

**ARTICLE 2.00  
LANGUAGE AND DEFINITIONS**

**02.01 Rules for Construction of Language**

In the construction of this Ordinance, the rules and definitions contained in this chapter shall be observed and applied, except when the context clearly indicates otherwise:

02.01.010 The particular shall control the general.

02.01.020 The word “shall” or “will” is always mandatory and not discretionary.

02.01.030 The word “may” is permissive.

02.01.040 The word “lot” shall include the words “piece”, “parcel”, “tract”, or “common area lot”.

02.01.050 The word “structure” includes all other structures, or parts thereof, of every kind regardless of similarity to buildings; and the phrase “used for” shall include the phrases “arranged for”, “designed for”, “intended for”, “maintained for”, and “occupied for”.

02.01.060 In the case of any difference of meaning or implication between the text of this Ordinance and any caption, illustration or table the text shall control.

02.01.070 The word “permitted” or words “permitted as of right”, means permitted without meeting the requirements for a conditional use permit or not prohibited.

02.01.080 The words “conditionally permitted” or “permitted by conditional use permit” means permitted subject to the requirements for a conditional use by special permit pursuant to Article 15.00, Section 15.06 of this Ordinance, and all other applicable provisions.

02.01.090 Words used in the present tense shall include the future, and words used in the singular include the plural, and the plural the singular, unless the context clearly indicates the contrary.

02.01.100 Unless the context clearly indicates to the contrary, conjunctions shall be interpreted as follows:

A. “And indicates that all connected items, conditions, provisions or events shall apply.

B. “or” indicates that the connected items, conditions, provisions or events shall apply.

C. “Either . . . or” indicates that the connected items, conditions, provisions, or events shall apply singly but not in combination.

02.01.110 All public officials, bodies, and agencies to which reference is made are those of the City of Gallatin, Tennessee.

02.01.120 Any conflict between one section of this Ordinance and another section of the Ordinance shall be resolved in favor of the more restrictive provision.

## **02.02 Definitions**

Except where definitions are specifically included in various articles and sections, words in the text or tables of this Ordinance shall be interpreted in accordance with the provisions set forth in this section. Where words have not been defined, the standard dictionary definition shall prevail.

*Abandon* or “*abandoned*” – The discontinuance of an active use, site, operation or absence of an active or valid licensed business for more than 30 months. See TCA §13-7-208.

*Accessory Use* - A use of the property that is incidental or subordinate to a principal permitted use, is generally located within a smaller building or structure or within the structure hosting the principal use and is located on the same lot as the principal use. No accessory uses shall be permitted on a parcel without first constructing or placing a principal use on the parcel/lot.

*Accessory Structure* – A structure that is incidental or subordinate to a principal permitted structure, is located on the same lot or parcel as the principal structure and does not exceed the size of the principal use structure on the lot unless located within an industrial or agricultural zoning district. Typical accessory structures includes, detached garages, storage buildings and sheds, decks and pavilions, gazebos, pool houses, swimming pools, fences, tree houses and other recreation facilities.

*Activity* - The performance of a function or operation which constitutes the use of land.

*Administrative Community Facility* – A public, non-profit private or utility facility necessary to provide administrative support to community services or activities. These may include utility administrative offices, recreation administrative offices, church administrative offices, and similar uses.

*Adult Bookstore* - An establishment having as a substantial or significant portion of its stock in trade books, magazines, and other periodicals that are distinguished or characterized by their emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas,” as defined in Adult Entertainment, for observation by patrons therein.

### *Adult Entertainment*

1. *Specified Anatomical Areas*: Less than completely and opaquely covered: (a) Human genitals, pubic region; (b) Buttock; (c) Female breasts below a point immediately above the top of the areola; or (d) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

2. *Specified Sexual Activities:* (a) Human genitals in a state of sexual stimulation or arousal; (b) Acts of human masturbation, sexual intercourse or sodomy; or (c) Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

*Adult Entertainment Center* - An enclosed building or part of an enclosed building, no portion of which enclosed building is licensed to sell liquor, that permits a customer to view a live person unclothed or in such attire, costume or clothing as to expose to view any portion of the female breast below the top of the areola, or any portion of the pubic hair, anus, cleft of the buttocks, vulva or genitals, or that charges any admission or fee for the viewing of any such activity.

*Adult Mini-Motion Picture Theater* - An enclosed building with a capacity for less than fifty (50) persons used for presenting material that is distinguished or characterized by their emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas,” as defined in Adult Entertainment, for observation by patrons therein.

*Adult Motion Picture Theater* - An enclosed building with a capacity for fifty (50) or more persons used for presenting material that is distinguished or characterized by an emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas,” as defined in Adult Entertainment, for observation by patrons therein.

*Agricultural Activities* – consists of commercial production of crops, animal raising, and related accessory uses, farm equipment storage, sale of agricultural products produced on the farm, operation and repairs of equipment used on the farms and not brought in from other farms or non-farm properties, necessary for the commercial production of farm products, but shall exclude industrial scale processing or manufacturing of food products. See TCA §43-1-113, §43-34-104, §43-34-103, §4-31-102, §43-37-101, §6-54-126, §43-26-102, §13-7-114, §44-18-101, §70-8-305 (8).

*Agricultural uses and purposes* – consists of the commercial production of agricultural activities and associated events that occur on the agricultural lands that are intended to provide an income from/for the agricultural property and the facilities necessary to support such activities.

*Agricultural exemption* – properties that are exempt from complying with restrictions in the zoning code because the agricultural activities have continuously occurred on the property before establishment of the current land development regulations. Continuous means that the activity has not ceased for thirty more months and is not intended to include inactivity because of the secession in the growing seasons.

*Alley* - A public way intended to provide only secondary vehicular access to abutting properties.

*Animal Care* – Any structure, land or combination thereof used, designed or arranged for the boarding, medical care and grooming of domestic animals.

*Area regulations* – Describes the minimum required area for a lot or building site, the required minimum yards for a zoning district or the dimensions required for a zoned or platted lot.

*Armory* – A public facility used for assembly and training of National Guard personnel and storage of National Guard vehicles and equipment.

*Arsenals* – A repository or magazine of arms and military stores of all kinds for land, air or naval service and includes a public establishment where military equipment or munitions are stored or manufactured.

*Assisted Living Facility* - A residential group home for senior adults that need help with activities of daily living such as meals, medication, grooming, in order to maintain the whole person.

*Attached* - Joined together by party wall(s).

*Automotive Parking Lot* – A ground-level improved area, not within a street, with stabilized or paved surfaced use to temporarily park motor vehicles for short periods of time, containing three or more parking spaces.

*Automotive Parking Lot, Limited* – An automotive parking lot, not within a street, with stabilized or paved surfaced use to temporarily park motor vehicles for short periods of time, containing three or more parking spaces.

*Auto Repair and Cleaning* – Any building, structure or land used for the repair of motor vehicles and/or trailers including body work and installation of accessories, painting, cleaning and detailing of vehicles and/or trailers.

*Automotive Servicing* – Any building, structure or land use where motor vehicles are serviced with light repairs limited to fluid changes, tire repair and installation, installation and replacement of accessory automobile parts but excludes heavy servicing such as body work and painting, engine rebuilds and replacements, transmission installation and reconstruction.

*Basement* - A story whose floor is more than twelve (12) inches, but not more than one-half (1/2) of its story height, below the average level of the adjoining ground (as distinguished from a “cellar” which is a story more than one-half (1/2) below such level).

*Bed and Breakfast Homestay* – A private home, inn or other unique residential facility offering bed and breakfast accommodations and one (1) daily meal and having less than four (4) guest rooms furnished for pay, with guests staying not more than fourteen (14) days, and where the innkeeper resides on the premises or property or immediately adjacent to it. Guest rooms shall be established and maintained distinct and separate from the innkeeper’s quarters.

*Bed and Breakfast Inn* – A private home, inn or other unique residential facility offering bed and breakfast accommodations and one daily meal and having four (4), but not more than twelve (12) guest rooms furnished for pay, with guests staying not more than fourteen (14) days, and where

the innkeeper resides on the premises or property or immediately adjacent to it. Guest rooms shall be established and maintained distinct and separate from the innkeeper's quarters.

*Buffering* - Shall be located around the perimeter of the site to minimize the off-site impact of headlight glare, noise, light from structures and open areas, and the movement of people and vehicles. Buffering may consist of berms, fencing, evergreens, shrubs, bushes, deciduous trees or combinations thereof to achieve the stated objective. Type of buffering with height shall be stated on the site plan for approval by the planning commission.

*Bufferyard* - A designated unit of yard or open area together with any plant materials, barriers, or berms required thereon.

*Building* – Any structure designed or built for the support, enclosure, shelter or protection of persons, animals, chattels or property. A building shall not include such structures as billboards, fences, radio or TV towers, or structures not normally accessible for human use, such as gas storage tanks, smoke stacks, grain elevators, exposed industrial equipment (i.e., oil or chemical processing apparatus) or similar structures. Where roofed structures are separated from each other by party walls having no openings for passage, each portion so separated shall be considered a separate building.

*Building Height* – The vertical distance measured from grade of the highest finished roof structure in the case of flat roofs and including any false parapet wall or the point of the average height of the roof having a pitch including a gabled or hipped roof.

*Bulk* - Describes the size of buildings or other structures, and their relationship or separation from each other and to open areas and lot lines, and therefore includes:

- A. The size (including height and floor area ratios) of buildings or other structures,
- B. The area of the zoning lot upon which a residential, commercial or industrial building is located, and the number of dwelling units per acre or per square foot of such buildings in relation to the area of the lot,
- C. The location of exterior walls of buildings or structures in relation to lot lines, to other walls of the same building, to legally required windows, or to other structures, and
- D. All open areas relating to buildings or other structures and their relationship thereto.
- E. The maximum lot coverage permitted for buildings on a zoned lot.

*Business and Communication Service* – A building where activities that support business operations are conducted including clerical, administrative, communication processing, computer servicing and operations hubs, copying/reproduction, computer servicing and maintenance, business equipment sales and repair, advertising, accounting, and similar services normally associated with business support services.

*Cellar* - (See Basement)

*City Planner* – (as indicated in Chapter 2, Section 2-176, GCO) – That person appointed by the City Council to administer the City’s comprehensive plan and land development regulations and to enforce performance standards (also see Zoning Administrator).

*Cold Night Shelter* – An accessory use to a Community Assembly Facility/social service institution that offers a temporary place of refuge from severe weather events for no more than five consecutive days.

*Compatible or compatibility* – The placement of a use, activity or structure incorporating design standards which utilizes accepted site planning practices including architectural features, style, orientation and scale and landscape material composition consistent with the context of the surrounding area when constructed to minimal code requirements.

*Common Open Space* - A parcel or parcels of land and/or an area of water within the site designated as a planned unit development or controlled density development, and designed and intended for use or enjoyment of the occupants of said development. “Common Open Space” may contain such complementary structures and improvements as necessary and appropriate for the benefit and enjoyment of the occupants of such development.

*Community Assembly* – Structures and/or grounds on a single parcel or lot where events or groups congregate to conduct activities such as special events, worship services, meetings, concerts, festivals, job-fairs, weddings, private parties, etc.

*Community Assembly Activities* – Special or routine events such as worship services, meetings, concerts, festivals, job-fairs, weddings, private parties held in structures or grounds on a single parcel.

*Community Education* – Structures and grounds and necessary accessory uses established to serve for the instruction of organized groups of students.

*Community Residential Home* - A home licensed and intended for use as dwelling units for “mentally handicapped” persons as defined in T.C.A. § 13-24-101 - § 13-24-104

*Completely Enclosed* - Refers to a building or other structure having a roof, and separated on all sides from the adjacent open area or from other buildings or other structures, by exterior walls or party walls, pierced only by windows or entrance and exit doors normally provided for persons, goods or vehicles.

*Complimentary business* - An existing or committed land use or activity that does not offer the same services and products as a neighboring use/activity but that offers services and products that have related uses and activities or that may be of use to the other service or activity and does not usually have the same operating hours as the adjacent use.

*Conditional Use* - A conditional use is a use that would not be appropriate generally or without restriction throughout the zoning division or districts but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Such uses may be permitted in such zoning division or district as conditional uses, if specific provisions for such use are made in this Ordinance.

*Construction Sales and Services* — A building or grounds where materials and equipment used to construct sites for development are stored and offered for sale or repair.

*Consumer Laundry and Repair* – A building where a business or patron uses machines to wash, dry, dry-clean or sanitize clothing, carpets or other fabrics.

*Container, freight* – A pre-manufactured structure of rigid material construction that is delivered to a site as a fully contained unit used primarily for the purpose of transporting or storing items or goods.

*Convenience Sales and Services* – The sale or serving of small commercial grade items at retail to the public including toiletries, sundry items, and general consumer staples, hair salons and barber shops.

*Crematorium* – A facility, licensed by the State, containing properly installed and maintained equipment for use in the act of cremation.

*Crop and Animal Raising* – Primary components essential for using property for commercial agricultural purposes and uses except for concentrated animal feeding operations as described in T.C.A. §44-18-104.

*Curb Level* - The mean of the elevations of the side lot lines extended to the street line.

*Day Care* - A facility operated for the purpose of providing care, protection and guidance to three (3) or more individuals during only part of a 24 hour day, excluding public or private primary schools, as further defined in Section 71-3-501 as a “Child care center”.

*Day Care, Children* – A day care facility operated serving persons less than 18 years of age.

*Day Care, Limited* - see Day Care Home

*Day Care, Adult* – A day care facility operated serving persons 18 years of age and over.

*Day Care Home* - A private home where licensed day care services are provided for not more than seven (7) individuals as further described in Section 71-3-501, Tenn. Code Ann..

*Designed for Residential Use* - A building located in a Residential District which was originally designed for residential use and in which at least twenty-five (25) percent of the floor area is occupied for residential use.

*Developer* – The person or entity responsible for constructing or making improvements to a development site and who may contract with others to perform construction on a site.

*Development Area Per Dwelling Unit* - The net amount of lot area of a single zone lot required for each dwelling unit to be placed on the zone lot.

*Development Permit* – Formal approval of a development project issued by the City Planner or Zoning Administrator authorizing an owner to apply for a Land Disturbance Permit or Building Permit (also see Zoning Permit).

*Discontinued Use* – A conforming or non-conforming use that has ceased to operate for 30 or more months on a continuous basis and/or has failed to maintain an active business license at the licensed location for 30 or more months. No discontinued use shall be permitted to reopen after 30 months of being discontinued unless the site is brought into compliance with the existing development code except where an existing building is to be used for the newly developing business except as for provided by T.C.A. 13-7-208 (b)-(g).

*Dwelling, Attached* – A building containing two or more dwelling units, attached at the side or sides. At points of attachment, such buildings shall be separated from each other by fire walls, along a common lot line, extending from footings through roofs without openings which would permit the spread of fire from one building (or unit) to another.

Such buildings shall be located on a separate lot with dimensions meeting regulations for the district, or be so located on land in the same ownership that individual lots meeting district requirements could be provided, in which case dimensions of such land shall not be reduced below those required for provisions of separate lots. The term attached dwelling is intended to apply to townhouses, patio or atrium houses, or any form however termed which conforms to this definition.

*Dwelling, Manufactured Home* – a structure, transportable in one (1) or more sections, which, in the traveling mode, is eight (8) body feet or more in width and forty body feet or more in length, or when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure; except that a “manufactured home” included any structure that meets all the requirements description, except the size requirements and with respect to the manufacturer voluntarily files a certification required by the secretary of United States Department of Housing and Urban Development and complies with the standards established under Title 68, Tenn. Code Annotated.



*Dwelling, Mobile Home* – A structure manufactured before June 15, 1976 that is not constructed in accordance with the National Manufactured Home Construction and Safety Standards Act of 1974, as compiled in 42 U.S.C., Section 5401 et. seq. It is a structure that is transportable on one (1) or more sections, which, in the traveling mode, is eight (8) body feet or more in width, or forty body feet or more in length, or when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure; and includes a “Manufactured home” and “Mobile home” as defined by Section 68-126-202, Tenn. Code Annotated

*Dwelling, Multi-Family* - A building containing three or more dwelling units. The term includes cooperative apartments, condominiums and the like. For the purposes of these regulations, regardless of how rental units are equipped, any multi-family dwelling in which units are available for rental partly on a monthly basis and partly for a shorter time period, but with less than thirty (30) percent of the living units under the same ownership or management on the same zone lot being occupied on a less-than-monthly basis, shall be considered a semi-transient residential activity.

*Dwelling, One-Family Detached* – A one-family dwelling entirely separated from structures on adjacent lots. This includes single residential dwelling units constructed on a foundation including modular homes constructed off site and placed on a foundation as described in Sections 68-126-301 – 68-26-310 and Sections 13-24-201 through 13-24-202, Tenn. Code Annotated., but excludes mobile homes.

*Dwelling, Two-Family* – A residential building containing two dwelling units, designed for occupancy by not more than two families, also known as a duplex.

*Dwelling, Two-Family Detached* – The construction or occupancy of not more than two dwelling units, not connected by a wall or firewall, on a single lot.

*Dwelling, Two-Family* - A detached residential building containing two dwelling units, designed for occupancy by not more than two families.

*Dwelling Unit* - A room or rooms connected together, constituting a separate independent housekeeping establishment for one-family only, for owner occupancy or for rental, lease, or other occupancy on a weekly or longer basis, physically separated from any other rooms or dwelling units, and containing independent cooking, and sleeping facilities. For regulatory purposes, the term is not to include travel trailers, housing mounted on self-propelled or drawn vehicles, tents, or other forms of portable or temporary housing.

*Dwelling, Upper Story Residential* - Upper story residential means the area of a building above the ground floor (which is above the cellar), which is principally used, designed, or adapted for use by one or more households each of which has separate living quarters.

*Essential Service* – Services provided or franchised by a local government, including public or private utilities necessary for serving principal structures and uses or other structures uses or services in an area. These services include underground, surface or over-head electric, water, sewer, gas, cable, fiber optic, stormwater drainage, and other community utility systems and appurtenances, but excludes buildings intended for human habitation or occupancy.

*Extensive Impact* – Activities and uses that have a high degree of effects upon the surrounding land uses due to their hazards, nuisance characteristics, as well as traffic generation characteristics, parking requirements, and land requirements and typically performed by or for the maintenance and operation of facilities as described in 03.06.050.

*Extensive Manufacturing* – Manufacturing processes which require a large degree of mechanical and chemical processing compounds that may present hazards or nuisances within the development or activity site and to area properties and generally consist of what is considered heavy industry.

*Façade* – All of the exterior walls of a building visible from any street, adjacent property or from the development site.

*Family* - One person, or two or more persons related by blood, marriage, or adoption together with incidental domestic servants and temporary non-paying guests. The term “family” shall not be construed to include a fraternity, sorority, club, foster home with more than 4 children, or institutional group.

*Farming* - The act of engaging in commercial agriculture activities, uses and purposes including crop and animal raising.

*Financial Consulting and Administrative* – Financial, insurance, and real estate brokerage services including the provision of advice, designs, information, consultations of a professional nature and full service banks including those offering automatic teller services This does not include commercial financial facilities such as short term loan stores, pawn shops, payday loan facilities or similar type lending facilities.

*Firearms Manufacturing Facility* – a private manufacturing facility where arms or certain types of military equipment which is intended to project ordnances are manufactured, fabricated or assembled.

*Flood* - A temporary rise in stream flow or stage that results in water overtopping its banks and inundating areas adjacent to the flood channel.

*Flood Channel* - A natural or artificial watercourse of perceptible extent, with a definite bed and banks to confine and conduct continuously or periodically flowing water. Channel flow thus is that water which is flowing within the limits of the defined channel.

*Flood Fringe* - That portion of the floodplain outside the floodway.

*Flood Obstruction* - Any dam, wall, wharf, embankment, levee, dike, pile, abutment, projections, excavation, channel rectification, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure or matter in, along, across, or projecting into any channel, water course, or regulatory flood-hazard area which may impede, retard, or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water, or that is placed where the flow of water might carry the same downstream to the damage of life or property.

*Floodplain* - The land adjacent to a body of water which has been or may be hereafter covered by flood water including but not limited to the regulatory flood.

*Flood Profile* - A graph or a longitudinal profile showing the relationship of the water-surface elevation of a flood event to location along a stream or river.

*Floodproofing* - A combination of structural provisions, changes, or adjustments to properties and structures subject to flooding primarily for the reduction or elimination of flood damages to properties, water and sanitary facilities, structures, and contents of buildings in a flood-hazard area.

*Flood Protection Elevation* - The elevation of the regulatory flood on all streams and waterways.

*Flood, Regulatory* - (See Regulatory Flood)

*Floodway* - The channel of a stream and those portions of the floodplain adjoining the channel that are required to carry and discharge the flood water or flood flows of any river or stream including but not limited to flood flows associated with the regulatory flood.

*Floor Area* - The total of the gross horizontal areas of all floors, including usable basements and cellars, below the roof and within the outer surface of the main walls of principal or accessory buildings or the center lines of party walls separating such buildings or portions thereof, or within lines drawn parallel to and two feet within the roof line of any building or portion thereof without walls, but excluding the following:

- A. Areas used for off-street parking spaces or leading berths and driveways and maneuvering aisles relating thereto where required in this Ordinance.
- B. In the case of non-residential facilities: arcades, porticoes, and similar open areas which are located at or near street level, which are accessible to the general public, and which are not designed or used as sales, display, storage, service, or production areas.

*Floor Area Ratio* - The total floor area on a zone lot, divided by the lot area of that zone lot. (For example, a building containing twenty thousand (20,000) square feet of floor area on a zone lot of ten thousand (10,000) square feet has a floor area ratio of 2.0). One-Family detached dwellings shall be exempt from the Floor Area Ratio requirement.

*Food Service* – A retail restaurant where food and beverages is prepared on site and provided to patrons for consumption on or off-site within a building or a designated outdoor dining area.

*Food Service, Drive-in* – A retail restaurant where food and beverages is prepared on site and provided to patrons for consumption on-site within a building, in a designated outdoor dining area, and for take-out for consumption off-premises, or from a drive-in windows or within vehicles.

*Freight Container* – see Container, freight

*Funeral Home* – A structure and use for conducting human funeral services and may include related accessory services such as funeral item sales and undertaking services except for cremation services.

*Garage, private* – a structure located on private property accessible from an improved driveway primarily designed for the use of the storage or parking of motor vehicles.

*Garage, public* – a structure located on public property accessible from an improved driveway accessing a public street designed for the temporary storage or parking of motor vehicles.

*General Personal Service* – an establishment providing non-medically related services such as and including personal or pet grooming shops, clothing rental and clothing repair, tattoo parlors, hair salons and barbershops, tanning salons, dry cleaning pick-up stores, small household items repair, and related, accessory retail sales services.

*General Retail Trade* – a commercial facility or business offering the sales or rental of consumer goods on-site, including pet sales, to customers for removal from the site after purchase, except for motor vehicles sales.

*Gross Area* - An area of land which is inclusive of all land uses and streets, and other public areas located within the development.

*Group Assembly Extensive* – A facility or grounds that provides for cultural, entertainment, educational, and athletic activities other than a community facility, to assembled groups of spectators or participants of 500 or more persons.

*Group Assembly Limited* – A facility or grounds that provides for cultural, entertainment, educational, and athletic activities other than a community facility, to assembled groups of spectators or participants of less than 500 persons.

*Group Home* – An arrangement for residential living of non-mentally ill persons wherein the residents are assigned to a licensed home cared for by others not permanently living in the home.

*Halfway House* – A residential facility operated by licensed supervisory personnel for persons assigned by a state authority to transition from a higher level of community control to less

restrictive community control. Such facilities may include persons serving a portion of a sentence for prior criminal activity, mental or behavioral abnormalities, or substance abuse.

*Health Care Facility* – Any building, place, or facility operated to provide medical care and/or services.

*Historic District or Zone* – (Als41o see T.C.A. 13-7-404) An area designated by the City Council or by the State of Tennessee to maintain and preserve the cultural and historic properties and structures of the community which contain unique architectural facilities or unique uses that have persisted for at least 50 years.

*Home Occupations* - A home occupation is a lawful activity carried on within a dwelling unit by a member or members of the family who occupy the dwelling, with the exception of one additional person, where the occupation is secondary to the use of the dwelling for living purposes, and the residential character of the dwelling is maintained, and the Home Occupation conforms to the development standards.

*Homeless Shelter* - A facility authorized by the City Council to provide temporary shelter, without charge, to individuals without safe or adequate housing and may include food services limited to one meal per day.

*Hotel* – A commercial transient habitation or lodging facility, constructed of two or more stories accessible from interior lobbies, courts or halls, providing overnight accommodations and accessory uses such as meeting rooms, restaurants and recreation facilities intended for the guests.

*Household* - All the persons occupying the premises and living as a single non-profit housekeeping unit regardless of marital status or relationship as distinguished from a group occupying a lodging house or dormitory or similar type of group use.

*Impervious surfaces* – Consist of a hardened surface material for paving or other surfaces ~~and~~ that generally prevent infiltration of stormwater. These material include, but are not limited to, buildings, hard-surfaced roofs, asphalt, concrete, brick, stone and compacted gravel.

#### *Incidental Alterations*

- A. Changes or replacements in the non-structural parts of a building or other structure without limitations to the following examples:
1. Alterations of interior partitions to improve livability in a non-conforming residential building, provided that no additional dwelling units are created;
  2. A minor addition to the exterior of a residential building, such as an open porch;
  3. Alterations of interior non-load-bearing partitions in all other types of buildings or other structures;

4. Replacement of, minor change in, capacity of utility pipes, ducts or conduits; or
- B. Changes or replacements in the structural parts of a building or other structure, limited to the following examples or others of similar character or extent:
1. Making windows or doors in exterior walls;
  2. Replacement of building facades having non-load-bearing capacity;
  3. Strengthening the floor load-bearing capacity, in no more than ten (10) percent of the total floor area, to permit the accommodation of specialized machinery or equipment.

*Infill property* – Any vacant or undeveloped land, not including any public parks or environmentally sensitive lands, surrounded by developed property.

*Intermediate Impact* – An activity that has a significant impact upon the surrounding land uses due to traffic generation characteristics, parking requirements, or land requirements.

*Intermediate Manufacturing* – Manufacturing processes which require a moderate degree of mechanical and chemical compound processing that may present hazards or nuisances within the development or activity site and to area properties and generally consists of what is considered general or medium intensity industrial activity.

*Institutional Use* – A public or private non-profit use which provides a necessary governmental function or social service function.

*Land With Incidental Improvements* - A tract of land which contains improvements including buildings or other structures having a total assessed valuation of five thousand dollars (\$5,000) or less.

*Landowner* - The legal or beneficial owner or owners of land. The holder of an option or contract to purchase, a lessee having a remaining term of not less than fifty (50) years in duration, or other person having an enforceable proprietary interest may be considered a “landowner” for the purpose of this Ordinance.

*Landscaping* - Shall be integrated into building arrangements, topography, parking, and buffering; shall include the planting and maintenance of trees, shrubs, bushes, hedges, perennials, annuals, and ground cover. The latter shall be comprised of grass, low growing vegetation (eliminating the weed family) not exceeding 12” in height and planted in close proximity to mulch, bark chips, and pea gravel to cover an area that otherwise would have grass or would remain bare. Landscaping items included above shall be native or adaptable to the area’s climate. Terraces, walks, decorative fences, fountains, retaining walls, street furniture, sculptures, gazebos, and similar accessory features may be included as landscaping if integrally designed unless otherwise prohibited by other provisions of this Ordinance. The landscaping, screening, and buffering shall be of such design that shall enhance and protect the existing

character of the area. The type of buffering with height shall be stated on the site plan for approval by the planning commission

*Landscape Surface Area* - Is the area of the site not devoted to streets, drives, buildings or sidewalks and is landscaped as defined in the section entitled Landscaping.

*Light Industry* - The assembly, fabrication, or processing of goods and materials and excess refuse using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building or lot where such assembly, fabrication, or processing takes place, and where such processes are housed entirely within a building.

*Limited Child Care* – (see Daycare, children)

*Limited Adult Care* – (see Day Care, Adult)

*Limited Retail Sales* – Commercial retail activities limited to drug stores and apothecaries, retail flower shops and gift shops of less than 3000 square feet.

*Limited Manufacturing* – Manufacturing, fabrication or assembly processes which require a low degree of mechanical and chemical compound processing that may present little or no hazards or nuisances within the development or activity site and to area properties and generally involve what is considered general medium and light industry activity.

*Limited Newspaper and Periodical Printing* – A preparation, production, sales and storage of printed materials in a structure of 15,000 square feet or less.

*Lodging* – Commercial facilities that offer overnight stays for transients customers including hotels, motels and bed and breakfast facilities and bed and breakfast homestays.

*Lot* - For purposes of this Ordinance, a lot is a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street, and may consist of:

- A. A single lot of record;
- B. A portion of a lot of record;
- C. A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record;
- D. A parcel of land described by metes and bounds; provided that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirements of this Ordinance.

*Lot Area* - The entire area of a zone lot.

*Lot Area Per Dwelling Unit* - That portion of the lot area required for each dwelling unit located on a zone lot. This may also be known as the development-area per dwelling unit.

*Lot Coverage* - That portion of a zone lot which when viewed directly from above, could be covered by a building or any part of a building.

*Lot Frontage* - The front of a lot shall be construed to be the portion nearest the street. For the purposes of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under yards.

*Lot Line* - A boundary of a zone lot.

*Lot Line Equivalent* - A straight line established for the purpose of determining the location and depth or width of a required yard and which either:

- A. Joins points specified in these regulations, or
- B. Is an extension of a street line or lot line.

*Lot Measurements*

- A. Depth of a lot shall be considered to be the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
- B. Width of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines of each side of the lot, measured across the rear of the required front yard, provided however that width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than eighty (80) percent of the required lot width except in the case of lots on the turning circle of cul-de-sac, where the eighty (80) percent requirement shall not apply.

*Lot of Record* - A lot which is part of a subdivision recorded in the office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

*Lot Types* - The diagram (Figure 02-01) in the Appendix which follows illustrates terminology used in this Ordinance with reference to corner lots, interior lots, reversed frontage lots and through lots.

*Manufacturing* - (see herein)

- Limited
- Intermediate
- Extensive



*Manufactured Residential Dwellings* – (Manufactured home) – means a structure, transportable in one (1) or more sections, which, in the traveling mode, is eight (8) body feet or more in width or 40 body feet in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. The term includes any structure that meets all of the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the United States Secretary of Housing and Urban Development and complies with the standards established under Title 42 of the United States Code. (also see T.C.A. 12-24-201)

*Massage Parlor* - An establishment or place primarily in the business of providing massage services.

*Master Development Plan* - Used within the context of the planned unit development provisions refers to a preliminary plan, which may be approved by the Planning Commission and the Mayor and Aldermen. The “Master Development Plan” shall mean the proposal for the development of a planned unit development including, but not limited to, the requirements for a preliminary plan as stipulated in the various articles of this Ordinance.

*Medical Services* – Commercial and offices uses that provide therapeutic, preventive, or corrective personal medical treatment and services, by licensed medical practitioners, and the provision of medical testing and analysis services.

*Minimum Building Setback Line* – A line measured from a property boundary line or easement line which represents the minimum distance where a building may be constructed on a lot parcel or tract.

*Mobile Home* - (See Dwelling, Mobile Home)

*Mobile Home Park* - A development which is designed and constructed to accommodate mobile homes.

*Mobile Home Space* - A designated area within a mobile home park for the exclusive use of the occupants of a single home.

*Mobile Home Stand* - That part of an individual mobile home space which has been reserved for the placement of the mobile home.

*Motel* – a commercial transient habitation lodging facility, constructed with of less than three stories in height, providing overnight guest accommodations to the traveling public. Access to each individual motel room is from an exterior door or from an inner courtyard with access to outside areas adjacent to the building.

*Non-assembly Cultural* – Facilities which provide education, cultural, religious and social activities serving not more than 500 persons in the large groups of assembly.

*Non-complying*

- A. Any lawful building or other structure which does not comply with any one (1) or more of the applicable bulk regulations, or
- B. Any lawful use other than a non-conforming use, which does not comply with any part of any one (1) or more of the applicable regulations pertinent to:
  - 1. Location along district boundary;
  - 2. Signs; or
  - 3. Accessory off-street parking and loading;

either on the effective date of this Ordinance or as a result of any subsequent amendment.

*Non-conforming Use* - A lawful use of a building or other structure or of a tract of land which does not conform to any one (1) or more of the applicable use regulations of the district in which it is located, either on the effective date of this Ordinance or as a result of any subsequent amendment.

*Nursing Home* – A licensed residential facility to provide full time life care for persons not requiring hospitalization.

*Outdoor Storage Unit* – a semi-trailer (van or box) or freight container rented or owned by the owner or occupant of a property that is designed for the primary purpose of storing items or goods.

*Overall Density* - The dwelling units per gross acre of the total area with a development.

*Parcel* – A unit of real property consisting of un-platted lands subject to regulation by the city and commonly identified deed or other instrument of conveyance and assigned a tax identification number.

*Party Wall* - A wall separating two individual dwelling units which are attached at that wall and which is constructed as a fire wall extending from the footings through the roof without openings and would prohibit the spread of fire from one dwelling unit to another.

*Person* - An individual, firm, partnership, corporation, company, association, joint stock association, or body politic, and includes a trustee, receiver, assignee, administrator, executor, guardian, or other representative.

*Personal Services Establishment* - A business which provides personal services directly to customers at the site of the business, or which receives goods from or returns goods to the customer which have been treated or processed at another location. This includes, but is not limited to, travel agencies, dry-cleaning and laundry drop-off and pick-up stations, tailors, hair stylists, cosmetician, health and fitness centers, toning or tanning salons, photography studios, and shoe repair shops.

*Pervious surfacing* – A hard surface material or products that reduces stormwater runoff by promoting water infiltration. These materials and products include poured-in-place pervious asphalt, poured-in-place pervious concrete, concrete pavers, concrete open grid pavers, or other suitable materials that promote water infiltration approved by the City Engineer.

*Place of Worship* – A religious institution where worship services are provided in a community assembly setting and where other accessory social service and recreation activities may occur.

*Planned Business Park (PBP)* - A tract of at least ten (10) acres occupied by a mix of research, light industry, and support uses, arranged in a high-quality campus-like setting, according to the provision of the PBP District.

*Planned Unit Development* - A relatively large, interrelated development adhering to a master development plan and located on a single tract of land, or on two (2) or more tracts of land which may be separated only by a street or other right-of-way. A planned unit development shall not include a normal subdivision, but a subdivision may be included as a part of such a development.

*Plant Nursery* – An agricultural use and activity where plants are grown, packaged, sold and shipped for use in landscaping, silviculture or food production.

*Principal Activity* - An activity which fulfills a primary function of an establishment, institution, household, or other entity.

*Principal Building* - A building which contains the principal activity or use located on a zone lot on which it is situated.

*Profession (Professional Office)* - The term profession, as used in this Ordinance, is not limited in its application to physicians and surgeons, lawyers, members of the clergy, architects, and engineers, or other persons holding advanced degrees from institutions of higher learning in the field in which they practice. The term may also include insurance agents, insurance adjustors, realtors, or any persons engaged in sales or trade which utilize an office environment without display or storage space for goods. In permitting professional offices as home occupations, and only as accessory uses in certain districts, it is intended that such offices shall be subject to limitations placed on home occupations generally, but that only occupied by persons engaged in professions, as herein defined, shall be permitted.

*Quarrying* — the extraction, removal and mechanized processing of stone, gravel, phosphate, rock, metallic ore, limestone, marble, chert, sand, dimension stone and any other solid mineral or

substance of commercial value, except coal and deep metal mining, including, but not limited to zinc, found in natural deposits in the earth, for barter or sale. (also see T.C.A. 13-7-201 (a) (1)).

*Reach* - A hydraulic engineering term to describe longitudinal segments of a stream or river. A reach will generally include the segment of the floodplain where flood heights are primarily controlled by man-made or natural floodplain obstructions or restrictions.

*Recovery (Treatment) Center* – A licensed facility where one attends for limited overnight stays or for day visits for the medical, psychological or social treatment of chronic illness or substance abuse.

*Regulatory Flood* - Is the 100-year or “intermediate regional flood” as indicated in the publication, “Floodplain Information, East Camp and Town Creeks, Gallatin, Tennessee, Flood Hazard Information”, published by the Corps of Engineers, March, 1976, or where no data exists the computed 100-year flood.

*Required Yard* - That portion of a zone lot that is required by the specific district regulations to be open from the ground to the sky and may contain only explicitly listed obstructions.

*Research Laboratories* - Facilities which are designed or equipped for basic or applied research or experimental study, testing, or analysis in the natural sciences or engineering, including any educational activities associated with or accessory to such research.

*Residence* – a place of domicile or dwelling place.

*Single Family* – An attached or detached residential structure intended for the occupancy of a single family.

*Community Residential Home, minor* - A facility which is intended to provide residence to a person with a disability as described in T.C.A. §13-24-101 and includes a residence with up to eight (8) or fewer unrelated persons with disabilities.

*Community Residential home, major* - A facility which is indented to provide residence to a person with a disability as described in T.C.A. §13-24-101 and includes a residence with more than eight (8) unrelated persons with disabilities.

*Re-subdivision* – The change in a map of any approved or recorded subdivision plat if such change affects any street layout on such map, or any are reserved thereon for public use, or any lot line, or it affects any map or plan legally recorded prior to the adoption of any regulation controlling subdivisions.

The act of changing the lot boundaries of a previously recorded subdivision or changing the plat notes regulating lots within a recorded plat. No re-subdivision shall be required to vacate or relocate easements.

*Retail trade* - The sale of merchandise or goods at retail from business, commercial and industrial establishments, excluding the sale of motor vehicles.

*Retail Business Supply* – The retail or wholesaling of goods to business and commercial and industrial services, rather than to individuals as general retail, excluding the sale of motor vehicles.

*Restaurant* – A business within a structure where food service is provided to patrons either for consumption on the premises or off premises or both. A restaurant may also prepare food for carry-out or for service within motor vehicles as a food service use or food service use with drive-in.

*Sauna* - An establishment or place primarily in the business of providing (a) a steam bath, and (b) massage services.

*Scrap Operation* – An industrial operation where previously used finished goods are sorted, disassembled, crushed, compacted and stored and later sold and re-fabricated into new products.

*Screening* - Screening shall be incorporated into the landscaping plan; shall serve as a buffer to ameliorate the effect of the project or development on adjacent and nearby properties; shall be of opaque or non-translucent material resistant to deterioration by natural causes or shall be of such plant materials that will provide year-round evergreen screening. Screening shall not be less than four (4) feet high and shall be provided from the finished grade of the property upward and shall be permanently maintained. If plant materials are used, they shall cover a minimum of four (4) feet in width densely planted along the property line, which are of a type which may be expected to form a year-round dense screen at least six (6) feet high within three (3) years. The type of screening shall be stated on the site plan.

*Semi-Permanent Residential Establishment* - An establishment where lodging is provided for compensation partly on a monthly or longer basis and partly for a shorter time period, but with less than thirty (30) percent of the living units under the same ownership or management on the same zone lot being occupied on a less-than-monthly basis; but excluding institutional living arrangements involving the provision of a specific kind of forced residence, such as nursing homes, orphanages, asylums and prisons.

*Semi-trailer (van or box)* – A pre-manufactured trailer of rigid construction attached to a transportable frame without a front axle that is placed on a site and used primarily for the purpose of temporarily transporting and storing items or goods. A large portion of its weight is supported by a landing gear (legs which can be lowered) to support it when it is uncoupled from a motor vehicle.

*Setback* – A minimum distance a building or other improvement shall be placed on a lot from another building or property line and/or street.

*Shared Parking* – The use of parking by adjacent uses that have different parking demands and uses where one use is able to use the same parking area designed and constructed for another adjacent use which allows for a reduction in the total number of parking spaces that would otherwise be required if a shared parking arrangement was not provided. Shared parking arrangements also include a requirements to file an agreement for the shared parking between adjacent property owners or property owners within 500 feet of one another.

*Sign* – Refer to Section 13.07 Sign Regulations for all sign definitions.

*Single Family Residence* - A single residential structure in which a single family resides including where a group of eight (8) or fewer unrelated persons with disabilities reside; and may include three (3) additional persons acting as support staff or guardians, who need not be related to each other or to any other persons with disabilities residing in the home, or any individual or persons closely related by blood, marriage, adoption, guardianship, or duly-authorized custodial relationship. (also see T.C.A. 13-24-102)

*Single Ownership* - Holding record title, possession under a contract to purchase, or possession under a lease, by a person, firm corporation, or partnership, individually, jointly, in common, or in any other manner where the property is or will be under unitary or unified control.

*Soup Kitchen* – a non-restaurant facility with a fully equipped kitchen where meals are prepared on a regular basis and offered to persons for free or less than the cost necessary to generate a profit.

*Spot Zoning* – The rezoning of a lot or parcel or several small lots/parcels to serve a single use or limited activities not compatible with adjacent uses or necessary to serve a critical need in an area and not consistent with the character area designation/adopted future land use of the Comprehensive Plan.

*Story* - A portion of a building between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, the space between such floor and the ceiling next above it, provided that the following shall not be deemed a story:

- A. A basement or cellar if the finished floor level directly above is not more than six (6) feet above the average adjoining elevation of finished.
- B. An attic or similar space under a gable, hip, or gambrel roof, where the wall plates of any exterior walls are not more than two (2) feet above the floor of such space.

*Street* - A publicly maintained right-of-way, other than an alley, which affords a primary means of access to abutting property.

*Street Line* - A lot line dividing a lot from an abutting street.

*Structure* - An object constructed or installed by man, including but not limited to buildings, signs, towers, smokestacks, and overhead transmission lines.

*Subdivision* - The division of a tract, lot or parcel of land into two (2) or more lots, sites, or other divisions requiring new street or utility construction, or any division creating a lot area of less than five (5) acres; for the purpose, whether immediate or future, of sale or building development, and includes re-subdivision, and when appropriate to the context, relates to the process of re-subdividing or to the land or area subdivided. (see T.C.A. § 13-3-401 (4)(B) and T.C.A. §13-4-301 (B)(i))

Any land, vacant or improved, which is divided, or proposed to be divided into two (2) or more lots, parcels, tracts, sites, units, plots, or interests of less than five (5) acres in size for the purpose, whether immediate or future, of offer, sale, lease, or development, either on the installment plan or upon any and all other plans, terms, and conditions, including re-subdivision, provided, however, the term “subdivision” does not include land partitioned by owners among themselves either in court or by deeds.

*Surety* – A financial guarantee in the form of cash, a certified check, or an Irrevocable Letter of Credit, drawn from a bank, necessary to ensure the fulfillment of an obligation by the owner/developer for the cost of construction improvements on private property authorized by a development order/zoning permit or other approval issued by the city. (Also see GMRPC Resolution 2010-03 and T.C.A. §13-3-413 and §13-4-310).

*Taxidermy* – A personal service business where one processes and preserves the hide or skins of an animal by stuffing and mounting on a base in a lifelike form.

*Tract* – An area of land or portion of a parcel designated for sale or distinguishing such land or portion of land for future partition or a portion of subdivision property not designated as a development lots but reserved for common ownership or for purposes of non-development or future development.

*Transfer of Development Rights* - T.C.A. §13-7-201 (a)(2) – the conveyance or transfer of development rights by deed or other legal instrument from one or more parcels (sending parcels) to one or more other parcels (receiving parcels) when the sending parcel is not physically capable of accommodating the permitted development intensity/density or it is in the public’s interests to prevent or restrict development on the sending parcel(s) and the receiving parcel(s) is capable of accommodating the existing and additional development intensity/density and that it is desirable or in the public’s interest to provide for the additional development intensity/density beyond the maximum intensity/density allowed by zoning.

*Transient Habitation* – Properly licensed and approved facilities that provide lodging services to guests.

*Transport and Warehousing* – A commercial and/or industrial activity accommodating warehousing and storage, freight handling, and trucking services such as truck terminals and repair facilities.

*Treatment (Recovery) Center* - A licensed facility where one attends for limited overnight stays or for day visits for the medical, psychological or social treatment of chronic illness or substance abuse.

*Trucking Services* – A facility where commercial trucks, and/or the trailer of such trucks, of greater than a gross vehicle weight of 10,000 are stored, parked and/or serviced.

*Undertaking Services/Funeral Parlors* – a facility where funeral services are conducted and the preparation of dead human bodies are prepared for burial or other disposal. A crematorium is considered a separate use from an undertaking service/funeral parlor.

*Use* - The performance of a function or operation which constitutes the use of land.

*Use Permit* - A written permit issued by the zoning administrator required before occupying or commencing to use any building or other structure or any zone lot; except that an occupancy permit shall not be required for an owner-occupied dwelling.

*Utility Use* – Any public or private facilities, including poles, wiring, pipes, junction boxes, switch boxes, valves, lift stations, pump stations, transfer stations, storage tanks, substation, cogeneration stations, necessary to collect, distribute transmit, or dispose of electric power, water, sewer, gas, or communications.

*Vehicular craft and Related Sales, retail and delivery* – the retail, wholesale sale or rental of motor vehicles and related equipment, which may include incidental maintenance.

*Vehicular Use* – areas of a developed site, other than property used and zoned for agriculture uses, improved to provide for the operation of motor vehicles including driveways, drive aisles, loading and unloading areas and parking areas.

*Wholesale Sales* – the storage and sale, from the premises, of goods from other firms or manufacturers for resale, as well as the storage of goods on the premises and their transfer there from/to retail outlets, except for:

1. Sale or storage of motor vehicles, except for parts and accessories (salvage yards not included),
2. Sales or storage of materials used in the construction of buildings, except for paint, fixtures, and hardware,
3. Sale of fuels, including coal and oil.

*Yard* - That part of a zone lot extending open and unobstructed from the lowest level to the sky along the entire length of a lot line, and from a lot line equivalent to a depth or width set forth in the applicable regulations.

*Yard, Front* - A yard extending along the full length of a front lot line. In the case of a corner lot, a yard of at least full depth required for a front yard in these regulations, and extending along the



full length of a street line shall be considered a front yard. At least one such yard shall be designated for each through lot, and each through corner lot.

*Yard, Rear* - A yard extending for the full length of a rear lot line.

*Yard, Side* - A yard extending along a side lot line from the required front yard to the required rear yard. In the case of a corner lot, any yard which abuts a street line and which is not designated a front yard shall be considered a side yard. In the case of a through lot, side yards shall extend between the required front yards, except when such corner lots are required by these regulations specifically to have more than one front yard. A side yard abutting a street shall be twice the required minimum side yard.

*Yard, street-side yard* – Any yard which abuts a streets line which is not designated a front yard or double front yard. A side yard abutting a street shall be twice the required minimum side yard except in the R-8 and R-6 districts.

*Zone or Zoning Lot* - Is either:

- A. A lot of record existing on the effective date of this Ordinance or any subsequent amendment, or
- B. A tract of land, either un-subdivided or consisting of two or more contiguous lots of record, located within a single block, which on the effective date of this Ordinance or any subsequent amendment was in single ownership, or
- C. A tract of land within a single block, which at the time of filing for a zoning permit (or, if no zoning permit is required, at the time of filing for a use and occupancy permit) is designated by its owner or developer as a tract all of which is to be used, developed, or built upon as a unit under single ownership.

A zone lot, therefore, may not coincide with a lot of record as defined herein.

For the purpose of this definition, the ownership of a zone lot shall be deemed to include a lease of not less than fifty (50) years duration as defined under “landowner”.

A zone lot may be divided into two or more zone lots, provided that all resulting zone lots and all buildings thereon shall comply with all of the applicable provisions of the Ordinance. If such lot, however, is occupied by a non-complying building, such zone lot may be subdivided provided such subdivision does not create a new non-compliance or increase the degree of non-compliance of such building.

*Zoning Administrator* – The City Planner as described in Chapter 2, Article IV, Division I, Section 2-176, Gallatin Code of Ordinances (also see City Planner).

*Zoning Permit*- A written permit issued by the City Planner or Zoning Administrator authorizing an owner to apply for a Land Disturbance Permit or Building Permit before commencing any

construction, reconstruction, alteration of any development site, building or other structure or before establishing, extending or changing any activity or use on any zone lot.

## ARTICLE 2.00 AMENDMENTS

<b>Section</b>	<b>Ordinance #</b>	<b>Date</b>
02.02, Floor Area Ratio	O0205-025	6/18/02
02.02, Various Sign Definitions	O0308-030	9/16/03
02.02, Various Sign Definitions	O0711-72	2/19/08
02.02, Various Sign Definitions	O0907-55	9/15/09
02.02, Landowner	O1007-52	1/18/11
02.02, Single Ownership	O1007-52	1/18/11
02.02, Building	O1204-32	05/15/12
02.02, Sign Definitions Removed	O1304-22	10/15/13
02.02, Various Definitions	O1702-14	3/21/17