

ARTICLE III
USE REGULATIONS

SECTION

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3-101 USE CLASSIFICATION

The use regulations of the zoning districts are based on the following use classification system.

3-101.1 Purpose and Intent

The purpose of these provisions is to classify uses of land into a number of specially defined activity types on the basis of common functional characteristics and similar compatibility with other uses, thereby providing a basis for regulation of uses in accordance with criteria that are directly relevant to the public interest. These provisions shall apply throughout this zoning ordinance.

3-101.2 Classification of Principal Uses

The following rules shall apply where a single lot contains activities that resemble two (2) or more different activity types that are not classified as accessory activities.

1. Classification of Each Establishment

The principal activities conducted on a single lot by each individual establishment, management, or institution shall be classified separately.

2. Classification of Major Classes of Activities

If the principal activities conducted on a single lot by a single establishment, management, or institution resemble two (2) or more different major classes of activities, to wit, residential, community facilities, commercial, manufacturing, or agricultural and extractive activities, the principal activities of each major class shall be classified separately.

3. Classification of Multiple Activity Types

If principal activities conducted on a single lot by a single establishment, management, or institution resemble two (2) or more activity types within

the same major class of activities, all such principal activities shall be classified in the activity type within said class the description of which type most closely portrays the overall nature of such activities. However, when activity types have any characteristics of group assembly and commercial outdoor recreation; community assembly; extensive impact facilities; outside material and equipment sales and repair yards; restaurant; fast food; warehousing, goods transport and storage; hazardous manufacturing or mining and quarrying, all principal activities within the same major class of activities as any of such types shall be classified within that one of such types the description of which most closely portrays said principal activities; except that all such commercial activities shall be classified within the scrap operation activity type if they have any of its characteristics.

3-102 LISTING OF ACTIVITY TYPES

All activities are hereby classified into the following types.*

A. Residential Activities

**Permanent
Semi-transient**

B. Community Facility Activities

**Administrative Services
Child Care Facilities
Community Assembly
Cultural and Recreational Services
Educational Facilities
Essential Public Transport, Communication and Utility Services
Extensive Impact Facilities
Health Care Facilities
Intermediate Impact Facilities
Religious Assembly Facilities
Special Institutional Care Facilities
Special Personal and Group Care Facilities
Waste Disposal Operations**

C. Commercial Activities

**Adult Oriented Business
Animal Care and Veterinary Services
Automotive Parking
Automotive and Marine Craft Sales, Service and Repair
Banking, Financial, Insurance and Real Estate Services
Convenience Retail Sales and Services
Entertainment and Amusement Services- Limited
General Business and Communication Services
General Retail Sales and Services
Group Assembly and Commercial Outdoor Recreation
Outside Material and Equipment Sales and Repair Yards**

* Vacant land, itself, shall not constitute an activity type.

Professional Services - Medical
Professional Services - Nonmedical
Restaurant, Full-Service
Restaurant, Take-Out
Scrap Operations
Self Service Storage
Transient Habitation
Warehousing, Goods Transport and Storage
Wholesale Sales

D. Manufacturing Activities

Manufacturing - Basic Industry
Manufacturing - General
Manufacturing - Hazardous Operations
Manufacturing - Limited

E. Agricultural and Extractive Activities

Agriculture - General
Agriculture - Intensive
Agricultural Services
Mining and Quarrying
Plant and Forest Nurseries

3-103 DETAILED ACTIVITY LISTING

3-103.1 Residential Activities - Class and Types

1. Activity Type - Permanent Residential Activities

a. Intent and Limitations

This grouping is intended to include permanent residential activities which involve the occupancy of a dwelling unit as defined by this ordinance. This form of occupancy shall not be construed to include:

- i. Institutional living arrangements involving provision of special care or forced residence, such as nursing homes, convalescent homes, rest homes, orphanages, asylums, and prisons; or
- ii. Transient accommodations such as transient hotels, motels, tourist homes, or similar establishments; or
- iii. Dormitories, nurses' residences, fraternity or sorority houses, monasteries or convents, or similar establishments containing group living or sleeping accommodations; or
- iv. In a building with mixed use occupancy, that part of the building used for any nonresidential uses, excepting accessory residential uses.

b. Use Listing

The following dwelling unit types, as defined by this ordinance, are considered as permanent residential activities when located within any district. However, only those dwelling unit types as indicated by individual district regulations may be permitted therein.

Single-Family Dwelling
Duplex Dwelling
Multi-Family Dwelling
Manufactured Home Dwelling

2. Activity Type - Semi-Transient Residential Activities

This grouping is intended to include residential activities which are semi-transient in nature and involve the occupancy of a rooming unit as defined by this ordinance. This form of occupancy shall not be construed to include:

a. Intent and Limitations

Institutional living arrangements involving provision of special care or forced residence, such as nursing homes, convalescent homes, rest homes, orphanages, asylums, and prisons; or

In any building with mixed use occupancy, that part of the building used for any nonresidential uses, excepting accessory residential uses.

b. Use Listing

A general term "Lodging House" is included within this ordinance to describe a group of residential uses considered semi-transient in nature when they meet the general limitations of rooming units (as defined by this ordinance). The term lodging house is intended to include, subject to the general limitations for semi-transient residential activities, the following residential types:

Apartment Hotel
Boarding House
Rooming House
Residential Hotel

3-103.2 Community Facilities Activities - Class and Types

1. Activity Type - Administrative Services

a. Intent and Limitations

This grouping is intended to include the activities typically performed by public, utility and private nonprofit administrative offices.

- b. Use Listing
City, County, State, and Federal Offices
Civil Defense Facilities
Court Buildings
Fire Department Facilities
Police Department Facilities
Post Offices

2. Activity Type - Child Care Facilities

- a. Intent and Limitations

This grouping is intended to include licensed establishments wherein an agency, person or persons regularly provide nonmedical care for a group of five (5) or more children for periods of less than twenty-four (24) hours a day.

- b. Use Listing

Child Care Center
Family Child Care Home
Group Child Care Home

3. Activity Type - Community Assembly

- a. Intent and Limitations

This grouping is intended to include a broad range of facilities utilized as public gathering places in conjunction with various social and recreational events. This grouping is not intended to include facilities primarily utilized for profit, nor is it to include any facility which has the characteristics associated with extensive impact community facilities.

- b. Use Listing

Civic, Social, Fraternal, and Philanthropic Associations
Private (Nonprofit) Clubs, Lodges, Meeting Halls, and
Recreation Centers
Temporary Nonprofit Festivals

4. Activity Type - Cultural and Recreational Services

- a. Intent and Limitations

This grouping is intended to include services and facilities of a cultural or recreational nature which are either owned by, or operated for the use and enjoyment of, the general public. The

grouping is not intended to include entertainment and amusement facilities which are operated by private persons as profit making ventures.

b. Use Listing

Art Galleries (Noncommercial)
Athletic Associations
Libraries
Museums
Parks, Playgrounds, and Playfields
Planetariums and Aquariums
Recreational Centers and Gymnasiums (Public Nonprofit)
Swimming Pools and Beaches
Yachting Clubs (Private)
Zoological and Botanical Gardens (Noncommercial)

5. Activity Type - Educational Facilities

a. Intent and Limitations

This grouping is intended to include services and facilities typically performed by public, parochial and private nursery schools, kindergartens, primary and secondary schools. The grouping is not intended to include special training and schooling services offered by private individuals for profit or technical schools, colleges and universities.

b. Use Listing

Public, Parochial, and Private Kindergartens
Primary and Secondary Schools

6. Activity Type - Essential Public Transport, Communication, and Utility Services

a. Intent and Limitations

This grouping is intended to include facilities necessary and incidental to the operation of transport, communication, and utility services. The grouping is not intended to include major transport terminals or utility production and processing facilities.

b. Use Listing

Commercial Communication Towers
Electrical and Gas Substations
Gas, Electric, and Water Distribution Lines and Pumping Facilities for water and Sewer Systems
Rights-of-Way for all Modes of Transportation
Sewage Collection Lines

7. Activity Type - Extensive Impact Facilities

a. Intent and Limitations

This grouping is intended to include public activities and facilities which have a high degree of impact upon surrounding land uses due to hazards, and nuisance characteristics, traffic generation, and parking requirements.

b. Use Listing

**Airports, Air Cargo Terminals, Heliports, Helistops, or
Any Other Aeronautical Device
Electricity Generating Facilities
Major Petroleum and Natural Gas Transmission Lines and
Facilities
Marine Terminals
Military Bases or Reservations
Railroad, Bus, and Transit Terminals
Railroad Yards and Other Transportation
Equipment Marshaling and Storage Yards
Water and Sewage Treatment Plants**

8. Activity Type - Health Care Facilities

a. Intent and Limitations

This grouping is intended to include medical and other health care facilities which are required for promotion and protection of public health and safety. This grouping is not intended to include the offices, clinics, laboratories, etc., of private physicians or of other health care professionals.

b. Use Listing

**Center for Observation and Rehabilitation
Hospitals
Medical Clinics (Excluding Substance Control Facilities)**

9. Activity Type - Intermediate Impact Facilities

a. Intent and Limitations

This grouping is intended to include a broad range of public and private activities that have a significant effect upon surrounding land uses due to their traffic generation characteristics, parking requirements, land requirements, or potential nuisances associated with such uses.

b. Use Listing

**Cemeteries, Columbariums, and Mausoleums
Colleges, Junior Colleges, and Universities, but
Excluding Profit-Making Business Schools
Commercial Boat Docks, Marinas, and Yacht Clubs
Electrical and Gas Substations
Golf Courses
Major Mail Processing Centers
Radio, Telephone, Television Towers and
Transmission Facilities
Water Storage Facilities**

10. Activity Type - Religious Assembly Facilities

a. Intent and Limitations

This grouping is intended to include facilities utilized by various religious organizations for worship or community service functions including child care facilities and parents day out. The grouping is not intended to include facilities which primarily function to produce products, including printed matter, for sale or general distribution to groups other than the immediate membership of the organization located upon the same zone lot nor is it intended to include school facilities providing primary or secondary education.

b. Use Listing

**Chapels
Churches
Convents and Monasteries
Sanctuaries
Synagogues
Temples**

11. Activity Type - Special Institutional Care Facilities

a. Intent and Limitations

This grouping is intended to include facilities that involve forced residency, full time supervision and/or walk-in care for: (1) individuals legally confined due to violations of law; (2) individuals who are addicted to drugs and/or alcohol and (3) individuals who are mentally ill, including the criminally dangerous

b. Use Listing

**Detention and/or Correctional Institutions
Drug and Alcohol Rehabilitation Facilities
Half-Way Houses (Serving Convicted Felons or
Recovering Substance Abusers)**

**Institutional Care Facilities: (Including All Types of Asylums for the Psychotic or Insane)
Substance Control Centers (Serving Recovering Substance Abusers)**

12. Activity Type - Special Personal and Group Care Facilities*

a. This grouping is intended to include a wide variety of facilities for persons who have need of special care or supervision when such care or supervision is provided in a group environment where meals are provided in a shared dining facility. This grouping is not intended to include facilities which involve independent living arrangements in "dwelling units" as defined by this ordinance regardless of the level of care provided. This grouping does not include facilities primarily oriented to the provision of surgical or emergency medical care nor is it to include facilities for delinquent minors, the criminally dangerous, the addicted and/or mentally ill individuals.

b. Use Listing

**Assisted Living Facilities for Elderly or Handicapped Persons
Convalescent Homes
Day-Care Facilities for Elderly Persons
Family Care Facilities
Group Care Facilities
Nursing Homes
Retirement or Rest Homes**

13. Waste Disposal Operations

a. Intent and Limitations

This grouping is intended to include operations engaged in the storage, hauling and ultimate disposal of waste products. The grouping does not include operations involved in storage, processing, and shipping of scrap materials for recycling or reuse except when such materials are classified as hazardous or include activities that may present serious hazards to human life and health. The grouping does include all operations engaged in disposal of solid waste as defined in Section 68-211-103, Tennessee Code.

b. Use Listing

**Hazardous Waste Disposal
Medical Waste Disposal
Radioactive Waste Processing, Storage and Disposal
Solid Waste Landfills
Solid Waste Processing and Recycling
Waste Incinerators, Including Hospital and Medical Waste**

* See definition of the term "family" for exemptions to these provisions granted by Title VIII, of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988.

3-103.3 Commercial Activities - Class and Types

1. Activity Type - Adult Oriented Business

a. Intent and Limitations

This grouping is intended to include all "adult oriented businesses" and activities defined by this ordinance. This grouping includes all facilities wherein material is presented or exhibited which is distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" as defined by this ordinance for observation by patrons therein.

b. Use Listing

Adult Arcade
Adult Bookstore
Adult Mini- motion Picture Theater
Adult Motion Picture Theater

2. Activity Type - Animal Care and Veterinary Services

a. Intent and Limitations

This grouping is intended to include the activities or facilities utilized by veterinarians in the care of small domestic pets. The grouping is not intended to include facilities or services for on-site treatment of large farm animals. (See Agricultural Services.)

b. Use Listing

Veterinary Clinics
Kennels

3. Activity Type - Automotive Parking

a. Intent and Limitations

This grouping is intended to include facilities for parking and/or storage of operative automotive vehicles. The grouping is not intended to include the storage of junk or scrap or inoperative vehicles of any type.

b. Use Listing

Auto Parking Lots
Parking Garages

4. Activity Type - Automotive and Marine Craft Sales, Service and Repair

a. Intent and Limitations

This grouping is intended to include retail dealers selling new and used automobiles, boats, recreational vehicles, utility trailers, and motorcycles. Repair shops and parts sales facilities are to be included, to the extent that such facilities are oriented to the servicing or repair of vehicles. The grouping is not intended to include automotive distributors, the greater part of whose sales are to dealers or to institutional or industrial users. (See Wholesale Sales.)

b. Use Listing

**Auto Dealers
Auto and Home Supply Stores
Auto Paint Shops
Auto Repair Services
Auto Towing Services
Boat Dealers
Car Washes
Motorcycle Dealers
Radiator and Muffler Shops
Recreational and Utility Vehicle Sales, Service and Storage
Tire Sales Retreading and Repair Shops**

5. Activity Type - Banking, Financial, Insurance and Real Estate Services

a. Intent and Limitations

This grouping is intended to include firms engaged in the provision of financial, insurance, and real estate brokerage services, as well as advice, information, or consultations of a professional nature (other than those classified as community facility activities, medical and professional service, or business and communication services). These also include the executive management, or administrative activities of private, profit oriented firms, but exclude the sale and/or storage of goods or chattel, unless, otherwise, permitted by this ordinance.

b. Use Listing

**Agricultural Credit Institution
Banking and Bank-Related Functions
Credit Unions
Holding and Investment Organizations
Installment Sales Finance Companies
Insurance Carriers, Agents, Brokers, and Service
Money Management and Investment Offices
Real Estate Brokers, Managers, and Appraisers
Rediscount and Financing Institutions for
Credit Agencies Other Than Banks**

**Savings and Loan Associations
Securities Commodities, Brokers, Dealers, and Exchanges
Title Offices**

6. Activity Type - Convenience Retail Sales and Services

a. Intent and Limitations

This grouping is intended to include firms engaged in the retail sale, from the premises, of goods and services which are needed immediately and often and which are purchased where it is most convenient for the shopper; as well as the provision of personal convenience services which are typically needed frequently and recurrently. (Individual establishments are limited to a gross floor area of five thousand (5,000) square feet.)

b. Use Listing

**Bakeries
Barber Shops
Beauty Shops
Candy, Nut and Confectionery Stores
Convenience Markets
Dairy Products Stores
Drug Stores
Fruit Stores
Gasoline Service Stations
Hardware Stores
Health Spas
Laundry, Cleaning and Garment Services
Liquor Stores
Meat and Fish Markets
News Stands
Shoe Repair Shops
Vegetable Markets**

7. Activity Type - Entertainment and Amusement Services-Limited

a. Intent and Limitations

This grouping is intended to include establishments engaged in providing amusement or entertainment to groups of assembled spectators and/or participants for payment of a fee or admission charge. The activities are limited to those conducted within enclosed buildings having a total seating capacity for one hundred (100) or fewer persons.

b. Use Listing

**Art Galleries - Commercial
Bowling Alleys and Billiard Parlors
Coin Operated Amusement Arcades
Dance Studios, and Schools**

**Exhibition Halls and Commercial Auditoriums
Fitness Centers and Reducing Salons
Gardens (Botanical and Zoological)
Karate Schools
Motion Picture Theaters
Recording and Television Production Studios
Theaters - Legitimate
Theatrical Producers, Bands, Orchestras, and Entertainers
Video Game Arcades**

8. Activity Type - General Business and Communication Service

a. Intent and Limitations

This grouping is intended to include firms engaged in the provision of services of a clerical, goods brokerage, and communications of a minor processing nature.

b. Use Listing

**Advertising Agencies & Services
Commercial Cleaning Services
Commercial Testing Laboratories**

Communications Services:

**Radio and Television Broadcasting Studios
Telegraph Offices and Message Centers
Telephone Exchanges
Television and Recording Production Studios
Computer and Data Processing Services
Credit Reporting, Adjustment, and Collection Agencies
Detective Agencies and Protective Services
Drafting Services
Employment, Personnel, and Temporary Help Services
Exterminating Services
Interior Decorator and Consulting Services
Mailing, Reproduction, and Commercial Art Services
Management, Consulting, and Public Relations Services**

Membership Organizations:

**Automobile Clubs
Better Business Bureaus
Chapter of Commerce
Labor Unions
Photo finishing Services
Political Organizations
Professional Associations
News Syndicates
Research and Development Laboratories
Trading Stamp Services
Travel Agencies**

9. Activity Type - General Retail Sales and Services

a. Intent and Limitations

This grouping is intended to include the retail sale or rental from the premises, primarily for personal or household use, of goods and/or services; but excluding goods and services listed under the other activity types.

b. Use Listing

Antique and Second Hand Merchandise Stores
Book and Stationary Stores
Camera Stores
Children's and Infants' Stores
Department Stores
Drapery, Curtain, and Upholstery Stores
Family Clothing Stores
Floor Covering Stores
Florists
Furniture Stores
Furriers and Fur Shops
Gift Shops
Grocery Stores
Hardware Stores
Hobby, Toy, and Game Stores
Household Appliance Stores
Jewelry Stores
Luggage Shops

Miscellaneous Apparel and Accessory Stores:

Bathing Suit Stores
Custom Tailors
Shirt Shops
Sports Apparel Stores
Uniform Stores

Miscellaneous General Merchandise Stores:

Direct Selling Organizations
Mail Order Houses

Miscellaneous Home Furnishings Stores:

Bedding and Linen Stores
Cookware Stores
Cutlery Stores
Glassware and China Shops
Lamp and Shade Shops
Paint and Wallpaper Stores
Music Stores
News Stands

Proprietary Stores
Radio and Television Stores
Sewing and Piece Goods Stores
Shoe Stores
Sporting Goods Stores
Tobacco Stores
Variety Stores
Women's Accessory and Specialty Stores
Women's Ready-to-Wear Store

10. Activity Type - Group Assembly and Commercial Outdoor Recreation Facilities

a. Intent and Limitations

This grouping is intended to include the provision of cultural, entertainment, educational and athletic services, other than those classified as community facilities, to large groups (one hundred (100) or more) assembled spectators and/or participants.

b. Use Listing

Amusement Parks and Fairgrounds
Commercial Camp Grounds

Commercial Sporting Facilities:

Golf Courses and Driving Ranges
Riding Stables
Skating Facilities
Swimming Pools and Beaches
Commercial Resorts
Commercial Sports Arenas and Playing Fields
Drag Strips
Marinas, Boat Docks, and Boat Rental
Race Tracks (Auto, Motorcycle, Dog, and Horse)

11. Activity Type - Outside Material and Equipment Sales and Repair Yards

a. Intent and Limitations

This grouping is intended to include establishments engaged in the retail and wholesale sale and storage of bulk materials and heavy equipment **where operations require open storage and display.**

b. Use Listing

Construction Equipment Sales
Contractors Storage Yards
Farm Equipment Sales and Service
Feed Milling and Sales
Heating, Plumbing and Electrical Suppliers
Highway and Street Construction Contractors
Lumber and Other Building Material Dealers

12. Activity Type - Professional Services - Medical

a. Intent and Limitations

This grouping is intended to include establishments primarily engaged in providing medical, dental, and other health services to individuals. The grouping is limited and does not include the broad ranging services provided at general health care facilities such as hospitals.

b. Use Listing

**Blood Banks
Chiropractors Offices
Dental Offices and Laboratories
Limited Outpatient Medical Service Facilities
Medical Laboratories
Optometrists
Physicians' Offices and Clinics (Out-Patient Services)
Psychologists and Psychotherapists**

13. Activity Type - Professional Services - Nonmedical

a. Intent and Limitations

This grouping is intended to include a broad listing of generally recognized professions, other than medicine, which are compatible with one another and tend to exert similar impacts upon their surroundings.

b. Use Listing

**Accounting, Auditing, and Bookkeeping Services
Artists Studios
Attorneys and Law Offices
Consulting Scientists
Educational and Scientific Research Services
Engineering and Architectural Services
Songwriters and Music Arrangers
Writers and Lecturers**

14. Activity Type - Restaurant, Full Service

a. Intent and Limitations

This grouping is intended to include establishments where the principal business is the sale of food and beverages in a ready-to-consume state and where the design or principal method of operation consists of one (1) or more of the following:

- i. A sit-down restaurant where customers, normally provided with an individual menu, are generally served food and beverages in nondisposable containers by a restaurant employee at the same table or counter at which said items are consumed; or
- ii. A cafeteria or cafeteria-type operation where foods and beverages generally are served in nondisposable containers and consumed within the restaurant; or
- iii. Small specialty restaurants having floor area exclusively within a shopping or office center, sharing common parking facilities with other businesses within the center, and having access to a common interior pedestrian access way.

This activity may include the on-premise sale, service and consumption of alcoholic beverages as an accessory and secondary use, but excludes any service to a customer in a motor vehicle.

- b. Use Listing

**Cafes
Cafeterias
Restaurants
Taverns**

15. Activity Type - Restaurant, Take-Out

- a. Intent and Limitations

This grouping is intended to include food service establishments where the principal business is the sale of food and nonalcoholic beverages to the customer in a ready-to-consume state and where the design or principal method of operation is that of a fast-food or drive-in restaurant offering quick food service, where orders are generally not taken at the customer's table, where food is generally served in disposable wrapping or containers, and where food and beverages may be served directly to the customer in a motor vehicle.

- b. Use Listing

**Drive-In Restaurants
Fast Food Restaurants**

16. Activity Type - Scrap Operations

- a. Intent and Limitations

This grouping is intended to include firms engaged in storage or sale, from the premises, of used or waste material or other items, except when such activities involve goods or materials that may

present serious hazards to human life and health, are incidental to a manufacturing operations classified as “hazardous operations” or are classified as toxic or hazardous materials. (See Manufacturing-Hazardous Operations for storage of material that may present serious hazards to human life and health.)

b. Use Listing

**Automobile Junk Yard
Recycling Firms
Salvage Establishments
Waste Transfer Stations**

17. Activity Type - Self-Service Storage Facilities

a. Intent and Limitations

This grouping is intended to include all self-storage facilities as defined by this ordinance. The grouping shall not include storage or transport of goods or materials that may present serious hazards to human life and health. (See Manufacturing-Hazardous Operations for storage of goods that may present serious hazards to human life and health.)

b. Use Listing

18. Activity Type - Transient Habitation

a. Intent and Limitations

This grouping is intended to include commercial and institutional establishments engaged in furnishing temporary living accommodations, including lodging and/or meals on a fee basis. Included within this grouping are all facilities where thirty (30) percent or more of the living units located on the same zone lot and held under the same ownership are being occupied on a less than monthly basis.

b. Use Listing

**Hotels, Motels
Tourist Homes or Courts
Sporting and Recreational Vehicle Camps**

19. Activity Type - Warehousing, Goods Transport, and Storage

a. Intent and Limitations

This grouping is intended to include establishments and facilities associated with the commercial warehousing, storage, and transport of goods. The grouping does not include "self-storage facilities" as defined and regulated by this ordinance nor does it

include storage or transport of goods or materials that may present serious hazards to human life and health. (See Manufacturing-Hazardous Operations for storage of goods that may present serious hazards to human life and health.)

b. Use Listing

**Freight Forwarders
General Warehousing
Household Goods Storage
Local and Long Distance Trucking Terminals
Packing and Crating Services
Refrigerated Warehousing
Truck Terminals and Freight Handling**

20. Activity Type - Wholesale Sales

a. Intent and Limitations

This grouping includes the storage and sale from the premises of goods, to other firms for resale, as well as the storage of goods and their transfer to retail outlets. This grouping is not intended to include establishments and facilities associated with the commercial warehousing, storage, and transport of goods that may present serious hazards to human life and health. (See Manufacturing-Hazardous Operations for storage of goods that may present serious hazards to human life and health.)

b. Use Listings

**Apparel, Piece Goods, and Notions
Beer, Wine, and Distilled Alcoholic Beverages
Chemicals and Allied Products
Drugs, Drug Proprietaries, and Sundries
Electrical Goods and Appliances
Farm Products Raw Materials
Farm Supplies
Furniture and Home Furnishings
Groceries and Related Products
Hardware, Plumbing, and Heating Equipment and Supplies
Metals and Minerals
Motor Vehicles, Vehicle Parts and Supplies
Paints, Varnishes, and Supplies
Paper and Paper Products
Petroleum and Petroleum Products
Sporting, Recreational, Photographic, and Hobby Goods
Tobacco and Tobacco Products**

3-103.4 Manufacturing Activities - Class and Types

1. Activity Type - Manufacturing - Limited

a. Intent and Limitations

This grouping is intended to include manufacturing operations which involve the compounding, processing, assembling, packaging treatment or fabrication of materials necessary to create the following products:

Apparel Accessories, such as Hats, Jewelry, and Umbrellas
Art Objects
Bakery Goods
Beverages
Dairy Products
**Instruments for Scientific, Medical, Dental, Engineering,
and Other Professional Purposes**
Printed Matter
Signs

NOTE: No activity included within this grouping shall involve the outside storage of any amount of raw material or finished goods.

b. Use Listing

In addition to the manufacturing of the above products the following activities and operations are held to be limited manufacturing activity:

Book Binding
Candle-making
Data Processing Service
Photocopying
Photoengraving
Precision Machining of Dies, Jigs, and Fixtures
Printing
Publishing
Record Pressing
Upholstering

2. Activity Type - Manufacturing - Basic Industry

a. Intent and Limitations

This grouping is intended to include firms engaged in the conversion, processing and storage of extracted or raw materials, or in the use and/or storage of flammable or explosive materials, or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions, other than those

classified as Hazardous Operations. The grouping includes activities engaged in the following operations as well as the storage, manufacture, compounding, or treatment of the materials indicated:

Asphaltic Cement and Concrete Batching
Cotton Seed Oil
Fat Rendering
Fuel Production, Refining and Bulk Storage
Organic Fertilizers
Smelting and Refining of Metals
Wood Pulp

b. Use Listing

Subject to the general intent and limitations set out above for this use grouping the following manufacturing activities and operations shall be considered basic manufacturing.

Abrasive, and Nonmetallic Mineral Processing
Asphaltic Cement Plants
Bulk Fuel Storage, Processing and Distribution
Cement and/or Concrete Plants
Coal Yards
Cotton Ginning
Crematories
Fat Rendering
Foundries
Grain Milling
Ore Reduction
Offal Processing
Pulp Manufacturing
Slaughterhouses
Steel Works and Metal Smelting
Tanneries

3. Activity Type - Manufacturing -General

a. Intent and Limitations

This grouping is intended to include a broad range of manufacturing operations. The grouping does not include those operations engaged in operations classified as Basic Industry or Hazardous Operations.

b. Use Listing

Subject to the general intent and limitations set out above for this use grouping manufacturing activities and operations, except those classified as Basic Industry or Hazardous Operations shall be classified as general manufacturing operations.

4. Activity Type - Manufacturing - Hazardous Operations

a. Intent and Limitations

This grouping is intended to include all manufacturing and storage operations and facilities that may present serious hazards to human life and health. The use listing presented within this grouping is intended to be illustrative of the type operations included within this activity type and is not intended to be inclusive of all operations which may be considered as hazardous. The grouping is specifically intended to include operations engaged in the storage of, as well as manufacturing operations involving the use of, substances that may present serious hazards to human life and health. In any instance where the nature of operations or of materials utilized in such operations can be substantiated as presenting serious hazards to human life and health such activities shall be classified as hazardous operations.

b. Use Listing

**Arsenals
Atomic Reactors
Explosives and Fireworks Manufacture and Storage**

3-103.5 Agricultural and Extractive Activities - Class and Types

1. Activity Type - Agriculture - General

a. Intent and Limitations

This grouping is intended to include the raising of tree, vine, field, forage, and other plant crops intended to provide food or fiber, as well as keeping, grazing, or feeding animals for animal products, animal increase, or value increase.

b. Use Listing

**Animal Raising
Food Crop Production**

2. Activity Type - Agriculture - Intensive

a. Intent and Limitations

This grouping is intended to include feedlots, dairy farms, and egg production operations covered under provisions of Sections 48-18-101 through 48-18-104, Tennessee Code, where animals are tightly confined in buildings or outdoor pens including facilities for the processing, packaging, or treatment of agricultural products.

b. Use Listing

**Dairy Farms
Egg Production Operations
Feedlots**

3. Activity Type - Agricultural Services

a. Intent and Limitations

This grouping is intended to include a variety of service functions that are directly linked to the agricultural activities that these functions support.

b. Use Listing

**Crop Drying, Storage, and Processing Services
Crop Planting, Cultivating, and Protection Services
Horticultural and Soil Preparation Services
Veterinary Services for Livestock**

4. Activity Type - Mining and Quarrying

a. Intent and Limitations

This grouping is intended to include operations and facilities either utilized by, or in support of the extraction of minerals, ores, petroleum, and natural gas or in the quarrying and collection of stone, sand, and gravel, clay, and other nonmetallic minerals (such as phosphate rock).

b. Use Listing

**Borrow Pits Involving Soil Extraction and Off-Site Use
Chemical Fertilizer and Nonmetallic Mineral Mining
Clay, Ceramic, and Refractory Minerals Mining
Coal Mining
Crude Petroleum and Natural Gas Production
Metal Ore and Mineral Mining
Sand and Gravel Quarrying
Stone Quarrying
Metal Ore and Mineral Mining
Sand and Gravel Quarrying
Stone Quarrying**

5. Activity Type - Plant and Forest Nurseries

a. Intent and Limitations

This grouping is intended to include the cultivation for sale of horticultural specialties, such as flowers, shrubs, and trees, intended for ornamental, landscaping, or tree planting purposes.

b. Use Listing

**Forest Nursery
Plant Nursery**

3-104 SUPPLEMENTARY USE REGULATIONS

3-104.1 General

In addition to the bulk, parking, landscaping and other regulatory provisions of this ordinance, supplemental development standards are required for specific land uses when located in certain zone districts. These development standards are necessary because certain uses may tend to dominate or adversely affect the area more than other uses permitted within the same zone district due to large land area, unique operating, traffic generating or other characteristics. The land use tables for the zoning districts reference those uses and activities which must comply with supplemental development standards as:

- SUP - Principal Use Permitted with Supplemental Provisions**
- C - Conditional Use (Subject to Approval by the Board of Appeals)**
- ASP - Accessory Use Permitted with Supplemental Provisions**

The community service or institutional nature of these activities makes it necessary that they be located within areas where the potential exists for the use to be incompatible. A distinction is made between those uses and activities which involve relatively minor and predictable impacts and those uses which have impacts that cannot be satisfactorily predetermined for every possible location within a zone district. Uses with relatively minor, predictable impacts are indicated with the designation (SUP). These uses may be approved by the Zoning Administrator upon a demonstration that the established conditions can be met. The second category involve "Conditional Uses" (C) which are permitted only upon approval by the Board of Appeals. The last grouping involves certain uses are incidental to the operation and enjoyment of other principal land uses which remain appropriate only when certain standards are applied to limit their scope. These are designated as "Accessory Uses Permitted With Supplemental Provisions (ASP).

The supplementary use regulations appearing within this section shall apply to new uses and to existing uses as set out in Subsections 3-104.2 and 3-104.3.

3-104.2 Application to New Uses

No zoning permit shall be issued for the use of any building or land, where such use was not established prior to the adoption of this ordinance, unless the activity is in compliance with all supplementary use regulations specified for such activity within this article.

3-104.3 Application to Existing Uses

Where any use of a building or land was established prior to the adoption of this ordinance, such activity may be continued or expanded according to the provisions of Article XII, of this ordinance; provided, however, that any expansion of such activity shall comply as fully as possible with the supplementary use regulations specified for such activity within this section.

3-104.4 Plans Required

1. Principal Uses Permitted With Supplemental Provisions

Prior to establishing or expanding any use or activity classified as a principal use permitted with supplemental provisions **(SUP)** the Zoning Administrator shall have determined that such use complies with all applicable standards for such use established in this ordinance and in any instance where either new construction or exterior modifications to an existing structure is to be undertaken in conjunction with the establishment of such use or activity, a Site Plan meeting the specifications of Article XIV, Subsection 14-103.2, is approved.

2. Conditional Uses

No zoning permit shall be issued for any use or activity classified as a conditional **(C)** use until such use is approved by the Zoning Board of Appeals and, in any instance where either new construction or exterior modifications to an existing structure is to be undertaken in conjunction with the establishment of such use or activity, a Site Plan meeting the specifications of Article XIV, Subsection 14-103.2, is approved.

3-104.5 Provisions Applicable to Residential Activities

1. Single Family and Duplex Dwellings

When a single family or duplex dwelling is located within Variable Lot Size Residential Development (VLRD) the supplemental development standards of Article V, Subsection 5-104.3, shall apply to such use.

2. Manufactured Home Dwelling

When a manufactured home is located within a Manufactured Home Park, (MHP) District, the supplemental development standards of Article V, Subsection 5-104.2, shall apply to such use.

3. Multi-Family Dwelling

When a multi-family dwelling is located within a complex of two (2) or more buildings on a zone lot or portion of a zone lot, the supplemental development standards of Article V, Subsection 5-104.1, shall apply to such use.

4. Attached Dwellings

All attached dwellings shall comply with the supplemental development standards of Article V, Subsection 5-104.4.

3-104.6 Provisions Applicable to Community Facility Activities

1. Administrative Services

In all districts where authorized as a use permitted with Supplemental Provisions (SUP), the following supplementary regulations shall apply to uses classified in the administrative services activity type.

- a. The traffic generated by such facility shall be safely accommodated along arterial and collector streets without traversing local minor streets.
- b. No such facility shall be permitted on a lot within any residential district unless it contains twice the minimum lot area requirements of the district.
- c. The use shall comply with all of the district bulk regulations, applicable off-street parking requirements and landscaping, buffering and design review standards without recourse to variances.

2. Child Care Facilities

In all districts where authorized as either a use permitted with supplemental provisions (SUP) or a conditional (C) use, the following supplementary regulations shall apply to uses classified in the child care facilities activity type.

a. Child Care Home - Family

- i. All state and local licensing and code requirements including those pertaining to building, fire safety and health shall be met to the satisfaction of the approving agency at all times during operation of the facility.
- ii. Lot size, building coverage and setback provisions shall conform to those applicable to residential uses located within the zoning district.
- iii. One (1) off-street parking space shall be provided for each nonresident or nonfamily member employee in addition to the spaces required for the dwelling. The residential driveway is acceptable for this purpose.
- iv. An off-street drop-off/pick-up area shall be provided.
- v. Signage shall conform to the provisions of Article XI.
- vi. No structural or exterior decorative alteration that will alter the character of an existing residential structure or be incompatible with surrounding residences may be permitted. (Note: This provision shall not be construed as prohibiting alterations necessary to ensure the safety of the structure for its intended use.)

- vii. An outside play area of sufficient size to meet the minimum requirements established by the Tennessee Department of Human Services shall be provided. This area shall be fenced and shall be located within portions of the lot other than that utilized for a septic disposal field or any portion of the lot existing from the street line to a line drawn parallel to the front wall of the dwelling extending from one side lot line to the other.

b. Child Care Home - Group

- i. All state and local licensing and code requirements including those pertaining to building, fire safety and health shall be met to the satisfaction of the approving agency at all times during operation of the facility.
- ii. One (1) off-street parking space shall be provided for each nonresident or nonfamily member employee in addition to the spaces required for the dwelling. The residential driveway is acceptable for this purpose.
- iii. An off-street drop-off/pick-up area shall be provided.
- iv. Signage shall conform to the provisions of Article XI.
- v. No exterior alterations, other than those necessary to ensure the safety of the structure for its intended use shall be made to any group care home that is occupied as a dwelling. Minimal outward modifications may be made to the structure or grounds of group care homes whose principal use is as a child care facility (and not a residence) only if such changes are compatible with the character of the neighborhood or area and with the intent of the zoning district in which the use is located.
- vi. The Board may limit either interior or exterior modifications of any structure built as a dwelling to those which would not hamper reconversion to its original state upon cessation of the child care operation.
- vii. An outside play area of sufficient size to meet the minimum requirements established by the Tennessee Department of Human Services shall be provided. This area shall be fenced and shall be located within portions of the lot other than that utilized for a septic disposal field or any portion of the lot existing from the street line to a line drawn parallel to the front wall of the dwelling extending from one side lot line to the other.
- viii. Fencing shall be provided which is adequate for the protection and safety of children being served by the group care facility.

- ix. Screening may be required which is adequate to protect abutting properties.
- x. Any child care facility which upon passage of this ordinance does not comply with one (1) or more of the provisions set forth above may continue to operate and to serve the number of children for which such facility is licensed by the State of Tennessee. No such facility shall be permitted to expand or to serve a greater number of children until the facility is brought into compliance with these provisions.

c. Child Care Centers

In any instance where a child care center is proposed as a principal use or activity such may be permitted subject to compliance with the criteria set out below. A child care center, if sited on the premises of an operating community service activity such as, but not limited to, a private or public school, place of worship, community center or library and is associated with that activity, shall be considered accessory to the principal use of the property concerned and no independent permitting process shall be required. However, prior to issuance of any building permit, it shall be demonstrated to the satisfaction of the Zoning Administrator that the child care center meets or exceeds the design criteria and operational standards set forth below:

- i. All state and local licensing and code requirements including those pertaining to building, fire safety and health shall be met to the satisfaction of the approving agency at all times during operation of the facility.
- ii. No child care center shall be located in any private family residence unless the portion of the residence where the children have access is used exclusively for children during the hours the center is in operation and is separate from the usual living quarters of the family.
- iii. At least one (1) off-street parking space shall be provided for each on-duty staff person.
- iv. Signage shall conform to the provisions of Article XI, for the district wherein the use is located.
- v. Within residential districts, no structural or exterior decorative alteration that will alter the character of an existing residential structure or be incompatible with surrounding residences may be permitted. Any new or remodeled structure shall be designed to be compatible with the residential character of the surrounding neighborhood.

- vi. The Board may limit either interior or exterior modifications of any structure built as a dwelling to those which would not hamper reconversion to its original state upon cessation of the child care operation.
- vii. An outside play area of sufficient size to meet the minimum requirements established by the Tennessee Department of Human Services shall be provided. This area shall be fenced and within residential districts shall not be located within any portion of the lot existing from the street line to a line drawn parallel to the front wall of the building extending from one side lot line to the other. No portion of the outside play area shall be at any point closer than fifteen (15) feet to any septic disposal field.
- viii. An on-site vehicle turnaround, or separate entrance and exit points, and passenger loading area shall be provided.
- ix. To provide for the safe pick-up and delivery of children, an unloading zone is required. One unloading space is required for each twenty (20) children. Loading and unloading of children from vehicles shall only be permitted on the driveway, approved parking area and directly in front of the facility.
- x. Any child care centers shall be served by public sewer.
- xi. All elements of the site and structure shall, at all times, meet all building, sanitation, health, traffic safety and fire safety code requirements.
- xii. Fencing, screening and landscaping may be required to protect the area immediately surrounding the day care center.
- xiii. Any child care center which upon passage of this ordinance does not comply with one (1) or more of the provisions set forth above may continue to operate and to serve the number of children for which such facility is licensed by the State of Tennessee. No such facility shall be permitted to expand or to serve a greater number of children until the facility is brought into compliance with these provisions.

3. Community Assembly

In all districts where authorized as a use permitted with supplemental provisions (SUP) or a conditional (C) use, the following supplementary regulations shall apply to uses classified in the community assembly activity type.

- a. The principal access shall be to a designated collector street, or arterial street designated on the Major Street Plan.

- b. No such facility shall be permitted on a lot within any residential district unless it contains twice the minimum lot area requirements of the district; provided, however, that if such community assembly includes outdoor activities, the minimum lot area shall be four (4) acres.
- c. The use shall comply with all of the district bulk regulations, applicable off-street parking requirements and landscaping, buffering and design review standards without recourse to variances.
- d. All public utilities including a central sewage collection and treatment system (as defined by this ordinance) shall be available to the site.
- e. All activities shall be conducted such that no noise shall exceed the sound levels established in Article XII, Subsection 12-106.1.

4. Cultural and Recreational Services

In all districts where authorized as a conditional (C) use, the following supplementary regulations shall apply to uses classified in the cultural and recreational services activity type.

- a. No such activity shall be permitted on a lot, unless it contains twice the lot area requirements of the district; provided, however, that if such cultural and recreational service includes outdoor activities, the minimum lot area shall be four (4) acres.
- b. The use shall comply with all of the district bulk regulations, applicable off-street parking requirements and landscaping and buffering standards without recourse to variances.
- c. All public utilities including a central sewage collection and treatment system (as defined by this ordinance) shall be available to the site.
- d. The principal access shall be to a collector or arterial street designated on the Major Street Plan.

5. Educational Facilities

All uses classified in the educational facilities activity type shall be subject to the following supplementary regulations.

- a. The Board of Zoning Appeals may grant a variance from minimum yard requirements whenever an existing structure is proposed for conversion to a community education facility.
- b. This activity type is a permitted (P) use by right in all districts in which it is authorized only if it is located on a lot meeting the site size standards for the appropriate type school as set forth in standards established by the Tennessee Department of Education.

- c. This activity type may be permitted on a smaller site as a conditional (C) use subject to the following provisions.
 - i. The Planning Commission shall review the master development plan and make a recommendation as to the appropriate site size and plan for the proposed school. In its review, the Planning Commission shall take into account:
 - (a) Proposed enrollment levels;
 - (b) Physical site characteristics, such as steeply sloped areas, areas subject to flooding, or unstable soils;
 - (c) The need for buffers, such as screening, fencing, unused open spaces, and access and traffic control, to protect surrounding land use; and
 - (d) "Optional programmatic activities" to be conducted on the site, including indoor or outdoor interscholastic competitive sports; outdoor intramural competitive sports; outdoor physical education activities requiring large land areas, such as baseball, softball, football, soccer, golf, field hockey, and track and field events; marching band; outdoor concerts, assemblies, and theatrical performances; vocational training facilities; and outdoor education space such as nature study areas and experimental gardens.
 - ii. The minimum site sizes established below may be recommended whenever none of the "optional programmatic activities" are to be present on the site, no hazardous site characteristics exist, and adequate buffering can be accomplished without additional land. The reduced site size shall not be less than an absolute minimum based on the following table.

Enrollment Capacity

Minimum Site Size

1-49
 50-99
 100-149
 150 or more

1.5 acres
 2.0 acres
 2.5 acres
 2.5 acres plus 0.5
 additional acres for each
 50 students or fraction
 thereof above 149

- iii. Any school in existence upon adoption of this ordinance shall not be subject to the land area requirements of this section, but shall be subject to all other code requirements including fire, electrical, plumbing and building codes.

6. Essential Public Transport, Utility and Communication

In all districts where authorized as a use permitted with supplemental provisions (SUP), the following supplementary regulations shall apply to uses classified in the Essential Public Transport, Utility and Communication activity type.

- a. The proposed facility shall provide a basic community function or essential service necessary for a convenient and functional living environment in order to be located on the proposed site.
- b. The use shall comply with all landscaping, buffering and design review standards without recourse to variances.
- c. All transmitter stations, including towers and operating equipment shall adhere to the following standards:
 - i. A conditional use permit for a commercial communication tower in a residential district shall only be authorized upon a finding by the Board of Zoning Appeals that existing or approved towers within the proposed service area cannot accommodate the equipment planned to be located on the proposed tower. Factors to be considered in evaluating the practicality of locating the proposed equipment on existing or approved towers shall include structural capacity, radio frequency interference, geographic service area requirements, and cost.
 - ii. All towers with a height of one hundred fifty (150) feet or more (measured from base to top) shall be constructed in accordance with Electronic Industries Association ("EIA") Standard 222E-1991, utilizing a wind rating of eighty miles per hour (80 MPH) plus ice loading for Middle Tennessee. Each application for a building permit shall be accompanied by a certification prepared and stamped by a licensed engineer that the tower in question meets this design standard.
 - iii. All towers shall be set back from all property lines a distance that is equal to or greater than:
 - (a) For a guyed tower, twenty (20) percent of the height.
 - (b) For a self-supporting tower, fifty (50) percent the height.
 - iv. Guy wire anchors, if used, shall be set back a minimum of five (5) feet from all property lines, and a minimum of twenty (20) feet from any property line abutting a residentially zoned lot.

- v. All applications for permits shall be accompanied by a "Determination of No Hazard" from the Federal Aviation Administration, as well as all required Federal Communications Commission permit information.
- vi. The entire tract containing such tower and equipment shall be enclosed with a fence no less than six (6) feet in height. access gates will be locked at all times when the site is not occupied.

7. Extensive Impact Facilities

In all districts where authorized as conditional (C) uses, the following supplementary regulations shall apply to uses classified in the extensive impact activity type.

- a. The location, size, and design of such facilities shall be such that the proposed development shall be compatible with the development within the surrounding area, thus reducing the impact upon the surrounding area.
- b. The traffic generated by such facility shall be safely accommodated along arterial and collector streets without traversing local minor streets.
- c. The proposed facility shall provide a basic community function or essential service necessary for a convenient and functional living environment in order to be located on the proposed site.
- d. The off-street parking requirements shall be determined by the Board of Appeals.

8. Health Care Facilities

In all districts where authorized as a use permitted with supplemental provisions (SUP) or a conditional (C) use, the following supplementary regulations shall apply to uses classified in the health care activity type as indicated.

- a. Minimum Lot Area
 - i. No health clinic shall be permitted on a zone lot, unless it contains a minimum of ten thousand (10,000) square feet, or twice the lot area requirements of the district, whichever is greater.
 - ii. No hospital, or center for observation or rehabilitation shall be permitted on a zone lot, unless it contains a minimum of five (5) acres.

b. Hospital, Centers for Observation or Rehabilitation

The minimum side and rear yards for hospitals and centers for observation or rehabilitation shall be fifty (50) feet for one (1) or two (2) story buildings, increased by five (5) feet for each story above two (2).

c. All other regulations of the zone district shall apply.

d. There shall be provided along the entire site boundaries fencing, screening, and landscaping as appropriate to protect any surrounding residential area.

e. The location and operation of such facility shall be in keeping with the character of the surrounding area and shall not have an adverse effect on the properties in the surrounding area.

f. All public utilities including a central sewage collection and treatment system (as defined by this ordinance) shall be available to the site.

g. The following activity classes and types may be permitted as accessory to the health care activities provided they appropriately complement the health care activity, will not impose an adverse impact on the surrounding land use, and be subject to all other provisions of the zoning district:

i. Community Facility Activities

All Facilities

ii. Commercial Activities:

Convenience Sales and Services
Automotive Parking
Food Service
Professional Services - Medical

9. Intermediate Impact Facilities

In all districts where authorized as a conditional (C) use, the following supplementary regulations shall apply to uses classified in the intermediate impact activity type.

a. The location, size, and design of such facilities shall be such that the proposed development shall be compatible with the development within the surrounding area, thus reducing the impact upon the surrounding area.

b. The traffic generated by such facility shall be safely accommodated along major streets without traversing local minor streets.

- c. The proposed facility shall provide a basic community function or essential service necessary for a convenient and functional living environment in order to be located on the proposed site.
- d. The off-street parking requirements shall be determined by the Board of Appeals.

10. Religious Facilities

Land use development standards apply to religious facilities according to seating capacity ranges. For existing facilities located within residential districts, a conditional use permit shall be required for any proposed increase that upgrades the range of seats.

- a. Religious facilities with a maximum sanctuary capacity of fifty (50) seats shall be classified as a principal use permitted with supplemental provisions (SUP) activity and shall meet the following standards:
 - i. No such facilities shall be permitted on a zone lot, unless it contains twice the lot area requirements of the district or one (1) acre, whichever is less.
 - ii. Religious facilities within this grouping may have driveway access on any street.
 - iii. Religious facilities within this grouping shall be screened along all property lines adjoining any AR, RS or R residential district.
- b. Religious facilities with a maximum sanctuary capacity in excess of fifty (50) seats shall be classified as a conditional use (C) activity and shall meet the standards established for facilities within its seating capacity range:
 - i. The minimum lot size shall be based on the number of seats.

Seating Capacity

Minimum Lot Size

**51 to 200
201 to 400
more than 400**

**2 acres + .5 acre/100 seats
5 acres + .5 acre/100 seats
10 acres**

- ii. If the site area exceeds three (3) acres in size, such facilities shall be located only on designated arterial or collector streets as shown on the official major thoroughfare plan.
- iii. Religious facilities within this grouping shall be screened according to Landscape Standard B, along all property lines adjoining any residential district.

11. Special Institutional Care Facilities

In those districts where authorized as a conditional (C) use, the following supplementary regulations shall apply to all uses classified in the special institutional care activity type.

- a. The location, size, and design of such facilities shall be such that the proposed development shall be compatible with the development within the surrounding area, thus reducing the impact upon the surrounding area.
- b. The traffic generated by such facility shall be safely accommodated along designated arterial or collector streets as shown on the official major thoroughfare plan without traversing local minor streets.
- c. The purpose(s) of the facility must be clearly established by the agency responsible and the appropriate staff services must be provided to achieve the stated purpose(s).
- d. The facility shall have resident twenty-four (24) hour staff and appropriate professional services shall be supplied.
- e. The off-street parking requirements shall be determined by the Board of Appeals.
- f. The minimum lot area shall be five (5) acres, plus one (1) additional acre for each ten (10) persons accommodated.
- g. The minimum side and rear yards shall be one hundred (100) feet for a one (1) and two (2) story building, increased by ten (10) feet for each additional story.
- h. All public utilities including a central sewage collection and treatment system (as defined by this ordinance) shall be available to the site.

12. Special Personal and Group Care Facilities

In all districts where authorized as a use permitted with supplemental provisions (SUP) or a conditional (C) use, the following supplementary regulations shall apply to uses classified in the special personal and group care activity type as indicated.

- a. All Activities
 - i. The purpose(s) of the facility must be clearly established by the agency responsible and the appropriate staff services must be provided to achieve the stated purpose(s). Written findings shall be presented to the Board of Zoning Appeals regarding these requirements based on advice from such agencies as the Tennessee Department of Human Services.

- ii. An appropriate license must be secured for any activity regulated by any public agency, including the Tennessee Department of Human Services. Any activity lawfully regulated by any public agency may be permitted for only that time period for which a valid license is obtained. Where grades or classes of approvals are granted, only the most restrictive may be permitted.
- iii. Necessary utilities including a central sewage collection and treatment system (as defined by this ordinance) shall be available to the site.
- iv. Notwithstanding the aforescribed provisions, the Board may be permitted to vary the required yards and the screening strip for parking when the application involves a change in activities in existing structures. The plan shall provide for compensating features to offset any potentially adverse conditions that might be brought about by said variance.

b. Family Care and Group Care Facilities

- i. The purpose(s) of the facility must be clearly established by the agency responsible and the appropriate staff services must be provided to achieve the stated purpose(s). Group care facilities accommodating from seven (7) to twelve (12) individuals shall have twenty-four (24) hour staff and professional services in the behavioral sciences available. Group care facilities accommodating more than twelve (12) individuals shall have resident twenty-four (24) hour staff, and shall provide professional services in the behavioral science. The Planning Commission must make a written finding to the Board of Zoning Appeals regarding these requirements based on advice from such agencies as the Tennessee Department of Human Services.
- ii. Family care community facility may not accommodate more than one (1) individual (excluding staff) per living room.
- iii. Group care community facility must contain one thousand five hundred (1,500) square feet of net floor space for the first six (6) residents, including resident staff and one hundred fifty (150) square feet of net floor space per person above six (6) residents.
- iv. Group care facilities accommodating from seven (7) to twelve (12) persons, and family care facilities accommodating from one (1) to six (6) persons shall meet all bulk regulations of the district for a residence.

- v. Group Care facilities accommodating from thirteen (13) to fifty (50) shall have a minimum lot area of five (5) acres. When more than fifty (50) persons are accommodated, there shall be one (1) additional acre required for each ten (10) persons accommodated.
- vi. The minimum side and rear yards for group care facilities accommodating thirteen (13) or more persons shall be fifty (50) feet for a one- or two-story building, increased by five (5) feet for each story above two (2).

c. All Other Facilities

- i. No such facility shall be permitted on a zone lot within any residential district, unless it contains twice the lot area requirements of the zone district.
- ii. All bulk regulations of the district shall be met.
- iii. The requirements of the accessory off-street parking presented in Article IX, Subsection 9-103.2, shall apply to the particular use as specified.

13. Waste Disposal Operations

In all districts where authorized as a use permitted with supplemental provisions (SUP) the supplementary regulations established in Article VII, Section 7-401 shall apply to uses classified in the waste disposal operations activity type.

3-104.7 Provisions Applicable to Commercial Activities

1. Adult Entertainment Establishments

All adult entertainment establishments shall be located within the Adult Entertainment Overlay District. These districts may overlay those base zone districts as indicated in Table 7-102A. In addition, all adult entertainment establishments shall adhere to the following locational criteria within the overlay district:

- a. No establishment shall be located within five hundred (500) feet (measured property line to property line) of any church, school ground, college campus or park; and
- b. No establishment shall be located within one-hundred fifty (150) feet (measured property line to property line) of another adult entertainment establishment.

2. Animal Care and Veterinary Services

In all districts where authorized as a use permitted with supplemental provisions (SUP), uses classified in the animal care activity type shall be subject to the following supplementary regulations.

- a. All animal care uses shall occur in completely walled and roofed structures, except that completely fenced exercise yards may be provided as specified in Subpart b, of this section, below.
- b. Exercise yards shall be completely fenced and screened from all abutting lots and streets. Exercise yards shall not be used for overnight accommodations. The use of exercise yards shall be restricted to the hours of **8:00 a.m. to 8:00 p.m.**
- c. Animal care boarding facilities shall be restricted to domesticated animals that have an adult weight not exceeding two hundred (200) pounds.
- d. The design of animal care facilities shall provide for the off-street pickup and drop-off of animals.

3. Convenience Retail and Services

In all districts where authorized as a use permitted with supplemental provisions (SUP), the Convenience Retail and Services activity type shall be subject to the following supplementary regulations.

- a. Strong preference shall be given to location of complementary additions in the immediate vicinity of existing convenience establishments of other types in patterns which facilitate easy pedestrian circulation from the surrounding area and from one establishment to another, and to arrangements which encourage joint use of parking areas and automotive entrances and exits. In cases where a proposed location is suitable for later addition of other permitted convenience facilities, an isolated food service or general personal service activity may be permitted. Separate medical service activities (other than professional offices conducted as accessory uses in residences of such physicians and dentists) shall also be so located unless substantial public advantage can be demonstrated for other locations.
- b. In the environment in which convenience establishments are intended to be permitted, it is the intent of this chapter that no such establishment or group of establishments shall be of such size or character as to create the impression of general commercial development. Therefore, in addition to other limitations designed to achieve these ends, no individual convenience establishment shall have a gross floor area exceeding five thousand (5,000) square feet).
- c. Except as provided herein for gasoline sales, all sales, services, or displays in connection with convenience establishments shall be within completely enclosed buildings, and there shall be no display, service, or storage outside such buildings. A maximum of eight (8) gasoline pumps may be located in conjunction with a convenience

food market. No public address systems or other devices for reproducing or amplifying voices or music shall be mounted outside such buildings or be audible beyond any line of the lot on which the building is situated.

- d. Exterior storage of goods or materials of any kind is prohibited. The placement of waste disposal facilities is permitted in the rear of the commercial operation only and shall not be located in any required yard. Such facilities shall be totally screened using similar exterior materials from which the outside walls of the principal building is constructed and shall be maintained in a clean and orderly manner.
- e. Within the CTC District, convenience markets and/or gasoline service stations shall not be permitted.

4. Entertainment and Amusement Services - Limited

Within those districts where authorized as a conditional (C) use, activities classified in the Entertainment and Amusement Services - Limited activity type shall be subject to the following supplementary regulations.

- a. The facility shall be located so as to be compatible with the surrounding area and provide safety to those using such facility.
- b. All state and local regulations pertaining to fire safety and emergency access shall be met.
- c. All public utilities, including a central sewage collection and treatment system (as defined by this ordinance) shall be available to the site.
- d. Adequate accessory off-street parking shall be provided to accommodate such use.
- e. Notwithstanding the aforescribed provisions, the Board shall in each instance require such additional measures as are in its judgment necessary and proper to protect the health, safety and welfare of users or occupants of the facility and of the public in general.

5. Group Assembly and Commercial Outdoor Recreation

Within those districts where authorized as a conditional (C) use, activities classified in the Group Assembly and Commercial Outdoor Recreation activity type shall be subject to the following supplementary regulations.

- a. The location, size, and design of such facilities shall be such that the proposed development shall be compatible with the development within the surrounding area, thus reducing the impact upon the surrounding area.

- b. The traffic generated by such facility shall be safely accommodated along designated arterial or collector streets as shown on the official major thoroughfare plan without traversing local minor streets and without reducing the level of service (LOS) on collector or arterial streets.
- c. The off-street parking requirements shall be based upon the recommendation from the Planning Commission.
- d. All activities shall be conducted such that no noise shall exceed the sound levels established in Article XII, Subsection 12-106.1.
- e. When an application for a group assembly permit includes amusement parks, sports arenas, fairgrounds, racetracks, and similar recreational pursuits, the following requirements shall be observed:
 - i. The minimum site shall be twenty-five (25) acres;
 - ii. The minimum setback of all structures from all public roads shall be one hundred (100) feet;
 - iii. Such facility shall be situated so that no residential use is located closer than five hundred (500) feet from the principal building entrance of the principal use at the time of approval;
 - iv. Off-street parking shall be provided at a minimum of one (1) space for each four (4) patrons or seats. For those facilities which are not utilized on a regular and frequent basis, parking may be provided on adjacent parcels of land provided further that any parcel so used is located no more than five hundred (500) feet from the lot boundary;
 - v. Any lighting provided at such facilities shall be designed so that no direct light falls on adjacent residential property;
 - vi. Accessory uses may be permitted in conjunction with the principal use of the property provided that such uses are physically designed as a part of or within the principal structure. Such uses may include food sales, beverage sales, gift or souvenir shops, and similar activities;
 - vii. Accessory structures may be permitted which are incidental and subordinate to the principal structure. Such structures may not be located within any required setback or buffer area.

6. Professional Services - Medical

Within the NCS, OPS and CTC Districts, medical offices and facilities shall be limited to twenty-five hundred (2500) square feet of gross floor area per establishment, with no more than two (2) establishments per lot.

7. Professional Services - Nonmedical

Within the NCS, OPS and CTC Districts, nonmedical offices and facilities shall be limited to twenty-five hundred (2500) square feet of gross floor area per establishment, with no more than two (2) establishments per lot.

8. Scrap Operations

In any district where authorized as a conditional (C) use, the following supplementary regulations shall apply to uses classified in the scrap operation activity type.

- a. The location and topography of the site shall be such that fencing, screening, and landscaping can be provided as appropriate to effectively protect the surrounding areas.
- b. The scrap operation shall not include any open burning activity.
- c. Insect and rodent control measures shall be provided as approved by the Local Health Department.
- d. There shall be no storage of any scrap material outside a permanent structure within two hundred (200) feet of any residential district.
- e. The location and operation of such facility shall not produce damaging pollution to surrounding streams.

9. Self-Service Storage

In any districts where authorized as a use permitted with supplemental provisions (SUP) or as a conditional (C) use, the following supplementary regulations shall apply to uses classified in the self-service storage activity type.

- a. No self -storage facility shall be approved upon a lot less than two (2) acres in size.
- b. All storage shall be kept within an enclosed building, except propane or a gasoline engine or storage tanks or any boat or vehicle incorporating such components, which shall be stored in designated screened exterior areas. This provision shall not be interpreted to permit the storage of partially dismantled, wrecked, or inoperable vehicles.
- c. A barrier shall be provided around the perimeter of the facility. Said barrier shall be located at the setback line and may consist of either the solid facades of the storage buildings or a fence. If the barrier is to be provided by a fence, said fence shall be a minimum of six (6) feet in height and shall be constructed of opaque or semi-opaque materials that will prevent the passage of light and debris, such as brick, stone, architectural tile, masonry units, wood, or similar materials, but expressly prohibiting woven wire.

- d. No business activity other than the rental of storage units and pick-up or deposit of dead storage shall be conducted on the premises. All contracts for rental of self-storage facilities shall include clauses prohibiting the storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals and the use of the property for any purpose other than dead storage. Examples of prohibited activities include, but are not limited to the following:
 - i. Auctions, commercial wholesale or retail sales or miscellaneous or garage sales.
 - ii. The servicing, repair or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances or other similar equipment
 - iii. The operation of power tools, spray painting equipment, table saws, lathes, compressors, welding equipment, kilns or other similar equipment.
 - iv. The establishment of a transfer or commercial warehouse business.
- e. One parking space for every two hundred (200) storage cubicles or fraction thereof shall be located adjacent to the project office. A minimum of two (2) such spaces shall be provided.
- f. Driveway aisles shall be a minimum of twenty-four (24) feet in width. A driveway aisle where access to storage units is only on one side of the aisle may be twenty (20) feet in width.
- g. The maximum size of a storage unit shall be six hundred (600) square feet, and no more than four thousand (4,000) square feet shall be leased to a single tenant.
- h. All outdoor lighting shall be shielded so as to direct light and glare only onto the premises of the self-service storage facility and away from all adjoining property. Such lighting may be sufficient to discourage vandalism and theft

3-104.8 Provisions Applicable to Manufacturing Activities

1. Manufacturing - Limited

Within any commercial district where limited manufacturing activity is authorized as a use permitted with supplemental provisions (SUP), no stocks, merchandise or material (with the exception of automobiles, tractors and other transportation, excavation or agriculturally related vehicles) may be stored upon any open area situated on any zone lot and all manufacturing activities shall be conducted in totally enclosed buildings.

2. Manufacturing - Hazardous Operations

Hazardous manufacturing operations may be permitted only within I-S, Special Industrial Districts when approved as provided in Article VII, Section 7-104. The following supplementary regulations shall apply to uses classified in the manufacturing hazardous activity type.

- a. The location of such an activity shall be in an area likely to be sparsely developed for reason of topography, lack of existing or planned utilities, accessibility or a similar cause.
- b. Such facility shall not be located on a site having an area of less than fifty (50) acres.
- c. The location, design and nature of the facility shall be such that the facility will not pose any significant hazard to human life, health or safety.
- d. All regulations of the State Fire Marshal and the Local Fire Department relating to the storage of explosives shall be met.

3-104.8 Provisions Applicable to Agricultural and Extractive Activities

1. Crop and Animal Raising

In those districts where authorized as a conditional (C) use, the following supplementary regulations shall apply to uses classified in the crop and animal raising activity type.

- a. A minimum lot size of five (5) acres shall be required.
- b. The raising of swine, poultry and fowl shall not be permitted.

2. Special Conditions for Egg Production Houses, Feedlots and Stockyards

These provisions are adopted pursuant to Title 44, Chapter 18, "Feedlots, Dairy Farms and Egg Production Houses", of the Tennessee Code.

In those districts where authorized as a conditional (C) use, the following supplementary regulations shall apply to uses classified in the Intensive Agriculture activity type.

- a. The location of such an activity shall be in an area sparsely developed during the length of time the use as a egg production house, stockyard or feedlot is anticipated.
- b. No such facilities shall be permitted on a zone lot, unless it contains a minimum lot area five (5) acres.
- c. Any permit issued, thereunder, shall be based on a site plan or other documents submitted with an application that shall indicate the following:

- i. Existing contours of the site and up to one hundred (100) feet beyond the site boundary. Contour intervals shall be at two (2) foot intervals.
 - ii. Location of the area in which the proposed keeping of animals is to be conducted.
 - iii. Location of all proposed buildings, animal pens, roadways and other facilities proposed on the site.
 - iv. Proposed method of drainage of the animal pens.
 - v. Proposed fencing of the site.
- d. Any egg production house, feedlot or stockyard shall be located on a site such that the closest point of any building or fenced lot, yard, corral or other area in which livestock are confined primarily for purposes of feeding, growing, raising, or birthing prior to slaughter is set back a minimum of five hundred (500) feet from any existing residence and two hundred fifty (250) feet from any public right-of-way.
 - e. Any facility to be constructed shall submit a Groundwater Protection Plan with the application required hereinunder. Such plan shall address:
 - i. Decreased water quality from erosion and runoff; and
 - ii. Surface and groundwater contamination from poultry waste.
 - f. A plan for disposal of waste, including manure, litter and dead birds, shall accompany the application required hereinunder.
 - g. A plan for odor control to include evidence developed from operations similar to the one being proposed shall accompany the application required hereinunder.

3. Mining, Quarrying and Soil Extraction Activities

In those districts where authorized as a conditional (C) use, the following supplementary regulations shall apply to uses classified in the mining and quarrying activity type.

- a. The location of such an activity shall be in an area sparsely developed and likely to remain sparsely developed during the length of time the mining or quarrying activity is anticipated.
- b. Approval for mining and quarrying activities may also include accessory concrete batching plants, asphaltic cement mixing plants and/or rock crushing activities on the same lot or adjoining lots that may have directly opposing frontages on the same public street. If

such accessory activities are included on the quarry site, the total site must meet all the special use regulations for mining and quarrying activities; however, in conditions of multiple lots, the outer perimeter of the site shall be considered the lot line.

- c. Fencing shall be provided around all open excavations.
- d. After the quarrying operation has been terminated, the site shall be graded and/or filled so as to be in substantial conformity with the topography of the surrounding lands. All fill material shall be nontoxic, nonflammable, and noncombustible solids. All areas that are backfilled shall be left so that adequate drainage is provided.
- e. Any permit issued, hereunder, shall be based on a site plan or other documents submitted with an application that shall provide for the following:
 - i. Existing contours of the site and up to one hundred (100) feet beyond the site boundary. Contour intervals shall be at two (2) foot intervals.
 - ii. Location of the area in which the proposed quarrying activity is to be conducted.
 - iii. Location of all proposed buildings, crusher and screening equipment, roadways and other facilities proposed on the site.
 - iv. Proposed method of drainage of the quarry area.
 - v. Proposed fencing of the quarry area.
 - vi. Methods proposed for blasting.
 - vii. Methods proposed to control noise, vibration and other particulate matter in order to meet the operational performance standards as set out in the zoning ordinance.
 - viii. Finished contours of the site after the quarrying operation has been terminated.
- f. Before issuing a conditional use permit, the Board of Zoning Appeals shall require the owner of the quarry facility to execute a bond not less than six hundred dollars (\$600.00) or more than one thousand dollars (\$1,000.00) per acre of active quarrying throughout a five (5) year period to restore the lands in the manner prescribed, herein, including the removal of all structures and machinery.
- g. Any conditional use permit issued, hereunder, shall not be for a period exceeding five (5) years. After the expiration date of such permit, the Board of Zoning Appeals may review and grant an extension of time in the same manner and procedure as prescribed for an original application.

3-105 ACCESSORY USES

In addition to the principal activities expressed above, each activity type shall be deemed to include activities customarily associated with, and appropriate, incidental, and subordinate to the principal activity when such accessory activity is located on the same zone lot as such principal activity and meets the further conditions set forth below.

Accessory uses are segmented into two groupings. Those accessory uses presented in Subsection 3-105.1, are permitted as a matter of right, subject only to the general definition of an accessory use and to any specific criteria established, herein, for the particular accessory use. The accessory uses presented in Subsection 3-105.2, may be permitted only upon approval of a conditional use permit by the Zoning Board of Appeals as provided in Article XIV, Section 14-106.

3-105.1 Accessory Uses Permitted by Right

The accessory uses enumerated within this section are permitted as a matter of right subject to the general definition of an accessory use and to any specified criteria presented herein for the particular use. Such accessory uses include the following:

1. Accessory Storage
Storage of goods sold by a principal commercial activity engaged in by the same firm on the same lot shall be considered an accessory use.
2. Administrative Office
Operation of an administrative office of a firm engaged in a principal manufacturing or commercial activity on the same zone lot, but only if such office does not occupy more than forty-nine (49) percent of the total floor area occupied by the same firm located on the same zone lot.
3. Bed and Breakfast Homestay
This activity may be permitted subject to the limitations of a minor home occupation and the criteria presented in Subsection 2-102.3, of this article.
4. Farm Buildings
Private barns, stables, sheds and other farm buildings.
Living quarters for persons regularly employed on the premises.
5. Home Child Care
Child care for up to four (4) preteenage children shall be considered an accessory use. The dwelling unit in which this activity occurs shall meet all applicable state and local regulations.

6. Minor Home Occupations

In all zones permitting residences, minor home occupations in compliance with the following regulations are permitted as accessory uses. Due to their small scale and residential nature, minor home occupations are relatively common accessory uses which are not easily detectable and are not reasonable or desirable to regulate through a conditional use permit. However, in order to assure that such activities remain within the limited scope of this provision, a use permit shall be obtained from the Zoning Administrator. The effective period for the use permit shall not exceed two (2) years. At the end of every two (2) year period, renewal shall be automatically granted upon receipt of properly documented certification that the home occupation continues to be operated within the limitations set forth below:

- a. A minor home occupation may be conducted within a dwelling and shall be clearly incidental to the use of the structure as a dwelling. No more than five hundred (500) square feet or twenty-five (25) percent of the floor area of the dwelling, whichever is less, may be utilized by the minor home occupation.
- b. In no way shall the appearance of the structure be altered or the occupation, within the residence be conducted in a manner that would cause the premises to differ from its residential character either by use of colors, materials, construction, lights, signs, or the emission of noise or vibration.
- c. No traffic shall be generated by such minor home occupation by persons other than the occupants of the dwelling and any parking required as a result of the conduct of such home occupation shall be met off the street and in portions of the lot other than in required yards.
- d. No minor home occupation shall not involve the use, parking, storage or repair of any vehicle exceeding a gross vehicle weight of eleven thousand (11,000) pounds, except deliveries by parcel post, United Parcel Service, or similar in town delivery service trucks.
- e. No minor home occupation shall involve the on-site use or storage of tractor trailers, semi-trucks, buses or heavy construction equipment.
- f. No equipment or process shall be used in any minor home occupation that creates noise, vibration glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or processes shall be used which creates visual or audible interference in any radio or television receivers off the premises.
- g. No outdoor display of goods or outside storage of equipment or materials used in the home occupation shall be permitted.

- h. No home occupation shall require internal or external alterations or involve construction features or the use of mechanical or electrical equipment that would change the fire rating of the structure or the district in which the structure is located.
- i. No person other than residents of the dwelling shall be employed at the location in the conduct of a minor home occupation.
- j. The following are specifically prohibited as minor home occupations, but may be permitted as major home occupations in accordance with the procedures of Section 3-105.2 (Accessory Uses Permitted with Supplemental Provisions).
 - i. Appliance Repair
 - ii. Beauty Salons and Barber Shops
 - iii. Cabinet Making
 - iv. Ceramics (with Kiln Larger than Six (6) Cubic Feet)
 - v. Dance or Music Studios with more than Four (4) Students
 - vi. Medical or Dental Office
 - vii. Transportation Equipment Repair
 - viii. Upholstering
 - ix. Veterinary Uses (Including Care, Grooming or Boarding)

7. Off-Street Parking

Off-street parking and loading serving a principal activity, whether located on the same zone lot or on a different zone lot, but only if the facilities involved are reserved for the residents, employees, patrons or other persons participating in the principal activity.

8. Private Recreation Facilities

Private swimming pools, tennis courts and other outdoor recreational facilities exclusively for the use of the residents.

3-105.2 Conditional Accessory Use Provisions

In addition to the requirements established for accessory uses generally, the specific standards set out below for individual accessory uses and activities shall be met as part of the conditions for issuing the use permit. Upon issuance of any permit for a conditional accessory use as specified by this section such use or activity shall be continuously subject to compliance with any operational standard or criteria established by the Board of Appeals and limitations imposed upon such use by virtue of its being classified as "accessory" to a principal use or activity.

Any conditional use permit issued hereunder shall be for a maximum time period of two (2) years. Such permit may be renewed for additional periods upon a finding by the Zoning Administrator that all conditions and operational limitations established by the Board in originally issuing the permit are being complied with fully. In any instance where the Zoning Administrator shall find that questions exist concerning compliance with any aspect or limitation of the permit, he shall refuse to renew the permit and immediately take all actions necessary to have the permit reviewed by the Board of Appeals.

All accessory activities to a conditional **(C)** use shall be approved in accordance with the procedure set out in Article XIV, Section 14-106, for review and approval of conditional uses generally. An accessory activity may be approved along with the principal conditional use or at any point subsequent thereto in the manner provided, herein.

Accessory uses with supplemental provisions include the following:

1. Accessory Apartment

An apartment shall be considered an accessory use to any single-family residential activity that is a self-sufficient housekeeping unit, provided that the following conditions are met.

- a. The single-family residence is owner occupied and meets all regulations for the district.
- b. There is free and clear access between the principal and accessory dwelling units without going outdoors.
- c. Only one (1) meter per utility shall be installed to service both units.
- d. A maximum of twenty-five (25) percent of the gross floor area, excluding garage and utility space, shall be used for the accessory apartment.
- e. No entrance that would be visible from the street shall be added solely for the purpose of providing direct outside access to the apartment.
- f. The accessory apartment shall not be occupied by anyone other than a family member, defined as grandmother, grandfather, mother, father, sister, brother, son, daughter, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, aunt or uncle.
- g. An instrument shall be recorded with the Register's Office covenanting that the apartment is being established as an accessory use and may only be used under the conditions listed above.

- h. The covenants provided herein may be enforced by the Zoning Administrator.

2. Accessory Day Care

Child care for preteenage children shall be considered an accessory use when operated by a health care, commercial or industrial activity where the care is provided solely for the children of their employees and meets all applicable state and local regulations for a child care center for children.

3. Bed and Breakfast Establishments

Bed and breakfast establishments may be permitted as conditional accessory activities subject to the following:

- a. Individual rooms which are rented shall not contain cooking facilities.
- b. The owner and/or operator must reside on the premises.
- c. The bed and breakfast establishment shall not create noise, light or traffic conditions detrimental to neighboring properties.
- d. No exterior alterations other than those necessary to assure safety of the structure, shall be made to any building for the purpose of providing a bed and breakfast establishment.
- e. The bed and breakfast establishment must front on or have direct access to a public street of adequate design for the proposed use.
- f. Off-street parking shall be provided, however no off-street parking is permitted in the front yard area.
- g. Off-street parking spaces shall be one (1) for each guest/rental room in addition to the provisions spaces required for the dwelling. Maneuvering area shall be provided on-site to allow vehicles to exit property front-end first.
- h. Screening may be required of off-street parking areas to minimize any detrimental impact to adjoining properties.
- i. The bed and breakfast establishment shall be service by a public water and wastewater system.
- j. A landscaping plan shall be required that is compatible with neighboring properties.
- k. Bed and Breakfast Homestay - A total of one (1) sign, not exceeding three (3) square feet in area, indirectly illuminated may be located flat against the wall of the residence or within a window of the residence. No yard sign is permitted. Bed and Breakfast Inn or Country Inn - A total of one (1) yard sign, not exceeding six (6) square feet in area and three and one-half (3 1/2) feet in height.

Such sign may be located within the required setback area of the zoning district, provided it is situated in a manner so as not to adversely affect traffic safety, corner vision or similar condition. The sign may only be indirectly illuminated. Banners, flags, noise making or musical devices, portable or lighted signs are not permitted.

4. Columbarium

A columbarium shall be considered an accessory use when located within a place of worship.

5. Keeping of Horses **(Added #5, and Renumbering old 5 to 6, etc., by Ordinance 609, November 3, 2005)**

Within the all residential districts, horses may be kept subject to the following conditions.

a. Limitation of Commercial Boarding

No commercial boarding of horses shall be permitted.

b. Minimum Lot Area

That the keeping of equines shall be permitted only on lots having a minimum area of one hundred twenty thousand (120,000) square feet or more according to the number of equines being kept. Where equines are being kept, the number kept shall not exceed one equine for each forty thousand (40,000) square feet of lot area.

c. Limitation of Stables

That no stable is located or maintained on any lot having an area of less than one hundred twenty thousand (120,000) square feet.

d. Location of Private Stables on Individual Lots

An animal keeping structure or enclosure shall neither be located closer than thirty-five (35) feet from the habitable rooms of the animal keepers dwelling unit nor closer than one hundred (100) feet from the habitable rooms of a neighbors dwelling unit. A minimum space of the lesser of thirty-five (35) feet or thirty (30) percent of the width of the lot shall be maintained between an animal keeping structure and a dwelling unit or accessory living quarter. All buildings related to the care or housing of horses and to the operation of riding facilities, other than stables permitted on

individual residential lots, shall be located at least one hundred (100) feet from any property line of the lot.. A stable may be located on any portion of a parcel except that all portions of any such structure shall be located behind the front façade of the principal residential structure located on such lot.

e. Drainage of Lots with Stables

Grading within stalls, corrals and stables shall be properly integrated into a master drainage plan for the development to prevent ponding of water, the propagation of insects, and the pollution of adjacent streams. Stall/corral coverings or roofs on enclosed shelters shall be sloped away from the center of the stall/corral, or rain gutters shall be installed.

f. Lot Maintenance

If horses are in a contained area, all manure shall be removed at least daily from stables, corrals, exercise pens and workout areas so as to prevent the propagation of flies and the creation of odors. Owners of horses kept in a confined area are encouraged to use a Rabon supplement as this will reduce the propagation of flies. All grain stored on the lot shall be stored in rodent-proof containers. All exercise and training areas shall be dampened so as to prevent dust. Hay shall be covered and stored on a raised platform that is a minimum of six (6) inches above the ground.

g. Equine Enclosures

A fenced enclosure of two thousand (2,000) square feet shall be provided on each lot where a horse is kept. A stall/corral covering or enclosed area of one hundred forty-eight (148) square feet minimum per horse, with no dimension less than ten (10) feet shall be provided. All fencing shall meet or exceed the standards for such established Title 44, Chapter 8 (Fences and Confinement) of the Tennessee Code Annotated.

h. Riding Trails

All riding trails shall be set back ten (10) feet from the property line of the lot. All riding trails shall be fenced so as to prevent horses intruding onto private property.

6. Major Home Occupations

In all zones permitting residences, home occupations that exceed the standards for minor home occupations may be approved as conditional accessory uses subject to the following:

a. Participants

The home occupation is to be conducted only by members of the family residing in the dwelling unit, plus no more than one (1) nonresident assistant or employee. Persons engaged in the building trades or similar fields, using their dwelling units or residential premises as an office for business activities carried on off the premises, may have more employees than the limitation set forth above, if such persons are not employed on the premises.

b. Hours of Operation

In no case shall a home occupation be open to the public at times earlier than **8:00 a.m.**, or later than **10:00 p.m.**

c. Scale

A home occupation shall be conducted within a dwelling and shall be clearly incidental to the use of the structure as a dwelling. No more than five hundred (500) square feet or twenty-five (25) percent of the floor area of the dwelling, whichever is less, may be utilized by the home occupation.

d. Residential Appearance and Character

In no way shall the appearance of the structure be altered or the occupation, within the residence be conducted in a manner that would cause the premises to differ from its residential character either by use of colors, materials, construction, lights, signs, or the emission of noise or vibration.

e. Noise, Equipment and Process Restrictions

No equipment or process shall be used in any home occupation that creates noise, vibration, glare, fumes, odors or electrical interference detectable to the formal senses off the lot. In the case of electrical interference, no equipment or processes shall be used which creates visual or audible interference in any radio or television receivers off the premises.

f. Restriction of Wholesale and Retail Sales

There shall not be conducted on the premises the business of selling stocks of merchandise, supplies or products, provided that orders previously made by telephone or at a sales party may be picked up and products or goods produced or fabricated on the

premises as a result of the home occupation may be sold. However, direct sales of products produced off premises are not permitted.

g. Deliveries and Large Vehicle Storage

The home occupation shall not involve the use, parking, storage or repair of any vehicle exceeding a gross vehicle weight of eleven thousand (11,000) pounds, except deliveries by parcel post, United Parcel Service, or similar in town delivery service trucks.

h. Outside Storage

There shall be no storage of equipment, vehicles, or supplies associated with the home occupation outside the dwelling or accessory building.

i. Display of Products Prohibited

There shall be no display of products visible in any manner from outside the dwelling.

j. Hazards

No home occupation shall require internal or external alterations or involve construction features or the use of mechanical or electrical equipment that would change the fire rating of the structure or the shall be used or stored on the property in conjunction with any home occupation permitted, hereunder. No use shall be permitted which involves the manufacture or storage of products that are dangerous in terms of risk of fire, explosion or hazardous emissions.

k. Heavy Transportation and Construction Equipment Prohibited

No home occupation shall involve the on-site use or storage of tractor trailers, semi-trucks, or heavy construction equipment.

l. Parking

A parking plan shall be presented with each request for a conditional use permit presented, hereunder. The plan shall demonstrate:

i. That adequate off-street parking can be provided on the site to accommodate the additional needs generated by the home occupation.

ii. That any added parking will not detract from the visual appearance of the residence or adversely impact adjoining properties.

7. Operation of a Cafeteria

Operation of a cafeteria for employees, residents, patrons or others participating in the principal activity conducted by an organization engaged in community facility activity on the same zone lot. Where the community facility is permitted as a conditional use an accessory cafeteria must be approved as a part of the action granting said permit.

8. Parents Day Out

Child care for preteenage children, for not more than twelve (12) hours in any one (1) week, shall be considered an accessory use when operated by a place of worship.

9. Residential Occupancy in Connection with Nonresidential Activity

Residential occupancy may be permitted as an accessory use to a principal nonresidential activity located on the same zone lot subject to the following:

a. Only One Unit Permitted

No more than one (1) dwelling or rooming unit may be permitted in connection with a principal nonresidential activity located upon the same zone lot.

b. Occupancy Limited

Any dwelling or rooming unit permitted under the provisions of this section shall be limited to occupancy by person(s) employed in the principal nonresidential activity located upon the same zone lot.

c. Residential Occupancy Prohibited

No dwelling or rooming unit may be located upon any site with a nonresidential activity that is defined by this ordinance as a "hazardous occupancy."

10. Production for Retail Sale

Production of goods for sale by a firm engaged in a principal commercial activity on the same lot shall be considered an accessory use, but only if:

- a. All goods so produced are sold at retail by the same firm on the same zone lot;
- b. Such production does not occupy more than forty-nine (49) percent of the total floor area occupied by such firm on the lot;
- c. Such production does not in any case occupy more than two thousand (2,000) square feet of such floor area; and
- d. Such production occurs only in an enclosed building.

3-106 TEMPORARY USES

The provisions of this section are necessary to govern the operation of certain seasonal and other temporary uses. Application for a temporary use and occupancy permit shall be made to the Zoning Administrator. The application shall contain information as to the nature of the proposed use, the anticipated period of operation, the number and location of parking spaces and sanitary facilities. No permit issued, hereinafter, shall be for a time period in excess of that stipulated below for shall be provided each individual activity.

A. Circus or Carnival

Such use shall only be permitted in the following districts subject to the approval standards and conditions presented herein :

Commercial Districts - All Industrial Districts - IR and IG

1. Approval Standards

Prior to issuance of any permit the Zoning Administrator shall establish that the proposed activity satisfies the following standards:

- a. That the proposed activity is in conformance with all applicable City ordinances;
- b. That the proposed activity will not result in undue adverse traffic congestion and unsafe conditions regarding the use of public roads;
- c. That the proposed activity will not present or create a threat to the safety of persons or property because of fire, explosion or other threat;
- d. That the proposed activity will not create unhealthy conditions regarding water supply, sewage disposal or solid waste disposal;
- e. That the proposed activity will not interfere with the use of neighboring property for its customary use by creation of noise, dust, noxious odors, lighting or other activities which exceed the operational performance standards established in Article XII of this ordinance;

2. Approval Conditions

Within those districts where permitted the following supplementary provisions shall apply to all circuses and carnivals.

- a. No permit may be issued for a period longer than ten (10) days.
- b. Such activity may be permitted only on lots where adequate off-street parking can be provided.

- c. When the activity is to be located within any residential district, the minimum site shall be no less than four (4) acres in size.
- d. Sanitary facilities shall be approved by the local Department of Health
- e. The Board of Zoning Appeals shall stipulate, based upon the pattern and nature of land uses within the immediate area, whether a maximum of sixty (60) or seventy (70) decibels noise level shall be permitted to occur at the site boundary.
- f. The Board of Zoning Appeals shall have the power to restrict the days and hours of operation of the activity.

B. Christmas Tree Sale

May be permitted in any district. Such permit may be issued for a period not longer than forty-five (45) days.

C. Religious Tent Meetings

Such use may be permitted in any zone district subject to the approval standards and conditions presented herein :

1. Approval Standards

Prior to issuance of any permit the Zoning Administrator shall establish that the proposed activity satisfies the following standards:

- a. That the proposed activity is in conformance with all applicable City ordinances;
- b. That the proposed activity will not result in undue adverse traffic congestion and unsafe conditions regarding the use of public roads;
- c. That the proposed activity will not present or create a threat to the safety of persons or property because of fire, explosion or other threat;
- d. That the proposed activity will not create unhealthy conditions regarding water supply, sewage disposal or solid waste disposal;
- e. That the proposed activity will not interfere with the use of neighboring property for its customary use by creation of noise, dust, noxious odors, lighting or other activities which exceed the operational performance standards established in Article XII, of this ordinance;

2. Approval Conditions

Within those districts where permitted the following supplementary provisions shall apply to all circuses and carnivals.

- a. No permit may be issued for a period longer than ten (10) days.
- b. Such activity may be permitted only on lots where adequate off-street parking can be provided.
3. When the activity is to be located within any residential district, the minimum site shall be no less than four (4) acres in size.
4. Sanitary facilities shall be approved by the local Department of Health
5. The Board of Zoning Appeals shall stipulate, based upon the pattern and nature of land uses within the immediate area, whether a maximum of sixty (60) or seventy (70) decibels noise level shall be permitted to occur at the site boundary.
6. The Board of Zoning Appeals shall have the power to restrict the days and hours of operation of the activity.

D. Special Civic Events Including Temporary Nonprofit Festivals, Bazaars, etc.

1. Approval Standards

Prior to issuance of any permit the Board of Appeals shall establish that the proposed activity satisfies the following standards:

- a. That the proposed activity is in conformance with all applicable City ordinances;
- b. That the proposed activity will not result in undue adverse traffic congestion and unsafe conditions regarding the use of public roads;
- c. That the proposed activity will not present or create a threat to the safety of persons or property because of fire, explosion or other threat;
- d. That the proposed activity will not create unhealthy conditions regarding water supply, sewage disposal or solid waste disposal;
- e. That the proposed activity will not interfere with the use of neighboring property for its customary use by creation of noise, dust, noxious odors, lighting or other activities which exceed the operational performance standards established in Article XII, of this ordinance;

2. Approval Conditions

Within those districts where permitted as a conditional (C) use, the following supplementary provisions shall apply to all temporary nonprofit festivals, bazaars, and similar activities.

- a. No permit may be issued for a period longer than ten (10) days.
- b. Such activity may be permitted only on lots where adequate off-street parking can be provided.
- c. When the activity is to be located within any residential district, the minimum site shall be no less than four (4) acres in size.
- d. Sanitary facilities shall be approved by the local Department of Health
- e. The Board of Zoning Appeals shall stipulate, based upon the pattern and nature of land uses within the immediate area, whether a maximum of sixty (60) or seventy (70) decibels noise level shall be permitted to occur at the site boundary.
- f. The Board of Zoning Appeals shall have the power to restrict the days and hours of operation of the activity.

E. Temporary Construction Offices

In any district, a temporary use permit may be issued for contractor's temporary office and equipment sheds incidental to a construction project. Such permit shall not be valid for more than one (1) year, but may be renewed for six (6) month extensions. Such use shall be removed immediately upon completion of the construction or expiration of the temporary use permit, whichever occurs sooner.

F. Temporary Dwelling Unit in Cases of Special Hardship

In any residential district, a temporary use permit may be issued to place a mobile home temporarily on a lot in which the principal structure was destroyed by fire, explosion or natural phenomena. The purpose of such temporary placement shall be to provide shelter for only the residents of the principal structure during the period of reconstruction and to prevent an exceptional hardship on the same. Placement of such temporary structure must not represent a hazard to the safety, health, or welfare of the community. An applicant for a temporary use permit as provided under this subsection must produce a written statement from the appropriate regulatory authority approving the water supply and sewage disposal systems of the temporary structure. Such a permit may be initially issued for nine (9) months. A permit may be renewed for up to six (6) months at a time, the total time for all permits not exceeding a total of twenty-one (21) months.

G. Temporary Real Estate Sales

Temporary conduct of a real estate sales office that is necessary and incidental to, and located on the site of a subdivision being developed into five (5) or more lots shall be considered an accessory use.