

## Land Use/Zoning

A request for a Conditional Use Permit requires approval by the Planning Commission. A conditional-use permit shall be obtained for certain uses, which would become harmonious or compatible with neighboring uses through the application and maintenance of qualifying conditions and located in specific locations within a zone, but shall not be allowed under the general conditions of the zone as stated in this code. All conditional-use permit applications shall be submitted to the Planning Director as provided in this code. All applications shall be accompanied by maps, drawings, statements or other documents requested to make a sound decision. An appropriate fee shall be collected at the time of submittal as determined by the jurisdiction.

Prior to the approval, amending or denial of a conditional-use permit, a public hearing shall be held in accordance with the provisions of the state statute. Upon the completion of said public hearing, the commission shall render a decision within a time limit as prescribed by law.

The Planning Commission shall have the authority to impose conditions and safeguards as deemed necessary to protect and enhance the health, safety and welfare of the surrounding area. The authorization of a conditional-use permit shall not be made unless the evidence presented is such to establish:

1. That such use will not, under the specific circumstances of the particular case, be detrimental to the health, safety or general welfare of the surrounding area and that the proposed use is necessary or desirable and provides a service or facility that contributes to the general well being of the surrounding area.
2. That such use will comply with the regulations and conditions specified in this code for such use.
3. The planning commission shall itemize, describe or justify, then have recorded and filed in writing, the conditions imposed on the use.

A conditional-use permit shall be considered exercised when the use has been established or when a building permit has been issued and substantial construction accomplished. When such permit is abandoned or discontinued for a period of 1 year, it shall not be reestablished, unless authorized by the planning commission, hearing examiner or legislative body on appeal.

A request for a conditional use shall be permitted to be approved, approved with conditions or denied. Each request for a conditional use approval shall be consistent with the criteria listed below:

1. The request is consistent with all applicable provisions of the comprehensive plan.
2. The request shall not adversely affect adjacent properties.
3. The request is compatible with the existing or allowable uses of adjacent properties.
4. The request can demonstrate that adequate public facilities, including roads, drainage, potable water, sanitary sewer, and police and fire protection exist or will exist to serve the requested use at the time such facilities are needed.
5. The request can demonstrate adequate provision for maintenance of the use and associated structures.
6. The request has minimized, to the degree possible, adverse effects on the natural environment.
7. The request will not create undue traffic congestion.
8. The request will not adversely affect the public health, safety or welfare.
9. The request conforms to all applicable provisions of this code.

A request for [Rezoning Amendment](#) requires (1) public hearing before the City's Planning Commission and one (1) public hearing before the Board of Mayor and Aldermen. Amendments must be adopted by ordinance. Zone changes become effective thirty (30) days following the final adoption. Processing time is normally twelve (12) to fourteen (14) weeks, however, it is dependent upon the number of similar requests before the City.

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Requests for [Home Occupation](#) that comply with the standards identified in City's Zoning Ordinance are permitted nonresidential activities within structures in residential zones. Requests for Home Occupations are reviewed by the Planning Department for compliance with the Home Occupation standards as listed below. Following receipt of clearance authorization from the Planning Department, a City of Tullahoma Business License must be obtained from the Finance Department.

Home occupations shall be permitted in all zones, provided the home occupation is clearly and obviously subordinate to the main use or dwelling unit for residential purposes. Home occupations shall be conducted wholly within the primary structure on the premises.

**Conditions:**

1. The home occupation shall not exceed 15 percent of the floor area of the primary structure.
2. Other than those related by blood, marriage or adoption, no more than one person may be employed in the home occupation.
3. Inventory and supplies shall not occupy more than 50 percent of the area permitted to be used as a home occupation.
4. There shall be no exterior display or storage of goods on said premises.
5. Home occupations involving beauty shops or barber shops shall require a conditional-use permit.
6. Sales and services to patrons shall be arranged by appointment and scheduled so that not more than one patron vehicle is on the premises at the same time.
7. Two additional parking spaces shall be provided on the premises, except only one need be provided if the home occupation does not have an employee.

A request for an [Annexation](#) requires one (1) public hearing on the proposed annexation and plan of service before the City's Planning Commission and one (1) hearing and three readings of an ordinance to amend the zoning classification before the Board of Mayor and Aldermen and passage of a Plan of Service resolution.