

CHAPTER 1

PURPOSE AND APPLICABILITY

Sections:

- 14.101. Purpose
 - 14.102. Applicability
 - 14.103. Scope of Regulations
 - 14.104. Renewals of Uses Where Exceptions, Variances or Conditional Uses Granted
 - 14.105. Change of Uses Where Exceptions, Variances, or Conditional Uses Granted
 - 14.106. Legislative Intent of Administrative Application of Zoning
-

14.101 Purpose

This Ordinance is enacted pursuant to Title 13 of Tennessee Code Annotated for the following purposes:

- A. To promote and protect the public health, safety, morals, comfort, convenience, and general welfare of the people;
- B. To divide the City into zones and districts to restrict and regulate the location, construction, reconstruction, alteration, and use of buildings, structures, and land for residence, business, commercial, manufacturing, and other specified uses;
- C. To protect the character and maintain the stability of residential, business, commercial, and manufacturing areas within the city, and to promote beneficial and efficient development of such areas;
- D. To provide convenient access to property;
- E. To regulate the size, configuration and character of public usable open spaces that contribute to public health and quality of life;
- F. To establish building lines and the location of buildings designated for residential, business, commercial, manufacturing, or other uses within such lines;
- G. To fix reasonable standards to which buildings or structures shall conform;
- H. To prohibit uses, buildings or structures, which are incompatible with the character of development or the permitted uses within specified zoning districts;
- I. To prevent such additions to, and alterations or remodeling of, existing buildings or structures that would not comply with the restrictions and limitations imposed hereunder;
- J. To create public streets and rights-of-way that safeguard human health and give people the option to use different modes of travel;
- K. To provide protection against fire, explosion, noxious fumes, and other hazards in the interest of the public health, safety, comfort, and general welfare;
- L. To prevent overcrowding of land and undue concentration of structures so far as is possible and appropriate in each district by regulating the use and the bulk of buildings in relation to the land surrounding them;
- M. To conserve the taxable value of land and the buildings thereon throughout the City;
- N. To enable quality urban development that will underpin quality of life for the City

and its residents;

- O. To provide a framework for the development of high-quality communities and neighborhoods that will promote quality of life for residents and facilitate the development of the local economy.
- P. To define and limit the powers and duties of the administrative officers and bodies;
- Q. To further the specific purposes stated in the various chapters throughout this Title;
- R. To implement the city's Land Use Plan; and
- S. To implement the city's Major Thoroughfare Plan.

14.102. Applicability

No structure shall be constructed, erected, placed or maintained and no land use commenced or continued within The City of Lebanon, Tennessee, except as specifically or by necessary implication, authorized by this Title.

14.103. Scope of Regulations

A. New Uses, Lots, Buildings, or Other Structures

Any new building or other structure or any tract of land shall be used, constructed, or developed only in compliance with this Title.

B. Alteration of Existing Buildings and Other Structures

1. This Title applies to all the following when they occur after the effective date:
 - a. Structural alterations of existing buildings or structures, including enlargement and additions that occur after the effective date of this Title; and
 - b. Relocation of existing buildings.
2. A development may qualify for minor site plan approval if all of the following apply:
 - a. The roof coverage on an addition does not expand the total roof area of all buildings on the property by more than 25%;
 - b. The total area of roof coverage on an addition will not be over 5,000 sq. ft. at the end of the project;
 - c. In the opinion of the Planning Director or the Engineering Director of Development the project does not need full site plan approval.

Otherwise, the project will be considered a regular site plan that will be reviewed by the Planning Commission.

The Director of Planning or the Planning Commission may require upgrades to a redevelopment site of either improved compliance or full compliance. The Planning Director or the Planning Commission should consider the value (to the City) of full compliance against the value of the property without any additional improvement to determine the level of compliance that will be required.

3. Single-family residential, two-family residential, three or four unit residential in the infill overlay and Accessory Dwelling Units (Backyard Cottage) Developments are exempt from site plan approval unless site plan approval is required by another section of Title 14.
4. A Three-Family and Four-Family Residential Development may be reviewed as a multi-unit residential lot development plan when it does not have more than 5,000 sq. ft. of roofed area, 8,000 sq. ft. of impervious area, is not on a property with floodplain/floodway, or require any variances. Otherwise, they may be reviewed as minor site plans as regulated in 14.806.B. If there are any known or suspected issues including, but not limited to, drainage, access, or any utility extensions needed, Staff may ask for a minor site plan.

C. Gate Approval

Any gate approval application may be approved through staff level review. The Planning Director or Engineering Director may elect to send any gate approval to Planning Commission.

14.104. Renewals of Uses Where Variances or Conditional Uses Granted

Where no limitation of a use was imposed at the time it was authorized, the use may be continued. The agency may prescribe appropriate conditions and safeguards to minimize adverse effects of the use on the character of the neighborhood.

14.105. Change of Uses Where Variances or Conditional Uses Granted

In no event shall any use that was granted on appeal be changed. No agency is allowed to permit that type of use to be changed, except to a conforming use or nonconforming use as provided for in Chapter 8. For purposes of this section, a "change of use" is a change to another land use (see Chapter 2). A change in occupancy or ownership does not, by itself, constitute a change in use.

14.106. Legislative Intent of Administrative Application of Zoning Regulation

Whenever, in the course of administration and enforcement of this Title, it is necessary or desirable to make any administrative decisions, then, unless other standards are provided in this Title, the decision shall be made so that the result will not be contrary to the spirit and purpose of this Title.