

CARTER COUNTY, TN  
REGIONAL PLANNING  
COMMISSION



ZONING RESOLUTION  
FOR  
CARTER COUNTY, TENNESSEE

DATE ADOPTED  
SEPTEMBER 29, 1994

AS AMENDED THROUGH  
APRIL 18, 2016

Prepared For

**THE CARTER COUNTY PLANNING COMMISSION**

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## Amendments

Methadone and Substance Abuse Clinic or Facility  
Resolution 568, 21 May 2012

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## ARTICLE III

### ESTABLISHMENT OF DISTRICTS

For the purpose of this ordinance, Carter County, Tennessee, is hereby divided into eleven (11) classes of districts as follows:

A-1	General Agriculture District
A-1A	General Agriculture District
A-1B	General Agriculture District
R-1	Low Density Residential District
R-2	Medium Density Residential District
R-3	High Density Residential District
B-1	Neighborhood Business District
B-2	General Business District
B-3	Arterial Business District
M-1	Light Industrial District
M-2	High Impact Use District

The boundaries of these districts are hereby established as shown on the map entitled "Zoning Map of Carter County, Tennessee," dated \_\_\_\_\_ which accompanies this ordinance and which is on file in the Carter County Planning and Zoning Office. Unless otherwise specifically indicated on the map, the boundaries of districts are lot lines or center lines of streets or alleys or such lines extended, the boundary lines with cities, or a line midway between the main track of a railroad and the center lines of streams or other water bodies.



## ARTICLE IV

### APPLICATION OF REGULATIONS

Except as hereinafter provided.

401. Use: No building, structure or land shall hereafter be used and no building or part thereof shall be erected, moved, or altered unless for a use expressly permitted by and in conformity with the regulations herein specified for the district in which it is located.

402. Street Frontage: No dwelling shall be erected on a lot which does not abut at least forty (40) feet on a public street, except that lots fronting on cul-de-sacs may have a minimum road frontage of thirty (30) feet if the lot is at least fifty (50) feet in width at the minimum setback line. Lots of record that do not have the required road frontage may be granted a variance by the Board of Zoning Appeals provided that the requirements of this resolution are complied with as closely as possible.

403. Corner Lots: The minimum width of a side yard along an intersecting street shall be 50 percent greater than the minimum side yard requirements of the district in which the lot is located.

404. One Principal Building on a Lot: Only one principal building and its customary accessory buildings may hereafter be erected on any lot unless the second or additional buildings meet all of the requirements of the district in which it is located. The third or additional buildings must also have road frontage for each building equal to the minimum required width at the building line for the zoning district in which it is located.

405. Yard and Other Spaces: No part of a yard or other open space required about any building for the purpose of complying with the provisions of this ordinance shall be included as a part of a yard or other space required under this ordinance for another building.

406. Reduction of Lot Size: No lot shall be reduced in area so that yards, lot area per family, lot width, building area or other minimum standard provisions of this ordinance are violated.

407. Conformity to Subdivision Regulations: No building permit shall be issued for or no building shall be erected on any lot within the county, unless the street giving access to the lot upon which said building is proposed to be placed shall have been accepted or opened as a public street prior to that time or unless such street corresponds in its location and lines with a street shown on a subdivision plat approved by the Carter County Planning Commission and such approval entered in writing on the plat by the secretary of the commission.

408. Height and Density: No building or structure shall hereafter be executed or altered so as to exceed the height limit, to accommodate or house a greater number of families, to have narrower or smaller front yards or side yards than are required or specified in the regulations herein for the district in which it is located.

409. Deed Restrictions: Deed restrictions shall not be construed to be superseded nor abrogated by this zoning ordinance where the provisions of this ordinance are less restrictive in nature than the restrictions in the deed; nor shall deed restrictions be construed to override, annul, abrogate, or supersede any provision of this ordinance where said deed restrictions are less restrictive in nature than the provisions of this ordinance.

# ARTICLE V

## GENERAL PROVISIONS

501. Continuance of Nonconforming Uses: Any lawful use of any building or land existing at the time of the enactment of this ordinance or whenever a district is changed by an amendment thereafter may be continued although such use does not conform with the provisions of this ordinance with the following limitations.

501.1. No building or land containing a nonconforming use shall hereafter be extended unless such extensions shall conform with the provisions of this ordinance for the district in which it is located; provided, however, that a nonconforming use may be extended throughout those parts of a building which were manifestly arranged for such use prior to the enactment of this ordinance.

501.2. Any nonconforming building, which has been damaged by fire or other causes, may be reconstructed and used as before, unless it is determined by the building official that the building is damaged to the extent of more than seventy-five (75) percent of the fair cash market value of the structure, in which case any repair or reconstruction shall be in conformity with this ordinance.

501.3. When a nonconforming use of any building or land has ceased for a period of six months it shall not be reestablished or changed to any use not in conformity with the provisions of this ordinance.

501.4. Any building containing a nonconforming use shall not be changed to another nonconforming use unless it is determined by the planning commission that such use is less offensive than the previous use.

501.5. Nonconforming Mobile Home. A mobile home deemed to be a legal nonconforming use at the time of the adoption of this ordinance and located on a single lot may be replaced under the following conditions.

501.5.1. Provided that they are replaced within six months of the removal or destruction of the previous mobile home.

501.5.2. Provided that the replacement mobile home is of structural quality equal to or exceeding that of the previous mobile home in the opinion of the zoning commissioner.

501.5.3 Provided that they meet the front, side and rear yard requirements of the district in which they are located as closely as possible, and to the discretion of the Zoning Commissioner.

501.6. A nonconforming commercial or industrial use may be expanded provided that said expansion is approved by the Carter County Planning Commission. Before any expansion is begun, however, a set of plans showing existing development and the proposed expansion shall be presented to the planning commission for review and approval. A nonconforming use by its nature is not in character with its surrounding neighborhood, therefore, an effort shall be made to maintain the aesthetic characteristics of the neighborhood in order to protect the safety and welfare of citizens and to protect property values. Since noise, visual pollution and traffic congestion are the primary sources of incompatibility of land uses, efforts should be made to minimize their effects. A site plan showing the following, as a minimum, may be required by the planning commission.

501.6.1. A signed statement by a licensed engineer or architect indicating existing noise levels and proposed noise levels when the expansion is completed.

501.6.2. landscaped areas indicating fencing, berms and planted buffer strips.

501.6.3. Off-street parking - loading and unloading areas.

501.6.4. Erosion and sedimentation control.

501.6.5. Points of ingress and egress.

501.6.6. A bond may be required to insure completion of all required improvements.

501.6.7. Any other data deemed necessary by the planning commission.

501.7. Any building existing and operating as a commercial use at the time of any amendment to Section 507 and eligible for the issuance of a permit pursuant to 507 shall be entitled to a permit as a nonconforming use.

502. Off-Street Automobile Parking: Off-street automobile parking must be provided on every lot. The number of automobile parking spaces provided shall be at least as great as the number specified below for various uses. Each space shall be at least 9 feet by 18 feet and shall have vehicular access to a public street. Turning space shall be provided so that no vehicle will be required to back into a through county road except for single family residences. Single family residential parking may include the driveway and garage. Condominiums and apartments may county garages at the discretion of the planning commission. Any area once designated as required for off-street parking shall not be changed to any other use unless they are replaced.

502.1. Churches: One space for each four (4) seats.

502.2. Day Care Centers, Private Schools, centers or schools for instruction and similar uses: One space for each instructor plus one space for each four students.

502.3. Dwellings:

502.3.1. Single and duplex: Two spaces for each unit.

502.3.2. Multi-family: Two spaces each unit.

- 502.4.        Funeral Parlors:        One space for each four (4) seats in the chapel.
- 502.5.        Gasoline service stations, automobile repair garages and similar establishments:  
Four (4) spaces for each bay or similar facility plus one space for each employee.
- 502.6.        Hospitals and nursing homes:        One space for each two staff or visiting doctors plus one space for each two employees and one space for each four beds, computed on the largest number of employees on duty at any period of time.
- 502.7.        Hotel:        One space for each three (3) employees plus one space for each guest room.
- 502.8.        Industry:        One space for each two (2) employees, computed on the largest number of persons employed at any period day or night.
- 502.9.        Motels:        One space for each three (3) employees plus one space for each accommodation.
- 502.10.        Offices:
- 502.10.1.        Medical:        One space for each two hundred (200) square feet of floor space.
- 502.10.2.        Other professional:        One space for each three hundred (300) square feet of floor space.
- 502.10.3.        General:        One space for each three hundred (300) square feet of floor space.
- 502.10.4.        Methadone Treatment Facilities:        One space for each two hundred (200) square feet of floor space.
- 502.11.        Places of public assembly:        One space for each three (3) seats in the principal assembly area.
- 502.12.        Recreation and amusement areas without seating capacity:        One space for each four (4) customers computed on maximum service capacity.
- 502.13.        Restaurants, clubs and lodges:        One space for each three (3) employees, plus one space for each four seats.
- 502.14.        Retail business and similar uses:        One space for each two hundred (200) square feet of gross floor space.
- 502.15.        Schools:        High schools require one space for each faculty member, plus one space for each four (4) pupils. Elementary and junior high schools require four (4) spaces for each classroom.
- 502.16.        Mobile Home Parks: Two spaces for each mobilehome.
- 502.17.        Wholesale business: One space for each two (2) employees based on maximum seasonable employment.
- 502.18.        The Zoning Administrator may adjust upward or downward the parking requirements based on best available information.

503.            Off-Street Loading and Unloading Space: Adequate loading and unloading spaces for each business and industrial use shall be provided on site with no encroachment onto public streets or alleys.

504.            Vision Clearance: No fence, wall, shrubbery, sign or other obstruction to vision between the height of three feet and fifteen feet shall be permitted within twenty feet of the intersection of the rights-of-way lines of streets, or of streets and railroads.

505.    Design, Construction and Maintenance of Off-Street Parking and Unloading Lots Except for Single Family Dwelling Units on a Lot:

505.1.            Clearly defined driveways used for ingress and egress shall be confined to and shall not exceed thirty-five feet in width. Unless otherwise approved by the zoning commissioner, there shall be one point of ingress and egress to each parking or unloading lot. The parking lot shall be setback ten (10) feet from the edge of the street pavement or off the public right-of-way whichever is greatest.

505.2.            All areas devoted to permanent off-street parking and loading and unloading space shall be maintained to reduce dust and mud.

505.3.            Parking and loading and unloading lots shall be well drained to eliminate surface water with a minimum of three (3) inches of compacted gravel.

506.            Access Control:        In order to promote the safety of the motorist and pedestrian and to minimize traffic congestion and conflict by reducing the points of contact, the following regulations shall apply.

506.1.            A point of access, i.e., a drive or other opening for vehicles onto a street shall not exceed thirty-five (35) feet in width.

506.2.            There shall be no more than two (2) points of access to anyone (1) public street.

506.3.            No point of access shall be allowed within ten (10) feet of the right-of- way of any public street intersection.

506.4.            Access control on property abutting state or federal highways shall be governed by official regulations of the Tennessee Department of Transportation, Division of Highways or the provisions of this resolution, whichever is the most restrictive.

507.            Alcoholic Beverages:        The retail sale of beverages having an alcoholic content of less than five (5) percent by weight and the retail sale of beverages having an alcoholic content of more than five (5) percent by weight and requiring for their sale a license issued by the Tennessee Alcoholic Beverage Commission shall be permitted only in a B-3 zoning district. No such sale, however, shall be permitted until all state laws have been complied with and approval has been received from the Carter County Beer Board or other such board as designated by the Carter County Board of Commissioners. No such sale shall be permitted within 700 feet of a church or school or 300 feet of a residence.

508.            Mobile Home Park: A mobile home park is any plot of ground containing a minimum of one acre upon which two or more mobile homes are located or are intended to be located, but does not include sites where unoccupied mobile homes are on display for sale. The following property development standards shall apply for all mobile home parks:

508.1.            The owner of the land parcel proposed for a mobile home park shall submit a plan for development to the Carter County Planning Commission. The plan shall show:

- 508.1.1.            The park plan drawn to scale.
- 508.1.2.            The area and dimensions of the proposed park.
- 508.1.3.            The location and width of all roadways.
- 508.1.4.            A drainage plan of the park.
- 508.1.5.            A certificate of accuracy signed by the surveyor or engineer that the engineering work is correct.
- 508.1.6.            Certificate and signature of the health officer.
- 508.1.7.            Any other information deemed pertinent by the planning commission.

508.2.            Each mobile home park site shall meet the following minimum standards:

- 508.2.1.            Shall have minimum of thirty (30) feet between each mobile home.
- 508.2.2.            All mobile homes, structures, and pavement shall be setback 20 feet from side and rear property lines and 30 feet from front property line.
- 508.2.3.            The site shall be located in a flood free area with proper drainage.
- 508.2.4.            Entrances and exits to the mobile home park shall be designed for safe and convenient movement of traffic into and out of the park, and shall be located and designed as prescribed by the planning commission.
- 508.2.5.            There shall be a planted buffer strip along the side and rear property lines. Any part of the park area not used for buildings or other structures, parking, or access ways shall be landscaped with grass, trees and shrubs.
- 508.2.6.            Each mobile home shall be within 50 feet of a street light.
- 508.2.7.            Each mobile home park shall provide two off-street parking spaces for each mobile home. The parking spaces shall be located for convenient access to the mobile homes.
- 508.2.8.            Roadways shall have a minimum width of eighteen (18) feet with a minimum compacted gravel base of six (6) inches, a minimum asphalt binder course of two (2) inches, and a minimum asphalt surface course of one (1) inch.
- 508.2.9.            All expansions of mobile home parks shall meet the same requirements as a new mobile home park.

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

509.1.            Temporary Buildings:            In any district, a temporary use permit may be issued for a contractor's temporary office and equipment sheds incidental to a construction project. Such permit shall not be valid for more than one year but may be renewed for six-month extensions. Such use shall be removed immediately upon-completion of the construction project, or upon expiration of the temporary use permit, whichever occurs sooner.

510.    Group Housing Projects (Apartments) and Residential, Commercial and Industrial Planned Unit Developments (PUDs).

510.1.            Set of site standards like mobile home parks.

510.2.            Maintenance agreement drawn by an attorney for PUDs.

510.3.            Reviewed and approved by the planning commission.

510.4.            Must meet other requirements of this resolution:

510.4.1.            Must be an allowed land use in the zoning district.

510.4.2.            Meet density standards

510.4.3.            Meet setback requirements.

510.4.4.            Meet height restrictions.

510.4.5.            Etc.

511.            Adult Oriented Establishments:            Because adult oriented establishments have a deteriorating effect on property values, create higher crime rates in the area, create traffic congestion, and depress nearby residential neighborhoods and retail districts, these activities will only be permitted when minimum conditions are met.

511.1.            The following minimum conditions must be complied with for a site to be approved for adult entertainment activities:

511.1.1.            The site shall be not less than one thousand feet from any residentially zoned property at the time of approval for an adult entertainment activity.

511.1.2.            The site shall be not less than one thousand feet from the site of any public amusement or entertainment activity, including, but not limited to, the following: arcades, motion picture theaters, bowling alleys, marinas, golf courses, playgrounds, ice skating or roller skating rinks or arenas, zoos, community centers



and similar amusements offered to the general public, "Amusement or entertainment activities" in this section shall not include adult oriented establishments, and shall not reduce the distance requirements otherwise dictated by this section.

511.1.3. The site shall not be less than two thousand feet from any area devoted to public recreation activities.

511.1.4. The site shall be not less than two thousand feet from any school, library, day care center, park, church, mortuary or hospital.

511.1.5. The site shall be not less than one-half mile from any other adult entertainment business site.

511.1.6. Measurement shall be made from the nearest recorded property line of the lot on which the adult oriented establishment is situated to the nearest property line or boundary of the above mentioned uses, measuring a straight line on the Carter County Zoning Map.

511.2. Maps showing existing land use and zoning within one half mile of the proposed site should be submitted with an application for Use on Review approval along with site plans, surveys or other such special information as might reasonably be required by the planning commission for use in making a thorough evaluation of the proposal.

601A.1.4. All mobile homes and structures shall be setback 20 feet from side and rear property lines, and 30 feet from the front property lines.

601B. A-1B General Agriculture District: Same intent and standards of the A-1A district except that no setbacks are required for homes and mobile homes on individual lots.

601.B.1. Same land uses, standards and setbacks as the A-1A district except that no setbacks are required for homes and mobile homes on individual lots.

602. R-1 (Low Density) Residential District: This is the most restricted residential district, intended for low density single-family use along with open areas which appear likely to develop in a similar manner. The requirements for the district are designed to protect essential characteristics and provide an environment for family life. Additional related uses normally required to provide the basic needs and conveniences of a residential area are permitted upon review by the planning commission provided certain standards are met. It is necessary to set higher standards for these related uses because they generate more traffic than single-family residential uses and would be detrimental to a residential neighborhood if they are not required to meet minimum standards.

602.1. Within the R-1 (Low Density) Residential District of Carter County, the following uses are permitted:

602.1.1. Single-family residence.

602.1.2. Customary general farming.

602.1.3. Public utility stations, subject to review and approval by the Carter County Planning Commission.

602.1.4. Customary accessory buildings.

602.1.5. Customary, incidental, home occupations conducted within the principal building provided there is no external evidence of such occupation except announcement or professional sign attached to the principal building not more than two square feet in area, that only one person not a resident of the premises is employed, and that not more than 25 percent of the total floor area of any dwelling unit is in such use.

602.1.6. Publicly owned recreation facilities and grounds.

602.1.7. Cemeteries, churches, day care centers, and both public and private schools offering general education, provided:

- (1) They are located on a through county road.
- (2) They are located on a lot containing a minimum of one acre.
- (3) The buildings are placed not less than fifty feet from the side and rear lot lines, and that no structures or pavement shall be not less than thirty (30) feet from side and rear lot lines.
- (4) There is a buffer strip along the side and rear lot lines.

(5) Day care centers with fifteen or fewer children are exempted from this section and treated as a single-family dwelling unit.

602.2. Area Regulations:

602.2.1 Lot Area

Minimum for single-family dwelling units 15,000 sq. ft.

*Larger lot areas may be required by the health department unless sanitary sewers are available.*

602.2.2. Front Yard

Minimum front yard setback 30 ft.

602.2.3. Rear Yard

Minimum rear yard setback 30 ft.

602.2.4. Side Yard

Minimum side yard setback 12 ft.

602.2.5. Customary accessory buildings shall have a minimum of 30 feet front yard setback and shall not be located closer than seven and one half (7.5) feet to any side or rear lot lines.

603. R-2 (Medium Density) Residential District: This district is intended to provide for medium density residential development including single-family residential development and low density multiple family apartment uses. Like the R-1 district, this district is designed to protect the essential characteristics of family living. Additional related uses normally required to provide the basic needs and conveniences of a residential area are permitted upon review by the planning commission provided certain standards are met. It was necessary to set higher standards for these related uses because they create more traffic than residential uses and would be detrimental to a residential neighborhood if they were not required to meet minimum standards.

603.1. Within the R-2 (Medium Density) Residential District of Carter County, the following uses are permitted:

603.1.1. Any use permitted in the R-1 Residential District.

603.1.2. Two family and multi-family dwellings provided that buildings, structures, and pavement shall be setback at least 20 feet from side property lines.

603.1.3. One mobile home on a single lot.

603.1.4. Funeral homes provided they meet the standards of section.

603 .2. Area Regulations:

603.2.1. Lot Area

Minimum for single-family dwelling units: 10,000 sq. ft.

Minimum for two family and multi-family units:

First unit	10,000 sq. ft.
Each additional unit	5,000 sq. ft.

Larger lot areas will probably be required by the health department unless sanitary sewers are available.

603.2.2. Front Yard

Minimum front yard setback 30 ft.

603.2.3. Rear Yard

Minimum rear yard setback 30 ft.

603.2.4. Side Yard

Minimum side yard setback 10 ft.

Minimum additional side yard for all buildings over two stories, 6 ft.

604. R-3 (High Density) Residential District: It is the intent of this district to provide for areas of high density residential development. One purpose of this district is to create adequate standards of residential development in order to prevent overcrowded housing conditions. Intensities of development have been established which will not cause traffic congestion and densities are limited in order to provide usable open space for dwellings and adequate space for all related facilities.

604.1. Within the R-3 (High Density) Residential District of Carter County, the following uses are permitted.

604.1.1. Any use permitted in the R-2 Residential District.

604.1.2. Boarding and rooming houses.

604.1.3. Mobile home parks provided that:

- (1) The park contains a minimum of one acre.
- (2) That they meet all the provisions of the mobile home park standards established in section 508 of this ordinance.

604.2. Area Regulations:

604.2.1 Lot Area

Minimum for single-family dwelling units 7,500 sq. ft.

Minimum for two family and multi-family units:

First unit 7,500 sq. ft.

Each additional unit 4,000 sq. ft.

*Larger lot areas will probably be required by the health department unless sanitary sewers are available.*

604.2.2. Front Yard

Minimum front yard setback 30 ft.

604.2.3. Rear Yard

Minimum rear yard setback 20 ft.