

ARTICLE IV

SUPPLEMENTARY PROVISIONS APPLYING TO SPECIFIC DISTRICTS

SECTION

- 4.010 Off-street parking requirements
- 4.020 Off-street loading and unloading requirements
- 4.030 Temporary use regulations
- 4.040 Customary incidental home occupations
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4.010. Off-street parking requirements. In all districts, accessory off-street parking shall be provided in conformity with the requirements set forth in this section for all uses permitted by right or as a conditional use.

A parking space is required for a portion of a unit of measure one-half or more of the amount set forth herein.

For an enlargement or modification resulting in a net increase in the floor area or other applicable unit of measure specified herein, the same requirements shall apply to such net increase in the floor area or other specified unit of measurement.

In the case of uses where the planning commission is required to prescribe the number of parking spaces, it shall base its determination on such factors as the traffic generation of the facilities, the time of operation of such facilities, their location, and other such factors as affect the need for off-street parking as required under the conditional use provisions.

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Off-street automobile storage or standing space shall be provided on each lot upon which any of the following uses are hereafter established. One (1) vehicle space shall be one hundred sixty-two (162) square feet in size (9 feet x 18 feet) and such space shall be provided with vehicular access to a street or alley. Handicapped parking spaces shall be provided according to the standards provided in the most current edition of the Handicapped Section of the North Carolina State Building Code. The required number of parking spaces shall be provided on property

owned by the relevant property owner. Street or highway right-of-way shall not be utilized to meet the minimum number of required parking spaces. The number of parking spaces provided shall meet the minimum requirements for the specific uses as set forth below:

A. RESIDENTIAL ACTIVITIES

1. Permanent

- (a) Single family detached, and attached; townhouses, condominiums, two-family dwellings, detached, attached, and semi-detached:

Two spaces per each dwelling unit

- (b) Multi-family dwelling (3 or more):

Two spaces per each dwelling unit.

- (c) Mobile Homes:

Two spaces per mobile home.

- (d) Where occupancy is to be primarily elderly persons over the age of 60, the number of developed spaces may be reduced to 1.5 spaces per unit.

2. Semi-Permanent

- (a) Boarding or rooming house:

1.5 spaces for each dwelling or rooming unit.

B. COMMUNITY FACILITY ACTIVITIES

1. Cultural and Recreational Services:

Accessory off-street parking shall be provided for the specified number of square feet of gross floor area or seating capacity or other specified unit of measurement (or fraction of one-half or more thereof) for the following specified uses within the activity types indicated:

- (a) Art Galleries, Museums, Libraries:

One (1) space for each 800 square feet of gross floor area.

- (b) Swimming Pools:

30% of the capacity in persons.

- (c) Parks, Playgrounds, Athletic Fields:

Ten (10) spaces for every acre of land devoted to field, plus one space for every four (4) spectator seats.

- (d) Recreation Centers and Gymnasiums (Public/Non-profit):
 - 50% of the capacity in persons, plus one space for each two employees.
- 2. Essential Public Transport, Communication, and Utility Services:
 - Electric and Gas Substations:
 - Two (2) spaces.
- 3. Administrative Services; Government Offices:
 - One (1) space for each 300 sq. ft. of gross floor area, plus one for every three (3) employees.
- 4. Community Assembly:
 - 50% of the capacity in persons.
- 5. Education Facilities; Public and Private Schools:
 - (a) Kindergarten and Nursery:
 - One and a half (1.5) spaces for each employee.
 - (b) Elementary and Middle Schools, grade 1-9:
 - One (1) space per each employee or one spaces for each five (5) seats in the auditorium, whichever is greater.
 - (c) High School, Grades:
 - One (1) space per each employee plus one (1) space per each four (4) students in grades 7 through 10. One (1) space per each employee plus one (1) spaces per each two (2) students in grades 11 and 12.
 - (d) Vocational or Trade Schools:
 - One (1) space per each student plus one (1) space per each employee.
- 6. Extensive Impact Facilities:
 - (a) Airports, heliports, or other aeronautical Devices:
 - One (1) space for each employee, plus one (1) space for every 100 sq. ft. of gross floor area.
 - (b) Detention or Correctional Institutions:
 - One (1) space for each employees, plus one (1) space per each patrol car on largest shift.

- (c) Electricity Generating Facilities, Radio, and Television Towers, and Transmission Facilities:

Minimum of two (2) spaces. The planning commission may require more.

- (d) Railroad, Bus, and Transit Terminals for Passengers:

One (1) space for each 100 sq. ft. of waiting room.

- (e) Railroad Yards and Other Transportation Equipment Marshaling and Storage Yards:

One (1) space for each employee.

- (f) Water and Sewage Treatment Plants:

One (1) space for every employee.

7. Health Care Facilities:

- (a) Hospitals:

1.5 spaces for each bed.

- (b) Medical or Dental Clinics:

Three (3) spaces for each staff member or doctor or dentist.

8. Intermediate Impact Facilities:

The number of required parking spaces will be determined by the planning commission, based on a site plan review.

9. Special Personal and Group Care Facilities:

- (a) Day Care Centers:

Two (2) spaces for each employee.

- (b) Family and Group Care Facilities:

Two (2) spaces for every employee.

- (c) Nursing Homes:

One (1) space for each staff or employee, plus one (1) for each two patients.

- (d) Retirement or Rest Homes:

One (1) space for each staff member or employee plus, one (1) space for each two (2) residents.

10. Religious Facilities:

All uses:

One (1) space for each three (3) seats.

C. COMMERCIAL ACTIVITIES:

USES LOCATED ON FREESTANDING SITES

One (1) parking space shall be required for each of the following amounts of gross floor area. For example, where you see the number 250 in the column labeled GROSS FLOOR AREA, that means, one parking space is required for every 250 square feet of gross floor area in the building, or rooms to be used for each activity.

<u>Activity Type</u>	<u>Gross Floor Area (Square Feet)</u>
1. <u>Retail Trade - Apparel and Accessories</u>	150
2. <u>Retail Trade - Automotive, Marine Craft and Aircraft Sales, Rental and Delivery</u>	25% of the gross lot area shall be allocated to individual parking spaces.
3. <u>Retail - Building Materials, Farm Equipment and Hardware</u>	1,000 plus one space for each employee.
4. <u>Retail Trade - Eating and Drinking Establishments</u>	100
5. <u>Retail Trade - Food Stores</u>	
(a) Limited line convenience	150
(b) All other uses	150
6. <u>Retail Trade - General Merchandise</u>	
(a) Department store	250
(b) Variety store	250
(c) Misc. General Merchandise store	250
7. <u>Retail Trade - Home Furniture, Furnishings and Equipment</u>	250
8. <u>Convenience Sales</u>	150

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| 9. | <u>Wholesale Sales</u>

(All Uses) | 1,000 |
| 10. | <u>Used Car Lots</u> | 25% of the gross lot are shall be de-voted to individual parking spaces. |

Service Activities

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| 1. | <u>Animal Care and Veterinarian Services; Veterinary Hospital</u> | 300 |
| 2. | <u>Automotive Services and Repair</u> | One (1) space for each employee, plus two (2) spaces for each service bay. |
| 3. | <u>Business Services</u>
(All Uses) | 400
Plus one (1) for each employee. |
| 4. | <u>Communication Services</u> | 300 |
| 5. | <u>Contract Construction Services</u> | 300 |
| 6. | <u>Equipment Repair Services</u> | 300 |
| 7. | <u>Entertainment and Amusement Services</u> | |
| | (a) Art Galleries | 800 |
| | (b) Bowling Alleys | Five (5) spaces for each alley. |
| | (c) Billiard Parlor | 250 |
| | (d) Coin Operated Arcades | 250 |
| | (e) Commercial Recreation: | |
| | Dance Halls and Skating Rinks | 100 |
| | Golf Ranges, Driving Range, Put-Put Course
Exhibitions Halls,
Auditoriums, Amphitheaters | As determined by
planning commission. |
| | Riding Stables | Minimum of 5 spaces plus one
for each employee. |

	Boat Docks, Boat Rental Marinas Botanical or Zoological gardens	One space for each employee plus other spaces as deter-mined by planning commission.
(f)	Motion Picture Theater	One space for each three (3) seats.
(g)	Motion Picture Theater- drive-in	Reservoir of 10% above all spaces plus one (1) space for each employee.
(h)	Legitimate Theater	One (1) space for each three (3) seats.
(i)	Recording, Television, and Radio Studios	Two (2) spaces for each employee.
(j)	Resorts and Group Camps	One space for each employee at peak season plus other spaces as required by planning commission.
(k)	Fairgrounds, Amusement Parks, Carnivals, Circuses	Parking plan must be presented to and approved by the planning commission.
8.	<u>Financial, Insurance, and Services</u>	
	(All Uses)	200 plus one space per each employee.
9.	<u>Gasoline Services Station</u>	500 plus two (2) spaces for each service bay and one for each employee.
10.	<u>Personal Services</u>	
(a)	Funeral and Under- taking Services	One (1) space for each 100 sq. ft. of gross floor area or where a chapel is provided, one (1) space for each four (4) perma- seats plus one for every 25 sq. ft. of parlor area where temporary seats are to be used.
(b)	All Others Services	150
11.	<u>Professional Services</u>	

- (a) Medical Three (3) spaces per each employee.
- (b) All Others 200

12. Transient Habitation

- (a) Hotel, Motels, Tourist Homes or Courts One (1) space for each room to be rented, plus one (1) space for each employees.
- (b) Sporting and Recreational Vehicle Camps One space for each travel vehicle or pad plus one space per each employee.

13. Uses Within Commercial Complexes

Where three or more commercial operations (retail, wholesale, or service activities) are grouped together such that they share a building or a common site, the number of parking spaces shall be 5 spaces per 1,000 square feet of gross leasable area.

D. INDUSTRIAL ACTIVITIES

One space for each 1,000 square feet of gross floor area, or one space per each employee during a single or two (2) successive shifts, whichever is greater. A minimum of five (5) spaces shall be provided for any establishment.

1. Warehousing, Foods an Freight Transport, and Storage

One space for each 5,000 square feet of gross floor area plus one space for each 10,000 square feet of open storage. A minimum of five (5) spaces shall be provided by any establishment.

2. Manufacturing: Automobile Wrecking Yards, Scrap Metal Processing, Junk Yards

One (1) space for each 1,000 square feet of gross floor area or one (1) space for each 8,000 square feet of gross lot area, whichever is greater.

E. AGRICULTURAL, RESOURCE PRODUCTION, AND EXTRACTIVE ACTIVITIES

1. Agricultural Services

One (1) space for each employee and for veterinary services for livestock, one (1) space for each 300 sq. ft. of gross floor area.

2. Plant and Forest Nurseries

Five (5) spaces, plus one (1) space for each five (5) acres.

3. Mining and Quarrying

1.5 spaces for each employee.

F. OTHER

For buildings and land uses not referred to in the pre-cited activity classifications and specifically listed in the corresponding use classification listings cited within Section 2.030, the off-street parking requirements shall be determined by the Board of Zoning Appeals.

4.011. Certification of minimum parking requirement. Each application for a building permit shall include information as to the location and dimensions of off-street parking spaces 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.

4.012. Combination of required parking space. The required parking space for any number of separate uses may be combined in one lot, but the required space assigned to one use may not be assigned to another use, except that the parking space required for churches, theaters, or assembly halls whose peak attendance will be at night or on Sundays may be assigned to a use which will be closed at night or on Sundays.

4.013. Remote parking space. If the off-street parking space required by this ordinance 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 or lease as the principal use. Such land shall be used for no other purpose so long as no other adequate provisions of parking space, meeting the requirements of this ordinance, has been made for the principal use.

4.014. Requirements for design of parking lots.

A. Except for parcels of land devoted to one- and two-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.

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B. Each parking space shall be no less than one hundred sixty-two (162) square feet in area. Each space shall be 9' x 18'.

C. Entrances and exits for all off-street parking lots shall comply with the requirements of Section 3.090 of this ordinance.

D. The parking lot shall be designed in such a manner as to provide adequate drainage and to eliminate the possibility of stagnant pools of water.

E. There shall be a parking aisle at least 22 feet wide serving all 90 degree and 60 degree angled parking spaces. For all 30 and 45 degree angled parking spaces there shall be a minimum parking aisle of 16 feet in width.

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- F. All off-street parking areas except for single family and duplex dwellings shall be surfaced with asphalt or concrete and so constructed to provide for adequate drainage for both on and off-sites. All parking spaces shall be clearly marked. Any lighting used to illuminate off-street parking areas shall be so arranged to prevent direct glare onto any public or private property or streets.
- G. No parking space(s) serving any residential development shall be located further than sixty (60) feet from the respective dwelling unit such space(s) serve.

4.020. Off-street loading and unloading requirements. Every building or structure hereafter constructed and used for business, or trade involving the receiving or distribution of vehicles, materials, or merchandise 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. The minimum required spaces for this provision shall be based on the total usable floor area of each principal building according to the following table:

Total Usable Floor Area for Principal Building	Spaces Required (See ARTICLE II for Definition)
0 to 9,999 sq. ft.	One (1) space
10,000 to 14,999 sq. ft.	Two (2) spaces
15,000 to 19,999 sq. ft.	Three (3) spaces
Over 20,000 sq. ft.	Four (4) spaces plus one (1) space for each additional 20,000 sq. ft.

Off-street Loading and Unloading Requirements for Industrial Use:

5,000 to 40,000 sq. ft.	One (1) space
Over 40,000 sq. ft. to 100,000 sq. ft.	Two (2) spaces
Each additional 100,000 sq. ft. or major fraction thereof	One (1) space

The Board of Zoning Appeals may reduce or increase this requirement in the interest of safety where unusual or special conditions are due consideration.

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

- A. Christmas Tree Sale: May obtain a forty-five (45) day Temporary Use Permit for the display and sale of Christmas trees on open lots in any district, except residential district.
- B. Temporary Buildings: In any district, a Temporary Use Permit may be issued for contractor's temporary office and equipment sheds incidental to a construction project. Such permit shall not be valid for more than one (1) year but may be renewed for six-month extensions; however, not more than three (3) extensions for a particular use shall be granted. Such use shall be removed immediately upon expiration of the Temporary Use Permit, whichever occurs sooner.
- C. Religious Tent Meetings: In any district, A Temporary Use Permit may be issued for a tent to house a religious meeting. Such permit shall be issued for not more than a 15-day period. Such activity shall be permitted only on lots where adequate off-street parking can be provided, and where adequate sewerage facilities are available. All tents shall be approved safe by the Fire Marshall.
- D. Temporary Dwelling Unit in Cases of Special Hardship: In any residential district, a Temporary Use Permit may be issued to place a mobile home (double-wide excluded) temporarily on a lot in which the principal structure as destroyed by fire, explosion or natural phenomena. The purpose of such placement temporarily shall be to provide shelter for only the residents of the principal structure during the period of reconstruction and to prevent an exceptional hardship on the same. Placement of such temporary structure must not represent a hazard to the safety, health, or welfare of the community. An applicant for a Temporary Use Permit as provided under this subsection must produce a written statement from the Shelbyville Utilities System and the Bedford County Health Department when applicable, approving the water supply and sewage disposal systems of the temporary structure. Such a permit may be initially issued for nine (9) months. A permit may be renewed for up to six (6) months at a time, the total time for all permits not exceeding a total of eighteen (18) months.
- E. Temporary Camping Ground for Special Events:

In any residential district, a Temporary Use Permit may be issued for a temporary campground to be used for occupancy by campers, motor homes, camping trailers, or tents. The use shall be for a period of not more than thirty (30) days during specially designated local events determined by the city council.

4.040. Customary incidental home occupations. Any home occupation shall meet the following requirements:

- A. No person other than members of the family residing on the premises shall be engaged in such occupation;
- B. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by the occupants, and not more than twenty-five (25) percent of the floor area of the dwelling unit shall be used in the conduct of the home occupation, not to exceed 500 square feet;
- C. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation.
- D. No home occupation shall be conducted in any accessory building;
- E. There shall be no sales on the premises in connection with such home occupation;

- F. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard;
- G. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot;
- H. No home occupation shall require internal or external alterations, construction features, or the use of any equipment that would change the fire rating of the structure;
- I. Customary home occupations will be limited to goods and services provided to individuals or groups not exceeding (5) in number.
- J. No outdoor display of goods or outside storage of equipment, parts, or materials of any kind used in the home occupation shall be permitted; and
- K. No outdoor display of signs are permitted greater than (1) square foot in area.
- L. The following are specifically prohibited as home occupations:
 - 1. The repair of motor vehicles.
 - 2. Tea rooms
 - 3. Tourist homes (not to include Bed and Breakfast facilities)
 - 4. Real estate offices
 - 5. Convalescent homes
 - 6. Mortuaries
 - 7. Animal clinics
 - 8. Retail sales business

All questions regarding specific home occupations shall be determined by the Board of Zoning Appeals.

4.050. (Reserved)

4.060. Gasoline service station restrictions. The following regulations shall apply to all gasoline services stations:

- A. There shall be a building setback from all street right-of-way lines of a distance of not less than forty (40) feet, except for canopies designed to cover the gasoline pump islands.
- B. Gasoline pumps shall not be located closer than twenty-five (25) feet to any right-of-way line.
- C. Sign requirements as established in city sign ordinance shall be met.

4.070. Performance Standards Regulations. The purpose of this section is to establish regulations and standards for the installation and operation of all types and classes of industrial, commercial, community facility uses, based upon consideration of the objectionable characteristics of such uses and the districts in which they are permitted.

In all applicable districts, as indicated above in any permitted use or any conditional use and every building or structure or tract of land that is established, developed, or constructed shall comply with each and every performance standard contained herein.

When any use or building or other structure is extended, enlarged, or reconstructed after the effective date of this ordinance, the applicable performance standards shall apply to such extended, enlarged, or reconstructed portions of such use of building or other structure. If any use, building, or structure is extended, enlarged or reconstructed by more than 60% the entire use, building or structure shall comply with the performance standards here in.

The provisions of this article shall apply after the effective date of this ordinance for any zoning permit or use and occupancy permit.

Performance standards are not applicable to the temporary construction, excavation, grading and demolition activities which are necessary and incidental to the development of facilities on the same zone lot, on another of several zone lots being developed at the time, or on the public right-of-way or easement for a community facility activity.

In the case of any conflict between the activity type and the performance standards, the latter shall control. In the case of any conflict between the performance standards set forth herein and any rules and regulations adopted by other governmental agencies, the more restrictive shall apply.

The following performance standards regulations shall apply to all uses or property in the C-1, C-2, C-3, I-1, and I-2 Districts, as well as any commercial, industrial, or community facility use type activity located in any other district. If in the opinion of the planning commission there is question as to whether an existing or proposed land use is in violation of the following performance standards, it shall be the responsibility of the property owner and/or person (as defined herein) in question to prove beyond a doubt that such usage is in compliance with the applicable performance standard(s).

4.070.1 Prohibition of Dangerous or Objectionable Elements

No land or building in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious, or otherwise objectionable fire, explosive, or other hazard; noise or vibration, smoke, dust, odor, or other form of air pollution; heat, cold, dampness, electrical, or other disturbance; glare; liquid or solid refuse or wastes; or other substance, condition, or element in such a manner or in such amount as to adversely effect the surrounding area.

4.070.2 Performance Standards Noise

At no point on or beyond the boundary of any lot which abuts a lot in the same district shall the sound pressure level resulting from any use or activity, whether open or enclosed, exceed the maximum permitted decibel levels for the designated octave band as set forth in the table below:

Octave Band, Frequency In Cycles Per Second	Sound Pressure Level in Decibels
0-74	79
75-149	74
150-299	66
300-599	59
600-1,199	53
1,200-2,300	47
2,400-4,799	41
4,800 and over	39

Where any C-1, C-2, I-1, or I-2 District adjoins a district permitting residences, the maximum permitted decibel levels at any point on or beyond the district boundary shall be reduced by six (6) decibels from the maximum permitted level in the table.

4.070.3 Performance Standards Regulating Vibration

No vibration other than from a temporary construction operation or a transportation facility shall be permitted which is discernible without instruments at the zone lot line of the zone lot on which the vibration source is situated.

For purposes of this section, vibration shall include the type of vibration which is a reciprocating movement transmitted through the earth and impact vibration which is an earthborne vibration produced by two or more objects (or parts of a machine) striking each other.

4.070.4 Performance Standards Regulating Smoke

No emission shall be permitted at any point from any stack, chimney, or other source of smoke or visible effluent of a shade equal to or darker than Ringlemann No. 1 except as provided below:

Within the I-2 District, the emission of smoke or visible effluent of a shade equal to Ringlemann No. 2 may be permitted for six (6) minutes in any four (4) hour period.

Within the I-2 District, the emission of smoke or visible effluent of a shade equal to or darker than Ringlemann No. 2 shall not be permitted, except that visible gray smoke of a shade equal to Ringlemann No. 3 may be permitted for three (3) minutes in any one (1) hour period.

4.070.5 Performance Standards Regulating Gases, Dust, and Particulate Matter

No emission shall be permitted from any stack, chimney, or other source of any solid or liquid particles in concentrations exceeding 0.30 grains per cubic foot of the conveying gas at any point. For measurement of the amount of particles in gases resulting from combustion, standard correction shall be applied to a stack temperature of 500 degrees Fahrenheit and 50 percent excess air. In no case shall any emission be permitted which will cause any damage to health, animals, vegetation, or other forms of property or which can cause soiling at any point beyond the zone lot line on which the source is situated.

4.070.6 Performance Standards Regulating Odors

Odorous matter released from any operation shall not exceed the lowest concentration which will produce an olfactory response in a person beyond the zone lot line.

4.070.7 Performance Standards Regulating Toxic Matter

No emission which would be demonstrably injurious to human health, animals, or plant life at or beyond the zone lot line will be permitted. Where an industrial use could produce such emission at a result of accident or equipment mis-function, adequate safeguards considered standard for safe operation in the industry involved shall be taken.

4.070.8 Performance Standards Regulating Fire and Explosive Hazards

The storage, utilization, or manufacture of solid materials or products ranging from free or active burning to intense burning may be permitted, but only if said materials or products are stored, utilized, or manufactured within completely enclosed buildings having incombustible exterior and protected throughout by an automatic fire extinguishing system.

All activities involving the use and/or storage and/or disposal of all types of flammable or explosive material shall be provided with adequate safety and protective devices against hazards of fire and explosion, as well as with adequate fire-fighting and suppression equipment and device standard to the industry involved.

Outdoor storage of any such materials shall be no less than forty (40) feet from all zone lot lines.

4.070.9 Performance Standards Regulating Glare and Heat

Any operation producing intense glare or heat shall be performed within an enclosure so as to completely obscure such operation from view from any point along the property line, except during the period of construction of the facilities to be used and occupied.

4.070.10 Performance Standards Regulating Electromagnetic Interference

In all districts, no operations or activities shall be conducted which cause electrical disturbances to be transmitted across zone lot lines.

4.070.11 Performance Standards Regulating Radioactive Materials

The manufacture, storage, and utilization of radioactive materials shall be in accordance with the "State Regulations for Protection Against Radiation" issued by the Tennessee Department of Health and Environment.

4.080. Special provisions for party walls. Within those districts where two family dwellings (duplexes) may be located upon single zone lots, such duplexes may be subdivided by party wall into two separate zone lots, provided that a plot plan of such development or conversion as required in Section 3.120 is approved by the planning commission along with the necessary subdivision plats. In granting approval of the plot plan, the planning commission shall be guided by the following criteria:

- A. Other than zero lot line separating the two dwellings units (zone lots), all other lot, yard, and density requirements of the zoning district shall be met. The lot area and lot width of any parcel (fee-simple lot) may be variable provided that no parcel shall be created which contains less than one half (1/2) of the required lot area per structure of building type.
- B. The side yard setbacks may be zero on any parcel provided that the parcel(s) adjacent to that (those) side yard(s) is (are) held under the same ownership at the time of initial construction.
- C. No zero side yard shall be adjacent to any public or private right-of-way.
- D. No portion of a dwelling or architectural features of a structure shall project over any property line.
- E. Where the same interior property line is utilized for the zero side yard construction of any dividing structure, such dividing structure shall consist of double walls separated by a minimum air space of two (2) inches.
- F. Where the same interior property line is utilized for the construction of any zero side yard structure, all provisions of the Standard Building Code shall be met, and all such fire walls shall have a rating of not less than two (2) hours duration.
- G. At all points of attachment, such buildings shall be separated from each other by firewalls extending from footings to the underside of the roof deck without openings which would permit the spread of fire.
- H. Individual water and sewer services for each zone lot shall be provided when required by the planning commission.
- I. All other requirements of the Shelbyville Subdivision Regulations shall be met.

Other information that shall be provided relating to deed covenants is as follows

- A. An agreement covering the status, including the ownership, maintenance, etc., of the common wall separating the units.
- B. Adequate language to assure proper maintenance, etc., of any portion of the structure where maintenance must be shared (ex. common roof).

If the correction of a maintenance problem incurred in the dwelling unit on one parcel necessitates construction work or access on the dwelling unit of the other parcel, either parcel owner shall have an easement on the property of the other for the purpose of this construction. Each party shall contribute to the cost of restoration thereof in proportion to such use without prejudice, however, to the right of any such owner to call for a larger contribution from the others under any rule or law requiring liability for negligent or willful acts or omissions.

- C. Adequate language to assure that any property divided under this provision shall be continuously subject to the unified plan under which originally approved. Such language shall so specifically include clear and precise statements whereby the purchaser is informed that the property may

not be used in any manner which would have the effect of negating the unified plan under which original approval was granted and language indicating that the purchaser of any such parcel understands that in no instance will any such parcel be viewed as a separate independent parcel for zoning purposes.

- D. Adequate language covering any and all cross easements as are necessary to assure the proper maintenance of all utility services.

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

- A. All motor vehicles stored or kept in such yards shall be so kept that they will not catch and hold water in which mosquitoes may breed and so that they will not constitute a place or places in which rats, mice, or other vermin may be harbored, reared, or propagated.
- B. Because of the tendency for salvage yards to promote the breeding of vermin, no such operation shall be permitted closer than three hundred (300) feet from any established residential zone.
- C. All outdoor storage of salvage and wrecking operations shall be conducted entirely within an enclosed opaque fence, screen, or wall, excepting driveway areas, from eight (8) to twelve (12) feet in height. Storage between the road or street and such fence, screen, or wall is expressly prohibited. Any fence, screen, or wall for concealment shall be maintained in good condition.
- D. All such yards shall be so maintained as to be in a sanitary condition and so as not to be a menace to public health or safety.
- E. Off-Road Parking: As regulated in ARTICLE IV, SECTION 4.010.
- F. Ingress and Egress: The number of vehicular access driveways permitted on any single street frontage shall be limited to:
 - 1. One (1) driveway where the parcel to be used has a maximum road or street frontage of one hundred (100) feet or less.
 - 2. Two (2) driveways where the road or street frontage exceeds one hundred (100) feet. Driveways used for ingress and egress shall be limited to twenty-five (25) feet in width maximum, exclusive of curb returns.
 - 3. Other applicable requirements of Section 3.090 shall be met.
- G. Application for Automobile Wrecking, Junk or Salvage Yard Permit: No person shall own or maintain an automobile wrecking, junk, or salvage yard within Shelbyville until he has secured a permit from the Shelbyville Board of Zoning Appeals. An application for said permit shall be filed in accordance with ARTICLE VII, SECTION 7.060, of this ordinance and shall be accompanied by a detailed site plan, a schedule for construction, and any other information herein required. Said application shall be submitted along with any plans and schedules. The Board shall vote to approve or disapprove the application in accordance with the time schedule in SECTION 7.060.

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4.100. Floodway fringe area requirements. Areas of special flood hazard as defined in the most current SHELBYVILLE MUNICIPAL FLOOD DAMAGE PREVENTION ORDINANCE shall be subject to these regulations and the most current SHELBYVILLE MUNICIPAL FLOOD DAMAGE PREVENTION ORDINANCE lying outside the floodway district but within the land subject to flood as defined in ARTICLE II, Section 2.020 shall be subject to the following regulations.

4.110. Minimum Spacing of Buildings on a Single Zone Lot. In districts where permitted (R-4, C-1, C-2, C-3, I-1 and I-2), the minimum distance between any two buildings on any single zone lot shall be as provided in this section, except that these provisions do not apply to space between a building enclosing a principal permitted use and a garage or other unoccupied building accessory thereto.

A. Minimum Distance Between Buildings

Within the districts as permitted, two or more buildings may be constructed on a single zone lot if parking spaces and usable open space are and will continue to be available in the same proportion to all occupants of the buildings on the lot. The minimum distance between such buildings shall vary according to the height and length of a building combined with the amount of glassed area of the walls. Such minimum distance shall be either twenty-five (25) feet or the distance required under the following standards, whichever is greater:

1. Where two opposing walls contain no glassed area, required or other, separation shall be as required by fire regulations;
2. Where a wall contains twenty-five (25) percent or more of the glassed area, the building separation shall be ten (10) feet plus two (2) feet for each story in height plus one (1) foot for each fifteen (15) feet of building length;
3. Where a wall contains some, but less than twenty-five (25) percent of the glassed area of any building, the building separation shall be five (5) feet plus one (1) foot for each fifteen (15) feet of building length.

B. Minimum Required Yard Area

Regardless of the orientation of buildings, no less than the minimum yards required by the district regulations in which such development is located shall be maintained along the outer boundaries of the zone lot.

C. Subdivision of Zone Lot After Development

In all districts, after any portion of a zone lot has been developed under the provisions of this Section, such zone lot may be subdivided into smaller zone lots only if each resulting zone lot and building or buildings hereon comply with all of the appropriate regulations pertaining to bulk, yards, open space, and parking and loading requirements of the district in which they are located.