

**ORDINANCE NO. 2021-001**

AN ORDINANCE TO ADOPT AMENDMENTS TO THE CITY OF EAGLEVILLE, TENNESSEE’S ZONING ORDINANCE, BY AMENDING ORDINANCE 2016-009

Whereas, the Eagleville Municipal Planning Commission has duly recommended to the Eagleville City Council that the Official Zoning Ordinance of Eagleville, Tennessee, be amended as hereinafter described; and

Whereas, the Eagleville City Council has reviewed such recommendation and had conducted a public hearing thereon.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF EAGLEVILLE, TENNESSEE, AS FOLLOWS:

That the Official Zoning Ordinance of the City of Eagleville, Tennessee, is hereby amended by to wit:

**Section 1.030 Purpose. Amend J. Add K.**

J. Enhancing and protecting the natural, man-made and historical amenities of Eagleville, Tennessee.

K. Protecting the natural resources such as springs, water ways, natural buffers with as little disturbance to the natural land as possible to achieve the site design.

Section 2.020 Definitions

Dwelling:

Delete: ~~Mobile Home dwelling~~ Replace term with: Manufactured Home

Delete: ~~Prefabricated Dwelling~~ Replace term with: Modular Home

Replace all references in Ordinance to reflect change in term.

Mobile Home Dwelling (Change to Manufactured Home). Strike Definition.

Replace with Manufactured Home means “as defined by the International Building Code”

Prefabricated Dwelling (Change to Modular Home). Strike Definition.

Replace with means “as defined by the International Building Code”

**Section 4.010 Off Street Parking**

N. For buildings and other uses not listed, the off-street parking requirements shall be determined by ~~Board of Zoning Appeals~~ the Planning Commission.

## **Section 4.040 Customary Incidental Home Occupations.**

First paragraph to remain as is. Strike second paragraph and amend second paragraph to read as follows:

A home occupation is a limited activity conducted on premises that in no way alters the residential character of the structure. Home occupations shall include offices for accountants, architects, artists, engineers and the like, and other uses that will not require an increased amount of traffic to and from the residence. Uses such as auto repair or any similar use shall not be considered as a customary incidental home occupation. Retail sales are not permitted except through limited mail distribution and specifically approved by the City Planner.

## **Section 5.042 R-2 Medium Density Residential District Section E 1 Minimum Lot Size**

With Public Sewer

~~Line~~ Lot width at required Building Setback Line 75 Feet

Lot width at Road Frontage ~~50 feet~~ 75 Feet Cul de sac remains the same

Without Public Sewer

~~Line~~ Lot width at required Building Setback Line 100 Feet

Lot width at Road Frontage ~~50~~ 100 Feet Cul de sac remains the same

## **5.043 R-2 High Density Residential Developments**

A. Add to end of existing paragraph: (R-2 High Density Residential Developments)

All uses in R-3 uses must meet the design criteria of Section 5.080 Planned Developments.

B 1. ~~Detached single family dwellings, Duplex dwellings, and prefabricated dwellings~~ modular homes on individual lots. (Strike Single Family from this zone and correct language for modular homes.)

C Uses Permitted as a Special Exception –

Add to end of first paragraph.

All uses in the R-3 Special Exception category must meet the design criteria of Section 5.080.

E Dimensional Requirements

E-1 Minimum Lot With at Road – All uses: 100 feet

~~Single Family~~ ~~75 feet~~, Duplex 100 feet, Special Permit Uses 100 feet unless otherwise required in this ordinance. (Cul de Sac concession to remain as is.) Strike ~~50 feet~~. 35 Feet Remains.

## 5.052 C-2 General Commercial

B 12

Delete Section Replace with "Reserved for Future Use"

Create 5.052 D 10. Sales of building materials, farm equipment and supplies, and lawn and garden supplies.

F 3

3. Strike – ~~No maximum coverage shall be imposed in the C-2 district.~~

Add. All lots must maintain a minimum of fifteen (15) percent green space.

F4

No lot shall be less than one hundred (100') feet wide at the required building setback line.

Minimum Lot Width at Road Frontage - ~~50~~ 100 feet

Cul De Sac concession to remain at 35 feet

## 5.061 I-1 Industrial

B. Uses Permitted. Amend as follows:

14. Animal Health facilities including veterinary clinics ADD with indoor kennels/runs only

15. Delete: ~~Building materials storage and sales—move to Special Exception~~

16. Delete: ~~Lumber and wood products manufacturing—move to Special Exception~~

D. Uses Permitted as Special Exceptions

3. Animal Health facilities including veterinary clinics with outdoor kennels/runs allowed

4. Building materials storage and sales

5. Lumber and wood products manufacturing

F. 1. Strike ...~~except where the Board of Zoning Appeals has determined that such use does not require a supply of potable water in its manufacturing operation.~~

F 1 Width at Building Setback 150 feet Replace with Width at Required Building Setback 100 feet

F1 Minimum Lot Width at Road Frontage 50 feet Replace with Minimum Lot Width at Road Frontage 100 feet (35 feet in a cul de sac)

F 2

b. Side yard setback ~~20 feet~~ 40 feet Delete rest of section

c. Rear Yard setback ~~20 feet~~ 40 feet Delete rest of section

## 5.062 I-2 Heavy Industrial

~~D. 2 For Solid Waste Landfill~~

Strike Entire Section and State Reserved for Later Use

Amend E.1 to state as shown:

E. 1. All uses permitted in the I-1 General Industrial District that are not Special Exceptions

G.1. (1 was previous struck by previous amendment.) Replace with: All uses permitted in the I-1 General Industrial District

Add 10 and 11:

G.10 Stand Alone Crematoriums for persons

G.11 Stand Alone Crematoriums for pets

~~I.1. Delete: except where the Board of Zoning Appeals has determined that such use does not require a supply of potable water in its manufacturing operation.~~

~~I.1. Delete Lot width at Building Setback 200 feet~~

Replace with: Lot width at required Building Setback 200 feet

~~Delete Minimum Lot Width at Road Frontage 50 feet~~

Replace with: Lot width at Road Frontage 200 feet (35 ft in a cul de sac)

I.2. Delete Minimum Yard Requirements

~~Delete all Setbacks as shown. (70 Front, 25 Side, 50 rear)~~

Replace with:

Front Yard Setback 100 feet

Side Yard Setback 100 feet

Rear Yard Setback 100 feet.

~~Delete: Except where the side yard abuts or is adjacent to a residential district, in which case the minimum setback for that side yard shall be fifty feet.~~

~~I.7. Delete: a minimum of sixty percent of all trees and shrubs placed in the buffer shall be evergreens or conifers,~~

ADD: a minimum of sixty percent of all trees and shrubs placed in the buffer shall be evergreens or conifers and a minimum of twenty percent of trees to be deciduous and/or flowering trees.

## 6.040 Lots of Record

Delete: C. ~~Where two 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 larger tract under the same ownership, such lots shall be combined to form one or more building sites meeting the minimum requirements of the district in which they are located.~~

Add: C. Where two or more lots of record with continuous frontage are under the same ownership and do not meet the criteria of this ordinance, such lots shall be combined to form one or more building sites meeting the minimum requirements of the district in which they are located.

## 7.070 Special Exceptions

A. ...add to end...which the BZA may require such as traffic studies, renderings to show final design/layout, drainage calculations/designs, etc in order for the Board to perform a reasonable review.

B. Delete “general” purposes

Create L. Decision Considerations: Before the BZA approves a Special Exception/Conditional Use, it shall determine the request:

1. Is in conformance with the applicable provisions of this ordinance.
2. Has, in the opinion of the BZA, satisfied all applicable criteria.
3. Is in harmony with the purpose and intent of this ordinance.

Create M. Conditions of Approval. The Board of Zoning Appeals may:

1. Stipulate such conditions as are reasonable and necessary to protect or promote the public health, safety or welfare; property values, the environment; sound planning and zoning principles; improved land use; site planning and land development; or better overall neighborhood compatibility, and,
2. Impose any additional requirements, conditions or safeguards as a prerequisite to the issuance of the Zoning Permit if it shall be found necessary in order that the spirit of the regulations may be observed, and public safety and welfare secured.

Create N. Any Conditions attached to the Approval of the Special Exception:

1. Shall remain with the property as long as the Special Exception use is still in operation
2. Shall continue in force and effect regardless of any change in ownership of the property
3. The Board shall not approve any Special Exception for any property on which there exists a zoning violation unless such Special Exception will remedy such violation.

BE IT ENACTED that this ordinance shall take affect from and after its adoption, the public welfare requiring it.

Approved by the Eagleville City Council on:

Approved:

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Chad Leeman, Mayor

ATTEST:

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Phillip Dye, City Recorder

Passed First Reading:

Passed Second Reading:

Public Hearing Held:

With 15 day notice given in the Rutherford Reader

APPROVED AS TO FORM:

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James A. Turner, City Attorney