

ARTICLE I

TITLE, INTENT, AND PURPOSE

SECTION 1 - TITLE

- A. Long Title** – An ordinance, in pursuance of the authority granted by the Sections 13-7-201 through 13-7-210, Tennessee Code Annotated, to provide for the establishment of districts within the corporate limits of Lakeland, Tennessee; to regulate within such districts the location, height, bulk, number of stories and size of buildings and other structures, the percentage of lot occupancy, the size of open spaces, the density of population and the uses of land, buildings and other structures for trade, industry, residence, recreation, public activities and similar purposes; to provide regulations governing nonconforming uses and structures; to provide for a Board of Appeals and for its powers and duties; to provide for permits; to establish and provide for the collection of fees; to provide for the administration of this Ordinance and for the official whose duty it shall be to enforce the provisions thereof; to provide penalties for the violation of this Ordinance and to provide for conflicts with other ordinances or regulations.
- B. Short Title** – This Ordinance may be cited as the Zoning Ordinance of Lakeland, Tennessee. The map portion may be cited separately as the Zoning Map of Lakeland, Tennessee.

SECTION 2 - INTENT AND PURPOSE

- A. Intent** – The intent of this Ordinance is to promote and protect the public health, safety, morals, comfort, convenience and general welfare of the people.
- B. Purpose** – This Ordinance is enacted pursuant to Title 13 of the Tennessee Code Annotated for the purposes listed below. These general purposes include the specific purposes stated in the various chapters throughout this Ordinance.
1. To divide the City into zones and districts restricting and regulating therein the location, construction, reconstruction, alteration and use of buildings, structures and land for residence, business, commercial, manufacturing and other specified uses.
 2. To protect the character and maintain the stability of residential, business, commercial and manufacturing areas within the City and to promote the orderly and beneficial development of such areas.
 3. To provide adequate light, air, privacy, retention of natural environment and convenience of access to property.
 4. To regulate the intensity of open spaces around buildings.

5. To establish building lines and the location of buildings designed for residential, business, commercial, manufacturing or other uses within such lines.
 6. To fix reasonable standards to which buildings or structures shall conform.
 7. To prohibit uses, buildings or structures that are incompatible with the character of development or the permitted uses within specified zoning districts.
 8. To prevent such additions to and alterations or remodeling of, existing buildings or structures as would not comply with the restrictions and limitations imposed hereunder.
 9. To limit congestion in the public streets and provide for the off-street parking of motor vehicles and for the loading and unloading of commercial vehicles.
 10. To provide protection against fire, explosion, noxious fumes, and other hazards in the interest of the public health, safety, comfort and general welfare.
 11. To prevent overcrowding of land, unnecessary loss of natural environment and undue concentration of structures so far as is possible and appropriate in each district, by regulating the use and the bulk of buildings in relation to the land surrounding them.
 12. To conserve the value of land and buildings throughout the City.
 13. To provide for the gradual elimination of those uses of land, buildings and structures, and of those buildings and structures which do not conform to the standards of the districts in which they are respectively located and which are adversely affecting the development and taxable value of property in each district.
 14. To provide for the condemnation of such nonconforming buildings and structures and of land, as the Board of Commissioners shall determine is necessary or appropriate for the rehabilitation of the area blighted by such buildings or structures.
 15. To define and limit the powers and duties of the administration officers and bodies as provided herein.
- C. Repeal of Existing Regulations** - The adoption of this Ordinance shall repeal the existing zoning regulations of the City of Lakeland, as amended. Adoption of this Ordinance shall also repeal Ordinance Number 183 and Ordinance Number 184

pertaining to model homes. However, the adoption of this Ordinance shall not affect nor prevent any pending or future prosecution of an action to abate any existing violation of said existing regulations, as amended, if the violation is also a violation of this Ordinance.

SECTION 3 – TRANSITIONAL PROVISIONS

A. Processing of Applications Commenced Under Ordinance # 02-05, as Amended

The provisions of this Ordinance, as amended by Ordinance #07-99, shall apply to all applicable application/submissions, approvals and development activities, with the exception of activities that are exempt under the transitional provisions of Section 3.B, below.

B. Processing of Applications Commenced or Approved Under Previous Ordinance

1. Pending Applications/Submissions

- a. Any complete application/submission that has been submitted or accepted for approval, but upon which no final action has been taken by the appropriate decision-making body prior to the effective date of this ordinance, shall be reviewed in accordance with the provisions of the ordinance in effect on the date the application/submission was deemed complete by the city.
- b. If the applicant fails to comply with any required time period for submittal or other procedural requirements, the application/submission shall lapse and any subsequent application/submission shall be subject to the requirements in effect at the time of re-application.
- c. Any re-application for an expired project approval shall meet the standards in effect at the time of re-application.

2. Approved Projects

- a. Approved planned development development plans, rezoning requests, site plans, variances, or building permits that are valid on the effective date of this ordinance shall remain valid until their expiration date, where applicable, unless and until such approvals expire, or subsequent approvals or development replaces the prior approval.
- b. Any building or development for which a building permit was granted prior to the effective date of this ordinance shall be permitted to proceed to construction, even if such building or

development does not conform to the provisions of this ordinance, as long as the building permit remains valid.

- c. If the development for which the building permit is issued prior to the effective date of this ordinance fails to comply with the time frames for development established for the building permit, the building permit shall expire, and future development shall be subject to the requirements in effect at the time of re-application.