ARTICLE IV

USE REGULATIONS

DIVISION 4000. PURPOSE

The purpose of this Article is to indicate which land uses may locate in each zoning district and which uses may not locate therein. A further definition is made for uses which may locate in a given district only upon obtaining a conditional use permit to do so.

Sections 4001 through 4105 specify which uses are permitted in each zoning district and define the use categories used in this Ordinance. The uses generally described in Sections 4001 through 4003 are specifically listed in Division 4100.

SECTION 4001. INTERPRETATION OF THE TABLE OF PERMITTED USES: USES PERMITTED BY RIGHT, USES PERMITTED AS SPECIAL USES, USES PERMITTED AS CONDITIONAL USES, AND USES NOT PERMITTED.

A. The uses permitted in Section 4002 are specifically designated. Other than by zoning change, no use which is expressly prohibited shall be built in a district. However, the Development Director shall have the right to permit uses which are not specifically listed but are similar to uses that are expressly permitted in Section 4002, in accordance, with the procedures in Division 10300. Uses which are not listed in Section 4002 and not considered similar to uses which are specifically listed shall not be permitted.

B. Uses listed as permitted by right or as a special or conditional use are permitted provided that a zoning certificate has been issued in accordance with Division 9200.

C. Uses permitted by right or as a special or conditional use shall be subject, in addition to use regulations governing yards, lot size, lot width, building area, easements, provisions of off-street parking and loading, and to such other provisions as are specified in other articles herein. In particular, the laws of the State and the regulations of the Williamson County's Department of Health regarding water supply and waste disposal shall be adhered to. Further, no zoning certificate nor building permit shall be issued until approval is obtained from the County's Department of Health for water supply and sewage disposal, unless the premises are served by public water and/or sewage treatment facilities.

*See Amendments List at End of Article.

D. Although a use may be indicated as permitted by right or as a special or condition use in a particular district, it does not follow that such a use is permitted or permissible on every parcel in such district. No use is permitted or permissible on a parcel unless it can be located thereon in full compliance with all of the performance standards and other regulations of this Ordinance applicable to the specific use and parcel in question.

Table of Uses on Following Page.

*See Amendments List at End of Article.

Section 4002. TABLE OF USES

USES	DISTRICTS R	E	SE	S	NC	CC	U	AP	MH	RS	IC*
Agricultural											
A. Agricultural	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
B. Intensive Agricultural	Y	C	C	C	C	C	C	Y	C	C	C
C. Selective Cutting	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
D. Clear Cutting	Y	Y	C	C	C	C	C	Y	C	C	C
E. Nursery	Y	Y	Y	Y	Y	Y	Y	Y	Y	C	Y!
F. Farm Employee Housing	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!
G. Stable, Private	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!
Residential											
A. Single-Family *	Y	Y	Y	Y!	Y	Y	Y	C	N	Y	Y
B. Resource Conservation Development	Y	Y	Y	Y/C	N	Y	N	N	N	Y	C
C. Equestrian Subdivision	Y	Y	Y	Y	N	N	N	N	N	N	Y
D. Planned Res. Cons. Dev.	N	N	Y/C	Y/C	N	N	Y	N	N	N	C
E. Mobile Home	Y!	N	N	N	Y*	N	N	N	Y	N	N
F. Mobile Home Park	N	N	N	N	N	N	N	N	Y!	N	N
G. Commercial Apartment	N	N	N	Y!	N	Y!	Y!	N	N	N	N
H. *Accessory Dwelling	S	S	S	S	S	S	N	N	N	N	S
I. Multi-Family	N	N	N	Y/C	N	N	Y/C	N	N	N	N
J. *Bed & Breakfast	C	C	C	C	C	C	C	N	N	N	C
K. *Interior Apartment / Second Dwelling	Y!	Y!	Y!	Y!	Y!	Y!	N	N	N	N	Y!
Institutional											
A. Outdoor Institutional	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
B. Indoor Institutional	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!
C. Institutional Resident:											
1-8 Residents *	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!
8 + Residents *	N	N	C	C	N	N	C	N	N	N	N
D. Public Service	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!
E. Wireless Telecommunication Facilities	Y/S	Y/S	Y/S	Y/S	Y/S	Y/S	Y/S	Y/S	Y/S	Y/S	Y/S

*See Amendments List at End of Article.

Section 4002. TABLE OF USES

USES	R	E	SE	S	NC	CC	U	AP	MH	RS	IC*
	DISTRICTS										
Commercial											
A. Office **	N	N	N	Y	N	Y	Y	Y	N	N	C++
B. Commercial Retail	N	N	N	C	N	Y	Y	Y	N	N	C
C. Heavy Retail/Services	N	N	N	Y!	N	C!	Y!	Y!	N	N	C!
D. Restaurant	N	N	N	Y	N	Y	Y	Y	N	N	C
E. Drive-In Restaurant	N	N	N	Y	N	N	Y	Y	N	N	C
F. Services	N	N	N	Y	N	Y	Y	Y	N	N	N
G. Shopping Center	N	N	N	C	N	C	Y!	N	N	N	C
H. Hotel	N	N	N	Y	N	C	Y	N	N	N	C
I . Rural Retreat – Limited	Y!	Y!	Y!	N	N	Y!	N	N	N	N	Y!
J. Farm Wineries	Y!	Y!	Y!	Y!	N	Y!	N	N	N	N	Y!
K. Rural Retreat – Extensive	Y!	Y!	Y!	N	N	Y!	N	N	N	N	Y!
L. Agricultural Support	C	N	C	C	N	C	N	Y	N	N	C
M. Airport, Landing Strip & Heliport	C	N	N	N	N	N	N	C	N	N	N
N. Home Occupation	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!
O. *Residential Business	C	C	C	N	N	C	N	N	N	N	N
P. Family Day Care Home	S	S	S	S	S	S	S	S	S	S	S
Q. Day Care – Accessory Uses	S	S	S	S	S	S	S	S	S	S	S
R. Off-Site Signs	C	N	N	C	N	N	C	C	N	N	N
S. Stables, Commercial	C	C	C	C	C	C	N	C	N	N	N
T. Animal Boarding Facility	C	N	N	C	N	C	C	C	N	N	C
U. Private Recreational Ctrs.	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!	Y!
V. Recreational & Athletic Facility	N	N	N	Y	N	Y	Y	N	N	N	C
W. Cemeteries, Commercial	N	N	C	C	N	N	N	N	N	N	C
X. Mixed Commercial Center	N	N	N	C	N	C	C	N	N	N	C
Y. Adult- Oriented Establishment	N	N	N	C	N	N	N	N	N	N	N

** Includes Commercial Day Care

*See Amendments List at End of Article.

Section 4002. TABLE OF USES

	DISTRICTS										
USES	R	E	SE	S	NC	CC	U	AP	MH	RS	IC*
Industrial											
A. Light Industrial	N	N	N	C	N	C	C	C	N	N	C
B. Heavy Industrial	N	N	N	C	N	N	N	C	N	N	N
C. Private Extraction & Disposal	C/O	C+	C/O	N+	N+	N+	N+	C	N+	N+	N
D. Sawmill/Planing Mill	C	N	N	C	N	N	N	N	N	N	N
Mixed Use Development	N	N	C	C	N	N	C	N	N	N	C

(Key to Table 4002 on following Page)

*See Amendments List at End of Article.

KEY TO TABLE OF PERMITTED USES

Y = permitted by right in this district, with site plan and/or zoning certificate approval by staff.

N = Not permitted in this district.

S = Permitted as a special use in this district. (Refer to Division 4600)

C = Permitted as a conditional use in this district. (Refer to Division 4500 for detailed regulations.)

Y/C = Permitted by right if density is restricted by the presence of natural resources as determined by Division 7100 and the calculations in Section 5210.

Permitted as a conditional use if density is not restricted by the presence of natural resources as determined by Division 7100 and the calculations in Section 5210.

Y/S = Permitted by right (See 4400Y). Permitted as a Special Use if required under 4400Y, in addition to the requirements in 4400Y see Division 4600.

C/O = Phosphate mining operations within the Mining (M) Overlay District which shall include all portions of Williamson County west of U.S. Highway 31 are a permitted use.

Phosphate mining operations not within the Mining (M) Overlay District are a permitted use, provided the operator meets the requirements of Section 4520PP herein.

! Refer to Division 4400 for additional standards.

* Individual single-wide mobile homes are permitted on any lot in the NC district with a "T" designation. However, the lot size must meet the minimum lot size requirements for that district.

+ The holders of mineral rights on land in these districts must exercise their rights and commence mining operations within then (10) years of the effective date of this Ordinance. Holders of mineral rights who do not exercise their rights within this time frame shall not be permitted to commence mining operations unless the affected property is rezoned to a district which permits extraction either by right or by conditional approval. (Phosphate mining activities are exempt from this provision this exemption shall expire within six (6) months of the date of adoption of this Ordinance.)

++ Only uses under SIC 51, exclusive of SIC 515 and 517.*

*See Amendments List at End of Article.

SECTION 4003. PERMITTED USES IN REQUIRED OPEN SPACE

In all districts it is possible that areas must be set aside as open space for resource protection or to meet the minimum requirements of Article V. Where such open space is required, and where the use is also permitted by the applicable district's zoning, the following table shall control.

Use	Woodlands	Floodplains	Sinkholes	Drainageways	Slippage Soils	Steep Slopes	Hilltops	Ridgetops	Required Open Space
A. Agricultural									
1. Row Crop & Other Fields	N	N	N	N	N	N	N	N	Y
2. Pasture & Livestock Enc,	N	Y	Y	Y	Y	Y	Y	Y	N
3. Clear Cutting	C	C	N	N	N	N	N	N	N
4. Nursery	N	Y	N	N	N	N	N	N	N
5. Commercial Greenhouse	N	N	N	N	N	N	N	N	N
B. Recreational									
1. Active Recreation	N	Y	N	Y	N	N	Y	Y	Y
2. Garden Plots	N	Y	Y	Y	N	N	Y	Y	Y
3. Natural Areas	Y	Y	Y	Y	Y	Y	Y	Y	Y
4. Passive Recreation	Y	Y	Y	Y	N	Y	Y	Y	Y
5. Picnic Area	Y	Y	N	Y	N	N	Y	Y	Y
6. *Golf Course	N	Y	N	Y	N	N	N	Y	C
C. Other									
1. Drainage Structures	C	Y	N	Y	N	N	N	N	C
2. Filling	N	C	N	C	N	N	N	N	C
3. Septic Disposal Systems	Y	10	N	N	N	N	Y	Y	N*
4. Public Facilities	N	N	N	N	N	N	N	N	Y

10 = Permitted in or above the ten (10) year floodplain. * Common septic systems and spray irrigation are permitted in open space areas. Such areas must not be subject to compaction by heavy equipment or other causes.

*See Amendments List at End of Article.

DIVISION 4100. USE CATEGORIES DEFINED.

The use categories utilized by this Ordinance are defined in Sections 4101 through 4105. The uses not enumerated in these Sections are not necessarily excluded from locating within any given zoning district. Section 10110 and Division 10300 empower the Planning Director or a designee to make interpretations on matters regarding specific land use proposals.

SECTION 4101. AGRICULTURAL USES

A. Agricultural. Agricultural uses are farms (and farm residences), that involve orchards, raising of livestock, dairy cattle, horses, or poultry, and truck farming. Nursery and forestry operations are not considered agricultural uses. Family member housing is considered an agricultural use. Farm employee housing is regulated separately (4400 Q).

B. Intensive Agricultural. These agricultural uses include fee lots, hog farms, and poultry operations where animals are tightly confined in buildings or outdoor pens containing more than two animal units per acre. (See Section 4520 A).

C. Selective Cutting. The cutting or harvesting of trees over twelve (12") inches in diameter or the cutting of trees for personal on-site (such as firewood, pole barns, or fences)where the extent of such activity is limited to normal harvesting practice and does not result in a gain in allowed density if the property is proposed for development within five (5) years.

D. Clear Cutting. This use includes the clearing or destruction of woodland areas (young and/or mature woodlands as defined by this Ordinance) over an area greater than that permitted as selective cutting. Clearing in accordance with site plans or subdivision plans approved pursuant to resource protection standards of this Ordinance is not considered clear cutting. (SIC 241) (See Section 4520 B)

E. Nursery. This category includes nurseries with or without retail sales or accessory greenhouses. A minimum of fifty-one (51) percent of all materials sold by nursery must be grown, or otherwise produced , on-site. Nurseries containing a garden center shall be considered as commercial, heavy retail uses.

F. Farm Employee Housing (See Division 4400 Q)

G. Stables, Private. Any building, incidental to an existing residential principal use, that shelters horses for the exclusive use of the occupants of the premises. (See Division 4400 V)

*See Amendments List at End of Article.

SECTION 4102. RESIDENTIAL USES

A. Single-Family Development. Single-family developments include all individual residential lots and residential subdivisions comprised entirely of conventional single-family detached houses (as described in Division 6200 A), and which do not provide common open space. Single-family development also includes all lots exempted from subdivision by the State of Tennessee Statutes.

B. Resource Conservation Development. Resource conservation developments include all residential subdivisions comprised solely of conventional single-family houses and/or zero lot-line houses (as described in Division 6200 A and B) which provide common open space meeting the requirements of Section 5110. (See Section 4520 E)

C. Equestrian Development. Equestrian developments are resource conservation developments which contain horse trails and facilities in which horses or other animals may be stabled on each lot. (See H., below) (See Section 4101 G)

D. Planned Resource Conservation Development. Planned resource conservation developments include all residential subdivisions comprised of one or more of the following housing types: conventional single-family houses, zero lot-line houses, village houses, twin houses, patio houses, atrium houses, townhouses, weak-link townhouses, multiplexes, and apartments. Such developments shall be planned as a unit, provide common open space, and meet all the provisions of Section 5110. (See Section 4520 E)

E. Mobile Home. A mobile home not located in a mobile home park and meeting all the requirements of Section 4400 J and 5110.

F. Mobile Home Park. A planned resource conservation development containing mobile home lots for sale or for rent, including mobile home subdivisions. Such a facility shall meet all requirements for mobile home parks listed in Section 4400 H and J., 5110 and 6200 K.

G. Commercial Apartment. An apartment located in a commercial building. (See Section 4400 D)

H. Accessory Dwelling. A new dwelling unit or converted building such as a stable, garage, or carriage house containing no more than 750 sq. ft. in area. (See Article II – Definitions, Section 4102 H, Section 4620 E.)

I. Multi-Family Residential Development. This use includes developments of apartments, attached units for sale or rent, and any development other than fee simple homes on individual lots. They must follow the regulations for PRCD developments (See Section 4102 D)

*See Amendments List at End of Article.

J. Bed and Breakfast. These uses include a building that contains a dwelling unit and guest room(s) that number no more than five (5) where the guests receive a room and only one (1) morning meal per day is served. (See Section 4620.B.)

K. Interior Apartment/Second Principal Dwelling. See Article II (Definitions), Sections 4400 W (Interior Apartments) and 4400 X (Second Principal Dwellings) for specific standards.

SECTION 4103. INSTITUTIONAL USES

A. Outdoor Institutional. Outdoor institutional uses include public areas for active recreational activities, including, but not limited to, jogging, cycling, tot lots, play-fields, playgrounds, outdoor swimming pools, outdoor tennis courts, and golf courses. Also included are passive recreational uses (including but not limited to, arboretums, areas for hiking, nature areas, and wildlife sanctuaries. Also included are picnic areas, parks, garden plots, cemeteries, and beaches. Private parks and other open space such as youth recreation camps, are also considered outdoor institutional uses.

B. Indoor Institutional. These uses include public aquariums, churches, public conference centers, community or public recreational centers, public gymnasiums, libraries or museums, indoor public recreational centers, public or private schools, and all other public indoor institutional uses. (See Section 4400 E. and 4620 A)

C. Institutional Residential. These uses include group homes, convents or monasteries, nursing homes, protective living facilities, and sheltered care homes. (See Section 4520 F, 4400 T, and 4620 A). Retirement Communities. See Division 4400 T and Retirement Communities in Article II, Definitions.

D. Public Service. These uses include all government or public utility owned and operated facilities, emergency services, service buildings or garages (e.g., ambulance, fire, police, rescue), utility substations or distribution facilities. (SIC 43) (See Section 4400 A and L)

E. Wireless Telecommunications Facilities (See Divisions 2300, 4400Y, and 4600).

SECTION 4104. COMMERCIAL USES

A. Office. Office uses include:

Banking and other credit agencies, <u>office only</u> (SIC 60, 61)
Security, commodity brokers and services (SIC 62)
Insurance Carriers (SIC 63, 64, & 66)
Real Estate (SIC 65 & 66)
Holding and Other Investments (SIC 67)
Business Services (SIC 73)

*See Amendments List at End of Article.

Health Services (SIC 801-804 807)
Legal Services (SIC 81)
Social Services (SIC 83) including day care facilities SIC 835-836) (See Division 4104 A., 4104 Q and Section 4400 I)
Membership organizations (SIC 86)
Engineering Services (SIC 87)
Miscellaneous Services (SIC 89)
Landscape counseling and planning (SIC 0781)
Agricultural Services, office only (SIC 07)

B. Commercial Retail. These uses include the following retail uses:

Building supplies (SIC 523-526)
General merchandise stores (SIC 53)
Food Stores (SIC 54)
Apparel and accessories stores (SIC 56)
Furniture and home furnishings stores (SIC 57)
Miscellaneous Retail (SIC 59) except fuel dealers (SIC 598)

C. Heavy Retail and Heavy Services. These are retail and/or services activities that have large amounts of exterior services or storage areas or partially enclosed structures as listed below: (See Section 4400 B and 4520 G)

Lumber and other building materials (SIC 52), except garden centers (SIC 526)
Mobile Home Dealers (SIC 527)
Automobile and Recreational Vehicle Dealers and Service Station (SIC 55) (See Section 4400 C)
Fuel and Ice Dealers (SIC 598)
Garden Centers and combination Garden Center/Nurseries (SIC 526)
Auto Repair and Services (SIC 75)

D. Restaurant. These uses include all establishments primarily oriented to the serving of food and/or beverages. This use category does not include those restaurants serving food and/or beverages to customers in vehicles. (SIC 58) except drive-in and drive-up restaurant.

E. Drive-In. These uses include all restaurants which serve food and/or beverages to customers located in vehicles for consumption on or off the premises.

F. Services. These uses include a wide variety of personal and commercial services.

Commercial services (SIC 60-61)
Personal Services (SIC 72)
Miscellaneous repair services (SIC 76)
Motion picture services (SIC 78)
Indoor amusement (SIC 791, 792, 793, 7991, 7993)

*See Amendments List at End of Article.

G. Shopping Center. These uses include any group of commercial establishments planned, developed and managed as a unit with off-street parking provided on the property. (See Division 4400 R for detailed regulations)

H. Hotel. These uses include hotels, motels, and convention centers (SIC 701 & 704), <u>except</u> bed and breakfast facilities and dude ranches. (See Section 4520 H)

I. Rural Retreat – Limited. These are facilities owned and operated by a non-governmental entity for the purpose of providing a rural training center and retreat for its employees, members, or affiliates. The use may include conference and meeting facilities, dining facilities, and recreational amenities of a rural nature, none of which shall be open to the general public. (See Section 4400.AA.)

J. Farm Wineries. These are establishments located on a farm with a producing vineyard, orchard or similar growing area and with facilities on the premises for fermenting and bottling wine and wine related beverages, as well as an area devoted to the sampling and sales of wine and wine-related products. (See Section 4400 Z.)

K. Rural Retreat – Extensive. These are facilities owned and operated by a non-governmental entity for the purpose of providing a rural setting in which lodging, camping and/or conference, meeting, and event facilities are provided for compensation. The use may also include restaurant and/or banquet facilities and recreational amenities of a rural nature. Uses meeting the definition of Rural Retreat - Limited that exceed the size limitation for that use or provide facilities for overnight lodging or camping are also included under this category. (See Section 4400.BB.)

L. Agricultural Support. This category includes (See Section 4520 K):

Veterinary Services (SIC074)
Farm stands – such facilities may sell agricultural products not grown on site (See Section 4200.D.8)
Farm Product Sales

M. Airport, Landing Strip and Heliport. This use includes all airports as well as landing strips and heliports (SIC 45) including those for the private use of an individual. (See Section 4520 L)

N. Home Occupation. * These uses include occupations at home that do not change the essential character of the residential use. Typical examples are professional offices at home and crafts created for sale at home (including Private Recording Studios as a Conditional Use in all zoning district. [4520 X]. See Section 4400 N.

O. Residential Business. * These uses may be carried on within the existing principal structure within an accessory structure. These include, but are not limited to: craftsman and building trades, well drillers, auto repair, furniture making and repair,

*See Amendments List at End of Article.

and the sale of products produced on the property. No more than three (3) persons other than the resident may be employed by the business. (See Section 4520 M)

P. Family Home Day Care. An occupied residence in which a person provides day care for children other than his/her own family and the children of close relatives. Such care in a family day care home is limited to that care given to between five (5) and twelve (12)children, including children living in the home and children of close relatives cared for in the home. (Refer to Section 4620 C)

Q. Day Care Center as an Accessory Use. A day care center may be operated in a church or school as an accessory use. (See Section 4620 D)

R. Off Site Signs. (See Section 8170 B.)

S. Stable, Commercial. A stable operated as commercial venture. (See Section 4520 C)

T. Animal Boarding Facilities. This includes boarding and training facilities for a variety of small household pets. (See Division 4500 S, Conditional Uses)

U. Private Recreational Centers. This use includes subdivision recreational facilities exclusively for the use of residents in that subdivision or private membership recreational club with facilities including, but not limited to: swimming pools, tennis pools, clubhouses, putting greens. Clubs or facilities with 9-18 hole golf courses are not included in this category. (See Division 4400 P, Detailed Uses)

V. Recreational and Athletic Facilities. This use includes all commercial facilities (including but not limited to) skate centers, gymnastics schools, racquetball/tennis facilities , sport stadiums, etc.

W. Commercial Cemeteries. (See Section 4520 T)

X. Mixed Commercial Centers. These uses include any group of commercial establishments on a single lot that are not centrally planned, developed or managed. See Division 4520 W for conditional use regulations.

Y. Adult-Oriented Establishment. Adult-oriented establishment as used in this ordinance shall have the same meaning as the term "adult-oriented establishment" as used in Tennessee Code Annotated (TCA) Section 7-51-1102, as amended from time to time, and in construing this term, the definitions contained in TCA Sections 7–51-1102 (1)-(6), as amended, are likewise incorporated by reference and made a part of this ordinance.*

SECTION 4105. INDUSTRIAL USES

A. Light Industry. This use includes manufacturing, transportation and wholesale uses provided the use meets all light industrial performance standards (Section 4520 N) as

*See Amendments List at End of Article.

well as additional standards for the Crossroads Center district and involves no more than five hundred (500) employees on the largest shift. Light industrial uses are conditional uses and must comply with all of the general standards of Division 4500, as well as the specific standards of Section 4520 N. These uses include:

General building contractors (SIC 15)
Special trade contractors (SIC 17) <u>except</u> any storing equipment that is more than 12 feet in height.
Food products (SIC 20) <u>except</u> meat products and alcoholic beverages (SIC 201, 2077 and 2082-2085)
Tobacco manufacturers (SIC 21)
Textiles and apparel (SIC 22 and 23)
Lumber and wood products (SIC 24)
Furniture and fixtures (SIC 25)
Paper products (SIC 26) <u>except</u> mills (SIC 261, 262 & 263)
Printing and publishing (SIC 27)
Drugs (SIC 283)
Leather and leather products (SIC 31) <u>except</u> tanning and funishing (SIC 311)
Fabricated metal (SIC 34)
Office and computing machines (SIC 357)
Electric and electronic equipment (SIC 36) <u>except</u> electronic distribution and electrical industrial (SIC 361 and 362)
Instruments and related products (SIC 38)
Miscellaneous manufacturing industries (SIC 39)
Local and interurban passenger transit (SIC 41)
Trucking and warehousing (SIC 42)
Transportation services (SIC 47)
Communications (SIC 48)
Wholesale trade, durable and nondurable (SIC 50 & 51)
Mini-warehouses (See Section 4520 Z)

B. Heavy Industry. This use category includes construction, mining, manufacturing, and transportation. It also includes all uses listed as light industry that employ more than five hundred (500) people on a single shift. Heavy industrial uses are conditional uses, and are subject to the general provisions of Division 4500. (See Section 4520 O) The following uses are permitted:

Heavy construction contractors (SIC 16)
Meat Products (SIC 20 and 2077)
Alcoholic beverages (SIC 2082-85)
Paper, pulp or paperboard mills (SIC 261-63)
Chemicals and allied products (SIC 28) <u>except</u> drugs (SIC 283) (See Section 4400 K)
Petroleum and coal products (SIC 29) (See Section 4400 K)
Rubber and miscl. Plastics (SIC 30)
Leather tanning (SIC 311)
Stone, clay and glass products (SIC 32)

*See Amendments List at End of Article.

Primary metal industries (SIC 33)
Machinery (SIC 35)
Electrical distribution equipment (SIC 361) (See Section 4400 L)
Electrical industrial apparatus (SIC 362)
Transportation equipment (SIC 37)
Railroad switching and terminals (SIC 4013)
Utility (SIC 49) production or processing facilities but not offices or transmission or distribution.

Commentary: This group contains those uses which have severe potential for negative impact on any uses located relatively close to them. This group differs from light industrial uses in that it includes uses that require unenclosed structures that are large, tall and unsightly, such as concrete batching plants. These uses also have severe potential for generation of odor and may involve large amounts of exterior storage; because of their scale, they are also likely to have a regional impact.

C. Extraction and Disposal Uses. This category includes junk, scrap, or salvage yards, landfills, sludge disposal or storage, resource recovery facilities, and trash compaction or transfer stations, and any other form of waste management facilities and all extraction uses. (SIC 10, 12, 13, 14) (See Section 4520 P & PP).

Commentary: These uses create major disruptions to the area's environment, even when carefully regulated. Dust, dirt, noise and unsightly conditions can be anticipated. None of these uses is an acceptable neighbor in a residential environment.

D. Sawmill and Planing Mill. This category includes milling operations which are suited to rural locations. (See Section 4520 Q)

Sawmills and planing mills (SIC 242)

SECTION 4106. MIXED USE DEVELOPMENTS

This use shall be defined as developments which contain two or more platted parcels of dissimilar types of development including single-family or multi-family residential development, institutional uses, commercial uses and/or industrial uses. Individual sections of mixed use developments shall conform to the various standards applicable to the type development they contain. (See Division 4520 V., Conditional Uses)

*See Amendments List at End of Article.

DIVISION 4200. TEMPORARY USE REGULATIONS.

A. Authorization. Temporary uses are permitted only as expressly provided in this Division.

B. Zoning Certificate Required. No temporary use shall be established unless a Zoning Certificate (as provided in Division 9200.) evidencing the compliance of such use with the provisions of this Section and other applicable provisions of this Ordinance shall be first been issued.

C. Signage Limitation. No signs in connection with a temporary use shall be permitted except in accordance with the provisions of Section 8170 D.

D. Particular Temporary Uses Permitted. The following are temporary uses which are subject to the following specific regulations and standards, in addition to the other requirements specified in this Ordinance.

1. Christmas Tree Sales.

   a. Permitted in the Rural (R), Crossroads Center (CC), Airport Overlay (AP), Suburban (S), and Urban (U) Districts.

   b. Permitted as a conditional use in either the Estate (E), Suburban Estate (SE), Neighborhood Conservation (NC) or Restricted Single-Family (RS) districts.

   c. Maximum length of permit for display and open lot sales shall be forty-five (45) days.

2. Fireworks Sales

   a. Permitted as a conditional use in the Urban (U), Suburban (S), and Crossroads Center (CC) districts.

   b. Maximum length of permit for display and sales shall be forty-five (45) days.

   c. *No residential structure shall be within three hundred (300) feet of the proposed structure.

   d. *The parcel in which the proposed use is located shall be a minimum of five hundred (500) feet from other similar uses. This distance shall be measured from structure to structure.

   e. *The conditional use, once approved, must be reviewed every two (2) years by the Planning Commission, unless the site plan is

*See Amendments List at End of Article.

amended. In such cases, the approval is subject to re-approval by the Planning Commission.

3. Contractor's Office and Construction Equipment Sheds.

   a. Permitted in any district where use is incidental to a construction project.

   b. Office or shed shall not contain sleeping or cooking accommodations.

   c. Maximum length of permit shall be one (1) year.

   d. Office or shed shall be removed upon completion of construction project.

   e. Any gravel or pavement area shall be retuned to its natural state, and shall be stabilized.

   f. Such permits shall be renewable at the discretion of the Planning Director.

   g. Heavy equipment may not be stored on-site. (See 4., below)

4. Contractor's On-site or Off-site Storage Yard.

   a. Permitted in any district where use is incidental to a construction project.

   b. **O**ffice or shed shall not contain sleeping or cooking accommodations.

   c. Maximum length of permit shall be one (1) year.

   d. Office or shed shall be removed upon completion of construction project.

   e. Such permits shall be renewable at the discretion of the Planning Director.

   f. Such use requires the pre-approval of the Board of Zoning Appeals following the procedure for the consideration of a special use permit. (See Division 4600.)

*See Amendments List at End of Article.

5. Events of Public Interest, Limited Impact.

   a. Permitted in any zoning district.

   b. Each Event must meet the following standards:

      1. Number of Events - maximum number of events per year is four (4) per individual lot or site during a calendar year.

      2. Duration of Event - an individual event cannot exceed two (2) consecutive days.

      3. A zoning certificate must be filed for each event establishing that its impact will not exceed that of Events of Public Interest, Limited Impact (See Definitions, Article II).

      4. Events held on the grounds of any church, private or public school, athletic field, arena, auditorium or other similar place or places of permanent assembly are not subject to the limitation of maximum daily attendance as outlined in Article II (see definition, Events of Public Interest, Extensive Impact.

6. Real Estate Sales Office

   a. Permitted in any district for any new development approved in accordance with the Williamson County Zoning and Subdivision Regulations. A model home may be used as a temporary sales office.

   b. Maximum length of permit shall be one (1) year, and may be renewed from year to year until the completion of the development.

   c. Office shall be removed upon completion of the development of the subdivision.

7. Temporary Shelter. When fire or natural disaster has rendered a single-family residence unfit for human habitation, or when a property owner desires to live in temporary housing on his property, while his home is being built, the temporary use of a mobile home located on the single-family lot during rehabilitation of the original residence, or construction of a new residence, is permitted subject to the following additional regulations.

*See Amendments List at End of Article.

a. Required water and sanitary facilities must be provided.

b. Maximum length of permit shall be six (6) months, but the Planning Director or a designee may extend the permit for a total of extra time not to exceed six (6) months in the event of circumstances beyond the control of the owner.

c. Application for the extension shall be made at least fifteen (15) days prior to expiration of the original permit.

d. The mobile home shall be removed from the property upon issuance of any occupancy permit for the new or rehabilitated residence.

e. The applicant shall be required to provide express consent and authorization of Williamson County to remove the shelter at the owner's expense upon termination of the permit.

f. A permit for a mobile home to be used as a temporary residence during construction of a permanent residence may be issued by the Board of Zoning Appeals for no longer than six (6) months with no more than one six (6) months renewal and no change in location. Unless extreme circumstances have occurred, no renewal shall be issued unless a building permit has been issued and construction began on the permanent structure. This shall be treated as a Special Use permit to follow the procedures of Division 9400. This permit shall in no way supersede any private subdivision covenants.

8. Produce of Farm Stand.

a. Permitted in the Rural (R), Estate (E), Suburban Estate (SE) and Crossroads Center (CC) districts.

b. Permitted in other Districts where all products are grown on-site.

c. Farm stands operating as a temporary use shall be open for no more than six (6) months per year.

d. All temporary signs shall be affixed to the stand and, when added together, shall not exceed thirty-five (35) square feet in area. The sign(s) may contain the name of the stand but shall only contain advertising that pertains to the produce sold at the stand. This type of sign will not require the issuance of a sign permit.

e. The stand shall neither block nor be located within any right-of-way and shall be a minimum of ten (10) feet from the paved

*See Amendments List at End of Article.

surface of the road. When located on or within one hundred (100) feet of intersecting streets, the stand shall conform to the clear-view distance requirements as set forth in Section 8450.

9.* Temporary Asphalt, Asphalt Reprocessing Plants, or Rock Quarries.

a. Such facilities shall be erected only in conjunction with County and State/Federal highway road improvements in Williamson County.

b. They shall be permitted only for the period of such highway work.

c. The contractor shall submit a routing of trucks to and from the proposed plat to the County Highway Commission as a condition prior to approval.

d. The contractor shall provide a bond in the amount required by the County Highway Commission to pay for correcting any damage done to County roads during the course of said plant's operations.

e. A bond amount for said plant shall be approved by the Planning Commission. Said bond shall be for covering the costs of fully mitigating site damage caused by the plant. Said bond shall be posted and accepted by the County prior to the issuance of the temporary use permit.

f. In the case of temporary rock quarries, an end use plan meeting the criteria listed in 4520 P.3.d. will be required prior to the Planning Commission setting a bond in e., above.

g. Such facilities shall only be allowed access via arterial streets and highways. Access via local residential and/or residential collector streets shall be prohibited.

*See Amendments List at End of Article.

DIVISION 4300. ACCESSORY USE REGULATIONS.

Accessory buildings, accessory uses, and accessory structures shall be permitted in the Rural (R), Estate (E), Suburban Estate (SE), Suburban (S), Neighborhood Conservation (NC), Crossroads Center (CC), Mobile Home (MH), Restricted Single-family (RS), and Urban (U) districts, as specified below, provided each is customarily incidental and subordinate to a principal residential use. (See also 4400 O. Greenhouses)

A. The distance measured from the closest point of the accessory building or structure to a point on the main structure shall not be less than ten (10) feet. When the distance between the closest point of an accessory building or structure and the main structure is greater than twenty (20) feet, such accessory building or structure shall not be considered part of the main structure even though attached thereto.

B. All permitted accessory buildings and accessory structures on lots that are under five (5) acres in size shall be permitted only if they are located in the rear yard and are fifteen (15) feet from any lot line.

C. All permitted accessory buildings and accessory structures on lots that are five (5) acres and greater in size shall be permitted either in the rear yard as in Division 4300.B. or in a side yard as long as the structure meets the side setback for a residence as contained in Division 6200, or in a front yard as long as the structure meets the residential side setback and is a minimum of 200 feet from the front lot line.

D. In no instance shall an accessory use cover more than twenty (20) percent of the lot area.

E. *Swimming pools as an accessory use shall be fenced as a safety precaution and shall meet the following specifications.

1. The fence shall be at least four (4) feet high and may surround the entire yard or only the pool area.

2. The bottom of the fence shall be constructed no more than six (6) inches from the ground (finished grade) level.

3. Openings in the fence shall not permit the passage of a six (6) inch sphere.

4. The fence shall be permanently constructed, maintained and made of durable materials. Temporary safety measures such as fences erected by using "T" fence posts and made of nylon webbing, chicken wire, and other similar materials will not meet this standard.

5. Access gates shall meet the same minimum standards as outlined above for fences, open outward away from the pool, and shall be self closing and self latching.

*See Amendments List at End of Article.

6. Fences shall be required and maintained for the life of the swimming pool.

7. This sides of an above-ground swimming pool may constitute compliance with the fencing standards if (a) the entire area around the outside of the pool measures four (4) feet from ground (finished grade) level to the top of the pool, (b) if the ladder or steps can be secured, locked, or removed to prevent uninvited access to the pool. If these standards are not met, a fence shall be installed as specified above.

DIVISION 4400. DETAILED USE REGULATIONS.

In addition to compliance with other regulations imposed by this Ordinance, the following standards are required to the specific uses enumerated below.

A. Public Services Uses. Because of their public necessity, public service uses are permitted in all zoning districts. If the Planning Director or his designee determines that the use may cause either a possible hazard to nearby residents or passersby or an interference with the development, use or enjoyment of surrounding property, fencing or screening with densely planted materials may be required even if said planting exceeds otherwise required bufferyards

B. Heavy Retail and Heavy Service—All Road Services Uses

1. Any outside display of vehicles for sale or storage shall meet the required setback for the district along with street lot line.

2. All activities involving the production, processing, cleaning, servicing, testing, or repair of materials, goods, or products shall conform to all applicable requirements of this Ordinance.

3. All repair, painting, and body work activities shall take place within a building.

4. All stored vehicles awaiting repair shall be completely screened from view of all public roads and adjacent properties.

C. Heavy Retail and Heavy Service--Gasoline Stations (See also 4400 G.)

1. All major repair services shall be performed within a completely enclosed building.

2. When within seventy-five (75) feet of a residential use, a gas station shall store all vehicles, refuse and vehicle parts within a completely enclosed building or within an area which is completely visually screened from those residences. (See Division 4400 G.)

*See Amendments List at End of Article.

D. Commercial Apartments. Commercial apartments are not required to be included in the floor area ratio calculations for a commercial building. These units will not be permitted unless all of the conditions below are fulfilled.

1. In addition to landscaping that is otherwise required, one (1) canopy tree of two and one-half (2.5) inch or greater caliper is planted for each unit. These additional trees must be planted as close to the units as possible.

2. The floor area devoted to commercial apartments shall not be counted towards the floor area in commercial developments.

E. Indoor Institutional

1. If the proposed use is located in a new structure, a conversion of an existing structure or a large addition (greater than fifty [50] percent) the use must be referred to the Planning Commission and must be reviewed at a Public Meeting.

   Planning Department staff <u>may</u> recommend Final Approval at the required Public Meeting. However, if the proposal is complex, staff may recommend the proposal return for Final Approval.

   If the proposal is for an addition to an existing building which is less than fifty (50) percent of the size of the existing structure, it is eligible for Staff approval without going before the Planning Commission.

2. All Proposals:

   a. Must meet all standard of this Ordinance.

   b. Must meet all Environmental Department requirements and obtain necessary permits or letters of approval.

   c. Must meet all Building Code requirements.

   d. Church steeples shall be regarded as exceptions to the height requirements for the ordinance as outlined in Division 6300. A steeple, bell tower, or ornamental structures may exceed this height to a maximum of one and one-fourth the height of the main structure, as long as it does not pose a safety hazard to adjacent property or aircraft.

      Any exceptions to this height standard may be considered at the discretion of the Planning Commission on an individual basis.

*See Amendments List at End of Article.

3. All Proposals for Conversion of Existing Structure:

   a. Must have a minimum lot size of five (5) acres.

   b. Main assembly area must contain a minimum area of seven (7) square feet per person.

   c. The main assembly area's capacity may not exceed one hundred (100) persons if the structure is a converted residence.

4. All New or Converted Structures

   a. Must take primary access from an arterial or collector road.

   b. If located in a platted residential subdivision, must be on a lot containing at least five (5) acres.

5. Criteria for Staff Approval of Building Permit

   a. The addition must be an addition to an existing institutional structure and must be less than fifty (50) percent of the size of the existing structure or less than two thousand (2,000) square feet.

   b. The addition must meet all Zoning, Environmental Department and Building Code requirements.

   c. The addition must be in character with the existing structure.

   d. If staff feels there are no problems with the addition, then notices will be sent to all adjacent property owners. Said owners shall have ten (10) days to comment on said addition.

      If any unfavorable comments are received, the application will be brought before the Planning Commission for review.

      If the applicant disputes a Staff decision to reject the application, they may request a hearing before the Planning Commission.

   e. Any nonprofit institution must present proof of its nonprofit tax status.

F. Outdoor Structures (Bleachers, Movie Screens, Permanent Outdoor Amusement Rides) shall be at least one (100) feet from any lot line, exclusive of bufferyards.

*See Amendments List at End of Article.

G. Pumps, Underground Fuel Storage Tanks, and Islands including any Canopies shall be at least twenty-five (25) feet from any street or lot line. Entrances and exits to streets from properties containing one or more of these uses shall be at least one hundred (100) feet from any intersection (see also 4400 C)

H. Mobile Homes Park

1. The peripheral bufferyards shall have a minimum opacity of four-tenths (.4) where the park adjoins existing residential properties.

2. Open space shall be arranged to provide suitable on-site recreation for the residents and buffering for surrounding residential areas.

3. There shall be no historic sites within one thousand (1000) feet.

4. See Section 4400 J. for regulations applying to individual mobile home units.

I. Day Care Centers. Commercial Day Care Centers are a unique commercial use that require some specific standards to assure the health and safety of the children who attend:

1. Obtain license to operate facility from Tennessee Department of Human Services or show evidence that license will be issued after approval.

2. All play areas shall be fenced and shall meet all required setbacks.

3. Adequate buffering between play areas and residential lots or streets shall be provided. Play area buffering shall consist of either a privacy fence of suitable material (compatible with adjacent uses) of at least six (6) feet in height or a screen of appropriate evergreen plants or trees of at least a 0.4 opacity.

4. All refuse shall be contained in completely enclosed facilities and located in the rear of the building(s).

J.* Mobile Home, Manufactured Home, Modular Home

1. Units must meet all Environmental Department requirements.

2. Set-up Criteria:

a. Unit must have continuous underpinning.

b. Unit must meet all lot requirements of the applicable zoning district.

c. Unit must have steps to each doorway and must provide deck area of four (4) feet by four (4) feet for the front door, and three (3) feet by three (3) feet for all other doors.

*See Amendments List at End of Article.

d. All steps and decks must provide handrails and guardrails a minimum of thirty-two (32) inches high.

e. Step risers must be a maximum of eight (8) inches high and platforms must be at least nine (9) inches wide.

K. Above-Ground Chemical or Fuel tanks exceeding eight hundred (800) gallons shall be located in a depressed area sized to hold all the tank volume with a one foot freeboard.

Such depressions hall be lined with materials that prevent the chemicals to be stored from soaking into the ground, and must have a positive drainage to an area for pumping up any spill. Tanks in excess of four thousand (4000) gallons shall be enclosed in a chain-link, barbed-wire topped screen.

L. High-Voltage Transformers and any other Utility Structures or Equipment of Potential Hazard to Residents or Passerby shall be completely enclosed by a chainlink fence and/or barbed-wire topped screen. Such enclosures shall be screened with hedges.

M. Exceptions to Minimum Yard Requirements. The following structures shall be allowed to project into or be constructed on any minimum required yard as permitted by Williamson County Building Code and as follows: awnings, canopies, and HVAC units not to exceed three (3) feet; bay windows, not to exceed two (2) feet; clotheslines; driveways and their curbs, fences, walls and hedges may be constructed in minimum yard areas, provided that their installation does not violate other provision of this Ordinance.

N. Home Occupation. Home occupations may be conducted in any single-family dwelling unit provided that all of the following criteria are met:

1. The home occupation shall be conducted only inside the dwelling and not in any accessory building or in the garage.

2. The business shall be conducted by a resident of the dwelling, and no more than one (1) other person shall be employed in the business.

3. No more than twenty-five (25) percent of the total floor area of the dwelling shall be used for the home occupation.

4. The residence used for home occupation shall not be a storage facility for a business conducted elsewhere, nor shall any products be manufactured on the site other than arts or crafts produced by hand.

5. No activity, materials, goods, or equipment incidental to the home occupation shall be externally visible.

*See Amendments List at End of Article.

6. Only one (1) sign, which shall not be over two (2) square feet, may be used to advertise a home occupation provided, however, that there shall be no sign advertising a home occupation in a platted subdivision. Said sign shall not be located within a right-of-way.

7. The use of the dwelling for a home occupation shall in no way destroy or be incompatible with the residential character of the dwelling or the neighborhood.

8. No more than one (1) home occupation shall be carried on in a single residence.

9.* Private Home Recording Studios shall be considered a Conditional Use subject to a public hearing before the Planning Commission and conditional standards specified in Section 4520 X.

O. Greenhouse. Greenhouse structures shall be setback from the property line a minimum of twenty (20) feet or one-half (1/2) the length of the structure up to a maximum of seventy-five (75) feet, wherever the parcel containing the greenhouse is located adjacent to:

1. a collector or arterial road;
2. any property in the Estate (E), Suburban Estate (SE), Suburban (S), Restricted Single-family (RS), or the Mobile Home (MH) districts; or
3. any property containing a residential use regardless of the zoning district.

P. Private Recreational Centers. These centers as defined in Section 4104 U. are allowed in all districts under the following criteria:

1. If included as part of a subdivision, the facility may be on a platted lot in common open space.

2. Private recreational clubs, not exclusively for the use of residents in a subdivision, must be also approved by the Planning Commission/Board of Zoning Appeals. Notices must be sent to all adjacent property owners.

3. For either use, a site plan must be filed with the Planning Commission Staff, meeting the criteria for a simplified site plan.

4. Parking standards shall be one space for every fifteen homes served by the facility or one space for every five members of the private club.

5. The parking area must be placed behind the setbacks and bufferyard.

6. The facility shall meet the same minimum setbacks as residences in the subdivision or area.

*See Amendments List at End of Article.

7. Any structures for the facility must be in scale and architectural style compatible with residences in the subdivision or area.

8. The bufferyard between the parking lot and property line shall be a 0.5 opacity.

9. All other applicable standards of this Ordinance must be met.

Q. Farm Employee Housing

The following regulations have been designed to provide for the convenient housing of farm employees at the work site.

1. Farm Employee Housing Units. *To qualify as a farm employee housing unit, the unit must house a family member or worker either of whom must be employed full-time at the farm on which the unit is located, and must be in addition to another existing legal residence.

2. Development of Farm Employee Housing Units

   a. No more than one (1) farm employee housing unit shall be permitted for any fifty (50) acres; up to a maximum of three (3) farm employee housing units. Additional units, up to maximum of five, may be approved by the Board of Zoning Appeals.

   b. Farm employee housing units shall be considered as agricultural accessory uses for the purposes of this Ordinance. They shall not be considered as residential units for the purposes of residential density calculations until the property is to be subdivided. Upon subdivision, they shall either be counted as part of the development potential or eliminated.

   c. If such housing is a mobile home, then within one (1) year after it is no longer used to house farm employees, such housing shall be removed.

   d. Such employee housing unit must be a minimum of one hundred (100) feet from the property line or the street. If located in a district other than the Rural (R) District, the employee housing unit must be located a minimum of two hundred (200) feet from a property line.

   e. Any such use in a Rural zone may be approved by the Planning Staff through a Zoning Certificate, however, if the requested housing unit in any zone is a mobile home then it must be approved by the Board of Zoning Appeals following Special Use procedures in Division 9400.

*See Amendments List at End of Article.

R. Shopping Centers. The are four levels of scale for shopping center developments. Convenience, Neighborhood, Community and Regional. Regulations governing these scales are in Section 5121.

All other applicable standards of this Ordinance must also be followed. For proposed shopping centers in the Suburban and Crossroads Center districts, additional conditional use standards of Section 4520 U. may be followed.

S.* Institutional Residential: 1-8 Residents

1. Group housing in this category for the mentally handicapped shall be subject to site plan review by the Planning Commission, including the installation of fencing or other protective screening at the discretion of the of the Planning Commission.* This screening may be in excess of the normal requirements of this ordinance.

2. All other group housing proposals shall be considered a "Special Use", under the requirements set forth in Division 4600.

T.* Retirement Communities as allowed in Section 4002 shall be allowed under the following criteria in addition to the basic performance standards of this ordinance.

1. Approval of Site Plan by Planning Commission using criteria in Section 9500.

2. The overall site design (including the mix of residential facilities), architecture, setbacks and landscaping plans shall be compatible in character with the area where the community is proposed.

3. a*. As a proportion of the residential dwelling type of the overall community in the Suburban Estate (SE) district, no one type shall exceed the following:

Single-family Detached Lots-
No greater than 50% of all dwelling units
Single-family Attached Units -
No greater than 25% of all dwelling units
Congregate Independent Living Centers - Multi Family Units -
No greater tan 40% of all dwelling units
Congregate Assisted Living Centers - Multi Family Units -
No greater than 20% of all dwelling units
Nursing/Convalescent Centers -
Will no be allowed in this district.

*See Amendments List at End of Article.

b*. As a proportion of the residential dwelling type of the overall community in the Suburban (S) and Urban (U) districts, no one type shall exceed the following:

Single-family Detached Lots -
No greater tan 30% of all dwelling units
Single-family Attached Units -
No greater than 20% of all dwelling units
Congregate Independent Living Centers - Multi Family Units -
No greater than 50% of all dwelling units
Congregate Assisted Living Centers - Multi Family Units -
No greater than 25% of all dwelling units
Nursing/Convalescent Centers -
No greater than 20% of all dwelling units

4. See also Special criteria in Article II, Definitions for Retirement Communities.

5. The minimum site area and lot area shall be determined by the performance standards of Table 5110.

6. The height standards for any structures in the development shall be governed by the following provision.

*No portion of any building or other structure shall penetrate the height control planes which begin twenty (20) feet above all setbacks lines of a lot and rise over such lot at a slope having a ration of one vertical to one-half horizontal in distance. In no case shall such building or other structure be more than three (3) stories or exceed forty-five (45) feet in height above site grade.

7. There shall be adequate parking for resident and visiting staff, and each resident able to drive an automobile. (See Section 8310 A.3.)

8. Special fire escapes and other required structural changes shall be located and screened to minimize the character differences with other residential units in the area.

9. Any main collector roads within a Retirement Community which connect communal use areas must contain sidewalks or other off-street walking paths.

10*. That a market study developed by an independent research consultant or group be submitted to confirm the need for such a project for retired senior citizens aged 55 and older. This study must contain the following components.

A) Definitions and Delineation of Market Area(s)
B) Socioeconomic Trends and Characteristics
C) Quantification of Market Demographics

*See Amendments List at End of Article.

D) Competitor Analysis
E) Quantification of Potential Market Depth of Each Element of the Facility
F) Projected Fill/Absorption Rates

U*. Single Family Residential in Suburban District

Single family developments shall be an allowed use for developments on 30,000 SF lots with septic systems and on 20,000 SF lots with public sewer.

Single family developments may be approved with a gross density of 1.80 dwellings units per acre on 20,000 s.f. lots with septic systems provided the following criteria are met:

1. No public sewer is available under the definition contained within the Williamson County Subdivision Regulations (Article 4.6). This defines accessible as being when the off-site distance from the edge of the subdivision to the connecting sewer (by way of natural drainage or other acceptable route) does not exceed fifty (50) feet for each building site created.

2. Soils requirements of Section 5220 are met.

3. Such developments shall be limited to major subdivision of 5 or more lots which require bondable public infrastructure improvements including public water and fire hydrants.

4. Any such development must be approved by the Planning Commission and the County Commission following public hearings at each. Preceding the public hearings a notification sign shall be placed on the property, all adjoining property owners notified by mail and a notice placed in a local paper.

V. Stable, Private or Commercial

1. The minimum lot area for any property containing a commercial stable shall be five (5) acres.

2. The minimum lot area for any property containing a private stable shall be two (2) acres.

3. The maximum number of animals permitted on the property shall not exceed one (1) animal unit per acre as defined by Article II of this Ordinance.

4. An inside stall shall be provided for each animal kept overnight at the commercial stable. Inside stalls may be provided for each animal at a private stable. In either case, the minimum dimensions of each stall shall be ten (10) feet by ten (10) feet.

5. The following minimum setbacks shall be provided:

*See Amendments List at End of Article.

a. Stables, corrals, and piles of manure, feed and bedding shall be located seventy-five (75) feet or more from any street or nonresidential lot line, and one hundred (100) feet from any adjoining residential property, in order to minimize odor and nuisance problems. Pastures may extend to any street or lot line.

b. A vegetated strip at least fifty (50) feet wide shall be maintained between any corral, manure pile, or application area any surface water or well, in order to minimize runoff, prevent erosion, and promote nitrogen runoff.

c. In areas with a slope of five (5) percent or less, corrals and manure piles shall be one hundred and fifty (150) feet from a well and two-hundred (200) feet from any surface water, unless the water source is located upgrade, or there is adequate diking provided on-site.

d. Corrals, manure piles and manure application areas are prohibited in areas with slopes greater than five (5) percent, in floodplains, drainageways, and in wetlands.

e. Manure shall not be applied closer than seventy-five (75) feet to well or to any surface water, unless the water is located upgrade, or there is adequate diking as determined by the Environmental Department.

6. For commercial stables, parking spaces are required as follows: one (1) space for every two (2) riding animals, based on the maximum number of animals permitted on the property, plus one (1) space for every employee on the largest shift.

7. Special events such as shows, exhibitions, and contests shall only be permitted when a zoning certificate has been granted and when a temporary use permit has been secured.

W. Interior Apartment. Separate living quarters contained within or added onto the principal dwelling which has different bathroom, bedroom, and kitchen facilities from the principal residence.

1. Only one interior apartment is permitted on any given lot.
2. Apartment shall be limited to a maximum of 750 sq ft or less than 50% of the principal dwelling, whichever is smaller.
3. Apartments may be contained within the existing house or annexed onto the exterior. However, they are to be constructed so that the exterior appearance of a single-family home is maintained. A second front door is not permitted.
4. Any additions to the existing living quarters must comply with all setback requirements for a principal building required by this regulation.
5. Applicant shall obtain approval of the Department of Sewage Disposal Management or other sewage service provider, as applicable.

*See Amendments List at End of Article.

X. Second Principal Dwellings. A second separate single family home located on the same parcel as the primary or existing residence.

1. Only two (2) dwelling units will be permitted on any given lot and then only if the size of the property meets the density requirements of the zoning district in which it is located.

2. Existing and proposed dwellings on the same parcel must be separated by a minimum of 100 feet if no fire hydrant is located within 1000 feet, or 60 feet if a fire hydrant is located within 1000 feet.

3. New dwellings must comply with all setback requirements of this regulations.

4. The applicant shall provide a site plan drawn to scale showing the location of both dwellings, the distance between the two dwellings, and the distance from both dwellings to the front, side(s), and the rear property lines.

5. The applicant shall record a deed restriction with the Register of Deeds office stating that any subdivision of property will meet minimum building setbacks for each principal building, that the property will meet the current density requirements for the zoning district in which it is located, and that the proposed division of property will meet the requirements of the Williamson County Subdivision Regulations. A copy of the recorded deed restriction shall be provided to the Planning Office prior to obtaining an approved zoning certificate for a second principal dwelling.

6. Applicant shall obtain approval of the Department of Sewage Disposal Management or other sewage service provider, as applicable.

Y. Wireless Telecommunications Facilities

1. Purpose and Legislative Intent. The Telecommunications Act of 1996 affirmed Williamson County's authority concerning the placement, construction and modification of Wireless Telecommunications Facilities. Williamson County finds that it is in the best interest of the Citizens of Williamson County to develop regulations that would minimize the effect of the placement of Telecommunication Structures. The County also recognizes that facilitating the development of wireless service technology can be an economic development asset to the County and of significant benefit to the County and its residents. In order to insure that the placement, construction or modification of Wireless Telecommunications Facilities is consistent with the County's land use policies, Federal law, and Tennessee Law, the County is adopting a single, comprehensive, Wireless Telecommunications Facilities application and permit process. The intent of this local ordinance is to minimize the negative impact of Wireless Telecommunications Facilities, while establishing a fair and efficient process for review and approval of applications, assure an integrated, comprehensive review of environmental impacts of such facilities, and protect the health, safety and welfare of Williamson County.

*See Amendments List at End of Article.

2. Title. This Ordinance, which is contained within and made a part of the Williamson County Zoning Ordinance, shall be known and cited as the Wireless Telecommunications Facilities Siting Ordinance for Williamson County.

3. Severability.

   A. If any word, phrase, sentence, part, section, subsection, or other portion of this Ordinance or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed Application thereof, shall be severable, and the remaining provisions of this Ordinance, and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

   B. Any permit issued under this Ordinance shall be comprehensive and not severable. If part of a permit is deemed or ruled to be invalid or unenforceable in any material respect, by a competent authority, or is overturned by a competent authority, the permit shall be void in total, upon determination by the County.

4. Definitions. For the purposes of this Wireless Telecommunications Facilities Ordinance, and where not inconsistent with the context of a particular section, the defined terms, phrases, words, abbreviations, and their derivations shall have the meaning given in this section. When not inconsistent with the context, words in the present tense include the future tense, words used in the plural number include words in the singular number and words in the singular number include the plural number. The word "shall" is always mandatory, and not merely directory.

   A. "Accessory Facility or Structure" means an accessory facility or structure serving or being used in conjunction with Wireless Telecommunications Facilities, and located on the same property or lot as the Wireless Telecommunications Facilities, including but not limited to, utility or transmission equipment storage sheds or cabinets.

   B. "Accessory Equipment" means equipment serving or being used in conjunction with a Telecommunication Facility or Support Structure.

   C. "Antenna" means a system of electrical conductors that transmit or receive electromagnetic waves or radio frequency or other wireless signals.

   D. "Applicant" means any Wireless service provider or other applicant submitting an Application for any approval as required under this ordinance.

   E. "Application" means all necessary and appropriate documents that are requested by the County to assist it in its review of an Applicant's request to obtain a Zoning Permit for a Wireless Telecommunications Facilities.

*See Amendments List at End of Article.

F. "BZA" means the Williamson County Board of Zoning Appeals.

G. "Clear Land" means an area free of structures, existing or proposed public rights-of-way, public facilities, historic sites or structures, or multi-supplier utility lines/easements. Below ground easements will be exempt upon presentation of evidence indicating lease holder(s) consent.

H. "Co-location" means the act of placing Telecommunication Equipment on an already existing tower or other established structure being used as a telecommunication structure.

I. "Commercial Impracticability" or "Commercially Impracticable" means the inability to perform an act on terms that are reasonable in commerce; the cause or occurrence of which could not have been reasonably anticipated or foreseen and that jeopardizes the financial efficacy of the project. The inability to achieve a satisfactory financial return on investment or profit, standing alone, shall not deem a situation to be "commercially impracticable" and shall not render an act or the terms of an agreement "commercially impracticable".

J. "Completed Application" means an Application that contains all information and/or data necessary to enable an informed decision to be made with respect to an Application.

K. "Commission" means the County Commission of Williamson County.

L. "FAA" means the Federal Aviation Administration, or its duly designated and authorized successor agency.

M. "Fall Zone" means the radius surrounding the Tower which is measured by taking the proposed height of the Tower and adding any additional height required to accommodate any proposed antennas or any other appurtnances.

N. "FCC" means the Federal Communications Commission, or its duly designated and authorized successor agency.

O. "Holder" means the individual, corporation, or other entity that holds a Zoning Certificate issued under this Zoning Ordinance.

P. "Height" means, when referring to a Tower or structure, the distance measured from the pre-existing grade level to the highest point on the Tower or structure, even if said highest point is an Antenna or lightening protection device. The height of a Tower or structure shall be measured by the existing height at the time this ordinance was adopted. Any increase in the height of an existing tower shall be considered extension that exceeds the height limitation of Williamson County.

*See Amendments List at End of Article.

Q. "Modification" or "Modify" means the addition, or change of any of the components of a wireless facility, such as antennas, cabling, equipment shelters, landscaping, fencing, utility feeds, changing the color of the structure, increase height of the structure, vehicular access, parking and/or an upgrade or changeout of equipment for better or more modern equipment. Adding a new wireless carrier or service provider to a Telecommunications Tower or Telecommunications Site is a modification and shall be permitted as such. A Modification shall not include the replacement of any components of a wireless facility where the replacement is the same kind or similar to the component(s) being replaced and does not increase the height of the structure or installation of an antenna which does not increase the height of the Telecommunication Structure.

R. "NIER" means Non-Ionizing Electromagnetic Radiation

S. "Permit" means the official document(s) or building permit by which an Applicant is allowed to construct and use Wireless Telecommunications Facilities or equipment as granted or issued by the County. This definition is not limited to Zoning Certificates.

T. "Person" means any individual, corporation, estate, trust, partnership, joint stock company, association of two (2) or more persons having a joint common interest, or any other entity.

U. "Repairs or Maintenance" means the repair, maintenance, or replacement of any components of a wireless facility where the repair, maintenance or replacement is the same or similar type of component being replaced without the addition, removal or change of any of the physical components or aspects of a wireless facility as originally permitted.

V. "Staff" means Williamson County employees who are employed in the Community Development Department, Codes Department, Building Codes Department, or other relative Williamson County department.

W. "Stealth" or "Stealth Technology" means the characteristics of a Telecommunication Facilities that minimizes the adverse aesthetic and visual impacts on the land, property, buildings, and other facilities adjacent to, surrounding, and in generally the same area as the requested location of such Wireless Telecommunications Facilities, which shall mean using the least visually and physically intrusive facility that is not technologically or commercially impracticable under the facts and circumstances.

X. "State" means the State of Tennessee.

Y. "Telecommunications" means the transmission and/or reception of audio, video, data, and other information by wire, radio frequency, light, and other electronic or electromagnetic systems.

*See Amendments List at End of Article.

Z. "Telecommunications Structure" means a structure used in the provision of providing wireless transmission of voice data, images or other information including, but not limited to, cellular telephone service, personal communications services, and paging service.

AA. "Temporary" means, temporary in relation to all aspects and components of this Ordinance, something intended to, or that does, exist for fewer than One Hundred Eighty (180) days.

BB. "Tower" means any structure designed or used primarily to support an antenna for receiving and/or transmitting a wireless signal. This definition includes monopoles.

CC. "Wireless Telecommunications Facilities" means and (includes a "Telecommunications Tower" and "Tower" and "Telecommunications Site" and "Personal Wireless Facility") means a structure, facility or location designed, or intended to be used as, or used to support, Antennas or other transmitting or receiving devices. This includes without limit, Towers of all types and kinds and structures that employ stealth technology, including, but not limited to structures such as a multi-story building, church steeple, silo, water tower, sign or other structures that can be used to mitigate the visual impact of an Antenna or the functional equivalent of such, including all related facilities and equipment such as cabling, equipment shelters and other structures associated with the site. It is a structure and facility intended for transmitting and/or receiving radio, television, cellular, paging, personal Telecommunications services, commercial satellite services, microwave services and services not licensed by the FCC, but not expressly exempt from the County's siting, building and permitting authority, excluding those used for the County's emergency services or exclusively for private, non-commercial radio and television reception and private citizen's bands, amateur radio and other similar non-commercial Telecommunications where the height of the facility is below the height limits set forth in this ordinance.

5. Overall Policy and Desired Goals for Permits for Wireless Telecommunications Facilities. In order to ensure that the placement, construction, and modification of Wireless Telecommunications Facilities has minimum adverse effect on the County's health, safety, public welfare, environmental features, the nature and character of the community and neighborhood while recognizing the desire for telecommunication services the County hereby adopts an overall policy with respect to issuing a Zoning Certificate for Wireless Telecommunications Facilities for the express purpose of achieving the following goals:

*See Amendments List at End of Article.

A. Requiring a permit/Zoning Certificate for any new, co-location or modification of a Wireless Telecommunications Facility unless otherwise provided herein.

B. An Applicant submitting an application for a co-location of an antenna that does not increase the height of the telecommunication structure will need only to provide the location of the antenna to obtain a zoning certificate. The certificate shall be granted at no cost to the applicant;

C. Establishing a policy for examining an application for and issuing a Zoning Certificate for Wireless Telecommunications Facilities that is both fair and in compliance with state and federal laws.

D. Promoting and encouraging, wherever possible, the sharing and/or co-location of Wireless Telecommunications Facilities among service providers;

E. Promoting and encouraging, wherever possible, the placement, height and quantity of Wireless Telecommunications Facilities in such a manner including, but not limited to, the use of stealth technology to minimize adverse aesthetic and visual impacts on the land, property, buildings, and other facilities adjacent to, surrounding, and in generally the same area while balancing the desire for additional telecommunication services.

6. Location of Wireless Telecommunications Facilities.

A. Applicants for Wireless Telecommunications Facilities shall locate, site and erect said Wireless Telecommunications Facilities in accordance with the following priorities, one (1) being the highest priority and four (4) being the lowest priority.

1. On existing Towers or other structures without increasing the height of the tower or structure.

2. On County-owned properties.

3. On existing towers or structures by increasing their height.

4. All other sites.

B. Should an Applicant by-pass sites of higher priority, it shall provide documentation showing substantial evidence that the higher priority option is not a commercially viable option or technically feasible. Agreements between providers limiting or prohibiting co-location shall not be by itself substantial evidence for a claim of Commercial Impracticability or hardship.

C. Notwithstanding the above, Staff or if applicable the Board of Zoning Appeals may approve any site located within an area in the above list of priorities, provided that it finds that the proposed site is not injurious to the best interest of the health, safety and

*See Amendments List at End of Article.

welfare of the County and its inhabitants and will not have an adverse effect on the nature and character of the community and neighborhood.

7. Shared use of Wireless Telecommunications Facilities and other structures.

   A. The County, as opposed to the unneeded construction of a new Tower, shall prefer the location of antennas on existing Towers or others structures without increasing the height before issuing a Zoning Certificate for a new Tower.

   B. No transmit equipment of any kind may be installed on any structure below Ten (10) meters from the surface level without staff approval.

   C. An Applicant submitting an application for a co-location of an antenna that does not increase the height of the telecommunication structure will need only to provide the location of the antenna to obtain a zoning certificate. The certificate shall be granted at no cost to the applicant.

8. Visibility of Wireless Telecommunication Facilities.

   A. Wireless Telecommunications Facilities shall not be artificially lighted or marked, except as required by law.

   B. Unless good cause is shown, Towers shall be galvanized and/or painted with a rust-preventive paint of an appropriate color to harmonize with the surroundings and shall be maintained in accordance with common practice in the Telecommunication Industry.

   C. If artificial lighting is required, in addition to the other requirements contained herein, the Applicant shall provide a detailed plan for sufficient lighting of as unobtrusive and inoffensive an effect as is permissible under State and Federal law or regulations.

9. Height of Telecommunications Tower(s). Any proposed new Tower or any co-location or modification of an existing tower shall not, unless otherwise provided for in this Zoning Ordinance, exceed the current height of an existing Telecommunication Structure at the time this ordinance is adopted. No new application which is for a new Tower or any co-location which requires operation with artificial lighting of any kind in accordance with all applicable law, ordinances or rules without providing substantial evidence to Staff supporting the need for the height and by obtaining a Special Use Permit from the Board of Zoning Appeals will be permitted. Any increase in the height of an existing tower shall be considered an extension that exceeds the height limitation of Williamson County.

10. Permit Application and Other Requirements.

    A. Unless otherwise exempted by Tennessee Law or this ordinance, all Applicants for a Zoning Certificate for Wireless Telecommunications Facilities or any

*See Amendments List at End of Article.

modification of such facility shall comply with the requirements set forth in this Ordinance. Williamson County Codes Compliance Department is the officially designated agency or body of the County to whom applications for a Zoning Permit for Wireless Telecommunications Facilities must be made, and that is authorized to review, analyze, evaluate and make final decisions with respect to granting or not granting, or revoking permits for Wireless Telecommunications Facilities, unless the application concerns a tower which is required to have artificial lighting in which the Board of Zoning Appeals shall have the authority to make final decisions.

B. Pre-Application Meeting.

1. Once an Applicant has contacted the Williamson County Codes Department of its interest to apply for a Zoning Certificate and upon written request by the Applicant there shall be a pre-application meeting scheduled within ten (10) working days of receipt of the request to be attended by the applicant, Department employees and county consultants if needed. The purpose of the pre-application meeting will be to address issues that will help to expedite the review and permitting process. In addition, the Applicant will be able to ask questions and discuss the information and documentation that may be needed to expedite the application procedure. Staff with the assistance of the consultant, if present, will explain the process of collecting the fee for the application process to reimburse Williamson County for cost of the application process. The fee for the pre-application meeting shall be $750.00 which is to be paid before or at the pre-application meeting. A pre-application meeting shall also include a site visit if Staff deems it would assist in the application process. A pre-application meeting shall not be required for installation of an antenna on an existing telecommunication structure if the antenna does not increase the height of the structure measured at the time this ordinance took effect.

2. At the conclusion of the pre-application meeting, Staff will provide a general guidance as to whether the application will be reviewed, approved or denied by staff or whether a special use permit will be needed to be obtained by the Williamson County Board of Zoning Appeals.

C. Staff Approval.

1. Unless otherwise provided for herein, Staff shall have the authority to approve with or without any reasonable conditions or deny any Application should the Applicant fail to satisfy the conditions or requirements included in this Zoning Ordinance for modification or a co-location which increases the height of an existing Telecommunication Structure and does not increase the height of an existing structure beyond the height requiring lighting to be installed by the FAA. Should the

*See Amendments List at End of Article.

modification in the height of the existing structure require lighting under the FAA Regulation Part 77 then the Applicant shall seek a Special Use Permit as described below.

2. Staff shall have the authority to approve with or without reasonable conditions or deny an application should the applicant fail to satisfy the conditions or requirements included in this Zoning Ordinance for a new Telecommunication tower that does not require lighting by the FCC and or the FAA.

3. Process:

a. The applicant must fully complete and sign an application for a Zoning Certificate for a Wireless Telecommunication Facility attesting to the contents and representations made therein and to the truth and completeness of the information. The application shall then be submitted to the Williamson County Codes Compliance Department for review.
b. Any and all representations made by the Applicant to the County on the record during the Application process, whether written or verbal, shall be deemed a part of the Application and may be relied upon in good faith by the County.
c. The Applicant is to provide documentation that shows the construction or modification of the Telecommunication Facility does not require lighting under the FAA regulations.
d. The applicant is to provide the name and contact information of the owner of the facility if a co-location that increases the height of an existing Telecommunication Structure is requested or the name of the property owner should the request be for a new facility under the lighting requirement and located on property owned by a third party;
e. The Applicant is to provide documentation to verify it has the right to proceed as proposed on the Site. If the applicant owns the site, a copy of the ownership record is required.
f. In addition to the above requirements, an applications for a new Tower that does not require lighting as regulated by the FAA regulations shall provide the following information to Staff:
    i. The zoning district or designation in which the property is situated;
    ii. A copy of the tax map and parcel number of the property that the proposed facility will be constructed on should the application be approved.
    iii. A map drawn to scale showing the square footage of the proposed lot, the footage of the lot lines, as well as the location of all structures within the requested fall zone of the proposed telecommunication facility.
    iv. If applicable, documentation explaining why sites of a higher priority were not selected.

*See Amendments List at End of Article.

v. A description of the structures that are located in the Fall Zone radius of the proposed Tower.
vi. A map of all existing telecommunication facilities within a three mile radius of the proposed Tower .
vii. Documentation supporting and explaining why co-location on one of the towers within the three mile radius is not a viable option.
viii. Documentation supporting and explaining the inability of the facility to be located on property owned by Williamson County.
ix. Any other reasonable documentation needed by Staff or its consultant to assess the application.
x. Provide Reasonably detailed construction plans of the tower including the color, material used to construct, the model and all other additional facilities needed.
xi. Provide supporting documentation to support the need for the proposed height of the Tower;
xii. Provide a site plan that details the location of all easements, the location of the proposed structure(s), location of all other structures, the location of existing utilities, and the location of the proposed means of ingress and egress.
xiii. Reasonably detailed plans showing the installation of power lines and other utilities. The power lines shall be installed underground if the lines are to go through wooded area. Power lines that cross open, non-wooded land may be installed overhead. All utilities at a Wireless Telecommunications Facilities site required to be installed underground shall be installed underground and in compliance with all Laws, ordinances, rules and regulations of the County, including specifically, but not limited to, the National Electrical Safety Code and the National Electrical Code where appropriate.
xiv. Present proposals of stealth technology that will be used to make the facility less visually noticeable or documentation why stealth technology is not feasible for the proposed facility.
xv. If needed to be constructed, the plans for the construction of any proposed method of ingress and egress.
xvi. Provide a signed statement that should the installation cause any physical or RF interference with other existing Telecommunication equipment or structures, that Applicant will remedy within a reasonable period of time or as otherwise dictated by Federal or State law.
xvii. A copy of the geotechnical sub-surface investigation, evaluation report and foundation recommendation for a proposed site.
xviii. A grading and erosion control plan, including access road, as required by the Williamson County.

4. Should Staff make a final determination to approve the application the applicant will be notified in writing of the approval including a detailed description of any conditions and the reasons for the conditions within thirty days of the decision.

*See Amendments List at End of Article.

Should an applicant disagree with any of the conditions, it may appeal to the Board of Zoning Appeals the disputed condition.

5. Should Staff make a final determination to deny an application, the applicant will be notified in writing of the denial and a detailed description of the reasons for the denial. The applicant may appeal Staff's decision, by appealing to the Board of Zoning Appeals within sixty days of receipt of the denial notice.
6. Nothing in this section shall require the Applicant to provide documentation to justify radio frequency. The Applicant may voluntarily submit such documentation if it so desires.

D. Special Use Permit Request.

1. Should the Applicant seek a Zoning Certificate for a Tower requiring the installation of lighting or should it be determined that a modification of an existing tower or a co-location request will require the installation of lighting as determined under the FAA regulations, then the applicant shall request and obtain a Special Use Permit before a Zoning Certificate will be issued.
2. In addition to the requirements included in 10.C.3 of this Division, and the requirements set out in Division 4600 and Division 9400, the applicant must submit the following information to Staff to review and include in the staff's report to be presented to the Board of Zoning Appeals for request of a Special Use Permit:
   a. The applicant shall submit documentation including, but not limited to, documentation justifying the total height of the Tower, Facility and/or Antenna and the basis therefore. Such documentation will be analyzed in the context of the justification of the height needed to provide service primarily within the County, to the extent practicable, unless good cause is shown. This required documentation is to be used to justify the proposed height requested and not to justify radio frequency; and
   b. The Applicant shall submit a description of the lighting equipment to be installed on the facility;

E. Action on Application

1. The body with the authority to approve or deny an application, will review the application in a timely manner and pursuant to the requirements included in this Division and shall act within a reasonable period of time given the relative complexity of the Application and the circumstances. Should the application require issuance of a Special Use Permit, the Applicant will need to satisfy those requirements contained in Division 9400 and Division 4600 of the Williamson County Zoning Ordinance.
2. The ruling body may approve, approve with conditions, or deny a Zoning Certificate. Its decision shall be in a separate writing and shall be supported by substantial evidence. The ruling will be mailed to the applicant within ten (10) working days of the ruling.

*See Amendments List at End of Article.

3. Should the application be approved then the zoning certificate may issued within thirty (30) days of the date on the notification.
4. Should the application be denied or approved with conditions by Staff, the Applicant may appeal Staff's decision to the Board of Zoning Appeals within Sixty (60) days of receiving the written decision.
5. Should the application be denied or approved with conditions not agreeable by the Applicant by the Board of Zoning Appeals, the Applicant may appeal to any court with jurisdiction over these matters.
6. The Applicant may still need to obtain necessary building permits, and grading permits, and or submittal of a site plan.

F. An application may be denied should it be determined that substantial evidence exist that the applicant has not satisfied the requirements as defined in this ordinance. Any final decision may be appealed as provided for herein.

11. Exceptions and Exclusions

No Person shall be permitted to site, place, build, construct, modify or prepare any site for the placement or use of, Wireless Telecommunications Facilities as of the effective date of this Ordinance without having first obtained a Zoning Certificate for Wireless Telecommunications Facilities. Notwithstanding anything to the contrary in this section, no Zoning Certificate shall be required for the following:

A. All Wireless Telecommunications Facilities existing on or before the effective date of this Ordinance shall be allowed to continue as they presently exist. Any increase in the height of the Telecommunication Structure by any means shall not be exempted and shall be subject to the requirements and restrictions of this ordinance.
B. A zoning certificate is not needed for any Repair or Maintenance of a Wireless Facility that 1) does not increase the height of the highest point of the structure; and 2) does not increase the current size of the equipment being replaced by twenty-five (25) percent.
C. The County's fire, police, or other public service facilities owned and operated by the local government.
D. Over-the-Air reception Devices including the reception antennas for direct broadcast satellites (DBS), multichannel multipoint distribution (wireless cable) providers (MMDS), television broadcast stations (TVBS) and other customer-end antennas that receive and transmit fixed wireless signals that are primarily used for reception.
E. Facilities exclusively for private, non-commercial radio and television reception and private citizen's bands, licensed amateur radio and other similar non-commercial Telecommunications.
F. Facilities exclusively for providing unlicensed spread spectrum technologies (such as IEEE 802.11a, b, g (Wi-Fi) and Bluetooth) where the facility does not require a new tower.

*See Amendments List at End of Article.

12. Security of Wireless Telecommunications Facilities

All Wireless Telecommunications Facilities and Antennas shall be located, fenced or otherwise secured in a manner that prevents unauthorized access. Specifically:

A. All Antennas, Towers and other supporting structures, including, but not limited to, guy wires, shall be made inaccessible to individuals and constructed or shielded in such a manner that they cannot be climbed or made readily assessable; and

B. Transmitters and Telecommunications control points shall be installed in such a manner that they are readily accessible only to persons authorized to operate or service them.

13. Signage.

Wireless Telecommunications Facilities shall contain a sign no larger than four (4) square feet in order to provide adequate notification to persons in the immediate area of the presence of RF radiation or to control exposure to RF radiation within a given area. A sign of the same size is also to be installed to contain the name(s) of the owner(s) of the Tower and Antenna(s) as well as emergency phone number(s). The sign shall be on the equipment shelter or cabinet of the Applicant and be visible from the access point of the site and must identify the equipment owner of the shelter or cabinet. On tower sites, an FCC registration sign as applicable is also to be present. The signs shall not be lighted, unless applicable law, rule or regulation requires lighting. No other signage, including advertising, shall be permitted.

14. Lot Size and Setbacks

Towers shall be located so that there is sufficient Fall Zone radius around the tower to ensure its collapse would be contained within an unoccupied area. The radius shall be determined by measuring the proposed height of the tower and adding any additional height required to accommodate all proposed antennas and other appurtenances. Applicant shall provide proof of ownership, lease, or permanent easement rights for the designated Fall Zone. On-site buildings shall only be used for the storage of necessary on-site equipment, and must meet non-residential setback requirements. The radius shall not encompass public roads, public easements or public property without first obtaining permission from the government owning the interest in the property.

15. Retention of Expert Assistance and Reimbursement by Applicant.

A. The County may hire any consultant and/or expert necessary to assist the County in reviewing and evaluating the Application, including any plans for the construction and modification of a site, and any site inspections. The County may refer any Application or part thereof to any advisory or other committee for a non-binding recommendation. The consultant's opinion is merely a recommendation and as such is not binding in any way on the governmental body tasked with making the final determination.

*See Amendments List at End of Article.

B. The Applicant will be assessed a fee by Williamson County before any final decision is reached in an amount sufficient to reimburse the County for all reasonable costs of consultant and expert evaluation and consultation to the County in connection with the review of any Application.

C. The total amount of the funds needed as set forth in subsection (B) of this section may vary with the scope and complexity of the project, the completeness of the Application and other information as may be needed to complete the necessary review, analysis and inspection of any construction or modification.

16. Extent and Parameters of Zoning Certificate.

The extent and parameters of a Zoning Certificate for Wireless Telecommunications Facilities shall be as follows:

A. Such Zoning Certificate shall not be assigned, transferred or conveyed without providing Williamson County notice of the act including the name and current address of the assignee.

B. A Zoning Certificate may, after providing the holder of the Zoning Certificate one hundred eighty (180) days of written notice to cure the deficiency and should the holder fail to cure the deficiency in this time the Holder will be given notice of a hearing to revoke the Zoning Certificate before the Board of Zoning Appeals. The Applicant will be provided with Thirty (30) days notice of the hearing and will be allowed to address and answer any claims made against it. Should the Board of Zoning Appeals find substantial evidence that the Holder has materially violated this zoning ordinance or any condition included in the approval of the Zoning Certificate may revoke, cancel, or terminate the Zoning Certificate for the violation of the conditions and provisions of the Zoning Certificate. This section does not limit the remedies that may be sought by Williamson County should a violation occur.

17. Performance Security.

The Applicant and the owner of record of any proposed Wireless Telecommunications Facilities not in existence at the time of adoption of this ordinance shall, at its cost and expense, be required to execute and file with the County a bond, or other form of security acceptable to the County as to type of security and the form and manner of execution, in an amount of at least $75,000.00 for a tower facility to assure the faithful performance of the terms and conditions of this Ordinance and conditions of any Zoning Certificate issued pursuant to this Ordinance. The full amount of the bond or security shall remain in full force and effect throughout the term of the Zoning Certificate and/or until any necessary site restoration is completed to restore the site to a condition comparable to that, which existed prior to the issuance of the original Zoning Certificate.

18. Liability Insurance.

A) Should an applicant receive permission to construct its Telecommunication facility on Williamson County property, the Applicant agrees to secure and maintain public liability

*See Amendments List at End of Article.

insurance for personal injuries, death and property damage, and umbrella insurance coverage, for the duration of the Zoning Certificate in amounts as set forth below:

i. Commercial General Liability covering personal injuries, death and property damage: $1,000,000 per occurrence/$2,000,000 aggregate;
ii. Automobile Coverage: $1,000,000.00 per occurrence/ $2,000,000 aggregate;
iii. Workers Compensation and Disability: Statutory amounts

B) The insurance policies shall be issued by an agent or representative of an insurance company licensed to do business in the State of Tennessee.

C) The insurance policies shall contain an endorsement obligating the insurance company to furnish the County with at least thirty-(30) days prior written notice in advance of the cancellation of the insurance.

D) Before construction on Williamson County property of a permitted Wireless Telecommunications Facilities is initiated, but in no case later than fifteen (15) days after the grant of the Zoning Certificate, the holder of the Zoning Certificate shall deliver to the County a copy of each of the policies or certificates representing the insurance in the required amounts.

19. Indemnification.

A. Any application for Wireless Telecommunication Facilities that is proposed for County property, pursuant to this Ordinance, shall contain a provision with respect to indemnification. Such provision shall require the applicant, to the extent permitted by the Law, to at all times defend, indemnify, protect, save, hold harmless, and exempt the County, and its officers, councils, employees, committee members, attorneys, agents, and consultants from any and all penalties, damages, costs, or charges arising out of any and all claims, suits, demands, causes of action, or award of damages, whether compensatory or punitive, or expenses arising there from, either at law or in equity, which might arise out of, or are caused by, the placement, construction, erection, modification, location, products performance, use, operation, maintenance, repair, installation, replacement, removal, or restoration of said Facility, excepting, however, any portion of such claims, suits, demands, causes of action or award of damages as may be attributable to the negligent or intentional acts or omissions of the County, or its servants or agents. With respect to the penalties, damages or charges referenced herein, reasonable attorneys' fees, consultants' fees, and expert witness fees are included in those costs that are recoverable by the County.

B. Notwithstanding the requirements noted in subsection (A) of this section, an indemnification provision will not be required in those instances where the County itself applies for and secures a Zoning Certificate for Wireless Telecommunications Facilities

*See Amendments List at End of Article.

20. Default and/or Revocation.

Unless otherwise provided for herein, if a Wireless Telecommunications Facility is repaired, rebuilt, placed, moved, re-located, modified or maintained in a way that is inconsistent or not in compliance with the provisions of this Ordinance or of the Zoning Certificate, then the County shall notify the Holder of the Zoning Certificate in writing of such violation. A Zoning Certificate Holder in violation may be considered in default and if a violation is not corrected to the satisfaction of the County within One Hundred Eighty (180) days of receipt of written notice the Zoning Certificate may be subject to revocation after hearing by the Board of Zoning Appeals.

21. Construction of New Telecommunication Facilities.

A. The requirements under this Section 21, are in addition to all other requirements contained herein and in no way limits or deletes any other requirement contained herein.

B. At a Telecommunications Site, an access road, turn around space and parking shall be provided to assure adequate emergency and service access. Maximum use of existing roads, whether public or private, shall be made to the extent practicable. Road construction shall be at all times minimize ground disturbance and the cutting of vegetation. Road grades shall closely follow natural contours to assure minimal visual disturbance and reduce soil erosion.

C. All Wireless Telecommunications Facilities shall be constructed, operated, maintained, repaired, provided for removal of, modified or restored in strict compliance with all current applicable technical, safety and safety-related codes adopted by the County, State, or United States, including but not limited to the most recent editions of the ANSI Code, National Electrical Safety Code, Clean Water Act, National Electrical Safety Code and the National Electrical Code, as well as accepted and responsible workmanlike industry practices and recommended practices of the National Association of Tower Erectors. The codes referred to are codes that include, but are not limited to, construction, building, electrical, fire, safety, health, and land use codes. In the event of a conflict between or among any of the preceding the more stringent shall apply.

D. In addition to the requirements to obtain a Zoning Certificate granted under this Ordinance the Applicant shall obtain, at its own expense, all other permits and licenses required by applicable Law, rule regulation or code, and must maintain the same, in full force and effect, for as long as required by the County or other government entity or agency having jurisdiction over the applicant.

22. Removal of Wireless Telecommunications Facilities.

A. Under the following circumstances, the County may determine that the health, safety, and welfare interests of the County warrant and require the removal of Wireless Telecommunications Facilities.

*See Amendments List at End of Article.

1) Wireless Telecommunications Facilities with a permit have been abandoned (i.e. not used as Wireless Telecommunications Facilities) for a period exceeding Three Hundred Sixty-Five consecutive (365) days.

2) Permitted Wireless Telecommunications Facilities fall into such a state of disrepair that it creates a health or safety hazard and is not corrected with in the One-Hundred Eighty Days (180).

3) Wireless Telecommunications Facilities have been located, constructed, or modified without first obtaining, or in a manner not authorized by, the required Zoning Certificate, or any other necessary authorization and the Zoning Certificate may be revoked.

B. If the County makes such a determination as noted in subsection A of this section, then the County shall provide written notice to the Holder of the Zoning Certificate for the Wireless Telecommunications Facilities at issue within 30 days of the hearing date to be held before the Board of Zoning Appeals to appeal the decision. The appellant shall be given an opportunity to provide information and to testify before the BZA and to show by substantial evidence that the facility has not been abandoned as provided for herein.

C. Should the BZA determine that the Telecommunication Facility has been abandoned then the holder of the Zoning Certificate, or its successors or assigns, shall dismantle and remove such Wireless Telecommunications Facilities, and all associated structures and facilities, from the site and restore the site to as close to its original condition as is possible, such restoration being limited only by physical or commercial impracticability, within ninety (90) days of receiving the written decision by the BZA. However, if the owner of the property upon which the Wireless Telecommunications Facilities are located wishes to retain the Wireless Telecommunications Facilities or any part of it, then the owner may be granted an additional Thirty (30) days to reach an agreement with the owner(s) of the Telecommunication Facility.

D. If Wireless Telecommunications Facilities are not removed or substantial progress has not been made to remove the Wireless Telecommunications Facilities within ninety (90) days after the permit holder has received the written decision by the BZA, then the Williamson County may order officials or representatives of Williamson County to remove and dispose as they see fit the Wireless Telecommunications Facilities at the sole expense of the owner or Zoning Certificate holder.

E. Notwithstanding anything in this Section to the contrary, the County may approve a temporary use permit/agreement for the Wireless Telecommunications Facilities, for no more one-hundred eighty (180) days, during which time a suitable plan for removal, conversion, or re-location of the affected Wireless Telecommunications Facilities shall be developed by the holder of the Zoning Certificate, subject to the approval of the Staff, and an agreement to such plan shall be executed by the holder of the Zoning Certificate and Williamson County. If such a plan is not developed, approved and executed within the one-hundred eighty (180) day time period, then Williamson County may take

*See Amendments List at End of Article.

possession of and dispose of the affected Wireless Telecommunications Facilities in the manner provided in this Section 22.

23. Relief.

Any Applicant desiring relief, waiver or exemption from any aspect or requirement of this Ordinance may request such at the pre-Application meeting, provided that the relief or exemption is contained in the submitted Application for either a Zoning Certificate, or in the case of an existing or previously granted Zoning Certificate a request for modification of its Tower and/or facilities. Such relief may be temporary or permanent, partial or complete. However, the burden of proving the need for the requested relief, waiver or exemption is solely on the Applicant to prove. The Applicant shall bear all reasonable costs of the County in considering the request and the relief, waiver or exemption. No such relief or exemption shall be approved unless the Applicant demonstrates by substantial evidence that, if granted the relief, waiver or exemption will have no significant effect on the health, safety and welfare of the County, its residents and other service providers. Should Staff deny the Applicant's request for relief, the Applicant may petition the Board of Zoning Appeals as provided for herein.

Any final decision made by Staff may be appealed to the Board of Zoning Appeals. This section does not attempt to limit an applicant's right to appeal a decision of the Board of Zoning Appeals to the Chancery Court of Williamson County.

24. Periodic Regulatory Review by the County.

A) The County may at any time conduct a review and examination of this entire Ordinance.

B) If after such a periodic review and examination of this Ordinance, the County determines that one or more provisions of this Ordinance should be amended, repealed, revised, clarified, or deleted, then the County may take whatever measures are necessary in accordance with applicable Law in order to accomplish the same. It is noted that where warranted, and in the best interests of the County, the County may repeal this entire Ordinance at any time.

C) Notwithstanding the provisions of subsections (A) and (B) of this Section, the County may at any time and in any manner (to the extent permitted by Federal, State, or local law), amend, add, repeal, and/or delete one or more provisions of this Ordinance.

25. Adherence to State and/or Federal Rules and Regulations.

A) To the extent that the holder of a Zoning Certificate for Wireless Telecommunications Facilities has not received relief, or is otherwise exempt, from appropriate State and/or Federal agency rules or regulations, then the holder of such a Zoning Certificate shall adhere to, and comply with, all applicable rules, regulations, standards, and provisions of any State or Federal agency, including, but not limited to, the FAA and the FCC. Specifically included in this requirement are any rules and regulations regarding height, lighting, security, electrical and RF emission standards.

*See Amendments List at End of Article.

B) To the extent that applicable rules, regulations, standards, and provisions of any State or Federal agency, including but not limited to, the FAA and the FCC, and specifically including any rules and regulations regarding height, lighting, and security are changed and/or are modified during the duration of a Zoning Certificate for Wireless Telecommunications Facilities, then the holder of such a Zoning Certificate shall conform the permitted Wireless Telecommunications Facilities to the applicable changed and/or modified rule, regulation, standard, or provision within a maximum of twenty-four (24) months of the effective date of the applicable changed and/or modified rule, regulation, standard, or provision, or sooner as may be required by the issuing entity, unless otherwise dictated by the applicable Federal or State Law.

26. Conflict with Other Laws.

Where this Ordinance differs or conflicts with other Laws, rules and regulations, unless the right to do so is preempted or prohibited by the County, State or federal government, this Ordinance shall apply.

27. Effective Date.

This Ordinance shall be effective immediately upon passage, pursuant to applicable legal and procedural requirements.

28. Authority.

This Local Ordinance is enacted pursuant to applicable authority granted by the State of Tennessee and the federal government.

Z. Farm Wineries

1. The owner shall obtain all applicable licenses and approvals from the Tennessee Alcoholic Beverage Commission and the Tennessee Department of Agriculture prior to commencement of winery operations.

2. The area of the winery site, which may include a single parcel or multiple contiguous parcels, shall be a minimum of fifteen (15) acres.

3. A minimum of three (3) acres of the winery site shall be utilized and maintained for growing grapes or other crops used in wine production.

4. The use must comply with local building code and permitting requirements as well as all applicable regulations related to the treatment and disposal of wastewater.

*See Amendments List at End of Article.

5. The total floor area of all buildings used for processing/bottling, tasting, sales, wine storage, or office space shall not exceed 15,000 square feet.

6. All buildings, parking, and loading areas shall be setback a minimum of 100 feet from the perimeter of the winery site, and shall be buffered in accordance with the requirements of this ordinance.

7. Facilities for selling, fermenting and/or bottling wine shall not be in operation until the on-site vineyard, orchard or other growing area has been established.

8. The following accessory uses and activities are permitted in conjunction with a Farm Winery:

    a. Where otherwise permitted by State or Federal law and regulation, on-premise consumption (wine tasting) and the sale of wine and wine-related products. The aggregate total floor area for such sales and consumption shall not exceed 2,500 square feet.

    b. Daily tours shall be permitted between 9:00 AM and sunset.

    c. Special events, for which attendance is limited to 150 people and allowed only by invitation or reservation, are permitted up to twelve (12) times per year. These may include wine appreciation/education seminars, non-profit benefits, weddings, and similar events conducted for the purpose of marketing wine. Outdoor events shall be completed during daylight hours. Events not in conformance with these limitations shall be permitted only in accordance with Division 4200D.5 or Section 4620G, as applicable, herein.

AA. Rural Retreat – Limited

1. The minimum lot size shall be fifteen (15) acres.

2. The total floor area of buildings utilized for the retreat use shall not exceed 5,000 square feet.

3. Overnight lodging (including camping) shall not be permitted.

4. The use may only operate between the hours of 7:00 AM and 8:00 PM.

5. All new buildings, parking, loading, recreation areas, and other outdoor use areas shall be located a minimum of 100 feet from property lines, and shall be buffered in accordance with the requirements of this ordinance.

6. Recreational uses incidental and subordinate to the rural retreat use are permitted and may include: swimming pools and related facilities, boating facilities, tennis and other sports courts, equestrian facilities, picnic areas, golf courses and related facilities, ball fields, children's play equipment, and passive recreational facilities.

*See Amendments List at End of Article.

7. Noise generated by the use, as measured at any property line, shall not exceed 50 decibels (dB).

8. Any exterior lighting shall adhere to all requirements of Division 8200 herein.

9. The use must comply with all applicable regulations related to the treatment and disposal of wastewater.

10. No parcel created via a major subdivision plat (as defined by the Williamson County Subdivision Regulations) may be utilized for this use.

11. One sign, not to exceed twenty-four (24) square feet in size and six (6) feet in height, shall be permitted.

BB. Rural Retreat – Extensive (in the Rural (R), Estate (E), Suburban Estate (SE), Crossroads Center (CC) and Interchange (IC) districts)

1. A site plan for these uses must be reviewed by the Planning Commission at a public meeting.

2. The minimum lot size shall be twenty (20) acres.

3. The total maximum floor area utilized for conference and meeting facilities and restaurant and banquet facilities shall not exceed 1,000 square feet for every four (4) acres of lot area up to a maximum of 20,000 square feet.

4. A maximum of ten (10) guest rooms and ten (10) campsites shall be permitted for the first twenty (20) acres of lot area. Additional guest rooms and campsites shall be permitted at a ratio of one (1) additional guest room and one (1) additional campsite for every five (5) additional acres of lot area.

5. All new buildings, parking, loading, camp sites, recreation areas, and other outdoor use areas shall be located a minimum of 150 feet from property lines, and shall be buffered in accordance with the requirements of this ordinance.

6. Recreational uses incidental and subordinate to the rural retreat use are permitted and may include: swimming pools and related facilities, boating facilities, tennis and other sports courts, equestrian facilities, picnic areas, golf courses and related facilities, ball fields, children's play equipment, and passive recreational facilities.

7. Noise generated by the use, as measured at any property line, shall not exceed 40 decibels (dB) between the hours of 11:00 PM and 8:00 AM, and shall not exceed 50 decibels (dB) at any other time.

8. Any exterior lighting shall adhere to all requirements of Division 8200 herein.

*See Amendments List at End of Article.

9. The use must comply with all applicable regulations related to the treatment and disposal of wastewater.

10. No parcel created via a major subdivision plat may be utilized for this use.

11. One sign, not to exceed twenty-four (24) square feet in size and six (6) feet in height, shall be permitted.

*See Amendments List at End of Article.

DIVISION 4500. CONDITIONAL USES

Conditional uses are those uses which have some special impact or uniqueness. Their effect on the surrounding environment cannot be determined in advance. When a new use is proposed for a particular location, a review of the location, design, configuration, and impact is conducted by comparing the proposed use should be permitted by weighing public need for, and benefit to be derived from, the use against the local impact which it may cause. The review considers the proposal in terms of:

A. existing zoning and land use in the vicinity of the use;

B. planned and proposed public and private developments which may be adversely affected by the proposed use;

C. whether and to what extend the proposed use, at the particular location for which it is suggested, is necessary or desirable to provide a development which is in the interest of the public convenience or which will contribute to the general welfare of the area or Williamson County; and

D. whether and to what extend all steps possible have been taken by the developer to minimize any adverse effects of the proposed use on the immediate vicinity and on the public health, safety, and welfare in general.

SECTION 4510. APPLICABILITY FOR CONDITIONAL USES

Any conditional use designated in Section 4002 of this Ordinance shall comply with the requirements of Division 4500 and Division 9300.

SECTION 4520. ADDITIONAL STANDARDS FOR SELECTED CONDITIONAL USES EXCEPTING RETIREMENT COMMUNITIES AS DEFINED IN ARTICLE II.

No application for issuance of a conditional use permit shall be approved unless the Planning Commission shall find that, in addition to complying with each of the general standards enumerated in Section 9310, each of the following specific standards applicable to the particular uses enumerated below is met:

A. Intensive Agriculture (in all district except Rural and Airport)

1. The proposed site shall not be located within a residential subdivision

2. The use shall be setback a minimum of one hundred (100) feet from all roads

3. The use shall be setback a minimum of one hundred (100) feet from all properties in the Estate (E), Suburban Estate (SE), Suburban (S), Urban (U), Restricted Single-Family (RS) and the Mobile Home (MH) district.

*See Amendments List at End of Article.

4. A naturally-vegetated buffer of at least twenty (20) feet shall be maintained along all water courses such as rivers, streams, creeks, and drainageways.

B. Clear Cutting (in all districts where it is listed as conditional use)

This use requires a conditional use permit to allow the cutting or harvesting of trees or clearing of land of woodlands when the area of disturbance is larger than one (1) acre or two (2) percent of the wooded land under common ownership, whichever is greater.

1. The clear cutting of forests for the expansion of an agricultural use shall be permitted, provided that a covenant be recorded on the property indicating the number of acres of woodland cleared, and requiring that at the time of development of said property for any non-agricultural use, said developer shall be responsible for the planting of ten (10) plant units (Section 7310) per acre on an area equal to eight-tenths (.8) times the area of woodlands cleared, all of which shall be retained in the final development as open space areas.

2. For all other clear cutting uses, the owner shall sign a record of covenant as in 1. above; or post a bond sufficient to cover the cost of reforesting the property with seedlings, minimum height being five (5) feet for deciduous trees or eighteen (18) inches for evergreen trees.

C. LEFT BLANK FOR FUTURE ADDITIONS

D. Single-Family Home (in the Airport Overlay District).

No additional standards beyond those of Division 4500 are required.

E. Resource Conservation Development or Planned Resource Conservation Development (in all districts listed as a conditional use.

1. The development plan shall either maintain the size of its structures at a level that preserves the character of the area, or the development shall contain an open space belt that maintains the scale of the surrounding area while creating a new and distinct environment within the remainder of the development.

2. The development shall be a conditional use if the natural resource protection standards do not result in a reduction in the development potential of the site as determined by Article V. If the application of the natural resource protection standards result in a reduction in the development potential of the site, the planned resource conservation development option shall be a permitted use.

*See Amendments List at End of Article.

3. *A one-way single-fronted road with a right-of-way of forty feet (40') and a road width (curb face to curb face) of fourteen feet (14') may be proposed for RCD site plans in the RS zone, when incorporated as part of an overall open space preservation design. (See detailed standard drawings for the RCD option for the RS zone in the Williamson County Subdivision Regulations.)

F. Institutional Residential with nine (9) or more residents (in the Suburban Estate (SE), Suburban (S), and Urban (U) districts)(excepting Retirement Communities as defined in Article II)*:

1. Shall be on a lot that is at least three (3) acres in size.

2. The number of resident and staff bedrooms divided by four (4) should be multiplied by the minimum single-family lot size in the district to determine minimum required acreage, and the larger of this or the proceeding standard (in 1.) shall be used to determine lot size.

3. The total building bulk (in square feet) divided by ten (10) and divided by the site area (in square feet) shall be no more than one and a quarter (1.25) times that of the average of all residential structures within one thousand (1000) feet.

4. Special fire escapes and other required structural changes shall be located and screened to minimize the character differences with other residential units in the area.

5. There shall be adequate parking for resident and visiting staff, and each resident able to drive an automobile.

G. *Heavy Retail and Heavy Services [in Crossroads Center (CC) and IC districts]

All vehicles or materials awaiting use or repair shall be stored in an area completely screened from view of the street and adjacent property at the side or in the rear of the business.

H. Hotel (in Crossroads Center (CC) District.)

The design and bulk of the hotel shall be compatible with the size, scale and character of the existing buildings in the District.

I. Reserved

J. Reserved.

K. Agricultural Support (in the Rural (R), Suburban Estate (SE), Suburban (S), Interchange (IC) and Crossroads Center (CC) districts)

*See Amendments List at End of Article.

1. Farm Product Sales must meet the following standards:

   A. The use must be operated in association with an existing bona fide farm (as can be verified from Farm Service Agency records) of at least fifteen (15) acres. The use must be located on the same property as the associated farm or on adjoining property under the same ownership as the farm.

   B. The use may not exceed 750 square feet in size and must be located within a permanent structure.

   C. A minimum of 51% of the product display area must be devoted to a product(s) grown on the associated farm.

   D. The use may include food preparation utilizing products produced on the associated farm.

   E. The use must comply with local building code and permitted requirements as well as all applicable regulations related to the treatment and disposal of wastewater.

2. No additional standards are required for other Agricultural Support uses beyond those in Division 4500.

L. Landing Strips and Heliports (in the Rural (R) and Airport Overlay (AP) districts.)

1. Landing strips and heliports (accessory hangars and sheds) are classified in the heavy industrial general use category and are subject to all provision of Division 7300 through Section 7440, except that the Planning Commission may require additional buffering in the form of berms.

2. The area proposed for this use shall be sufficient and the site otherwise adequate to meet the standards for the class of airport proposed by the Federal Aviation Agency, and the Tennessee Department of Transportation in accordance with their published Rules and Regulations.

3. Any proposed runway or landing strip shall be situated so that any structures, high voltage power lines, towers, chimneys and natural obstructions within the approach zones shall comply with regulations for height restrictions in airport approach zones of the Federal Aviation Agency, Division of Aeronautics, or a municipal or other airport authority qualified by law to establish hazard zoning regulations.

4. There shall be sufficient distance between the end of each usable landing strip and the airport boundary to satisfy the requirements of the Federal Aviation Agency. If air rights or easements have been acquired from the owners of abutting

*See Amendments List at End of Article.

properties in which approach zones fall, proof thereof shall be submitted with the application.

5. Off-street parking required: one (1) space for every plane space within the hangars, plus one (1) space for every tie-down space, plus one (1) for every two (2) employees.

6. Building setback: any building, hangar, or other structure shall be at least one hundred (100) feet from any street or lot line.

7. All repair of airplanes and machinery shall be done inside hangars.

8. Residential uses shall not be located within the approach path or the noise cone as defined by the Tennessee Department of Transportation.

9.* Private landing strips and heliports in the Rural (R) zone are to be used for agricultural or recreational purposes only.

M.* Residential Business [in the Rural (R), Crossroads Center (CC), Estate (E), and Suburban Estate (SE) District.]

1. Residential Businesses may be permitted within the Rural (R), Crossroads Center (CC), Estate (E) and Suburban Estate (SE) districts provided they meet the following conditions:

   A. The residential business shall be conducted entirely inside the dwelling or in an accessory building.

   B. The business shall be conducted by a resident of the dwelling, and no more than three (3) other persons shall be employed in the residential business.

   C. No more than twenty-five (25) percent of the total floor area of the dwelling shall be used for the residential business, and if conducted in an accessory structure, such structure shall not have more than seventy-five (75) percent of the building area of the residence; or if using an existing accessory building, the business shall not use an area of more than seventy-five (75) percent of the building area of the residence on the property.

   D. The residential business may contain a storage facility for a business conducted elsewhere, provided such storage is inside a building.

   E. No activity, materials, goods or equipment incidental to the residential business shall be externally visible.

*See Amendments List at End of Article.

F. Only one (1) sign, which shall not be over three (3) square feet, may be used to advertise a residential business.

G. No more than one (1) residential business shall be carried on in a single residence.

H. If machinery is used, then the building shall be soundproofed to the noise levels required under Table H, Section 4520 N.4.b. at the property line.

I. Doors and windows shall be kept closed when equipment is in use to ensure that noise is contained.

J. Parking areas use by employees and patrons of the residential business shall be screened vegetation and/or topography so as not to be visible from any public street or adjoining property.

K. Residential businesses may contain storage for vehicles used off-site provided such vehicles are stored out of view of all public streets and adjoining properties.

2. In addition to the conditions noted above, residential businesses located in the Suburban Estate district must be located on a lot in excess of five (5) acres in area.

N. Light Industrial (in the Suburban (S), Crossroads Center (CC), Interchange (IC), Urban (U), and Airport Overlay (AP) districts. (See Section 4520 Z for regulations of uses classified as "Mini-Warehouses".)

1. The development shall not exceed the provisions for maximum scale (Section 5121.)

2. Outside storage shall not be permitted in front or side yards. All areas used for storage shall be screened from all streets and all non-industrial properties with bufferyards comprised of a given mixture of width, landscaping, berms, and fencing resulting in an opacity of one (1.0) or more. (See Division 7400.) Such screening shall be a minimum of eight (8) feet in height, and in no case shall stored materials be stacked or otherwise stored so as to exceed a height of the screen or be otherwise visible from said streets or non-industrial properties.

3. No light industrial structure shall be located within one hundred fifty (150) feet of a non-industrial property.

4. Performance Standards.

It is the intent of these regulations to prevent land or buildings allowed to be built in this district from being used or occupied in any manner so as to create any

*See Amendments List at End of Article.

dangerous, injurious, noxious, or otherwise objectionable fire, explosive, radio active or other hazardous conditions; noise or vibration, smoke, dust, odor or other form of air pollution; electrical or other disturbance glare of heat, liquid or solid refuse or wastes; condition conducive to the breeding of rodents or insects; or other substance, condition or elements in a manner or amount as to adversely affect the surrounding area. All uses in this district shall operate in conformance with the limitations set forth in each subsection below:

a. Vibration:

(1) No vibration shall be produced which is transmitted through the ground and is discernable without the aid of instruments at or on any point beyond the lot line.

(2) No activity or operation shall cause or create earthborne vibrations in excess of the displacement values set forth in Table I of this subsection. Vibration displacement shall be measured with an instrument capable of simultaneously measuring in three mutually perpendicular directions; the maximum vector resultant shall be less than the vibration displacement permitted.

(3) The maximum permitted displacements shall be determined by the following formula:

D = k/f where: D = displacement in inches
K = a constant given Table I below
F = the frequency of the vibration transmitted through the ground, measured in hertz.

*See Amendments List at End of Article.

Table I

Constant k by Type of Vibration		
Continuous	Impulsive (at least one second rest between pulses which do not exceed one second duration)	Less than 8 pulses per 24 hour period
0.003	0.006	0.015

b. Noise:

All noise shall be muffled so as not to be objectionable due to intermittence, beat frequency or shrillness. In no event shall be sound-pressure level of noise radiated continuously from a facility at nighttime exceed at the lot line the values given in Table II (set out hereafter) in any octave band of frequency. However, where the lot line adjoins or lies within one hundred fifty (150) feet of the boundary of a residence or agricultural district, the sound-pressure levels of noise radiated at nighttime shall not exceed (at the lot line) the values given in Table III (set out hereafter) in any octave band of frequency.

The sound-pressure level shall be measured with a Sound Level Meter and an Octave Band Analyzer that conform to specifications published by the American standards Association. (American Standards Sound Level Meters for Measurement of Noise and Other Sounds, z24.3-1944, American Standards Association, Inc., New York, New York, and American Standard Specification for an Octave Band Filter Set for the Analysis of Noise and Other Sounds, z24.10-1953, American Standards, Inc., New York, New York shall be used.)

Table II

Maximum permissible sound-pressure levels at the lot line for noise radiated continuously from a facility between the hours of 9 p.m. and 7 a.m

Frequency Band Hertz	**Sound Pressure Level Decibels re 0.0002 dyne/cm2**
20-75	69
75-150	60
150-300	56
300-600	51
600-1,200	42
1,200-2,400	40
2,400-4,800	38
4,800-10,000	35

*See Amendments List at End of Article.

If the noise is not smooth and continuous, and is not radiated between the hours of 9 p.m. and 7 a.m., one or more of the corrections, in Table IV below, shall be added to or subtracted from each of the decibel levels given above in Table II.

Maximum permissible sound-pressure levels at a lot line for noise radiated continuously from a facility between the hours of 9 p.m. and 7 a.m., where the lot line adjoins or lies within one hundred fifty (150) feet of the Estate (E), Suburban Estate (SE), Suburban (S), Neighborhood Conservation (NC), Mobile Home (MH) or Restricted Single-Family (RS) district.

Continues on following page.

Table III

Frequency Band Hertz	**Sound Pressure Level Decibels re 0.0002 dyne/cm2**
20-75	65
75-150	50
150-300	43
300-600	38
600-1,200	33
1,200-2,400	30
2,400-4,800	28
4,800-10,000	26

If the noise is not smooth and continuous, and is not radiated between the hours of 9 p.m. and 7 a.m., one or more of the corrections in Table IV, below, shall be added to or subtracted from each of the decibel levels given above in Table III.

*See Amendments List at End of Article.

Table IV

Type of Operation in Character of Noise	**Correction in Decibel**
Daytime operation only	Plus 5
Noise source operates less than 20% of any one-hour period	Plus 5*
Noise source operates less than 5% of any one-hour period	Plus 10*
Noise source operates less than 1% of any one-hour period	Plus 15*
Noise of impulsive character (hamming, etc.)	Minus 5
Noise of periodic character (hum, speech, etc.)	Minus 5
*** Apply one of these corrections only.**	

c. Air Pollution:

(1) Visible Emission: There shall not be discharged into the atmosphere from any source visible emissions in excess of zero capacity. Visible emissions of any kind at ground level past the lot line of the property on which the source of the emissions is located are prohibited.

(2) Particulate Matter: There shall not be discharged into the atmosphere any particulate matter in excess of the quantities indicate below:

Meet all standards as indicated in the Tennessee Air Pollution Control Regulations as authorized by the Tennessee Air Quality Act 53-3401-3422 for all air pollutants applied to Williamson County designated by the Tennessee Department of Public Health except as pertains to visible emissions Sulfur Dioxide and hydrocarbons.

(3) Odor: Odorous matters released from any operation or activity shall not exceed the odor threshold concentration beyond lot lines, or within one hundred fifty (150) feet of the Rural (R), Estate (E), Suburban Estate (SE), Suburban (S), Neighborhood Conservation (NC), Mobile Home (MH), or Restricted Single Family (RS) district, measured either at ground level or habitual elevation. (The odor threshold is the concentration at which odor can be detected by a parcel of healthy observers unaffected by background odors such as tobacco or food.

*See Amendments List at End of Article.

d. Electromagnetic Radiation:

It shall be unlawful to operate or cause to be operated any planned or intentional source of electromagnetic radiation for such purposes as communication, experimentation, entertainment, broadcasting, heating, navigation, therapy, vehicle velocity measurement, weather survey, aircraft detection, topographical survey, personal pleasure, or any other use directly or indirectly associated with these purposes which does not comply with the then current regulations of the Federal Communications Commission regarding such sources of electromagnetic radiation.

Further, said operations in compliance with the Federal Communications Commission shall be unlawful if such radiation causes an abnormal degradation in performance of other electromagnetic radiators or electromagnetic receptors of quality and proper design because of proximity, primary field, blanketing, spurious radiation, harmonic content, modulation or energy conducted by power or telephone lines. The determination of "abnormal degradation in performance" and "of quality and proper design" shall be made in accordance with good engineering practices as defined in the latest principles and standards of the American Institute of Electrical Engineers, the Institute of Radio Engineers, and the Electronic Industries Association. In case of any conflict between the latest standards and principals of the above groups, the following precedence in the interpretation of the standards and principals shall apply: (1) American Institute of Electrical Engineers, (2) Institute of Radio Engineers, and (3) Electronic Industries Association.

e. Fire and Explosion:

All activities and storage of flammable and explosive materials at any point shall be provided with adequate safety and fire fighting devices in accordance with all fire prevention codes of the State of Tennessee.

f. Glare and Heat:

No direct or sky-reflected glare, whether from floodlights or from temperature processes such as combustion or welding or otherwise, so as to be visible at the lot line shall be permitted. Lighting of buildings or parking lots that produce glare shall be conducted so that direct or indirect illumination from the source of light shall not cause illumination in excess of 0.5 footcandles in the Rural (R), Estate (E), Suburban Estate (SE), Suburban (S), Neighborhood Conservation (NC), Mobile Home (MH) or Restricted Single Family (RS) district. There shall be no emission or transmission of heat or heated air so as to be discernible at the lot line.

*See Amendments List at End of Article.

g. Liquid or Solid Waste:

There shall be no discharge at any point into any public or private sewage disposal system or stream, or into the ground of any liquid or solid materials except in accordance with the regulations of the Tennessee Department of Public Health.

h. Administration and Enforcement of Performance Standards

(1) Intent Concerning Determination involved in Administration and Enforcement of Performance Standards. Determinations necessary for administration and enforcement of performance standards set forth herein range from those which can be made with satisfactory accuracy by a reasonable person using normal senses and no mechanical equipment to those requiring great technical competence and complex equipment for precise measurement. It is the intent of this Ordinance that:

(a) where determinations can be made by the administrative official or other County employees, using equipment normally available to the County or obtainable without extraordinary expense, such determinations shall be so made before notice of violation is issued.

(b) where technical complexity or extraordinary expense makes it unreasonable for the County to maintain the personnel or equipment necessary for making difficult or unusual determinations, procedures shall be available for causing corrections or apparent violations of performance standards, for protecting individuals from arbitrary, capricious, and unreasonable administration and enforcement of performance standard regulations, and for protecting the general public from unnecessary costs for administration and enforcement.

The administrative official shall give written notice, by registered mail or other means, ensuring a signed receipt for such notice to the person or persons responsible for the alleged violation. The notice shall describe the particulars of the alleged violation and the reasons why the administrative official believes there is a violation in fact, and shall require an answer or correction of the alleged violation to the satisfaction of the administrative official.

*See Amendments List at End of Article.

The notice shall state, and it is hereby declared, that failure to reply or to correct the alleged violation to the satisfaction of the administrative official within the time limit set constitutes admission of violation of the terms of this Ordinance. The notice shall further state that upon request of those to whom it is directed, technical determination as described in this Ordinance will be made, and that if violations as alleged are found, costs of determination shall be charged against those responsible for the violation, in addition to such other penalties as may be appropriate, but that if it is determined that no violation exists, the cost of the determination will be paid by the County.

5. Light Industrial Uses in the Crossroads Center District

In the Crossroads Center (CC) District, industry would be an unusual use and thus needs to meet additional special tests:

a. A demonstration that the industry is best suited for location in the crossroads center and that it is not appropriately located in a suburban or urban area. Less costly land is not an acceptable reason. There should be a special factor essential to that industry such as unique labor supply nearby.

b. The scale of the industry shall be no more than one and a half (1.5) times the average for the existing buildings in the center.

c. There shall be no historic structures or places within five hundred (500) feet.

O. Heavy Industrial (in the Suburban (S) and Airport (AP) zones)

All performance standards listed for light industrial uses under N.4., above shall be met. Furthermore, all peripheral and street buffer requirements listed in Section 7430 shall be increased in opacity by a minimum of ten (10) percent.

P. Extraction and Disposal (in the Rural (R), Estate (E), Suburban Estate, (SE), and Airport (AP) Districts

This use concerns sand, clay, shale, gravel, topsoil, or similar extractive operations, including borrow pits (excavations for removing material for filling operations) and disposal operations, including: landfills, trash transfer sites, incinerators, sludge or other land disposal or storage of septic tank wastes or sludge's at rates which exceed County, State or Federal agricultural application limits, trash, junk cars, recycling facilities, used

*See Amendments List at End of Article.

auto parts, or junk yards. NOTE: Phosphate mining activities are exempt from the provisions of this Section for a period of six months following the date of adoption of this Ordinance. When apply for a zoning permit or change of zoning, the applicant shall provide the following plans and information in addition to what is otherwise required for a conditional use permit:

1. Plans Required

a. Plan of general area (within a one (1) mile radius of site) shall be prepared at a scale of one thousand (1,000) feet to the inch or less with a ten (10) foot contour interval or less to show:

(1) Existing Data

a. Location of the proposed site.

b. Surrounding land use pattern including building locations and historical sites and buildings within a one (1) mile radius of proposed site.

c. Roads: indicating major roads and showing width, weight loads, types of surfaces, and traffic data.

(2) Site and Geological Data

a. Soil and geology, with soil borings on a one hundred (100) foot grid for disposal or storage facilities and a five hundred (500) foot grid for extractive operations.

b. Surface drainage patterns.

c. Groundwater movements and aquifer information.

d. Aquifer recharge data

e. Vegetation cover on the site and dominant species.

f. Climate, precipitation, and wind direction

(3) Proposed Operation of the Site

a. Extraction Operations

i. Type of material to be removed.

ii. Annual removal rate.

*See Amendments List at End of Article.

iii. Methods of extraction, including types of equipment, use of conveyors, use of blasting materials.

iv. Supplementary processes, drying, grading, mixing or manufacturing.

v. Estimated life of the operation and maximum extend of area disturbed, final depths, and side wall slopes.

vi. Approved sediment erosion control plan.

b. Disposal Facilities

i. Approximate number of cubic yards or thousands of gallons of waster to be accepted per day.

ii. Detailed description of the operation.

iii. Method of protecting wastes from exposure to wind, rain, or biological influences.

iv. Types of liners or other barriers to prevent movement through the soils.

v. Types of leachates generated and method of managing these materials.

vi. Type and origination of the waste materials.

vii. Average number of vehicles entering the site and the routes taken to get there.

viii. Ability of roads and bridges to support such loadings.

ix. On-site management techniques used to protect against odor, dust, litter, animal or insect vectors.

x. Data on developments that have been submitted to the County for either building permits, zoning reviews, subdivisions or land developments.

(4) Conformance to State and Federal Regulations

All aspects of the extraction or disposal use must conform to applicable State and Federal regulations.

*See Amendments List at End of Article.

b. Plan of proposed site at a scale of one hundred (100) feet to the inch or less with a two (2) foot contour interval or less to show:

(1) Basic Data

a. Soils and geology

b. Groundwater data and water courses.

c. Vegetation: with dominant species

d. Wind data: directions and percentage of time.

(2) Proposed Use

a. Final grading by contours

b. Interior road pattern: its relation to operation yard and points of ingress and egress to State and County roads.

c. Estimated amount and description of aggregate and overburden to be removed.

d. Ultimate use and ownership of site after completion of operation.

e. Source of water if final plan shows use of water.

c. Plan of Operation Showing:

(1) Proposed tree and berm screen locations.

(2) Soil embankments for noise, dust, and visual barriers, and heights of spoil mounds.

(3) Method of disposition of excess water during operation.

(4) Location of typical schedule of blasting

(5) Machinery: type and noise levels

(6) Safety measures: monitoring of complaints

d. End Use Plan

*See Amendments List at End of Article.

An end use plan for the rehabilitation of the site after the extraction or disposal operation is completed shall be submitted and must be approved. Such plan shall show and provide for either a final end use or an open space use. If it is to be open space use, documentation as to who shall own and maintain such site or restrictive easements must be presented as well as a final contour and site plan submittal. If there is an end use other than open space, then engineering data on the length of time needed for the restoration work to settle sufficiently to provide a stable base for the proposed end use shall be submitted. For all such uses, proper legal documents must be presented that outline:

(1) post operation maintenance procedures; and

(2) legal responsibility for any environmental pollution that could occur after the facility is closed; and

(3) Financial ability to clean up any possible pollution that could occur after the facility is closed.

2. Performance

a. Operations. Extractive operations shall meet all development and performance standards of this Ordinance and all applicable local, state and federal regulations.

b. Setbacks. No excavation, quarry wall, or storage area shall be located within fifty (50) feet of any lot line, one hundred twenty-five (125) feet from any street right-of-way, nor within two hundred (200) feet of any residential property line.

c. Grading. All excavations shall be graded in such a way as to provide an area which is harmonious with the surrounding terrain and not dangerous to human or animal life. (See Section 4520 N, & PP).

(1) Excavations shall be graded and backfilled to the grades indicated by the site plan. Grading and backfilling shall be accomplished continually and as soon as practicable after excavation.

(2) Grading and backfilling may be accomplished by use of construction rubble such as concrete, asphalt, or other materials, providing such materials are composed of non-noxious, noncombustible solids.

(3) Grading and backfilling shall be accomplished in such a manner that the slope of the fill or its cover shall not exceed the normal angle of slippage of such material, or thirty-three (33) degrees in angle, whichever is less. During grading and backfilling, the

*See Amendments List at End of Article.

setback requirements in paragraph b., above, may be reduced up to one-half, so that the top of the grading slope shall not be closer than twenty-five (25) feet to any lot line, seventy-five (75) feet to any street line, nor within one hundred (100) feet of any nature reserve or zoning district boundary line of the Estate (E), Suburban Estate (SE), Suburban (S), Urban (U), Neighborhood Conservation (NC), Mobile Home (MH), or Restricted Single-family (RS) district boundary line. In backfill areas, soils shall be compacted so as to minimize subsequent settling.

(4) When excavations which provide for a body of water are part of the final use of the tract, the banks of the excavation shall be sloped to a minimum ratio of seven (7) feet horizontal to one (1) foot vertical, beginning at least fifty (50) feet from the edge of the water and maintained into the water to a depth of five (5) feet.

(5) Drainage shall be provided, either naturally or artificially, so that disturbed areas shall neither collect nor permit stagnant water to remain. Backfilling and grading shall be done so as to restore surface and subsurface drainage to their original patterns.

d. Access. Truck access to any excavation shall be so arranged as to minimize danger to traffic and nuisance to surround properties.

e. Mitigation of Road Damage. A bond must be determined by, posted with, and accepted by the County to cover the potential damage to public roads, caused by the development, operation, and rehabilitation of the subject property prior to the commencement of site work and/or operation.

f. Planting. When planting is the final use to which the tract is put, all that is not covered by water shall be covered with a sufficient amount of arable soil to support vegetation. A planting plan shall be prepared for the entire finished tract using various types of plant material that prevent soil erosion and provide vegetative cover. When buildings are proposed as part of the final use to which the tract is put, areas adjacent to proposed buildings shall be planted with a vegetative cover in keeping with the requirements of the ultimate building purposes.

g. Subsequent Development of Extraction of Disposal Sites. All buildings site shall be required to be tested for the presence of radon. Test results shall be submitted to the County Planning Department. Structures erected on such sites shall be required to include provisions such as vented basements and air exchanges to ensure proper ventilation.

*See Amendments List at End of Article.

PP. Extraction and Removal of Phosphatic Material

This use concerns the mining and removal of phosphate rock, phosphate matrix, phosphate sand and all other phosphate bearing material. Before commencing mining on a particular tract of land the phosphate operator shall provide the Williamson County Planning Commission the following plans and information:

1. Plans Required

a. Three copies of a general location map taken from a USGS 7-1/2 minute quadrangle sheet with the mining locations and haul roads clearly marked thereon. Also three copies of a detailed enlarged topographical map of a scale of 500 feet to the inch, with the site boundaries indicated thereon and prepared by a qualified professional engineer, geologist, or surveyor shall be submitted with the application. Only a portion of the map large enough to show the required information is required but it shall be no smaller than letter size 8-1/2 x 11.

b. The title block of both sizes of map shall show the following information:

(1) Name of operator

(2) Owner of the phosphatic material. If more than one tract, attach list and identify by number corresponding to mine operation shown on map.

(3) The owner of the surface rights or the name of the representative of the owners. If more than one tract, attached list and identify by number of corresponding to mine number shown on map.

(4) The total number of acres to be disturbed under the permit, including access roads.

(5) The date the map was prepared, together with a certification as to its accuracy by the person responsible for its preparation.

(6) Name and number of enlarged USGS 7-1/2 minute quadrangle sheet used (if applicable)

c. The enlarged map shall show the following information:

(1) the boundaries of the area to be permitted shall be marked in red.

*See Amendments List at End of Article.

(2) the location of the stream or streams or any standing body of water into which the area drains, the location of drainways, and the planned siltation traps and other impoundments shall be marked in blue.

(3) the location of haul or other access roads to be prepared or used by the operator in the mining operation shall be shown as a dashed red line.

(4) the location of any buildings, cemeteries, public highways, railroads tracks, gas and oil wells, publicly owned land, officially designated scenic areas, utility lines, underground mines, transmission lines or pipe lines within the affected area or within 500 feet thereof.

(5) the approximate location of the cuts or excavations to be made in the surface, the estimated location of fill areas and the location of areas designated where no mining can take place, i.e., areas too steep, too close to a street, or areas designated as hazard or protected areas.

(6) the names and landowners within 500 feet of the permitted area (as shown on the Williamson County tax maps)

(7) Slope measurements every 500 feet as calculated from the topographical map. If slope is less than 15 degrees, this requirement may be omitted.

d. In addition to the above, the applicant shall furnish proof that it has applied for and received a mining permit from the State of Tennessee in compliance with the requirements of Section 59-8-201 through 59-8-227 of Tennessee Code Annotated.

2. Performance Standards

At all times during the mining operations which shall include the time from the beginning of the initial prospecting until re-vegetation standards hereinafter specified are met, all operators of phosphate mines shall abide by the following performance standards:

a. Haulroads

(1) Definition. "Access road or haulageway" shall mean any road constructed, improved or used by the operation (except public roads) which ends at the pit or mine and which is located within the permitted area.

*See Amendments List at End of Article.

(2) Planning and Construction. Operators are required to plan such roads in accordance with accepted engineering standards with proper protection of streams by culverts where traversed. No road shall be constructed up a watercourse or drainage channel proper, or so close to its banks that material would spill into the channel during construction, use or maintenance. The location of the proposed haulagway shall be identified on the site by visible markings at the time the reclamation of mining plan is pre-inspected and prior to commencement of construction.

(3) Abandonment of Access Roads. If the haulageway is to remain as a permanent road, it shall be left property surfaced and drained for minimum maintenance by the landowner. If the road will be abandoned, it shall be graded to the approximate contour of the adjacent land and sown in grasses.

b. Operation, Backfilling and Grading

(1) Mining and Regarding Requirements. Initial stripping operations and mining shall be conducted so as to facilitate backfilling and grading to approximately the original or rolling topography, and elimination of all high walls, spoil piles and water-collecting depressions.

(2) Water Control. Operators will conduct their operations so as to minimize adverse effects to streams. These shall be no mining in stream beds, and under no circumstances whatever will access roads be constructed so as to interfere with streams. Stream crossings shall include culverts or other structures adequate to accommodate peak water flow, and such structures shall be removed at the conclusion of reclamation unless special circumstances preclude such action. Where there is potential for undue siltation, the operator shall construct either log or rock silt traps designed to reduce water velocity ad permit the settlement of excess suspended matter.

c. Reclamation

(1) The disturbed area shall be re-graded to approximately the original or rolling topography and elimination of all high walls, spoil piles or water collecting depressions to the extend that such can be done without available overburden.

(2) Reclamation shall proceed concurrently with mining. The reclamation shall be concluded within three months after completion of the removal of the mineral from any given acre.

*See Amendments List at End of Article.

However, the necessity for maintaining acceptable quality of material for furnace feed is recognized so the operator may temporary abandon a pit leaving no more than two acres of stripped mineral and un-reclaimed surface. The un-reclaimed surface shall be dressed and the shaped areas shall be sown to retard erosion and to hasten returning the adjacent surfaces to useful production.

(3) With the characteristic limestone "cutters" if the phosphate field, where frequently there is a depth of fill material, operators will not be required to haul fill material in to accomplish grading to the "original contour". In these circumstances, first priority in use of available material will be the filling of the cavities and pits which might be hazardous, with the remaining mined-over areas to be graded to the best advantages as determined by the Director of Surface Mining of the State of Tennessee.

(4) Regarding Where Bench is Produced. Where rim, or collar, deposits produce a bench, operators may re-grade the area so that a rolling terrace is produced, but the high wall must be reduced to a stable slope no steeper than a three to one grade. The terrace shall be smooth grades with all available fill material.

(5) Water Impoundments. The operator may elect to impound water to provide lakes or ponds for wildlife, recreation or water supply purposes, provided such impoundments will not create conditions that will contribute to soil erosion or stream pollution, or jeopardize the health, safety or property of adjacent landowners. Impoundments must be included in the mine and reclamation plan and details concerning the size and location and the construction plans of dams, embankments and spillways must be included. The proposed impoundment must meet safety requirements of appropriate State agencies.

d. Re-vegetation

(1) Each operator shall submit and carry out a re-vegetation plan. Since most of the area mined for phosphate will be returned to farmland or pasture, no specific planting requirements are established. However, the plan must provide for stabilization of the area as quickly as possible after it has been mined in order to prevent erosion and siltation of streams and to return the area to productive use.

*See Amendments List at End of Article.

a. In the re-graded area is planted in row crops by the owner of the surface rights, the operator shall be relieved of any further obligation in regard to re-vegetation.

b. If the re-graded area is not planted in row crops, the operator shall perform such re-vegetation as is necessary to secure a cover crop on such area according to the following standards:

(1) Standards for legumes and/or perennial grasses shall require at least 80% ground cover.

(2) Bare areas shall not exceed 2,500 square feet (50 feet by 50 feet) in size, nor more than 20% of the area seeded unless such areas are to stony to support vegetation.

c. Compliance with State Laws:

Before completion of its obligations under this Ordinance, the operator shall demonstrate that it has met all to the requirements of the State of Tennessee in regard to the reclamation and re-vegetation of the mined area.

3. Setbacks, Screenings and Buffers.

a. No mining or phosphate shall occur within 200 feet of any established residential subdivision existing at the time of the passage of this Ordinance unless the operator shall construct a barrier of at least 8 feet high between the mining area and the property lines of said subdivision. Said barrier shall be constructed of the following or equivalent material and shall be of quality hereinafter specified:

(1) An 11 gauge chain link galvanized metal fence interwoven with opaque green colored plastic coated metal slats affixed to 2 inch galvanized metal posts on 10 foot centers.

(2) Provided further that if the operator elects to construct a barrier and mine within 200 feet of any individual homeowners property line shall continue no more than six months and no mining shall occur within ten feet of the property line.

b. In all other instances, no phosphate mining will be conducted any closer to adjacent property than a distance sufficient to avoid physical interference with said adjacent property but in no event, any closer than five feet.

*See Amendments List at End of Article.

c. The provisions of a. and b. above shall not apply where improvements on adjacent property have been constructed as an encroachment upon the phosphate area or where there is a specific contract between the owner of the adjacent property and the owner of the phosphatic material which addresses that particular situation. If requested by the Williamson County Planning Commission, the operator will present copies or other evidence of said agreements or encroachments.

d. No mining of phosphate shall be conducted within 50 feet of any public road.

4. Mitigation of Road Damage.

Prior to the commencement of mining phosphate on a tract which will require the use of County roads to haul said material, the mining contractor shall post with the County a letter of credit in an amount determined by him and the Williamson County Highway Commission to cover the potential damage to public roads caused by the transportation of phosphate material over said County roads.

5. Control of Dust and Debris.

The phosphate operator shall sprinkle with water or other substance acceptable to the commissioner of Conservation of the State of Tennessee the haul roads and/or County roads which are being used to haul the phosphatic material as is necessary to prevent dust from unreasonably polluting the atmosphere. The phosphate operator shall likewise load the haul trucks so that the material will not spill from the trucks onto the public roads. The operator shall also take measures necessary to prevent mud and other debris from collecting on the wheels of the haul trucks and falling off and creating hazardous conditions on the public roads.

Q. Lumber Mill or Planing Mill (in the Rural (R) and Suburban (S) districts)

1. Rural (R) district.

No additional standards required, refer to Division 4500.

2. Suburban (S) district.

Must comply with all standards for heavy industrial uses listed under Section 4520 O.

R. Off-Site Signs (in all listed districts.)

All applications for conditional use permits for off-site signs shall meet the conditions specified in Section 8170 B.

*See Amendments List at End of Article.

S. Animal Boarding Facilities. This use is defined in Section 4104., T. and must meet the following criteria in addition to all applicable standards of the Ordinance:

1. Animal facilities must be situated so that no noise can be heard or odors detected at the property line.

2. The facility must be set back at least 200 feet from the road.

3. No facility may be located within 1,000 feet of any platted subdivision.

T. Commercial Cemeteries must be located on an arterial road. No funeral homes will be allowed unless sewage treatment is available.

U. Commercial Uses in the Suburban and Interchange Zones may propose site plans (subject to conditional approval) which allow a reduction in their LSR based on the following criteria:

1. For every 2% of required parking spaces moved to the side and rear of the shopping center, the required LSR may be reduced by 1% to a minimum of 30%. Additionally, all required parking spaces over the minimum must be in the rear.

2. The design for such a site plan will entail Staff and Planning Commission evaluation of whether it is compatible with character of the area in which it is located.

V. Mixed-Use Development (as defined in Section 4106) must follow the following procedures:

1. A concept site plan for all overall project including road systems and proposed uses must be presented to the Planning Commission.

2. After that approval is obtained, then site plans for individual sections may be submitted separately and follow all required procedures for the type of use involved.

W. Mixed Commercial Centers. Standards for non-residential development set forth in Section 5121 are to be followed for these uses. All other applicable standards of the Ordinance must also be followed with ease use on a parcel responsible for its proportional share of required improvements.

X.* Private Home Recording Studios

1. After application through a Zoning Certificate, this must be reviewed by the Planning Commission at a public hearing.

2. The use may be in an accessory building.

*See Amendments List at End of Article.

3. A scale site plan showing the lot, dwelling and accessory structure must be submitted to the Planning Commission Staff.

4. If a new structure is to be built, it must be architecturally compatible with the existing home or in character with the area.

5. Such a facility may <u>only</u> be used for recordings by the property owner.

6. The facility must be sound-proofed so that no sound is audible at the property line.

Y.* Bed and Breakfast Establishments (in all listed districts)

1. All such facilities shall be required to obtain a permit to serve food and beverages. They shall be inspected annually at a fee as established by separate ordinance, to verify that the use continues to meet all applicable regulations.

2. In the Rural (R), Estate (E), Suburban Estate (SE), Neighborhood Conservation (NC), Restricted Single-Family (RS), and Mobile Home (MH) districts, only one (1) ten (10) square foot sign shall be permitted. Signs shall not be permitted within the right-of-way in order to maintain a rural character except in areas where adjoining uses are on the road. There shall be one (1) parking space for each room, three (3) for the owner, and one and a quarter (1-1/4) spaces per four (4) seats for country inns that have extra seating capacity. These spaces must be screened from view of all public roads and adjacent properties.

3. Tenancy is limited to no more than two (2) adults and two (2) children per room, and tenure cannot exceed seven (7) consecutive days.

4. The use must be primarily conducted by the owner, and/or members of the immediate family.

5. All such establishments shall be approved for the extent of use by Williamson County Environmental Department as it applies to septic systems.

Z. Mini-Warehouses.

1. For purposes of these regulations, mini-warehouses shall be classified as light industrial uses.

2. Mini-warehouses are subject to all standards listed in section 4520 N herein, with the following exceptions:

A. Peripheral bufferyards shall be constructed at 0.80 opacity as defined.

*See Amendments List at End of Article.

B. Minimum setbacks of all buildings shall be 150' from all residential properties. Other setbacks shall be governed by the standards of Division 6300 herein.

C. A minimum of fifty percent (50%) of the required landscaping must occur outside any fencing.

Z.A.* Interchange Overlay District.

In consideration of uses within this district, the Planning Commission shall consider the proposed use's impact on the existing and proposed infrastructure and adjacent properties as well as the recommendations of the various SR-840 interchange studies, in its determination as to the appropriateness of the proposed use.

Z.B.* Adult-Oriented Establishments

1. Shall be permitted only within the Suburban (S) District and shall not be permitted on any lot or parcel within five hundred (500) feet of:

A. The boundary of any lot or parcel containing within any use classified as "Indoor Institutional" under the terms of this ordinance.

B. The boundary of any lot or parcel containing within any classified as "Outdoor Institutional" under the terms of this ordinance.

C. The boundaries of any residential zoning district. For purposes of this section, this shall include Rural (R), Estate (E), Suburban Estate (SE), Neighborhood Conservation (NC), Mobile Home (MH) and Restricted Single Family (RS) district.

D. The boundary of any lot or parcel devoted to a residential use as specified in Section 4102 of this Ordinance.

E. The boundary of any lot or parcel containing within day care facilities, as defined under the terms of this ordinance.

F. The boundary of any lot or parcel containing within an entertainment establishment that is oriented primarily towards entertainment of children and families.

G. The boundary of any lot or parcel containing within an establishment engaged in the sale of packaged liquors.

H. The boundary of any lot or parcel containing within a use classified as a funeral home, mortuary, or crematory facility.

*See Amendments List at End of Article.

I. The boundary of any lot or parcel containing within a public or private cemetery.

J. The boundary of any lot or parcel containing within a "Historic Site" as defined under the terms of this ordinance.

2. Adult-oriented establishments are further restricted to lots or parcels directly contiguous to roadways classified as "arterials", as designated by the Williamson County Major Thoroughfare Plan Update (1996), as periodically amended.

3. For the purposes of this ordinance, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where an adult-oriented establishment is conducted, to the nearest property line of the premises of a use listed in Section 4520 Z.B.(A)-(J). The presence of a political boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this section.

4. An adult-oriented establishment lawfully operating as a conforming use shall not be rendered a non-conforming use by the location, subsequent to the commencement of operations of the said establishment, or a use listed in Section 4520 Z.B. (A)-(J) within five hundred (500) feet of the adult-oriented establishment.

5. No adult-oriented establishment shall be established or operated within five hundred (500) feet of another adult-oriented establishment. For purposes of this ordinance, the distance between any two (2) adult-oriented establishments shall be measured in a straight line, without regard to the intervening structures or objects or political boundaries, from the closest exterior wall of the structure in which each business is located. No structure or parcel that contains any adult-oriented establishment shall contain any other kind of adult-oriented establishment. If two (2) or more adult-oriented establishment are within five hundred (500) feet of one another or are within the same structure or parcel, the adult-oriented establishment that was the first established in an otherwise permissible location shall be considered as a conforming use and the later-establishment(s) shall be considered as nonconforming.

6. No adult-oriented establishment shall be enlarged so as to violate the provisions of this ordinance.

*See Amendments List at End of Article.

DIVISION 4600. SPECIAL USES

Special uses are those uses which have some special impact or uniqueness. Their effect on the surrounding environment cannot be determined in advance. When a new use is proposed for a particular location, a review of the location, design, configuration, and impact is conducted by comparing the proposed use to fixed standards. (See Division 9400.) This review determines whether the proposed use should be permitted by weighing public need for, benefit to be derived from, the use against the local impact which it may cause. The review considers the proposal in terms of:

A. existing zoning and land use in the vicinity of the use;

B. planned and proposed public and private developments which may be adversely affected by the proposed use;

C. whether and to what extend the proposed use, at the particular location for which it is suggested, is necessary or desirable to provide a development which is in the interest of the public convenience or which will contribute to the general welfare of the area or Williamson County; and

D. whether and to what extend all steps possible have been taken by the developer to minimize any adverse effects of the proposed use on the immediate vicinity and on the public health, safety, and welfare in general.

SECTION 4610. APPLICABILITY FOR SPECIAL USES.

Any special use designated in Section 4002 of the Ordinance shall comply with the requirements of Division 4600 and Division 9400.

SECTION 4620. ADDITIONAL STANDARDS FOR SPECIAL USES.

A. Institutional Residential Serving Fewer than Nine (9) Residents (in all districts.)

1. Shall be on a lot that meets the minimum standards for the district. If the use is a group home as operated by the Department of Corrections, the County Commission shall make the final decision as to approval or disapproval of the use.*

2. The total building bulk shall be no more than one and a half (1.5) times that of the average residential structures within five hundred (500) feet.

3. Special fire escapes, garbage disposal facilities and other required structural changes shall be located and screened to minimize the character differences with other residential units in the area.

*See Amendments List at End of Article.

4. There shall be adequate parking for each resident and visiting staff members, and for each resident who is able to drive an automobile.

5. A proper license to operate the facility must be secured prior to occupancy.

B.* Reserved

C. Family Day Care Home (in all districts.)

Upon public notice and notification of owners of adjacent property, the Board of Zoning Appeals may grant a special use permit to operate a family day care home provided the following standards are adhered to:

1. Obtain license to operate facility from Tennessee Department of Human Services or show evidence that license will be issued after approval of Board.

2. All outside areas must be fenced and be set back from side and rear line by a minimum of forth (40) feet. Play areas shall contain a minimum of one hundred (100) square feet per child.

3. The minimum lot requirement for a family day care center shall be one (1) acre.

4. The facility shall be located so as to be compatible with the surrounding area and provide safety to those using each facility.

5. Adequate buffering between any outside areas and residential lots shall be provided.

6. All refuse shall be contained in completely enclosed facilities, and the facilities shall be located in the area of the building.

7. Only one (1) sign, which shall not exceed two (2) square feet, may be used to advertise the family day care home.

D. Day Care Center in an Accessory Use (Typically in a School, Church, or other Assembly Area) (in all districts.)

Upon public notice and notification of owners of property adjacent to, across the street from and across any stream or river from the property under consideration, as determined from information from the Tax Assessor's Office, the Board of Zoning Appeals may grant a special use permit to operate a day care center in a church or school provided the following standards are adhered to:

1. Obtain a license to operate facility from Tennessee Department of Human Services or show evidence that license will be issued after approval of Board of Zoning Appeals.

*See Amendments List at End of Article.

2. Serve no more than one hundred (100) children.

3. Meet parking and loading requirements of Article VIII of this Ordinance.

4. Any new structure in addition to existing buildings shall be so designed, located, and landscaped as to be compatible with surrounding uses and buildings and meet drainage requirements of the County. Criteria to define compatible are outlined as follows:

    a. No day care center shall be established under these criteria in a church or school which is on a lot of record in a platted subdivision.

    b. No day care center shall be established under these criteria in a church or school which meets in a structure which was originally a residence.

    c. The exterior building material used for any new structure for a day care center approved under these criteria shall be similar in character, scale, and materials to other structures in its immediate vicinity.

5. All play areas shall be fenced and set back from side and rear yards by a minimum of forty (40) feet. Additionally, play areas shall be a minimum of seventy-five (75) feet from any adjacent, existing dwelling.

6. Minimum lot requirement of two (2) acres.

7. Adequate buffering between play areas and residential lots shall be provided. Play area buffering shall consist of either a privacy fence of suitable material (compatible with adjacent uses) of at least six (6) feet in height or a screen of appropriate evergreen plants or trees at least six (6) feet apart.

8. All refuse shall be contained in completely enclosed facilities and located in the rear of the building(s).

9. Only one (1) sign in addition to existing church or school sign which shall not be over ten (10) square feet may be used to advertise the day care center.

10. Day care centers approved under these regulations shall have access to all public utilities and sewage disposal systems deemed adequate by the Williamson County Health and Environmental Department.

*See Amendments List at End of Article.

E.* Accessory Dwellings. A second dwelling, either a separate structure, or converted accessory structure such as a garage, carriage house or stable.

1. Only one (1) accessory dwelling is permitted on any given lot.

2. Dwelling shall be limited to a maximum of 750 sq. ft. or less than 50% of the principal dwelling, whichever is smaller.

3. Accessory dwellings classified as mobile homes by the terms of this ordinance are only allowable in zoning districts in which mobile homes are allowed.

4. The applicant shall record a deed restriction with the Register of Deeds that states no additions to the accessory dwelling will be permitted unless the property and the structure can meet the current setback(s) and size requirements for division of the property. A copy of the recorded deed restriction shall be provided to the Planning Office prior to obtaining an approved zoning certificate and building permit.

5. Applicant shall obtain approval of the Department of Sewage Disposal Management or other sewage service provider, as applicable.

F. Wireless Telecommunications Facilities (See Division 4400Y for Wireless Telecommunication Facilities.)

G. Events of Public Interest, Extensive Impact.

Upon public notice and notification of owners of property adjacent to, across the street from and across any stream or river from the property under consideration, the Board of Zoning Appeals may grant a special use permit to operate an event of public interest, extensive impact, provided that the following standards are adhered to:

1. The applicant shall submit a simplified site plan for review by the Planning and Zoning Compliance Departments. The site plan must depict the following:

   a. The nature or purpose of the event.
   b. The total number of hours the event will last.
   c. The maximum number of persons the applicant will allow to attend the event, not to exceed the maximum number of which can reasonably assemble on the site, and the applicant's plan to ensure those limits can be kept.
   d. The plans for provision of potable water including the source, amount and location.
   e. The plans for providing toilet and lavatory facilities, including source, number and location, type and the means of disposing of the waste.
   f. The plans for holding, collection and disposing of solid waste material.

*See Amendments List at End of Article.

g. The plans, if any, to illuminate the location of the event, including the source and amount of power, location of the lamps, and footcandles at property line.

h. The plans for parking vehicles including size and location of lots, points of road ingress/egress and interior roads including routes between road access and parking lots.

i. The plans, if any, for camping facilities, including facilities available, their location, and evidence of State permits.

j. The plans for security including number of guards and hours of availability.

k. The plans, if any, for sound amplification and control, including location, number and power of amplifiers and speakers.

l. The plans, if any, for on-site sale and/or consumption of alcoholic beverages, including location, evidence of state and local permits.

m. The plans of food concessions and concessionaires, if any, who will be allowed to operate on the grounds including the names and addresses of all concessionaires and their state and/or local license or permit number.

n. The plans for emergency services, including fire and medical, including location of nearest fire hall and emergency services station.

2. In the review of the application, the Board of Zoning Appeals, will require the following specific criteria, as applicable, be met:

a. Potable water, meeting all applicable Federal and State standards for purity, must be available at a rate of one (1) gallon per person per day for the maximum number of people attending the event, as identified in Section 4620.G.1.c., above.

b. Separate enclosed toilets male and females, meeting all State and local specifications, sufficient to provide for the maximum number of people attending the event, as identified in Section 4620.G.1.c. above, shall be provided at a rate of one (1) toilet for every two hundred (200) females and one (1) toilet for every three hundred (300) males.

c. Solid waste facilities must be available at a rate sufficient to dispose of the solid waste production for the maximum number of people attending the event, as identified in Section 4620.G.1.c. above, at a rate of two and one-half (2.5) pounds per person.

d. Parking shall be provided on-site at a rate of one (1) space per four (4) persons, based on the maximum number of people attending the event, as identified in Section 4620 .G.1.c. above.

e. If the event is to continue during the hours of darkness, illumination sufficient to light the entire event at a rate of at least five (5) footcandles shall be provided. However, the measurement at the property line cannot exceed one (1) footcandle.

f. Security guards shall be provided at a rate of one (1) security guard for every seven hundred fifty (750) people attending the event, as identified in Section 4620.G.1.c. above.

*See Amendments List at End of Article.

g. A minimum buffer of two hundred (200) feet shall be established around the perimeter of the event in which no activity associated with the event can take place except for ingress/egress of the site. The intent of this buffer is to minimize any visual or audio impact on adjacent properties.

h. Hours of operation for the event are generally limited to the hours of 10:00 a.m. to 10:00 p.m., unless overnight camping is an approved component of the event. Should the Board of Zoning Appeals find that varying from the time restrictions will be in the public interest and does not have an adverse effect on the neighboring properties, then the Board may permit activities to begin at an earlier time.

i. Any sound amplification shall be subject to the standards of Section 4620.N.4.b., herein.

3. As applicable, the Applicant must demonstrate that the event has met all permitting requirements outlined in Tennessee Code Annotated 68-112-101 ("Mass Gatherings") as well as those outlined above, if applicable.

4. The maximum number of days that an Event of Public Interest, Extensive Impact, can occur on a given property or site cannot exceed twelve (12) days within a given calendar (January through December) year, unless specifically allowed by the Board of Zoning Appeals. However, in no case shall the maximum number of days exceed thirty (30) days within a given calendar year.

5. This section does not apply to events held on the grounds of any church, private or public school, athletic field, arena, auditorium or other similar place or places of permanent assembly. These events are regarded as an "Event of Public Interest, Limited Impact" and are subject to the regulations outlined in Division 4200.D.5., herein.

*See Amendments List at End of Article.

AMENDMENTS

ARTICLE IV

Section/Division	Date	Book/Page	Topic
4520J-3	6/20/88	13/635	Dude Ranches
4520L-9	6/20/88	13/365	Landing Strips/Heliports
4620A-1	6/20/88	13/635	Special Use Standards
4101C	6/20/88	13/637	Selective Cutting
4102	6/20/88	13/637	Commercial Apartments
4002	7/18/88	14/6	Phosphate Mining
4520P	7/18/88	14/6	Phosphate Mining
4520PP	7/18/88	14/6	Phosphate Mining
4002	3/20/89	14/185	Farm Employee Housing
4002	3/20/89	14/184	Private Stables
4002	3/20/89	14/185	Multi-Family Residential Dev.
4002	3/20/89	14/182	Commercial Towers
4002	3/20/89	14/188	Commercial Retail
4002	3/20/89	14/183	Private Recreation Centers
4002	3/20/89	14/184	Animal Boarding
4002	3/20/89	14/185	Recreation & Athletic Fac.
4002	3/20/89	14/182	Commercial Cemeteries
4002	3/20/89	14/186	Mixed Use Developments
4002	3/20/89	14/187	Table of Uses
4101F	3/20/89	14/185	Agricultural Uses
4101G	3/20/89	14/184	Agricultural Uses
4102I	3/20/89	14/185	Residential Uses
4103E	3/20/89	14/182	Institutional Uses
4104A	3/20/89	14/186	Commercial Uses
4104N	3/20/89	14/183	Commercial Uses
4104T	3/20/89	14/187	Commercial Uses
4104U	3/20/89	14/183	Commercial Uses
4104V	3/20/89	14/185	Commercial Uses
4104W	3/20/89	14/183	Commercial Uses
4106	3/20/89	14/186	Mixed Use Development
4200D-7	3/20/89	14/187	Temporary Use Regulations
4400I	3/20/89	14/186	Detailed Use Regulations
4400I	3/20/89	14/187	Detailed Use Regulations
4400P	3/20/89	14/183	Detailed Use Regulations
4400P	3/20/89	14/184	Detailed Use Regulations
4400Q	3/20/89	14/185	Detailed Use Regulations
4520G	3/20/89	14/191	Conditional Uses
4520S	3/20/89	14/185	Conditional Uses
4520T	3/20/89	14/183	Conditional Uses
4520U	3/20/89	14/188	Conditional Uses
4520V	3/20/89	14/186	Conditional Uses

*See Amendments List at End of Article.

Section/Division	Date	Book/Page	Topic
4620C	3/20/89	14/187	Special Uses
4620F	3/20/89	14/183	Special Uses
4620F	3/20/89	14/184	Special Uses
4620G	3/20/89	14/182	Special Uses
4001A	11/20/89	14/385	Table of Uses
4002	11/20/89	14/385	Table of Uses
4002	11/20/89	14/386	Table of Uses
4101A	11/20/89	14/386	Agricultural Uses
4103D	11/20/89	14/386	Institutional Uses
4104G	11/20/89	14/286	Shopping Centers
4104X	11-20-89	14/386	Mixed Commercial Center
4200D-4	11/20/89	14/386	Temporary Uses
4200D-7f	11/20/89	14/386	Temporary Uses
4300D	11/20/89	14/386	Accessory Uses
4400R	11/20/89	14/386	Detailed Use Regulations
4520M	11/20/89	14/387	Conditional Uses
4520W	11/20/89	14/387	Conditional Uses
4002C	07/16/90	14/537	Institutional Residential
4400S (U)	07/16/90	14/537	Detailed Use Standards
4520E-3	7/16/90	14/537	Detailed Use Standards
4300D	10/15/90	14/602	Accessory Use Regulations
4400E-2	10/15/90	14/602	Detailed Use Standards
4002	01/21/91	14/665	Institutional Uses
4103C	01/21/91	14/665	Retirement Communities
4400S	01/21/91	14/665	Detailed Use Standards
4520F	01/21/91	14/665	Conditional Use
4002	03/18/91	14/707	Table of Uses
4400S	03/18/91	14/707	Detailed Use Standards
4104N	07/15/91	15/38	Commercial Uses
4400N	07/15/91	15/38	Detailed Use Standards
4520X	07/15/91	15/38	Conditional Use Standards
4620F	07/15/91	15/37	Special Use Standards
4103C	11/12/91	15/138	Institutional Residential
4400T	11/12/91	15/138	Retirement Communities
4620 a-c	02/10/92	15/194	Special Use Standards
4002 H,J,O	11/08/93	16/169	Table of Uses
4003 B.6	11/08/93	16/169	Permitted Uses
4104N, O	11/08/93	16/169	Commercial Uses
4200 D.2,9	11/08/93	16/169	Temporary Use Regulations
4400 E,J,S	11/08/93	16/169	Detailed Use Regulations
4520 G,M,Y	11/08/93	16/169	Additional Standards
4620 E,E	11/08/93	16/169	Additional Standards
4300	06/10/96	17/291	Swimming Pools
4620 G	02/10/97	17/562	Communication Towers

*See Amendments List at End of Article.

Section/Division	Date	Book/Page	Topic
4105A	11/10/97	18/191	Mini-Warehouses
4520N	11/10/97	18/191	Mini-Warehouses
4300D	05/11/98	18/379	Swimming Pools -Fencing
4002	05/11/98	18/379	Table of Uses
4102H,K	05/11/98	18/379	Interior Apartments/Second Dwelling
4400W	05/11/98	18/379	Interior Apartments
4400X	05/11/98	18/379	Second Principal Dwellings
4620E	05/11/98	18/379	Accessory Dwelling
4002Y	09/13/99	19/312	Adult-Oriented Establishment
4104Y	09/13/99	19/312	Adult-Oriented Establishment
4520ZB	09/13/99	19/312	Adult-Oriented Establishment
4002 (table)	11/08/99	19/379	Interchange (IC) Overlay District
4520ZA	11/08/99	19/379	Interchange (IC) Overlay District
4520G	11/08/99	19/379	IC District
4520K	11/08/99	19/379	Interchange (IC)
4520N	11/08/99	19/379	Interchange (IC)
4002(table)	09/10/01		Agricultural Support
4401C	09/10/01		Heavy Retail and Heavy Services
4401L	09/10/01		Agricultural Support
4400X	09/08/03	22/13	Second Principal Dwellings
4620	01/12/04	22/176	Additional Standards for Special Uses
4200 D.5.	01/10/05	22/672	Events of Public Interest, Limited Impact
4620.G.	01/10/05	22/672	Events of Public Interest, Extensive Impact
4400Y	5/9/05	22/790	Wireless Telecommunication Facilities
4002	5/9/05	22/790	Wireless Telecommunication Facilities
4103	5/9/05	22/790	Wireless Telecommunication Facilities
4620F	5/9/05	22/790	Wireless Telecommunication Facilities
4002 (table)	5/09/05	22/790	Animal Boarding Facility
4300.B. C.D.E.	11/14/05		Accessory Structures
4104 J	1/9/06		Farm Wineries
4400 Z	1/9/06		Farm Wineries
4620 G.2.h.	11/13/06		Events of Public Interest
4104 L	11/13/06		Agricultural Support
4520 K	11/13/06		Agricultural Support
4620 G 1	11/13/06		Events of Public Interest
4002	5/15/07		Add Rural Retreat (delete Country Inn, Campground and Dude Ranch
4102 J	5/15/07		Bed and Breakfast
4104 I	5/15/07		Rural Retreat - Limited(delete Campground)
4104 K	5/15/07		Rural Retreat – Extensive (delete Dude Ranch)
4400 A.A.	5/15/07		Rural Retreat – Limited
4400 B.B.	5/15/07		Rural Retreat – Extensive

*See Amendments List at End of Article.

Section/Division	Date	Book/Page	Topic
4520 I.	5/15/07		Delete Campground
4520 J	5/15/07		Delete Dude Ranches
4520 Y	5/15/07		Delete Country Inns

*See Amendments List at End of Article.