns are temporary, in-home lodging quarters that have minimal impact on neighborhoods whereby the following regulations apply:

1. General
  - a. A bed & breakfast inn is any residential dwelling, primarily used as a single family residence, in which rooms are rented to paying guests on an overnight basis with not more than two meals served daily, the entire service to be included in one stated price.
  - b. Site illumination shall be kept to a safe minimum and shall be approved by the building inspector.
  - c. Signs shall be wooden for all bed & breakfast inns and shall not exceed two square feet in area nor shall they be illuminated. Sign wording shall be the name of the occupant of establishment located on premises, and/or description of service rendered. The establishment shall be referred to as an "INN". Such sign may be attached to the front wall of the building or attached to a fence or post.
  - d. There must be adequate space. off of all city streets, to accommodate at least one car per guest room, plus adequate space for any owner/operator vehicles, and one space for each non-resident employee. There must be adequate space to provide for internal vehicular circulation and safe ingress and egress. The visual appearance of parking spaces shall be provided in a manner that is compatible with and respectful of adjacent properties. All required guest parking shall be provided on site and shall not be located in the required front yard.
  - e. Bed & breakfast inn operations shall not be permitted whenever the operation endangers, offends, or interferes with the safety or rights of others so as to constitute a nuisance. Bed & breakfast inns shall be compatible with the residential character of the neighborhood and not adversely affect it.
  - f. No residence shall be utilized for a bed & breakfast inn unless there are at least two exterior exits from the structure.
  - g. Toilets and bathing facilities shall be available to all guests staying at any bed & breakfast inn.
  - h. Not more than two people who are not residents of the dwelling may be employed in the operation of a bed & breakfast, whether or not compensated.

- i. All bed & breakfast inns shall comply with applicable local and state fire and health codes.
  - j. The fire chief, or his designated representative, shall inspect each bed & breakfast inn prior to a license being issued and prior to license renewal. The inspector shall certify that the residence meets fire codes.
2. Owner/Operator
- a. The owner/operator shall live in and manage the inn.
  - b. Each owner/operator shall maintain a guest registration listing of all persons who have stayed at the inn during the past two years which shall be available to the city for inspection upon request.
  - c. Service of meals shall be governed by applicable state regulations.
3. Guest Rooms.
- a. Guest rooms shall contain at least 100 square feet of area with not more than 33% of the entire structure used as rental space. Guest rooms shall not contain cooking facilities. Each guest room shall have its own smoke detector.
  - b. Guests shall not exceed 14 days during a 30 day period.
4. License.
- a. A bed & breakfast license must be obtained from the city prior to operating such a business and shall be voided upon the sale or transfer of the property. Applications for licenses can be obtained at the city office. Applications shall include a floor plan which indicates the use of all space. The floor plan for all bed & breakfast operations shall be reviewed by the building inspector for compliance with all applicable ordinances. An on-site inspection by the building official shall be conducted prior to the issuance of a permit.
  - b. The annual license for a bed & breakfast inn shall be good for one year, renewable upon request of the owner. An annual license fee shall be set by the city.
  - c. Prior to approval of a license, the board of zoning appeals shall conduct a public hearing. Notices of said hearing shall be sent to all abutting property owners within 200 feet at least 10 days prior to the hearing. A sign reading "THIS RESIDENCE HAS APPLIED TO BECOME A BED & BREAKFAST INN, A PUBLIC HEARING WILL BE HELD ON \_\_\_\_\_," shall be posted on the property where it can be read from a public road or sidewalk.
  - d. After the public hearing the board of zoning appeals shall grant or deny the license. The board may attach such conditions to the license if they enhance compliance with the intent of this and other ordinances.
  - e. Complaints concerning a bed & breakfast inn shall first go to the city's building inspector or city manager. If complaints cannot be resolved at that level they will be brought before the board of zoning appeals who may revoke a license at any time.
  - f. The city manager, with input from the building inspector, shall have the authority to refuse to renew a license or to suspend or revoke a license for continued and repeated violations of the provisions of this ordinance. A decision to deny a license may be appealed to the board of zoning appeals by the applicant. Any license issued under the

provisions of this ordinance may be revoked by the board of zoning appeals for good cause after investigation and opportunity to the holder of such license to be heard in opposition thereto; in such investigation the compliance or non-compliance with the state law and local ordinance, the conduct of the licensee in regard to the public, and other consideration shall be weighed in determination of such issue.

**14-405. Off-Street Parking Requirements.** Off-street parking spaces shall be provided when any buildings or structure is erected or enlarged or increased in capacity.

1. Number of spaces required. The number of parking spaces provided shall meet the minimum requirements for the specific uses as set forth below. For uses specifically not mentioned herein, off-street parking requirements shall be determined by the Board of Zoning Appeals.
  - a. Automobile repair shop and/or truck repair. Two (2) spaces per stall, or one (1) space per two hundred and fifty (250) square feet of service area, whichever is greater; plus two (2) spaces per three (3) employees.
  - b. Boarding houses and rooming houses. Not less than one (1) space for each one (1) room occupied by boarders or roomers.
  - c. Churches. One (1) space per five (5) seats; or one (1) space per forty (40) square feet of auditorium floor space, whichever is greater.
  - d. Commercial building or use. One (1) space for each two hundred (200) square feet of usable floor space in commercial districts.
  - e. Dwellings. single family. Not less than two (2) spaces per dwelling unit.
  - f. Dwellings. multiple family. Not less than two (2) spaces per dwelling unit.
  - g. Hospitals and convalescent homes. One (1) space for each three (3) patient beds; plus one (1) space for each two (2) employees including staff doctors and nurses.
  - h. Hotels. Not less than one (1) space for each guest room.
  - i. Manufacturing or other industrial use. Not less than one (1) space for each three (3) persons employed or intended to be employed on a single shift, with a minimum of five (5) spaces provided for any establishment.
  - j. Medical or dental clinics. Four (4) spaces per doctor or dentist or one (1) space for each one hundred (100) square feet of usable floor space, whichever is greater.
  - k. Motels and tourist courts. Not less than one (1) space for each room offered for tourist accommodation.
  - l. Offices. One (1) space for each two hundred fifty (250) square feet of usable or rentable office space.
  - m. Private clubs or lodges. One (1) per three (3) members based on design capacity of facility.
  - n. Restaurants. One (1) space per one hundred and fifty (150) square feet of usable floor area, plus one (1) space for each two (2) employees. For drive-in restaurants, one (1) space for fifty (50) square feet of usable floor area)
  - o. Shopping centers. One (1) space for each one hundred and fifty (150) square feet of usable floor area.

2. Certification of minimum parking requirements. Each application for a building permit shall include information as to the location and dimensions of off-street parking and loading space and the means of ingress and egress to such space. This information shall be in sufficient detail to enable the building inspector to determine whether or not the requirements of this section are met.
3. Combination of required parking space. The required parking space for any number of separate uses may be combined in one (1) lot but the required space assigned to one (1) use may not be assigned to another use, except that the parking space required for churches, theaters, or assembly halls whose peak attraction will be at night or on Sundays may be assigned to a use which will be closed at night or on Sundays.
4. Remote parking space. If the off-street parking space cannot be reasonably provided on the same lot on which the principal use is located, such space may be provided on any land within four hundred (400) feet of the main entrance to such principal use, provided such land is in the same ownership as the principal use.
5. Requirements for design of parking lots.
  - a. Except for parcels of land devoted to single family residential uses, all areas devoted to off-street parking shall be so designed and be of such size that no vehicle is required to back into a public street to obtain egress.
  - b. Each parking space shall be no less than two hundred (200) square feet in area.
  - c. Entrances and exits for all off-street parking lots shall comply with the requirements of Section 14-401 of this code.
  - d. The parking lot shall adequately be drained to eliminate surface water without contributing to drainage problems on adjoining property or rights-of-way.

**14-406. Off-Street Loading and Unloading Space Required.** Every building or structure hereafter constructed and used for industry, business, or trade shall provide space for the loading and unloading of vehicles off the street or public alley. Such space shall have access to a public or private alley or if there is no alley, to a public street. This space shall not be considered as part of the space requirements for off-street automobile storage.

1. Behind or on the side of every building or structure used for business or trade, there shall be a rear or side yard not less than thirty (30) feet in depth or width where loading and unloading of vehicles is to be provided.
2. The Board of Zoning Appeals may hereafter reduce or increase this requirement in specific cases in the interest of safety where unusual or special conditions are due consideration.

**14-407. General Lot Restrictions.**

1. Only one (1) principal building and its customary accessory buildings may be erected on any lot with the exception of multi-building developments regulated under Section 14-415 (Standards for Planned Unit Development) found in this ordinance.
2. 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 for family, lot width, building area, or other requirements of this resolution are not maintained provided, however, that this restriction shall not apply when a portion of a lot is acquired for a public purpose.

3. No yard or other open space provided about any building for the purpose of complying with these regulations shall be considered as providing a yard or other open space for any other building.

**14-408. Visibility at Street Intersections.** On a corner lot there shall be no obstructions to vision between a height of three (3) feet and a height of ten (10) feet above the average grade of each street within seventy-five (75) feet of the intersection.

**14-409. House and Building Numbers.** All single family dwelling units and principal buildings shall display a number as assigned by the city manager to assist public safety and other emergency officers to quickly locate a designated address and to assist the public. Numbers shall be at least three and one-half inches in height and shall be placed so as to be readily visible from the street. At business and industrial establishments where there may be more than one structure, only the main office entrance shall be numbered.

**14-410. Gasoline Services Station Restrictions.** The following regulations shall apply to gasoline service stations:

1. There shall be a building setback from all street right-of-way lines of a minimum of forty (40) feet. Canopies designed to cover the gasoline pump island shall be a minimum twenty (20) feet from the property line.
2. Gasoline pumps or islands shall be a minimum of thirty (30) feet from any street right-of-way.

**14-411. Signs and Other Advertising Structures. (Amended by Ordinance #631)**

**SECTION**

14-411(1)	Purpose and Intent
14-411(2)	Definitions
14-411(3)	General Provisions
14-411(4)	Specific Types of Signs
14-411(5)	Non-Conforming Signs
14-411(6)	Prohibited Signs
14-411(7)	Sign Regulations Specific to FAR
14-411(8)	Sign Regulations Specific to the Residential Land Zoning Districts
14-411(9)	Sign Regulations Specific to the C-1 & P-1 Land Zoning Districts
14-411(10)	Sign Regulations Specific to the C-2 Land Zoning District
14-411(11)	Sign Regulations Specific to the S-1 & S-2 Land Zoning Districts
14-411(12)	Sign Regulations Specific to the L-1 Land Zoning District
14-411(13)	Exempt Signs
14-411(14)	Administration
14-411(15)	Enforcement
14-411(16)	Abatement of Sign Violations and Removal of Unsafe Signs
14-411(17)	Appeals and Variances

**14-411(1) Purpose and intent of the ordinance**

- a. To establish reasonable, impartial, and content-neutral regulations for content, location, design, and installation of signs within zoning districts of the city of Norris.
- b. To achieve a safe and aesthetically desirable environment through diversified standards that provide for adequate light, air and open spaces,

and a reduction in congestion and hazardous conditions within the city.

- c. To balance the rights of persons to convey their message through signs, and the right of the public to be protected against the unrestricted proliferation of signs.
- d. To ensure the fair and consistent enforcement of sign regulations.
- e. To provide a means for review through the Board of Zoning Appeals.
- f. To promote all applicable City of Norris codes and ordinances.

**14-411(2) Definitions**

- a. Abandoned Sign: A sign that no longer correctly directs or exhorts any person; advertises a bona fide business, lessor, owner, project, or activity conducted or product available on the premises where such a sign is displayed; or is an outdated temporary sign.
- b. Advertising Sign: A sign that has as its purpose to promote, advertise, or sell a product or service obtainable on the premises upon which the sign is located and not to identify the premises.
- c. A-Frame Sign: A sign constructed of wood, plastic, or metal, has a solid surface for written advertising, with two sides not exceeding 6 square feet on a side attached at the top to allow the sign to stand in an upright position, weighted or anchored sufficiently at the bottom to prevent blow overs and to be movable at will.
- d. Animated (Moving) Sign: A sign or permanent structure depicting action, motion, light, or color changes through electrical or mechanical means. Although technologically like flashing or electric message center signs, the animated signs emphasize graphics and artistic display. Variable display signs and electric message center signs are not animated signs under this ordinance.
- e. Awning, Canopy or Marquee Sign: A non-illuminated sign that is mounted, painted, or attached to an awning, canopy, or marquee.
- f. Bench Sign: A sign attached to or painted on a bench.
- g. Billboard (Outdoor Advertising Display Sign): A sign that is affixed to or erected upon a free-standing framework that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located. Note: This type of sign is also commonly referred to as an off-premises sign.
- h. Building Frontage: The maximum horizontal width of a building's ground floor that approximately parallels and faces a public street or right-of-way. If a building's main entrance faces a driveway or parking lot, the width of the ground floor space facing the entrance shall be considered a separate and distinct building frontage. If two or more different tenants occupy the ground floor of a building, the portion of the building frontage occupied by each tenant will be the tenant's separate and distinct building frontage. Corner and through lots shall be considered to have a separate and distinct

building frontage on each street. If multiple buildings on the same lot are occupied by a single occupant, the building frontage of all buildings may be combined into a single frontage for the purposes of calculating allowable signage.

- i. Business Sign: A sign that directs attention to a business or profession conducted, or a commodity or service, sold, offered, or manufactured, or to an entertainment on the premises upon which the sign is located, or to which it is affixed.
- j. Campaign Sign: See Free Speech and Expression Sign.
- k. Changeable Copy Sign (Reader board): A sign or portion thereof on which the copy or symbols change either automatically through electrical or electronic means (for example, time and temperature units), or manually through placement of letters or symbols on a panel mounted in or on a track system. Electronic message center signs are considered changeable copy signs under this ordinance.
- l. Channel Letters: Letters comprised of a U-shaped aluminum channel, with plastic front faces. Letters can be lighted with neon or Light Emitting Diodes (LED). Neon letters can be left open without faces. (open-faced neon letters)
- m. Community Bulletin Board Sign: A publicly owned sign whose contents shall serve general community interests.
- n. Community Identification Sign: A publicly owned sign that states the logo, trademark, or other identifying symbol, address, or combination of the name, symbol, and address, which communicates the identity of the city.
- o. Construction Sign: A sign located on the premises during the period of construction identifying the names of the architects, engineers, contractors, subcontractors, financial supporters and/or others associated with the construction and development of the project.
- p. Dilapidated Sign: A sign that is structurally unsound, has defective parts, or needs painting or other maintenance.
- q. Directional Sign: A sign whose message is exclusively limited to guiding the circulation and flow of vehicular and/or pedestrian traffic on the site, such as signs that convey enter/entrance, exit, one-way, and drive through.
- r. Directory Sign: A sign, other than an identification sign, listing the names, uses, or locations of the various businesses or activities conducted within a building or group of buildings, which is centrally located and intended to provide on-site direction.
- s. Electronic Message Center Sign: A variable-message sign that utilizes computer-generated messages or some other electronic means of changing copy. These signs include displays using, but not limited to, incandescent lamps, LEDs, LCDs, video, multi-media content or a flipper matrix. Changes in text shall not interfere or cause distraction that could

- be considered a traffic safety hazard.
- t. Electronic Moving Message Board Sign: See Electronic Message Center Sign.
  - u. Exempt Sign: Any sign that is exempt from the permit requirements established herein.
  - v. Flag: Any fabric or bunting containing distinctive colors, patterns or symbols that is used as a symbol of a governmental, commercial, or non-commercial entity:
    - i. Commercial Flag means any flag that displays a commercial name, message, logo, or symbol.
    - ii. Decorative Flag means any flag that displays any holiday, season, design, or the like that does not include any commercial name, message, logo, or symbol.
    - iii. Non-commercial/Governmental/Civic Flag means any flag displaying a name, message, logo, or symbol of any recognized governmental, religious, civic, or non-profit agency.
  - w. Flagpole: A permanently mounted pole used solely for the purpose of displaying flags.
  - x. Flashing Sign: Any sign that contains an intermittent or flashing light source, or that includes the illusion of intermittent or flashing light by means of animation, changes in the degree of light intensity, an externally mounted intermittent light source, or reflective metal or plastic strips.
  - y. Free Speech or Expression Sign: A sign erected on private property expressing a social or political viewpoint or showing support for a political cause or candidate(s).
  - z. Front Face: The front elevation of a building that faces the front property line, as recorded on the plat and/or site plan. If a structure is located on a corner parcel, the side that includes the primary entrance shall be considered the front facade. If a structure located on a corner parcel contains more than one (1) primary entrance on more than one (1) side, the longer side with a primary entrance shall be considered the front facade.
  - aa. Ground Sign: Any sign, other than a pole sign, in which the entire bottom is in contact with or is close to the ground and is independent of any other structure.
  - bb. Hanging Sign: A freestanding sign supported by the extended arm of a single post, with the overall height of the sign face not exceeding ten (10) feet from ground level.
  - cc. Height of Sign: The vertical distance from normal grade to the highest point of the sign. Any berm, filling, or excavating solely for the purpose of locating the sign shall be included as a part of the sign height. Note: The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest point of the sign face. Normal grade shall be construed to be the newly established grade after construction, exclusive of any filling, berm, mounding, or excavating solely for the purpose of locating

the sign. If the normal grade of the sign is lower than the grade of the adjacent public/private street, normal grade shall be construed as the grade of the adjacent public/private street.

- dd. Identification Sign: A sign giving the nature, logo, trademark, or other identifying symbol; address; or any combination of the name, symbol, and address of a building, business, development, or establishment on the premises where it is located, and that sets forth no other advertisement.
- ee. Illegal Sign: Signs erected without first obtaining a permit and/or complying with all regulations in effect at the time of its construction or use.
  - i. Non-conforming signs whose use have ceased because the business it identifies is no longer conducted on the premises.
  - ii. Non-conforming signs for which the amortization period has expired.
  - iii. Signs that were legally erected, but which later became nonconforming and then, were damaged to the extent of fifty percent (50%) or more of their current replacement value.
  - iv. Signs that are a danger to the public or are unsafe.
  - v. Signs expressly prohibited by this ordinance
- ff. Illuminated Sign
  - i. Direct: A sign whose light source is either, located in the interior of the sign so that the rays go through the face of the sign or that is attached to the face of the sign and is perceived as a design element of the sign.
  - ii. Indirect: Illumination of a sign that is affected by a source of light not contained within the sign itself and is not visible elsewhere on the plot or parcel where the illumination occurs.
- gg. Inflatable Sign: Any sign that is either expanded to its full dimensions or supported by gases contained within the sign, or sign parts, included but not limited to a pressure greater than atmospheric pressure.
- hh. Instructional (Informative) Sign: A sign containing no other message, copy, announcement, or decoration other than instruction or direction to the public. Such signs include but are not limited to the following: identifying rest rooms, public telephones, walkways, entrance and exit drives, freight entrances, and traffic direction.
  - ii. Moving Copy Sign: A sign which incorporates an electronically or mechanically generated changeable copy message within the sign frame, but which does not incorporate any mechanical movement of the sign itself or any use of pulsating or undulating copy message.
- jj. Multi-Occupancy Facility: A development including, but not limited to, shopping centers and office complexes, consisting of two (2) or more separate establishments sharing a common or connected building, and common or connected parking areas, or common pedestrian access and common or connected parking areas.

- kk. Neon Sign: An illuminated sign containing a glass tube filled with neon or phosphors that is bent to form letters, symbols, or other shapes.
- ll. Non-Conforming Sign: A sign lawfully erected and maintained before adoption of this ordinance that does not conform to the requirements of this ordinance.
- mm. Obsolete Sign: Any sign that identifies or advertises any product, accommodation, service, or business that is no longer available to the public at the location indicated on the sign.
- nn. Official Sign: A sign whose content denotes an official program authorized or recognized by the City Manager or designee to meet a public objective. Such signs shall include, but not be limited to, public notices, neighborhood watch programs, and traffic control devices.
- oo. Off-Premises Sign: A sign that directs attention to a business, commodity, service, or entertainment not exclusively related to the premises where the sign is located.
- pp. On-Premises Sign: Any sign identifying or advertising a business, person, activity, goods, products, or services, located on the premises where the sign is installed and maintained.
- qq. Painted Wall Sign: Any sign or display painted directly on any exterior surface, exclusive of window or door glass areas.
- rr. Pennants, Festoons, Streamers, and Balloons: Any sign made of cloth, paper, fabric, or other flexible material that is mounted to allow movement caused by wind that is intended to attract the attention of the public to a location or business. Festoons shall include, but are not limited to, a string of ribbons, tinsel, fringe, or pinwheels. Flags are not included under this ordinance.
- ss. Pole Sign: A sign that is mounted on a freestanding support so that the bottom edge of the sign face is ten (10) feet or more above grade.
- tt. Political Campaign Sign: See Free Speech.
- uu. Professional Services Sign: Signs installed normally by building contractors for advertising or informational purposes.
- vv. Portable Sign: Any sign, by design or construction, intended to be easily and readily relocated and not permanently affixed to the ground, a frame, a building, or other structure. Portable signs shall include, but are not limited to, signs mounted upon a trailer, bench, wheeled carrier, or other non-motorized mobile structure with or without wheels.
- ww. Projecting Sign: A sign wholly or partly projecting out from a building face or wall, generally at right angles to the building, supported by an approved bracket, with no exposed cables or turnbuckles.
- xx. Real Estate Sign: A sign erected on private property, advertising the sale, lease, or rental of the premises on which it is located, including subdivision

real estate signs.

- yy. Roof Sign: Any sign erected or maintained in whole or part upon or attached to a sloped or flat roof of a building or upon a false front or roof-like facade.
- zz. Sidewalk Sign: A free standing sign erected on but not permanently anchored in the ground, commonly referred to as A-frame, T-frame, sandwich board, and menu board.
- aaa. Sign: Any object, device, display, or structure, or part thereof that is used to advertise, identify, display, direct, or visually attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, light, reflection, or projected images. Note: This definition does not include festival or holiday decorations, the noncommercial use of a flag, emblem, insignia, or other display of any nation or political subdivision, traffic, safety, or similar regulatory devices; legal notices; signs or tablets that are primarily memorials; emblems of religious institutions that are attached to buildings; or flags or similar emblems of political, civic, philanthropic, educational, or religious organizations.
- bbb. Sign Administrator: The City Manager or designee assigned to oversee the enforcement and interpretation of this sign ordinance.
- ccc. Special Event Signs: Signs advertising civic, philanthropic, educational, or religious events within the community
- ddd. Snipe Sign: Any sign that is tacked, nailed, posted, pasted, glued, or otherwise affixed to trees, utility poles, stakes, fences, or other objects, where its message is not applicable to the present use of the premises upon which the sign is located.
- eee. Supergraphics: Any mosaic, mural, painting or graphic art or combination that is professionally applied to a building and does not contain any brand name, product name, letters of the alphabet spelling or abbreviating the name of any product, company, profession, or business, or any logo, trademark, trade name, or other commercial message.
- fff. Surface Display Area: (Sign Area) The entire area within a continuous perimeter enclosing the extreme limits of the sign display, which includes the writing, representation, emblem or any figure or similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate this design from the background against which it is placed, excluding the necessary supporting framework, or bracing that is clearly incidental to the display itself. The copy of the sign, which is composed of individual letters, numerals, or other devices, shall be the sum of the area of the smallest rectangle or other geometric figure encompassing all letters or devices. Double-faced signs shall be constructed so that the perimeter of both faces coincide and are parallel and not more than twenty-four (24) inches apart. If the two (2) faces of a double-faced

sign are of unequal area, the area of the sign shall be taken as the area of the larger face.

- ggg. Temporary Sign: A sign including, but not limited to, placards, banners, posters, yard sale signs, political campaign signs, inflatable signs, professional services sign, construction sign or other outdoor advertising displays on private property, not intended to be permanently displayed.
- hhh. Wall Sign: A sign containing letters and/or graphics, installed flat against the exterior wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign, has no connection to the ground, and does not project more than twelve (12) inches from such building or structure.
- iii. Window Sign: A sign posted, placed, affixed, or painted on the interior of a window or door of a building exposed to public view. In this ordinance, a temporary sign placed on the interior of a window for viewing from the exterior shall not be counted as a sign.
- jjj. Yard Sale Sign: A temporary sign erected on private property.

#### **14-411(3) General Provisions**

- a. Regulations apply to all signs in Norris and to all land use zoning districts in Norris, except where noted.
- b. All signs, unless otherwise noted, require the application for and issuance of a Signage Permit before installation begins (see Article 14.3)
- c. All signs must meet the requirements specified in the “Special Construction,” a chapter of the International Building Code, as adopted by the Norris City Council.
- d. No sign shall be erected or maintained where, by reason of position, wording, illumination, size, shape, or color obstructs, impairs, interferes with the view of, or is confused with an authorized traffic control sign, signal, or device.
- e. Signs erected over sidewalks must be placed at least ten (10) feet above the sidewalk and may extend no further over the sidewalk a distance equal to two-thirds (2/3) the width of the sidewalk.
- f. Setback: No part of any sign shall be placed closer than five (5) feet to a vertical projection of any public right-of-way or adjoining property line; except that directional signs of no more than three (3) square feet may be located at the edge of the right-of-way to designate entrances and exits, provided such signs are less than three (3) feet taller than the driveway grade, and do not obstruct the visibility of motorists and pedestrians.  
Exception: Special event Signs and Real Estate Signs

#### **14-411(4) Specific Types of Signs**

- a. **External-Illuminated Signs**
  - i. Location: No external illuminated sign shall be permitted within fifty (50) feet of any residential district unless the illumination of such a

sign is so designed that it does not shine or reflect light onto adjacent property.

- ii. Appearance: Any light source shall be shaded, shielded, or directed so that no direct rays or glare emanating from the light source are visible from any public right-of-way or abutting property.

**b. Changeable Copy Signs**

- i. Permitted: Moving Copy Sign (see definition)
- ii. Exception: In C-1 and C-2 Zoning Districts, a portion of the total allowable signage for free-standing signs may be dedicated to accommodating a changing message, not to exceed 30% of the overall sign face.

**c. Ground Signs**

- i. Design: Shall be constructed of at least 50% natural looking materials, including but not limited to brick, rock, stone, wood, manufactured materials that have a natural look and appearance.
- ii. Exemption: Not required in Zoning District C-2

**d. Temporary Signs**

- i. Permits: No sign permit required. Exception: **Special Event Signs, require a permit.**
- ii. Location: Allowed only on private property; must be ten (10) feet from the edge of a public road; not permitted on public rights of way within the Norris city limits (except for Special Event, Yard Sale, and Real Estate Signs).
- iii. Size: Cannot exceed an area of 8 square feet unless specifically specified.
- iv. Time allowed: Depends on the type of temporary sign, as defined below.
- v. Out of compliance: Temporary signs that are on public property and do not have a permit are considered illegal and will be removed by the city and stored at the Norris Public Works for 30 days.
- vi. Specific Types of Temporary Signs

**1. Professional Services Signs**

- a. Location: On the property being served.
- b. Size: Shall not exceed four (4) square feet in area.
- c. Time allowed: May be placed on the property while the professional service is being performed and must be removed when the professional service is complete.

**2. Special Event Signs**

- a. Location and permit: May be placed on the public right of way, with City approved permit.

- b. Time allowed: Displayed for no more than fifteen (15) days before the event starts. All special event signs shall be removed within two (2) days after the termination of the event.

### 3. Political Signs

- a. Content: Advertising political candidates, programs, or issues.
- b. Time allowed: May be displayed for no longer than fifteen (15) days before the first election date (includes the first Early Election Day) and removed within seven (7) days following the official election day.

### 4. Real Estate Signs

- a. Content: Posted for the sale or rental of property.
- b. Time allowed: Must be removed within seven (7) days following the day of sale or signing of a lease
- c. Placement: The sign is allowed only on the property that is for sale or lease, i.e., the subject property.
- d. Size: Maximum size shall be no greater than four (4) square feet. **Exemption: Real estate signs placed on commercial property shall be no greater than thirty-two (32) square feet.**

### 5. Real Estate Open House Sign

- a. Content: Posted to advertise the day and time of an Open House.
- b. Time Allowed: Shall be posted no earlier than seven (7) days prior to the date of the Open House and must be removed within three (3) hours after the close of the event.
- c. Placement: May be placed on premises or off premises. Off premises. Off premises open house sign are allowed to be placed on the public right of way.
- d. Size: Maximum size shall be no greater than four (4) square feet.

### 6. Directional signs for Open Houses:

- a. Content: Posted to guide the flow of traffic to the subject property.
- b. Time Allowed: Directional signs are permitted only on the actual day of the Open House and must be removed within three (3) hours after the close of the event.
- c. Placement: May be placed on premises or off premises.

Off premises directional signs are allowed to be placed on the public right of way.

- d. Size: Maximum size shall be no greater than four (4) square feet.

#### **7. Construction Sign**

- a. Construction signs are allowed only during the construction and development phase of the project and must be maintained and removed ten (10) days after issuance of a Certificate of Occupancy. A sign announcing an intended use of the premises in the immediate future may include only the project name, architectural rendering, the nature of development (for example, professional office, apartments, condominiums, etc.), the name of the owner or agent, design professionals and one contact phone number. Such sign shall be allowed pursuant to the issuance of a building permit and/or site review by City staff. Such sign shall be removed upon issuance of a Certificate of Occupancy for the project and prior to the issuance of a sign permit for the permanent signage.

#### **8. Free Speech Sign**

- a. Such sign shall not exceed a maximum of four (4) square feet, having no commercial value. Said signs may be placed indefinitely.

#### **14-411(5) Non-Conforming Signs**

- a. Definition: Signs that existed legally before the adoption of this ordinance and do not conform to the provisions of this ordinance.
- b. General Non-Conforming Sign Provisions: Subject to the exceptions stated in this ordinance, nothing shall prohibit the operation, repair, reinforcement, or maintenance of a pre-existing non-conforming sign after the effective date of this ordinance, provided that non-conforming signs shall not be:
  - Changed to or replaced with another non-conforming sign.
  - Structurally altered as to extend their useful life.
  - Expanded.
  - Relocated.
  - Re-established after damage of more than fifty percent (50%) of the value at the time of such damage or destruction.
- c. Discontinuance or abandonment: Abandonment or obsolescence after one (1) year of a non-conforming sign shall terminate immediately the right to maintain such a sign.

#### **14-411(6) Prohibited Signs**

- a. Signs that include action or motion, from either a mechanical or wind source; moving materials, commercial flags, spinners, pinwheels, reflectors, streamers, fringe, pennants, festoons, balloons, or signs which have any moving parts.
- b. Signs with flashing or rotating lights or bulbs, or are intermittently lighted, pulsing, or scrolling.
- c. Signs that interfere with the view of traffic; or that could be confused with or obstruct any authorized traffic control sign, signal, or device.
- d. Off-Premises signs. **Exceptions: Special Event Signs, Real estate signs, Real Estate Open House signs, Real estate directional signs.**
- e. Portable signs.
- f. Bench signs.
- g. Signs (including temporary signs and banners) that are not securely affixed to the ground and/or mounted in a frame and/or attached to a rigid backing, preventing sagging and wind movements.
- h. Roof signs.
- i. Signs in any residential district that are internally illuminated.
- j. Signs on rights-of-way and public property, including utility poles, except official signs erected by an authorized public entity.
- k. Signs that display or advertise pornographic, obscene, or illegal information or activities.
- l. Signs mounted on, affixed to, or painted on vehicles that are parked on public or private property solely for the purpose of displaying the sign or advertising, but not including vehicles marked for and driven during the normal course of business.
- m. Signs placed on private property without the permission of the property owner.
- n. Signs that emit sound.
- o. Snipe signs.
- p. All signs that are not expressly permitted by this ordinance or any other ordinance of the city.

**14-411(7) Sign Regulations Specific to Forestry, Agriculture, and Recreation (FAR)**

- a. A maximum of two (2) non-illuminated signs advertising the sale of farm and forest-related products produced on the premises are permitted. They may be viewed from both sides, (2 Sided). Each sign face shall not exceed thirty-two (32) square feet of surface display area.
- b. Bulletin boards or identification signs for churches, schools, or public buildings may be viewed from both sides, (2 Sided). Each sign face shall not exceed thirty-two (32) square feet of surface display area. The top of the sign shall be no higher than eight (8) feet above ground level. (See definition for Height of

Sign)

**14-411(8) Sign Regulations Specific to the R-1, R-2, and R-3 Residential Land Zoning Districts**

- a. Subdivision or Multifamily Development Entry Sign:
  - i. One (1) ground entry sign with either two (2) sides or two (2) one-sided signs on each side of the entrance shall be allowed at each principal entrance.
  - ii. Such sign(s) shall be permanent and can be either indirectly illuminated or non-illuminated, except for Light Emitting Diodes (LED) lit channel letters or halo lit LED letters.
  - iii. Each sign face shall not exceed thirty-two (32) square feet of surface display area.
  - iv. The top of the entry sign shall be no higher than eight (8) feet above ground level. (See definition for Height of Sign)
  - v. The developer or owner of land or property upon which the entry sign is located shall:
    - 1. Make provision for the establishment of a homeowners' association for the joint ownership and maintenance of the sign.
    - 2. If no homeowners' association is provided for, the developer shall prepare an alternative proposal for ownership and maintenance of the sign(s), which shall be approved by the Planning Commission at the time of the final plat submittal.
- b. Signs for non-residential uses in residential districts
  - i. One indirectly illuminated or non-illuminated ground sign shall be allowed per principal building. Such sign shall not exceed thirty-two (32) square feet. They may be viewed from both sides, (2 Sided). Each sign face shall not exceed thirty-two (32) square feet of surface display area.
  - ii. The top of the ground sign shall be no higher than eight (8) feet from ground level. When a principal building has frontage on more than one (1) public/private street, one (1) additional ground sign shall be allowed. In the event an additional sign is allowed, the additional sign shall not be located on the same street as the first sign.
- c. Authorized Home Occupation Signs: Only one (1) sign is permitted. Each sign face shall not exceed four (4) square feet of surface display area.

**14-411(9) Sign Regulations Specific to the C-1 (Central Commercial) and the P-1 (Professional and Civic) Zoning Districts**

- a. For public recreation uses, community facilities, hospitals, and clinics, two (2) signs not exceeding thirty-two (32) square feet in area are permitted.

They may be viewed from both sides, (2 Sided). Each sign face shall not exceed thirty-two (32) square feet of surface display area.

- b. For commercial businesses, no more than two (2) signs, not exceeding an area of thirty-two (32) square feet each are permitted. Only one sign may be a ground-mounted sign or a pole sign. The second sign may be a wall sign. Total Square feet of sign area, of all signs combined shall not exceed sixty-four (64) Square feet. Ground mounted signs shall be no higher than eight (8) feet above ground level. (See definition for Height of Sign). Pole signs may be no higher than twenty (20) feet above ground level.

**14-411(10) Sign Regulations Specific to the C-2 (General Commercial) Land Zoning District**

- a. A maximum of two (2) signs are allowed which shall meet the following standards:
  - i. All signs may be viewed from both sides with equal viewing area not to exceed the square footage of viewing area as described below.
  - ii. One sign may be a ground-mounted sign or a pole sign. On a corner lot where a business faces two streets, each with a minimum of 100' of street frontage, a third sign (ground mount, pole, or wall sign) is allowed to be displayed facing the adjoining street.
  - iii. The allowable-square foot area shall not exceed one (1) square foot per linear foot of street frontage (up to a maximum of 150 square feet for a single tenant business, and two hundred square feet for a multiple tenant business). They may be viewed from both sides, (2 Sided). Each sign face shall not exceed the square footage described above.
  - iv. The structure of a ground-mounted sign shall be limited to a maximum height of (10) ten feet.
  - v. The structure for a pole sign shall be limited by a maximum height of (20) twenty feet.
  - vi. Both internal and external illumination are permitted. For external illuminated signs, the glare from light sources used for illumination shall be shielded from residential buildings, streets, or other thoroughfares.
  - vii. The allowable-sign area for a wall sign shall not exceed one (1) square foot per linear foot of building frontage adjoining a street or a road (up to a maximum of three hundred square feet).
  - viii. Properties that have less than 50 feet of road frontage are permitted to have a ground-mounted sign or a pole sign and a wall sign which complies with the requirements of this section. Each sign shall not exceed fifty (50) square feet. They may be viewed from both sides, (2 Sided). Each sign face shall not exceed fifty (50) square feet of surface display area.
  - ix. Multi-Occupancy Facility Signs Each principal building shall be allowed

one (1) ground or pole sign. Each licensed business within the principal building shall be allowed one (1) illuminated or non-illuminated wall sign, with an area not to exceed two (2) square feet per linear foot of that portion of the building face which the tenant leases. The property owner shall determine what proportion of each tenant's allowable sign area shall be allotted to the ground or pole sign.

**14-411(11) Sign Regulations Specific to the S-1 (Scenic Highway) and S-2 (Scenic Highway) Land Zoning Districts**

- a. A maximum of two (2) signs are allowed: a ground sign and a wall sign, based on the following standards:
  - i. All signs may be viewed from both sides with equal viewing area not to exceed the square footage of viewing area as described below.
  - ii. For any ground-mounted sign, the allowable-area shall be limited to fifty (50) square feet. For multiple tenant signs, the allowed area shall be limited to a total of eighty (80) square feet.
  - iii. The structure of the ground-mounted sign shall be limited to a maximum height of ten (10)-feet.
  - iv. No internally lit signs are permitted in the S-1 and S-2 Zoning Districts.
  - v. For any wall sign, the allowable-sign area shall not exceed one (1) square foot per one (1) linear foot of building frontage adjoining a street or road (up to a maximum of fifty (50) square feet).

**14-411(12) Sign Regulations Specific to the L-1 (Light Industrial) Land Zoning District**

- a. A maximum of two (2) signs are allowed, based on the following standards:
  - i. All signs may be viewed from both sides with equal viewing area not to exceed the square footage of viewing area as described below.
  - ii. One sign may be a ground-mounted sign (10) ten feet in height or a pole sign Maximum of (20) twenty feet in height, not exceeding thirty-two (32) square feet.
  - iii. For any wall sign, the allowed sign area shall not exceed (32) square feet.

**14-411(13) Exempt Signs**

- a. The following signs and notices shall be exempt from sign regulations.
  - i. Signs not exceeding one (1) square foot in area and bearing only property numbers, post office box numbers.
  - ii. Flags and insignia of any government body.
  - iii. Legal notices, identification, informational, directional signs erected or required by government bodies.
  - iv. Directional signs guiding traffic and parking on private property.

#### **14-411(14) Administration**

- a. Responsibility and authority: The City Manager or designated Sign Administrator shall act as the sign administrator, accept sign applications, and shall enforce and carry out all provisions of this ordinance.
- b. Statute interpretation: If a question arises concerning the general intent or meaning of any provision of this chapter, the Sign Administrator shall have the authority to make administrative decisions and interpretations.
- c. Application and permit process: Unless otherwise provided in the chapter, permits are required for all types of signs. It shall be unlawful for any person, agency, firm, or corporation to erect, structurally repair (other than normal maintenance), replace, alter, relocate, change the panels of, change the establishment being advertised on a sign, as defined in this chapter, without first obtaining a permit from the Sign Administrator.
- d. Application and fee: Applicants shall submit a completed sign application and the required fee to the Sign Administrator before starting work on the installation of a new or replacement sign. The required fee is per the schedule that is adopted in the Standard Building Code. Public entities are waived from the fee requirement.
- e. For any sign with internal or external lighting, including ground lighting, the City shall require an electrical permit and inspections pursuant to the provisions of the Electrical Code as adopted by the City of Norris.

#### **14-411(15) Enforcement**

- a. Non-compliance with this ordinance shall be deemed a violation.
- b. When the Sign Administrator finds a violation of this ordinance, the sign administrator shall document such findings and deliver a written notice of violation to the property owner.
- c. If compliance is not obtained after ten (10) days, a citation to municipal court may be issued to the owner for violations of this ordinance. Illegal signs removed from public property or rights-of-way do not require a ten (10) day notice before enforcement action may be taken.
- d. Each day after the citation has been issued shall constitute a separate violation.
- e. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction may be fined an amount not to exceed fifty dollars (\$50.00) for each day the violation continues plus court costs.
- f. Signs that are on public property and do not have a permit are considered illegal and will be removed by the City and stored at the Norris Public Works for thirty (30) days.

#### **14-411(16) Abatement of Sign Violations and Removal of Unsafe Signs**

- a. Any sign that is structurally unsafe or constitutes a hazard to the health,

safety, or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster damage, abandonment, violation of existing sign codes or other cause is hereby declared to be a public nuisance and shall be abated by demolition or removal.

- b. Should the City Building Inspector determine that any sign is not properly maintained, is unsafe or insecure or as otherwise been constructed, erected, or maintained in violation of the provisions of this chapter, the Building Inspector shall give written notice to the property owner.
- c. Such notice and order shall contain the registration number, if available, location and business name of the sign and a statement explaining why the sign is in violation of this ordinance.
- d. The maximum time allowed to bring the sign into compliance with this ordinance shall not exceed ten (10) days. The Building Inspector may extend the allowed time if provided with good reason why such corrections cannot be accomplished within ten days.
- e. In addition to the above, the Building Inspector may issue citations or pursue any administrative or legal remedy to abate any sign that is in violation of this ordinance or any other law.
- f. The Building Inspector may cause any sign determined dangerous to persons or property to be removed summarily without notice. If removed due to a dangerous situation the cost will be charged to the property owner.

#### **14-411(17) Appeals and Variances**

- a. The City of Norris Board of Zoning Appeals shall hear and decide appeals regarding this ordinance.
- b. Variances shall be granted only whereby special physical characteristics of the lot, parcel, or tract exist, that the strict application of the provisions of this ordinance would deprive the applicant of an otherwise permitted sign.
- c. Variances shall not be considered or granted to allow any right-of-way encroachment, a larger sign, or a sign that is otherwise not permitted in this ordinance.

**14-412. Regulations for Land Subject to Flood Outside the Floodway.** Areas lying outside the floodway district but within areas having a special flood hazard as defined in Section 14-203 shall be subject to the following regulations:

1. Within the Flood Fringe area of Buffalo Creek as designated on official maps and adopted by the City of Norris, no building or structure shall be erected, and no existing building or structure shall be extended or moved unless the main floor of said building or structure is placed above the elevation of the one hundred (100) year flood at that site as calculated by a licensed engineer. No basement floor or other floor shall be constructed below or at a lower elevation than the main floor.
2. Foundations of all structures shall be designed to withstand flood conditions at the site.
3. Land may be filled within the flood fringe areas provided such fill extends twenty (20) feet

beyond the limits of any structures erected thereon, however, an area shall not be filled to the extent that such fill will obstruct the natural drainage of water.

4. A building permit shall not be issued for structure within twenty-five (25) feet of a main drainage channel or stream within the City of Norris until the applicant has presented evidence by a licensed engineer that, based upon a calculation of the area of the watershed and the probable run-offs, adequate space for the flow of water is assured.
5. In areas which are subject to inundation due to natural physical features such as depressions and sinkholes, the following restriction shall apply:
  - a. No building floor shall be permitted where, in the opinion of the Board of Zoning Appeals, the possibility of inundation exists.

**14-413. Standards for Mobile Homes and Mobile Home Parks.** The following regulations and standards shall apply to mobile homes and mobile home parks.

1. Mobile homes permitted only in mobile home parks. Mobile homes shall be permitted only in approved mobile home parks except existing non-conforming mobile homes, which are subject to Section 14-502 of this ordinance, and except temporary mobile homes, which are subject to Section 14-412(2) of this ordinance
2. Temporary permits for mobile homes. A temporary permit to install a mobile home on a lot while a permanent building is under construction may be granted for a period not to exceed twelve (12) months subject to review and approval by the Board of Zoning Appeals.
  - a. Temporary permits sought under this ordinance shall be applied for in conjunction with the application for the building permit for the permanent structure and shall not be approved unless the building permit for the permanent structure is first approved.
  - b. In granting a temporary permit the Board of Zoning Appeals may attach such conditions as are necessary to safeguard surrounding areas and carry out the purpose and intent of this ordinance.
3. Site and lot size requirements for mobile home parks.
  - a. No parcel of land containing less than ten (10) acres and less than ten (10) mobile home spaces, available at the time of first occupancy, shall be utilized for a mobile home park.
  - b. The mobile home park shall be subject to the density provisions of the districts in which it is located; provided, however, there shall be not less than seven thousand (7,000) square feet of lot area for each space provided on the site, provided that a larger area shall be required by the Board of Zoning Appeals, where, because of such natural factors as soils, topography, drainage, vegetation, geology or other factors, the Board determines that a larger area is necessary to insure the health, safety, and welfare of residents of the mobile home park or of surrounding areas. The space ratio shall include access roads and automobile parking.
  - c. The mobile home park shall be located on a well drained site.

4. Dimensional requirements for parks.
  - a. Each mobile home park shall have a front yard depth of thirty (30) feet extending for the full width of the parcel devoted to said use.
  - b. Each mobile home park shall provide rear and side yards of not less than fifteen (15) feet from the parcel boundary.
  - c. In instances where side yard or rear yard abuts a public street, said yard shall not be less than thirty (30) feet.
  - d. Each mobile home park shall contain one or more recreation areas totaling at least three hundred (300) square feet per mobile home. At least one such area in each mobile home park shall be of such size and shape that a one hundred (100) foot square may be laid out within it and shall be substantially flat, without trees, bushes, or other obstructions, and maintained as a lawn. In instances where side yard or rear yard abuts a public street, said yard shall not be less than thirty (30) feet.
  - e. No building or structure erected or stationed in a mobile home park shall have a height greater than two (2) stories or thirty-five (35) feet.
5. Dimensional requirements for mobile home spaces. Each mobile home space shall be of sufficient size that, in addition to the mobile home, the following space shall be provided:
  - a. Each mobile home space shall be at least sixty (60) feet wide and such space shall be clearly defined by permanent markers.
  - b. There shall be a front yard setback of ten (10) feet from all access roads within the mobile home park
  - c. Mobile homes shall be so harbored on each space so that there shall be at least a twenty (20) foot clearance between mobile homes; provided, however, with respect to mobile homes parked end-to-end, the end-to-end clearance shall not be less than fifteen (15) feet. No mobile home shall be located closer than twenty (20) feet from any building within the mobile home park.
  - d. There shall be at least two (2) paved, off-street parking spaces for each mobile home space, which shall be on the same site as the mobile home served, and may be located in the rear or side yard of said mobile home space.
  - e. Each mobile home space shall be provided with a paved patio of at least two hundred (200) square feet.
6. General Requirements.
  - a. There shall be established and maintained within each mobile home park an automobile parking area for the use of guests. The number of spaces within this area shall be equal to one (1) space for every four (4) mobile home spaces.
  - b. Access roads within a mobile home park shall be paved to a width of not less than twenty-four (24) feet. Said roads shall be constructed to the standards set forth in the Subdivision Standards for the Norris Planning Area.
  - c. Mobile home spaces may abut upon a driveway of not less than twenty (20) feet

in width, which shall have an unobstructed access to the access road within a mobile home park. The sole vehicular access shall not be by alley, and all dead-end driveways shall include adequate vehicular turning space or cul-de-sac.

- d. A minimum of six (6) inches of compacted gravel, or other suitable pavement material shall be installed for each mobile home. Size of pads shall be 12' X 50' or larger as required depending upon the unit size.
  - e. Each mobile home space shall be provided with a connection to a sanitary sewer system.
  - f. Each mobile home space shall be provided with a connection to a public water supply approved by the Anderson County Health Department.
  - g. Trailers, with or without toilet facilities, that cannot be connected to a sewer system approved by the Health Officer shall not be permitted in a mobile home park.
  - h. Cabanas, travel trailers, and other similar enclosed structures are prohibited.
  - i. Mobile homes shall not be used for commercial, industrial, or other non-residential uses within a mobile home park.
  - j. All utility wires, pipes, and tanks shall be underground, except that oil tanks used as part of a central distribution system may be above ground if fully screened from view by a wood or masonry wall or fence.
  - k. Each mobile home park shall provide refuse containers, compatible with mechanical lifting devices on city collection trucks, having a capacity of ten (10) cubic yards for each four (4) mobile homes, so located that no mobile home is farther than 150 feet from such a container.
  - l. AU refuse containers shall be located on Portland cement concrete stands, abutting and level with a driveway, which shall be surrounded except on the driveway side by a wood or masonry fence or wall at least six (6) feet high.
  - m. Each mobile home shall be provided with an enclosed storage shed or partitioned space in such a shed, either or which shall have at least 360 cubic feet and shall be located within 150 feet of said mobile home park or permitted by any occupant, including the storage of anything underneath any mobile home.
  - n. A mobile home park shall be entirely enclosed, exclusive of driveways, as its external boundaries by a solid wall or fence of acceptable design or an evergreen hedge not less than seven (7) feet in height. Such wall, fence, or hedge shall not be constructed within the required front yard setback.
  - o. Each mobile home park shall be permitted to display on each street frontage, one identifying sign of a maximum size of nine (9) square feet. Said sign shall contain thereon only the name and address of the mobile home park and may be lighted by indirect lighting only.
7. Mobile Home Tie Down Standards. Each mobile home shall be anchored in accordance with all applicable requirements as set forth in Appendix "H", Standard Building Code, 1976 Edition.

8. Application for a Permit for the Construction of a Mobile Home Park. Applications for a building permit shall be filed with and issued by the building inspector, subject to the approval of the Board of Zoning Appeals in accordance with the provisions of Section 14-606. Each application shall be accompanied by three (3) copies of the plot plan drawn to scale and displaying the following information.
  - a. The location and legal description of the proposed mobile home park.
  - b. Location and dimensions of all buildings, improvements, and facilities constructed or to be constructed within the mobile home park.
  - c. The proposed use of buildings shown on the site.
  - d. The location and size of all mobile home spaces.
  - e. The location of all points of entry and exit for motor vehicles and the internal circulation pattern.
  - f. The location of all off-street parking facilities.
  - g. The location of all walls, fences, and screens and the indication of their height and the materials and design of construction.
  - h. The location and size of park and recreation areas.
  - i. The name and address of the applicant.
  - j. Such other architectural, engineering and topographic data as may be required to permit the Health Officer, Building Inspector, and Board of Zoning Appeals to determine if the provisions of these regulations are being complied with shall be submitted with the plot plan.
  - k. A time schedule for development shall be prepared which shall demonstrate the applicant's readiness and ability to provide the proposed services. Said time shall be for a period of not more than one (1) year.
  - l. Certification of approval of the sanitary sewer system by the City Building Inspector and the County Health Officer.

**14-414. Standards for Cemeteries.**

1. The following development standards shall apply to all cemeteries.
  - a. The site proposed for a cemetery shall not interfere with the development of a system of streets and in addition shall have direct access to a thoroughfare.
  - b. Any new cemetery shall be located on a site containing not less than ten (10) acres.
  - c. All structures and facilities including but not limited to mausoleums, graves, burial lots, monuments, and maintenance buildings shall be set back at least thirty (30) feet from any property line street right of way.
  - d. All developed grounds shall be landscaped and maintained.
2. Proposals for cemeteries shall be reviewed by the Board of Zoning Appeals in accordance with the provisions of Section 14-606.

**14-415. Standards for Planned Unit Development.** The purpose of the Planned Unit Development (PUD) is to provide the opportunities to create more desirable environments through the application of flexible and diversified land development standards under a comprehensive plan and program professionally prepared. The Planned Unit Development is intended to be used to encourage the application of new techniques and technology to community development which will result in development arrangements with lasting values. It is further intended to achieve economies in land development, maintenance, street systems, and utility networks while providing building groupings for privacy, usable attractive open spaces, safe circulation, and the general well-being of the inhabitants.

1. Location. A PUD may be located within any residential, commercial, or industrial district, and the Professional and Civic District as well, provided that the PUD conforms to the density and use requirements of the district in which it is to be established.
2. Permitted Uses in PUDs. Any use permitted in that district in which the PUD is located; provided, however, that a residential PUD may have commercial uses which shall be limited to serving the needs of the residents living within the PUD.
3. Height, Density, and Area Regulations. No building project shall exceed the general regulations for the district in which it is to be located.
4. Minimum Area. The minimum development site for a PUD in the C- 1, Central Commercial District shall be one (1) acre. For any other commercial, residential, or industrial district the minimum site shall be four (4) acres.
5. Placement of Buildings. No freestanding buildings shall be closer than twenty (20) feet to any other freestanding building. Except for the C-1, Central Commercial District, no freestanding building may be located closer than twenty-five (25) feet from any property line. However, in the C-1, Central Commercial District no freestanding building may be located closer than fifteen (15) feet from any property line.
6. Off-street Parking Regulations. As regulated in 14-405.
7. General Provisions.
  - a. Relationship to the subdivision regulations: The arrangement of public and private streets and sidewalks for pedestrian and vehicular circulation shall comply with standards set forth in the subdivision regulations.
  - b. Combination of Separate Types of Planned Unit Development: PUDs located in two or more districts may be considered as one development provided the total tract is under single ownership.
8. Site Improvements.
  - a. Storm drainage structures shall be constructed in accordance with plans and specifications of the Public Works Manual compiled by MTAS.
  - b. The planned unit development shall be served by a sanitary sewer. Package systems will be considered by the planning commission.
  - c. Landscaping and screening shall be required by the planning commission and shown on the PUD plan.
9. Density. The total square feet of school, church, and other public buildings shall be subtracted from the total area of the PUD before computing overall building density.

10. Open Space Requirements.
  - a. Residential. On site usable recreation and open space shall be provided. Such areas shall be set aside for open space or recreation purposes only. It is intended to serve the residents of the PUD, and should be easily accessible.
  - b. Commercial and Industrial.
    - i. Shall meet all open space requirements as established by this ordinance.
    - ii. Shall be landscaped and shall be shown in the planned unit development plan.
  - c. Open Space. Open space shall be established in the appropriate legal manner and maintained in one of the following methods:
    - i. By a Homeowner's Association established by deed restrictions;
    - ii. By the developer or management authority of the PUD;
    - iii. By the public if dedication of such open space is approved by the planning commission and accepted by the city.
11. Phasing and Timing
  - a. The applicant may elect to develop the site in successive phases in a manner indicated in the planning unit development plan; however, each such phase shall be substantially complete within itself.
  - b. The planning commission may require that development be done in phases if public facilities are not adequate to service the entire development initially.
  - c. The developer shall indicate the time schedule, in months, for completion of each phase.
12. Changes and Modifications. Major changes in planned unit development after it has been adopted shall be the same as a new petition and shall be made in accordance with the procedures specified in Subsection 13.
13. Application procedures for Planned Unit Development. To obtain a permit to develop a planned unit development, the developer shall:
  - a. Submit a preliminary planned unit development plan to the Norris Planning Commission for its review and approval. The preliminary PUD plan shall be drawn at a minimum scale of one inch equals one hundred (100) feet and shall:
    - i. Define the location, size, accessibility, and existing zoning of the proposed site.
    - ii. Indicate the surrounding type of development and land use.
    - iii. Set forth the type of development proposed, the density of the proposed development, and the location of all structures, parking areas, and open space.
    - iv. Show a plan for streets, thoroughfares, public utilities, schools, and other public or community uses.
    - v. In addition to the above, the planning commission may require such

other additional information as may be determined necessary to adequately review the proposed development.

- b. Submit a final PUD development plan which conforms to the preliminary development plan and includes any required changes.
- c. No building permits shall be issued until after approval of the final PUD plan and approval of a required preliminary subdivision plat. The building inspector shall revoke any permit if it becomes obvious that construction is not in compliance with the approved plan or if construction has not commenced within six (6) months following the issuance of a permit.

**14-416. Erosion and Sedimentation Control Standards.** The purpose of these regulations is to empower the appropriate officials to limit contamination of water supplies and water resources, the clogging of water-courses, and ditches, sinkholes or natural drainage ways; or erosion of land which may jeopardize existing structures, roadway, or adjacent property. This section shall apply to all districts within Norris, Tennessee.

- 1. Permits. Any site exposed or disturbed of earth shall have a valid grading permit issued by that building inspector for that particular site before commencement of any grading/excavation work.
  - a. Permit Requirements. The developer shall submit the following information for the entire tract of land to be graded/excavated before a permit is to be released:
    - i. A boundary line survey of the site on which the work is to be performed.
    - ii. Plans and specifications of soil erosion and sedimentation control measures conforming to the requirements as outlined in this ordinance.
    - iii. The development sequence of construction events as related to the control of soil erosion and sedimentation.
- 2. Exclusions. No grading/excavation permit shall be required for:
  - a. Nursery operations, such as the removal and/or transplanting of cultivated soil shrubs and trees;
  - b. Garden plots; lawn preparation of landscaping activities or existing lots or parcels unless the possibility for erosion and sedimentation or alteration of drainage is such to necessitate a grading permit as determined by the administrator;
  - c. Agricultural land management practices such as plowing or cultivation;
  - d. Projects owned by a government agency.
  - e. Strip and surface mining regulated by State and Federal statutes.
  - f. Sanitary landfills operated and conducted in accordance with the requirements and rules adopted by the City of Norris municipalities and the State of Tennessee.
- 3. Maintenance. Any person, firm or entity engaged in or conducting any land disturbing activity shall be responsible for maintaining all temporary and permanent erosion and sedimentation measures and facilities during development of the site. Following activity by any firm or entity, responsibility for maintaining permanent measures shall be borne

with the property owner who shall insure compliance with these regulations. If during the one (1) year period repairs or maintenance are required to said measures and facilities, then there shall be a further period of responsibility of one (1) additional year. Thereafter such responsibility shall be with the landowner except for those improvements which have been accepted by the commissioner/inspector.

4. Maximum Slope Permissible.

- a. The finished slope of any excavation must not exceed 3:1. The slope is calculated as the slope or degree of inclination from the horizontal.
- b. Slopes left exposed will, within thirty (30) working days of completion of any phase of grading be planted or otherwise provided with a ground cover, devices or structures sufficient to restrain erosion.

5. Ground Cover

- a. Whenever land disturbing activity is undertaken on a tract, a vegetative ground cover sufficient to restrain erosion must be planted or otherwise provided within thirty (30) working days on that portion of the tract upon which further active construction is not being undertaken. Periodic or intermittent land disturbing activity does not preclude the intent of this section. Activity must be of a weekly nature.
- b. On angled or graded slopes constant efforts must be undertaken to restrain erosion during and after excavation.

6. Drainage/Runoff.

- a. No land disturbing activity shall be permitted in proximity to a lake or any watercourse or drainage way unless:
  - i. A buffer zone is provided along the margin of the watercourse of sufficient width to confine visible siltation or sediment deposit;
  - ii. A sufficient drainage and/or a runoff plan has been submitted to the building inspector and approval received. This approval is contingent on the plans intent on preserving the character of the land, and preserving the drainage course.
- b. Any land disturbing activity shall be so conducted to eliminate unnecessary runoff and/or drainage into properties or public rights-of-way.

**14-417. Standards for Buffer Zones. (Deleted by Ordinance #498)**

**14-417. Standards for Buffer Zones. (Added by Ordinance #498)**

1. Buffer Zones for Residential Protection: These buffer zones are intended to preserve the quality of life for the residents of Norris by protecting residential properties from excessive noise and from visual blight. The following standards shall apply to all industrial or commercial properties adjacent to zoning districts allowing residential uses. A buffer zone shall be provided on all commercial and industrial properties which are adjacent to zoning districts allowing residential uses. The buffer shall conform to the following specifications:

- a. Width. The designated area shall be not less than fifteen (15) feet for

commercial and twenty (20) feet for industrial properties.

- b. Length. The buffer zone shall extend the length of the adjacent residential lot lines.
- c. Design. A suitable design plan, incorporating berms, vegetation, or a combination, shall be provided to adequately screen the adjacent property.
- d. Location. The buffer zone shall be located along the property line(s) adjacent to residential districts.
- e. Restriction of use. No structure, storage or similar activities shall be permitted within the buffer area.

**2. Buffer Zones for Norris' Highway 61 Periphery: These buffer zones are intended to protect the natural barrier created by the hill that is visible from Highway 61, East of Norris Road, and whose ridgeline is approximately parallel to highway 61. The following standards shall apply to all properties which front on the North side of Highway 61, East of East Norris Road, whose rear property lines follow the approximate ridgeline of the hill, and to all properties which front on Dairy Pond Road, whose rear property lines follow the approximate ridgeline of the hill and ending at the city limit, regardless of their zoning designation:**

- a. Location. The buffer zone shall be located along the rear property line.
- b. Length. The buffer zone shall extend the length of the rear property line.
- c. Width for Residential Properties: The width of the buffer zones shall be 25', measured from the rear property line.
- d. Width for Non-Residential properties: The width of the buffer zone shall be 50', measured from the rear property line. No buildings shall be located within 25' of the buffer zone, for a total setback of 75' from the rear property line.
- e. Design for Residential Properties: Residential properties shall not remove any healthy trees over 2" caliper in the designated buffer area. Residential properties are not required to landscape the required buffer zone.
- f. Design for Non-Residential Properties: A suitable design plan, incorporating berms, vegetation, or a combination, shall be provided to adequately screen the adjacent property. All existing healthy trees 2" caliper and greater shall not be removed.
- g. Restriction of use. No structure, storage or similar activities shall be permitted within the buffer area.

**14-418. Site Plan Review**. All persons, businesses, or organizations applying for a building permit must first submit eight (8) copies of a site plan for all commercial, multi-family and industrial developments. A permit will not be issued unless a plan is submitted and approval from the Norris Municipal Planning Commission is given to the building inspector. Site plans shall be submitted at least seven (7) days prior to a planning commission meeting for inclusion on the meeting's agenda.

- 1. All site plans shall show the following:
  - a. The site location of the proposed use/structure including a location map and the

scale of such map.

- b. Drainage system plan to include but not limited to the location of enclosed storm sewers and appurtenances, open channels, and swales on property lines and/or back lot lines, and contour lines at five (5) foot intervals. The commission may choose to eliminate contours if a need does not exist.
  - c. Size and dimensions of the proposed building and a drawing of all setbacks.
  - d. Location of loading zones, front, side, and rear doors, if any.
  - e. Parking area design, number of parking spaces, and design of those spaces.
  - f. Location and layout of proposed utilities.
  - g. Location of any signs and the dimensions of such sign(s).
  - h. Location of any easements, alleys, or marginal access roads.
  - i. Location and design of all entrances and exits onto a public road. (Developer should consult with local planner, planning commission).
  - j. A master plan of a shopping center may be submitted to the planning commission as a whole, instead of individually for each use in the shopping center.
  - k. Any changes to the approved master plan must be submitted for approval.
2. All site plans shall be prepared and certified by a licensed architect, engineer, and/or surveyor in accordance with all applicable provisions of the Norris Zoning Ordinance and State law pertaining to the practice of these professions.
3. **Exemptions from Site Plan Review. The following projects shall be exempt from site plan review. A building permit shall be obtained. (Added by Ordinance #627)**
- a. Reuse or minor interior renovation of an existing building or structure provided the proposed use complies fully with all applicable requirements of the Zoning Ordinance.
  - b. Exterior renovations which are merely cosmetic in nature and do not increase the usable floor space of the structure.
  - c. Accessory buildings to Farming or other accepted agricultural uses.
4. **Administrative Approvals. The City Manager, or their designee, may review and approve non-residential site plans, for compliance with ordinances and regulations for any of the following changes to an existing site or development in all zoning districts, that are less than the following. (a thru e) The City Manager or their designee may refer any request to the Planning Commission for approval. A building permit shall be obtained when the following circumstances occur. (Added by Ordinance #627)**  
The following require review by the Norris Planning Commission.
- a. Expansion of an existing building or structure which totals more than 50% of the existing square footage or 2,000 square feet, whichever is less.
  - b. Interior renovations which total 75% of the total value of the existing structure(s) as per the Anderson County Assessor of Property.

- c. **Construction of an accessory building or structure which does not increase parking or landscaping requirements.**
- d. **Change or expansion in the off-street parking layout which amounts to more than a 25-space increase in the number of spaces or a 25% increase in spaces over the existing spaces (whichever is smaller). All landscaping requirements shall be met only for the increased pavement area.**
- e. **Change of use not involving (a), (b) or (c) above.**

**14-419. Residential Site Plan Review.** Prior to the issuance of a building permit for residential construction or any accessory structure, an applicant shall submit three (3) copies of a scaled site plan to city hall. No permit shall be issued unless said plans have received the approval of the Building Inspector.

1. Site plans shall show the following information:
  - a. A survey of the property boundaries showing adjacent right-of-ways and public easements, if deemed necessary by the Building Inspector.
  - b. Dimensions and location of the existing and proposed building(s) and location of all setbacks
  - c. Location of driveway, water and sewer lines, and other physical features located on the property.
  - d. A title block indicating the scale of the site plan, date, property owner, and reference to any plat and lot numbers and house number.
  - e. Plans shall be drawn on 8 ½" X 11" paper unless a larger size is required.
  - f. Lot fines, which are adjacent to the proposed improvements, shall be clearly identified and marked on the property prior to construction.

**14-420. Landscape and Screening Requirements.**

1. Scope. This section shall be known as the Landscape and Screening Requirements. Landscaping requirements shall apply to any new commercial, industrial or multi-family (3 or more units) residential developments.
2. General Requirements.
  - a. Landscaping shall be integrated into the site with particular emphasis on parking areas and building facades. The general intent is to reduce the visual and environmental impacts of new developments on the community. Parking areas shall be visually screened from all roads and adjacent properties with plant materials (appropriate for the region) landscaped earthen berms, or any combination, to a height of three (3) to four (4) feet. Plant material selected shall be capable of obtaining the desired height and density within two years of planting.
  - b. Buffer Requirements
    - i. Lots under one half (1/2) acre: a buffer area ten (10) feet in depth and extending the entire frontage along a public road shall be reserved for landscaping purposes. A five (5) foot buffer area shall be required along other property lines.

- ii. Lots of one-half (1/2) acre or more: a buffer area fifteen (15) feet in depth and extending the entire frontage along a public road shall be reserved for landscaping purposes. A ten (10) foot buffer area shall be required along all other property lines.
- c. Landscaped islands containing a minimum of 120 sq. ft. shall be strategically located within the parking areas. No island shall exceed 240 square feet in area. At least one island shall be required in any parking area containing twelve (12) or more parking spaces. Within any such parking area, an average of ten (10) square feet of landscaped island area shall be required per parking space. Islands shall contain a minimum of one (1) deciduous tree per 120 square feet of island area, with each tree having a minimum caliper of three (3) inches and a height of eight (8) feet.
- d. Landscaping shall be required for open space areas. One deciduous tree with a minimum 2" caliper and six (6) feet in height shall be planted for each four thousand (4,000) sq. ft. of open space. Each existing minimum 2" caliper tree preserved shall be counted as credit for two (2) new trees required if said trees are within the area of construction. Evergreen shrubs, a minimum of eighteen (18) inches in height shall be designed into the entire site at a rate of 35 shrubs/acre or fraction thereof of the entire site.
- e. Landscaping shall include trees, shrubs, ground cover, perennials, and annuals that respect the natural resources of the site.

**14-421. Telecommunication Towers.** The requirements of this section apply to the placement of commercial transmitting and receiving antennae, including any incidental structures to the antennae. Requirements noted below are meant to prevent harmful impacts upon the community, which can occur as the result of the erection of telecommunications towers. Commercial telecommunications towers must adhere to the following standards.

1. Telecommunications Tower as a Principal Use. For the purpose of the Norris Zoning Ordinance, a telecommunications tower shall be considered a principal use of land. However, this definition shall not preclude the use of an existing structure or tower for the installation of a telecommunications antenna.
2. The Priority of Co-location. An applicant proposing to construct a new telecommunications tower shall identify all other existing towers within the city as possible alternative sites for antenna installation. Where feasible, priority shall be given to the placement of an additional antenna on an existing tower, instead of erecting a new tower. Furthermore, approval of the construction of a new telecommunications tower generally shall be contingent on the capability of future installation of additional antennae on such a tower. The applicant for a new tower shall provide written authorization to the planning commission indicating that the proposed tower is designed to allow the installation of additional antennae. The authorization shall be recorded at the Office of the Register of Deeds prior to the issuance of a permit for tower construction.
3. Application for the Erection of Telecommunications Tower. A request to erect a telecommunications tower within the City of Norris shall be submitted to the Building Inspector at the Norris Municipal Building. If the request consists of an additional antenna placed on an existing structure or tower, without any extension of that structure

or tower, and with no construction of new buildings, then the building inspector may determine the conformance of the request with city regulations. However, if any new tower, extension of an existing structure or tower, or any new telecommunications building is proposed for a site, then the Norris Planning Commission shall consider the request.

A permit for construction on a telecommunications tower shall not be issued without the approval of the Norris Planning Commission. If substantial progress on a tower project has not been made within six (6) months of the issuance of a permit, then that permit shall be void. Prior to any consideration by the Planning Commission regarding proposed construction on a telecommunications facility, the following must be submitted for the Planning Commission agenda at least ten (10) days before the meeting at which the proposal is to be addressed.

- a. A scaled site plan displaying the location, type, and height of the proposed tower; topographic contour lines at five (5) foot intervals; the locations and dimensions of any proposed or existing buildings on the site; locations of guy wires and their anchor points on the ground; dimensions of property boundaries, nearby rights of way and street names, easements, and significant natural features; proposed or existing access points into the site; a landscape plan, along with indications of any needed screening and fencing, utility lines or installations in the vicinity of the site; and, the locations of any structures on properties adjacent to the site, including the names of adjacent property owners.
  - b. Information collected by the applicant concerning any alternative, existing structures or towers in the City of Norris, which might provide for the placement of a telecommunications antennae, without the construction of a new tower.
4. Setbacks for Towers and Associated Buildings. The placement of any telecommunications tower shall be provided with a setback from each property line equivalent in linear feet to the height of the tower, plus five (5) additional feet. Any building(s) erected on the tower site shall conform with the applicable building setback requirements which apply to the zoning district in which the site is located.
  5. Guy Wires and Supports. Guy wires, and associated supports for guy wires, shall be set back a minimum of ten (10) feet from side and rear property lines, and no guy wire shall be allowed within the front building setback ordinarily required in the zoning district in which the proposed tower site is located.
  6. Lighting, Noise, and Color. Lighting for a tower shall not exceed the requirements of federal and State regulations, with regard to the number and color of lights. Intermittent or strobe lights shall be allowed on a tower only to the extent needed to satisfy Federal or State regulations. Lighting in excess of the applicable requirements shall not be permitted.  
Insofar as possible, given Federal or State regulations, noise emanating from a tower, or from equipment accessory to it, shall not be audible to adjacent residents. Where such noise may emanate from a tower site, the applicant shall provide evidence for the implementation of measures to mitigate noise on surrounding properties.  
Unless mandated by other applicable regulations, tower colors shall be restricted to those which tend to blend into the immediate environment, and which are as inconspicuous as possible.

7. Screening from Public View. Any telecommunications tower approved under these regulations shall be screened along all property lines to a height of six (6) feet. The material used for screening shall be sufficient to prevent visual observation of the telecommunications site through the material. In addition, the landscaping requirements identified in Section 14-420 of the Norris Zoning Ordinance shall be followed.
8. Planting of New Vegetation. Where vegetation is installed for tower screening, the time allowed for the installation of landscaping shall not exceed thirty (30) days after the completion of tower construction and associated appurtenances. If seasonal circumstances prevent the planting of vegetation on a tower site, then the building inspector may allow an extension of the thirty (30) day time limit into the next growing season, but for no more than thirty (30) days of that season.
9. Drainage and Erosion Control. Measures to control erosion and drainage on a tower site shall conform to the requirements noted in Section 14-416 of the Norris Zoning Ordinance.
10. Tower Removal Upon Termination of Use. When the active use of a telecommunications tower ceases for a period of six (6) consecutive months, then the tower shall be removed at the owner's expense. It shall be the responsibility of the owner of a telecommunications tower to notify the building inspector when that tower has ceased operations, except for ordinary maintenance or minor repairs.

**14-422. Lighting Standards for Commercial, Industrial, and Multi-Family Residential Sites.** The provisions of this section are meant to reduce the deleterious effects of lighting on public health and safety within the City of Norris. The following requirements shall apply to office, commercial, industrial, and multi-family sites or developments. However, regardless of the particular use of land on a site, no light shall be allowed to shine or glare onto adjacent properties, right-of-ways, or easements (except for municipal street lighting).

1. Light Trespass. No lights shall shine or glare directly onto adjacent properties, right-of-ways, access easements, or driveways. For the purposes of this ordinance, glare shall be defined as any brightness within the field of vision of such a character as to cause annoyance, discomfort, interference with vision, or loss in visual performance and visibility.
2. Pole Lighting. Poles for outdoor lighting shall not exceed the height of twenty-five (25) feet, as measured from the ground to the top of the pole.
3. Footcandles at the Property Line. The amount of illumination emanating from a use and occurring at a property line bordering a C-1 Central Commercial, C-2 General Commercial, I-1 Light Industrial, or P-1 Professional and Civic District shall be limited to 3 .0 footcandles. The amount of illumination emanating from a use and occurring at a property line bordering a FAR Forest, Agriculture, and Recreation or W-1 Watershed district shall be limited to 0.5 footcandles.
4. Cut-Off Angle for Pole Lighting. The illumination from pole lights shall be directed toward the ground and have a cut-off angle of not more than sixty degrees. No portion of the light bulb or the glass/plastic surrounding the bulb shall protrude from the light box.
5. Wall Mounted Lighting. All wall lights on buildings shall be directed toward the ground and shall be shielded to prevent glare onto adjacent properties, right-of-ways, or easements.

6. Ground Mounted Lighting. All ground-mounted lights, whether used to illuminate a building or a sign, shall be designed to minimize light that does not illuminate the target area. The planning commission may require blinders or some other type of protectors to be placed on the lights so as to direct the beam away from adjacent properties, right-of-ways, or easements in order to prevent glare onto these areas.
7. Canopy Lighting. Lights located under gasoline service station canopies, canopies for bank automatic teller machines, and other such similar canopies shall be recessed into the surface ceiling and shall use light so as to prevent glare. No portion of the bulb or glass/plastic surrounding the bulb shall protrude from the structure ceiling unless it can be shown that a different style would be equivalent to, or better than, these requirements.
8. Lighting Plan Requirements:
  - a. A lighting plan shall be submitted with any site plan required under Section J 4-418 of the Norris Zoning Ordinance. The lighting plan may be incorporated into the site plan if lines and structures can be directed with clarity.
  - b. The lighting plan shall consist of a scaled drawing of the site, showing the locations and dimensions of lighting structures and fixtures, the specific lighting source employed, and an isofootcandle diagram extending to all property lines. An engineer, architect, or landscape architect licensed in the State of Tennessee shall design the lighting plan.

**14-423. Standards for Ridgeline Development. (Deleted by Ordinance #498)**

**14-424. Temporary Storage Structures. (Added by Ordinance #572). Temporary storage structures are intended to provide temporary storage of household goods on residential property and business specific goods on professional, commercial, or industrial used and/or zoned lands. Such temporary structures shall not interfere with the normal operation of the permanent use on the property and shall not be detrimental to property or improvements in the surrounding areas. There shall also be no risk of injury to persons as a result of such storage.**

**The following conditions shall apply to all temporary storage structures:**

1. **Cargo containers shall not exceed industry standards for width and height, and shall not exceed fifty-three (53) feet in length. The use of such containers shall be limited to commercial or industrial used land. Such containers shall be located to the rear or side of the principal building and set back a minimum of five (5) feet from side and rear property lines. There shall be a maximum of two (2) containers per site. No wide or high loads will be allowed.**

**The use of such containers shall be limited to no more than sixty (60) days in any calendar year. In the event the owner of the property suffers a catastrophic loss due to fire, flood, or other physical calamity, the owner shall obtain a demolition permit and/or building permit. Such containers shall be removed within one (1) week of the demolition or building permit expiration, the issuance of a Certificate of Occupancy, or the issuance of a Certificate of Completion.**
2. **Portable storage containers shall not exceed industry standard for width, height and length, not to exceed 10' wide by 10' high by 20' in length in residential used land. The use of such containers shall be limited to residential, professional, or commercial used**

land. On commercial and professional used land, such containers shall be located to the rear or side of the principal building and set back a minimum of five (5) feet from side and rear property lines. On residential used land, such containers shall be set back a minimum of five (5) feet from side and rear property lines and ten (10) feet from front property lines. There shall be a maximum of one (1) container per site.

The use of such containers shall be limited to no more than sixty (60) days in any calendar year. In the event the owner of the property suffers a catastrophic loss due to fire, flood, or other physical calamity, the owner shall obtain a demolition permit and/or building permit. Such containers shall be removed within one (1) week of the demolition or building permit expiration, the issuance of a Certificate of Occupancy, or the issuance of a Certificate of Completion.

3. Semi-truck trailers shall not exceed fifty-three (53) feet in length. The use of trailers shall be limited to commercial or industrial used land. No wide or high loads will be allowed.
4. Construction trailers/containers/portable structures may be used on residential, professional, commercial, or industrial zoned land provided there is an active building permit in place. Such structure shall be set back a minimum of five (5) feet from side and rear property lines and ten (10) feet from front property lines. Such structure shall be removed within one (1) week of the building permit expiration, the issuance of a Certificate of Occupancy, or the issuance of a Certificate of Completion. No wide or high loads will be allowed.
5. Bulk solid waste containers may be used on residential, professional, commercial, or industrial used land. Such containers shall be set back a minimum of five (5) feet from side and rear property lines and ten (10) feet from front property lines. Such container used in conjunction with a demolition or building permit shall be removed prior to the demolition or building permit expiration, the issuance of a Certificate of Occupancy, or the issuance of a Certificate of Completion.  
Bulk solid waste containers may also be used for the removal of miscellaneous waste without a demolition or building permit. In this case, the use of such containers shall be limited to no more than forty-five (45) days in any calendar year.  
No temporary storage structure shall be located so as to interfere with traffic visibility.

## CHAPTER 5

### EXCEPTIONS AND MODIFICATIONS

#### SECTION

**14-501. Scope**

**14-502. Non-Conforming Uses**

**14-503. Lots of Record**

**14-504. Absolute Minimum Lot Size**

**14-505. Exceptions to Height Limits**

**14-506. Exceptions to Setback Requirements**

**14-501. Scope.** Chapter Five of this ordinance is devoted to providing for the necessary exceptions and modifications to the specific zoning district provisions and the supplementary provisions provided for in Chapters Three and Four.

**14-502. Non-Conforming Uses.** It is the intent of the zoning 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 the zoning 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 the zoning ordinance. It is also the intent of the zoning ordinance to so administer the elimination of non-conforming uses, buildings, and structures 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 the zoning ordinance or any amendment thereto shall be allowed to remain subject to the following provisions.

1. An existing non-conforming use of a building may be changed to a non-conforming use of the same classification or to a non-conforming use of a more restrictive classification; provided, however, that establishment of another non-conforming use of the same or more restrictive classification shall be subject to such conditions as the Board of Zoning Appeals may require in order to protect the area.
2. A non-conforming use of land shall be restricted to the area occupied by such use as of the effective date of the zoning ordinance. A non-conforming use of a building or buildings, except commercial or industrial uses, shall not be enlarged to either additional land or buildings after the effective date of the zoning ordinance. Industrial and commercial uses may be permitted to construct additional facilities provided that there is a reasonable amount of space for such construction. "Reasonable amount of space" is defined as that area necessary so that the additional building(s) shall conform to all appropriate provisions of the zoning ordinance and shall not, in the opinion of the Board of Zoning Appeals, be detrimental to adjoining property.
3. When a non-conforming use of any structure or land, except non-conforming mobile homes or mobile home parks, has been discontinued for a period of six (6) months, it shall not be re-established or changed to any use not in conformity with the provisions of the zoning ordinance. Immediately upon the removal of a non-conforming mobile home or discontinued use of a non-conforming mobile home park, the resumption of such use shall be denied.
4. 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 be done

within twelve (12) months of such damage, unless damaged to extent of more than 60 percent of its fair sales value immediately prior to damage in which case any repair, reconstruction or use shall be in conformity with the provisions of the zoning ordinance, provided that a structure being utilized for industrial or commercial purposes may be demolished and new facilities necessary to the conduct of such business or industry reconstructed if there is a reasonable amount of space for such reconstruction.

"Reasonable amount of space" is defined as that area necessary so that the reconstructed building(s) shall conform to all appropriate provisions of the zoning ordinance, and shall not, in the opinion of the Board of Zoning Appeals, be detrimental to adjoining property.

5. A non-conforming building or building housing a non-conforming use shall not be structurally altered except in conformance with the provisions of the zoning ordinance. These provisions shall not be constructed to prevent normal maintenance and repairs or alterations required for structural safety.

**14-503. Lot of Record.** Where the owner of a lot consisting of one or more adjacent lots of official record at the time of the adoption of the zoning ordinance does not own sufficient land to enable him to conform to the yard or other requirements of the zoning ordinance, application may be submitted to the Board of Zoning Appeals for a variance from the terms of the zoning ordinance. Such lot may be used as a building site, provided, however, that the yard and other requirements of the district are complied with as closely as in the opinion of the Board of Zoning Appeals is possible.

No lot which is now or is hereafter built upon shall be so reduced in area that the yards and open space will be smaller than prescribed by the zoning ordinance.

Where two (2) or more 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 (1) or more building sites meeting the minimum requirements of the district in which they are located.

**14-504. Absolute Minimum Lot 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 fifty (50) feet and/or whose total lot area is less than five thousand (5,000) square feet

**14-505. Exceptions on Height Limits.** The height limitations of the zoning 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; flag poles; radio towers; masts; and aerials, provided that they are located no closer to the nearest property line than the distance equal to their own height plus five ( 5) feet.

**14-506. Exceptions to Setback Requirements.** The setback requirement of the zoning 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 (100) feet. In residential districts, however, the setback shall in no case be less than thirty (30) feet from the street right-of-way line.

## CHAPTER 6

### ADMINISTRATION AND ENFORCEMENT

#### SECTION

- 14-601. Administration of the Ordinance**
- 14-602. The Enforcement Officer**
- 14-603. Building Permits**
- 14-604. Certificate of Occupancy**
- 14-605. Board of Zoning Appeals**
- 14-606. Procedure for Authorizing Special Exceptions**
- 14-607. Variances**
- 14-608. Amendments to the Ordinance**
- 14-609. Penalties**
- 14-610. Remedies**
- 14-611. Validity**
- 14-612. Interpretation**
- 14-613. Effective Date**

**14-601. Administration of the Ordinance.** Except as otherwise provided, no structure or land shall, after the effective date of this ordinance, be used and no structure or part thereof shall be erected, altered, or moved unless in conformity with the regulations herein specified for the district in which it is located. In their interpretation and application, the provisions of this ordinance shall be considered minimum requirements adopted for the promotion of public health, safety, morals, convenience, order, prosperity, and general welfare of the community. Where other ordinances or regulations heretofore adopted or which may be adopted hereafter impose greater restrictions than those specified herein, compliance with such other ordinances or regulations is mandatory.

**14-602. The Enforcement Officer.** The provisions of this ordinance shall be administered and enforced by the City Building Inspector with the exception of 14-401, 14-405, 14-406, 14-408, 14-409, 14-411, 14-416, 14-424, and will also be administered by designated city position(s) approved by City Council Resolution. *(Amended by Ordinance #623)*

**14-603. Building Permits.**

1. A building permit shall be required for the following activities when the cost of such activities exceeds \$100 with the exception of routine maintenance items as defined in Chapter 2, Section 14- 203.
  - a. To commence the excavation for or the construction of any building or other structure
  - b. To commence the moving, alteration, or repair of any structure; or,
  - c. To commence the filling of land.

It shall be unlawful to commence activities, for which a building permit is required, until the Building Inspector has issued for such work a building permit. Application for a building permit shall be made in writing to the Building Inspector on forms provided for that purpose.

2. It shall be unlawful for the Building Inspector to approve the plans or issue a building permit for any excavation or construction until he has inspected such plans in detail and found them to be in conformity with the zoning ordinance. To this end, the Building Inspector shall require that every application for a building permit for excavation, construction, moving, or alteration shall be accomplished by a plan or plat drawn to scale and showing the following in sufficient detail to enable the Building Inspector to ascertain whether the proposed excavation, construction, moving, or alteration is in conformance with the zoning ordinance.
  - a. The actual shape, location and dimensions of the lot to be built upon.
  - b. The shape, size, and location of all buildings or other structures to be erected, altered, or moved and of any buildings or other structures already on the lot.
  - c. The existing and intended use of all such buildings or other structures.
  - d. Location and design of access road or driveways, off-street parking areas, concerning the lot or adjoining lots as may be essential for determining whether the provisions of the zoning ordinance are being observed.
3. If the proposed excavation, construction, moving, or alteration as set forth in the application is in conformity with the provisions of the zoning ordinance, the Building Inspector shall issue a building permit for such excavation or construction. If an application for a building permit is not approved, the Building Inspector shall state in writing on the application the cause for disapproval. Issuance of a permit shall, in no case, be construed as waiving any provision of the zoning ordinance, and building permits shall be void after six (6) months from date of issue unless substantial progress on the project has been made by that time.

**14-604. Certificate of Occupancy.** No land or building or other structure or part thereof hereafter erected, moved, or altered in its use shall be used until the Building Inspector shall have issued a certificate of occupancy stating that such land, structure, or part thereof is found to be in conformity with the provisions of the zoning ordinance. Within three (3) days after notification that a building or premises or part thereof is ready for occupancy or use, it shall be the duty of the Building Inspector to make a final inspection thereof, and to issue a certificate of occupancy, if the building or premises or part thereof is found to conform with the provisions of the zoning ordinance, or, if such certificate is refused, to state the refusal in writing with the cause for such refusal.

**14-605. Board of Zoning Appeals.** A Board of Zoning Appeals is hereby established in accordance with Sections 13-705 through 13-707, Tennessee Code Annotated. The Board of Zoning Appeals shall be composed of five (5) members, appointed by the City Council, two (2) of which members shall be active members of the planning commission. The terms shall be so designated that one member's term shall expire each year.

1. Procedure. Meetings of the Board of Zoning Appeals shall be held at the call of the chairman or, in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall adopt rules of procedure and shall keep records of applications and action taken thereon which shall be public records. Upon the hearing, any person or party may appear in person, by agent or by attorney.
2. Power. The Board of Zoning Appeals shall have the following powers:

- a. Administrative review. To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, permit, decision, determination, or refusal made by the building inspector or other administrative official in the carrying out of enforcement of any provision of the zoning ordinance.
- b. Special exceptions. To hear and decide application for special exceptions as specified in the zoning ordinance, hear requests for interpretation of the zoning map, and for decision on any special questions upon which the Board of Zoning Appeals is authorized to pass by the zoning ordinance.
- c. Variances. To hear and decide applications for variances from the terms of the zoning ordinance.

**14-606. Procedure for Authorizing Special Exceptions.** The following procedure is established to provide procedures for review of a proposed use by the Board of Zoning Appeals. The procedure shall be the same whether review is required by this ordinance or whether a review is requested by the building inspector to determine whether a proposed use is potentially noxious, dangerous, or offensive.

1. Application and fee. An application shall be filed with the Board of Zoning Appeals for review. Said application shall show the location and intended uses of the site, the names of the property owners and existing land uses within two hundred (200) feet, and any other material pertinent to the request which the Board of Zoning Appeals may require. To partially defray the administration cost and cost of giving notice to the public, the applicant shall deposit a non-refundable filing fee to the City of Norris of twenty-five (\$25) dollars.
2. Notice of property owners. Person(s) requesting the special exception shall submit to the Board of Zoning Appeals letters addressed to each property owner and resident within two hundred (200) feet of the property in question containing information adequate to notify such owners and residents of the intended special exception. Information relevant to the date, time and location of the meeting of the Board of Zoning Appeals shall be included. Such letter shall be placed in unsealed, stamped, and addressed envelopes ready for mailing by the board or city. The return address of the board or city must appear on the envelope, and a list of all persons to whom letters are sent must accompany the application. In addition, the city shall post a sign on the property stating the nature of the request and a telephone number where additional information may be obtained pertaining to the request.
3. Restrictions. In the exercise of its approval, the Board of Zoning Appeals may impose such conditions regarding the location, character, or other features of the proposed uses or buildings as it may deem advisable in the furtherance of the general purposes of the zoning ordinance.
4. Validity of plans. All approved plans, conditions, restrictions, and rules made a part of the approval of the Board of Zoning Appeals shall constitute certification on the part of the applicant that the proposed use shall conform to such regulations at all times.
5. General Requirement. A special exception shall be granted provided that the Board of Zoning Appeals finds that it:
  - a. Is so designed, located, and proposed to be operated that the public health,

safety, and welfare will be protected;

- b. Will not adversely affect other property in the area in which it is located;
- c. Is within the provision of "special exceptions" as set out in this ordinance; and
- d. Conforms to all applicable provisions of this ordinance.

**14-607. Variances.** The purpose of the variance is to modify the strict application of the specific requirements of this ordinance in the case of exceptionally irregular, narrow, shallow, or other exceptional physical conditions, whereby such strict application would result in practical difficulty or unnecessary hardship which would deprive an owner of the reasonable use of his land. The variance shall be used only where necessary to overcome some obstacle which is preventing an owner from using his property under the zoning ordinance.

1. Application and fee. After written denial of a permit, a property owner may make application for a variance. Said application shall show the location and intended uses for the site, the names of the property owners and existing land uses within two hundred (200) feet. To partially defray the administration cost and cost of giving notice to the public, the applicant shall deposit a non-refundable filing fee to the City of Norris of twenty-five (\$25) dollars.
2. Notice to property owners. Person(s) requesting the variance shall submit to the Board of Zoning Appeals letters addressed to each property owner and resident within two hundred (200) feet of the property in question containing information adequate to notify such owners and residents of the intended variance. Information relevant to the date, time, and location of the meeting of the Board of Zoning Appeals shall be included. Such letter shall be placed in unsealed, stamped, and addressed envelopes ready for mailing by the board or city. The return address of the board or city must appear on the envelope, and a list of all persons to whom letters are sent must accompany the application. In addition, the city shall post a sign on the property stating the nature of the request and a telephone number where additional information may be obtained pertaining to the request.
3. Standards for variances. In granting a variance, the Board shall ascertain that the following criteria are met:
  - a. Variances shall be granted only where special circumstances or conditions, fully described in the finding of the board, do not apply generally in the district.
  - b. Variances shall not be granted to allow a use otherwise excluded from the particular district in which requested.
  - c. For reasons fully set forth in the finding of the board, the aforesaid circumstances or conditions are such that the strict application of the provisions of the zoning ordinance would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variance. There must be a deprivation of beneficial use of land.
  - d. The granting of any variance shall be in harmony with the general purposes and intent of the zoning ordinance and shall not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the comprehensive plan for development.

- e. In reviewing an application for a variance, the burden of showing that the variance should be granted shall be upon the person applying therefore.

**14-608. Amendment to the Ordinance.** The regulations and the number of boundaries of districts, established by the zoning ordinance may be amended, supplemented, changed, modified, or repealed by the city council in accordance with the Tennessee Code Annotated as amended, no amendment shall become effective unless it is first submitted to the planning commission and approved by it, or, if disapproved, receive the favorable vote of a majority of the entire membership of the city council. The planning commission upon its own initiative may hold a public hearing, public notice of which shall be given, for the consideration of any proposed amendment of the provision of this ordinance, or to the zoning map and shall report its recommendation to the city council. Before enacting any amendment to the ordinance, the city council shall hold a public hearing at any time prior to third and final reading.

1. **Application and fee.** Persons wishing to have the ordinance amended shall file an application to the planning commission which shall indicate the proposed amendment to the zoning document and/or amendment to the zoning map. Applications for rezoning shall show the location and existing uses on the site, the names of the property owners and existing land uses within two hundred (200) feet, and any other material pertinent to the request which the planning commission may require. To partially defray the administration cost and cost of giving notice to the public, the applicant shall deposit a non-refundable filing fee to the City of Norris of fifty (\$50) dollars.
2. **Notice to property owners.** Person(s) requesting a rezoning must submit to the planning commission letters addressed to each property owner and resident within two hundred (200) feet of the property in question containing information adequate to notify such owners and residents of the intention to rezone the area for which the application is submitted and when and where a meeting will be held before the planning commission. Such letter should be placed in unsealed, stamped, and addressed envelopes ready for mailing by the planning commission. The return address of the planning commission must appear on the envelope, and a list of all persons to whom letters were sent must accompany the application. In addition, the city shall post a sign on the property, stating the nature of the request and a telephone number where additional information may be obtained pertaining to the request.

**14-609. Penalties.** Any persons violating any provisions of the zoning ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined not less than two dollars (\$2.00) nor more than fifty dollars (\$50) for each offense. Each day such violations shall continue constitutes a separate offense.

**14-610. Remedies.** In case any building or other structure is erected, constructed, altered, repaired, converted, or maintained; or any building, structure, or land is used in violation of the zoning ordinance; the Building Inspector or any other appropriate authority or any adjacent or neighboring property owner who would be specifically damaged by such violation, in addition to other remedies, may institute injunction, mandamus, or another appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use; or to correct or abate such violation; or to prevent occupancy of such building, structure or land.

**14-611. Validity.** Should any section, clause, or provision of the zoning ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, this judgement

shall not affect the validity of the zoning ordinance as a whole or any other part than the part judged invalid.

**14-612. Interpretation.** Where a condition imposed by a provision of this ordinance is less restrictive than comparable conditions imposed by any other provision of this ordinance or any other ordinance, the provisions, which are more restrictive shall govern.

**14-613. Effective Date.** This ordinance shall take effect from and after the effective date of its passage and publication as required by law, the public welfare requiring it. ***(Recodified and Readopted April 11, 2005)***