

SUB-CHAPTER 2.26
DEFINITIONS

SECTION

14-2.2601. Definitions enumerated.

14-2.2601. Definitions enumerated. For the purpose of this ordinance certain terms and words are herein defined as follows:

(1) Words used in the present tense include the future; words in the singular number include the plural, the words in the plural number include the singular; and the word "shall" as mandatory and not directory.

(2) Accessory building: A building customarily incidental and subordinate to the principal building and located on the same lot, parcel, or tract with such building. A building that is connected to a principal building by a breezeway that is greater than 12 feet in length shall be considered accessory for purposes of size limitations.

(3) Accessory structure: A structure or building detached from a principal building located on the same lot, parcel, or tract and customarily incidental and subordinate to the principal building or use.

(4) Accessory use: A use of land or of a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot, parcel, or tract with the principal use.

(5) Alley: A public thoroughfare, which affords only a secondary means of access to abutting property.

(6) Arterial streets and roads: Streets or roads so designated on the Alcoa Major Road Plan.

(7) Auto court or tourist camp: A group of dwellings which face on a common court, place or street, usually with garage attached, and designed and used for transient occupancy, usually by traveling motorists.

(8) Boarding, rooming, or lodging house: A building other than a hotel, café or restaurant where lodging or meals for five (5) or more persons are provided for compensation.

(9) Building: any structure having a roof supported by columns or by walls, including tents, lunch wagons, dining cars, trailers and similar structures whether stationary or movable.

(10) Building area: That portion of the lot occupied by the main building and accessory buildings and other structures.

(11) Building, height of: The vertical distance from the established sidewalk grade at the center of the front of the building to the highest point of the roof surface if a flat roof; to the deck line for mansard roofs and to the mean height level between eaves and ridge for gables, hip and gambrel roofs. For buildings set back from the street line, "height of building" shall be measured from the average elevation of the finished grade along the front of the building.

(12) City Building Code: The codes by the City of Alcoa, including the SBCCI Building Codes, Plumbing, Mechanical and Gas Codes, and the Standard Housing Code.

(13) Collector streets or roads: Streets or roads so designated on the Alcoa Major Road Plan.

(14) Court: An open, unoccupied, unobstructed space other than a yard on the same lot as a building:

- a. *Outer court*: A court extending to a street or to a front or rear yard.
- b. *Inner court*: A court not extending to a street or to a front or rear yard.

(15) Cultural activity: Any institution concerned with the appreciation of nature and the humanities, such as but not limited to museums, art galleries, historic sites and aquariums.

(16) Dwelling: A house, apartment building, or other building or portion of a building used as an abode except that the word "dwelling" shall not include boarding or rooming houses, tents, tourist camps, hotels, trailers, trailer camps, quarters for a watchman, caretaker or custodian, or other structures designed or used primarily for transient residents.

(17) Elderly housing: The grouping or clustering of three or more attached elderly housing units or attached or detached single-family dwelling units. Elderly housing is intended for occupancy primarily by the non-transient persons who are 60 years of age or older. Elderly housing shall include central dining and kitchen facilities.

(18) Family: One (1) or more persons occupying a premises and living as a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging house or hotel.

(19) Garage, private: A garage used for storage purposes only and having a capacity of not more than three (3) automobiles or not more than one automobile per family housed in the building to which such garage is accessory, whichever is the greater, and in which space may be used for not more than one commercial vehicle, and in which space may be rented for not more than (3) three vehicles of others than occupants of the building to which such garage is accessory.

(20) Gross floor area: The sum of the areas of all stories of all buildings measured from the exterior face of exterior walls, including but not limited to, all stories usable for human habitation, attics, basements, porches, garages, breezeways, and accessory buildings.

(21) Home occupation: Any use customarily conducted entirely within a dwelling and carried on by the occupants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof, and in connection with which there is no display, no stock-in-trade nor commodity sold upon the premises and not more than one person hired nor any mechanical equipment employed. Such uses as barber shop, beauty parlor, tea room, tourist home and animal hospital shall not be deemed to be home occupations.

(22) Hotel: Includes any public building or part thereof used for supplying lodging or food and lodging to resident and transient guests.

(23) Lot: A designated parcel, tract or area of land established by a subdivision, or as otherwise permitted by law, to be separately owned, used, developed, or built upon, or established for the purpose of open space or recreational reservations, and further defined as:

a. Lot area: The total horizontal area included within lot lines.

b. Lot, corner: A lot of which at least two adjoining sides abut for their full lengths on a street, provided that the interior angle at the intersection of two such sides is less than 135 degrees. The front yard setbacks for corner lots are measured along all lot lines facing streets or internal drives, with exception of alleys for placement of accessory structures where parking is not shown to adjoin the said alleys (i.e., alley facing garage opening or open carport or other similarly used structure). The remaining yards are measured as side yards.

c. Lot coverage: That portion of the lot that is covered by any nonvegetative surface, including, but not limited to, buildings, decks, swimming pools, asphalt, concrete, and rock of all sizes. Any surface that is the opposite of a pervious surface.

- d. Lot depth: The average distance from the street right-of-way line of the lot to its rear line, measured in the general direction of the side lines of the lot.
- e. Lot, double frontage: A lot which runs through a block from street to street or which has two nonintersecting sides abutting on two or more streets.
- f. Lot frontage: That dimension of a lot or portion of a lot abutting on a street.
- g. Lot, interior: A lot other than a corner lot.
- h. Lot lines: The lines bounding a lot, as defined herein.
- i. Lot line, exterior: The lot lines defining the total subdivision and separating the subdivision from adjoining parcels which are not an integral part of the subdivision.
- j. Lot line, front: The lot line separating a lot from a street right-of-way.
- k. Lot line, rear: The lot boundary opposite and more distant from the front lot line. In the case of a pointed or irregular lot, it shall be an imaginary line parallel to and the farthest from the front lot line, not less than ten feet long and wholly within the lot.
- l. Lot line, side: A side lot line is any lot boundary line not a front lot line or a rear lot line.
- m. Lot width: The width of a lot at the building setback line measured by right angles to its depth.

(24) Medical clinic: A licensed facility for examining and treating patients with medical problems on an out-patient basis. A medical clinic is not a methadone treatment clinic or facility or substance abuse treatment facility, as per the Alcoa Zoning Ordinance.

(25) Methadone treatment clinic or facility: A licensed facility for counseling of patients and the distribution of methadone for out-patient, non-residential purposes only. A methadone treatment clinic or facility is not a medical clinic or substance abuse treatment facility, as per the Alcoa Zoning Ordinance.

(26) Mobile home: A dwelling unit that is not constructed in accordance with the standards set forth in the City Building Code and one of which is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the home site on its own chassis, and which is at least 40 feet in length and eight feet in width.

(27) Mobile home park: A residential use in which more than one mobile home is located on a single lot.

(28) Modular building unit or manufactured home: A structural unit constructed in accordance with the standards set forth in federally approved HUD standards (National Manufactured Housing Construction and Safety Standards Act of 1974), and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. Among other possibilities, a modular home may consist of two sections transported to the site in a manner similar to a mobile home (except that the modular home meets the city building code applicable to site-built homes), or a series of room sections transported on a truck and erected or joined together on the site.

(29) Mortuary establishments: A building used for the preparation of the deceased, for the viewing of the body, and for funerals. Such establishments shall exclude crematorium facilities.

(30) Non-Conforming use: A building or land occupied by a use that does not conform with the use regulation of this ordinance for the district in which it is situated.

(31) Nursing homes: A facility licensed as such by the Tennessee Department of Health and Environment or other appropriate state agency, consisting of one or more rooms designed for occupancy by persons requiring skilled or intermediate nursing care.

(32) Pain Management Clinic: A privately-owned facility in which a majority of the facility's patients, seen by any or all of its medical doctors, osteopathic physicians, advanced practice nurses with certificates of fitness to prescribe, or physician assistants, are provided pain management services by being prescribed or dispensed, opioids, benzodiazepines, barbiturates, or carisoprodol, but not suboxone, for more than ninety (90) days in a twelve-month period. This definition does not apply to:

a. A medical or dental school, an osteopathic medical school, a nursing school, a physician assistant program or an outpatient clinic associated with any of the foregoing schools or programs, including, but not limited to, clinics that have an agreement to train residents by members of that clinic who are appointed as adjunct faculty of the school or program;

b. A hospital as defined in Tennessee Code Annotated 68-11-201, including any out-patient facility or clinic of a hospital if such outpatient facility or clinic is regulated under Title 68;

c. Hospice services as defined in Tennessee Code Annotated 68-11-201;

d. A nursing home as defined in Tennessee Code Annotated 68-11-201;

e. A facility maintained or operated by this state; or

f. A hospital or clinic maintained or operated by the federal government.

(33) Premises: A lot, parcel, tract, or plot of land together with the buildings and structures thereon.

(34) Principal building: Building(s) in which is conducted the principal use of the lot, parcel, or tract on which it is/they are located.

(35) Principal use: The primary or predominant use of any lot, parcel, or tract. In the case of multiple use facilities, all uses shall be considered principal, with exception of a watchman, caretaker or custodian use where said may be permitted. In any residential district, the residence shall be considered the principal use.

(36) Shopping center: A group of commercial establishments, planned, developed, and owned and managed as a unit, with off-street parking provided on the property, and related in its location, size, and type of shots to the trade area which the unit serves.

(37) Space, parking or off-street automobile storage or standing space: An area of 200 square feet and dimensions of 20 feet long by 10 feet wide which is for the purpose of parking vehicles thereon. Such space shall also be provided with adequate driveways so as to make said space accessible to a street or alley.

(38) Street: A public or private thoroughfare which affords the principal means of access to abutting property.

(39) Story: A portion of a building included between the upper surface of any floor and upper surface of the floor next above; or any portion of a building between the topmost floor and the roof, in which the floor area with eight (8) feet or more of head clearance is fifty (50) percent or more of the floor area of the story next below. A top floor in which the floor area with eight (8) feet or more head clearance is less than fifty (50) percent of the floor area of the story next below shall be a "half-story". A basement shall be considered as a story if its ceiling is more than four (4) feet above the level from which the "height of building" is measured.

(40) Structure: Any combination of materials, including buildings, constructed or erected, the use of which requires location on the ground or attachment to anything having location on the ground including among other things, signs, billboards, and fences, except fences not exceeding 3 ½ feet in height.

(41) Substance abuse treatment facility: A licensed facility with the purpose of providing out-patient treatment, counseling or similar services to individuals who are dependent on legal and illegal drugs, opiates, alcohol or other similar substances. A substance abuse treatment facility is not a medical clinic or methadone treatment clinic or facility, as per the Alcoa Zoning Ordinance.

(42) Total floor area: The area of all floors of a building including finished attics and basements.

(43) Tourist court: A tourist court means any park, camp, site or parcel of land designed, maintained or intended for the purpose of supplying a location or accommodations for any motor home or any other transient housing accommodations such as pre-fabricated or modular living quarters which are parked or placed.

(44) Trailer camp: A "Trailer Camp" means any park, trailer park, trailer court, camp, site, lot parcel, or tract of land designed, maintained or intended for the purpose of supplying a location or accommodations for any trailer coach or trailer coaches and upon which any trailer coach or trailer coaches are parked and shall include all buildings used or intended for use as part of the equipment thereof whether a charge is made for the use of the trailer camp and its facilities or not. "Trailer Camp" shall not include automobile or trailer sales lots on which unoccupied trailers are parked for purposes of inspection and sale.

(45) Use: the purpose for which land or a building or other structure is designed, arranged, or intended, or for which it is or may be occupied or maintained.

(46) Warehouse: A building designed or used primarily for the storage of goods, wares and/or merchandise.

(47) Watchman, caretaker or custodian quarters: A portion of a principal building, or if permissible within the zoning district the entirety of a building also located on the premises, which may have up to, but no more than, a maximum of 1500 square feet of gross floor area, if said quarters has, as may be permissible, a separate kitchen, a separate bathroom and a separate entrance, or other associated spaces for working, and of which is occupied as a quarters for a single unit by a person or persons who are employed to care for, manage, repair, and maintain the principal use or principle building.

(48) Yard: An open space on the same lot with the main building, open, unoccupied, and unobstructed by buildings or structures from the ground to the sky except as otherwise provided in this ordinance. Front, rear and side are defined as:

a. Front yard: The yard extending across the entire width of the lot between the main building (including covered porches), and the front lot line, or, if an official future street right-of-way line has been established, between the main building (including covered porches) and the future right-of-way line;

b. Rear yard: The yard extending across the entire width of the lot, between the main building (including covered porches), and the rear lot line; and,

c. Side yard: The yard extending along the side lot line, from the front yard to the rear yard, between the main building (including covered porches), and the rear lot line.

The Front yard setbacks for corner lots are measured along all lot lines facing streets or internal drives, with exception of alleys for placement of accessory structures where parking is not shown to adjoin the said alleys (i.e., alley facing garage opening or open carport or other similarly used structure). The remaining yards are measured as side yards. (Ord. #338 (Sec. 15), as amended by Ord. #581 (Sec. 1), #776, (Sec. 2), #99-034, Dec. 1999, #11-255, May 2011, #12-293, August 2012, #22-556, August 2022 and #23-587, July 2023)