



Hartsville/Trousdale
County Government

ZONING RESOLUTION TROUSDALE COUNTY



RESOLUTION



TROUSDALE COUNTY

ZONING RESOLUTION

ADOPTED: January 23, 1995

AMENDMENTS THROUGH: June 22, 2020

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AMENDMENTS
TROUSDALE COUNTY ZONING RESOLUTION

<u>DATE</u>	<u>RESOLUTION</u>	<u>AMENDMENTS</u>
July 22, 1996	96-4	Amended by Changing Article V, Subsection 5.041, <u>A-1, Agricultural-Forestry District, F, Dimensional Regulations</u> , to Reduce the Requirements of Minimum Lot Size/Lot Width at Building Setback Line and Minimum Yard Requirements
July 22, 1996	96-5	Amended Article IV, by Adding 4.130, <u>Self-Service Storage Facilities (Mini-Warehouses)</u>
July 22, 1996	96-5	Amended Article II, Section 2.020, <u>Definitions</u> , by Adding <u>Mini-Warehouses, and Self-Service Storage Facility</u>
July 22, 1996	96-5	Amended Article V, <u>Provisions Governing Business Districts</u> , Subsection 5.044, C, <u>Uses Permitted as Special Exceptions</u> , by Adding 3, <u>Self-Service Storage Facilities (Mini-Warehouses)</u>
December 16, 1996	96-9	Amended Article III, Section 3.020, <u>Only One (1) Principal Building on Any Lot</u>
December 16, 1996	96-9	Amended Article III, Section 3.030, <u>Lot Must Abut a Public Road</u>
March 24, 1997	97-2	Amended Article IV, Section 4.050, <u>Customary Incidental Home Occupations</u> , in Its Entirety and Replaced with New Section
March 24, 1997	97-2	Amended Article VIII, Section 8.060, by Adding Subsection G, <u>Special Conditions for Accessory-Agricultural Occupations</u>
March 24, 1997	97-3	Amended Article V, Subsection 5.044, B, <u>Uses Permitted</u> , by Omitting, excluding automotive or vehicular bodywork, from 20, and Adding 25, Automotive and vehicular repair services
September 29, 1997	97-15	Amended Article IV, Section 4.050, Subsection C, <u>Accessory Agricultural Occupations</u>
March 24, 1998	98-2	Amended Article II, Section 2.020, <u>Definitions</u> , by adding Subdivision

Amendments
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<u>DATE</u>	<u>RESOLUTION</u>	<u>AMENDMENTS</u>
March 24, 1998	98-3	Amended Article IV, by Adding New Section 4.140, <u>General Requirements for Individual Manufactured Homes</u>
November 23, 1998	98-11	Amended Article VIII, Section 8.070, by Deleting the Last Sentence in the Paragraph; Adding, New Sentence and New Paragraph.
September 28, 1998	98-12	Amended Article VIII, Section 8.090, by Changing, at least thirty (30) days notice, to, at least fifteen (15) days notice
November 23, 1998	98-13	Amended Article IV, Section 4.040, by Adding New Subsection F, <u>Temporary Dwelling Units in Case of Medical Hardships</u> .
January 25, 1999	99-1	Amended Article V, Subsection 5.041, D, by Adding to #5, Bed and Breakfast Establishments.
September 27, 1999		Amended Article IV, by Adding New Section 4.150, <u>Litter, Refuse, Garbage, Junk and Debris Control Regulations</u> .
July 28, 2003	04-2003	Article V, <u>Zoning Districts</u> , Section 5.045, <u>M-1, General Industrial District</u> , will be stricken in its entirety and replaced with new section.
September 22, 2003	10-2003	Article VI, stricken in its entirety.
May 24, 2004		Article IV, Section 4.040, deleted item F in its entirety.
June 28, 2004		Article II, <u>Definitions</u> , Section 2.020, amended by adding language to the definition of <u>Travel Trailer</u> .
August 2008		Article IV, added Section 4.160.
June 2010	54-2010-01	Article VI, amended by replacing with new FEMA model ordinance.
February 27, 2012	65-2012-01	Article V, amended Section 5.044 (B) by modification of a permitted use; Sections 5.045 (C) & 5.046 (C) by addition of new permitted use; Article VIII, amended Section 8.060 by addition of new subsection H.
March 26, 2012	68-2012-04	Article VII, amended Section 7.020 (C) by changing discontinuance period to thirty (30) months.

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Trousdale County Zoning Resolution
Page 3**

<u>DATE</u>	<u>RESOLUTION</u>	<u>AMENDMENTS</u>
April 28, 2014	99-2014-6	Article II, amended Section 2.020 by adding new definition for 'Essential Services;' Article V, amended Sections 5.044 thru 5.046, subsection (B) by adding 'Essential Services.'
April 28, 2014	100-2014-7	Article VII, amended Section 7.060 by adding new language for 'Utility Lots.'
April 28, 2014	101-2014-8	Article IV, amended by the addition of new Section 4.170, 'Standards for Telecommunication Antennas and Towers;' Article V, amended Sections 5.041 thru 5.046, subsection (D) by adding 'Telecommunication Facilities.'
August 24, 2015	115-2015-06	Article IV, Sections 4.050, Customary Incidental Home Occupations, (A) added limitations for Minor Home Occupations (B) and conditions for Major Home Occupations. Article VIII, Section 8.060, Procedure for Authorizing Special Exceptions (G), deleted in its entirety.
May 23, 2016	124-2016-04	Article III, Sections 3.030, Lot Must Abut A Public Street, replaced with new text.
May 22, 2017	142-2017-07	Article III, Section 4.160, Development Standards for Outdoor Firearms Training Facilities, Excluding Skeet Shooting, replaced with new text. Article V, Section 5.041, A-1, Agriculture-Forestry District, added "Outdoor Shooting Ranges."
June 22, 2020	193-2020-08	Article III, Sections 3.090, Buffer Strips, replaced language for buffer strips.

ARTICLE I
ENACTMENT

SECTION

1.010 Authority

1.020 Title

1.030 Enactment

1.040 Purpose

1.010 AUTHORITY

A resolution, in pursuance of the authority granted by Sections 13-7-101 through 13-7-115 and 13-7-401, Tennessee Code, to regulate, in the portions of Trousdale County, Tennessee, which lie outside of the municipal corporation, the location, height, bulk, number of stories and size of buildings and other structures, the percentage of the lot which may be occupied, the sizes of yards, courts and other open spaces, the density and distribution of population, and the uses of buildings, structures and land for trade, industry, residence, recreation, agricultural, forestry, soil and water conservation, public activities and other purposes including areas subject to flooding; to provide for the orderly and reasonable uses of solar energy in the interest of public health, safety and general welfare; to provide methods of administration of this resolution, and to prescribe penalties for the violation thereof.

1.020 TITLE

This resolution shall be known as the Zoning Resolution of Trousdale County, Tennessee, dated, January 23, 1995. The zoning map shall be referred to as the Official Zoning Map, of Trousdale County, Tennessee, and all explanatory matter thereon is hereby adopted and made a part of this resolution.

1.030 ENACTMENT

WHEREAS, Section 13-7-101 through 13-7-115 and 13-7-401 of the Tennessee Code, empowers the County to enact a zoning resolution and to provide for its administration, enforcement, and amendment, and

WHEREAS, the County Commission deems it necessary, for the purpose of promoting the public health, safety, morals, convenience, order, prosperity and general welfare of the County to enact such a resolution, and

WHEREAS, all the requirements of Section 13-7-101 through 13-7-115, of the Tennessee Code, with regard to the preparation of the zoning plan by the Planning Commission and subsequent action of the County Commission have been met.

NOW THEREFORE BE IT ORDAINED BY THE COUNTY COMMISSION OF TROUSDALE COUNTY, TENNESSEE, THAT THE ZONING RESOLUTION OF TROUSDALE COUNTY, TENNESSEE, BE ENACTED INTO LAW.

1.040 PURPOSE

The purpose of this resolution is to promote the public health, safety, morals, convenience, order, prosperity and general welfare by:

- a. enhancing the character and stability of residential, business, commercial, and industrial areas, and promoting the orderly and beneficial development of such areas;
- b. preventing overcrowding of land;
- c. conserving the value of land and buildings;
- d. minimizing traffic hazards and congestion;
- e. preventing undue concentration of population;
- f. providing for adequate light, air, privacy, and sanitation;
- g. reducing hazards from fire, flood, and other dangers;
- h. assisting in the economic provision, utilization, and expansion of all services provided by the public, including but not limited to roads, water and sewer service, recreation, schools, and emergency services;
- i. encouraging the most appropriate uses of land;
- j. enhancing the natural, manmade and historical amenities of Trousdale County Tennessee.

ARTICLE II

DEFINITIONS

SECTION

2.010 Scope
2.020 Definitions

2.010 SCOPE

For the purpose of this resolution and in order to carry out the provisions and intentions as set forth herein, certain words, terms, and phrases are to be used and interpreted as follows:

- a. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
- b. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
- c. The word "shall" is mandatory.
- d. The word "may" is permissive.
- e. The words "used" or "occupied" includes the words "intended", "designed", or "arranged to be used" or "occupied".
- f. The word "lot" includes the words "plot" or "parcel".

2.020 DEFINITIONS

The following words, terms, and phrases are hereby defined as follows and shall be interpreted as such throughout this resolution. Terms not herein defined shall have their standard dictionary definition or such as the context may imply.

Access. The right to cross between public and private property, thereby, permitting pedestrians and vehicles to enter and leave property.

Accessory Building or Structure. A subordinate building, the use of which is incidental to that of a principal building and located on the same lot therewith.

Accessory Use. A use customarily incidental, appropriate, and subordinate to the principal use of land or buildings and located upon the same lot therewith.

Advertising. Includes any writing, printing, painting, display, emblem, drawing, sign, or other device designed, used or intended for advertising, whether placed on the ground, rocks, trees, tree stumps, or other natural structures or on buildings, structures, milestones, signboards, wallboard, roofboard, frames, supports, fences or other man-made structures, and any such advertising is a structure within the meaning of the work "structure" as utilized in this resolution.

Advertising Sign or Structure. See Sign.

Agriculture Use. The use of a tract of land of not less than five (5) acres in size including all forms of agriculture, growing of crops in the open, dairying, grazing, the raising and maintaining of poultry and other livestock, horticulture, viticulture, floriculture, forests, and goods, provided that all appropriate laws and regulations are complied with.

The feeding or disposal of community or collected garbage to animals shall not be deemed an agricultural use nor shall the raising of fur-bearing animals, fish or minnow hatcheries, riding stables, livery or boarding stables or dog kennels be so considered

Agricultural Accessory Use. Those structures or equipment which are normally required in the operation of agricultural uses.

Alley. A minor right-of-way, dedicated to public use, which affords a secondary means of vehicular access to the back or side of properties otherwise abutting a street, and which may be used for public utility and public service purposes.

Alteration. As applied to a building or structure, means a change or rearrangement in the structural parts, or an enlargement, whether by extending a side or by increasing its height or structural changes, other than repairs, that would affect safety. The term "alter" in its various modes and tenses and its practical forms, refers to the making of an alteration.

Area, Building. The total areas taken on a horizontal plane at the main grade level of the principal building and all necessary buildings exclusive of uncovered porches, terraces, and steps.

Attached. An enclosure having continuing walls, roof and floor.

Automobile Wrecking. The dismantling, storage, sale or buying of used motor vehicles, trailers, or parts thereof.

Automobile Wrecking, Junk and Salvage Yards. Any lot or place which is exposed to weather and upon which more than five motor vehicles of any kind, incapable of being operated, and which it would not be economically feasible to make operative are placed, located, or found.

Average Ground Elevation. The elevation of the mean finished grade at the front of a structure.

Basement. A storage partly or wholly underground. For purposes of height measurement, a basement shall be counted as a story when more than one-half (1/2) of its height is above the average ground elevation or when subdivided and used for commercial activities.

Board. The Trousdale County, Tennessee, Board of Zoning Appeals.

Buffer Strip. A greenbelt planted strip not less than ten (10) feet in width. Such a greenbelt shall be composed of one (1) row of evergreen trees, spaces not more than forty (4) feet apart and not less than two (2) rows of shrubs or hedges not spaced more than five (5) feet apart and which grow to a height of five (5) feet or more after one (1) full growing season and which shrubs will eventually grow to not less than ten (10) feet.

Building. Any structure having a roof supported by columns or by walls, including tents, lunch wagons, dining cars, mobile homes or trailers, and similar structures whether stationary or movable.

Building Area of a Lot. That portion of a lot bounded by the required rear yard, side yards, and the building setback line.

Building Inspector. The zoning compliance official or his authorized representative appointed by the Trousdale County Commission.

Building, Main or Principal. A building in which is conducted the principal use of the lot on which it is situated. In any residential district any dwelling shall be deemed to be a main building on the lot on which it is situated.

Building Setback Line. A line delineating the minimum allowable distance between the property line and a building on lots, within which no building or other structure shall be placed except as otherwise provided.

Building Setback Line, Front. A line delineating the minimum allowable distance between the street right-of-way, or if an official future street right-of-way has been established, from that future street right-of-way line, and the front of a building on a lot. The front building setback line extends the full width of the lot and is parallel to the street right-of-way.

Building Setback Line, Rear. A line delineating the minimum allowable distance between the rear property line a building on a lot (other than for permitted accessory structures). The rear setback line extends the full width of the lot.

Building Setback Line, Side. A line delineating the minimum distance between the side property line and a building on a lot. The side setback line extends from the front building setback line to the rear building setback line.

Bulk. Describes the size of buildings or other structures, and their relationship to each other and to open areas and lot lines.

Camping Ground. A parcel of land used or intended to be used, let, or rented for occupancy by campers or for occupancy by camping trailers, tents, or movable or temporary dwellings, rooms, or sleeping quarters of any kind.

Clinic. See Medical Facility.

Conditional Use (Special Exception). A conditional use is a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Such uses may be permitted in such zoning district as conditional uses, only when specific provisions for such use is made in this resolution. For the purposes of administration of this resolution, conditional uses shall be construed as synonymous with special exceptions, as controlled by Section 13-7-107, Tennessee Code.

Convenience Sales. The retail sale of small convenience items such as toiletries, tobacco, and magazines. The dispensing of petroleum products may be included as accessory to convenience food products retailing.

Convenience Services. Services which are typically needed frequently or recurrently, such as barber and beauty care; and includes the operation of self-service laundromats, but excludes other apparel, cleaning and repair services.

Coverage. The percentage of a lot which is covered by all buildings located therein, including the area covered by all overhanging roofs.

Country Club. A chartered, nonprofit membership club, with facilities catering primarily to its membership or social amenities: golf, riding, clubhouse, pool, dining facilities, lounge.

Day Care Home or Center. Any place, home, or institution, which receives five (5) or more unrelated young children for general care, exercise, play, or observation.

Development. Any man-made change to improve and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavating, or drilling operations. Agricultural activities such as plowing or cultivating and gardening activities are not included in this definition of development.

District. Any section, or sections of the area lying within Trousdale County, Tennessee, for which the resolution governing the use, density, bulk, height, and coverage of buildings and other structures are in force.

Dwelling. A building or part thereof used as a habitation under one of the following categories:

- a. **Single detached dwelling** means a building and accessories thereto principally uses, designed, or adapted for use by a single household.
- b. **Duplex dwelling** means a building and accessories thereto principally used, designed, or adapted for use by two (2) households, the living quarters of each of which are completely separate.

- c. **Apartment dwelling** means a building and accessories thereto principally used, designed, or adapted for use as occupancy by three (3) or more households each of which has separate living quarters.
- d. **Rooming house or boarding house** means a building and accessories thereto principally used, designed, or adapted to provide living accommodations for not more than six (6) occupants.
- e. **Multi-family** means an occupancy by three (3) or more households each of which has separate living quarters.
- f. **Prefabricated dwelling** means a detached dwelling constructed primarily off-site, designed to be transported on a flat-bed truck or trailer, provided that it is installed on a permanently enclosed concrete or masonry foundation, with sewer and water connections designed for permanent connection to municipal and/or sanitary or on-site systems, and such structures are distinguished from mobile homes as described elsewhere in this resolution when they have no horizontal exterior dimensions of less than fifteen (15) feet not including porches or carports. When such a structure meets the above stated requirements it shall qualify as a single detached dwelling.
- g. **Mobile home or trailer** means a transportable structure built on a permanent chassis, designed for year-round occupancy, and designed to be used with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, and electrical systems contained therein. Recreational vehicles and travel trailers are not included in this definition of mobile homes.

Essential Services. Services provided by public and private underground, surface, and overhead facilities, which includes the maintenance and operations of the following installations: electrical and gas substations, electric, gas, water, and sewer distribution and collection lines, pumping facilities for water and sewer systems, rights-of-way for transportation modes, and telephone switching facilities. **(Added by Ordinance 99-2014-6, April 28, 2014.)**

Family. One or more persons occupying the premises and living as a single nonprofit housekeeping unit as distinguished from a group occupying a boarding or similar dwelling for group use.

Floor Area. The sum of the gross floor area for each of the several stories under roof, measured from the exterior limits or faces of a building or structure.

Frontage. All the property on one side of a street between two intersecting streets (crossing or terminating) measured along the line of the street, or if the street is dead ended, then all the property abutting on one side between an intersecting street and the dead end of the street.

Gasoline Service Station. Any area of land, including structures thereon, that is utilized for the retail sale of gasoline, oil, or automobile accessories, and incidental services including facilities for lubricating, hand car washing and cleaning, or otherwise servicing automobiles, but not including painting or major repair.

Grade, Finished. The completed surfaces of lawns, walks, and roads brought to grades as shown on official plans or designs relating thereto.

Health Department. The Trousdale County Health Department.

Height of Building or Structures. The vertical distance from the average ground elevation or finished grade at the building line, whichever is the highest, to the highest point of the building or structures.

Home Occupation. See Section 4.050.

Hospital. See Medical Facilities.

Junk Yard or Salvage Yard. A lot, land or structure, or part thereof, used primarily for the collecting, storage and sale of waste paper, rags, scrap metal, or discarded material; or for the collecting, dismantling, storage and salvaging of machinery or vehicles not in running conditions for the sale of parts thereof.

Light Industry. Is defined, for the purpose of this resolution, on the basis of performance in terms of absence of objectionable noise, smoke, odor, dust, dirt, noxious gases, glare and heat; and of the creation of hazards to health and life by reason of fire, effects of industrial waste, psychological effects and generation of motor vehicle traffic.

Loading Space. An area ten feet by forty feet (10' x 40') with a fourteen (14) foot height clearance providing for the standing, loading, or unloading of a truck or other vehicle. All such spaces are designed so as to not require trucks and other vehicles to back onto public streets.

Lot. A piece, plot, or parcel of land in one ownership, which may include one or more lots of record, occupied or to be occupied by one or more principal buildings, or not more than three principal dwellings in the A-1 Zone, as provided in Section 3.020, of this resolution, and their accessory buildings, including the open spaces required under this resolution.

Lot, Area. The total surface land area included within lot lines.

Lot Corner. A lot of which at least two (2) adjoining sides abut their full lengths on a street.

Lot, Depth. The average distance from the street line of the lot to its rear line, measured in the general direction of the sidelines of the lot.

Lot, Frontage. That dimension of a lot or portion of a lot abutting on a street, excluding the side dimension of a corner lot.

Lot, Interior. A lot other than a corner lot.

Lot Lines. The boundary dividing a given lot from the street, an alley or adjacent lots.

Lot of Record. A lot which is part of a subdivision recorded in the office of the county register of deeds, or a lot described by metes and bounds, the description

of which has been recorded in the office of the county register of deeds prior to the effective date of this zoning resolution.

Lot Width. The width of a lot at the building setback line measured at right angles to its depth.

Marina. A facility for the docking and servicing of boats.

Medical Facilities.

Convalescent, Rest or Nursing Home. A health facility where persons are housed and furnished with meals and continuing nursing care for compensation or fee.

Dental, Clinic or Medical Clinic. A facility for the examination and treatment of ill and afflicted human out-patients, provided, however, that patients are not kept overnight except under emergency conditions.

Hospital. An institution providing health services primarily for human in-patient medical care for sick or injured and including related facilities such as laboratories, out-patient facilities, emergency medical services, and staff offices which are an integral part of the facility.

Public Health Center. A facility utilized by a health unit for the provision of public health services.

Mini-Warehouses. See Self-Service Storage Facility. **(Added by Resolution 96-5, July 22, 1996.)**

Minimum Floor Elevation. The lowest elevation permissible for the construction, erection, or other placement of any floor, including a basement floor.

Mobile Home Park. Any area, tract, site or plot of land whereupon mobile homes as herein defined are placed, located or maintained, and shall include all accessory buildings used or intended to be used as part of the equipment thereof. (See detailed definition in Section 4.090).

Nonconforming Use. A building, structure, or use of land existing at the time of enactment of this resolution which does not conform to the regulations of the district in which it is located.

Noxious Matter. Material in gaseous, liquid or solid form which is capable of causing injury to living organisms, chemical reactions, or detrimental effects upon the social, economic or psychological well-being of individuals.

Open Space. An area on the same lot with a main buildings which is open, unoccupied and unobstructed by structures from the ground to the sky except as otherwise provided in this resolution.

Owner. Includes his duly authorized agent or attorney, a purchaser, devisee, fiduciary, and a person having a vested or contingent interest in the property in question.

Parking Lot. An off-street facility including parking spaces with adequate provisions for drives and aisles for maneuvering and obtaining access, and for entrance and exit.

Parking Space. An off-street space available for parking one motor vehicles and having an area of not less than two hundred (200) square feet exclusive of passageways and driveways giving access thereto, and having access to a street or alley.

Planned Development. A single planned area of land which: (1) has both individual building sites and common property such as a park; and (2) is designed and organized to be capable of satisfactory use and operation as a separate entity without necessarily having the participation of other building sites or other common property; the ownership of the common property may be either public or private.

Planning Commission. The Hartsville/Trousdale County Regional Planning Commission.

Plat. A map, plan, or layout indicating the location and boundaries of individual properties.

Principal Structure. A structure in which is conducted the principal use of the lot on which it is situated. In any residential or agricultural district, any dwelling shall be deemed the principal structure on the lot on which the same is situated. Carports and garages if permanently attached to the principal structure shall be deemed a part of the principal structure. Awnings, porches, patios, or similar attachments shall be deemed a part of the principal structure with the meeting of any yard requirement.

Principal Use. The specific primary purpose for which land or a building is used.

Private Wastewater Treatment. Individual subsurface sewage disposal systems (i.e., septic tanks), package treatment plants or individual aeration systems employed for the collection and treatment and/or disposal of wastewater, as approved by the county health department and the Tennessee Department of Health and Environment.

Professional Office. The office of a physician, dentist, attorney, architect, engineer, planner, accountant, or similar professions.

Public Uses. Public parks, schools, and administrative, cultural, and service buildings, not including public land or buildings devoted solely to storage and maintenance of equipment and materials.

Public Wastewater System. A municipal, community, or utility district sewerage treatment and disposal system of a type approved by the Tennessee Department of Health and Environment and the Tennessee Public Service Commission.

Public Water. A municipal, community or utility district water treatment and distribution system of a type approved by the Tennessee Department of Health and Environment and the Tennessee Public Service Commission.

Roadway. The actual road surface including necessary road shoulders and drainage facilities including ditches and curbs and gutters, which is used to transport motor vehicles.

Sanitary Landfill. An area or site utilized by a public or private entity for disposal of solid waste or refuse in a manner which meets the regulations imposed upon the operation and maintenance of sanitary landfill sites by the State Department of Health and Environment.

Self-Service Storage Facility. A structure containing separate storage spaces of varying sizes leased or rented as individual leases. Also, referred to as Mini-Warehouses. **(Added by Resolution 96-5, July 22, 1996.)**

Shopping Center. A group of compatible commercial establishments, planned, developed, and managed as single unit, with an automobile storage area provided on the property; the center must also be related in location, size, and type of businesses to its trade area.

Sign, Billboard, or Other Advertising Device. Any structure or part thereof or device attached thereto, or represented thereon, which shall display or include any letter, words, model, banner, flag, pennant, insignia, or any representation used as, or which is in the nature of, an announcement, direction or advertisement. The work "sign" includes the work "billboard" or any other type of advertising device, but does not include the flag, pennant, or insignia of any nation, state, city, or other political unit.

Business Sign. A sign which directs attention to the business or profession conducted on the premises.

Advertising Sign. A sign which directs attention to a business commodity, service or entertainment conducted, sold or offered elsewhere than on the premises and only incidentally on the premises if at all.

Billboard. A type of advertising sign having more than one hundred (100) square feet of display surface which is either erected on the ground or attached to or supported by a building or structure.

Flashing Sign. Any illuminated sign, whether stationary, revolving, or rotating, which exhibits changing light or color effects provided that revolving or retaining signs which exhibit no changing light or color effects other than those produced by revolution or rotation, shall be deemed flashing signs only if they exhibit sudden or marked changes in such light or color effects.

Ground Sign. A sign supported by a pole, uprights, or braces on the ground.

Illuminated Sign. A sign designed to give forth any artificial light or reflect such light from an artificial source.

Indirect Illumination Sign. Any illuminated nonflashing sign whose illumination is derived entirely from an external artificial source and is so arranged that no direct rays of light are projected from such artificial source into residence or streets.

Off-Premises Sign. A sign relating to a product, service, or establishment that is not on the premises on which the sign is located.

On-Premises Sign. A sign relating to a product, service, or establishment that is on the premises on which the sign is located.

Pole Sign or Banjo Sign. A type of ground sign at least ten (10) feet above the ground supported on a single post or pole most commonly associated with gasoline service stations.

Wall or Flat Sign. Any sign erected parallel to the face or on the outside wall of any building which projects out at any angle therefrom and projects more than twelve (12) inches beyond the face of such wall.

Roof Sign. A detached sign supported upon the roof or wall of a building.

Marquee Sign. A projecting sign attached to or hung from a marquee and said marquee shall be known to mean a canopy or covered structure projecting from and supported by a building, when such canopy or covered structure extends beyond the building, building line, or property line.

Temporary Sign. Temporary sign shall include any sign, banner, pennant, valence, or advertising display constructed of wood, metal, cloth, canvas, light fabric, cardboard, wallboard, or other light material, with or without frames, where either by reason of construction or purpose the sign is intended to be displayed for a short period of time only.

Special Exception. A use which is specifically permitted if the owner can demonstrate to the satisfaction of the Board that it will meet certain standards, enumerated safeguards, or qualifying conditions.

Story. That portion of a building included between the upper surface of any floor and the upper surface of the floor next above; or any portion of a building between the topmost floor and the roof which is used for human occupancy in which the floor area with eight (8) feet or more head clearance equals fifty (50) percent or more of the floor area of the next story below. Provided it is not used as a dwelling unit, a top floor in which the floor area with eight (8) feet or more of head clearance equals less than fifty (50) percent of the floor area of the story next below shall be a "half-story". A basement shall be considered as a story if more than half of its height is above the average ground level from which the "height of the building" is measured or if it is used for commercial purposes.

Street. A public road, highway, or thoroughfare which constitutes, or is designed to constitute, the main access to more than one (1) lot and which has been legally dedicated and accepted for public use.

Subdivision. The division of a tract or parcel of land into two (2) or more parts or parcels. **(Added by Resolution 98-2, March 24, 1998)**

Toxic Materials. Materials (gaseous, liquid, solid, particulate) which are capable of causing injury to living organisms when present in relatively small amounts.

Travel Trailer. A vehicular, portable structure designed as a temporary dwelling for travel, recreation, and vacation uses only. A travel trailer shall not be used as a permanent dwelling, principal structure or accessory structure under any circumstance. This definition also includes the term "recreational vehicle".

Travel Trailer Park. A plot of land designed and equipped to accommodate travel trailers for short periods of time.

Use. The purpose for which land or a building or other structure is designed, arranged or intended, or for which it is or may be occupied or maintained.

Watercourse. Any depression serving to give direction to a flow of water, having a bed and well-defined banks, where the drainage area above the same is twenty-five (25) acres or more in extent. The flow of water need not be on a continuous basis but may be intermittent resulting from the surface runoff of precipitation.

Yard. An open space on the same lot with a principal building, open, unoccupied, and unobstructed by buildings from the ground to the sky except as otherwise provided in this resolution, provided that accessory buildings may be located in a rear yard.

Yard, Front. The yard extending across the entire width of the lot between the nearest part of the principal building, including porches, and the front lot line.

Yard, Rear. The yard extending across the entire width of the lot between the nearest part of the principal building, including porches, and the rear lot line.

Yard, Side. The required space unoccupied except as herein provided, measured between the side lot line and the nearest point of the principal building and between the front yard and the rear yard.

ARTICLE III

GENERAL PROVISIONS

SECTION

- 3.010 Scope**
- 3.020 Only One (1) Principal Building on Any Lot**
- 3.030 Lot Must Abut a Public Street**
- 3.040 Reduction in Lot Area Prohibited**
- 3.050 Obstruction to Vision at Street Intersection Prohibited**
- 3.060 Access Control**
- 3.070 Accessory Use Regulations**
- 3.080 Plot Plan Requirements**
- 3.090 Buffer Strips**

3.010 SCOPE

For the purpose of the zoning resolution, there shall be certain general provisions which shall apply, except as specifically noted, to the county as a whole.

3.020 ONLY ONE (1) PRINCIPAL BUILDING ON ANY LOT (Amended by Resolution 96-9, December 16, 1996.)

Only one (1) principal building and its accessory structures may hereafter be erected on any zone lot. This provision shall not apply to group housing developments and mobile home parks as permitted in this resolution. On Lots used for agricultural purposes which exceed twelve (12) acres, up to two (2) additional dwellings may be located for members of the immediate family thereof, or persons employed full-time thereon and their families. The site of each dwelling unit shall meet all minimum lot and yard requirements of the district such that the site can be subdivided from the remaining acreage if necessary.

3.030 LOT MUST ABUT A PUBLIC STREET (Amended by Resolution 96-9, December 16, 1996.)

No building shall be erected on a lot which does not abut at least one (1) publicly maintained road or permanent easement for at least fifty (50) feet. This requirement shall not apply to zoned lots in residential or agriculture districts abutting a cul-de-sac, which shall abut the public road for at least thirty (30) feet. When a permanent easement to a publicly maintained road is used for access to a lot or tract of land having been separated by deed from other acreage, such easement shall not be used also to provide access to an additional lot or tract; or be a part of the required road frontage; unless the developer declares a subdivision, constructs the road to meet the Trousdale County Subdivision Regulations, and dedicates it to the County.

3.040 REDUCTION IN LOT AREA PROHIBITED

No lot, even though it may consist of one or more adjacent lots of record, shall be reduced in area so that yard, lot area per family, lot width, building area, or other requirements of the zoning resolution are not maintained. This section shall not apply when a portion of a lot is acquired for a public purpose.

3.050 OBSTRUCTION TO VISION AT STREET INTERSECTION PROHIBITED

On a corner lot in any district, within the area formed by the center line of intersecting streets and a line joining points on such center lines at a distance of seventy-five (75) feet from their intersection nothing shall be erected, placed, planted, or allowed to be grown in such a manner as materially to impede vision between a height of two and one-half (2 1/2) and ten (10) feet above the center line grades of said intersecting streets. This section shall not be deemed to prohibit any necessary retaining walls.

3.060 ACCESS CONTROL

In order to promote the safety of the motorist and pedestrian and to minimize traffic congestion and conflict by reducing the points of contact, the following regulations shall apply:

- A. A point of access for vehicles onto a street shall not exceed thirty (30) feet in width. All points of access shall be so constructed as to provide for proper drainage.
- B. There shall be no more than two (2) points of access to any one (1) public street for each four hundred (400) feet of lot frontage, or fraction thereof, provided, however, that lots less than one hundred (100) feet in width shall have no more than one (1) point of access to any one (1) public street.
- C. No point of access shall be allowed within twenty (20) feet of the right-of-way line of and public intersection.
- D. No curbs, or shoulders on county streets or rights-of-way shall be cut or altered without approval of the Trousdale County Road Superintendent, or if a state highway, a permit must be obtained from the Tennessee Department of Transportation.
- E. The clear distance between any two (2) driveways fronting on a street shall not be less than twenty-five (25) feet.
- F. Cases requiring variances relative to the above provisions due to topographic limitations shall be heard and acted upon by the Board of Zoning Appeals, provided, further, that no curb cuts for off-street automobile storage or parking space shall be permitted where the arrangement would require that vehicles back directly into a public street.

3.070 ACCESSORY USE REGULATIONS

The use of land, buildings, and other structures permitted in each of the districts established by this resolution are designated by listing the principal uses. In addition to such principal uses, accessory uses such as garages and small out buildings in residential area, etc., which are customarily incidental to the permitted principal uses are also permitted in each district (see definition of accessory use). Each accessory use shall:

- A. Be customarily incidental to the principal use established on the same lot.
- B. Be subordinate to and serve such principal use.
- C. Be subordinate in area, intent, and purpose to such principal use.
- D. Contribute to the comfort, convenience, or necessity of users of such principal use.

3.080 PLOT PLAN REQUIREMENTS

- A. Proposals (plans) for the construction or location of one or more principal structures on a lot (with the exception of single-family and two-family dwellings) shall be submitted no later than fifteen (15) days prior to the next regularly scheduled planning commission meeting, at a scale no smaller than 1"=100', showing contours at five foot intervals, and must exhibit required automobile storage areas, servicing utilities with reference to location, availability, and compatibility, loading and unloading spaces, maneuvering areas, openings for ingress and egress to public streets, a proposed drainage plan, the density of development or the required open space, the number of stories (all residential and commercial structures three or more stories in height must have their plans approved by the State Fire Marshall's Office), the number of dwelling units per acre if applicable, all required building setbacks and other yard requirements, as well as a location map showing the relationship of the proposal to scale, to other development, land uses, and streets.
- B. Proposals for mobile home parks shall follow separate provisions outlined in Article IV, Section 4.080, in this resolution.
- C. The above applications must be supported by any other information or data as might be deemed necessary by the Hartsville/Trousdale County Regional Planning Commission.

3.090 BUFFER STRIPS

Where a use is developed in areas zoned (C-1 or M-1) which abuts at any point upon property zoned (A-1, R-1, and R-2), the developer of said use shall provide a buffer strip as defined herein at the point of abutment. (See definitions section.)

ARTICLE III

GENERAL PROVISIONS

SECTION

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3.010 SCOPE

For the purpose of the zoning resolution, there shall be certain general provisions which shall apply, except as specifically noted, to the county as a whole.

3.020 ONLY ONE (1) PRINCIPAL BUILDING ON ANY LOT (Amended by Resolution 96-9, December 16, 1996.)

Only one (1) principal building and its accessory structures may hereafter be erected on any zone lot. This provision shall not apply to group housing developments and mobile home parks as permitted in this resolution. On Lots used for agricultural purposes which exceed twelve (12) acres, up to two (2) additional dwellings may be located for members of the immediate family thereof, or persons employed full-time thereon and their families. The site of each dwelling unit shall meet all minimum lot and yard requirements of the district such that the site can be subdivided from the remaining acreage if necessary.

3.030 LOT MUST ABUT A PUBLIC STREET (Deleted and Replaced by Resolution 124-2016-04, May 23, 2016.)

No building shall be erected on a lot which does not continuously abut at least one public street for at least fifty (50) feet; the lot must be a minimum of fifty (50) feet in width to the building setback line. This section shall not apply to properties abutting a cul-de-sac, which shall abut the street for at least thirty (30) feet in width from the street to the building setback line. This section shall not apply to a lot of record with an easement of at least thirty (30) feet in width to a public street from and after the time of adoption of this resolution.

3.040 REDUCTION IN LOT AREA PROHIBITED

No lot, even though it may consist of one or more adjacent lots of record, shall be reduced in area so that yard, lot area per family, lot width, building area, or other requirements of the zoning resolution are not maintained. This section shall not apply when a portion of a lot is acquired for a public purpose.

3.050 OBSTRUCTION TO VISION AT STREET INTERSECTION PROHIBITED

On a corner lot in any district, within the area formed by the center line of intersecting streets and a line joining points on such center lines at a distance of seventy-five (75) feet from their intersection nothing shall be erected, placed, planted, or allowed to be grown in such a manner as materially to impede vision between a height of two and one-half (2 1/2) and ten (10) feet above the center line grades of said intersecting streets. This section shall not be deemed to prohibit any necessary retaining walls.

3.060 ACCESS CONTROL

In order to promote the safety of the motorist and pedestrian and to minimize traffic congestion and conflict by reducing the points of contact, the following regulations shall apply:

- A. A point of access for vehicles onto a street shall not exceed thirty (30) feet in width. All points of access shall be so constructed as to provide for proper drainage.
- B. There shall be no more than two (2) points of access to any one (1) public street for each four hundred (400) feet of lot frontage, or fraction thereof, provided, however, that lots less than one hundred (100) feet in width shall have no more than one (1) point of access to any one (1) public street.
- C. No point of access shall be allowed within twenty (20) feet of the right-of-way line of and public intersection.
- D. No curbs, or shoulders on county streets or rights-of-way shall be cut or altered without approval of the Trousdale County Road Superintendent, or if a state highway, a permit must be obtained from the Tennessee Department of Transportation.
- E. The clear distance between any two (2) driveways fronting on a street shall not be less than twenty-five (25) feet.
- F. Cases requiring variances relative to the above provisions due to topographic limitations shall be heard and acted upon by the Board of Zoning Appeals, provided, further, that no curb cuts for off-street automobile storage or parking space shall be permitted where the arrangement would require that vehicles back directly into a public street.

3.070 ACCESSORY USE REGULATIONS

The use of land, buildings, and other structures permitted in each of the districts established by this resolution are designated by listing the principal uses. In addition to such principal uses, accessory uses such as garages and small out buildings in residential area, etc., which are customarily incidental to the permitted principal uses are also permitted in each district (see definition of accessory use). Each accessory use shall:

- A. Be customarily incidental to the principal use established on the same lot.
- B. Be subordinate to and serve such principal use.
- C. Be subordinate in area, intent, and purpose to such principal use.
- D. Contribute to the comfort, convenience, or necessity of users of such principal use.

3.080 PLOT PLAN REQUIREMENTS

- A. Proposals (plans) for the construction or location of one or more principal structures on a lot (with the exception of single-family and two-family dwellings) shall be submitted no later than fifteen (15) days prior to the next regularly scheduled planning commission meeting, at a scale no smaller than 1"=100', showing contours at five foot intervals, and must exhibit required automobile storage areas, servicing utilities with reference to location, availability, and compatibility, loading and unloading spaces, maneuvering areas, openings for ingress and egress to public streets, a proposed drainage plan, the density of development or the required open space, the number of stories (all residential and commercial structures three or more stories in height must have their plans approved by the State Fire Marshall's Office), the number of dwelling units per acre if applicable, all required building setbacks and other yard requirements, as well as a location map showing the relationship of the proposal to scale, to other development, land uses, and streets.
- B. Proposals for mobile home parks shall follow separate provisions outlined in Article IV, Section 4.080, in this resolution.
- C. The above applications must be supported by any other information or data as might be deemed necessary by the Hartsville/Trousdale County Regional Planning Commission.

3.090 BUFFER STRIPS (Amended by Resolution, 193-2020-08, June 22, 2020)

Where a use requiring a site plan to be filed in accordance with Article VIII, Section 8.030 Zoning Compliance Permit (Building Permits) abuts at any point upon property zoned residential or agricultural (Agriculture-Forestry), the developer of said use shall provide a landscaped buffer strip at the point of abutment which shall consist of a solid fence no less than seven (7) feet tall and landscaping, including trees, the intent of which is to create an opaque screen between the new development and existing development(s). Buffers are required between industrial and commercial districts. (See definitions section.) The buffer strip shall be no less than ten (10) feet in width.

ARTICLE IV

SUPPLEMENTARY PROVISIONS APPLYING TO SPECIFIC DISTRICTS

SECTION

- 4.010 Off-Street Parking Requirements**
- 4.020 Off-Street Loading and Unloading Requirements**
- 4.030 Parking for Tractor Trailers and Commercial Buses**
- 4.040 Temporary Use Regulations**
- 4.050 Customary Incidental Home Occupations**
- 4.060 Gasoline Service Station Restrictions**
- 4.070 Cluster Residential Development**
- 4.080 Standards for Signs, Billboards, and Other Advertising Structures**
- 4.090 Development Standards for Mobile Home Parks**
- 4.100 Development Standards for Automobile Wrecking, Junk and Salvage Yards**
- 4.110 Development Standards for Private Campgrounds**
- 4.120 Development Standards for Mining Activities and Related Services**
- 4.130 Self-Service Storage Facilities (Mini-Warehouses) (Added by Resolution No. 96-5, July 22, 1996)**
- 4.140 General Requirements for Individual Manufactured Homes (Added by Resolution No. 98-3, March 24, 1998)**
- 4.150 Litter, Refuse, Garbage, Junk and Debris Control Regulations (Added by Resolution No. _____, September 27, 1999)**
- 4.160 Development Standards for Outdoor Firearms Training Facilities (Amended by Resolution No. 142-2017-07, May 22, 2017)**
- 4.170 Standards for Telecommunication Antennas and Towers (Added by Ordinance 101-2014-8, April 28, 2014)**

4.010 OFF-STREET PARKING REQUIREMENTS

Off-street automobile storage or standing space shall be provided on each lot upon which any of the following uses are hereafter established. One vehicle space shall be two hundred (200) square feet in size (10'x20') and such space shall be provided with vehicular access to a street or alley. Unobstructed driveways shall suffice for the required parking spaces in relation to single detached dwellings, prefabricated houses, duplexes, and mobile homes on individual lots. The number of parking spaces provided shall meet the minimum requirements for the specific uses as set forth below:

- A. **Single Detached Dwelling and Duplex.** Not less than two (2) spaces for each dwelling unit.
- B. **Apartment Dwelling.** Not less than two (2) space per dwelling unit.
- C. **Boarding Houses and Rooming Houses.** Not less than one (1) space for each one (1) room to be rented.
- D. **Mobile Home Parks.** Not less than two (2) spaces for each mobile home space.

- E. **Other Dwelling Units.** Not less than two (2) spaces per dwelling unit.
- F. **Hotels, Motels and Other Tourist Accommodations.** Not less than one (1) space for each room to be rented plus one (1) additional space for each two (2) employees.
- G. **Any Auditorium, Church, Stadium, or Other Place of Public Assembly.** Not less than one (1) space for each five (5) seats provided in such places of assembly. For places of public assembly where seating is not a measure of capacity, such as clubhouses, funeral parlors, etc., at least one space for each two (2) hundred (200) square feet of floor space devoted to that particular use shall be provided.
- H. **Manufacturing, Industrial or Wholesaling Use.** Not less than one (1) space for each two (2) employees anticipated during maximum production, with a minimum of five (5) spaces provided for any establishment. For establishments maintaining space for the sale of products at retail, there shall be provided one (1) parking space for each five hundred (500) square feet of floor area devoted to retail sales.
- I. **Office and Professional Buildings.** Not less than one (1) parking space for each two hundred fifty (250) square feet of office space, plus one (1) parking space for every three (3) employees.
- J. **Retail Sales and Service Establishments.** Not less than one (1) parking space for each two hundred (200) square feet, or fraction thereof, of sales space in general commercial districts and the rural center districts.
- K. **Medical or Dental Clinic.** Not less than three (3) spaces per doctor, plus one (1) additional space for each employee.
- L. **Roadside Service Facilities (Service Stations, Repair Shops, or Similar Uses).** Not less than five (5) spaces for grease rack or service bay, or one (1) space for each fourteen hundred (1,400) square feet of lot area or fraction thereof, whichever is greater, plus one (1) space for every two (2) employees.
- M. **Restaurants.** Not less than one (1) space per one hundred fifty (150) square feet of floor area, plus one (1) space for each two (2) employees. For drive-in restaurants, one (1) space per one hundred (100) square feet of floor area, plus one (1) space for each employee.
- N. **Shopping Centers.** Five point five (5.5) parking spaces for each one thousand (1,000) square feet of gross floor area.
- O. **Other.** For buildings and uses not listed, the off-street parking requirements shall be determined by the Board of Zoning Appeals.

4.011 Certification of Minimum Parking Requirements

Each application for a building permit shall include information as to the location and dimensions of off-street parking spaces and the means of ingress and egress to such space. This information shall be in sufficient detail to enable the Building Commissioner to determine whether or not the requirements of this section are met.

4.012 Remote Parking Space

If the off-street parking space required by this resolution cannot be reasonably provided on the same lot on which the principal use is located, such space may be provided on any land within two hundred (200) feet of the main entrance to such principal use, provided such land is in the same ownership or lease as the principal use. Such land shall be used for no other purpose so long as no other adequate provisions of parking space, meeting the requirement of this resolution, has been made for the principal use.

4.013 Requirements for Design of Parking Lots

- A. Except for parcels of land devoted to one (1) and two (2) family residential uses, all areas devoted to off-street parking shall be so designed and be of such size that no vehicle is required to back into a public street to obtain egress.
- B. Each parking space shall be no less than two hundred (200) square feet in area.
- C. Entrances and exits for all off-street parking lots shall comply with the requirements of Section 3.060, of this resolution.
- D. The parking lot shall be designed in such a manner as to provide adequate drainage and to eliminate the possibility of stagnant pools of water.
- E. Lights illuminating parking lots shall be directed or screened so as not to encroach upon adjacent or nearby residential districts.
- F. Parking lots containing five (5) or more spaces shall be suitably paved with an all weather wearing surface or dustless material.

4.020 OFF-STREET LOADING AND UNLOADING REQUIREMENTS

Every building or structure hereafter constructed and used for industry, business, or trade involving the receiving or distribution of vehicles, materials, or merchandise shall provide space for the loading and unloading of vehicles off the street or public alley. Such space shall have access to a public or private alley, or if there is not alley, to a public streets. The minimum required spaces for this provision shall be based on the total usable floor area of each principal building according to the following table:

<u>Total Usable Floor Area for Principal Building</u>	<u>Spaces Required (See Article II - Definitions)</u>
0 to 4,999 sq. ft.	1 space
5,000 to 9,999 sq. ft.	2 spaces
10,000 to 14,999 sq. ft.	3 spaces
15,000 to 19,999 sq. ft.	4 spaces
Over 20,000 sq. ft.	4 spaces, plus 1 space for each additional 20,000 square feet

The Board of Zoning Appeals may reduce or increase this requirement in the interest of safety where unusual or special conditions are due consideration.

4.030 PARKING FOR TRACTOR RIGS AND COMMERCIAL BUSES

- A. A truck tractor, used as motor power for drawing a semi-trailer, shall not be parked on any street right-of-way, except temporarily while in attendance by the driver and while attached or unattached to a companion semi-trailer being loading or unloaded; a truck trailer shall be parked in a residential zoning district overnight only in a driveway so designed or in a backyard as defined in this resolution.
- B. A semi-trailer of any type as defined in this resolution shall not be parked in a residential zoning district or on public street right-of-way in any zoning district except while in attendance by the driver and temporarily attached or unattached for purposes of loading or unloading; a semi-trailer shall not be parked in a residential zoning district overnight, whether loaded or unloaded or whether attached or unattached to motor power.

4.040 TEMPORARY USE REGULATIONS

The following regulations are necessary to govern the operation of certain necessary or seasonal uses nonpermanent in nature. Application for a Temporary Use Permit shall be made to the Building Commissioner. Said application shall contain a graphic description of the property to be utilized and a site plan, a description of the proposed use, and sufficient information to determine yard requirements, setbacks, sanitary facilities, and parking space for the proposed temporary use. The following uses are deemed to be temporary uses and shall be subject to the specific regulations and time limits which follow, and to the regulations of any district in which such use is located.

- A. **Carnival or Circus.** May obtain a Temporary Use Permit in the A-1, C-1, Districts; however, such permit shall be issued for a period of not longer than fifteen (15) days. Such use shall only be permitted on lots where adequate off-street parking can be provided.
- B. **Christmas Tree Sale.** May obtain a thirty (30) day Temporary Use Permit for the display and sale of Christmas trees on open lots in any district.
- C. **Temporary Buildings.** In any district, a Temporary Use Permit may be issued for contractor's temporary office and equipment

shed(s) incidental to a construction project. Such permit shall not be valid for more than one (1) year but may be renewed for six month extensions; however, not more than three (3) extensions for particular use shall be granted. Such use shall be removed immediately upon completion of the construction project, or upon expiration of the Temporary Use Permit, whichever occurs sooner.

- D. **Religious Tent Meetings.** In any district, except the M-1, General District, a Temporary Use Permit may be issued for a tent or other temporary structures to house a religious meeting. Such permit shall be issued for not more than a thirty (30) day period. Such activity shall be permitted only on lots where adequate off-street parking can be provided.
- E. **Temporary Dwelling Unit in Cases of Special Hardship.** In any residential district, a Temporary Use Permit may be issued to place a mobile home (double-wide excluded) temporarily on a lot in which the principal structure was destroyed by fire, explosion or natural phenomena or during the period in which a permanent residence is being constructed. The purpose of such placement temporarily shall be to provide shelter for only the residents of the principal structure during the period of construction or reconstruction and to prevent an exceptional hardship on the occupants. Placement of such temporary structure must not present 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 Trousdale County Health Department and/or the Utilities System 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 months at a time, the total time for all permits not exceeding a total of eighteen (18) months.

4.050 CUSTOMARY INCIDENTAL HOME OCCUPATIONS (Section Deleted in Its Entirety and Replaced by New Section, Resolution No. 115-2016-06 August 24, 2015.)

A home occupation is a gainful occupation or profession conducted entirely within the principal dwelling unit or approved accessory building by members of the household residing on the premises. The use of the dwelling unit or approved accessory building for the home occupation shall be clearly incidental and subordinate to residential purposes of the land. This section classifies all home occupations as "Minor Home Occupations" or "Major Home Occupations" and subject to the respective limitations prescribed. All other uses that are not considered under one of these classifications is prohibited under these regulations.

A. Minor Home Occupations

A minor home occupation is a limited accessory activity conducted on premises that in no way alters the residential character of the structure. Minor home occupations shall include offices for accountants, architects, artists, engineers and the like, and other

uses that will not require an increased amount of traffic to and from the residence. Uses such as barber or beauty shops, auto or appliance repair, cabinet making and upholstery shops, dance or music studios with more than four (4) students at a time, or any similar use shall not be considered as minor home occupations. Due to the small scale of operation, minor home occupations are not required to obtain approval from the Board of Zoning Appeals. However, in order to assure that such activities remain within the limited scope of this provision, a use permit shall be obtained from the Building Inspector by the owner of the premises, or the renter provided prior consent in writing from the owner. The effective period for the use permit shall not exceed three (3) years. At the end of the period, renewal shall be granted upon receipt of properly documented certification that the minor home occupation continues to be operated within the limitations as described below.

1. A minor 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 twenty-five (25) percent of the floor area of the dwelling, whichever is less, may be utilized by the minor home occupation.
2. 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. Signs for minor home occupations are prohibited.
3. No traffic shall be generated by such minor home occupation by persons other than the occupants of the dwelling and any limited off-street parking as a result of the conduct of such home occupation.
4. Deliveries and pickups are permitted only by parcel post, United Parcel Service, or similar local delivery service trucks.
5. No minor home occupation shall involve the on-site use or storage of tractor trailers, semi-trucks, buses or heavy construction equipment.
6. 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.
7. No outdoor display of goods or outside storage of equipment or materials used in the home occupation shall be permitted.
8. 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.

9. No more than one (1) person other than residents of the dwelling shall be employed at the location in the conduct of a minor home occupation.

The Building Inspector shall have the discretionary review of all minor home occupations, including whether or not a proposed activity is minor or major in nature. Any applicant aggrieved by the decision of the Building Inspector shall have the prerogative to appeal the decision to the Board of Zoning Appeals as an Administrative Review per Article VIII, Section 8.070 of this Resolution.

B. Major Home Occupations

Uses classified as major home occupations are those accessory activities conducted on premises that exceed the standards for Minor Home Occupations. Major home occupations may cause an increase in the amount of neighborhood traffic which may be in the form of persons served by the home occupation or by deliveries or pick-ups from the premises. All major home occupations require approval of an application for a permit as an appeal made by the owner of the premises to the Board of Zoning Appeals prior to engaging in the activity, in the process described in Article VIII, Section 8.070 of this Resolution, and subject to compliance with operational limitations imposed upon such use by virtue of being considered accessory to a principal use or activity as listed below. Major home occupations shall include barber and beauty shops, teaching of music and dance for over four (4) students at a time, small engine and appliance repair, upholstery shops, real estate offices, welding shops, woodworking shops, manufacturing or processing of garments, and other similar uses that in the opinion of the Board of Zoning Appeals would meet the criteria of a major home occupation.

The effective period for the major home occupation permit shall not exceed three (3) years. At the end of the period, renewal shall be granted upon receipt of properly documented certification that the major home occupation continues to be operated as originally approved by the Board of Zoning Appeals within the operational limitations below. Any act of noncompliance may result in revocation of the home occupation permit, unless a new review by the Board of Zoning Appeals holds that the variation maintains the spirit and intent of these conditions.

1. 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-premises, may have more employees than the limitation set

forth above, if such persons are not employed on the premises. Off-street parking for employees on premises should be incorporated within the proposal as described in 11. below.

2. 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.
3. 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 twenty-five (25) percent of the floor area of the dwelling, whichever is less, may be utilized by the home occupation. An accessory structure may be used for the activity provided such structure meets the criteria for accessory structures as defined in this Ordinance.
4. In no way shall the appearance of the dwelling or accessory structure be altered 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. However, major home occupations are limited to one (1) sign and restricted to no greater than four (4) square feet in area.
5. 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-premises. 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-premises.
6. Products or goods produced or fabricated from raw materials, or items repaired on the premises as a result of the home occupation may only be sold and picked up from the premises.
7. Deliveries and pickups are permitted only by parcel post, United Parcel Service, or similar local delivery service trucks.
8. There shall be no storage of equipment, vehicles, bins, trailers, or supplies associated with the home occupation outside the dwelling or accessory building.
9. There shall be no display of products visible in any manner from outside the dwelling, including any on-site use, storage, or repair of vehicles, various repair items and discarded parts, construction machinery, and any equipment related to the home occupation.

10. 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. 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.
11. Off-street parking shall be provided with each request, the number determined as adequate by the Board.
 - a) Off-street parking can be provided on premises to accommodate the additional needs generated by the home occupation, including employees.
 - b) Any added parking will not detract from the visual appearance of the residence nor adversely impact adjoining properties or the public street.

4.060 GASOLINE SERVICE STATION RESTRICTIONS

The following regulations shall apply to all gasoline service stations.

- A. There shall be a building setback from all street right-of-way lines of a distance of not less than forty (40) feet, except for canopies designed to cover the gasoline pump islands.
- B. Gasoline pumps shall not be located closer than fifteen (15) feet to any right-of-way line.
- C. Sign requirements as established in Article 4, Section 4.080, shall be met.

4.070 CLUSTER RESIDENTIAL DEVELOPMENT (SUBDIVIDED)

Intent - To permit greater flexibility for creative design, to achieve superior scenic quality and recreational opportunity close to home by providing for residential subdivisions which incorporate large areas of permanent local open space accessible to all residential lots.

How It Works - Instead of the conventional subdivision procedure which results in homes more or less evenly spaced throughout the site, these provisions allow individual lot and yard requirements to be reduced to permit closer grouping or "clustering" of homes on a portion of the site. Developers, however, cannot construct more dwelling units on the site than the zoning minimum lot size requirements call for, but can reduce lot sizes if the land thus saved is put into permanent open space.

- A. Procedure for Approval
 1. Initial Sketch and Consultation

Before preparing a formal proposal for cluster residential development, the applicant shall submit five (5) copies of a sketch of the proposed development to the Planning Commission as a basis for reaching general agreement on major aspects of the project. The sketch shall indicate, at a scale no smaller than 1" = 200':

- **boundaries and acreage of the site**
- **number and building types of dwelling units**
- **arrangement of streets, structures, and lots**
- **access to existing streets**
- **local open space tracts and prospective uses**
- **any convenience service area**
- **location and size of water and sewer lines**
- **location of hydrants**

2. Plat Approval Procedures

Proposals for cluster residential developments shall be subject to the Trousdale County Subdivision Regulations, shall be prepared and reviewed under the plat approval procedure of that resolution, and shall be in accordance with the provisions of this section.

B. Development Requirements

1. This section shall apply only to residential structures located within the R-1 Zone, excluding mobile homes.
2. Maximum Density

The average number of dwelling units per acre of buildable land (not including land for street right-of-way) shall not exceed the minimum land area requirements as cited in the R-1 District. Maximum buildable acreage shall consist of seventy-five (75) percent of the total residentially zoned acreage available, with twenty-five (25) percent of said total to be allocated for street right-of-way regardless of the acreage actually required.

3. Minimum Lot Size, Width or Yard Requirements

None.

4. Structure Location Requirements

Minimum distance between structure and street right-of-way line - thirty (30) feet.

Minimum spacing between structures - thirty (30) feet.

5. Convenience Commercial Services

Food and drug stores, beauty and barbershops, coin laundries, or similar commercial facilities only, may be permitted within developments of one hundred (100) units or more for the purpose of serving local residents.

Such facilities must be designed as an integral part of the development, and external advertising or other characteristics which alter the residential scenic quality, noise level, or traffic load shall not be permissible. Commercial facilities shall not be established before residential construction commences.

6. Utilities

The development shall be serviced with public or package sanitary sewerage and public water on trunk lines not less than eight (8) inches and six (6) inches, respectively, if available. Larger size utility lines may be required on review of the proposal.

7. Local Open Space

a. Minimum Local Open Space Requirements

Plat proposed for approval under the provisions of this section shall include local open space tracts of size, location, shape and topography which will meet the intent of this section. The minimum amount of local open space to be allocated shall not be less than the aggregate amount by which building lots are reduced from regular minimum lot size requirements.

b. Permitted Local Open Space Uses

Only the following land uses may be set aside as common land for local open space or recreational uses:

Private recreational facilities, such as golf courses or swimming pools, which are limited to the use of the owners or occupants of the lots located within the subdivision.

Historic building site or historical sites, parks and parkway areas, extensive areas with tree cover, low land along streams or areas of rough terrain when such areas are extensive and have natural features worthy of scenic preservation.

c. Legal Requirements for Operation and Maintenance

Local open space, at the option of the developer, may be retained by him or deeded by him to a homeowners association or other organization approved by the Planning Commission.

When such tracts are retained by the developer, plans for the improvement and long-term maintenance of these tracts may be approved by the Planning Commission, and deed covenants, made to assure continuing use of the tracts for local open space purposes shall be furnished with the development plans.

When such tracts are to be deeded to a Homeowners' Association, the developer shall provide:

- (1) The legal framework for a Homeowners' Association, consisting of articles of incorporation and by-laws which guarantee as a minimum:

That the Homeowners' Association will be responsible for liability insurance, local taxes, maintenance of recreational or other facilities pertaining to the local open space.

That when more than fifty (50) percent of the lots within the subdivision are sold, there shall be a special meeting of the Homeowners' Association within sixty (60) days.

- (2) Deeds to individual lots within the subdivision, which shall convey mandatory membership in the homeowners association, and include as a minimum the following provisions:

Responsibility for paying a pro rata share of the cost of the homeowners association operation.

Agreement that the assessment levied by the association can become a lien on the property if not paid.

Agreement that the association shall be able to adjust the assessment to meet changed needs.

Guarantee of permanent unrestricted rights to utilize lands and facilities owned by the association.

4.080 STANDARDS FOR SIGNS, BILLBOARDS, AND OTHER ADVERTISING STRUCTURES

These conditions are established as a reasonable and impartial method of regulating advertising structures in order to insure light, air, and open space, to reduce hazards at intersections, and to protect property values of the entire community. The regulations for signs, billboard, and other advertising structures are enumerated below:

A. In Any Zoning District, the Following General Regulations Shall Apply:

1. No sign shall be erected or maintained where by reason of its position, wording, illumination, size, shape, or color it may obstruct, impair, obscure, interfere with the view of, or be confused with, any authorized traffic control sign, signal, device or, emergency vehicle.
2. No illuminated sign shall be permitted within fifty (50) feet of residential property in any A-1 or R-1 Zoning District, unless the illumination of such sign is so designed that it does not shine or reflect light onto such property.
3. No billboard or ground sign shall be erected to exceed the maximum height limitation for the district in which it is located. No billboard shall exceed fifty (50) feet in length.
4. Billboards shall be erected or placed in conformity with the side, front, and rear yard requirement of the district in which located. However, no billboard shall be erected or placed closer than within one hundred (100) feet of any R-1 and/or R-2 District.
5. On the premises, outdoor advertising signs shall not intrude upon the public right-of-way.
6. Signs erected and overhanging any sidewalk must be placed at least nine (9) feet above the sidewalk and may extend over the side-walk a distance equal to two-thirds (2/3) the width of the sidewalk, but in no case exceeding ten (10) feet.
7. Professional signs and signs for home occupations shall not exceed four (4) square feet in area in the R-1 and R-2 Districts.
8. Temporary Signs and Posters Are Subject to the Following Regulations:
 - a. Each sign shall not exceed five (5) square feet in area, excluding banners.
 - b. The signs shall not be located closer together than five hundred (500) feet.
 - c. Such signs shall not be nailed to trees, fence posts or public utility poles and shall not be located in the public right-of-way, excluding banners.

d. All such signs advertising events shall be removed within ten (10) days after the event date.

e. No such signs shall be allowed in any residential zone.

9. In Any District, the Following Signs Shall Be Permitted:

a. For parking areas, entrances and exit signs not exceeding four (4) square feet in area and not more than one sign not more than sixteen (16) square feet in area identifying or designating the conditions of the use of such parking area.

b. Nonilluminated "For Sale" or "For Rent" signs not exceeding four square feet in area.

c. One (1) sign not more than twelve (12) square feet in area giving the name of the contractors, engineers, or architects, during construction of a building.

d. Signs established by, or by order of, any governmental agency.

e. For special events of public interest, one (1) sign not over thirty-two (32) square feet in area.

f. Flags or emblems of political, civic, philanthropic, education or religious organizations.

g. Small unilluminated signs, not exceeding one and one-half (1 1/2) square feet in area, displayed strictly for the direction, safety, and convenience of the public, including signs which identify rest homes, freight entrances and the like.

B. In the A-1, Agricultural-Forestry District, the Following Regulations Shall Apply:

1. Name plates indicating name, address, house number, announcement of boarders or roomers, or customary home occupations are permitted no more than four (4) square feet in area.

2. Not more than two (2) nonilluminated signs not to exceed a total of twenty-four (24) square feet in area, advertising the sale of farm products produced on the premises shall be permitted.

3. Church, school or public building bulletin boards or identification signs, not exceeding sixty (60) square feet in area are permitted.

4. Flashing or intermittent illumination is prohibited.
5. Billboards and other advertising structures are prohibited.
6. Business signs, not to exceed one and one-half (1 1/2) square feet of surface area for each one (1) lineal foot of face of building, relating to the business on the premises will be permitted.

C. In the R-1 and R-2 Residential Districts, the Following Regulations Shall Apply:

1. Nameplates indicating name, address, house number, announcement of boarders or roomers, or customary home occupations are permitted.
2. For apartment buildings, identification signs not exceeding nine (9) square feet in area are permitted.
3. Church, school, or public building bulletin boards or identification signs, not exceeding twenty (20) square feet in area are permitted.
4. Flashing or intermittent illumination is prohibited.
5. Billboards and other advertising structures are prohibited.

D. In the C-1, Rural Center District, the Following Regulations Shall Apply:

1. Nameplates indicating name, address, house number, announcement of boarders or rooms for rent, or customary home occupations are permitted, no more than four square feet in area.
2. Church, school, or public building identification sign or bulletin boards, not exceeding thirty-two (32) square feet in area are permitted.
3. For other permitted uses, one business sign not exceeding one (1) square foot of surface for each two (2) lineal feet of lot fronting on a public street, will be permitted. Such sign shall be mounted on the premises and shall be directly related to the activity conducted on said premises.

E. In the M-1 General Industrial District, the Following Regulations Shall Apply:

1. Business signs shall be permitted which relate to the business on the premises. Such signs shall be located not closer than one-half (1/2) the required setback from all property lines.
2. Flashing or intermittent illumination is prohibited.

3. Billboards and other outdoor advertising structures are permitted subject to the general restrictions set forth in Section 4.080, A.

4.090 DEVELOPMENT STANDARDS FOR MOBILE HOME PARKS

A. Definitions

1. **Mobile Home.** A vehicular, portable structure built on a transportable chassis which remains intact, designed for year-round occupancy and designed to have no permanent foundation other than wheels, jacks, or skirtings, and which is capable of being moved, towed, or transported by another vehicle.

Mobile Home Park. Any area, tract, site, or plot land whereupon mobile homes are placed, located, or maintained, and shall include all accessory buildings used or intended to be used as part of the equipment, thereof.

B. Site Plan Requirement

1. The location and legal description of the proposed.
2. The location and size of all buildings, improvements, and facilities constructed or to be constructed within the mobile home park.
3. The proposed use of buildings shown on the site plan.
4. The location and size of all mobile home spaces.
5. The location on all points of entry and exit for motor vehicles and the internal street circulation pattern.
6. The location of all off-street parking facilities.
7. The location of parks and recreation areas.
8. The location of buffer strips.
9. The name and address of the applicant.
10. A comprehensive drainage plan.
11. Such other architectural, engineering, and topographic data as may be required to permit the local health officer and the Trousdale County Board of Zoning Appeals, to determine if the provisions of these regulations are being complied with shall be submitted with the site plan.
12. The location and size of all servicing utilities, i.e., water lines, fire hydrants, sewer lines, drain field areas, gas lines, electric

lines, etc. Official approval of all servicing utilities shall be documented and submitted with the site plan.

13. A time schedule for development shall be prepared, which shall demonstrate the applicant's readiness and ability to provide the proposed services. Said time shall be for a period of not more than one (1) year.

C. Required Development Standards

1. No parcel of land containing less than two acres and less than ten mobile home spaces, available at the time of first occupancy, shall be utilized for a mobile home park.

2. The mobile home park shall be located on a well drained site, properly graded to insure rapid drainage and to avoid the possibility of stagnant pools of water.

3. Dimensional Requirement for Parks

- a. Each mobile home shall have a front yard of fifty (50) feet exclusive of any required yards for each mobile home space, extending for the full width of the parcel devoted to said use.

- b. Each mobile home park shall provided rear and side yards of not less than thirty (30) feet, exclusive of any required yards for each mobile home space, from the parcel boundary.

- c. In instances where a side or rear yard abuts a public street, said yard shall not be less than fifty (50) feet.

- d. No building or structure erected or stationed in a mobile home park shall have a height greater than two (2) stories or twenty-five (25) feet.

- e. Each mobile home park shall be permitted to display, on each street frontage, one identifying sign of a maximum size of twenty (20) square feet. Said signs shall contain thereon only the name and address of the park and may be lighted by indirect lighting only.

4. Dimensional Requirements for Mobile Home Space

Each mobile home space shall be of sufficient size that, in addition to the mobile home, the following space shall be provided:

- a. Each mobile home space shall be at least fifty (50) feet wide and such space shall be clearly identified by permanent markers.

- b. There shall be a front yard setback of twenty (20) feet from all access roads within the mobile home park.
- c. Mobile home shall be harbored on each space so that there shall be at least a twenty (20) foot clearance between mobile homes; the end-to-end clearance at least twenty (20) feet. No mobile home shall be located closer than twenty (20) feet from any building within the mobile home park.
- d. There shall be at least two (2) off-street parking spaces for each mobile home space, which shall be on the same site as the mobile home served, and may be located in the rear or side yard of said trailer space.
- e. Each mobile home space shall be provided with a paved patio of at least two hundred (200) square feet.
- f. Each mobile home space shall be provided with a pad which shall be a minimum of twelve feet by fifty feet (12' x 50'), which shall be constructed of four (4) inches of compacted gravel.
- g. The minimum lot area per mobile home space shall be five thousand (5,000) square feet. For double-wide mobile homes, the minimum lot size shall be six thousand (6,000) square feet.

5. General Requirements

- a. Roads within the mobile home park shall have a roadway width of not less than twenty (20) feet in accordance with the procedures and standards for minor residential streets as specified in the Trousdale County Subdivision Regulations. However, the right-of-way shall only be of sufficient width to include the road surface itself and necessary drainage facilities. All roads within the mobile home park shall be private roads and shall not be accepted as public roads.
- b. All mobile home spaces within the park shall abut an access road.
- c. No mobile home park shall be permitted unless such park is served by a public water supply that is adequate to provide fire protection.
- d. All mobile home parks shall be serviced with public or package sanitary sewerage and public water on available trunk lines, and the proposed water system shall be approved in writing by the Tennessee Department of Health and Environment as well as by the appropriate water authority. Septic sewerage

disposal shall be permitted only on mobile home lots having sufficient area to meet the requirements of the Trousdale County Health Department.

- e. Mobile homes, with or without toilet facilities that cannot be connected to an approved sewer system shall not be permitted in a mobile home park.
- f. Cabanas, travel trailers, and other similar enclosed structures are prohibited.
- g. Mobile homes shall not be used for commercial, industrial, or other nonresidential uses within the mobile home park, except that one mobile home in the park may be used to house a rental office.
- h. Grounds anchors shall be installed at each mobile home space to permit tie downs of mobile homes.
- i. Specifications for drives in mobile home park developments shall be the same as the roadway specifications contained in the Trousdale County Regional Planning Commission Subdivision Regulations to which reference is hereby made and incorporated herein.
- j. Any central refuse disposal area shall be maintained in such manner as to meet county health requirements, and shall be screened from view.
- k. Service buildings housing laundry, sanitation, or other facilities for use by occupants shall be permanent structures complying with all applicable codes.
- l. A planted buffer strip (greenbelt planted strip) not less than ten (10) feet in width shall be established along the outer boundaries or periphery of the mobile home park. Said planted strip shall be composed of one (1) row of evergreen trees, spaced not more than four (4) feet apart, and not less than two (2) rows of shrubs or hedges spaced not more than five (5) feet apart and which grown to a height of five (5) feet or more after one (1) full growing season and which shrubs will eventually grow to not less than ten (10) feet in height.
- m. Outside antenna (TV, Radio, Communications, etc.) shall not be installed in close proximity to overhead power lines; a safety clearance zone shall be maintained equivalent to overall installed height of the antenna/mast plus ten (10) feet, as measured from antenna mast base horizontally or diagonally from said overhead power lines.

6. Application or Mobile Home Park Building Permit

An application for a permit to develop and construct a mobile home park shall be filed in accordance with Article VIII, Section 8.060, of this resolution, and shall be accompanied by all site plans, schedules, and other information herein required. Said application shall be processed in the following manner.

- a. The written application, plans, and schedules, herein required, and a statement of approval of the proposed sewage disposal system from the Trousdale County Health Department will be submitted to the Trousdale County Building Inspector and Trousdale County Planning Commission. The Building Inspector and Trousdale County Planning Commission shall duly review these materials and shall coordinate the review with other affected agencies and departments.
- b. The Trousdale County Building Inspector shall, after review, recommend approval or disapproval of the proposed mobile home park to the Board of Zoning Appeals, which then may authorize the issuance of a permit for construction of the park as approved, or state the conditions under which approval for construction may be granted. If at any time during the development process, unproved deviations from the officially approved site plan occur, the development or building permit granted to the applicant or developer shall be subject to immediate revocation, until such time as such discrepancies are removed, corrected, or officially approved by the Trousdale County Regional Planning Commission.

4.100 DEVELOPMENT STANDARDS FOR AUTOMOBILE WRECKING, JUNK AND SALVAGE YARDS

Because of nature and character of their operations, automobile wrecking and salvage yards, junkyards, and similar uses of land can have a decidedly detrimental effect upon surrounding properties. Salvage and wrecking yards tend to create problems of noise, dust, traffic and health hazards, and may adversely affect property value by their general appearance. The following standards shall be used as a guide in evaluating whether proposed land uses, such as those outlined above, will have properly minimized their objectionable characteristics.

- A. All motor vehicles stored or kept in such yards shall be so kept that they will not catch and hold water in which mosquitoes may breed and so that they will not constitute a place or places in which rats, mice, or other vermin may be harbored, reared, or propagated.
- B. Because of the tendency for salvage yards to promote the breeding of vermin, no such operation shall be permitted closer than five hundred (500) feet from any established residential zone.

- C. All outdoor storage of salvage and wrecking operations shall be conducted entirely within an enclosed opaque fence, screen, or wall, excepting driveway areas, from eight to twelve feet in height. Storage between the road or street and such fence, screen, or wall is expressly prohibited. Any fence, screen, or wall for concealment shall be maintained in good condition.
- D. All such yards shall be so maintained as to be in a sanitary condition and so as not to be a menace to public health or safety.
- E. **Off-Road Parking.** As regulated in Article IV, Section 4.010.
- F. **Ingress and Egress.** The number of vehicular access driveways permitted on any single street frontage shall be limited to:
 - 1. One (1) driveway where the parcel to be used has a maximum road or street frontage of one hundred (100) feet or less.
 - 2. Two (2) driveways where the road or street frontage exceeds one hundred (100) feet. Driveways used for ingress and egress shall be limited to thirty (30) feet in width maximum exclusive of curb returns.

G. **Application for Automobile Wrecking Junk or Salvage Yard Permit**

No person shall own or maintain an automobile wrecking, junk, or salvage yard within Trousdale County until he has secured a permit from the Trousdale County Board of Zoning Appeals. An application for said permit shall be filed in accordance with Article VIII, Section 8.060, of this resolution, and shall be accompanied by a detailed site plan, a schedule for construction, and any other information herein required. Said application shall be submitted along with any plans and schedules. The Board shall vote to approve or disapprove the application in accordance with the time schedule in Section 7.060.

4.110 DEVELOPMENT STANDARDS FOR PRIVATE CAMPGROUNDS

Campgrounds as defined herein shall meet the following standards:

- A. Such campground shall have on-site management.
- B. The campground may include convenience commercial establishments such as camp stores, laundry facilities, and personal services; provided that such convenience establishments are subordinate to the recreational character of the campground; are located, designated, and intended to serve exclusively the patrons staying in the campground; and such establishments and their parking areas shall not occupy more than ten (10) percent of the area of the park or one (1) acre whichever is smaller.
- C. **Such Campground Shall Meet the Following Site Standards:**

1. Minimum size - 10 acres
2. Sanitary facilities including flush toilets and showers - within three hundred (300) feet walking distance of each campsite.
3. Potable water supply - one (1) spigot for each four (4) campsites.
4. Trash receptacle - one (1) for each two (2) campsites.
5. Parking - one (1) space per campsite.
6. Picnic table - one (1) per campsite.
7. Fireplace or grill - one (1) per campsite.
8. Administration or safety building - open at all times wherein a portable fire extinguisher in operable condition and first aid kit is available, and a telephone is available for public use.

D. Such Campground Shall Meet the Following Design Requirements:

1. A vegetation screen or ornamental fence which will substantially screen the campsites from view of public rights-of-way and neighboring properties shall be provided around or near the perimeter or that part of the campground containing campsites. Such vegetation or fence shall be maintained in good condition at all times.
2. Each campground shall reserve at least twenty-five (25) percent of its total area as natural open space excluding perimeter screening. Such open space may include recreation and water areas, but may not include utility areas, administration buildings, commercial areas or similar activities.
3. Each campsite shall have a minimum setback of twenty-five (25) feet from any exterior boundary line.
4. Each campsite and all other buildings shall have a minimum setback from any public road of fifty (50) feet.
5. Each separate campsite shall contain a minimum of eight hundred (800) square feet. (A campsite shall be considered to consist of trailer or tent space, parking space, picnic table, fireplace, and one-half (1/2) the roadway providing access).
6. Each campsite shall be directly accessible by an interior road.
7. All interior roads shall be a minimum of ten (10) feet wide for one way traffic and eighteen (18) feet wide for two-way traffic.

8. All interior roads shall meet the following curve requirements:

Minimum radius for a 90 degrees turn - 40 feet

Minimum radius for a 60 degrees turn - 50 feet

Minimum radius for a 45 degrees turn - 68 feet

9. No camping vehicle or camping equipment shall be used for human habitation for a period exceeding thirty (30) consecutive days.
10. Each campground shall provide a trailer dump station for the disposal of holding tank sewage.

4.120 DEVELOPMENT STANDARDS FOR MINING ACTIVITIES AND RELATED SERVICES

Mining activities and related activities shall meet the following conditions:

- A. The location of such an activity shall be in an area sparsely developed during the length of time the mining and quarrying activity is anticipated.
- B. The proposed site shall be subject to the following conditions:
 1. Operations shall be conducted so as not to create a nuisance or cause undue noise, vibration, dust, odor, or candescence to adjacent properties. The premises shall be kept in a neat and clean condition at all times. No loose paper or debris shall be allowed on the site, except on areas where active filling operations are taking place.
 2. No excavation or filling shall be made within one hundred (100) feet of any boundary of the site.
 3. Side slopes of excavation and fills in earth, sand or gravel shall not exceed one (1) foot vertical to three (3) feet horizontal and shall be blended into undisturbed existing surfaces.
 4. Provisions shall be made for the disposal of surface water, falling on or crossing the site at all times, during and after completion of the operations. The operations shall not obstruct the normal flow of any public drain, or abrogate the riparian rights of any other party to a stream or drain.

4.130 SELF-SERVICE STORAGE FACILITIES (MINI-WAREHOUSES) **(Added by Resolution No. 96-5, July 22, 1996.)**

This section is intended to provide a maximum flexibility in design and to ensure a minimum standard of site development for self-storage facilities (Mini-Warehouse Facilities).

It is intended that self-storage facilities be located so as to have direct access to major streets for convenience and to be compatible with surrounding land uses.

A. Procedure for Approval

A permit for a self-service storage facility shall be issued by the City Building Inspector only as authorized by the Trousdale County Board of Zoning Appeals. The Board shall so authorize said permit only after application and review in accordance with the requirements of this section, and after the Board determines that the proposed location meets the intent of this resolution and that the indicated development standards in Paragraph D, of this section, will be followed.

B. Information Required

1. General Location Sketch Map at a scale not smaller than 1"=2,000', showing:
 - The approximate boundaries of the site.
 - External (public access streets or roads in relation to the site.
 - Surrounding development (i.e., general residential, commercial and industrial areas) within one (1) mile of the site.
2. Site Plan drawn to a scale no smaller than 1" = 200' showing:
 - Actual shape, location, and dimensions of the lot.
 - Shape, size and location of all existing buildings or other structures.
 - Shape, size, location, and height of all proposed buildings and structures.
 - Topographic features, both existing and proposed, with contours at a vertical interval no greater than five (5) feet.
 - Location of all driveways and entrances.
 - Proposed means of surface drainage, including all drainage ways and facilities.
 - Location of all easements.

- Location and size of all existing and proposed utilities including fire hydrants.
- Location of areas subject to flooding (give flood map number).
- Location and size of all off-street parking.
- Location, type and size of proposed signs.
- Location and description of existing and proposed fencing and buffering.

C. Review Procedure

Preliminary Review - Four (4) copies of the proposal submitted to the Hartsville Board of Zoning Appeals at least ten (10) days in advance, for preliminary review. The Board shall refer the proposal to the Hartsville/Trousdale County Planning Commission for its review and recommendation*.

Final Review - After preliminary approval of the complete proposal, the Board shall schedule a final review at a Public Hearing. Public notice of the hearing shall be published in a newspaper of general circulation in Trousdale County at least fifteen (15) days in advance of the hearing date.

D. Required Development Standards

In addition to the requirements for the applicable district, the following special conditions shall be met prior to issuing a conditional use permit:

1. <u>Minimum Lot Area</u>	40,000 sq. ft.
2. <u>Minimum Yard Dimensions</u>	
Front Yard	30 ft.
Side Yard	20 ft.
Rear Yard	30 ft.
3. <u>Maximum Height of Buildings</u>	18 ft.
4. <u>Internal Driveways</u>	
A driveway aisle for self-service storage facilities shall be a minimum width of twenty-four (24) feet. A driveway aisle where access to storage units is only on one (1) side of the aisle may be twenty (20) feet in width.	
5. No door openings for any self-service storage unit shall be constructed facing any residentially zoned property.	

6. Commercial or industrial storage shall be limited to less than fifty (50) percent of the total square footage of the facility.
7. Self-service storage facilities shall be limited to dead storage use only.
8. No hazardous materials shall be allowed in any storage unit.
9. Any use that is noxious or offensive because of odors, dust, noise, fumes or vibrations is prohibited.
10. Recreational vehicles, boats and all operational vehicles may be stored outside in designated areas only. All other storage must be within enclosed structures.
11. The operation of power tools, spray painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment is prohibited.
12. All light shall be shielded to direct the light onto the established uses and away from all adjacent properties.
13. No sales, garage sales, auctions or miscellaneous services or business activities shall be conducted on the premises.
14. The servicing or repair of motor vehicles, boats, lawn mowers and other similar equipment shall not be conducted on the premises.
15. The establishment of a transfer and storage business is prohibited.
16. Fire protection shall be provided to meet existing City Codes and Fire Department requirements.
17. Signs shall be limited to one (1) sign for each property line abutting or adjoining a street right-of-way. Signs identifying the nature of the self-service storage facility shall not exceed fifteen (15) feet in height or forty (40) square feet in area. No additional advertising signs will be permitted on the property.

4.140 GENERAL REQUIREMENTS FOR INDIVIDUAL MANUFACTURED HOMES (Added by Resolution No. 98-3, March 24, 1998.)

- A. All manufactured homes must be permitted before they are moved on site. A site plan must be presented to the Building Official detailing home location, setbacks, and all other requirements deemed necessary by the Building Official and/or the Planning Commission. If a manufactured home is moved on site before it is permitted, a letter will be sent notifying the property owner of the violation. The letter will give a ten (10) day's notice, at which time a fine of fifty (\$50.00) per day will be imposed until the violations have been rectified.

- B. All manufactured homes will require skirting. Skirting shall be of material suitable for exterior exposure and contact with the ground. Skirting shall be installed in accordance with the skirting manufacturer's installation instructions. Skirting shall be adequately secured to assure stability, to minimize vibration and susceptibility to wind damage, and to compensate for possible frost heave.
- C. All manufactured homes needing repairs must have all repairs completed within thirty (30) working days of the date the home is permitted. If repairs are not completed, all permits issued by Trousdale County Planning and Zoning will become void, unless otherwise approved by the Building Official.
- D. All manufactured homes must meet all applicable codes within sixty (60) days of the date of issuance of permit. If all codes are not met, all permits issued by Trousdale County Planning and Zoning will become void.
- E. If a manufactured home does not have a certification label, the interior of the home must be inspected by Trousdale County Planning and Zoning in conjunction with the exterior inspection. The interior of the home will have to meet all applicable codes such as, but not limited to smoke detectors and ingress-egress requirements.
 - 1. Certification label must be a permanent label affixed to each transportable section of each manufactured home for sale or lease. This label shall be separate and distinct from the data plate which the manufacturer is required to provide.
 - 2. The label shall be approximately two (2) inches by four (4) inches in size and shall be permanently attached to the manufactured home by means of four (4) blind rivets, drive screw, or other means that render it difficult to remove without defacing the label. The label shall be etched on 0.32 inch thick aluminum plate. The label number shall be etched or stamped with a three (3) letter designation which identifies the production inspection. Each label shall be marked with a six (6) digit number which the label supplier shall furnish. The labels shall be stamped with numbers sequentially.
 - 3. The label shall read as follows:

As evidenced by this Label No. ABC 000001, the manufacturer certifies to the best of the manufacturer's knowledge and belief that this manufactured home has been inspected in accordance with the requirements of the Department of Housing and Urban Development and is constructed in conformance with the Federal manufactured home construction and safety standards in effect on date of manufacture.
 - 4. The label shall be located at the tail-light end of each transportable section of the manufactured home approximately one (1) foot up from the floor and one (1) foot in from the road side, or as near that location on a permanent part of the exterior of the manufactured home unit as practicable. The road side is the right side of the

manufactured home when one views the manufactured home from the two (2) bar end of the manufactured home.

4.150 LITTER, REFUSE, GARBAGE, JUNK AND DEBRIS CONTROL REGULATIONS (Added by Resolution No., September 27, 1999.)

A. General Provisions

The following requirements shall apply to all zoning districts for the purpose of controlling the storage, placement, collection of junk, garbage, litter, refuse, rubbish, or discarded material. These regulations are promulgated under authority of Tennessee Code, Section 5-1-115.

1. No owner, occupant, or resident of any real property (land and/or building) shall permit or allow garbage, litter, rubbish, refuse or any combination of the preceding elements to accumulate upon or in such real property, or a vacant dilapidated building or structure so as to endanger the health, safety or welfare of other citizens.
2. The owner, occupant, or resident of real property, where refuse accumulates or has accumulated in violation of these regulations, shall take appropriate measures to gather up or otherwise collect and remove the refuse.
3. Removal of the refuse in accordance with these regulations shall include the transfer of the refuse to an appropriate and lawful landfill or dump site, whether public or private.
4. If the Building Inspector determines that a violation of these regulations exists, the Inspector shall provide notice to the owner of record of the property upon which the conditions creating the violation is located to remedy the condition immediately within ten (10) days. The notice shall be by personal service on the owner or by mailing by United States mail (certified, return receipt requested) to the owner of record at the last known address. If the whereabouts of such person(s) is unknown and the same cannot be ascertained by the Building Inspector in the exercise of reasonable diligence, the Building Inspector shall serve notice by publishing the same in a newspaper of general circulation in the county once each week for three consecutive weeks. The above notices whether by mail or published in a newspaper, shall contain, but not be limited to, the following items:
 - a. A brief statement identifying these regulations.
 - b. The person, office, address, and telephone number of the department or person giving notice.
 - c. The cost estimate for remedying the noted conditions which shall be in conformity with standards of cost in the county.
 - d. A brief statement informing the recipient of the notice that an appeal to the Trousdale County Board of Zoning Appeals may be requested, said request to be received by the

Building Inspector in writing within ten (10) days of receipt of the notice to the owner or date of last publication of said notice. Appeals before the Board shall conform to Section 8.070, of the Zoning Resolution.

- e. The place where the recipient of the notice can return a copy of the notice indicating a request for a hearing.
- f. A brief description of the property including the property's location utilizing street address, if available, street name, and tax map and parcel numerical designations.

B. Failure to Comply

1. If a person fails or refuses to remedy the condition within ten (10) days after receiving the notice, the appropriate department or person shall immediately cause the condition to be remedied or removed at a cost in conformity with reasonable standards and the cost thereof assessed against the owner of the property. The cost shall be a lien upon the property in favor of the county. These costs shall be placed upon the tax rolls of the county as a lien upon the property and shall be collected in the same manner as the county's taxes are collected, when the county causes a notice thereof to be filed in the office of the register of deeds of the county in which the property lies, second only to liens of the state, county and municipality for taxes, any lien of the county for special assessments and any valid lien, right or interest in such property duly recorded prior to the filing of such notice. Such notice shall identify the owner of record of the real property, contain the property address, describe the property sufficiently to identify it and recite the amount of the obligation secured by the lien.
2. If the person who is the owner of record is a carrier engaged in the transportation of property or is a utility transmitting communications, electricity, gas, liquids, steam, sewerage or other minerals, the ten (10) day period above shall be twenty (20) days, excluding Saturdays, Sundays and legal holidays.

C. Appeals

The property owner may request a hearing to the Board as permitted in Section 4.150, A, 4, d. Such hearing shall be held at the next meeting of the Board of Zoning Appeals after the request is made unless a letter date is agreed to by the owner. Failure to make the demand for a hearing within the time limit specified shall constitute a waiver of the right to a hearing. Following the hearing, the Board may modify, dismiss, or confirm the notice. Any person aggrieved by an order or act of the board, agency or commission under the provisions of this subsection may seek judicial review of the order or act. The decision of the court may be appealed according to the Tennessee Rules of Appellate Procedure. During these reviews, the time period established above shall be stayed during the pendency of a hearing.

D. Exceptions

No provision of these regulations shall be construed as applying to any business being operated pursuant to Tennessee Code, Section 68-31-101, et seq.

E. Other Procedures

Any proceedings, other than those listed herein, also shall conform to the provisions of Tennessee Code, Section 39-14-504.

4.160 DEVELOPMENT STANDARDS FOR OUTDOOR FIREARMS TRAINING FACILITIES, EXCLUDING SKEET SHOOTING (Amended by Resolution No. 142-2017-07, May 22, 2017)

The purpose of these facilities is to safely train individuals in the proper handling and use of firearms in a rural setting with minimal impact to adjacent properties.

For purposes of defining outdoor shooting ranges, a shooting range shall be defined as a firing range with targets for firearms practice. A firing range shall be defined as a practice range for target practice.

Outdoor Shooting Ranges and related activities shall meet the following conditions:

A. The location of such an activity shall be subject to the following conditions:

1. The parcel must be ten (10) acres or greater in size.
2. A berm shall be present at least twenty (20) feet high in height at the rear of the berm, at least eight (8) feet in height at the sides of the berm, four (4) feet wide at the top of the berm. Any man-made berm must be designed and certified by an engineer licensed by the State of Tennessee, as adequate.
3. The point of discharge of any firearm shall meet the following minimum distance from all occupied structure, public, or private roads:
 - a. "Rear" of the shooting range (direction of the line of fire)- One Thousand (1,000) feet.
 - b. Two Hundred Fifty (250) feet in all other directions.
4. All projectile and shot shall fall within the property of the shooting range.
5. There shall be an evergreen buffer of a minimum of fifty (50) feet wide on three sides of the firing range provided by the owner/developer if a natural buffer does not exist.

6. The development, operation, and maintenance of firearms training facilities shall be in conformance with "The Range Manual" as published by the National Rifle Association (NRA).
- B. The operation of the firearms training facility and related activity shall be subject to the following conditions:
 1. The hours of operation shall be limited to daylight hours only (daylight hours of operation to be determined by the Board of Zoning Appeals).
 2. Decibel levels measured at the property lines shall not exceed seventy (70) dB.
 3. The owner/developer shall provide two (2) parking spaces per firing point or firing lane, plus one (1) additional space for each employee.
 4. The owner of the facility shall provide on-premises documentation that all Federal and State regulations have been met.
 5. A site plan shall be required pursuant to the plot plan requirements listed in Article III, Section 3.080. In addition, to the site plan, the owner/developer shall submit a sound abatement plan and a safety plan. The Board of Zoning Appeals may require additional fencing, buffering, baffles, or may deny the request if the site plan does not or cannot meet the above-mentioned purposes, standards, and requirements, or if other significant health and safety issues are present.
 6. A notice shall be published of such request together with a notice of the time set for a public hearing by the Board of Zoning Appeals. Said notice shall be published one (1) time in a newspaper of general circulation in the County of Trousdale, Tennessee. In addition, a sign shall be placed in a conspicuous, centrally located point on the property no farther than five (5) feet from the right-of-way. Said hearing by the Board of Zoning Appeals shall take place no sooner than fifteen (15) days the after publication of such notice and placement of a sign.
 7. Before initial business startup, the soil shall be tested for lead content. Further tests shall be done every two (2) years to keep lead concentration in the soil below 250 ppm, as recommended by the State Division of Solid Waste Management. All testing shall be performed by the developer and at his own expense. This information shall be kept on file with the Trousdale County Building Inspector.

8. Accessory uses, such as snack bars, offices, maintenance facilities, refreshment stands or retail sales excluding gun sales (designed and intended primarily for the use of patrons) shall be allowed.
9. Sanitary bathroom facilities adequate to serve the anticipated patron load shall be provided on site.

4.170 STANDARDS FOR TELECOMMUNICATION ANTENNAS AND TOWERS (Added by Ordinance 101-2014-8, April 28, 2014.)

Purpose: The purpose of this resolution is to establish general guidelines for siting of towers and antennas. The goals are to:

- A. Encourage the location of towers in nonresidential areas and minimize the total number of towers throughout the community.
- B. Encourage strongly the joint use of new and existing tower sites.
- C. Encourage users of the towers and antennas to locate them to the extent possible, in areas where the adverse impact on the community is minimal.
- D. Encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas.
- E. To enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively and efficiently.
- F. Authority

1. District Height Limitations

The requirements set forth in this resolution shall govern the location of towers that exceed, and antennas that are installed at a height in excess of, the height limitations specified for each zoning district. The height limitations applicable to buildings and structures shall not apply to towers and antennas.

2. Public Property

Antennas or towers located on property owned, leased or otherwise controlled by the governing authority shall be exempt from the requirements of this resolution, provided a license or lease authorizing such antennas or the governing authority has approved tower.

3. Amateur Radio: Receive-Only Antennas

This resolution shall not govern any tower, or the installation of any antennas, that is under seventy (70) feet in height and

is owned and operated by a federally-licensed amateur radio station operator or is used exclusively for receive only antennas.

4. Pre-Existing Towers and Antennas

Any tower or antenna on for which a permit has been properly issued prior to the effective date of this resolution shall not be required to meet the requirements of this resolution. Any such towers or antennas shall be referred to in this resolution as "pre-existing towers" or "pre-existing antennas". Any antennas to be added to an existing tower will have to comply with any and all regulations set forth in this resolution.

G. Requirements

1. Towers shall be located where there shall be no interference with any type of electronic reception in nearby residential areas.
2. There shall be sufficient radius of unimproved land around the tower to ensure its collapse will be contained within that unoccupied area. The radius shall be determined by measuring the proposed height of the tower and adding any additional height required accommodating all proposed antennas and other appurtenances. Applicant shall provide proof of ownership, lease or permanent easement rights for the designated collapse area.
3. Lot area used for site of tower shall be a ratio of length not to exceed width of lot more than four (4) times.
4. There shall be maneuverable room for maintenance vehicles on the property.
5. Site area shall be entirely enclosed by a chain link fence of not less than six (6) feet in height with a self-latching gate and three (3) rows of barbed wire above perimeter of entire fenced area. Gate shall be pad locked at all times when tower is not being maintained. Maintenance shall be shared equally among users.
6. Grounds immediately surrounding tower site and ground inside fenced area shall be maintained at all times. Site is to be maintained in compliance with the provisions of this resolution.
7. On the exterior side of chained link fence, landscaping shall be required of shrubs not less than two (2) feet in height not to exceed eight (8) feet in height and shall be trimmed at all times to prevent an interference which may occur.

8. At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening and landscaping that will blend the tower facilities to the natural setting and built environment.
9. On site buildings shall be used for storage of necessary on site equipment only and shall be built of concrete block.
10. Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color, so as to reduce visual obtrusiveness.
11. Road or easement to the tower site shall be maintained by the owner of the tower or the owner of the property and shall be maintained by said party until notice is given to the Planning and Zoning Department that said tower is no longer in use. This road or easement shall be a private road which is used as access to the tower and shall never under any circumstances become a county accepted or maintained road. If several users share the tower, the expense of the road shall be shared equally among users.
12. All tower users are required to obtain a permit from the **Planning and Zoning Department, 200 East Main Street, Room 11, Hartsville, Tennessee**, after approval from all necessary Boards have been granted. All inspections are to be called for by the user and/or their contractor. All inspections are to be approved before any tower or antenna can be used. Inspection procedures can be obtained in the Planning and Zoning Department.
13. Lighting of towers is prohibited, unless required by the Federal Aviation Administration (FAA) and/or the Federal Communications Commission (FCC).
14. All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the Federal government with the authority to regulate towers and antennas. If such governments and regulations are changed, then the owners of the tower and antennas governed by this resolution shall bring such towers and antennas into compliance with such revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a more stringent compliance schedule is mandated by the controlling federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owners' expense.
15. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure

so as to make the antenna and related equipment compatible. An inventory and map of all existing towers, public and private airports, heliports and landing strips within one-half (1/2) mile of the proposed site shall be submitted with application for special exception request. The inventory shall include information on the location, height and design of each tower and/or type of aircraft facilities.

16. Written evidence that the applicants has explored and exhausted all attempts to locate or co-op its antenna on all existing towers or structures within one-half (1/2) mile of the proposed site shall be submitted to the Planning and Zoning Department at the time of application for a special exception request. New towers may be permitted if the applicant demonstrates to the Board of Zoning Appeals that no existing tower or structure can accommodate the applicant's proposed antenna, because of the following conditions:
 - a. No existing towers or structures are located within the geographic area required to meet the applicant's engineering requirements.
 - b. Existing towers or structures are not of sufficient height to meet the applicant's engineering requirements.
 - c. Existing towers or structures are not of sufficient structural strength to support the applicant's proposed antenna and related equipment.
 - d. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing tower.
 - e. Any claim by the applicant that fees, costs or contractual provisions required sharing an existing tower or structure, or to adapt an existing tower or structure for sharing, are unreasonable.
17. Any antenna or tower not operated for a continuous period of twelve (12) months shall be considered abandoned and the owner of such antenna or tower shall remove tower or antenna within ninety (90) days of receipt of notice from the building inspector. If said tower is not removed within the ninety (90) day period, penalties and costs shall be imposed by the Director of Planning and Zoning and prior approval by the Board of Zoning Appeals shall be rescinded.
18. Approval by the Board of Zoning Appeals shall be valid for a period not to exceed twelve (12) months. If start of construction of the actual tower has not begun within twelve (12) months, approval shall expire and the applicant will be required to resubmit plans.

19. A building permit shall be required before any construction of a tower or antenna shall begin. Said permit shall be based on two and one-half (2 1/2) percent of the actual cost of the construction of tower or antenna. A document submitted by the developer shall be notarized and submitted at the time of issuance of permit enabling the Building Inspector to establish cost of permit.
20. An annual site inspection fee of five hundred dollars (\$500.00) will be assessed each year for every tower established in the county. Annual fee will be due and payable on **January 15**, of each year. If several users share a tower, each user is required to pay the five hundred dollars (\$500.00) annual fee individually.

H. Plan Requirements

A plan of the proposed tower site shall be submitted to the Hartsville/Trousdale County Planning Commission, after review from the Hartsville/Trousdale County Board of Zoning Appeals, and shall include the following information, but shall not be limited to:

1. Name, address, telephone number, and contact person of the purposed user;
2. Name, address, telephone number, and contact person of construction drawings;
3. Name, address and telephone number of property owner;
4. Name, address and telephone number of construction tower contractor;
5. Legal description of proposed property to be used for tower site;
6. Vicinity of proposed area in conjunction with the town;
7. Access to the purposed site and description;
8. Type of tower proposed, tower height and area of collapsing;
9. Surrounding property owners' names and all buildings on purposed site;
10. Any public utilities shown and all public utility easements described;
11. Scale of plan;
12. Existing public roads and right-of-ways, including private roads;

13. Excavation, grading, concrete and structural steel notes, if any;
14. Staking, erosion and sediment control plans;
15. Radio frequency coverage;
16. Setbacks;
17. Off-street parking, landscaping, buffer strips (if required), and adjacent uses of land;
18. If a buffer strip is required, appropriate licensed professionals shall seal all documentation of the site plan;
19. Required fall zone shall be shown;
20. Plan shall remain on file in the Planning and Zoning Department;
21. Any and all other information deemed by the governing authority to be necessary to assess compliance with this resolution.

I. Uses Permitted

1. Installing an antenna on an existing structure other than a tower (such as a building, sign, light pole, water tower or other free standing nonresidential structure) that is fifty (50) feet in height or greater, so long as said additional antenna adds no more than twenty (20) feet to the height of said existing structure.
2. Installing an antenna on any existing tower of any height, so long as the addition of said antenna adds no more than twenty (20) feet to the height of said existing tower and said existing tower is not a pre-existing tower, provided however, that such specific permitted use shall not include the placement of additional buildings or other supporting equipment used in connection with said antenna.

J. Other

No new tower shall be permitted, unless the applicant demonstrates to the reasonable satisfaction of the governing authority that no existing tower or structure can accommodate the applicant's proposed antenna. Evidence submitted to demonstrate that no existing tower or structure can accommodate the applicant's proposed antenna may consist of any of the following:

1. No existing towers or structures are located within the geographic area required to meet applicant's engineering requirements;

2. Existing towers or structures are not of sufficient height to meet applicant's engineering requirements;
3. Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment;
4. The applicant's proposed antenna would cause electromagnetic interference with the existing towers or structures would cause interference with the applicant's proposed antenna;
5. The fees, costs or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable; and
6. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.

K. Setbacks and Separation

The following setbacks and separation requirements shall apply to all towers and antennas for which a special use permit is required; provided however, that the governing authority may reduce the standard setbacks and separation requirements, if the goals of this resolution would be better served, thereby.

1. Tower guy and accessory facilities must satisfy the minimum zoning district setback requirements.
2. In zoning districts, other than industrial zoning districts, towers over ninety (90) feet in height shall not be located within one-fourth (1/4) of a mile from any existing tower that is over ninety (90) feet in height.

ARTICLE V

ZONING DISTRICTS

SECTION

- 5.010 Classification of Districts**
- 5.020 Zoning Map**
- 5.030 Zoning District Boundaries**
- 5.040 Specific District Regulations**

5.010 CLASSIFICATION OF DISTRICTS

For the purpose of this resolution, the following zoning districts are hereby established in Trousdale County, Tennessee:

<u>Zoning District</u>	<u>District Abbreviation</u>
Agriculture-Forestry	A-1
Residential	R-1
Residential	R-2
General Commercial	C-1
General Industrial	M-1
Intermediate-Impact Industrial	M-2

5.020 ZONING MAP

The location and boundaries of the zoning districts established by this resolution are bounded and defined as shown on the map, entitled Zoning Map of Trousdale County, Tennessee. The zoning map and any amendment thereto shall be dated with the effective date of the resolution that adopts same. Certified prints of the adopted zoning map and zoning map amendments shall be maintained in the office of the Trousdale County Building Inspector and shall be available for inspection by the public at all reasonable times, as long as this resolution remains in effect.

5.030 ZONING DISTRICT BOUNDARIES

Unless, otherwise, indicated on the zoning map amendment, the district boundaries are lot lines, center lines of streets or alleys, or the Trousdale County boundary lines as they exist at the time of the enactment of the zoning resolution. Questions concerning the exact locations of district boundaries shall be determined by the Trousdale County Board of Zoning Appeals.

Where a district boundary line divides a lot which was in single ownership at the time of passage of this resolution, the regulations for either portion of the lot not to exceed five hundred (500) feet beyond the district line into the remaining portion of the lot.

Where the property on one side of a street between two intersecting streets is in a business or industrial district and the property on the intersecting street, except the corner or corners, is in a residential district the business or industrial use shall be limited to the property facing or fronting the street zoned for business or industry throughout the block, and any property in the rear thereof facing or fronting the

intersecting street, even though it appears to be in a business or industrial district, shall be governed by the use prevailing on the intersecting street. It is the purpose of this resolution to limit business and industrial uses to the property facing or fronting the street zoned for business or industry and to prohibit business or industrial uses to the property facing or fronting the street zoned for residential uses. In all cases of ambiguity due to the actual layout of the property or other circumstances, the Board of Zoning Appeals shall have authority to determine on which street the business or industrial use shall face or front so that the intent of the resolution shall be observed.

5.040 SPECIFIC DISTRICT REGULATIONS (Amended by Resolution 142-2017-07, May 22, 2017)

The following regulations shall apply in the six (6) zoning districts established in Section 5.010, of this resolution.

5.041 A-1, Agriculture-Forestry District

A. District Description

This district is intended to preserve space for agricultural and forestry uses which together comprise an important segment of the economy of Trousdale County. The primary intent, of the A-1 District, is to minimize conflicts between agricultural and forestry activities and various nonfarm activities; to permit lands best suited for intense agricultural uses to be reserves for these suited purposes; and to prevent lands unsuitable for development of an urban or non rural nature, due to topographic problems, location, or the inability to provide necessary urban services, or being encroached upon by these incompatible land uses. Areas assigned to the A-1 District are primarily areas where growth of an urban or nonrural nature is deemed undesirable for one or more of the reasons outlined above. The following regulations shall apply in the A-1, Agriculture-Forestry District, as defined on the Zoning Map, of Trousdale County, Tennessee.

B. Uses Permitted

In the A-1, Agriculture-Forestry District, the following uses and their accessory uses are permitted.

1. Agricultural Services

Include various activities designed to provide needed services for agricultural activities and are appropriately located in close proximity thereto; and, their accessory structures, as defined in Article II.

Crop Drying, Storage, and Processing

Crop Planning, Cultivating, and Protection

Services

Horticultural Services

Soil Preparation Services

Riding Stables

Livery Stables

2. Crop and Animal Raising

Includes 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, but specifically excluding commercial feed lots and facilities for the processing, packaging, or treatment of agricultural products.

Dairies
Farms
Raising of Plants, Animals, and Fish
Truck Gardens

3. Forestry Activities and Related Services Including Nurseries

Include the cultivation for sale of horticultural specialties, such as flowers, shrubs, and trees, intended for ornamental, landscaping, or tree planting purposes.

Forestry Nursery
Plant Nursery

4. Detached Dwellings.

Single-Family
Two-Family
Mobile Home

5. Essential Services

Includes the maintenance and operations of the following installations:

Electrical and Gas Substations
Electric, Gas, Water, and Sewer Distribution
and Collection Lines
Pumping Facilities for Water and Sewer Systems
Rights-of-Way for Transportation Modes
Telephone Switching Facilities

6. Fisheries and Related Services.

7. Outdoor Shooting Ranges.

C. Accessory Uses and Structures

1. Private garages and parking areas.
2. Private barns, stables, sheds, and other farm buildings.
3. Outdoor recreational facilities exclusively for the use of the residents.

4. Customary home occupations as regulated in Article IV, Section 4.050.
5. Other accessory structures and uses customarily incidental to the permitted uses.
6. One road side stand for the sale of agriculture or forestry products produced on the premises, provided that such stand does not exceed an area of three hundred (300) square feet and that it is located not nearer than thirty-five (35) feet from the roadway.
7. Public and informational signs and billboards as regulated in Article IV, Section 4.080.

D. Uses Permitted as Special Exceptions

In the A-1, Agriculture-Forestry Districts, the following uses and their accessory uses may be permitted as special exceptions after review and approval in accordance with Article VIII, Section 8.060.

1. Administrative Services

The activities typically performed by public, utility, and nonprofit private administrative offices. These activities would include:

City, County, State, and Federal Offices
Civil Defense Facilities
Court Buildings
Fire Department Facilities
Post Offices
Police Department Facilities

2. Community Assembly

The activities typically performed by or at institutions and installations for various social, athletic, and recreational purposes. These activities do not include facilities primarily utilized for profit. They would include:

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

3. Community Education

The activities typically performed by the following institutions:

Public and Private Nursery Schools
Kindergarten, Primary and Secondary Schools

4. Cultural and Recreational Services

The activities of a cultural or recreational nature which are either owned by, or operated for the use and enjoyment of, the general public. This does not embrace such facilities which are privately owned and operated for profit. These activities would include:

Art Galleries
Libraries
Museums
Parks, Playgrounds, and Play fields
Planetariums and Aquariums
Recreational Centers and Gymnasiums
Swimming Pools and Beaches
Zoological and Botanical Gardens

5. Intermediate Impact Facilities

The activities that have a significant effect upon surrounding land uses due to their traffic generation characteristics, parking requirements, land requirements, or potential nuisances and typically performed by, or the maintenance and operation of, the following institutions or installations:

**Bed and Breakfast Establishments (Added by
Resolution No. 99-1, January 25, 1999)**
Cemeteries, Columbariums, and Mausoleums
**Colleges, Junior Colleges, and Universities, but
Excluding Profit-Making Business Schools**
Commercial Boat Docks and Marinas
Country Clubs
Golf Courses
Radio and TV Transmission Facilities
**Water Storage Facilities, Water and Sewage
Treatment Plants**
**Telecommunication Facilities (see Article IV, Section 4.170.
Standards for Telecommunication Antennas and Towers)**
(Added by Ordinance 101-2014-8, April 28, 2014.)

6. Personal and Group Care Facilities

The activities and facilities to provide for the care of preteenage children, disabled and handicapped persons needing special care or supervision, care for the elderly and other individuals requiring supervised care, but excluding facilities for delinquent, criminally dangerous, or psychotic people. These activities would include:

**Associations for Physically or Mentally
Handicapped Persons**
Day Care Centers
**Group Home for Physically or Mentally
Handicapped Persons**
Nursing Homes

**Orphanages
Retirement or Rest Homes**

7. Religious Facilities

The activities or facilities utilized by various religious organizations for worship or community services functions, but excluding any facility the primary functions of which is to produce products or printed matter for sale or general distribution. These activities include:

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

8. Animal Care and Veterinarian Services

Includes the provision of animal care, treatment, and boarding services.

Veterinarian Clinics and Kennels

9. Convenience Commercial

Includes the retail sale, from the premises, of groceries, drugs, and other frequently needed personal convenience items, as well as the provision of personal convenience services which are typically needed frequently or recurrently, provided that no establishment shall exceed five thousand (5,000) square feet of gross floor area.

**Barber Shops
Beauty Shops
Drug Stores
Fruit and Vegetable Markets
Grocery Stores
Hardware Store (no outside storage)
Laundry and Dry Cleaning Pick-Up Stations
News Stands
Self-Service Gasoline Pumps
Tobacco Shops**

10. Commercial Feed Lots and Stockyards

Include facilities and operations involved in the storage and feeding (other than pasture grazing) of animals for resale or slaughter.

E. Uses Prohibited

In the A-1, Agriculture-Forestry District, all uses except those uses or their accessory uses specifically permitted or permitted upon approval as a special exception by the Board are strictly prohibited.

F. Dimensional Regulations (Amended by Resolution 96-4, July 22, 1996.)

All uses permitted in the A-1, Agriculture-Forestry District, shall comply with the following requirements, except as provided in Article VII.

1. Minimum Lot Size

a. Minimum Area per Dwelling:

With Public Water and Fire Protection	2 acres
With Public Water Supply	3 acres
Without Public Water Supply	4 acres

b. Lot Width at Building Setback Line: (Amended)

With Public Water and Fire Protection	150 ft.
With Public Water Supply	150 ft.
Without Public Water Supply	200 ft.

2. Minimum Yard Requirements

With Public Water and Fire Protection: (Amended)

Front Yard Setback	60 ft.
Side	20 ft.
Rear	35 ft.

With Public Water Supply: (Amended)

Front Yard Setback	75 ft.
Side	40 ft.
Rear	60 ft.

Without Public Water Supply: (Amended)

Front Yard Setback	75 ft.
Side	40 ft.
Rear	60 ft.

3. Maximum Lot Coverage

On any lot, the area occupied by all structures, including accessory structures, shall not exceed twenty (20) percent of the total area.

4. Height Requirements

No building shall exceed three (3) stories or thirty-five (35) feet in height, except as provided in Section 7.030.

5. Parking Space Requirements

As regulated in Article IV, Section 4.010.

6. Accessory Structures

- a. With the exception of signs, accessory structures shall not be erected in any required front yard.
- b. Accessory structures shall be located at least five (5) feet from any side lot line, from the rear lot line, and from any building on the same lot.

5.042 R-1, Residential District

A. District Description

These districts are intended to be utilized in areas, where due to remoteness, the absence of necessary urban services, or the continuation of farming or agricultural activities, development of a suburban density is undesirable or unfeasible. These districts are, therefore, designed to provide suitable areas for low density residential development characterized by an open appearance. Most generally, the residential development will consist of single-family detached dwellings and accessory structures, but the districts may also include community facilities, public utilities and open uses which serve specifically the residents of those districts or which are benefited by an open residential environment without creating objectionable or undesirable influences upon such development. It is the express purpose of this resolution to exclude from these districts all buildings or other structures and uses having commercial characteristics whether operated for profit or otherwise, except that special exceptions and home occupations shall be considered as not having such characteristics if they, otherwise, conform to the provisions of this resolution.

B. Uses Permitted

In the R-1, Residential District, the following uses are permitted.

1. Detached single-family and duplex dwellings.
2. Essential Services

Includes the maintenance and operations of the following installations:

**Electrical and Gas Substations
Electric, Gas, Water, and Sewer Distribution and**

**Collection Lines
Pumping Facilities for Water and Sewer Systems
Rights-of-Way for Transportation Modes
Telephone Switching Facilities**

C. Accessory Uses and Structures

1. Private garages and sheds.
2. Outdoor recreational facilities exclusively for the use of the residents.
3. Signs in compliance with the regulations set forth in Article IV, Section 4.080.
4. Customary home occupations as defined by and subject to the provisions of Article IV, Section 4.050.
5. Other accessory structures and uses customarily incidental to the permitted uses.

D. Uses Permitted as Special Exceptions

In the R-1, Residential District, all uses except those uses or their accessory uses specifically permitted or permitted upon approval as a special exception by the Board are prohibited.

1. Administrative Services

The activities typically performed by public, utility, and nonprofit private administrative offices. These activities would include:

**City, County, State, and Federal Offices
Civil Defense Facilities
Court Buildings
Fire Department Facilities
Post Offices
Police Department Facilities**

2. Community Assembly

The activities typically performed by or at institutions and installations for various social, athletic, and recreational purposes. These activities do not include facilities primarily utilized for profit. They would include:

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

3. Community Education

The activities typically performed by the following institutions:

**Public and Private Nursery Schools
Kindergarten, Primary and Secondary Schools**

4. Cultural and Recreational Services

The activities of a cultural or recreational nature which are either owned by, or operated for the use and enjoyment of, the general public. This does not embrace such facilities which are privately owned and operated for profit. These activities would include:

**Art Galleries
Libraries
Museums
Parks, Playgrounds, and Playfields
Planetariums and Aquariums
Recreational Centers and Gymnasiums
Swimming Pools and Beaches
Zoological and Botanical Gardens**

5. Health Care Facilities

Includes the activities typically performed by the following institutions, but not including the offices, clinics, etc., of private physicians or other health care professionals:

**Centers for Observation or Rehabilitation
Convalescent Homes
Hospitals
Medical Clinics**

6. Intermediate Impact Facilities

The activities that have a significant effect upon surrounding land uses due to their traffic generation characteristics, parking requirements, land requirements, or potential nuisances and typically performed by, or the maintenance and operation of, the following institutions or installations:

**Cemeteries, Columbariums, and Mausoleums
Colleges, Junior Colleges, and Universities,
but Excluding Profit-Making Business Schools
Commercial Boat Docks, Marinas, and Yacht Clubs
Country Clubs
Golf Courses
Radio and TV Transmission Facilities
Water Storage Facilities, Water and Sewage
Treatment Plants
Telecommunication Facilities (see Article IV, Section 4.170.
Standards for Telecommunication Antennas and Towers)
(Added by Ordinance 101-2014-8, April 28, 2014.)**

7. Personal and Group Care Facilities

The activities and facilities to provide for the care of preteenage children, disabled and handicapped persons needing special care or supervision, care for the elderly and other individuals requiring supervised care, but excluding facilities for delinquent, criminally dangerous, or psychotic people. These activities would include:

Associations for Physically or Mentally Handicapped Persons

Day Care Centers

Group Home for Physically or Mentally Handicapped Persons

Nursing Homes

Orphanages

Retirement or Rest Homes

8. Religious Facilities

The activities or facilities utilized by various religious organizations for worship or community services functions, but excluding any facility the primary functions of which is to produce products or printed matter for sale or general distribution. These activities include:

Chapels

Churches

Convents or Monasteries

Sanctuaries

Synagogues

Temples

E. Uses Prohibited

In the R-1, Residential District, any use not permitted by right, by accessory use, or as a special exception as defined above is strictly prohibited.

F. Dimensional Regulations

All uses permitted in the R-1, Residential District, shall comply with the following requirements except as provided in Article VII.

1. **Front Yard.** The minimum depth of the front yard shall be thirty (30) feet.
2. **Rear Yard.** The minimum depth of the rear yard shall be twenty-five (25) feet for the principal structure and fifteen (15) feet for any permitted accessory structure.
3. **Side Yard.** The side yard shall be a minimum of fifteen (15) feet for one and two-story structures, plus ten (10) additional feet of side yard for each additional story over two.

4. **Land Area.** Notwithstanding cluster developments, individual lot(s) or parcel(s) of land shall not be reduced in size to provide separate lots or building sites of less than one (1) acre in area, except where public waste water service is available, in which case the minimum lot area shall be fifteen thousand (15,000) square feet. However, where there is an existing lot of record of less than fifteen thousand (15,000) square feet, at the time of adoption of this resolution, this lot may be utilized for the construction of one single-family dwelling, providing the lot in question has a public water supply and providing that said lot of record is not less than seventy-five hundred (7,500) square feet in area, and meets all the requirements of the Trousdale County Environmentalist.

On lots or parcels of land where one or two-family dwellings are constructed, the following area requirements shall apply.

<u>Number of Dwelling Units</u>	<u>With Public Water and Sanitary Sewers</u>	<u>With Public Water, but Without Public Wastewater*</u>
1	15,000 sq. ft.	1 acre
2	40,000 sq. ft.	17,000 sq. ft.

*The above lot size requirements shall be increased to accommodate the minimum lot size requirements mandated by the Trousdale County Environmentalist whenever local or state health department requirements as determined through the use of percolation tests, soil tests, etc., are shown to be more restrictive.

5. **Maximum Lot Coverage.** On any lot or parcel of land, the area occupied by all buildings including accessory buildings including accessory buildings may not exceed forty (40) percent of the total area of such lot or parcel or the buildable area of said lot as defined by the front, side, and rear yard setback, whichever is less.

6. **Lot Width.** No lot shall be less than one hundred (100) feet wide at the building setback line.

7. **Height Requirements.** No building shall exceed three stories or thirty-five (35) feet in height, except as provided in Article VII, Section 7.030.

8. **Parking Space Requirements.** As regulated in Article IV, Section 4.010.

5.043 R-2, Residential District

A. District Description

The R-2, Residential District, is intended to provide areas which are suitable for single and multiple-family residential development. This

district is particularly suitable for areas adjacent or near urban areas, where an adequate public water supply or public waste water service is available. The following regulations shall apply in the R-2, Residential District, as defined on the Zoning Map of Trousdale County, Tennessee.

B. Uses Permitted

In the R-2, Residential District, the following uses and their accessory uses are permitted.

1. Detached single-family dwellings.
2. Duplex dwellings.
3. Multi-family dwellings and Apartment dwellings.
4. Rooming and boarding houses.
5. Essential Services

Includes the maintenance and operations of the following installations:

Electrical and Gas Substations
Electric, Gas, Water, and Sewer Distribution
and Collection Lines
Pumping Facilities for Water and Sewer Systems
Rights-of-Way for Transportation Modes
Telephone Switching Facilities

C. Accessory Uses and Structures

1. Private garages and sheds.
2. Outdoor recreational facilities exclusively for the use of the residents.
3. Signs in compliance with the regulations set forth in Article IV, Section 4.080.
4. Customary home occupations as defined by and subject to the provisions of Article IV, Section 4.050.
5. Other accessory structures and uses customarily incidental to the permitted uses.

D. Uses Permitted as Special Exceptions

In the R-2, Residential District, the following uses and their accessory uses may be permitted as special exceptions after review and approval in accordance with Article VIII, Section 8.060.

1. Residential

Mobile Home Parks

2. Administrative Services

The activities typically performed by public, utility, and nonprofit private administrative offices. These activities would include:

City, County, State, and Federal Offices

Civil Defense Facilities

Court Buildings

Fire Department Facilities

Post Offices

Police Department Facilities

3. Community Assembly

The activities typically performed by or at institutions and installations for various social, athletic, and recreational purposes. These activities do not include facilities primarily utilized for profit. They would include:

Civic, Social, Fraternal, and Philanthropic Associations

Private (nonprofit) Clubs, Lodges, Meeting Halls, and Recreation Centers

Temporary Nonprofit Festivals

4. Community Education

The activities typically performed by the following institutions:

Public and Private Nursery Schools

Kindergarten, Primary and Secondary Schools

5. Cultural and Recreational Services

The activities of a cultural or recreational nature which are either owned by, or operated for the use and enjoyment of, the general public. This does not embrace such facilities which are privately owned and operated for profit. These activities would include:

Art Galleries

Libraries

Museums

Parks, Playgrounds, and Playfields

Planetariums and Aquariums

Recreational Centers and Gymnasiums

Swimming Pools and Beaches

Zoological and Botanical Gardens

6. Health Care Facilities

Includes the activities typically performed by the following institutions, but not including the offices, clinics, etc., of private physicians or other health care professionals:

Centers for Observation or Rehabilitation
Convalescent Homes
Hospitals
Medical Clinics

7. Intermediate Impact Facilities

The activities that have a significant effect upon surrounding land uses due to their traffic generation characteristics, parking requirements, land requirements, or potential nuisances and typically performed by, or the maintenance and operation of, the following institutions or installations:

Cemeteries, Columbariums, and Mausoleums
Colleges, Junior Colleges, and Universities, but
Excluding Profit-Making Business Schools
Country Clubs
Commercial Boat Docks, Marinas, and Yacht Clubs
Golf Courses
Radio and TV Transmission Facilities
Water Storage Facilities, Water and Sewage
Treatment Plants
Telecommunication Facilities (see Article IV, Section 4.170.
Standards for Telecommunication Antennas and Towers)
(Added by Ordinance 101-2014-8, April 28, 2014.)

8. Personal and Group Care Facilities

The activities and facilities to provide for the care of preteenage children, disabled and handicapped persons needing special care or supervision, care for the elderly and other individuals requiring supervised care, but excluding facilities for delinquent, criminally dangerous, or psychotic people. These activities would include:

Associations for Physically or Mentally
Handicapped Persons
Day Care Centers
Group Home for Physically or Mentally
Handicapped Persons
Nursing Homes
Orphanages
Retirement or Rest Homes

9. Religious Facilities

The activities or facilities utilized by various religious organizations for worship or community services functions, but

excluding any facility the primary functions of which is to produce products or printed matter for sale or general distribution. These activities include:

Chapels
Churches
Convents or Monasteries
Sanctuaries
Synagogues
Temples

E. Uses Prohibited

In the R-2, Residential District, all uses except those uses or their accessory uses specifically permitted or permitted upon approval as a special exception by the Board are prohibited.

F. Dimensional Regulations

All uses permitted in the R-2, Residential District, shall comply with the following requirements, except as provided in Article VII.

1. **Front Yard.** The minimum depth of the front yard shall be thirty (30) feet.
2. **Rear Yard.** The minimum depth of the rear yard shall be twenty-five (25) feet for the principal structure and fifteen (15) feet for any permitted accessory structure.
3. **Side Yard.** The side yard shall be a minimum of fifteen (15) feet for one and two-story structures, plus ten (10) additional feet of side yard for each additional story over two.
4. **Land Area.** Notwithstanding cluster developments, individual lot(s) or parcel(s) of land shall not be reduced in size to provide separate lots or building sites of less than 1 acre in area, except where public waste water service is available, in which case the minimum lot area shall be fifteen thousand (15,000) square feet. However, where there is an existing lot of record of less than fifteen thousand (15,000) square feet, at the time of adoption of this resolution, this lot may be utilized for the construction of one single-family dwelling, providing the lot in question has a public water supply and providing that said lot of record is not less than seventy-five hundred (7,500) square feet in area, and meets all the requirements of the Trousdale County Environmentalist.

On lots or parcels of land where multiple family dwellings are constructed, the following area requirements shall apply.

<u>Number of Dwelling Units</u>	<u>With Public Water and Sanitary Sewers</u>	<u>With Public Water but Without Public Waste Water*</u>
1	15,000 sq. ft	1 acre
2	17,000 sq. ft.	40,000 sq. ft.

3	25,000 sq. ft.	60,000 sq. ft.
4	30,000 sq. ft.	80,000 sq. ft.
More than 4 units	5,000 sq. ft., plus each unit over 4	Not permitted, unless on-site treatment units (i.e., package plants) are used, 80,000 sq. ft., plus 5,000 sq. ft., for each unit over 4.

***The above lot size requirements shall be increased to accommodate the minimum lot size requirements mandated by the Trousdale County Environmentalist whenever local or state health department requirements as determined through the use of percolation tests, soil tests, etc., are shown to be more restrictive.**

5. **Maximum Lot Coverage.** On any lot or parcel of land, the area occupied by all buildings including accessory buildings including accessory buildings may not exceed forty (40) percent of the total area of such lot or parcel or the buildable area of said lot as defined by the front, side, and rear yard setback, whichever is less.
6. **Lot Width.** No lot shall be less than one hundred (100) feet wide at the building setback line.
7. **Height Requirements.** No building shall exceed three stories or thirty-five (35) feet in height, except as provided in Article VII, Section 7.030.
8. **Parking Space Requirements.** As regulated in Article IV, Section 4.010.

5.044 C-1, General Commercial District

A. District Description

The C-1, General Commercial District, is established to provide areas in which the principal use of land is devoted to general and highway commercial activities along the principal thoroughfares in Trousdale County. Regulations are designed to preserve the traffic-carrying capacity of the streets and roads in Trousdale County and to provide for necessary off-street parking and loading. The following regulations shall apply in the C-1, General Commercial District, as defined on the Zoning Map, of Trousdale County, Tennessee.

B. Uses Permitted

In the C-1, General Commercial District, the following uses and their accessory uses are permitted.

1. Motor vehicles and automotive equipment.

2. Drugs, chemicals and allied products.
3. Dry good and apparel.
4. Groceries and related products.
5. Farm products.
6. Electrical goods.
7. General merchandise.
8. Restaurants (excluding drive-in restaurants).
9. Automotive, marine craft, and accessories sales only.
10. Apparel and accessories.
11. Drugs, antiques, books, sporting goods, garden supplies, jewelry, fuel and ice.
12. Hotels, motels, and tourist courts.
13. Religious Facilities, including chapels, churches, convents, monasteries, sanctuaries, synagogues and temples. **(Amended by Ord. 65-2012-01, February 27, 2012.)**
14. Professional services.
15. Gasoline service stations.
16. Signs and billboards as regulated in Article IV, Section 4.070.
17. Finance, insurance and real estate services.
18. Personal services.
19. Business services.
20. Repair services. **(Amended by Resolution 97-3, March 24, 1997.)**
21. Contract construction services.
22. Governmental services.
23. Educational services.
24. Transportation, communication and utility service except solid waste disposal.
25. Automotive and vehicular repair services. **(Added by Resolution 97-3, March 24, 1997.)**

26. Essential Services. **(Added by Ordinance 99-2014-6, April 28, 2014)**

C. Uses Permitted as Special Exceptions

In the C-1, General Commercial District, the following uses and their accessory uses may be permitted as special exceptions after review and approval in accordance with Article VIII, Section 8.060.

1. Any business or service which, in the opinion of the Board of Zoning Appeals, is of the same general character as the above permitted uses, and subject to such conditions and safeguards as the Board may specify to preserve the character of the district.
2. Travel trailer parks and overnight campgrounds.
3. Self-Service Storage Facilities (Mini-Warehouses). See Article IV, Section 4.130. Special Conditions for Review and Development Standards Pertaining to Self-Service Storage Facilities (Mini-Warehouses). (Added by Resolution 96-5, July 22, 1996.)
4. Telecommunication Facilities (see Article IV, Section 4.170. Standards for Telecommunication Antennas and Towers) (Added by Ordinance 101-2014-8, April 28, 2014.)

D. Uses Prohibited

In the C-1, General Commercial District, all uses, except uses or their accessory uses specifically permitted or permitted upon approval as a special exception by the Board are prohibited.

E. Dimensional Regulations

All uses in the C-1, General Commercial District, shall comply with the following requirements except as provided in Article VI.

1. **Front Yard.** The minimum depth of the front yard shall be thirty (30) feet.
2. **Rear Yard.** The minimum depth of the rear yard shall be fifteen (15) feet, except where vehicular access will be provided to the rear of the lot, in which case a minimum rear setback of thirty (30) feet shall be required.
3. **Side Yard.** The minimum side yard requirements shall be twenty (20) feet where vehicular access is available to the rear of the lot. Where no such access is available or desired, a side yard of fifteen (15) feet shall be permitted. On lots adjacent to an agricultural, rural residential, suburban residential or rural center district, all structures shall be so located as to comply with the side yard requirement of the adjacent district on the side adjoining said district. Commercial buildings may be built on a common lot line provided that there is mutual written consent of

the owners of the buildings and land directly involved and the adjacent walls of the buildings have fire resistant rating of two (2) hours.

4. **Land Area.** No minimum land area shall be required in the C-1, General Commercial District, where public water and sanitary sewer service is available. Where only public water is available, there shall be a minimum land area of thirty thousand (30,000) square feet, except that lots of record smaller than the required minimum, at the time of the adoption of this resolution, may be utilized, provided that said lot of record is not smaller than fifteen thousand (15,000) square feet, and also provided that the required subsurface disposal system serving such lot is approved by the Trousdale County Environmentalist. Where no public water or sewer service is available, there shall be minimum land area of three (3) acres. More than one building shall be permitted on a single lot in the case of a shopping center, provided that all applicable area and space requirements have been complied with and further provided that such buildings share a common fire resistant wall of at least a two (2) hour fire rating.
5. **Maximum Lot Coverage.** The maximum lot coverage shall be forty (40) percent of the total site area.
6. **Lot Width.** No lot shall be less than one hundred (100) feet wide at the building setback line.
7. **Height Requirement.** No building shall exceed three (3) stories or thirty-five (35) feet in height except as provided in Article VII, Section 7.030.

F. Parking and Loading Space Requirements

The parking requirements herein pertain to developments in C-1 General Districts.

1. Off-street parking shall be provided at a standard of five and one-half (5½) spaces for each one thousand (1,000) square feet of gross leasable area.
2. Off-street loading space shall be provided at a standard of one (1) space for each twenty-five thousand (25,000) square feet of aggregate gross floor space.
3. Parking areas shall be designed with careful regard to orderly arrangement, topography, amenity of view, ease of access, and as an integral part of overall site design. It is desirable that parking areas be level or on terraces formed with the slope of the land. Changes in levels between terraces should be formed by retaining walls or landscaped banks with concrete curbs.

Ten (10) percent of all parking areas shall be devoted to landscaping as approved by the planning commission.

All parking areas shall be paved and lined.

Each parking space shall be a minimum of nine feet by eighteen feet (9' x 18') in size. The maximum width of driveway openings to the public street shall be thirty-five (35) feet. The minimum distance between driveways shall be fifty (50) feet. The minimum distance between driveways and street intersections shall be twenty-five (25) feet and from an adjoining property line shall be twenty (25) feet.

Minimum width of driveways providing maneuvering space within a parking lot for parking stalls shall be as follows:

a.	90 degree parking	25 feet
b.	60 degree parking	20 feet
c.	45 degree parking	20 feet
d.	30 degree parking	12 feet

G. Staging Period

The planning commission may permit the development to be constructed in stages, if appropriate to the type of development, so that completion is achieved in a logical and timely manner.

5.045 M-1, General Industrial District

A. District Description

The M-1, General Industrial District, is intended to provide areas in which the principal use of land is for manufacturing, processing, assembling, fabrication of materials, and warehousing or storage. These land uses generally do not depend primarily on frequent personal visits by clients or customers, but generally require accessibility to major rail, water, or highway transportation routes. The following regulations shall apply in the M-1, General Industrial District, as defined on the Zoning Map of Trousdale County, Tennessee.

B. Uses Permitted

In the M-1, General Industrial District, the following uses and their accessory uses are permitted.

1. All of the permitted uses in the C-1, General Commercial District.
2. Food and kindred products manufacturing, except meat products.
3. Textile mill products manufacturing, except dyeing and finishing of textiles.
4. Apparel and other finished products made from fabrics, leather, and similar materials manufacturing.

5. All types of wholesale trade.
6. Furniture and fixtures manufacturing.
7. Printing, publishing, and allied industries.
8. Fabricated metal products manufacturing, except ordnance and accessories.
9. Professional, scientific, and controlling instruments; photographic and optical goods, watches and clocks manufacturing.
10. Miscellaneous manufacturing including jewelry, silverware and plated ware, musical instruments and parts, toys, amusement and sporting goods manufacturing, pens, pencils, and other office materials, costume jewelry, novelties and miscellaneous notions, tobacco, and liquor.
11. Establishments and facilities, excluding manufacturing, associated with transportation and utilities, excluding airports and solid waste disposal.
12. Signs and billboards as regulated in Article IV, Section 4.080.
13. Warehousing of goods, excluding the warehousing or storage of any hazardous or radioactive materials.
14. Essential Services. **(Added by Ordinance 99-2014-6, April 28, 2014)**

C. Uses Permitted as Special Exceptions

In the M-1, General Industrial Districts, the following uses and their accessory uses may be permitted as special exceptions after review and approval in accordance with Article VIII, Section 8.060.

1. Daycare centers of any type, regardless whether it is free standing or contained within the edifice of industrial development.
2. Religious Facilities, including chapels, churches, convents, monasteries, sanctuaries, synagogues and temples. **(Added by Ord. 65-2012-01, February 27, 2012.)**

D. Uses Prohibited

In the M-1, General Industrial District, all uses, except those uses or their accessory uses specifically permitted or permitted upon approval as a special exception by the Board are prohibited.

E. Dimensional Regulations

All uses permitted in the M-1, General Industrial Districts, shall comply with the following requirements, except as provided in Article VI.

1. **Front Yard.** The minimum depth of the front yard shall be forty (40) feet.
2. **Rear Yard.** The minimum depth of the rear yard shall be thirty (30) feet.

No yard shall be required for that portion of a lot which fronts on a railroad or rail spur line.
3. **Side Yard.** The minimum depth of the side yard shall be thirty (30) feet, except the side yards for industrial lots adjacent to suburban residential, rural residential, or rural center districts shall be a minimum of fifty (50) feet. No yard shall be required for that portion of a lot which fronts on a railroad or rail spur line.
4. **Land Area.** Where public water and sewer service is available, there shall be required a minimum land area of two (2) acres. In areas where only public water is available, there shall be a minimum of five (5) acres. No industrial land uses shall be permitted in areas where a public water supply is not available, except where the Board of Zoning Appeals has determined that such use does not require a supply of potable water in its manufacturing operation. In such instances, the Board may grant written approval of the use and shall not be less than five (5) acres in size.
5. **Maximum Lot Coverage.** No maximum lot coverage shall be imposed in the M-1 District.
6. **Lot Width.** No lot shall be less than one hundred fifty (150) feet wide at the building setback line.
7. **Height Requirements.** No height limitations shall be imposed in the M-1, General Industrial District, except as provided in Article VI, Section 6.030.
8. **Parking Space Requirement.** As regulated in Article IV, Section 4.010.
9. **Loading and Unloading Requirements.** As regulated in Article IV, Section 4.020.

5.046 M-2, Intermediate-Impact Industrial District

A. District Description

The M-2, Intermediate-Impact Industrial District is intended to provide areas in which the principal use of land is for manufacturing of a more objectionable nature. Heightened levels of human noise, odor, airborne pollutants, effluent, storage volume, and human-traffic as byproducts of an industry would prompt this classification. No processing of radioactive materials or the incorporation of radioactive materials into

any manufacturing process will be permitted in the M-2 Industrial District. Local, State and Federal laws will regulate all other hazardous materials.

B. Uses Permitted

In the M-2, Intermediate-Impact Industrial District, the following uses and their accessory uses are permitted.

1. All of the permitted uses in the M-1, General Industrial District.
2. Lumber and wood products manufacturing.
3. Lots or yards for scrap or salvage operations or for processing, storage, display, or sales of any scrap, salvage, or second hand building materials.
4. Automobile wrecking salvage, and junk yards, subject to the provisions of Article IV, Section 4.100.
5. Airports.
6. Stone, clay and glass products manufacturing.
7. Electrical distribution equipment manufacturing.
8. Electrical industrial apparatus manufacturing.
9. Transportation equipment manufacturing.
10. Civil Defense Facilities.
11. Colleges, Junior Colleges, Universities and similar educational facilities.
12. Marinas and Yacht Clubs.
13. Radio, Television, and Telephone Transmission Facilities.
14. Signs and billboards as regulated for M-1 in Article IV, Section 4.080.
15. Solid waste processing and recycling centers, excluding landfills and solid waste incinerators.
16. Heavy construction contractor yards and equipment storage.
17. Meat products production, subject to odor and wastewater standards.
18. Paper or paperboard products manufacturing, excluding mills.
19. Plastic products molding, excluding monomer production.

20. Adhesives manufacturing.
21. Metal products manufacturing.
22. Tool and die facilities.
23. Water and sewage treatment plants.
24. Essential Services. **(Added by Ordinance 99-2014-6, April 28, 2014)**

C. Uses Permitted as Special Exceptions

In the M-2, Intermediate-Impact Industrial Districts, the following uses and their accessory uses may be permitted as special exceptions after review and approval in accordance with Article VIII, Section 8.060.

1. Daycare centers of any type, regardless whether it is free standing or contained within the edifice of industrial development.
2. Correction and Detention Institutions.
3. Religious Facilities, including chapels, churches, convents, monasteries, sanctuaries, synagogues and temples. **(Added by Ord. 65-2012-01, February 27, 2012.)**
4. Telecommunication Facilities (see Article IV, Section 4.170. Standards for Telecommunication Antennas and Towers) **(Added by Ordinance 101-2014-8, April 28, 2014.)**

D. Uses Prohibited

In the M-2, Intermediate Impact Industrial District, all uses, except those uses or their accessory uses specifically permitted or permitted upon approval as a special exception by the Board are prohibited.

E. Dimensional Regulations

All uses permitted in the M-2, Intermediate-Impact Industrial District, shall comply with the following requirements, except as provided in Article VI.

1. **Front Yard.** The minimum depth of the front yard shall be sixty (60) feet.
2. **Rear Yard.** The minimum depth of the rear yard shall be fifty (50) feet.

No yard shall be required for that portion of a lot which fronts on a railroad or rail spur line.

3. **Side Yard.** The minimum depth of the side yard shall be fifty (50) feet, except the side yards for industrial lots adjacent to suburban residential, rural residential, or rural center districts shall be a minimum of seventy (70) feet. No yard shall be required for that portion of a lot which fronts on a railroad or rail spur line.
4. **Land Area.** Where public water and sewer service is available, there shall be required a minimum land area of three (3) acres. In areas where only public water is available, there shall be a minimum of seven (7) acres. No industrial land uses shall be permitted in areas where a public water supply is not available, except where the Board of Zoning Appeals has determined that such use does not require a supply of potable water in its manufacturing operation. In such instances, the Board may grant written approval of the use and shall not be less than seven (7) acres in size.
5. **Maximum Lot Coverage.** No maximum lot coverage shall be imposed in the M-2 District.
6. **Lot Width.** No lot shall be less than two hundred (200) feet wide at the building setback line.
7. **Height Requirements.** No height limitations shall be imposed in the M-2, Intermediate-Impact Industrial District, except as provided in Article VI, Section 6.030.
8. **Parking Space Requirement.** As regulated in Article IV, Section 4.010.
9. **Loading and Unloading Requirements.** As regulated in Article IV, Section 4.020.

ARTICLE VI FLOODPLAIN REGULATIONS

6.000 FLOOD DAMAGE PREVENTION RESOLUTION (Amended June 2010)

6.010 STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES

A. Statutory Authorization

The Legislature of the State of Tennessee has in Sections 13-7-101 through 13-7-115, Tennessee Code Annotated, delegated the responsibility to the county legislative body to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Trousdale County, Tennessee, County Executive and the County Commission, do resolve as follows:

B. Findings of Fact

1. The Trousdale County, Tennessee, Mayor and its Legislative Body wish to maintain eligibility in the National Flood Insurance Program (NFIP) and in order to do so must meet the NFIP regulations found in Title 44 of the Code of Federal Regulations (CFR), Ch. 1, Section 60.3.
2. Areas of Trousdale County, Tennessee, are subject to periodic inundation which could result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
3. Flood losses are caused by the cumulative effect of obstructions in floodplains, causing increases in flood heights and velocities; by uses in flood hazard areas which are vulnerable to floods; or construction which is inadequately elevated, floodproofed, or otherwise unprotected from flood damages.

C. Statement of Purpose

It is the purpose of this Resolution to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas. This Resolution is designed to:

1. Restrict or prohibit uses which are vulnerable to flooding or erosion hazards, or which result in damaging increases in erosion, flood heights, or velocities;
2. Require that uses vulnerable to floods, including community facilities, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;

4. Control filling, grading, dredging and other development which may increase flood damage or erosion;
5. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

D. Objectives

The objectives of this Resolution are:

1. To protect human life, health, safety and property;
2. To minimize expenditure of public funds for costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in flood prone areas;
6. To help maintain a stable tax base by providing for the sound use and development of flood prone areas to minimize blight in flood areas;
7. To ensure that potential homebuyers are notified that property is in a flood prone area;
8. To maintain eligibility for participation in the NFIP.

6.020 DEFINITIONS

Unless specifically defined below, words or phrases used in this Resolution shall be interpreted as to give them the meaning they have in common usage and to give this Resolution its most reasonable application given its stated purpose and objectives.

"Accessory Structure" means a subordinate structure to the principal structure on the same lot and, for the purpose of this Resolution, shall conform to the following:

- (1) Accessory structures shall only be used for parking of vehicles and storage.
- (2) Accessory structures shall be designed to have low flood damage potential.
- (3) Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.
- (4) Accessory structures shall be firmly anchored to prevent flotation, collapse, and lateral movement, which otherwise may result in damage to other structures.

(5) Utilities and service facilities such as electrical and heating equipment shall be elevated or otherwise protected from intrusion of floodwaters.

"Act" means the statutes authorizing the National Flood Insurance Program that are incorporated in 42 U.S.C. 4001-4128.

"Addition (to an existing building)" means any walled and roofed expansion to the perimeter or height of a building.

"Appeal" means a request for a review of the local enforcement officer's interpretation of any provision of this Resolution or a request for a variance.

"Area of Shallow Flooding" means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with one (1) percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate; and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

"Area of Special Flood-Related Erosion Hazard" is the land within a community which is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E, on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area in preparation for publication of the FIRM, Zone E may be further refined.

"Area of Special Flood Hazard" see **"Special Flood Hazard Area"**.

"Base Flood" means the flood having a one (1) percent chance of being equaled or exceeded in any given year. This term is also referred to as the 100-year flood or the one (1) percent annual chance flood.

"Basement" means any portion of a building having its floor subgrade (below ground level) on all sides.

"Breakaway Wall" means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

"Building" see **"Structure"**.

"Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or storage of equipment or materials.

"Elevated Building" means a non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwater, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

"Emergency Flood Insurance Program" or **"Emergency Program"** means the program as implemented on an emergency basis in accordance with Section 1336 of the Act. It is intended as a program to provide a first layer amount of insurance on all insurable structures before the effective date of the initial FIRM.

"Erosion" means the process of the gradual wearing away of land masses. This peril is not "per se" covered under the Program.

"Exception" means a waiver from the provisions of this Resolution which relieves the applicant from the requirements of a rule, regulation, order or other determination made or issued pursuant to this Resolution.

"Existing Construction" means any structure for which the "start of construction" commenced before the effective date of the initial floodplain management code or resolution adopted by the community as a basis for that community's participation in the NFIP.

"Existing Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management code or resolution adopted by the community as a basis for that community's participation in the NFIP.

"Existing Structures" see **"Existing Construction"**.

"Expansion to an Existing Manufactured Home Park or Subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"Flood" or "Flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters.
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

"Flood Elevation Determination" means a determination by the Federal Emergency Management Agency (FEMA) of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.

"Flood Elevation Study" means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) or flood-related erosion hazards.

"Flood Hazard Boundary Map (FHBM)" means an official map of a community, issued by FEMA, where the boundaries of areas of special flood hazard have been designated as Zone A.

"Flood Insurance Rate Map (FIRM)" means an official map of a community, issued by FEMA, delineating the areas of special flood hazard or the risk premium zones applicable to the community.

"Flood Insurance Study" is the official report provided by FEMA, evaluating flood hazards and containing flood profiles and water surface elevation of the base flood.

"Floodplain" or **"Flood Prone Area"** means any land area susceptible to being inundated by water from any source (see definition of **"Flood"** or **"Flooding"**).

"Floodplain Management" means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

"Flood Protection System" means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

"Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities and structures and their contents.

"Flood-Related Erosion" means the collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood, or by some similarly unusual and unforeseeable event which results in flooding.

"Flood-Related Erosion Area" or **"Flood-Related Erosion Prone Area"** means a land area adjoining the shore of a lake or other body of water, which due to the composition of the shoreline or bank and high water levels or wind-driven currents, is likely to suffer flood-related erosion damage.

"Flood-Related Erosion Area Management" means the operation of an overall program of corrective and preventive measures for reducing flood-related erosion damage, including but not limited to emergency preparedness plans, flood-related erosion control works and floodplain management regulations.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

"Floor" means the top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

"Freeboard" means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated

for a selected size flood and floodway conditions, such as wave action, blockage of bridge or culvert openings, and the hydrological effect of urbanization of the watershed.

"Functionally Dependent Use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

"Highest Adjacent Grade" means the highest natural elevation of the ground surface, prior to construction, adjacent to the proposed walls of a structure.

"Historic Structure" means any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on the Tennessee inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on the Trousdale County, Tennessee, inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
 - (a) By the approved Tennessee program as determined by the Secretary of the Interior or
 - (b) Directly by the Secretary of the Interior.

"Levee" means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

"Levee System" means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

"Lowest Floor" means the lowest floor of the lowest enclosed area, including a basement. An unfinished or flood resistant enclosure used solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Resolution.

"Manufactured Home" means a structure, transportable in one or more sections, which is built on a permanent chassis and designed for use with or without a permanent

foundation when attached to the required utilities. The term "Manufactured Home" does not include a "Recreational Vehicle".

"Manufactured Home Park or Subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"Map" means the Flood Hazard Boundary Map (FHB) or the Flood Insurance Rate Map (FIRM) for a community issued by FEMA.

"Mean-Sea-Level" means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For the purposes of this

Resolution, the term is synonymous with the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

"National Geodetic Vertical Datum (NGVD)" means, as corrected in 1929, a vertical control used as a reference for establishing varying elevations within the floodplain.

"New Construction" means any structure for which the "start of construction" commenced on or after the effective date of the initial floodplain management Resolution and includes any subsequent improvements to such structure.

"New Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of this resolution or the effective date of the initial floodplain management resolution and includes any subsequent improvements to such structure.

"North American Vertical Datum (NAVD)" means, as corrected in 1988, a vertical control used as a reference for establishing varying elevations within the floodplain.

"100-Year Flood" see **"Base Flood"**.

"Person" includes any individual or group of individuals, corporation, partnership, association, or any other entity, including State and local governments and agencies.

"Reasonably Safe from Flooding" means base flood waters will not inundate the land or damage structures to be removed from the Special Flood Hazard Area and that any subsurface waters related to the base flood will not damage existing or proposed structures.

"Recreational Vehicle" means a vehicle which is:

- (1) Built on a single chassis;
- (2) Four hundred (400) square feet or less when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by a light duty truck;

(4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Regulatory Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

"Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

"Special Flood Hazard Area" is the land in the floodplain within a community subject to a one (1) percent or greater chance of flooding in any given year. The area may be designated as Zone A, on the FHB. After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE or A99.

"Special Hazard Area" means an area having special flood, mudslide (i.e., mudflow) and/or flood-related erosion hazards, and shown on an FHB or FIRM as Zone A, AO, A1-30, AE, A99, or AH.

"Start of Construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; and includes the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"State Coordinating Agency" the Tennessee Department of Economic and Community Development's, Local Planning Assistance Office, as designated by the Governor of the State of Tennessee at the request of FEMA to assist in the implementation of the NFIP for the State.

"Structure" for purposes of this Resolution, means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

"Substantial Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

"Substantial Improvement" means any reconstruction, rehabilitation, addition, alteration or other improvement of a structure in which the cost equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of

the initial improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial improvement, or (2) in the case of substantial damage, the value of the structure prior to the damage occurring.

The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been pre-identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions and not solely triggered by an improvement or repair project or; (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

"Substantially Improved Existing Manufactured Home Parks or Subdivisions" is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds fifty percent (50%) of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

"Variance" is a grant of relief from the requirements of this Resolution.

"Violation" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certification, or other evidence of compliance required in this Resolution is presumed to be in violation until such time as that documentation is provided.

"Water Surface Elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, where specified, of floods of various magnitudes and frequencies in the floodplains of riverine areas.

6.030 GENERAL PROVISIONS

A. Application

This Resolution shall apply to all areas within the unincorporated area of Trousdale County, Tennessee.

B. Basis for Establishing the Areas of Special Flood Hazard

The Areas of Special Flood Hazard identified on the Trousdale County, Tennessee, as identified by FEMA, and in its Flood Insurance Study (FIS) numbered 47169CV001A and dated September 29, 2010, and Flood Insurance Rate Map (FIRM), Community Panel Numbers 47169C0010, 47169C0017, 47169C0019, 47169C0030, 47169C0033, 47169C0034, 47169C0035, 47169C0036, 47169C0037, 47169C0038, 47169C0039, 47169C0041, 47169C0042, 47169C0043, 47169C0044, 47169C0055, 47169C0061, 47169C0062, 47169C0063, 47169C0064, 47169C0066, 47169C0067, 47169C0068, 47169C0069, 47169C0090, 47169C0107, 47169C0109, 47169C0110, 47169C0117, 47169C0126, 47169C0127, 47169C0128, 47169C0129, 47169C0131, 47169C0132, 47169C0133, 47169C0134, 47169C0136, 47169C0145, 47169C0151, 47169C0152, 47169C0153, 47169C0154, and 47169C016065, dated September 29, 2010, along with all

supporting technical data, are adopted by reference and declared to be a part of this Resolution.

C. Requirement for Development Permit

A development permit shall be required in conformity with this Resolution prior to the commencement of any development activities.

D. Compliance

No land, structure or use shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of this Resolution and other applicable regulations.

E. Abrogation and Greater Restrictions

This Resolution is not intended to repeal, abrogate, or impair any existing easements, covenants or deed restrictions. However, where this Resolution conflicts or overlaps with another regulatory instrument, whichever imposes the more stringent restrictions shall prevail.

F. Interpretation

In the interpretation and application of this Resolution, all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body and; (3) deemed neither to limit nor repeal any other powers granted under Tennessee statutes.

G. Warning and Disclaimer of Liability

The degree of flood protection required by this Resolution is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Resolution does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damages. This Resolution shall not create liability on the part of Trousdale County, Tennessee, or by any officer or employee thereof for any flood damages that result from reliance on this Resolution or any administrative decision lawfully made hereunder.

H. Penalties for Violation

Violation of the provisions of this Resolution or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance shall constitute a misdemeanor punishable as other misdemeanors as provided by law. Any person who violates this resolution or fails to comply with any of its requirements shall, upon adjudication therefore, be fined as prescribed by Tennessee statutes, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Trousdale County, Tennessee from taking such other lawful actions to prevent or remedy any violation.

6.040 ADMINISTRATION

A. Designation of Resolution Administrator

The Building Inspector is hereby appointed as the Administrator to implement the provisions of this Resolution.

B. Permit Procedures

Application for a development permit shall be made to the Administrator on forms furnished by the community prior to any development activities. The development permit may include, but is not limited to the following: plans in duplicate drawn to scale and showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill placement, storage of materials or equipment, and drainage facilities. Specifically, the following information is required:

1. Application Stage

- a.** Elevation in relation to mean-sea-level of the proposed lowest floor, including basement, of all buildings where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Resolution.
- b.** Elevation in relation to mean-sea-level to which any nonresidential building will be floodproofed where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Resolution.
- c.** A FEMA Floodproofing Certificate from a Tennessee registered professional engineer or architect that the proposed nonresidential floodproofed building will meet the floodproofing criteria in Article V, Subsections A and B.
- d.** Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

2. Construction Stage

Within AE Zones, where Base Flood Elevation data is available, any lowest floor certification made relative to mean-sea-level shall be prepared by or under the direct supervision of, a Tennessee registered land surveyor and certified by same. The Administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a nonresidential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

Within approximate A Zones, where Base Flood Elevation data is not available, the elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building relative to the highest adjacent grade. The Administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a

nonresidential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

For all new construction and substantial improvements, the permit holder shall provide to the Administrator an as-built certification of the lowest floor elevation or floodproofing level upon the completion of the lowest floor or floodproofing.

Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The Administrator shall review the above-referenced certification data. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being allowed to proceed. Failure to submit the certification or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

C. Duties and Responsibilities of the Administrator

Duties of the Administrator shall include, but not be limited to, the following:

1. Review all development permits to assure that the permit requirements of this Resolution have been satisfied, and that proposed building sites will be reasonably safe from flooding.
2. Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
3. Notify adjacent communities and the Tennessee Department of Economic and Community Development, Local Planning Assistance Office, prior to any alteration or relocation of a watercourse and submit evidence of such notification to FEMA.
4. For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to FEMA to ensure accuracy of community FIRM's through the Letter of Map Revision process.
5. Assure that the flood carrying capacity within an altered or relocated portion of any watercourse is maintained.
6. Record the elevation, in relation to mean-sea-level or the highest adjacent grade, where applicable, of the lowest floor (including basement) of all new and substantially improved buildings, in accordance with Article IV, Subsection B.
7. Record the actual elevation, in relation to mean-sea-level or the highest adjacent grade, where applicable to which the new and substantially improved buildings have been floodproofed, in accordance with Article IV, Subsection B.

8. When floodproofing is utilized for a nonresidential structure, obtain certification of design criteria from a Tennessee registered professional engineer or architect, in accordance with Article IV, Subsection B.
9. Where interpretation is needed as to the exact location of boundaries of the Areas of Special Flood Hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Resolution.
10. When Base Flood Elevation data and floodway data have not been provided by FEMA, obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from a Federal, State, or other sources, including data developed as a result of these regulations, as criteria for requiring that new construction, substantial improvements, or other development in Zone A, on the Trousdale County, Tennessee, FIRM meet the requirements of this Resolution.
11. Maintain all records pertaining to the provisions of this Resolution in the office of the Administrator and shall be open for public inspection. Permits issued under the provisions of this Resolution shall be maintained in a separate file or marked for expedited retrieval within combined files.

6.050 PROVISIONS FOR FLOOD HAZARD REDUCTION

A. General Standards

In all areas of special flood hazard, the following provisions are required:

1. New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure;
2. Manufactured homes shall be installed using methods and practices that minimize flood damage. They must be elevated and anchored to prevent flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State of Tennessee and local anchoring requirements for resisting wind forces.
3. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
4. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
5. All electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
6. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

7. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
9. Any alteration, repair, reconstruction or improvements to a building that is in compliance with the provisions of this Resolution, shall meet the requirements of "new construction" as contained in this Resolution;
10. Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provision of this Resolution, shall be undertaken only if said non-conformity is not further extended or replaced;
11. All new construction and substantial improvement proposals shall provide copies of all necessary Federal and State permits, including Section 404 of the Federal Water Pollution Control Act amendments of 1972, 33 U.S.C. 1334;
12. All subdivision proposals and other proposed new development proposals shall meet the standards of Article V, Subsection B;
13. When proposed new construction and substantial improvements are partially located in an area of special flood hazard, the entire structure shall meet the standards for new construction;
14. When proposed new construction and substantial improvements are located in multiple flood hazard risk zones or in a flood hazard risk zone with multiple Base Flood Elevations, the entire structure shall meet the standards for the most hazardous flood hazard risk zone and the highest Base Flood Elevation.

B. Specific Standards

In all Areas of Special Flood Hazard, the following provisions, in addition to those set forth in Article V, Subsection A, are required:

1. Residential Structures

In AE Zones where Base Flood Elevation data is available, new construction and substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement, elevated to no lower than one (1) foot above the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures".

Within approximate A Zones where Base Flood Elevations have not been established and where alternative data is not available, the administrator shall require the lowest floor of a building to be elevated to a level of at least three (3) feet above the highest adjacent grade (as defined in Article II). Should solid foundation perimeter walls be used to elevate a structure,

openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

2. Nonresidential Structures

In AE Zones, where Base Flood Elevation data is available, new construction and substantial improvement of any commercial, industrial, or nonresidential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than one (1) foot above the level of the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

In approximate A Zones, where Base Flood Elevations have not been established and where alternative data is not available, new construction and substantial improvement of any commercial, industrial, or nonresidential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than three (3) feet above the highest adjacent grade (as defined in Article II). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

Nonresidential buildings located in all A Zones may be floodproofed, in lieu of being elevated, provided that all areas of the building below the required elevation are watertight, with walls substantially impermeable to the passage of water, and are built with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A Tennessee registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Administrator as set forth in Article IV, Subsection B.

3. Enclosures

All new construction and substantial improvements that include fully enclosed areas formed by foundation and other exterior walls below the lowest floor that are subject to flooding, shall be designed to preclude finished living space and designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls.

- a. Designs for complying with this requirement must either be certified by a Tennessee professional engineer or architect or meet or exceed the following minimum criteria.
 - i. Provide a minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding;
 - ii. The bottom of all openings shall be no higher than one (1) foot above the finished grade;

- iii. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
- b. The enclosed area shall be the minimum necessary to allow for parking of vehicles, storage or building access.
- c. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms in such a way as to impede the movement of floodwaters and all such partitions shall comply with the provisions of Article V, Subsection B.

4. Standards for Manufactured Homes and Recreational Vehicles

- a. All manufactured homes placed, or substantially improved, on: (1) individual lots or parcels, (2) in expansions to existing manufactured home parks or subdivisions, or (3) in new or substantially improved manufactured home parks or subdivisions, must meet all the requirements of new construction.
- b. All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that either:
 - i. In AE Zones, with Base Flood Elevations, the lowest floor of the manufactured home is elevated on a permanent foundation to no lower than one (1) foot above the level of the Base Flood Elevation or
 - ii. In approximate A Zones, without Base Flood Elevations, the manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least equivalent strength) that are at least three (3) feet in height above the highest adjacent grade (as defined in Article II).
- c. Any manufactured home, which has incurred "substantial damage" as the result of a flood, must meet the standards of Article V, Subsections A and B.
- d. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
- e. All recreational vehicles placed in an identified Special Flood Hazard Area must either:
 - i. Be on the site for fewer than one hundred-eighty (180) consecutive days;
 - ii. Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick

- disconnect type utilities and security devices, and has no permanently attached structures or additions), or;
- iii. The recreational vehicle must meet all the requirements for new construction.

5. Standards for Subdivisions and Other Proposed New Development Proposals

Subdivisions and other proposed new developments, including manufactured home parks, shall be reviewed to determine whether such proposals will be reasonably safe from flooding.

- a. All subdivision and other proposed new development proposals shall be consistent with the need to minimize flood damage.
- b. All subdivision and other proposed new development proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
- c. All subdivision and other proposed new development proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- d. In all approximate A Zones require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than fifty (50) lots or five (5) acres, whichever is the lesser, include within such proposals Base Flood Elevation data (See Article V, Subsection E).

C. Standards for Special Flood Hazard Areas with Established Base Flood Elevations and with Floodways Designated

Located within the Special Flood Hazard Areas established in Article III, Subsection B, are areas designated as floodways. A floodway may be an extremely hazardous area due to the velocity of floodwaters, debris or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights and velocities. Therefore, the following provisions shall apply:

1. Encroachments are prohibited, including earthen fill material, new construction, substantial improvements or other development within the regulatory floodway. Development may be permitted however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the cumulative effect of the proposed encroachments or new development shall not result in any increase in the water surface elevation of the Base Flood Elevation, velocities, or floodway widths during the occurrence of a base flood discharge at any point within the community. A Tennessee registered professional engineer must provide supporting technical data, using the same methodologies as in the effective Flood Insurance Study for Trousdale County, Tennessee, and certification, thereof.

2. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Article V, Subsections A and B.

D. Standards for Areas of Special Flood Hazard Zones AE with Established Base Flood Elevations but Without Floodways Designated

Located within the Special Flood Hazard Areas established in Article III, Subsection B, where streams exist with base flood data provided but where no floodways have been designated (Zones AE), the following provisions apply:

1. No encroachments, including fill material, new construction and substantial improvements shall be located within areas of special flood hazard, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.
2. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Article V, Subsections A and B.

E. Standards for Streams Without Established Base Flood Elevations and Floodways (A Zones)

Located within the Special Flood Hazard Areas established in Article III, Subsection B, where streams exist, but no base flood data has been provided and where a Floodway has not been delineated, the following provisions shall apply:

1. The Administrator shall obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from any Federal, State, or other sources, including data developed as a result of these regulations (see 2, below), as criteria for requiring that new construction, substantial improvements, or other development in approximate A Zones meet the requirements of Article V, Subsections A and B.
2. Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than fifty (50) lots or five (5) acres, whichever is the lesser, include within such proposals Base Flood Elevation data.
3. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, require the lowest floor of a building to be elevated or floodproofed to a level of at least three (3) feet above the highest adjacent grade (as defined in Article II). All applicable data including elevations or floodproofing certifications shall be recorded as set forth in Article IV, Subsection B. Openings sufficient to facilitate automatic equalization of hydrostatic flood

forces on exterior walls shall be provided in accordance with the standards of Article V, Subsection B.

4. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, no encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty (20) feet, whichever is greater, measured from the top of the stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within Trousdale County, Tennessee. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.
5. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Article V, Subsections A and B. Within approximate A Zones, require that those subsections of Article V, Subsection B, dealing with the alteration or relocation of a watercourse, assuring watercourse carrying capacities are maintained and manufactured homes provisions are complied with as required.

F. Standards for Areas of Shallow Flooding (AO and AH Zones)

Located within the Special Flood Hazard Areas established in Article III, Subsection B, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one to three feet (1' – 3') where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore, the following provisions, in addition to those set forth in Article V, Subsections A and B, apply:

1. All new construction and substantial improvements of residential and nonresidential buildings shall have the lowest floor, including basement, elevated to at least one (1) foot above as many feet as the depth number specified on the FIRM's, in feet, above the highest adjacent grade. If no flood depth number is specified on the FIRM, the lowest floor, including basement, shall be elevated to at least three (3) feet above the highest adjacent grade. Openings sufficient to facilitate automatic equalization of hydrostatic flood forces on exterior walls shall be provided in accordance with standards of Article V, Subsection B.
2. All new construction and substantial improvements of nonresidential buildings may be floodproofed in lieu of elevation. The structure together with attendant utility and sanitary facilities must be floodproofed and designed watertight to be completely floodproofed to at least one (1) foot above the flood depth number specified on the FIRM, with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. If no depth number is specified on the FIRM, the structure shall be floodproofed to at least three (3) feet above the highest adjacent grade. A Tennessee registered professional engineer or architect shall certify that the design and methods

of construction are in accordance with accepted standards of practice for meeting the provisions of this Resolution and shall provide such certification to the Administrator as set forth above and as required in accordance with Article IV, Subsection B.

3. Adequate drainage paths shall be provided around slopes to guide floodwaters around and away from proposed structures.

G. Standards for Areas Protected by Flood Protection System (A-99 Zones)

Located within the Areas of Special Flood Hazard established in Article III, Subsection B, are areas of the 100-year floodplain protected by a flood protection system but where Base Flood Elevations have not been determined. Within these areas (A-99 Zones) all provisions of Article IV and Article V, shall apply.

H. Standards for Unmapped Streams

Located within Trousdale County, Tennessee, are unmapped streams where areas of special flood hazard are neither indicated nor identified. Adjacent to such streams, the following provisions shall apply:

1. No encroachments including fill material or other development including structures shall be located within an area of at least equal to twice the width of the stream, measured from the top of each stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the locality.
2. When a new flood hazard risk zone, and Base Flood Elevation and floodway data is available, new construction and substantial improvements shall meet the standards established in accordance with Articles IV and V.

6.060 VARIANCE PROCEDURES

A. Metropolitan Board of Zoning Appeals

1. Authority

The Trousdale County, Tennessee, Metropolitan Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Resolution.

2. Procedure

Meetings of the Metropolitan Board of Zoning Appeals shall be held at such times, as the Board shall determine. All meetings of the Metropolitan Board of Zoning Appeals shall be open to the public. The Metropolitan Board of Zoning Appeals shall adopt rules of procedure and shall keep records of applications and actions thereof, which shall be a public record. Compensation of the members of the Metropolitan Board of Zoning Appeals shall be set by the Legislative Body.

3. Appeals: How Taken

An appeal to the Metropolitan Board of Zoning Appeals may be taken by any person, firm or corporation aggrieved or by any governmental officer, department, or bureau affected by any decision of the Administrator based in whole or in part upon the provisions of this Resolution. Such appeal shall be taken by filing with the Metropolitan Board of Zoning Appeals a notice of appeal, specifying the grounds thereof. In all cases where an appeal is made by a property owner or other interested party, a fee of **(amount)** dollars for the cost of publishing a notice of such hearings shall be paid by the appellant. The Administrator shall transmit to the Metropolitan Board of Zoning Appeals all papers constituting the record upon which the appeal action was taken. The Metropolitan Board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to parties in interest and decide the same within a reasonable time which shall not be more than **(number of)** days from the date of the hearing. At the hearing, any person or party may appear and be heard in person or by agent or by attorney.

4. Powers

The Metropolitan Board of Zoning Appeals shall have the following powers:

a. Administrative Review

To hear and decide appeals where it is alleged by the applicant that there is error in any order, requirement, permit, decision, determination, or refusal made by the Administrator or other administrative official in carrying out or enforcement of any provisions of this Resolution.

b. Variance Procedures

In the case of a request for a variance the following shall apply:

- i. The Trousdale County, Tennessee Metropolitan Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Resolution.
- ii. Variances may be issued for the repair or rehabilitation of historic structures as defined, herein, upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary deviation from the requirements of this Resolution to preserve the historic character and design of the structure.
- iii. In passing upon such applications, the Metropolitan Board of Zoning Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Resolution, and:

- a) The danger that materials may be swept onto other property to the injury of others;
- b) The danger to life and property due to flooding or erosion;
- c) The susceptibility of the proposed facility and its contents to flood damage;
- d) The importance of the services provided by the proposed facility to the community;
- e) The necessity of the facility to a waterfront location, in the case of a functionally dependent use;
- f) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
- g) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
- h) The safety of access to the property in times of flood for ordinary and emergency vehicles;
- i) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
- j) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, water systems, and streets and bridges.

- iv. Upon consideration of the factors listed above, and the purposes of this Resolution, the Metropolitan Board of Zoning Appeals may attach such conditions to the granting of variances, as it deems necessary to effectuate the purposes of this Resolution.
- v. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

B. Conditions for Variances

1. Variances shall be issued upon a determination that the variance is the minimum relief necessary, considering the flood hazard and the factors listed in Article VI, Subsection A.
2. Variances shall only be issued upon: a showing of good and sufficient cause, a determination that failure to grant the variance would result in

exceptional hardship; or a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or Resolutions.

3. Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the Base Flood Elevation will result in increased premium rates for flood insurance (as high as \$25 for \$100) coverage, and that such construction below the Base Flood Elevation increases risks to life and property.
4. The Administrator shall maintain the records of all appeal actions and report any variances to FEMA upon request.

6.070 LEGAL STATUS PROVISIONS

A. Conflict with Other Resolutions

In case of conflict between this Resolution or any part thereof, and the whole or part of any existing or future Resolution of Trousdale County, Tennessee, the most restrictive shall in all cases apply.

B. Severability

If any section, clause, provision, or portion of this Resolution shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this Resolution which is not of itself invalid or unconstitutional.

C. Effective Date

This Resolution shall become effective immediately after its passage, the public welfare demanding it.

ARTICLE VII

EXCEPTIONS AND MODIFICATIONS

SECTION

- 7.010 Scope**
- 7.020 Nonconforming Uses**
- 7.030 Exceptions to Height Limitations**
- 7.040 Lots of Record**
- 7.050 Exception to Front Setback Requirements**
- 7.060 Absolute Minimum Lot Size**
- 7.070 Agricultural Use of Land**

7.010 SCOPE

Article VII, of this resolution, is devoted to providing for the necessary exceptions and modifications to the specific zoning district provisions and the supplementary provisions provided in Articles V and VI.

7.020 NONCONFORMING USES (Amended by Ord. 68-2012-04, March 26, 2012)

It is the intent of this resolution to recognize that the elimination, as expeditiously as is reasonable, of the existing buildings and structures or uses that are not in conformity with the provisions of this resolution is as much as subject of health, safety, and welfare as it the provisions of this resolution. It is also the intent of this resolution to so administer the elimination of nonconforming uses, buildings, and structures as to avoid an unreasonable invasion of established private property right. Lawful nonconforming uses, buildings, and structures existing at the time of the passage of this resolution or any amendment thereto shall be allowed to remain subject to the following provisions.

- A. An existing nonconforming use of a building may be changed to a conforming use or to another nonconforming use of the same or higher classification provided, however, that establishment of another nonconforming use of the same or higher classification shall be subject to the written approval of the Board of Zoning Appeals and subject to such conditions as the Board of Zoning Appeals may require in order to protect the area.
- B. A nonconforming use of land shall be restricted to the area occupied by such use as of the effective date of this resolution.
- C. Pursuant to 13-7-208 of the *Tennessee Code*, when a nonconforming commercial, industrial, or other business use of land has been discontinued for a period of thirty (30) months, it shall not be reestablished or changed to any use not in conformity with the provision of this resolution. Immediately upon the removal of a nonconforming mobile home or discontinuance of a nonconforming mobile home park in the nonconformity of such structure and use of land shall lapse. This provision shall not apply when the structural condition of a mobile home is such that replacement or another mobile home alleviates an unsafe and unsanitary living environment, as certified by the Building Inspector.

- D. Any nonconforming building or nonconforming use which is damaged by fire, flood, wind, or other act of God, may be reconstructed and used as before, if it be done within six (6) months of such damage, unless damaged to the extent of more than fifty (50) percent of the free market value immediately prior to damage, in which case any repair or reconstructions shall be in conformity with the provisions of this resolution.
- E. A nonconforming building or building housing a nonconforming use shall not be structurally altered, except in conformance with the provisions of this resolution. These provisions shall not be construed to prevent normal maintenance and repairs, or alterations required for structural safety.

7.030 EXCEPTIONS TO HEIGHT LIMITATIONS

The height limitations of this resolution shall not apply to church spires, belfries, cupolas and domes not intended for human occupancy; monuments, water towers, transmission towers, windmills, chimneys, smokestacks, conveyors, flag poles, radio towers, masts, silos and aerials.

7.040 LOTS OF RECORD

The following provisions shall apply to all existing lots of record.

- A. Where the owner of a lot consisting of one or more adjacent lots of official record at the time of the adoption of this resolution does not own sufficient land to enable him to conform to the yard or other requirements of this resolution, an application may be submitted to the Board of Zoning Appeals for a variance from the terms of this resolution. Such lot may be used as a building site, provided, however, that the yard and other requirements of the district are complied with as closely as in the opinion of the Board of Zoning Appeals as possible.
- B. No lot which is now or hereafter built upon shall be so reduced in area that the yards and open space will be smaller than prescribed by this resolution and no yard, court, or open space provided around any building for the purpose of complying with the provisions thereof, shall again be considered as a yard, court, or other open space for another building.
- C. Where two or more lots of record with a continuous frontage are under the same ownership, or where a substandard lot of record has continuous frontage with a larger tract under the same ownership, such lots shall be combined to form one or more building sites meeting the minimum requirements of the district in which they are located.
- D. Agriculturally zoned lots one (1) acre or greater in existence on **November 27, 1995**, may be approved for residential construction by the Trousdale County Building Commissioner. These lots shall also be exempt from Subsection C, of this section

7.050 EXCEPTIONS TO SETBACK REQUIREMENTS

The front setback of this resolution for dwellings shall not apply to any lot where the average depth of existing setbacks on the developed lots located within one hundred (100) feet on each side of such lot is less than the minimum required front yard depth. In such cases, the front yard setback may be less than required but not less than the average of the existing depth of front yards on developed lots within one hundred (100) feet on each side of the lot. In residential districts, however, the setback shall in no case be less than fifteen (15) feet from the street right-of-way line.

7.060 ABSOLUTE MINIMUM LOT SIZE

In no case shall the Building Inspector or the Board of Zoning Appeals permit a residence to be erected on a lot whose width at the building line is less than seventy-five (75) feet and/or whose total lot area is less than seventy-five hundred (7,500) square feet.

Utility Lots: an unmanned utility use may be placed on a lot smaller than the minimum size required by a zoning district, provided that the applicant can demonstrate that all bulk zoning requirements can be met, and for special exceptions any additional requirements provided in this Resolution, and subject to the requirements for minor plat review provided in the Trousdale County Subdivision Regulations. The plat creating such lot shall bear a statement that the lot shall be used only for utility purposes and shall not be developed for any use other than its utility purpose. **(Added by Ordinance 100-2014-7, April 28, 2014)**

7.070 AGRICULTURAL USE OF LAND

This resolution shall not be construed as authorizing the requirement of building permits nor providing for any regulation of the erection, construction, or reconstruction of any building or other structure on lands now devoted to agricultural uses or which may hereafter be used for agricultural purposes, except on agricultural lands adjacent or in proximity to state federal-aid highways, public airports, or public parks, provided, however, such building or structure is incidental to the agricultural enterprise. Nor shall this resolution be construed as limiting or affecting in any way or controlling the agricultural uses of land.

ARTICLE VIII

ADMINISTRATION AND ENFORCEMENT

SECTION

- 8.010 Administration of the Resolution**
- 8.020 The Enforcement Officer**
- 8.030 Building Permits**
- 8.040 Temporary Use Permits**
- 8.050 Inspections of Compliance**
- 8.060 Procedure for Authorizing Special Exceptions**
- 8.070 County Board of Zoning Appeals**
- 8.080 Variances**
- 8.090 Amendments to the Resolution**
- 8.100 Penalties**
- 8.110 Remedies**
- 8.120 Separability**
- 8.130 Interpretation**
- 8.140 Effective Date**

8.010 ADMINISTRATION OF THE RESOLUTION

Except as otherwise provided, no structure or land shall after the effective date of this resolution be used and no structure or part thereof shall be erected, altered, or moved unless in conformity with the regulations herein specified for the district in which it is located. In their interpretation and application, the provisions of this resolution shall be considered minimum requirements adopted for the promotion of public health, safety, morals, convenience, order, prosperity, and general welfare of the community. Where other ordinances, resolutions, or regulations heretofore adopted or which may be adopted hereafter impose greater restrictions than those specified herein, compliance with such other ordinances, resolutions, or regulations is mandatory.

8.020 THE ENFORCEMENT OFFICER

The provisions of the regulation shall be administered and enforced by the County Building Inspector appointed by the County Board of Commissioners, and he shall have the power to make inspections of buildings or premises necessary to carry out his duties in the enforcement of this resolution. The County Building Inspector is accountable to the County Board of Commissioners through the County Executive Officer who shall administratively supervise his activities. In performance of administering and enforcing this resolution, he shall:

- A. Issue all building permits and make and maintain records thereof.
- B. Conduct all inspections and compliance and make and maintain records thereof.
- C. Issue and renew, where applicable all Temporary Use Permits and make and maintain records thereof.

- D. Maintain and keep current zoning maps and records of amendments thereto.
- E. Receive, file and forward to the Board of Zoning Appeals all applications for variances or other matters on which the Board if required to act under the provisions of this resolution.
- F. Conduct inspections as required in this resolution and such other inspections as are necessary to insure compliance with the various other general provisions of this resolution. The Building Inspector shall posses the right to enter upon any premises for the purpose of making inspections of buildings or premises necessary to carry out his authorized duties.

8.030 ZONING COMPLIANCE PERMIT (BUILDING PERMITS)

It shall be unlawful to commence the excavation for or the construction of any building or other structure, including accessory structures, to commence the moving alteration, or expansions of any structure including accessory structures, to use a building or structure or to change the use of a building or structure, or to commence the filling of land within any floodplain area without a permit thereof, issued by the Building Inspector.

No building permit shall be issued by the Building Inspector, except in conformity with the provision of this resolution, unless there is received a written order from the Board of Zoning Appeals in the form of an administrative review, special exception, or variance as provided by this resolution.

A. Application

Application for a Building Permit shall be made in writing to the Building Inspector on forms provided for that purpose. All applications for Building Permits shall be accompanied by a plan or sketch in duplicate, drawn to scale, and showing the following:

1. The actual shape, location, and dimensions of the lot to be built upon.
2. The shape, size, and location of all buildings or other structures to be erected, altered, or moved and of buildings or other structures already on the lot and the elevation of the Building site when the site falls within a designated flood hazard area.
3. The existing and intended use of all such buildings or other structures.
4. Location and design of off-street parking areas and off-street loading areas, and such other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of this resolution are being observed.
5. The Building Inspector shall require the following specific information to be included as part of an application for

building permit for new construction, substantial improvements to existing structure, or other development proposed to be located within an area subject to flood as defined in Sections 6.040.

- a. Copies of all federal and state permits required for the construction of the development as shown on the plans.
- b. The name and address of the engineer, architect, surveyor, or other qualified person responsible for providing the information required under this section.
- c. Site plans for subdivision proposals showing information pertaining to tract boundaries, lot arrangement, street layout and grades, utilities, existing and proposed topography (not to exceed five (5) foot contour intervals), existing and proposed drainage facilities.
- d. Site plans for developments other than subdivisions showing the location of the proposed building or structure and existing buildings or structures on site or lot, ingress and egress provisions, parking provisions, watercourses, easements, or other information as the Building Inspector may deem necessary.
- e. Where the subdivision or other development lies partially or completely within an area subject to flooding, the site plan shall include detailed information giving the location and elevation of streets and building sites. The plans shall show existing and proposed land contours at intervals not be exceed two (2) feet. The limits of the area subject to flooding and floodway boundaries shall be accurately shown on the plans. Each lot shall contain a building site safe from the threat of flood. All topographic information shall be shown in relation to mean-sea-level elevation.
- f. Any person, firm, or corporation thereafter constructing a building or structure within an area subject to flood shall submit to the Building Commissioner a surveyor's or Engineer's certification stating the actual elevation of the lowest floor (including basement) of the building or structure upon application for a Building Permit. If the structure (nonresidential only) was floodproofed, the certification which shall come from a registered engineer or architect shall also state the elevation (in relation to mean-sea-level) to which the structure was floodproofed.
- g. For structures to be elevated to secure a lowest floor elevation of one (1) foot above the level of the 100-

year flood, site plans shall show information pertaining to the methods of elevating the proposed structure, including details of proposed fills, pile structures, retaining walls, foundations, and erosion protection measures. When required by the Building Inspector, these plans shall be prepared by a registered professional engineer or architect.

- h. For structures to be floodproofed (nonresidential only) to an elevation at or above the level of the 100-year flood, plans shall show details of floodproofed measures. The plans shall be prepared by a registered professional engineer or architect which shall certify that the proposed structure, together with utilities and sanitary sewer facilities, is designed so that: (i) below an elevation equal to the level of the 100-year flood the structure is watertight with walls substantially impervious to the passage of water, and (ii) the structure is designed to withstand the hydrostatic, hydrodynamics, buoyant, impact, or other forces resulting from the flood depths, velocities, pressures, debris, and other factors associated with the flooding conditions at the site.

B. Fee

The Trousdale County Commission shall establish a schedule of fees and a collection procedure for Building Permits. The schedule of fees shall be posted in the Office of the Building Inspector. Only the County Commission may alter or amend the fee schedule. Until the appropriate fee has been paid in full, no action shall be taken on any application.

C. Issuance of Permit

If the proposed excavation, construction, moving, or alteration a set forth in the application is in conformity with the provisions of this resolution, the Building Inspector shall issue a Building Permit for such excavation or construction. If an application for a Building Permit is not approved, the Building Inspector shall state in writing on the application the cause for such disapproval. Issuance of a permit shall in no case be construed a waiving of any provisions of this resolution.

D. Construction Progress

Any Building Permit issued becomes invalid if work authorized is not commenced within six (6) months of the date of issuance or if the work authorized by the permit is suspended or discontinued for a period of one (1) year.

8.040 TEMPORARY USE PERMITS

It shall be unlawful to commence construction or development of any use of a temporary nature unless a permit has been obtained from the County Building Inspector, as provided for in Article IV, Section 4.040, of this resolution. Application for a Temporary Use Permit shall be made in writing to the Building Inspector on the form provided for that purpose. A schedule of fees shall be established by the Trousdale County Commission. Such schedule shall be posted in the office of the Building Inspector. Until the appropriate fee has been paid in full, no action shall be taken on any application.

8.050 INSPECTIONS OF COMPLIANCE

After a building or premise or any part thereof is ready for occupancy and within one (1) year following occupancy, the Building Inspector shall conduct a second inspection to insure compliance with this resolution. It is the owner's responsibility to correct deficiencies or be held in violation of this resolution.

8.060 PROCEDURE FOR AUTHORIZING SPECIAL EXCEPTIONS

The following procedure is established to provide procedures for review of a proposed use as a conditional use or special exception by the Board of Zoning Appeals. The procedure shall be the same whether review is required under Sections 13-7-107 and 13-7-108, of the Tennessee Code, by this resolution, or whether a review is requested by the Building Inspector to determine whether a proposed use is potentially noxious, dangerous or offensive.

A. Application

An application shall be filed with the Board of Zoning Appeals for review. Said application shall show the location and intended uses of the site, the names of the property owners, existing land uses within two hundred (200) feet, and any other material pertinent to the request which the Board may require.

B. General Requirements

A conditional use permit (a special exception) shall be granted provided the Board finds that it:

- a. Is so designed, located, and proposed to be operated so that the public health, safety, and welfare will be protected.
- b. Will not adversely affect their property in the area in which it is located.
- c. Is within the provision of "Special Exceptions", as set forth in this resolution.
- d. Conform to all applicable provisions of this resolution for the district in which it is to be located as well as the provisions cited in Section 8.070, and is necessary for public convenience in the location planned.

C. Criteria for Review

Prior to the issuance of a special exception, the Board shall make written findings certifying that satisfactory provisions and arrangements have been made concerning all the following where applicable:

1. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
2. Off-street parking and loading areas where required, with a particular attention to the items in Item 1, above, and the economic, noise, vibrations, glare, or odor effects of the special exception on or by adjoining properties and properties generally in or near the district.
3. Refuse and service areas with particular reference to Items 1 and 2, above.
4. Utilities, with reference to locations, availability, and compatibility.
5. Screening and buffering with reference to type, dimensions and character.
6. Signs, if any, and proposed exterior lighting with reference to glare, traffic, safety, economic effect, and compatibility and harmony with properties in the district.
7. Required yard and other open space.
8. General compatibility with adjacent properties and other property in the district.

D. Restrictions

In the exercise of its approval, the Board may impose such conditions upon the proposed uses of buildings or land, as it may deem advisable in the furtherance of the general purposes of this resolution.

E. Validity of Plans

All approved plans, conditions, restrictions, and rules made a part of the approval of the Board shall constitute certification on the part of applicant that the proposed use shall conform to such regulations at all times.

F. Time Limit

All applications reviewed by the Board shall be decided within sixty (60) days of the date of application, and the applicant shall be provided with either a written notice of approval or denial.

G. Special Conditions for Religious Facilities (Added by Ordinance 65-2012-01, February 27, 2012.)

1. No such facilities shall be permitted on a zoned lot unless it contains a minimum of one (1) acre.
2. The location, size, and design of such facilities shall be situated so that the proposed facility shall be compatible with the development within the surrounding area thus reducing the impact upon such area.
3. All bulk regulations of the district shall be met.
4. The off-street parking requirements of this resolution shall apply.

8.070 COUNTY BOARD OF ZONING APPEALS

The Trousdale County Board of Zoning Appeals is hereby established in accordance with 13-7-107 through 13-7-109, Tennessee Code. The Board of Zoning Appeals shall consist of three (3) members whose term shall be four (4) years. **(Amended by Resolution No. 98-11, November 23, 1998)**

The Board of Appeals shall have one (1) associate member to sit in the absence of any regular member. The associate member's term shall be four (4) years. **(Added by Resolution No. 98-11, November 23, 1998)**

A. Procedure

Meetings of the Board of Zoning Appeals shall be held at the call of the chairman, and at such other times as the Board may determine. Such chairman, or in his absence, the citing chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall adopt rules of procedure and shall keep records of applications and action taken thereon which shall be public record.

B. Appeals to the Board

An appeal to the Trousdale County Board of Zoning Appeals may be taken by any person, firm, or corporation aggrieved by, or by any governmental office, department, board, or bureau affected by any decision of the Building Inspector based in whole or in part upon the provisions of this resolution. Such appeal shall be taken by filing with the Board of Zoning Appeals a notice of appeal specifying

the grounds thereof. The Building Inspector shall transmit to the Board all papers constituting the record upon which the action appealed was taken. The Board shall fix a reasonable time for the hearing of the appeal, five (5) days public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any person or party may appear in person, by agent, or by attorney.

C. Stay of Proceedings

Any appeal stays all legal proceedings in furtherance of the action appealed from, unless the Building Inspector certifies to the Board of Zoning Appeals, after such notice of appeal shall have been filed, that by reason of facts stated in the certificate such stay would cause imminent peril to life or property. In such instance, the proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the Board or by a court of competent jurisdiction on application, on notice to the Building Inspector, and on due cause shown.

D. Appeal to the Courts

Any person or persons or any board, taxpayer, department, or bureau of the county aggrieved by any decision of the Board may seek review by a court of competent jurisdiction of such decision in a manner provided by the laws of the State of Tennessee.

E. Powers of the Board

The Board of Zoning Appeals shall have the following powers:

1. Administrative Review

To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirements, permit, decision, determination or refusal made by the Building Commissioner or other administrative official in the carrying out of enforcement of any provision of this resolution.

2. Special Exceptions

To hear and decide applications for special exceptions as specified in this resolution, hear requests for interpretation of the zoning map, and for decision on any special questions upon which the Board of Zoning Appeals is authorized to pass.

3. Variances

To hear and decide applications for variances from the term of this resolution.

8.080 VARIANCES

The purpose of this variance is to modify the strict application of the specific requirements of this resolution in the case of exceptionally irregular, narrow, shallow, or steep lots, or other exceptional physical conditions, whereby such strict application would result in practical difficulty or unnecessary hardship which would deprive an owner of the reasonable use of his land. Variances shall be granted from zoning restrictions such as heights, setback and lot density where such variances are reasonable and necessary to assure unobstructed access to direct sunlight. Variances shall not be granted which would cause an unreasonable obstruction of direct sunlight to adjacent property if there is a reasonable probability of utilization of passive or active solar radiation on said adjacent property. The variance shall be used only where necessary to overcome some obstacle which is preventing an owner from using his property under this resolution.

A. Application

After written denial of a permit, a property owner may make application for a variance, using any form which might be made available by the Board of Zoning Appeals.

B. Fee

A fee of twenty-five (25) dollars payable to Trousdale County shall be charged to cover partial review and processing of each application for a variance, except that the fee shall be waived for a governmental agency.

C. Hearings

Upon a receipt of an application and fee, the Board shall hold a hearing to decide whether a variance to the resolution provisions is, in fact, necessary to relieve unnecessary hardships which act to deprive the property owner of the reasonable use of his land. The Board shall consider and decide all applications for variances within thirty (30) days of such hearing and in accordance with the standards provided below.

D. Standards for Variances

In granting a variance, the Board shall ascertain that the following criteria are met;

1. Variances shall be granted only where special circumstances or conditions, fully described in the findings of the Board, do not apply generally in the district.
2. Variances shall not be granted to allow a use otherwise excluded from the particular district in which requested.
3. For reasons fully set forth in the findings of the Board, the aforesaid circumstances or conditions are such that the strict application of the provisions of this resolution would deprive the applicant of any reasonable use of his land. Mere loss in

value shall not justify a variance. There must be a deprivation of beneficial use of land.

4. The granting of any variance shall be in harmony with the general purposes and intent of this resolution and shall not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the comprehensive plan for development.
5. In reviewing an application for a variance, the burden of showing that the variance should be granted shall be upon the person applying therefore.
6. Variances shall not be granted within any flood prone area if an increase in the level of the 100-year flood would result from the proposed development.

8.090 AMENDMENTS TO THE RESOLUTION

The regulations, restrictions, and boundaries set forth in this resolution may from time to time be amended, supplemented, changed, or repealed by the Trousdale County Commission, but in accordance with Tennessee enabling legislation.

Any member of the County Commission may introduce such legislation, or any official, board, or any other person may present a petition to the County Commission requesting an amendment or amendments to this resolution.

No change or departure from the text or maps as certified by the Planning Commission shall be made, unless such change or departure be first submitted to the Planning Commission and approved by it, or if disapproved, receive the favorable vote of a majority of the entire membership of the County Commission.

No amendment to this resolution shall become effective unless it shall have been proposed by or shall have first been submitted to the Trousdale County Regional Planning Commission for review and recommendation. The Planning Commission shall have fifteen (15) days within which to submit its report. If the Planning Commission disapproves the amendment within thirty (30) days, it shall require the favorable vote of a majority of the County Commission to become effective. If the Planning Commission fails to submit a report within the thirty (30) day period, it shall be deemed to have approved the proposed amendment.

Before finally adopting any such amendment, the County Commission shall hold a public hearing thereon, at least fifteen (15) days notice of the time and place of which shall be given by at least one (1) publication in a newspaper of general circulation in the county. **(Amended by Resolution No. 98-12, September 28, 1998)**

Fee - A fee of twenty-five (25) dollars due and payable at the time of filing of petition shall be posted with requests to amend the zoning resolution.

The fee is to be used by Trousdale County to defray costs resulting from such petition and any subsequent amendment of the zoning resolution.

8.100 PENALTIES

Any persons violating any provisions of this resolution shall be guilty of a misdemeanor, and upon conviction shall be fined appropriately for each offense. Each day such violations continue shall constitute a separate offense.

8.110 REMEDIES

In case any building or other structure is erected, constructed, altered, repaired, converted, or maintained, or any building, structure, or land is used, in violation of this resolution the Building Inspector or any other appropriate authority or any adjacent or neighboring property owner who would be specifically damaged by such violation, in addition to other remedies, may institute injunction, mandamus, or their appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use; or to correct or abate such violation; or to prevent occupancy of such building, structure, or land.

8.120 SEPARABILITY

Should any section, clause, or provision of this resolution be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the resolution as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

8.130 INTERPRETATION

Whenever the conditions of this resolution require more restrictive standards than are required in or under any other statute, the requirements of this resolution shall govern. Whenever the conditions of any other statute require more restrictive standards than are required by this resolution, the conditions of such statute shall govern.

8.140 EFFECTIVE DATE

This resolution shall take effect from and after the effective date of its passage and publication as required by law, the public welfare requiring it.

Certified by the Hartsville/Trousdale County Regional Planning Commission

January 23, 1995
Date

Mary Agnes Chitwood
Secretary

Date of Passage of Resolution by the Trousdale County Commission

January 23, 1995

Pat Fergusson

Date

County Executive

ATTESTED BY:

Harold Gregory
Trousdale County Clerk

8.110 REMEDIES

In case any building or other structure is erected, constructed, altered, repaired, converted, or maintained, or any building, structure, or land is used, in violation of this resolution the Building Inspector or any other appropriate authority or any adjacent or neighboring property owner who would be specifically damaged by such violation, in addition to other remedies, may institute injunction, mandamus, or their appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use; or to correct or abate such violation; or to prevent occupancy of such building, structure, or land.

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Certified by the Hartsville/Trousdale County Regional Planning Commission

1-23-95
Date

Mary Agnes Chitwood
Secretary

Date of Passage of Resolution by the Trousdale County Commission

1-23-95
Date

Pat Ferguson
County Executive

Attested By

Gerald Encayag
Trousdale County Clerk