

ZONING RESOLUTION

JEFFERSON COUNTY, TENNESSEE

AUGUST 17, 1998

**REPRINTED WITH AMENDMENTS THROUGH
OCTOBER 1, 2002**

**This copy may not be up to date. For an official copy, contact the Jefferson County Zoning
Office at 423-397-4414**

ZONING RESOLUTION

Prepared for
The Jefferson County, Tennessee
Board of County Commissioners

Prepared and Presented by
The State of Tennessee
Department of Economic and Community Development
Local Planning Assistance Office
East Tennessee Region, Knoxville

August 17, 1998

Revised Edition:
Contains Amendments Through
October 1, 2002

This copy may not be up to date. For an official copy, contact
the Jefferson County Zoning Office at 423-397-4414

RESOLUTION 98-24

A RESOLUTION PURSUANT TO THE AUTHORITY GRANTED BY SECTION 13-7-103 OF THE TENNESSEE CODE ANNOTATED TO ADOPT THE ZONING RESOLUTION OF JEFFERSON COUNTY, TENNESSEE FOR THE PURPOSE OF PROMOTING THE PUBLIC HEALTH, SAFETY, MORALS, CONVENIENCE, ORDER, PROSPERITY AND GENERAL WELFARE; TO PROVIDE FOR THE ESTABLISHMENT OF DISTRICTS WITHIN THE BOUNDARIES OF JEFFERSON COUNTY, TENNESSEE OUTSIDE THE CORPORATE LIMITS OF ANY MUNICIPALITY AND JEFFERSON CITY'S PLANNING REGION; TO REGULATE, WITHIN SUCH DISTRICTS, THE LOCATION, HEIGHT, BULK, NUMBER OF STORIES, AND SIZE OF BUILDINGS AND STRUCTURES, THE PERCENTAGE OF LOT OCCUPANCY, THE REQUIRED OPEN SPACE, THE DENSITY OF POPULATION, AND THE USES OF LAND, BUILDINGS AND STRUCTURES; TO PROVIDE FOR REGULATING LAND SUBJECT TO SEASONAL OR PERIODIC FLOODING; PROVIDING FOR AMENDMENTS AND VARIANCES: AND TO PRESCRIBE PENALTIES FOR THE VIOLATION THEREOF.

WHEREAS, The Jefferson County Board of Commissioners, in accordance with Title 13, Chapter 7, Sections 13-7-101 through 13-7-117, may adopt a Jefferson County Zoning Resolution and zoning map; and,

WHEREAS, the Jefferson County Regional Planning Commission has forwarded its certification of the Jefferson County Zoning Resolution text and map; and,

WHEREAS, the necessary public hearing was called for and held;

NOW, THEREFORE, BE IT RESOLVED by the Jefferson County Board of Commissioners that the Jefferson County Zoning Resolution and map be adopted as follows:

TABLE OF CONTENTS

<u>ARTICLE</u>		Page
1	Title	3
2	Purpose	3
3	Authority	3
4	Non-conforming Uses	3
5	Definitions	4
6	General Provisions	11
	6.1 Zoning Affects Every Building and Use	11
	6.2 Non-conforming Uses	11
	6.3 One Principal Building on Any Lot	11
	6.4 Lot Area Requirements	11
	6.5 Public Road Frontage Required	11
	6.6 Site Plan Requirements	11
	6.7 Commercial/Industrial Access	12
	6.8 Off-Street Automobile Parking	12
7	Supplementary Provisions	16
	7.1 Customary Home Occupations	16
	7.2 Signs and Billboards	16
	7.3 Manufacture Residential Park Standards	16
	7.4 Planned Unit Development Standards	17
	7.5 Development Standards for Automobile Wrecking, Junk and Salvage Yards, Dumps, and Junked Yards	21
	7.6 Development Standards for Sanitary Landfills	23
	7.7 Development Standards for Telecommunications Towers	24
8	Exceptions and Modifications	25
	8.1 Lots of Record	25
	8.2 Mineral Exception	25

TABLE OF CONTENTS

(continued)

<u>ARTICLE</u>		<u>Page</u>
9	Zoning Districts	26
	9.1 Absolute Minimum Lot Size	26
	9.2 Classification of Districts	26
	9.3 Agricultural/Forestry District, A-1	26
	9.4 Rural Residential District, R-1	27
	9.5 High Density Residential District, R-2	27
	9.6 Special Food Hazard District, F-1	27
	9.7 Neighborhood Commercial District, C-1	28
	9.8 General Commercial, C-2	28
	9.9 Industrial District, I-1	28
	9.10 Environmental Industrial District, I-2	29
10	Administration	30
	10.1 Enforcement Officer	30
	10.2 Zoning Permit/Zoning Compliance Permit	30
	10.3 Permit Denial	31
	10.4 Stop Work Orders	31
	10.5 Time Limits	31
	10.6 Penalties	31
	10.7 Fee Schedule	31
11	Board of Zoning Appeals	32
	11.1 Creation	32
	11.2 Appeals	32
	11.3 Powers of the Board	32
	11.4 Special Exception and Variance Hearing	32
12	Amendments and Interpretation	33
	12.1 Amendments	33
	12.2 Interpretation	33
	12.3 Separability	33
	12.4 Effective Date	33

ARTICLE 1

TITLE

This resolution shall be known as the Zoning Resolution of Jefferson County, Tennessee and the zoning map shall be referred to as the Zoning Map of Jefferson County, Tennessee.

ARTICLE 2

PURPOSE

The purpose of this zoning code is to promote the health, safety, convenience, order, prosperity, and welfare, of both the present and future county residents. To attain this purpose, the code contains regulations conducive to the following: a less congested and more efficient transportation system; safety from fire; adequate light and air for buildings, structures, and their inhabitants; rational or balanced distributions of population relative to land resources or capacities; and, the classification of land uses, land development or utilization to facilitate adequate arrangements for transportation, water supply, drainage, sanitation, educational opportunities, recreation, soil fertility, food supply, and the protection of both urban and non-urban development in the county.

ARTICLE 3

AUTHORITY

The authority to adopt zoning is provided by the Tennessee Code Annotated, Sections 13-7-101 through 13-7-117.

ARTICLE 4

NON-CONFORMING USES

After the adoption of this zoning resolution and map, any new construction must be in conformance with this code. Existing structures will be allowed to remain as non-conforming uses except any new additions to non-conforming properties must be done in accordance with this code.

ARTICLE 5
DEFINITIONS

Words and other terms used in this zoning resolution shall be interpreted with their commonly known definitions except for the following:

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

ADULT ORIENTED BUSINESS (revised by Resolution 2000-44, adopted 10-16-00). An adult oriented business is one in which: a) at least twenty-five (25) percent of the floor stock merchandise, whether printed, video, or sexual devices, are oriented toward the adult population and appeals to prurient interests. Said merchandise generally depicts male or female genitalia and/or breasts and/or sexual acts; b) the business appeals to prurient interests by offering male or female dancers, models, waiters, waitresses, or bartenders either nude, seminude, and/or exposing directly by lack of covering or clothing or transparently by the use of materials such as falsies, g-string or similar items/articles which allows the direct or indirect viewing of human genitalia, or breasts as an attraction to the establishment.

ADVERTISING. Includes any writing, printing, graphics, painting, display, emblem, drawing, sign, or other device designed, used or intended for advertising, whether placed on the ground, rocks, trees, or other natural features or on buildings, structures, milestones, sign boards, billboards, wall board, roof board, frames, supports, fences or other man-made structure.

ARTERIAL. A street with access control, channelized intersections, restricted parking, and which collects and distributes traffic to and from major collectors.

ANTENNA (added by Resolution 2000-44, adopted 10-16-00). Any exterior apparatus (rods, panels, discs, etc.) designed for telephonic, radio, or television communication through the sending and/or receiving of electromagnetic waves. Antenna does not include the support structure.

BOARDING OR ROOMING HOUSE, TOURIST HOME, OR BED AND BREAKFAST INN. A building containing a single dwelling unit and not more than five guest rooms where lodging is provided with or without meals for compensation.

BUFFER STRIP. A strip of land not less than ten (10) feet in width and on which plant material is planted that has such growth characteristics as will provide an obscuring screen not less than six (6) feet in height within two (2) years of planting.

BUILDING: A structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind.

BUILDING, ACCESSORY: A subordinate building, whose use is incidental to that of the main building and located on the same lot as the main building.

BUILDING, PRINCIPAL: A building in which is conducted the main or primary use of a lot, on which said building is located.

BUILDABLE AREA OF LOT. That portion of a lot bounded by the required rear yard, side yards and building setback line

BUILDING HEIGHT. The vertical distance measured from the finished grade at any building line to the highest point of the roof; provided that where land is subject to required minimum flood elevations, the building height shall be measured from such required elevation.

BUILDING SETBACK LINE: A line indicating the minimum allowable distance between the property line and a building on a lot, within which no building or other structure shall be placed except as otherwise provided.

BUILDING SETBACK LINE, FRONT: A line indicating the minimum allowable distance between the street right-of-way, or of an official 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 or concentric with the street right-of-way.

BUILDING SETBACK LINE, REAR: A line indicating the minimum allowable distance between the rear property line and 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 indicating 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.

CONDOMINIUM. A building, or group of buildings, in which units are owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided bases.

CUSTOMARY HOME OCCUPATION: A gainful occupation or profession conducted by one or more members of a family residing on the premises and conducted entirely within the principal dwelling unit.

DAY CARE CENTER. An establishment which receives for care and supervision six (6) or more children or adults for less than 24 hours per day unattended by parent or legal guardian, and shall include day nurseries, child or senior adult day care services, connected to the required utilities.

DEVELOPMENT. Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

DRIVEWAY. A single curb cut allowing access to and/or from a parcel. A single driveway may be split by a median if the total width for entrance, exit, and median does not exceed forty (40) feet.

DWELLING UNIT. One or more rooms designed as a unit for occupancy as living quarters for sleeping and cooking purposes.

- a. Dwelling, Mult-Family. A building designed, constructed or reconstructed and used for more than two dwelling units, with each dwelling unit having a common structural wall with any other dwelling on the same floor.
- b. Dwelling, Single Family. A building designed, constructed and used for one dwelling unit.
- c. Dwelling, Two Family or Duplex. A building designed, constructed, or reconstructed and used for two dwelling units that are connected by a common structural wall.

FAMILY. One or more persons occupying a premise and living together as a single housekeeping unit.

FLEA MARKET. The building or grounds where the sale, trade, or auction of predominantly used goods, wares, clothing, or general items is conducted.

FLOOD. A temporary condition of partial or complete inundation of dry land areas from the overflow of water from streams or rapid accumulation or runoff of surface water from any source.

FLOOD AREA. The total area of all floors of a building including a finished attic and finished basement.

JUNK YARD. Any lot, tract, or building which has collected scrap, rags, or other discarded materials, or stores more than five (5) vehicles or machines which are not in operating condition.

LANDFILL. Any lot or tract which collects salvage, scrap, or any type of discarded materials. Any lot or tract which permits the dumping of salvage materials on the property or disposes of such materials by disposal into sink holes or trenches shall be deemed a landfill.

LANDSCAPING. The planting and maintenance of trees, shrubs, lawns, and other ground cover or materials, provided that terraces, fountains, retaining walls, street furniture, sculptures, or other art objects, and similar accessory features may be considered as landscaping if integrally designed.

LOCAL COLLECTOR. A street which collects traffic from local streets and whose adjacent land use is primarily residential in nature.

LOCAL STREET. A street designed to provide vehicular access to abutting property and to discourage through traffic.

LOT. A parcel of land which fronts on and has access to a public (governmentally owned and maintained) street and which is occupied or intended to be occupied by a building or buildings with customary accessories and open spaces.

LOT OF RECORD. A lot existing prior to this resolution, the boundaries of which are filed as legal record.

MAJOR COLLECTOR. A street which collects traffic from local collectors and connects with arterials.

MANUFACTURED RESIDENTIAL DWELLING. A factory built single family structure that is manufactured to the National Manufactured Housing Construction and Safety Act, is transportable in one or more sections and includes the following:

- a. Mobile Home, Single Chassis. A factory built single family residential structure having a single chassis, permanently attached axles with the ability to attach wheels for highway transportation, and without a permanent foundation when connected to the required utilities.
- b. Mobile Home, Multiple Chassis. A factory built single family residential structure constructed in two or more sections or chassis with permanently attached axles with the ability to attach wheels for highway transportation, and without a permanent foundation when connected to the required utilities.
- c. Modular Home. A factory built single family residential structure constructed in one or more sections, is transportable but does not have permanent axles with the ability to attach wheels for transportation, and is constructed on a permanent foundation when connected to the required utilities.

MANUFACTURED RESIDENTIAL DWELLING PARK (MOBILE HOME PARK). A five (5) acre or greater parcel of land under single ownership that has been planned and improved as a Planned Unit Development regulated in section 7.4, for the placement of a minimum of five (5) manufactured housing units for residential dwelling purposes.

MEDICAL FACILITIES.

- a. Convalescent, Rest or Nursing Home. A health care facility where persons are housed and furnished with meals and continuing nursing care for compensation.
- b. 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.
- c. Hospital. An institution providing health services primarily for human in-patient medical care for the 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.

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

NONCONFORMING USE. Any structure or land lawfully occupied by a use that does not conform to the regulations of the district in which it is situated.

NOXIOUS MATTER. Material (in gaseous, liquid, solid, particulate, or any other form) which is capable of causing injury to living organisms, chemical reactions, or detrimental effects upon the social, economic, or physiological well-being of individuals.

PERSONAL SERVICES. Establishments primarily engaged in providing services involving the care of a person or his or her apparel, such as beauty and barber shops, shoe repair, tailor seamstress, and weight control and exercise salons.

PLANNED UNIT DEVELOPMENT. An integrated design for development of residential, commercial, or industrial uses or combination of uses which is professionally designed to allow flexibility and initiative in site and building design and location, in accordance with a plan approved by the planning commission.

PRINCIPAL USE. The specific primary purpose for which land or a building is used.

PROFESSIONAL OFFICE. The office of a physician, dentist, attorney, architect, engineer, urban planner, accountant, or related professions.

RETAIL TRADE AND SERVICES. Establishments engaged in selling goods and/or offering services to the general public for personal, small business, or household use or consumption.

SATELLITE DISH ANTENNA. An earth station antenna, parabolic or spherical design, for the reception or transmission for the satellite or terrestrial communication services.

SHOPPING CENTER. For the purpose of this ordinance, a shopping center shall be considered as an enterprise located on a single parcel of property which is internally separated or segregated into individual shops or separate, distinct businesses or functions. Individual ownership is not a factor. The centers shall be considered as planned unit developments.

SIGN. Any object, device, structure, or natural feature or part thereof, which is used to attract the attention of persons for the purpose of communicating a message by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images. Included within the definition of sign are the following types of signs.

- a. BANNER SIGN. Any sign intended to be hung either with or without frames, possessing characters, letters, illustrations, or ornamentation's applied to paper, plastic, or fabric of

any kind. National flags, flags of political subdivisions, and symbolic flags of any institution shall not be considered banners for the purpose of this ordinance.

- b. BENCH SIGN. A sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.
- c. BILLBOARD OR OFF-PREMISE SIGN. A non-point-of-sale sign which advertises a business, organization, event, person, place, or thing, unless such sign is more specifically defined herein.
- d. CHANGEABLE COPY OR READER BOARD SIGN. A sign that is designed so that characters, letters, or illustrations can be changed or rearranged without altering the face of the surface of the sign.
- e. CONSTRUCTION SIGN. Any sign giving the name or names of principal contractors, architects, and lending institutions responsible for construction on the site where the sign is placed, together with other information included thereon.
- f. DIRECTORY SIGN. A sign on which the names and locations of occupants or the use of a building is given.
- g. ELECTRONIC MESSAGE SIGN. A sign on which an electronic message is displayed. The message is not seen in its entirety, but portions of it are seen continually.
- h. FREESTANDING SIGN. Any mobile or portable sign or sign structure, not securely attached to the ground or to any other structure.
- i. GROUND SIGN. Any sign which is supported by structures or supports in or upon the ground and independent of support from any building.
- j. ILLUMINATED SIGN. Any sign illuminated in any manner by an artificial light source.
- k. INTEGRAL SIGN. Memorial signs or tablets, names of buildings, and date of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials mounted on the face of a building.
- l. MARQUEE SIGN. Any sign attached to and made part of a marquee. A marquee is defined as a permanent roof-like structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall. A marquee sign shall be considered a wall sign.
- m. NONCONFORMING SIGN. Any sign which does not conform to this ordinance.
- n. PROJECTING SIGN. Any sign other than a wall sign affixed to any building or wall whose leading edge extends beyond such building or wall.

- o. REAL ESTATE SIGN. Any sign which is used to offer for sale, lease, or rent the property upon which the sign is placed.
- p. ROOF SIGN. Any sign erected or constructed wholly upon and over the roof of any building and supported entirely on the roof structure.
- q. WALL SIGN. Any sign erected parallel to the face or on the outside wall of any building and supported throughout its entire length by such wall where the edges of the sign do not project more than twelve (12) inches therefrom.

TELECOMMUNICATIONS TOWER (added by Resolution 2000-44, adopted 10-16-00). Any structure that is designed and constructed primarily for the purpose of supporting any telecommunications antenna, dish, transmitter, or other equipment.

USE. The purpose for which land or a structure is designed, arranged, or intended, or for which it is occupied or maintained.

ARTICLE 6

GENERAL PROVISIONS

6.1. Zoning Affects Every Building and Use. After this code is adopted, all new construction shall conform to the requirements in this code. This shall include new buildings or any additions to existing buildings.

6.2. Non-conforming Uses (amended by Resolution 2002-29, adopted July 15, 2002). All buildings and land uses in existence at the time of the adoption of this code shall be allowed to remain unless they are destroyed over sixty (60) percent of their value or vacated for a minimum of six (6) consecutive months. If buildings are destroyed after adoption of this code, any reconstruction must be in accordance with the requirements of the zoning resolution. However, mobile homes shall be allowed to replace legally nonconforming mobile homes provided such replacement is conducted within six (6) months of the removal of the original mobile home and the mobile home is replaced with a newer mobile home that is certified to meet the Standard Building Code, published by the Southern Building Code Congress International.

6.3. One Principal Building on Any Lot (amended by Resolution 2002-30, adopted July 15, 2002). Only one (1) principal building or structure and customary accessory buildings shall be permitted on a lot. The planning commission may allow commercial or industrial developments under one (1) ownership and planned unit developments to have more than one (1) principal building..

6.4. Lot Area Requirements. For purposes of this zoning code, a lot must be at least 10,000 square feet if provided with public water and sewer, and 20,000 square feet if served by public water with no public sewer. Lots which are without public water and sewer service shall be a minimum of 40,000 square feet in area, except where greater area is required by the Health Department.

6.5. Public Road Frontage Required. No construction may be permitted on any lot or tract which does not abut a public road for fifty (50) feet. Subdivided property must meet the requirements of the Jefferson County Subdivision Regulations.

6.6. Site Plan Requirements (amended by Resolution 2002-31, adopted 7-15-02). The planning commission shall review and approve site plans for all new construction except agricultural, single- and two-family developments, and on-premise signs prior to issuance of a zoning permit. Ten (10) copies of the site plan shall be provided to the zoning official ten (10) working days prior to the meeting at which it is to be reviewed. The approval of a site plan shall lapse six (6) months after the date of its approval unless a zoning permit has been issued. The validity of a zoning permit is established in Section 10.5. Time Limits. To allow for adequate review of new developments, all site plans shall comply with the following:

- A. Drawn at a scale of not less than 1" = 20'.
- B. Prepared by a licensed surveyor unless the proposed development or building addition would require five or fewer parking spaces and be less than one thousand (1,000) square feet in area.
- C. Contain a location map and north arrow.
- D. Depict the locations and dimensions of all property lines.
- E. Depict the locations, dimensions, and uses of all existing and proposed buildings and remaining territory.
- F. Depict the locations, dimensions, and design of all existing and proposed utilities, including fire hydrants.
- G. Depict the dimensions and design of proposed parking, travel aisles, driveways, and walkways.
- H. Depict landscaping.
- I. Depict the locations and extent of all land subject to flooding.
- J. Contain a drainage plan showing the locations, dimensions, and design of all existing and proposed drainage facilities.

6.7. Commercial/Industrial Access. No business or industrial use may have access through a residential area or utilize subdivision streets or private easements. All business or industrial uses must have direct access to a public thoroughfare road.

6.8. Off-Street Automobile Parking (added by Resolution 2002-32, adopted July 15, 2002). Off-street automobile parking is required for all uses in all zoning districts.

- A. Parking Space Requirements. The minimum number of parking spaces shall consist of the following requirements. Buildings or properties containing more than one use shall meet the minimum requirements for each use. Uses not specifically identified below shall be determined by the board of zoning appeals.

1. Automobile Service and Repair Facilities: One space for each employee plus one (1) space for each two hundred and fifty (250) square feet of floor space used for repair work.
2. Bed and Breakfast Inns: One (1) space for each guest room and three (3) spaces for the home.
3. Boarding and Rooming Houses: One (1) space for each room designed for occupancy.
4. Bowling Alleys: Four (4) spaces for each lane.
5. Churches: One (1) space for each four (4) seats in the chapel.
6. Clubs and Lodges: One (1) space for each three hundred (300) square feet of floor space.
7. Dwellings: Three (3) spaces for each unit.
8. Eating and Drinking Establishments: One (1) space for each fifty (50) square feet of space devoted to patron use.
9. Funeral Parlors: One (1) space for each four (4) seats in the chapel.
10. Gasoline Service Stations: Four (4) spaces for each bay or similar facility plus one (1) space for each employee
11. Hospitals and Nursing Homes: One (1) space for each four (4) patient beds plus one (1) space for each two (2) employees including doctors and nurses.
12. Hotels and Motels: One (1) space for each guest room or accommodation plus one (1) space for each three (3) employees.
13. Industrial: One (1) space for each employee during peak work shift plus five (5) additional spaces.
14. Movie Theatres: One (1) space for each three seats and one (1) space for each employee during peak work shift.
15. General Office: One (1) space for each four hundred (400) square of floor space.
16. Medical Offices: One (1) space for each three hundred (300) square feet of floor space.
17. Recreation Establishments (indoor or outdoor): One (1) space for each four (4) customers, based on maximum service capacity plus one (1) space for each employee.
18. Retail: One (1) space for each two hundred (200) square feet of total floor area.
19. Schools, Elementary and Junior High: One (1) space for each employee plus ten (10) additional spaces for visitors.

20. Schools, High: One (1) space for each employee plus ten (10) additional spaces for visitors and five (5) spaces for each classroom.

21. Wholesale: One (1) space for each employee during peak work shift.

B. Parking Lot Design. The following design requirements shall apply to all parking facilities except those associated with single and two-family dwellings.

1. Stall Dimensions: 10 feet wide, 19 feet deep.

2. Aisle Width:	<u>Aisle</u>	<u>90°</u>	<u>75°</u>	<u>60°</u>	<u>45°</u>
	one-way	NA	18' 16'	14'	
	two-way	22'20'	20'	20'	

3. All parking areas shall be designed so that no vehicle is required to back onto a public street or alley to obtain egress.

4. All parking areas shall be set back a minimum of five (5) feet from all public street rights-of-way.

5. All parking lots shall be adequately drained to eliminate surface water without contributing to drainage problems on adjacent properties.

6. Except for uses requiring fewer than five (5) parking spaces, all required off-street parking spaces, aisles, and driveways shall be paved with at minimum asphaltic concrete and have an adequate base.

7. All fixed items (such as utility poles, signs, fire hydrants, etc.) shall be contained within designated islands.

8. All islands shall be curbed or similarly delineated.

9. All islands and other areas not used for parking, travel aisles, or drives shall be landscaped with grass, shrubs, or other appropriate vegetation.

10. Vision Clearance. No plants or structures shall be placed that will obstruct the vision of vehicular or pedestrian traffic.

C. Driveways. The following regulations shall apply to all driveways.

1. All driveways shall be positioned at right angles to the roadway.

2. All driveways shall be positioned so that there is two hundred (200) feet of site distance in either direction for oncoming vehicular traffic.

3. Distance from side property lines :

Arterial Streets - 40 feet

Major Collector Streets - 30 feet

Minor Collector & Local Residential Roads - 20 feet

4. Distance from intersecting rights-of-way:

Arterial Streets - 75 feet

Major Collector Streets - 50 feet

Minor Collector & Local Residential Roads - 25 feet

[If the requirements of C.3. and C.4. cannot be met for a lot of record, a driveway will be permitted but the spirit and intent of the regulations shall be adhered to as closely as possible.]

5. Driveway Width: 24 to 30 feet for two lanes and 36 to 40 feet for three lanes.

6. Distance between driveways on same property: 40 feet.

7. Number of driveways allowed per road frontage (separated one-way driveways consisting of one ingress and one egress shall be considered as one driveway):

a. Lots with less than one hundred fifty (150) feet of road frontage may have one (1) driveway.

b. Lots with one hundred fifty (150) to five hundred (500) feet of road frontage may have two (2) driveways.

c. Lots with five hundred (500) or more feet of road frontage may have two (2) driveways for the first five hundred (500) feet of road frontage plus one (1) additional driveway for each additional three hundred (300) feet of road frontage.

D. Off-Street Loading and Unloading Space. Off-street loading and unloading space shall be provided for every commercial and industrial use. Retail, service, and similar uses shall have at least one (1) 12' x 25' space for each three thousand (3,000) square feet of floor space. Wholesale, industrial, and similar uses shall have at least one (1) 12' x 50' space for each ten thousand (10,000) square feet of floor space.

E. Remote Parking. If the parking space requirements cannot be provided on the same lot as the principal building, off-street parking may be allowed provided that:

1. the lot is under the same ownership as the lot with the principal building;
2. the lot is within three hundred (300) feet of the main entrance to the principal building; and
3. is on the same side of a major road or river as the lot containing the principal building.

ARTICLE 7
SUPPLEMENTARY PROVISIONS

7.1. Customary Home Occupations. Occupations for professionals, craftsmen, beauty and barber shops, antique sales, educational instruction, and similar uses shall be allowed in the agriculture and residential districts provided that at least one worker permanently resides in the house.

7.2. Signs and Billboards. Signs and billboards shall be permitted in commercial, agriculture, and industrial districts. The height of such signs shall not exceed fifty (50) feet in height or 300 square feet in area. No flashing signs or other signage shall be permitted within two hundred (200) feet of a residential district or a residential structure. No signs shall be permitted on state, city, or county right-of-ways. "For sale" signs, not exceeding twenty-five (25) square feet shall be permitted in residential districts. Auction signs shall be permitted in all districts, not to exceed two hundred (200) square feet, and shall be removed within ten days of the auction.

7.3. Manufactured Residential Park Standards. A mobile home park consists of five or more mobile homes or mobile home sites on a lot or lots under the same ownership. The following standards shall apply:

- A. No mobile home park shall be within five hundred (500) feet of any residence except a residence owned by the mobile home park operator/owner.
- B. Mobile home parks within 1,000 feet of any residence, except that of the park owner, shall have an evergreen buffer, composed of vegetation five (5) feet in width and at least eight (8) feet tall. The buffer shall be required on any perimeter facing such residences.
- C. No mobile home park may be constructed in which the only access is by residential streets in a duly recorded subdivision. Mobile home parks must have thirty (30) feet wide access roads connected to a county, state, federal, or city owned road.
- D. Internal roads must be built to county owned standards.
- E. Six-inch public water line must be provided to all sites. A fire hydrant must be located every five hundred feet.
- F. Parks having over fifteen (15) lots must be on public sewer.
- G. Mobile home parks having less than fifteen units without access to public sewer must have individual sewerage disposal systems approved by the State Department of Health and Environment.
- H. A site plan must be approved by the planning commission prior to any construction. Such a site plan must include site area, topography, drainage plans, specific parking

arrangements, locations of water or sewer lines, septic systems (where applicable), fire hydrants, buffering, (accessory buildings such as offices or Laundromats), parks and open space.

- I. The planning commission may deny the site plan due to poor site design for traffic patterns, poor visibility at mobile home park entrance, poor drainage plans, inadequate soil percolation of 60 mpi or greater, lack of parking, etc.
- J. All mobile home sites must have two off-road parking stalls of 9 feet by 18 feet. No on-street parking is permitted.
- K. All mobile home parks must provide and show on the site plan garbage disposal/dumpster units adequate to handle the refuse and dumped weekly.
- L. Five acres shall be the required minimum lot area for mobile home park.

7.4 Planned Unit Development (PUD) Regulations. The purpose of the Planned Unit Development regulations is to provide for diversification in the relationship of uses and structures to their sites and also provide flexibility which will create a more desirable living environment. A PUD shall mean an integrated, professionally prepared design for development of residential, commercial, or industrial uses, or as permitted, combinations of such uses, to allow application of new techniques and technology of site and building design and location; this for the purpose of achieving economies in land usage, maintenance, and street and utility systems while providing for attractive open areas, safe circulation, and general well-being of the inhabitants.

- A. Applicability of PUD Regulations. A PUD may be developed in any district provided that the uses permitted and density requirements of the district allow the development and the PUD plan elements are approved by the planning commission. Residential, commercial, public, semi-public, or industrial uses, or combinations of these uses where district or special regulations permit, may be developed under the PUD concept. Cluster type subdivisions and condominiums, townhouses, multi-dwelling units, rental developments, multi-use parks, travel trailer parks, and multi-use or ownership developments shall be considered as PUD's for the purpose of this resolution.
- B. Relationships of PUD Regulations to District and Site Plan Regulations. Unless specifically altered by any provision of this section, the use and development regulations of Article 8, or any other applicable provision of this ordinance shall apply to the development of a PUD.
- C. General Requirements. All PUD developments shall comply with the following requirements.
 - 1. Minimum Site. No PUD shall have an area less than that required by the planning commission as adequate for the proposed project; however, the minimum site shall not be less than the minimum lot size required in the district in which the proposed project is to be located.

2. Structures and Open Space. The planning commission shall require structures and open space to be arranged on the site in such a way that adjacent uses will not be adversely affected.
 - a. Where feasible, the highest height and intensity of uses shall be toward the interior of the projects.
 - b. No freestanding building shall be located closer than twenty (20) feet to any other freestanding building.
 - c. Minimum setback, and lot width at setback requirements for lots as established in Chapters 6 and 7 may be altered upon approval of the planning commission; except that, in no case shall the setbacks from any exterior project site side or rear property line be less than twenty-five (25) feet.
 - d. Landscaping/buffering requirements, as contained in ..., shall be applied to PUD developments; except that, the planning commission may require additional landscape materials or structures where it is deemed to be in the public interest to do so.

- D. Open Space Requirements. Preservation, maintenance, and ownership of open space areas and facilities shall be accomplished by one or more of the following methods, and shall be established in an appropriate legal manner.
 1. Dedication to and acceptance by the public as part of a governmentally administered park and open space system.
 2. A property owners association.
 3. The developer or management authority of the PUD.

- E. Parking and Access Control Requirements. The provisions of this ordinance relating to vehicular access and parking shall be adhered to; except that, the planning commission may alter these requirements in instances in which a superior design alternative is presented which will not be detrimental to the public interest or in conflict with the intent of this resolution.

- F. Density Requirements for Residential PUD. The density (units per gross acre) of dwelling units in a PUD shall be no greater than that allowed in the zoning district within which a PUD is located. The open spaces around public structures, such as schools and churches may be included in the gross acreage of the site for the purpose of calculating the number of residential units that are allowed within a PUD.

- G. Signs. The number, size, type, and placement of signs within PUD's shall be governed by the applicable provisions of this resolution.

- H. Street and Utility Construction Standards. Public and common ways for pedestrian and vehicular circulation shall be developed in relationship to other existing or

planned streets and ways and with the Jefferson County Major Road Plan. Whether or not the subdivision of property is proposed within a PUD, all project street and way improvements shall comply with the construction standards set out in the subdivision regulations. Due to the uniqueness of each PUD, the owner/developer of a PUD may request slight adjustments from widths of streets, ways, utility easements, curbing, and similar standards set out in the subdivision regulations; and, upon a determination of good cause being shown for such adjustments, the planning commission may permit changes or alterations in standards, provided the spirit and intent of this section can be preserved.

I. Plan Preparation and Review Process

1. PUDs Requiring The Subdivision of Property. In PUDs in which property is divided for the purpose of sale or rental, such as a subdivision or mobile home park, the following requirements for PUD plan preparation shall apply:
 - a. Preliminary PUD Plan. Prior to submitting a preliminary subdivision plat for review, a preliminary PUD plan shall be submitted to the planning commission which shall include the following: the general location of buildings and uses, general circulation patterns, open space and recreation areas, parking areas, ingress/egress points, sketch elevations and drainage, the boundary dimensions, overall density of development, public uses, landscaping concepts, zoning classification, and other information deemed pertinent by the planning commission. The approved preliminary PUD plan shall serve as the plan upon which the final PUD plan and preliminary subdivision plat are based. Approval of a preliminary PUD plan shall lapse twelve (12) months from the date it was approved.
 - b. Final PUD Plan/Preliminary Subdivision Plat. In addition to meeting the applicable provisions of the subdivision regulations regarding preparation of a preliminary plat, the final PUD plan shall include detailed architectural/engineering plans for: utilities, vehicular and pedestrian circulation systems, location of all structures, topographic intervals at no less than five (5) feet, minimum elevations, and grading, the physical relationship of uses, parking areas, open space and recreation areas, landscaped areas, buffer or screening materials and locations, areas proposed for dedication as parks, ways, or places, final drafts of legal documents, and other information deemed pertinent by the planning commission. Upon approval of the final PUD plan and the preliminary subdivision plat by the planning commission, development may commence with the installation of public improvements. No lots, however, shall be sold until final subdivision plat approval has been granted by the planning commission with all required improvements having either been installed or appropriate security posted for the installation of such improvements.
2. PUDs Not Requiring The Subdivision of Property. In PUDs in which no individual parcel of property is owned or rented, such as condominium,

apartment, commercial, or industrial PUDs, and similar uses, the following requirements for PUD plan preparation apply:

- a. Preliminary PUD Plan. A concept plan prepared by an architect/engineer containing the following information shall be submitted to the planning commission for review: the general location of buildings and uses, general circulation patterns, open space and recreation areas, parking areas, ingress/egress points, sketch elevations and drainage, the boundary dimensions, overall density of development, public uses, landscaping concepts, zoning classification, and other information deemed pertinent by the planning commission. The approved preliminary PUD plan shall serve as the plan upon which the final PUD plan is based. Approval of a preliminary PUD plan shall lapse twelve (12) months from the date it was approved.
 - b. Final PUD Plan. Following approval of a preliminary PUD plan, the developer may proceed to prepare a final PUD plan which shall include detailed architectural/engineering plans for: utilities, vehicular and pedestrian circulation systems, location of all structures, topographic intervals at no less than five (5) feet, minimum elevations, and grading, the physical relationship of uses, parking areas, open space and recreation areas, landscaped areas, buffer or screening materials and locations, areas proposed for dedication as parks, ways, or places, final drafts of legal documents, and other information deemed pertinent by the planning commission. Upon approval of the final PUD plan, a special conditions permit may be issued.
- J. Staging of Development. The PUD applicant may elect to develop the site in successive stages. The stages and expected development periods shall be shown on the preliminary PUD development plan. However, each stage given final PUD approval must be substantially complete within itself. The planning commission may also require the development of a PUD project in stages if public facilities are not adequate to handle the entire development initially.
- K. Permits. The developer of a PUD shall be entitled to receive appropriate development permits following approval of the final PUD plan and the preliminary subdivision plat, where applicable. However, none of these permits shall be issued until the building official receives a PUD plan which bears the signed certificates of approval and of application and agreement (See Appendix C for examples).
- L. Changes and Modifications. A PUD project may be changed or modified under conditions established for minor changes and major changes.
1. Minor changes. The planning commission may approve changes in minor shifts of building locations proposed streets and ways, utilities and easements, recreation and open space areas or other features on the approved plan. However, these changes shall not increase densities, change exterior boundary lines, change uses, materially change location or amount of land devoted to specific uses, or

significantly change the exterior features or appearance of buildings and uses shown on the approved plans.

2. Major changes. All changes other than those established as minor shall be considered as major changes to the PUD plan and shall require a new plan submission in accordance with the procedures requirements for approval of a PUD plan.

7.5. Development Standards for Automobile Wrecking, Junk and Salvage Yards, Dumps, and Junked Yards. Because of the nature and character of their operations, automobile wrecking and salvage yards, junk yards, 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 values 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 residence.
- 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 (8) to twelve (12) feet in height. Storage between the road or street and such fence, screen, or wall is expressly prohibited. Any fence, screen, or wall for screening purposes shall be properly painted or otherwise 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 the public health or safety.
- E. Off-road parking: No vehicles may be parked outside of the fence, screen, or wall.
- F. Ingress and egress: The number of vehicular access driveways permitted on any single street frontage shall be limited to:
 - G. One (1) driveway where the parcel to be used has a maximum road or street frontage of one-hundred (100) feet or less.
 - H. Two (2) driveways where the road or street frontage exceeds one hundred (100) feet.
- I. Except for non-conforming yards, no automobile wrecking, junk, or salvage yards shall be permitted within three hundred (300) feet of any public road in Jefferson County, except where a more stringent state or federal law applies.

- J. Application for Automobile Wrecking, Junk, or: Salvage Yard Permit: No person shall own or maintain an automobile wrecking, junk or salvage yard within Jefferson County until he has secured a permit from the Jefferson County Board of Zoning Appeals. An application for said permit shall be filed and shall be accompanied by a detailed site plan, a schedule for construction, and any other information herein required.
- K. Dumps: No person shall own or maintain a dump within Jefferson County until a site plan has been submitted and approved by the planning commission, received approval as a special exception by the Board of Zoning Appeals; and a permit issued by the Tennessee Department of Environment and Conservation, Division of Solid Waste is also required. No dump shall be permitted within five hundred feet of a residence, school, church, park, or public gathering place. All debris must be covered daily from public view. The dumping of chemicals or toxins is not permitted. Other standards required for junk yards shall also be required for dumps.
- L. Junked Yards/Lots/Tracts: Because of the nature of junked yards/lots/tracts and the health hazard posed from vermin, junked yards must be cleaned or a permit granted as a dump or junk, salvage yards. Site plan and Board of Zoning Appeals approval as a special exception is required. No junked yards will be permitted within five hundred feet from a residence, school, church, park, or public gathering place.

7.6. Development Standards for Sanitary Landfills. Because of the nature and character of landfill operations, detrimental effects to the health, safety, and welfare of surrounding residents can occur. To prevent potential problems, the following standards shall be used to evaluate proposed landfills.

- A. A minimum of 100 acres is required.
- B. Landfill operations, such as trenches and demolition areas, shall be no closer than 2,000 linear feet from any residence, school, or church.
- C. Ground water monitors must be located along all borders.
- D. A one hundred foot wide buffer must be provided along all outside boundaries. Such a buffer shall be composed of dense evergreen plantings which shall not permit viewing of landfill operations.
- E. One sign shall be permitted on site noting the name of the landfill and shall be no larger than one hundred square feet.
- F. All landfills must be located on a public road with at least fifty feet right-of-way and a road pavement width of at least twenty-six feet in width to accommodate safely the passage of garbage trucks. Any proposed landfill which does not meet this criteria must offer proposals to the county highway department for upgrading the public road. No site plan shall be approved unless the county highway department has accepted the proposed improvements and a bond has been posted with the planning commission for the improvements.

- G. All proposed landfills must meet all laws and regulations of the State of Tennessee and Jefferson County.
- H. A site plan is required showing access routes, entrances, signage, internal roadways, scales, office buildings, fencing, accessory buildings, trench and demolition areas, ground water monitors, owners name, address, and telephone number, proposed life span of the landfill, proposed reclamation plans, phases, and topography. The site plan shall be drawn to scale and shall show dimensions of all buildings, signs, entranceways, and landscaping.
- I. Documents must be submitted stating mitigation measures to be undertaken by the developer/owner of damage to surrounding property owners.
- J. A bond amount shall be set by the planning commission in an amount to off-set any detrimental effects from landfill operations and/or site preparation such as damage to roadways, public waterlines, or other "clean-up" operations which the county has to provide. Said bond shall be held for two years by the planning commission with the option to extend upon negotiations with the developer.

7.7. Development Standards for Telecommunications Towers (added by Resolution 2000-44, adopted 10-16-00). The following development standards and requirements shall apply to all proposed telecommunications towers to be located in the unincorporated portions of Jefferson County, Tennessee. It is the intent of this section to allow for the construction and placement of appropriate telecommunications facilities while minimizing their negative impacts upon the surrounding properties and the community as a whole.

- A. Telecommunications Towers as a Principal Use. Telecommunications towers are considered as a principal use of land.
- B. Site Plan Requirements. A site plan is required for any proposed telecommunications tower. The site plan shall show the locations of the property lines, tower, accessory building(s) or facilities, guy wires, and supports, and meet the requirements of Section 6.6.
- C. Setback Requirements. All buildings, guy wires, and supports shall meet the setback requirements for the district in which the facilities are located. Telecommunications towers must be set back from property lines equivalent to one and one-half (1 ½) times the height of the tower.
- D. Lighting. Towers shall not be lighted by artificial lighting except as required by the FAA or other applicable authority.
- E. Landscaping/screening. All facilities located in agricultural and residential districts shall be completely screened from view to a height not less than eight (8) feet. The screening material shall be natural or planted vegetation or opaque fencing. The preservation of existing mature trees is preferred except where such tree growth would interfere with the operation and maintenance of the facilities.

- F. Fencing. All facilities shall be enclosed by a security fence at least six (6) feet in height.
- G. Exemptions. Radio towers and/or antennas less than forty (40) feet in height and which are accessory to an existing residence, business, or government agency. Also exempt are antenna or similar facilities that are attached to existing structures provided they do not extend the height of the structures by more than forty (40) feet.
- H. Tower Removal. When the active use of a telecommunications tower ceases for a period of six (6) consecutive months, the tower shall be removed at the owner's expense.

ARTICLE 8

EXCEPTIONS AND MODIFICATIONS

8.1. Lots of Record. Where lots, platted or deeded prior to the adoption of this zoning resolution, exist and do not conform to the minimum lot size requirements, construction may be approved, if no adjacent properties can be purchased to meet minimum lot size requirements. After the adoption of this resolution, no lot may be subdivided which does not meet the minimum lot size requirements.

8.2. Mineral Exception. It is recognized that the extraction of minerals is a basic industry within the area subject to this ordinance. It is further recognized that the location of underground mineral deposits will not necessarily coincide with the district boundaries established by this ordinance. It is not the purpose of this ordinance to regulate mining operations under the surface of the land or restrict strictly temporary prospecting work by core or churn drill in any district.

ARTICLE 9

ZONING DISTRICTS

9.1. Absolute Minimum Lot Size (revised by Resolution 2000-44, adopted 10-16-00). The Neighborhood Commercial (C-1) and Agricultural-Forestry (A-1) Districts shall have a minimum lot size of forty thousand (40,000) square feet. The Environmental Industrial (I-2) District requires a minimum of five (5) acres for each lot. The following lot area requirements apply to each of the remaining zoning districts: Lots with public sewer, the minimum lot size is 10,000 square feet. With public water and not sewer, the minimum lot size is 20,000 square feet. Without public water and sewer, the minimum lot size is 40,000 square feet. Where this requirement conflicts with the Jefferson County Subdivision Regulations or the Health Department requirements, the most stringent standard shall prevail.

9.2. Classification of Districts. For the purpose of this resolution, the following zoning districts are hereby established in the un-incorporated sections of Jefferson County and are shown on the map entitled Zoning Map of Jefferson County, Tennessee.

- A-1 Agricultural-Forestry
- R-1 Rural Residential
- R-2 High Density Residential
- F-1 Special Flood Hazard District
- C-1 Neighborhood Commercial
- C-2 General Commercial
- I-1 Industrial
- I-2 Environmental Industrial

9.3. Agricultural-Forestry District, A-1.

- A. Uses Permitted. Single family houses, duplexes, agricultural uses and sales including barns, storage sheds, single chasis mobile homes on individual lots, neighborhood commercial convenience uses including barber and beauty shops, gasoline stations, dry cleaners, doctors and veterinarian offices and clinics, grocery stores, repair shops, laundromats, car washes, day care centers, drug stores, customary home occupations, airports and air strips, schools and other government uses, travel trailer parks, campgrounds, marina operations, ventilation facilities for sub-surface mines and semi-public uses including churches.
- B. Uses Prohibited. Any item not specifically noted above, unless the Jefferson County Board of Zoning Appeals deems a proposed use similar to a type listed above.
- C. Setbacks. The principal building must be set back ten (10) feet from the side and rear lot lines and thirty (30) feet from the front property line. Accessory buildings must be set back five (5) feet from the side and rear lot lines. No accessory buildings are permitted in the front yards. Signs must be set back five (5) feet from any lot line.

9.4. Rural Residential District, R-1.

- A. Uses Permitted. Single family houses excluding mobile homes, duplexes, customary home occupations, day care centers, and schools.
- B. Uses Prohibited. Any use not specifically noted above.
- C. Setbacks. The principal building must be set back twelve feet from each side and rear lot line and thirty feet from the front yard lot line. Accessory buildings must be set

back seven feet from the side and rear lot lines. No accessory building is permitted in the front yard.

9.5. High Density Residential District, R-2.

- A. Uses Permitted. Single family houses, duplexes, apartments, manufactured residential dwelling parks, dormitories, day cares.
- B. Uses Prohibited. Any use not specifically noted above.
- C. Setbacks. The principal building must be set back twelve feet from each side and rear lot line and thirty feet from the front yard lot line. Accessory buildings must be set back seven feet from the side and rear lot lines. No accessory building is permitted in the front yard.

9.6. Special Flood Hazard District, F-1.

The special flood hazard district is an overlay district regulated by the Jefferson County Flood Damage Prevention Regulations. This district is shown on the Zoning Map of Jefferson County as a shaded area where the flood damage prevention regulations shall be applied in addition to the underlying zoning district requirements.

9.7 Neighborhood Commercial, C-1.

- A. Uses Permitted. Grocery stores, convenient stores, bakery stores, hardware stores, beauty shops, laundromats, restaurants, gasoline service stations provided that all structures and pump islands shall be placed not less than twenty (20) feet from all property lines. Points of ingress and egress shall be not less than fifteen (15) feet from intersection of street lines.

9.8. General Commercial District, C-2.

- A. Uses Permitted. Shopping centers, retail outlets and stores, professional offices, automobile repair, service and gasoline sales, motels, hotels, grocery stores, barber and beauty shops, hardware, clothing shops, restaurants and fast food eating establishments, distribution centers, flea markets, warehousing, appliance sales and service, florists, clinics, hospitals, schools and other government operations, automobile sales, boat sales and service, mobile home sales and service, drug stores, and any similar use to the above as determined by the Board of Zoning Appeals.
- B. Uses Prohibited. Any use not noted above or deemed of a similar type by the Board of Zoning Appeals.
- C. Setbacks. The principal building shall be set back forty feet from the front property line, twenty feet from the side and rear lot lines. Signs shall be set back ten feet from

all property lines. No accessory buildings are permitted in the front yard setbacks. There must be defined entranceways to the lot to direct traffic.

9.9. Industrial District, I-1. (revised by Resolution 2000-44, adopted 10-16-00).

- A. Uses Permitted. General manufacturing and warehousing outdoor equipment lots, assembly of goods, food processing, lumber yards, asphalt manufacturing, rock, sand and gravel yards, freighting, concrete or cement products manufacture, chemical manufacture, paper and pulp manufacture, machines shops or other metal working businesses, quarrying, mining, milling and related facilities including ventilation, packaging or distribution centers, warehousing airports, automobile repair.
1. Adult Oriented Businesses, provided no portion of the building is located closer than one thousand (1,000) feet to any public or private school, day care center, church, or the R-1 or R-2 districts.
- B. Special Exceptions. Other uses may be permitted by the Board of Zoning Appeals which are similar in type to those uses permitted above. No use may be permitted by the Board of Zoning Appeals which is noxious in nature and may adversely affect the health and safety of the surrounding properties.
- C. Uses Prohibited. Those uses not noted above, or approved by the Board of Zoning Appeals. Those uses which have the capability of adversely affecting the health and safety of the surrounding properties due to the nature of volatile chemicals processing or storage.
- D. Setbacks. All uses must be set back fifty feet from the front property line, and twenty-five (25) feet from the side and rear lot lines. Signs are not permitted within five feet of the property line.

9.10. I-2, Environmental Industrial District. This district's purpose is to allow industrial development for heavy industrial uses which, by their nature, offer the potential for impacting the environment negatively.

- A. Special Exceptions. In the I-2 Environmental Industrial District, the following uses are permitted on review by the Board of Zoning Appeals as special exceptions.
1. Landfills
 2. Smelting plants
 3. Asphalt plants
 4. Slaughtering houses
 5. Incinerators for the burning of garbage materials or medical wastes
 6. Paper/paper product plants

7. Chemical manufacturing plants in which potentially hazardous chemicals are to be produced or utilized
 8. Junkyards
- B. Uses Prohibited. Those uses not mentioned above shall be prohibited.
- C. Dimensional Regulations. All uses permitted in the I-2 Environmental Industrial District shall comply with the following requirements.
1. Front yard setback: 100 feet
 2. Rear yard: 50 feet
 3. Side yard: 80 feet
 4. Land area: minimum five acres
 5. Lot width: 300 feet
 6. Other requirements: site plan requirements, and supplementary provisions.
 7. All applicable federal and state statutes and regulations shall be met.
 8. Statements of potential air/water pollutants shall be provided with corrective alternatives. Storage of chemicals which are toxic shall be addressed. Hazardous material or chemical transportation information shall be provided, if applicable.
- D. Other Information. The planning commission may require other information such as more detailed soils, drainage, air or water pollutants, transportation haulers, chemical usage or storage, impact on water/sewer facilities or other data deemed pertinent. Lack of information or poor environmental factors, site planning will deem a denial of the site plan.

ARTICLE 10

ADMINISTRATION

10.1. Enforcement Officer (revised by Resolution 2000-44, adopted 10-16-00). A zoning official shall be appointed to issue all permits, maintain records, and forward materials to the Board of Zoning Appeals and the planning commission. The zoning official shall routinely attend meetings of these two public bodies. Current zoning maps and map amendments shall be maintained by the zoning official and he shall conduct inspections as prescribed by this ordinance.

10.2. Zoning Compliance/Building Permits (revised by Resolution 2000-44, adopted 10-16-00). It shall be unlawful to start construction of a principal building or accessory building

unless a permit is obtained. It shall also be unlawful to construct additions to any existing building unless a permit is obtained. However, no zoning compliance/building permit shall be required for the purposes of ordinary building maintenance or repair. Furthermore, no zoning compliance/building permit shall be required for the construction of buildings intended for agricultural uses.

10.3 Permit Denial. A zoning compliance/building permit shall be denied when the proposed construction is a type of land use which is not allowed in that zoning district, when the setbacks cannot be met, or any other type of violation of the regulations in this zoning resolution. The applicant is required to submit relevant details of construction and certify on the permit that the details are correct.

10.4. Stop Work Orders. A stop work order may be issued on construction or land usage when the zoning official notices a zoning violation. All work must therein desist until the problem is corrected.

10.5 Time Limits. The zoning compliance/building permit is valid for six (6) months after which time it is invalid if construction on the project site is not progressing.

10.6. Penalties. Any person found violating the provisions of this resolution shall be found guilty of a misdemeanor, and upon conviction shall be fined not less than five (5) dollars per day nor more than fifty (50) dollars per day.

10.7. Fee Schedule (added by Resolution 2000-44, adopted 10-16-00). The following fee schedule shall apply to new construction.

<u>Valuation of Construction</u>	<u>Fee</u>
Residences, including mobile and modular homes.	\$225 base fee plus \$3 for each \$1,000 of valuation and any fraction thereof
Housing Additions.	\$25 base fee plus \$3 for each \$1,000 of valuation
Churches.	exempt – no fee
Violations.	permit fees are doubled

Valuation for used mobile homes is \$300 per linear foot and new mobile home valuations are based on sales sheet information. All other valuations are based on “Building Valuation Data,” using the National Standard Averages that are published quarterly by the Southern Building Code Congress International.

ARTICLE 11
BOARD OF ZONING APPEALS

11.1. Creation. The Board of Zoning Appeals shall be created and appointed in accordance with Tennessee Code Annotated, Sections 13-7-106 and 13-7-107.

11.2. Appeals. Any person, adjacent property owner, or governmental unit may appeal to the Board of Zoning Appeals for special exceptions, variances, and allegations that the building inspector has issued or failed to issue a permit.

11.3. Powers of the Board. The Board of Zoning Appeals can hear an aggrieved person who is contesting an action of the building inspector, is requesting a special exception which is either listed under special exceptions in the existing zoning district or is a similar character permitted for interpretation as a special exception in the zoning district, or has a variance request which can be approved under Tennessee Code Annotated, Section 13-7-109.

11.4. Special Exception and Variance Hearing. Within thirty (30) days after a request for a hearing before the Board of Zoning Appeals, a public meeting should be held. The Board's decision on the issue must be contained in the minutes of the meeting.

ARTICLE 12
AMENDMENTS AND INTERPRETATION

12.1. Amendments. This resolution may be amended by first submitting a proposed amendment to the text or map to the planning commission and then to the Jefferson County Board of Commissioners. The amendment shall be effective upon the majority vote of approval by the county's Board of Commissioners. A public hearing must be called at least thirty (30) days prior to the date of the hearing on any amendment by the county commissioners, and this public hearing must be published in a local newspaper of general circulation in the county.

12.2. Interpretation. Where other state or local laws are in conflict, the more stringent standards shall prevail.

12.3. Separability. Should a section, clause, or provision of this resolution be declared invalid by a court of competent jurisdiction, or unconstitutional, the judgment shall not affect the validity of this resolution as a whole or any part other than the part judged to be invalid.

12.4. 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.

DATE OF ADOPTION: August 17, 1998

APPROVED:

Gary W. Holiway
County Executive

ATTEST:

R.E. Farrar III
County Clerk

MINUTES BOOK NUMBER: _____

Certification of the Regional Planning Commission

This Zoning Resolution, text and map, was certified by the Jefferson County Regional Planning Commission on May 11, 1998.

Chairman - Planning Commission

Secretary - Planning Commission