Williamson County, Tennessee
Zoning Ordinance

ADOPTED MAY, 14, 2012

EFFECTIVE JANUARY 1, 2013

DISCLAIMER: The official copy of the Williamson County Zoning Ordinance is available for inspection at the Williamson County Planning Department office.

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Article 1: General Provisions

Section 1.01: Title

This Ordinance shall be known as "The Williamson County, Tennessee, Zoning Ordinance" and may be referred to as "the Zoning Ordinance" or "this Ordinance."

Section 1.02: Authority

(A) GENERAL AUTHORITY

This Ordinance establishes the County's zoning regulatory authority as authorized by the Tennessee Code Annotated and is adopted in accordance with:

(1) The enabling authority contained in Title 13, Chapter 7, Part 1 of the Tennessee Code Annotated (as amended); and

(2) All other relevant laws of the State of Tennessee.

(B) REFERENCES TO THE TENNESSEE CODE ANNOTATED

Whenever any provision of this Ordinance refers to or cites a section of the Tennessee Code Annotated (as amended), and that section is later amended or superseded, this Ordinance shall be deemed amended to refer to the amended section or the section that most nearly corresponds to the superseded section.

Section 1.03: General Purpose and Intent

In addition to the purpose of zoning regulations established in Section 13-7-103 of the Tennessee Code Annotated, the purpose of this Ordinance is to implement the Williamson County Comprehensive Land Use Plan and promote the health, safety, and general welfare of the present and future inhabitants of the County by:

(A) Coordinating growth with available planned public services and infrastructure;

(B) Establishing a responsible pattern of land use and encouraging the most appropriate use of individual parcels of land in the County;

(C) Ensuring land resources are allocated to accommodate and enhance the rural character while protecting and enhancing natural and historic resources, ensuring adequate community facilities, and providing for a range of housing;

(D) Securing adequate natural light, clean air, privacy, convenient access to property, and a safe environment;

(E) Regulating the bulk, scale, and density of both new and existing structures to preserve the desired character of the community;

(F) Providing suitable transitions between areas of different community character;

(G) Preserving and enhancing the County's overall rural character;

(H) Supporting a range of adequate life-span housing options;

(I) Promoting a balanced economy;

(J) Protecting and enhancing the taxable values of land and buildings;

(K) Conserving and protecting the natural environment, wildlife habitat, open spaces, and historic resources;

(L) Promoting the permanent preservation of open space systems throughout the County; and

(M) Mitigating and/or avoiding the hazards of flooding, karst topography, steep slopes, storm water accumulation, and run-off.

Section 1.04: Applicability and Jurisdiction

The provisions of this Ordinance shall apply to the development of all unincorporated land within the boundaries of Williamson County, Tennessee unless exempted by this Ordinance, State law, or Federal law.

Section 1.05: Conformance with the Comprehensive Land Use Plan

The goal of this Ordinance is to ensure that all development within the County's jurisdiction is consistent with, and conforms to the vision, goals, and objectives of the Williamson County Comprehensive Land Use Plan and any adopted specific area plans addressing growth and development within the County. To the extent this Ordinance is or becomes inconsistent with these adopted plans, it should be amended to become or remain consistent with the adopted plans. Additionally, all amendments to this Ordinance's text or Official Zoning Map should maintain and enhance consistency between this Ordinance and the adopted plans.

Section 1.06: Relationship with Other Laws

(A) CONFLICTS WITH OTHER COUNTY CODES OR LAWS

If a provision of this Ordinance is inconsistent with another provision of this Ordinance, or with a provision found in other adopted codes or ordinances of the County, the more restrictive provision shall govern unless the terms of the more restrictive provision specify otherwise. The more restrictive provision is the one that imposes greater restrictions or burdens, or more stringent controls.

(B) CONFLICTS WITH PRIVATE AGREEMENTS

The County shall not be responsible for monitoring or enforcing private easements, covenants and restrictions, although the County may inquire as to whether land is subject to easements, covenants and restrictions during the review of applications.

(C) CONFLICTS WITH STATE OR FEDERAL LAW

If a provision of this Ordinance is inconsistent with a provision found in the law or regulations of the State or Federal government, the more restrictive provision shall control, to the extent permitted by law.

(D) VESTED RIGHTS

Nothing in this Ordinance is intended to repeal, supersede, annul, impair, or interfere with any existing vested rights previously adopted, established, or issued in accordance with all applicable laws, provided such rights are lawfully established and remain in effect.

Section 1.07: Official Zoning Map

(A) GENERALLY

(1) The Official Zoning Map of Williamson County designates the location and boundaries of the various zoning districts established in this Ordinance.

(2) It shall be kept on file and be maintained by the Planning Director in the Community Development office.

(3) It is available for public inspection during normal business hours.

(4) It may be kept in either hardcopy or digital form.

(5) It shall be the final authority as to the status of the current zoning district classification of land in the County, and shall only be amended in accordance with this Ordinance.

(B) INCORPORATED BY REFERENCE

The Official Zoning Map and all the notations thereon are incorporated herein by reference and made part of this Ordinance.

(C) DAMAGED, DESTROYED, OR LOST

In the event the Official Zoning Map is damaged, destroyed, lost, or becomes difficult to read and interpret due to the number of changes, the Williamson County Board of Commissioners may, by resolution, adopt a new Official Zoning Map to replace the damaged, destroyed, or lost map. The new Official Zoning Map shall not make any substantive changes (amendments), but may correct drafting and other clerical errors and omissions on the previous Official Zoning Map.

(D) BOUNDARIES OF ZONING DISTRICTS

Unless otherwise expressly stated in the ordinance adopting an amendment to the Official Zoning Map (See Article 4: Official Zoning Map or Zoning Text Amendments.), zoning district boundaries shall follow the property lines or centerline of streets, or such lines extended, fixed by dimensions, or otherwise clearly shown or described.

(E) INTERPRETATION OF OFFICIAL ZONING DISTRICT BOUNDARIES

The following rules shall be used to determine the precise location of any zoning district boundary shown on the Official Zoning Map:

(1) Boundaries shown as following or approximately following the boundaries of any municipal corporation shall be construed as following such boundaries.

(2) Boundaries shown as following or approximately following streets or railroad lines shall be construed as following the centerlines of such streets or railroad lines.

(3) Boundary lines which follow or approximately follow platted property lines or other property lines as shown on the Williamson County Tax Maps shall be construed as following such lines.

(4) Boundaries shown as following or approximately following the centerlines of streams, rivers, or other continuously flowing water courses shall be construed as following the channel centerline of such water courses, and, in the event of a natural change in the location of such streams, rivers, or other water courses, the zoning district boundaries shall be construed as moving with the channel centerline.

(5) Boundaries shown as following or approximately following ridgelines or watersheds shall be construed as following such lines.

(6) Boundaries shown as separated from, and parallel or approximately parallel to, any of the features listed in paragraphs (1) through (5) above shall be construed to be parallel to such features and at such distances therefrom as are shown on the Official Zoning Map.

(F) AMENDMENTS TO THE OFFICIAL ZONING MAP

(1) Changes made in zoning district boundaries or other matters portrayed on the Official Zoning Map shall be made in accordance with the provisions of this Ordinance (See Article 4: Official Zoning Map or Zoning Text Amendments.).

(2) Changes shall be entered on the Official Zoning Map by the Planning Director within a reasonable amount of time after the amendment is approved by the County Commission.

(3) Where the ordinance enacting a zoning district boundary change contains wording explaining or clarifying the location of the new boundary, the Planning Director may enter on the Official Zoning Map notations reflecting the ordinance wording.

(4) The Planning Director shall maintain copies of superseded versions of the Official Zoning Map for historical reference.

(G) TRANSITION TO NEW ZONING DISTRICTS

On the effective date of this Ordinance, land zoned with a zoning district classification from the previous Zoning Ordinance shall be translated or reclassified to one of the zoning district classifications in this Ordinance as set forth in Section 10.01:(B): Establishment of Zoning Districts. Table 1.07-1: Translation to New Zoning Districts, located on the following page, summarizes the translation or reclassification of the base zoning districts in the previous Zoning Ordinance to the zoning districts used in this Ordinance.

TABLE 1.07-1: TRANSLATION TO NEW ZONING DISTRICTS

CURRENT ZONING DISTRICT NAME	NEW ZONING DISTRICT NAME
RURAL ZONING DISTRICTS	
No Previous Zoning District	A - Agricultural District
R - Rural District E - Estate District	RD-5 - Rural Development District 5
	RP-5 - Rural Preservation District 5
	MGA-5 - Municipal Growth Area District 5
CC- Crossroads Center District	V - Village District
	CGV - College Grove Village District,
	LFV - Leiper's Fork Village District
	Future GV - Grassland Village District, and Future TV - Triune Village District
	H - Hamlet District
	MGA-H - Municipal Growth Area-Hamlet District
RESIDENTIAL ZONING DISTRICTS	
SE - Suburban Estate District	RD-1 - Rural Development District 1
	RP-1 - Rural Preservation District 1
	SIC - Suburban Infill and Conservation
S - Suburban District	V - Village District
	Future GV - Grassland Village District
	RD-1 - Rural Development District 1
	MGA-1 - Municipal Growth Area District 1
	MGA-H - Municipal Growth Area-Hamlet District
No Previous Zoning District	MGA-1 - Municipal Growth Area District 1
	MGA-5 - Municipal Growth Area District 5
NC - Neighborhood Conservation District	NC - Neighborhood Conservation District
NCT - Neighborhood Conservation Trailer District	NCMH - Neighborhood Conservation Manufactured Housing District
MH - Mobile Home District	[Deleted Zoning District]
RS - Restricted Single-Family Floating District	[Deleted Zoning District]
U - Urban Floating District	[Deleted Zoning District]
IC - Interchange Overlay District	840C - 840 Center District
OVERLAY ZONING DISTRICTS	
AP - Airport Overlay District	AP - Airport Overlay District
M - Mining Overlay District	[Deleted Zoning District]

Section 1.08: Transitional Rules

(A) EFFECTIVE DATE

This Ordinance shall become effective on January 1, 2013, and repeals and replaces the previous Williamson County Zoning Ordinance, as originally adopted on April 18, 1988, and subsequently amended.

(B) VIOLATIONS CONTINUE

Any violation of the previous Zoning Ordinance shall continue to be a violation under this Ordinance and any other applicable ordinances, laws, or statutes. Violations of this Ordinance shall be subject to the penalties set forth in Article 22: Enforcement, and any other applicable ordinances, laws, or statutes.

(C) COMPLETED APPLICATIONS

(1) Any application submitted and accepted as complete before the effective date of this Ordinance, but still pending final action as of that date, shall be reviewed and decided in accordance with the regulations in effect when the application was accepted. To the extent such an application is approved and proposes development that does not comply with this Ordinance, the subsequent development, although permitted, shall be nonconforming and subject to the provisions of Article 21: Nonconformities.

(2) Completed applications shall be processed in good faith and shall comply with any time frames for review, approval, and completion as established in the regulations in effect at the time of application acceptance. If the application fails to comply with the required time frames, it shall expire and future development shall be subject to the requirements of this Ordinance.

(3) An applicant with a pending application accepted before effective date of this Ordinance may opt to have the proposed development reviewed and decided under the standards of this Ordinance by withdrawing the pending application and submitting a new application in accordance with the standards of this Ordinance.

(4) An applicant with a new application accepted before the effective date of this Ordinance may opt to have the proposed development reviewed and decided under the standards of this Ordinance.

(D) APPROVED APPLICATIONS

(1) Any development approvals granted before the effective date of this Ordinance in accordance with the procedures outlined in the previous Ordinance and/or the Williamson County Subdivision Regulations shall remain valid until their expiration date. Developments with valid approvals or permits may be carried out in accordance with the terms and conditions of their approval and the development standards in effect at the time of approval, provided the permit or approval is valid and has not expired.

(2) If the prior approval expires or is revoked (i.e., for failure to comply with the terms and conditions of approval), any subsequent development of the site shall comply with the procedures and standards of this Ordinance.

(3) To the extent a prior-approved application proposes development that does not comply with this Ordinance, the subsequent development, although permitted, shall be nonconforming and subject to the provisions of Article 21: Nonconformities.

(E) NONCONFORMITIES

If any use, structure, lot, or sign legally existed on the effective date of this Ordinance, but does not fully comply with the standards of this Ordinance, then that use, structure, lot, or sign shall be considered nonconforming under this Ordinance and shall be subject to the provisions of Article 21: Nonconformities.

Section 1.09: Use of Graphics, Illustrations, Figures, and Cross-References

(A) Graphics, illustrations, and figures are provided for illustrative purposes only and shall not be construed as regulations. Where a conflict may occur between the text and any graphic, illustration, or figure, the text shall control.

(B) In some instances, cross-references between articles, sections, and subsections are provided that include the article, section, or subsection number along with the name of the referenced article, section, or subsection. Where a conflict may occur between the given cross-reference number and name, the name shall control.

Section 1.10: Severability

It is the legislative intent of the County Commission in adopting this Ordinance that all provisions shall regulate development in accordance with the existing and future needs of the County as established in this Ordinance and promote the public health, safety, and general welfare of the land owners and residents of the County. If any section, subsection, sentence, boundary, clause, or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The County Commission hereby declares that it would have passed this Ordinance and any section, subsection, sentence, boundary, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, boundaries, clauses, or phrases be declared invalid.

Section 1.11: Burden of Proof

The burden of demonstrating that an application or any development subject to this Ordinance complies with applicable review and approval standards is on the applicant. The burden is not on the County or other parties to show that the standards have been met by the applicant or person responsible for the development.

Article 2: Administration

Section 2.01: Purpose

The purpose of this Article is to establish and identify the review and decision making bodies and persons.

Section 2.02: Review and Decision Making Bodies

(A) Summary Table of Development Review Structure

Table 2.02-1: Development Review Structure summarizes the role of the review and decision-making bodies and persons for each development review procedure established in this Ordinance. Provisions that are common to all types of land development review procedures are found in Article 3: Common Review Procedures. Provisions specific to each type of land development application are found in Article 4: Official Zoning Map or Zoning Text Amendments through Article 9: Interpretations.

Table 2.02-1: Development Review Structure

D = Decision R = Recommendation C = Comment
A = Appeal (See Section 5.03:Appeal.) (PH) = public hearing

Procedure	Section	Review and Decision-Making Bodies						
		County Commission	Planning Commission	Board of Zoning Appeals	Planning Director	Building Codes Director	County Engineer	Codes Compliance Director
Official Zoning Map Amendment	Article 4	D (PH)	R (PH)		R			
Zoning Text Amendment	Article 4	D (PH)	R (PH)		R			
Special Use	Section 5.01			D (PH)	C			C
Variance	Section 5.02			D (PH)				C
Minor Site Plan	Section 6.01			A (PH)	D		C	C
Major Site Plan	Section 6.02		D		R		C	C
Sign Permit	Article 7			A (PH)		C		D
Zoning Certificate	Section 8.01			A (PH)	D	C	C	C/D **[1]**
Temporary Use Permit	Section 8.02			A (PH)	D	C	C	C
Building Permit	Section 8.03					D		
Interpretation	Article 9			A (PH)	D			

NOTE:
[1] The Codes Compliance Director provides comments on all Zoning Certificate applications and is responsible for decisions for Zoning Certificate applications for telecommunication facilities that may be approved administratively in accordance with Section 11.03:(C)(13).

(B) Williamson County Board of County Commissioners

In addition to any other authority granted to the Williamson County Board of Commissioners, hereafter referred to as the County Commission, by the Tennessee Code Annotated, the County Commission shall have the power and duty to hear and make decisions on applications for Official Zoning Map or Zoning Text Amendments.

(C) WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION

(1) Establishment

The Williamson County Regional Planning Commission, hereafter referred to as the Planning Commission, established heretofore in accordance with the Tennessee Code Annotated, is hereby reestablished and confirmed. The number of members on the Planning Commission, their terms of office, succession, removal, filling of vacancies, and their powers and duties, shall be as provided in this Ordinance and the Tennessee Code Annotated.

(2) Powers and Duties

In addition to any other authority granted to the Planning Commission by the County Commission or the Tennessee Code Annotated, the Planning Commission shall have the following powers and duties related to this Ordinance:

a) To hear and make recommendations to the County Commission on applications for Official Zoning Map or Zoning Text Amendments;

b) To review and make decisions on applications for Major Site Plans;

c) With the approval of the County Commission, to contract with professional consultants, State agencies, or the Federal government for local planning assistance;

d) To review the subdivision of land in accordance with the Williamson County Subdivision Regulations; and

e) To establish rules of procedure.

(D) WILLIAMSON COUNTY BOARD OF ZONING APPEALS (BZA)

(1) Establishment and Membership

a) The Williamson County Board of Zoning Appeals, hereafter referred to as the BZA, established heretofore in accordance with the Tennessee Code Annotated, is hereby reestablished and confirmed as a Board of five members.

b) The appointment, terms of office, succession, removal, filling of vacancies, and their powers and duties, shall be as provided in this Ordinance and the Tennessee Code Annotated.

c) One member, and no more than one member, of the BZA shall be a member of the Planning Commission.

(2) Powers and Duties

In addition to any other authority granted to the BZA by the County Commission or the Tennessee Code Annotated, the BZA shall have the following powers and duties related to this Ordinance:

a) To hear and make decisions on development applications for Special Uses and Variances;

b) To hear and decide Appeals alleging error in any order, requirement, decision, or determination made by County staff (i.e., Planning Director, Building Codes Director, County Engineer, and Codes Compliance Director) in the administration and enforcement of the Ordinance. This may include administrative decisions made on Minor Site Plans, Temporary Use Permits, Sign Permits, and Zoning Certificates; and

c) To establish rules of procedure.

(E) COUNTY STAFF

The following members of the County staff shall have specific powers and duties related to the administration and enforcement of this Ordinance.

(1) Community Development Director

a) The Community Development Director is the person appointed by the County Mayor to manage the Community Development Department.

b) The Community Development Director shall be responsible for appointing the Planning Director, Building Codes Director, County Engineer, and Codes Compliance Director.

(2) Planning Director

In addition to any other authority granted to the Planning Director by the Community Development Director, County Commission, or the Tennessee Code Annotated, the Planning Director shall have the following powers and duties related to this Ordinance:

a) To administer the provisions of this Ordinance;

b) To assemble an agenda and prepare a staff report for applications subject to review by the Planning Commission;

c) To review and make recommendations to the County Commission and Planning Commission on applications for Official Zoning Map or Zoning Text Amendments and Major Site Plans;

d) To review and make decisions on applications for Minor Site Plans, Temporary Use Permits, Zoning Certificates, and requests for Interpretation;

e) To review and provide comments to the BZA on applications for Special Uses;

f) To consult with all other County departments, as appropriate, regarding all applications subject to review under this Ordinance; and

g) To maintain the official minutes and records of the Planning Commission.

(3) Building Codes Director

In addition to any other authority granted to the Building Codes Director by the Community Development Director, County Commission, or the Tennessee Code Annotated, the Building Codes Director shall have the following powers and duties related to this Ordinance:

a) To review and make decisions on Building Permits;

b) To review and provide comments to the Codes Compliance Director on applications for Sign Permits;

c) To review and provide comments to the Planning Director on applications for Zoning Certificates and Temporary Use Permits; and

d) To issue appropriate certifications for buildings that are ready for occupancy.

(4) County Engineer

In addition to any other authority granted to the County Engineer by the Community Development Director, County Commission, or the Tennessee Code Annotated, the County Engineer shall have the following powers and duties related to this Ordinance:

a) To review and provide comments to the Planning Director on applications for Minor Site Plans, Major Site Plans, Zoning Certificates, and Temporary Use Permits;

b) To review construction and drainage plans for subdivisions and formulation of recommendations for the Planning Commission and the monitoring of subdivision construction;

c) To undertake the following additional duties and responsibilities related to floodplains as outlined in Section 13.05: Special Flood Hazard Area Protection Standards.

(5) Codes Compliance Director

In addition to any other authority granted to the Codes Compliance Director by the Community Development Director, County Commission, or the Tennessee Code Annotated, the Codes Compliance Director shall have the following powers and duties related to this Ordinance:

a) To review and make decisions on Sign Permits;

b) To review and provide comments to the Planning Director on applications for Zoning Certificates;

c) To review and provide comments to the BZA on applications for Special Uses;

d) To enforce the provisions of this Ordinance;

e) To assemble an agenda and staff report for the BZA, as appropriate, for applications subject to review by the BZA; and

f) To maintain the official minutes and records of the BZA.

Article 3: Common Review Procedures

The provisions of this Article shall apply to all application requests under this Ordinance, unless otherwise stated in this Section or in Article 4: Official Zoning Map or Zoning Text Amendments through Article 9: Interpretations.

Section 3.01: Authority to File Applications

(A) Applications for development approvals for a specific parcel of land shall be submitted by:

- **(1)** The owner(s) of the land on which the development is proposed; or
- **(2)** The contract purchaser(s) of the land; or
- **(3)** Any other person(s) having a recognized property interest in the land (e.g., lessee); or
- **(4)** A person authorized to submit the application on behalf of the owner(s), contract purchaser(s), or other person(s) having a recognized property interest in the land, as evidenced by a letter or document signed by such owner(s), contract purchaser(s), or other person(s).

(B) The applicant shall attest to the truth and correctness of all facts and information presented with the application.

Section 3.02: Fees

(A) The County Commission shall determine the fees to accompany applications submitted under this Ordinance. The County Commission may adjust the fees from time-to-time.

(B) No application shall be processed until the established fee is paid.

(C) Application fees are not refundable except where the Planning Director determines that an application was accepted in error, or the fee paid exceeds the amount due, in which case the amount of the overpayment will be refunded to the applicant.

(D) Under no condition shall the fee, or any part thereof, be refunded following the acceptance of a completed application (See Section 3.07: Determination of Application Completeness.) for failure of the application to be approved, or if the application is withdrawn.

Section 3.03: Submission Schedule

The Planning Director is authorized and shall establish the submission and review schedule (including time frames for review) for applications. The Planning Director may amend and update these requirements as determined necessary.

Section 3.04: Pre-Application Conference

(A) **PURPOSE**

The purpose of a pre-application conference is to familiarize the applicant and the County staff with the applicable provisions of this Ordinance, inform the applicant about the preparation of the application, and discuss the application and review process.

(B) PRE-APPLICATION CONFERENCE MANDATORY

(1) Except for applications initiated by the County Commission, Planning Commission, or County staff, pre-application conferences between the applicant and the Planning Director and/or any other appropriate County staff shall be mandatory before submission of the following types of applications:

a) Official Zoning Map Amendments (Rezonings);

b) Zoning Text Amendments;

c) Special Uses; and

d) Minor and Major Site Plans.

(2) Mandatory pre-application conferences shall be held a minimum of ten days before the applicable agenda submittal deadline.

(C) PRE-APPLICATION CONFERENCE OPTIONAL

A pre-application conference is optional before submission of any other application for development approval.

(D) EFFECT

(1) The pre-application conference is intended as a means of facilitating the application process. Discussions held in accordance with this Section are not binding on the County.

(2) Processing times for review of applications do not begin until a formal, complete application is submitted and determined to be complete after the pre-application conference, where required.

Section 3.05: Water and Sewer Availability

All applications for development shall include proof of the availability of potable water and proper treatment and disposal of wastewater in accordance with applicable County and State regulations, including but not limited to, the Williamson County Subdivision Regulations, Regulations Governing On-site Sewage Disposal Systems of Williamson County, and Article 20: Nontraditional Wastewater Treatment and Disposal Systems.

Section 3.06: Application Submission

(A) Applications shall be submitted to the Community Development Department in the form established by the Planning Commission along with a fee established in accordance with Section 3.02: Fees.

(B) Applications shall be on such forms, in such numbers, and shall be accompanied by such data and information as may be prescribed for that purpose by the Planning Commission so as to assure the fullest practicable presentation of facts for the permanent record.

(C) Applications not meeting the requirements of Section 3.07: Determination of Application Completeness shall be considered incomplete.

Section 3.07: Determination of Application Completeness

(A) COMPLETENESS REVIEW

Upon receipt of an application, the Planning Director shall determine if the application is complete. A complete application is one that:

(1) Contains all information and materials established by this Ordinance and the Planning Commission as required for submittal of the particular type of application;

(2) Is in the form established by the Planning Commission as required for submittal of the particular type of application;

(3) Includes specific information required for that particular application that is necessary to evaluate the application and to determine whether it complies with the appropriate substantive standards of this Ordinance; and

(4) Is accompanied by the fee established for the particular type of application.

(B) APPLICATION INCOMPLETE

(1) If the application is determined to be incomplete, the Planning Director shall notify the applicant of the deficiencies within ten business days of submittal, and the application shall not be processed. The applicant may correct the deficiencies and resubmit the application for completeness determination for a subsequent meeting.

(2) Notwithstanding the other provisions of this Subsection, after an application is determined to be incomplete three times, the applicant may request, and the Planning Director shall undertake, processing and review of the application even though it is not considered a complete application.

(C) APPLICATION COMPLETE

If the application is determined to be complete, or the applicant has requested that the application be processed in accordance with Section 3.07: (B) (2) above, the Planning Director shall refer the application to the appropriate staff, review agencies, and review bodies for review in accordance with the procedures and standards of this Ordinance.

(D) SIGN PERMITS

In the case of a Sign Permit application, the Codes Compliance Director shall be responsible for determining if an application is complete in compliance with this Section.

Section 3.08: Preparation of Staff Report

(A) If the application is subject to staff review and a subsequent public hearing or consideration by a review body (See Table 2.02-1: Development Review Structure.), the staff member responsible for review shall review the application, relevant support material, and any comments from other staff and review agencies, and prepare a written staff report.

(B) The staff report shall be addressed to the review body or decision-making body, as appropriate, and shall state whether the application complies with all appropriate standards of this Ordinance.

(C) The staff report shall be transmitted to the applicant and made available to the review body or decision-making body and to the public within a reasonable period of time before the first scheduled review body meeting or public hearing on the application.

Section 3.09: Scheduling Public Hearings

A public hearing shall be conducted by the appropriate review and/or decision-making body in accordance with Table 3.09-1: Required Public Hearings.

TABLE 3.09-1: REQUIRED PUBLIC HEARINGS
X = REVIEW OR DECISION-MAKING BODY REQUIRED TO CONDUCT PUBLIC HEARING

PROCEDURE	BOARD OF ZONING APPEALS	PLANNING COMMISSION	COUNTY COMMISSION
Official Zoning Map Amendment **[1]**		X	X
Zoning Text Amendment **[1]**		X	X
Special Use	X		
Variance	X		
Appeal	X		
NOTES: [1] An "X" in more than one column means that the application type requires more than one public hearing.			

Section 3.10: Notice for Public Hearings

Applications for development approval shall comply with the Tennessee Code Annotated and the provisions of this Article with regard to public notification.

(A) CONTENT

Notices for public hearings, whether by publication or mail (written notice), shall, at a minimum:

(1) Identify the address or location of the property subject to the application, the name, and address of the applicant or the applicant's agent;

(2) Indicate the date, time, and place of the public hearing;

(3) Describe the land involved by street address, tax map(s) and parcel number(s), or by legal description and the nearest cross street, and project area (size);

(4) Describe the nature, scope, and purpose of the application or proposal;

(5) Identify the location (e.g., the Community Development Department office) where the public may view the application and related documents; and

(6) Include a statement describing where written comments will be received prior to the public hearing.

(B) NOTICE REQUIRED

Unless otherwise noted in this Ordinance, Table 3.10-1: Notice Required, identifies when published and written notice is required for each public hearing type.

TABLE 3.10-1: NOTICE REQUIRED

PROCEDURE	PUBLISHED NOTICE	WRITTEN NOTICE	SIGN NOTICE
Zoning Text Amendment Planning Commission's Hearing	10 days prior to the hearing	No written notice required.	15 days prior to the hearing
Zoning Text Amendment County Commission's Hearing	30 days prior to the hearing		
Official Zoning Map Amendment Planning Commission's Hearing	10 days prior to the hearing	Mailed written notice to all adjacent property owners of records (as listed in the records of the County Tax Office) a minimum of 10 days prior to the hearing.	10 days prior to the hearing
Official Zoning Map Amendment County Commission's Hearing	30 days prior to the hearing		
Special Use	10 days prior to the hearing		
Variance			
Appeal			No sign notice required.

(C) PUBLISHED NOTICE

(1) When the provisions of this Ordinance require that notice be published, the Community Development Department shall be responsible for preparing the content of the notice and publishing the notice in a newspaper of general circulation that has been selected by the County, consistent with this Ordinance and State law.

(2) The content and form of the published notice shall be consistent with the requirements of Section 3.10:(A): Content, and State law.

(D) WRITTEN (MAILED) NOTICE

(1) The Community Development Department shall notify adjacent property owners by regular U.S. mail, consistent with this Ordinance and State law.

(2) The Community Development Department shall hold a copy of the notice for a minimum of one year and shall make those available as part of the public record.

(E) OTHER NOTICES

Applicants shall be responsible for compliance with any additional notice requirements in this Ordinance, other County ordinances, or State law.

(F) CONSTRUCTIVE NOTICE

(1) Minor defects in any notice shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with applicable notice requirements.

(2) Failure of a party to receive written notice shall not invalidate subsequent action.

(3) When the publications, mailings, and posting of notices as required by this Section are documented in the records of the County, it shall be presumed that notice of a public hearing was given as required by this Section.

(G) NOTIFICATION SIGNS

(1) A notification sign shall be posted in a prominent location on a property subject to a proposed Official Zoning Map Amendment, Special Use, or Variance application prior to the Planning Commission, County Commission, or BZA meeting, as applicable.

(2) The Community Development Department shall be responsible for posting a notification sign in accordance with Table 3.10-1: Notice Required.

(3) At a minimum, the notification sign shall contain information on the time, place, and subject of the public hearing.

Section 3.11: Public Hearing Procedures

All public hearings for applications held in accordance with this Ordinance shall comply with the following procedures.

(A) CONDUCT OF PUBLIC HEARING

(1) Rights of All Persons

Any person may appear at a public hearing and submit information or evidence, either individually or as a representative of a person or an organization. Each person who appears at a public hearing shall be identified, state his or her address, and if appearing on behalf of a person or organization, state the name and mailing address of the person or organization being represented.

(2) Continuance of Public Hearing

a) General

i) The review body conducting the public hearing may, on its own motion or at the request of the applicant, continue the public hearing to a fixed date, time, and place.

ii) A request for deferral of consideration of an application received by the Community Development Department following public notification of the public hearing in accordance with Section 3.10: Notice for Public Hearings, shall be considered as a request for a continuance of the public hearing, and may only be granted by the review or decision-making body.

b) When Additional Notice Is Required

Referral of any application to the Planning Commission by the County Commission shall require the application be re-noticed in accordance with Section 3.10: Notice for Public Hearings, as if the application were a new matter before the Planning Commission.

(B) GENERAL PROCEDURES AND FINDINGS AT PUBLIC HEARING

The review body conducting the public hearing shall act in accord with any time limits established in the Tennessee Code Annotated. Action shall include a statement of recommendation or decision of approval, approval with conditions, referral to another body, denial, or any other action allowed for the specific application review.

Section 3.12: Deferral of Application

(A) An applicant may request that a review or decision-making body's consideration of an application at a public hearing be deferred by submitting a written request for deferral to the Planning Director or Codes Compliance Director (as appropriate) prior to the publication of notice for the public hearing in accordance with Section 3.10: Notice for Public Hearings. The Planning Director (for all applications subject to Planning Commission approval) or Codes Compliance Director (for all applications subject to BZA approval) may grant such requests, in which case, the application will be considered at the next regularly scheduled meeting.

(B) Written requests for deferral of an application by a review or decision-making body received after publication of notice for the public hearing has occurred shall be forwarded to the review or decision-making body and shall be treated as a request for a continuance of the public hearing.

Section 3.13: Withdrawal of Application

(A) METHOD

Any request for withdrawal of an application shall be either submitted in writing to the Planning Director or Codes Compliance Director (as appropriate), or made through a verbal request by the applicant prior to action by the review or decision-making body.

(B) PRIOR TO NOTICE OF PUBLIC HEARING

The Planning Director or Codes Compliance Director (as appropriate) shall approve a request for withdrawal of an application if it has been submitted prior to publication of notice for the public hearing on the application in accordance with Section 3.10: Notice for Public Hearings. The application fee paid shall not be refunded.

(C) SUBSEQUENT TO NOTICE OF PUBLIC HEARING

If the request for withdrawal of an application is submitted subsequent to publication of notice for the public hearing in accordance with Section 3.10: Notice for Public Hearings, the request for withdrawal shall be placed on the public hearing agenda and acted upon by the review or decision-making body. The application fee paid shall not be refunded.

Section 3.14: Conditions of Approval

Where a decision-making body may approve an application with conditions, the conditions imposed must be related in both type and amount to the impact that the proposed development would have on the public and surrounding development. Conditions imposed shall be expressly set forth in the permit or application approval.

Section 3.15: Notification of Decision

(A) Following a decision, the applicant shall be notified within a reasonable amount of time about the decision of the Community Development Department. Notification shall be by first class mail, by facsimile, or in person in the Community Development Department office.

(B) Issuance of a permit or completion of an Affidavit of Compliance, if required, shall constitute a written notice of action.

(C) If the decision is made by County staff to deny an application, the notification of decision shall include a statement informing the applicant about the appeals procedure. See Section 5.03: Appeal.

Section 3.16: Examination and Copying of Applications and Other Documents

Documents and/or records may be inspected and/or copied as provided for in the Tennessee Code Annotated.

Section 3.17: Simultaneous Processing of Applications

(A) Whenever two or more applications are required under this Ordinance, those applications may, at the option of the Planning Director, be processed simultaneously, so long as the terms of this Ordinance and all applicable Local and State requirements are satisfied.

(B) Each application is subject to review and decision on its own merits, and the simultaneous processing of the applications does not constitute any representation that the individual applications will be approved or reviewed more favorably than if they had occurred separately.

Section 3.18: Lapse of Approval

(A) Lapse of approval shall occur as provided by this Ordinance for the various types of approvals and permits in Article 4: Official Zoning Map or Text Amendment through Article 9: Interpretations.

(B) There shall be no lapse of approval for Official Zoning Map Amendments, Zoning Text Amendments, or Variances.

(C) If no provision for lapse is given by this Ordinance for a particular type of development approval or permit, and if no lapse period is imposed as part of an approval in the permit or development approval, a general lapse of approval shall occur if development is not commenced or a subsequent permit is not obtained within two years from date of approval.

(D) After a lapse of approval, all new development shall be subject to new application submittals and fees in accordance with this Ordinance.

Article 4: Official Zoning Map or Zoning Text Amendments

Section 4.01: Purpose and Intent

The purpose and intent of this Article is to provide a means for amending the Official Zoning Map or the text of this Ordinance.

Section 4.02: Authority

The County Commission may adopt a resolution amending the Official Zoning Map or text of this Ordinance upon compliance with the provisions of this Article.

Section 4.03: Initiation

An application to amend the Official Zoning Map or text of this Ordinance may be initiated by the County Commission or Planning Commission by motion, or a person may submit applications in accordance with Section 3.01: Authority to File Applications.

Section 4.04: Procedure

(A) BASIC PROCEDURES

Except as modified by this Subsection, procedures and requirements for the submission, completeness determination, review, recommendation, hearing, and decision on applications are as established in Article 3: Common Review Procedures.

(B) PUBLIC HEARING, REVIEW, AND RECOMMENDATION BY THE PLANNING COMMISSION

(1) Following staff review and public notification in accordance with Section 3.10: Notice for Public Hearings, the Planning Commission shall conduct at least one public hearing on the application in accordance with Section 3.11: Public Hearing Procedures.

(2) After close of the hearing, the Planning Commission shall consider the application, relevant support materials, the staff report, and any comments given by the public.

(3) The Planning Commission, by a majority vote of the quorum present, shall recommend one of the following actions to the County Commission, based on the standards in Section 4.05: Map Amendment Standards or Section 4.06: Zoning Text Amendment Standards:

a) Approval of the application as submitted;

b) Approval of the application with modifications; or

c) Denial of the application.

(4) Following its recommendation on a proposed amendment, the Planning Commission shall certify the same to the County Commission and submit a report detailing the recommendation.

(C) PUBLIC HEARING, REVIEW, AND ACTION BY THE COUNTY COMMISSION

(1) Upon receipt of the Planning Commission's recommendation, a resolution must be sponsored by a County Commissioner.

(2) The County Commission shall hold a public hearing on the application in accordance with Section 3.10: Notice for Public Hearings and Section 3.11: Public Hearing Procedures.

(3) After close of the hearing, the County Commission shall consider the application, relevant support materials, the staff report, the Planning Commission's recommendation, and any comments given by the public.

(4) The County Commission, by a majority vote of the total membership, shall take one of the following actions based on the standards in Section 4.05: Zoning Map Amendment Standards or Section 4.06: Zoning Text Amendment Standards:

a) Approval of the application as submitted;

b) Approval of the application with minor modifications;

c) Denial of the application; or

d) Remand of the application back to the Planning Commission for further consideration.

(5) If the proposed amendment is approved, the County Commission's decision shall become effective as stated in the Resolution.

Section 4.05: Zoning Map Amendment Standards

Amending the Official Zoning Map (Rezoning) is a legislative act solely granted to the County Commission. The Planning Commission and County Commission shall consider the following factors in their actions:

(A) Whether and the extent to which the proposed amendment is consistent with the Williamson County Comprehensive Land Use Plan and any other applicable County-adopted plans;

(B) Whether and the extent to which there are changed conditions that require an amendment;

(C) Whether and the extent to which the proposed amendment addresses a demonstrated community need;

(D) Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zoning district for the land;

(E) Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern, or deviate from logical and orderly development patterns;

(F) Whether and the extent to which the proposed amendment would encourage development prior to the availability of necessary services and infrastructure;

(G) Whether and the extent to which the proposed amendment would result in the creation of an isolated zoning district unrelated to adjacent and surrounding zoning districts;

(H) Whether and the extent to which the proposed amendment would result in significant adverse impacts on the property values of surrounding lands; and

(I) Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

Section 4.06: Zoning Text Amendment Standards

Amending the text of this Ordinance is a legislative act solely granted to the County Commission. The Planning Commission and County Commission shall consider the following factors in their actions:

(A) Whether and the extent to which the proposed amendment is consistent with the Williamson County Comprehensive Land Use Plan and all applicable County-adopted plans;

(B) Whether the proposed amendment is in conflict with any provision of this Ordinance;

(C) Whether and the extent to which there are changed conditions that require an amendment;

(D) Whether and the extent to which the proposed amendment addresses a demonstrated community need;

(E) Whether and the extent to which the proposed amendment is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and ensure efficient development patterns within the County;

(F) Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern; and

(G) Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

Section 4.07: Effect of Decision

Approval of an amendment to the Official Zoning Map (Rezoning) shall not expire, but the amended Official Zoning Map is subject to further amendment in accordance with the amendment procedures set forth in this Article.

Section 4.08: Repeat Applications

Whenever any application for an amendment to the Official Zoning Map has been denied by the County Commission, no new application comprising the same request, covering the same property (or the same property plus any additional property) can be filed with, or considered by, the County Commission until one year has elapsed from the date the previous application was filed.

Article 5: Special Uses, Variances, and Appeals

Section 5.01: Special Use

(A) Purpose and Intent

A Special Use is a use that may be appropriate in a zoning district, but because of its nature, extent, and external effects, requires special consideration of its location, design, and methods of operation before it can be deemed appropriate in the zoning district and compatible with its surroundings. The purpose of this Section is to establish procedures and standards for review and approval of a Special Use that provide for such special consideration.

(B) Authority

The BZA may approve a Special Use upon compliance with the provisions of this Section.

(C) Initiation

(1) An application for a Special Use may be initiated by a person or entity having authority to submit an application in accordance with Section 3.01: Authority to File Applications.

(2) Applications for a Special Use shall contain all the submittal requirements for both a Special Use and Minor or Major Site Plan review (as applicable) in accordance with Section 3.06: Application Submission.

(D) Procedure

(1) Basic Procedures

Except as modified by this Subsection, procedures and requirements for the submission, completeness determination, review, recommendation, hearing, and decision on applications are as established in Article 3: Common Review Procedures.

(2) Staff Recommendation

a) No later than ten days prior to the date set for the hearing on the application, each official or consultant to which the application has been referred shall file a written report thereon with the BZA. These reports shall state the staff recommendation and conditions for approval, if any, necessary to bring the application into compliance with any applicable regulation or to eliminate any adverse effects to the health, safety, and general welfare of the County.

b) Such reports may be consolidated with the staff report prepared by the Codes Compliance Director.

(3) Public Hearing, Review, and Action by the BZA

a) Following staff review and public notification in accordance with Section 3.10: Notice for Public Hearings, the BZA shall conduct at least one public hearing on the application in accordance with Section 3.11: Public Hearing Procedures.

b) After close of the hearing, the BZA shall consider the application, relevant support materials, the staff report, and any comments given by the public.

c) Within 30 days of the close of the public hearing, the BZA, by a majority vote of a quorum present, shall take one of the following actions based on the standards in Section 5.01:(E): Special Use Review Standards:

i) Approval of the application as submitted;

ii) Approval of the application with conditions; or

iii) Denial of the application.

d) The minutes of the BZA shall contain a finding of facts and its decision.

e) The failure of the BZA to act within this time period shall constitute an approval of the application unless the applicant has agreed to an extension of the time period.

(E) SPECIAL USE REVIEW STANDARDS

No application for a Special Use shall be approved unless the BZA finds the proposed Special Use is appropriate in the location for which it is proposed and complies with the following standards:

(1) The proposed use is consistent with the general purpose, goals, objectives, and recommendations of the Williamson County Comprehensive Land Use Plan, this Ordinance, and all other relevant ordinances adopted by the County;

(2) The proposed use complies with all the requirements of this Ordinance;

(3) The proposed use at the proposed location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way;

(4) The proposed use would not result in a substantial or undue adverse effect on matters affecting the public health, safety, and general welfare, including environmental impacts, either as they now exist or as they may in the future;

(5) The proposed use would be adequately served by, and will not impose an undue burden on, any of the infrastructure, public services, or public facilities;

(6) Where any improvements, facilities, utilities, or services are not available or adequate to service the proposed use, the applicant shall, as part of the application and a condition to approval of the proposed Special Use, be responsible for establishing the ability, willingness, and binding commitment to provide such improvements, facilities, utilities, and services in sufficient time and in a manner consistent with the Comprehensive Land Use Plan, this Ordinance, and other plans, programs, maps, and ordinances adopted by Williamson County. The approval of the Special Use shall be conditioned upon such improvements, facilities, utilities, and services being provided and guaranteed by the applicant; and

(7) The adverse impacts of the proposed use, after taking into consideration any proposal by the applicant and any conditions that might be imposed by the BZA in accordance with the provisions of this Ordinance to ameliorate them, shall not outweigh any public or private benefits of the proposal and shall not be detrimental to the overall public health, safety, and general welfare.

(F) CONDITIONS OF APPROVAL

(1) The BZA may impose conditions and restrictions on the approval of the application related to the standards in Section 5.01 (E) to ensure that the proposed use and development have minimal adverse effects on the health, safety, and general welfare of the County. All conditions imposed on any Special Use approval, with the exception of conditions made applicable to the approval by the express terms of this Ordinance, shall be expressly set forth in the decision granting a Special Use.

(2) Every Special Use shall be conditioned on the proposed development fully complying with all requirements of this Ordinance and, where applicable, with the County Subdivision Regulations. The BZA may also attach any other conditions deemed appropriate to the granting of approval including conforming to a specific Site Plan. The violation of any condition contained in a Special Use approval shall be a violation of this Ordinance (See Article 22: Enforcement.).

(3) If approval is granted with conditions, the applicant shall submit documentation demonstrating compliance with all conditions and this Ordinance before the issuance of any permits.

(G) COURT REVIEW

Any person or persons, jointly or severally, aggrieved by any decision of the BZA may appeal the same to the Chancery Court of Williamson County.

(H) REPEATED APPLICATIONS

If a Special Use application is denied by the BZA, thereafter the BZA shall not be required to consider another application for a Special Use that comprises substantially the same proposal, on the same premises, until one year after the date of disapproval.

(I) AMENDMENTS

A Special Use approval may be amended, extended, or modified only in accordance with the procedures and standards established for its original approval.

Section 5.02: Variance

(A) PURPOSE AND INTENT

The Variance process is intended to provide limited relief from the requirements of this Ordinance in those cases where strict application of a particular requirement will create an unnecessary hardship prohibiting the use of land in a manner otherwise allowed under this Ordinance. It is not intended that Variances be granted to remove inconveniences or financial burdens that the requirements of this Ordinance may impose on property owners in general. Variances are intended to address extraordinary, exceptional, or unique situations that were not caused by the applicant's act or omission.

(B) AUTHORITY

The BZA shall have the power to authorize a Variance, in specific cases, where due to special conditions, a literal enforcement of the provisions of the Ordinance will result in unnecessary hardship, and so that the spirit of the Ordinance shall be observed and substantial justice done.

(C) INITIATION

An application for a Variance may be initiated by a person or entity having authority to submit an application in accordance with Section 3.01: Authority to File Applications.

(D) PROCEDURE

(1) Basic Procedures

Except as modified by this Subsection, procedures and requirements for the submission, completeness determination, review, recommendation, hearing, and decision on applications are as established in Article 3: Common Review Procedures.

(2) Public Hearing, Review, and Action by the BZA

a) Following staff review and public notification in accordance with Section 3.10: Notice for Public Hearings, the BZA shall conduct at least one public hearing on the application in accordance with Section 3.11: Public Hearing Procedures.

b) After close of the hearing, the BZA shall consider the application, relevant support materials, the staff report, and any comments given by the public.

c) Within 30 days of the close of the public hearing, the BZA, by a majority vote of a quorum present, shall take one of the following actions based on the standards in Section 5.02:(F): Variance Review Standards:

i) Approval of the application as submitted;

ii) Approval of the application with conditions; or

iii) Denial of the application.

d) The minutes of the BZA shall contain a finding of facts and its decision.

(3) Recordation of Variance Approval

In the event that the BZA grants a Variance or grants a Variance with conditions, an instrument evidencing the Variance and conditions, if any, shall be recorded by the applicant in the office of the Williamson County Register of Deeds. Proof of said documentation shall be provided to the Codes Compliance Director prior to issuance of any permits or approvals.

(E) CONDITIONS AND RESTRICTIONS

(1) In authorizing a Variance, the BZA may attach thereto such conditions regarding the location, character, and other features of the proposed structure or use as it may deem necessary in the interest of furthering the purposes of this Ordinance and in the public interest.

(2) If approval is granted with conditions, the applicant shall be required to submit revised documents showing compliance with all conditions and this Ordinance before the issuance of any permits.

(F) VARIANCE REVIEW STANDARDS

(1) In accordance with Section 13-7-109, Tennessee Code Annotated, the BZA may authorize a Variance from such strict application so as to relieve such difficulties or hardship only where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of this Ordinance or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property, the strict application of the regulations of this Ordinance would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of such property, authorize, upon an appeal relating to the property, a Variance from such strict application so as to relieve such difficulties or hardship; provided, that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this Ordinance.

(2) The fact that a site or development does not conform to this Ordinance prior to the consideration of a Variance application may not be used as a basis for the granting of a Variance.

(G) LIMITED EFFECT OF A VARIANCE

Where the BZA approves a Variance, such approval shall neither change the use classification of the building or premises, nor give it any status as a nonconforming use other than that which it may have already been conferred. Granting of a Variance shall neither qualify any adjacent property for any special treatment such as a Variance, nor shall there be another substantial change of use without approval of the BZA.

(H) SCOPE OF GRANTING A VARIANCE

(1) The ability to grant relief with a Variance is limited. The BZA does not have the authority to grant a change in zoning by permitting uses that are not permitted in the subject zoning district.

(2) The BZA shall not grant a Variance unless it specifically finds that the condition or situation of the specific piece of property for which a Variance is sought is not of so general or recurrent a nature as to make reasonably practicable the formulation of a general regulation for such conditions or situations, to be adopted by the County Commission as an amendment to this Ordinance.

(I) STAY OF PROCEEDINGS

An application for a Variance shall stay all proceedings furthering enforcement of any sections of the Zoning Ordinance from which the applicant is requesting a Variance, unless the Codes Compliance Director certifies to the BZA that by reason of facts, a stay would, in the Codes Compliance Director's opinion, cause imminent peril to life or property. In such cases, enforcement shall not be stayed otherwise than by restraining order or by a court of record.

(J) COURT REVIEW

Any person or persons, jointly or severally, aggrieved by any decision of the BZA may appeal the same to the Chancery Court of Williamson County.

(K) REPEATED APPLICATIONS

If an application is denied or disapproved by the BZA, thereafter the BZA shall not be required to consider another application for substantially the same proposal, on the same premises, until one year after the date of disapproval.

(L) AMENDMENTS

A Variance approval may be amended, extended, or modified only in accordance with the procedures and standards established for its original approval.

Section 5.03: Appeal

(A) PURPOSE AND INTENT

The purpose and intent of this Section is to allow for any person aggrieved by an administrative decision by County staff, to appeal such decision to the BZA.

(B) AUTHORITY

The BZA may approve an Appeal upon compliance with the provisions of this Section.

(C) INITIATION

(1) An Appeal may be initiated by any person aggrieved by any administrative decision by County staff.

(2) The Appeal must be made within 30 days of the decision by filing an Appeal.

(3) An application for an Appeal shall be provided by the Community Development Department.

(D) PROCEDURE

(1) Basic Procedures

Except as modified by this Subsection, procedures and requirements for the submission, completeness determination, review, recommendation, hearing, and decision on applications are as established in Article 3: Common Review Procedures.

(2) Transmission of Records

Following the submission of an Appeal, the County staff member whose decision is being appealed shall forthwith transmit to the BZA all the papers constituting the record upon which the action appealed was taken.

(3) Public Hearing, Review, and Action by the BZA

a) Following the transmittal of the record, the BZA shall conduct at least one public hearing on the Appeal in accordance with Section 3.10: Notice for Public Hearings and Section 3.11: Public Hearing Procedures.

b) After close of the hearing, the BZA shall consider the Appeal, relevant support materials, and any comments given by the public.

c) A decision by the Administrator or other administrative officer shall be presumed correct, and may not be reversed or modified (in whole or part) unless the BZA finds there is substantial evidence in the record that the decision is not correct and a clear and demonstrable error is shown based on relevant procedures and standards of this Ordinance. The BZA shall consider the purpose and intent of any applicable provisions of this Ordinance and other relevant ordinances, laws and regulations in making its decision.

d) Within 60 days of the close of the public hearing, unless an extension of time is agreed upon by the applicant, the BZA, by a majority vote of a quorum present, shall take one of the following actions:

- **i)** Affirm, wholly or partly, the administrative decision being appealed;
- **ii)** Reverse, wholly or partly, the administrative decision being appealed; or
- **iii)** Modify the administrative decision being appealed.

e) The minutes of the BZA shall contain a finding of facts and its decision.

f) Following its decision, the BZA shall have all the powers of the officer from whom the Appeal is taken.

(E) CONDITIONS AND RESTRICTIONS

The BZA may impose conditions and restrictions on the decision related to the standard in Section 5.01(E) to ensure that the proposed use and development have minimal adverse effects on the health, safety, and general welfare of the County and that any approval complies with this Ordinance. All conditions imposed on any Appeal, with the exception of conditions made applicable to the approval by the express terms of this Ordinance, shall be expressly set forth in the minutes of the Appeal.

(F) STAY OF PROCEEDINGS

An Appeal shall stay all proceedings furthering the action appealed, unless the Codes Compliance Director certifies to the BZA that by reason of facts, a stay would, in the Codes Compliance Director's opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed other than by a restraining order or by a court of record.

(G) COURT REVIEW

Any person or persons, jointly or severally, aggrieved by any decision of the BZA may appeal the same to the Chancery Court of Williamson County.

(H) REPEATED APPLICATIONS

If an application or Appeal is denied or disapproved by the BZA, thereafter the BZA shall not be required to consider another application or Appeal for substantially the same proposal, on the same premises, until one year after the date of disapproval.

Article 6: Minor and Major Site Plans

Section 6.01: Minor Site Plan

(A) PURPOSE AND INTENT

The purpose and intent of this Section is to provide for the administrative review of small scale developments.

(B) AUTHORITY

The Planning Director shall review Minor Site Plans in accordance with the procedures and standards of this Section.

(C) APPLICABILITY

(1) Minor Site Plans shall be submitted for the following types of development:

- **a)** Nonresidential uses where the proposed building is 5,000 square feet or less, or where no building is proposed;
- **b)** Proposed additions to nonresidential uses where the proposed addition is 5,000 square feet or less, or where no building is proposed;
- **c)** Special Uses that have been approved by the BZA;
- **d)** Single-family dwellings;
- **e)** Accessory structures; and
- **f)** Institutional Single-Family Homes (1-8 Residents).

(2) All other site plans shall be subject to Major Site Plan review (See Section 6.02: Major Site Plan.).

(D) INITIATION

(1) Minor Site Plan review is initiated through the submission of an application for a Zoning Certificate (See Section 8.01: Zoning Certificate.). Upon approval of a Minor Site Plan, a Zoning Certificate will be issued for the approved use or type of development.

(2) An application for a Minor Site Plan may be initiated by a person or entity having authority to submit an application in accordance with Section 3.01: Authority to File Applications.

(E) PROCEDURE

(1) Basic Procedures

The procedures and requirements for the submission, completeness determination, review, and decision on applications are as established in Article 3: Common Review Procedures.

(2) Review and Action by the Planning Director

- **a)** Upon receipt of a complete application, the Planning Director may distribute the application to other appropriate County departments for review and comment. Such comments may be used by the Planning Director in the making of a decision.
- **b)** The Planning Director shall review the application and take one of the following actions, within a reasonable amount of time, based on the standards in Section 6.01:(F): Minor Site Plan Review Standards:
  - **i)** Approval of the application as submitted; or
  - **ii)** Denial of the application.

(F) MINOR SITE PLAN REVIEW STANDARDS

An application for a Minor Site Plan shall be approved only upon the Planning Director finding that the proposed Minor Site Plan complies with all requirements of this Ordinance.

Section 6.02: Major Site Plan

(A) PURPOSE AND INTENT

The purpose of the Major Site Plan review procedure is to ensure compliance with the development and design standards of this Ordinance and to encourage development reflective of the vision, goals, and objectives of the Comprehensive Land Use Plan.

(B) AUTHORITY

The Planning Commission shall review Major Site Plans in accordance with the procedures and standards of this Section.

(C) APPLICABILITY

(1) Major Site Plan review shall be required for all nonresidential uses that are not subject to Minor Site Plan review (See Section 6.01:(C): Applicability.).

(2) Major Site Plan review may also be required for certain residential uses as specified in Article 11: Use Regulations.

(D) INITIATION

(1) Major Site Plan review is initiated through the submission of an application for a Zoning Certificate (See Section 8.01: Zoning Certificate.). Upon approval of a Major Site Plan, a Zoning Certificate will be issued for the approved use or type of development provided it complies with any conditions that may be attached to the Major Site Plan approval.

(2) An application for a Major Site Plan may be initiated by a person or entity having authority to submit an application in accordance with Section 3.01: Authority to File Applications.

(E) PROCEDURE

(1) Basic Procedures

The procedures and requirements for the submission, completeness determination, review, and decision on applications are as established in Article 3: Common Review Procedures.

(2) Staff Recommendation

a) No later than ten days prior to the date set for the meeting on the application, each official or consultant to which the application has been referred shall file a written report thereon with the Planning Commission. These reports shall state the recommendations for changes in the proposed plans as submitted and the conditions for approval, if any, necessary to bring the plan into compliance with any applicable ordinance or regulation or to eliminate any adverse effects on the general health, safety, and welfare of the community for which the official or consultant has special responsibility.

b) Such reports or input may be consolidated with the staff report prepared by the Planning Director.

(3) Public Meeting, Review, and Action by the Planning Commission

a) The application shall be placed on the applicable Planning Commission meeting agenda subject to Section 3.03: Submission Schedule.

b) Within 60 days of the Planning Commission's initial meeting to review the subject application, unless an extension of time is agreed to by the applicant, the Planning Commission shall take one of the following actions based on the standards in Section 6.02:(F): Major Site Plan Review Standards:

i) Approval of the application as submitted;

ii) Approval of the application with conditions; or

iii) Denial of the application.

c) The failure of the Planning Commission to act within this time period shall constitute an approval of the application.

(F) MAJOR SITE PLAN REVIEW STANDARDS

(1) The Planning Commission shall approve the Major Site Plan only if it finds that the application:

a) Complies with all applicable standards of this Ordinance;

b) Is consistent with the goals, objectives, and recommendations of the Williamson County Comprehensive Land Use Plan;

c) Contains a layout of buildings, parking, roads, and utilities that does not substantially increase fire, health, or other public safety hazards;

d) Will be adequately served by, or will not impose an undue burden on, any of the County's infrastructure, public services, or public facilities;

e) Does not create substantial increases in traffic hazards and/or congestion; and

f) Complies with the Williamson County Storm Water Management Regulations.

(2) If the Planning Commission finds that the Major Site Plan does not conform to the above standards, then the Planning Commission may impose conditions regarding approval of the Major Site Plan that it determines will adequately safeguard the standards set forth above and any other conditions that the Planning Commission determines necessary.

(3) If the Planning Commission finds that a deficiency in the Major Site Plan cannot be adequately provided for on the site or alleviated with conditions, then the Planning Commission shall deny the Major Site Plan.

(G) GUARANTEE OF IMPROVEMENTS

All required bondable improvements shall require the posting of a performance bond under the following requirements:

(1) The applicant shall post a performance bond for Major Site Plan approval in an amount estimated as sufficient to secure to Williamson County and/or utility districts the satisfactory construction, installation, and dedication of the uncompleted portion of improvements required in accordance with this Ordinance. The performance bond and maintenance bond can be secured by a letter of credit, or a certified check from an approved financial institution.

(2) Such performance bond shall comply with all statutory requirements and shall be satisfactory as to form, sufficiency, and manner of execution as set forth in this Ordinance. The period within which required improvements must be completed shall be specified by the Planning Commission and incorporated in the bond. The performance period (i.e., the period before going on a maintenance bond) shall be one year.

a) The Planning Commission may extend the completion date set forth in the bond for a period of one more year.

b) Any extension of the performance period may necessitate an increase in the bond amount.

(3) Creation of Maintenance Bond

a) Following completion of the performance period, a maintenance bond shall be required. The maintenance bond shall be reviewed as it progresses at least once a year by the Planning Commission.

b) The maintenance bond shall be effective for a minimum of two years.

c) The Planning Commission may extend the timeframe of the maintenance bond for successive terms of one year.

(4) Failure to Complete Improvements

a) Where a performance bond or maintenance bond has been posted and required improvements have not been installed or maintained within the terms of the applicable bond, the Williamson County Planning Commission may thereupon declare the bond to be in default and require that all the improvements be installed regardless of the extent of the building development at the time the bond is declared to be in default.

b) Further, the Williamson County Planning Commission shall notify the Building Codes Director that the performance or maintenance bond for the subject site is in default and request that no additional building permits be issued for remaining lots in the subject site. The Planning Commission shall also issue a notice that the subject site is in default. Said notice shall be recorded in the Registers Office of Williamson County, Tennessee. In the event the subject site is thereafter found not to be in default for any reason, prompt notice shall be given to the Building Codes Director and recorded in the Registers Office of Williamson County, Tennessee.

(H) AMENDMENTS TO AN APPROVED MAJOR SITE PLAN

(1) Minor deviations to an approved Major Site Plan that do not increase the size of the building(s), that do not decrease landscaping or natural resource protection areas, or that do not materially change drainage, storm water, or other engineering items may be administratively approved by the Planning Director.

(2) If the Planning Director denies the minor deviation, the applicant may submit the amendment request to the Planning Commission for review in accordance with Section 6.02: (E): Procedure.

(3) If the Planning Director reviews the proposed amendment and determines that the amendment is not a minor amendment as defined in Section 6.02: (H) (1), then the applicant shall be required to submit the amendment request to the Planning Commission for review in accordance with Section 6.02: (E): Procedure.

(4) If an amendment is approved, the applicant shall be required to submit revised documentation demonstrating compliance with all conditions and this Ordinance and the amended Major Site Plan approval.

(I) EXPIRATION

A Major Site Plan approval shall be valid for a period of one year. If a Building Permit has not been obtained and construction begun, the Major Site Plan shall be deemed void and any new development will be subject to a new application and new fees in accordance with this Section.

Article 7: Sign Permits

Section 7.01: Purpose and Intent

The purpose and intent of this Article is to provide for the administrative review of signs.

Section 7.02: Applicability

Unless otherwise specified in Article 18: Signage, no sign shall be erected, altered, or relocated after the effective date of this Ordinance until a Sign Permit has been approved in accordance with this Article and Article 18: Signage.

Section 7.03: Authority

The Codes Compliance Director shall approve an application for a Sign Permit in accordance with the procedures and standards of this Article.

Section 7.04: Initiation

An application for a Sign Permit may be initiated by a person or entity having authority to submit an application in accordance with Section 3.01: Authority to File Applications.

Section 7.05: Procedure

(A) BASIC PROCEDURES

The procedures and requirements for the submission, completeness determination, review, and decision on applications are as established in Article 3: Common Review Procedures.

(B) REVIEW AND ACTION BY THE CODES COMPLIANCE DIRECTOR

(1) Upon receipt of a complete application, the Codes Compliance Director may distribute the application to other appropriate County departments for review and comment. Such comment may be used by the Codes Compliance Director in the making of a decision.

(2) The Codes Compliance Director shall review the application and take one of the following actions based on the standards in Section 7.06: Sign Permit Review Standards:

a) Approval of the application as submitted; or

b) Denial of the application.

(3) The Codes Compliance Director shall render a decision on the application within five business days after receipt of a complete application. Upon approval, the actual permit shall be issued in a timely manner.

Section 7.06: Sign Permit Review Standards

No application for a Sign Permit shall be approved unless the Codes Compliance Director specifically finds the proposed sign complies with all the requirements of this Ordinance.

Article 8: Zoning Certificates, Temporary Use Permits, and Building Permits

Section 8.01: Zoning Certificate

(A) Purpose and Intent

The purpose and intent of this Section is to provide for the review of all development for compliance with this Ordinance.

(B) Applicability

No building or structure shall be erected, altered, or relocated, and no use shall be established after the effective date of this Ordinance until a Zoning Certificate has been approved in accordance with this Section.

(C) Authority

The Planning Director shall approve an application for a Zoning Certificate in accordance with the procedures and standards of this Section.

(D) Initiation

An application for a Zoning Certificate may be initiated by a person or entity having authority to submit an application in accordance with Section 3.01: Authority to File Applications.

(E) Procedure

(1) Basic Procedures

The procedures and requirements for the submission, completeness determination, review, and decision on applications are as established in Article 3: Common Review Procedures.

(2) Review and Action by the Planning Director

a) Upon receipt of a complete application, the Planning Director may distribute the application to other appropriate County departments for review and comment. Such comment may be used by the Planning Director in the making of a decision.

b) The Planning Director shall review the application and take one of the following actions based on the standards in Section 8.01:(F): Zoning Certificate Review Standards:

i) Approval of the application as submitted; or

ii) Denial of the application.

(3) Prerequisites for Approval

A Zoning Certificate shall not be approved by the Planning Director until the following requirements are met:

a) If the development requires a subdivision plat, then the development must have received an approved plat in accordance with the Williamson County Subdivision Regulations prior to the issuance of an approved Zoning Certificate.

b) If the development requires a Minor or Major Site Plan, the site plan shall be approved prior to submission of an application for a Zoning Certificate and shall be made a part of the Zoning Certificate application.

c) In cases where review by the Planning Commission and /or BZA is required by this Ordinance, the application for the Zoning Certificate shall be considered continued until such a time that a decision is rendered. Upon the rendering of a decision by the Planning Commission or BZA, the Planning Director shall act on the application based on that decision.

(4) Timing of Approval

A decision on the Zoning Certificate shall be made within five business days after completion of the prerequisites for approval as outlined above.

(F) ZONING CERTIFICATE REVIEW STANDARDS

An application for a Zoning Certificate shall be approved only upon finding the proposed development complies with all the requirements of this Ordinance.

(G) EFFECT OF ZONING CERTIFICATE APPROVAL

(1) When a Zoning Certificate is approved, the Planning Director shall issue a Zoning Certificate which shall state on its face: "This certificate does not signify building codes review or approval and is not authorization to undertake any work without such review and approval where either is required. Before any structure to which this certificate is applicable may be occupied or used for any purpose, a certificate of occupancy must be obtained."

(2) Nothing in this Section relieves an applicant of responsibility to seek any additional permits required by any applicable statute or ordinance.

Section 8.02: Temporary Use Permit

(A) PURPOSE AND INTENT

The purpose and intent of this Section is to provide for the administrative review of temporary uses.

(B) AUTHORITY

The Planning Director shall review an application for a Temporary Use Permit in accordance with the procedures and standards of this Section.

(C) APPLICABILITY

Unless otherwise specified in Section 11.05: Temporary Uses and Structures, all temporary uses shall require a Temporary Use Permit.

(D) INITIATION

An application for a Temporary Use Permit may be initiated by a person or entity having authority to submit an application in accordance with Section 3.01: Authority to File Applications.

(E) PROCEDURE

(1) Basic Procedures

The procedures and requirements for the submission, completeness determination, review, and decision on applications are as established in Article 3: Common Review Procedures.

(2) Review and Action by the Planning Director

a) Upon receipt of a complete application, the Planning Director may distribute the application to other appropriate County departments for review and comment. Such comment may be used by the Planning Director in making a decision.

b) The Planning Director shall review the application and take one of the following actions based on the standards in Section 8.02 (G): General Standards for Temporary Uses and Structures:

i) Approval of the application as submitted; or

ii) Denial of the application.

(F) TEMPORARY USE PERMIT REVIEW STANDARDS

No application for a Temporary Use Permit shall be approved unless the Planning Director specifically finds the proposed temporary use complies with all the requirements of this Ordinance.

(G) GENERAL STANDARDS FOR TEMPORARY USES AND STRUCTURES

All temporary uses, structures, or events shall comply with the following general standards, unless otherwise specified in this Ordinance:

(1) Obtain a Temporary Use Permit (See Section 8.02: Temporary Use Permit.) that is reviewed and approved as part of a Minor Site Plan (See Article 6: Minor and Major Site Plans.) in accordance with the standards of this Section. In the case of "special events – extensive impact," the Temporary Use Permit may only be issued upon approval of a Special Use in accordance with Article 5: Special Uses, Variances, and Appeals;

(2) Not be detrimental to property or improvements, and not have substantial adverse effects or noise impacts on the surrounding area, or the public health, safety, and general welfare;

(3) If the applicant is not the property owner, written consent from the property owner must be furnished;

(4) Except where otherwise provided in this Section or in Section 11.05: Temporary Uses and Structures, meet all setbacks of the applicable zoning district;

(5) Shall not violate any applicable conditions of approval that applied to the principal use on the site; and

(6) If the property is developed, shall be located in an area that is not actively used by an existing approved principal use, which would support the proposed temporary use without encroaching or creating a negative impact on existing buffers, open spaces, landscaping, traffic movements, pedestrian circulation, sensitive or protected resources, or parking space availability.

Section 8.03: Building Permit

(A) PURPOSE AND INTENT

The purpose and intent of this Section is to provide for the review of all structures subject to the adopted Building Codes of Williamson County for the purposes of protecting the health, safety, and general welfare of the public.

(B) AUTHORITY

The Building Codes Director may approve Building Permits upon compliance with the provisions of this Section.

(C) APPLICABILITY

Building Permits shall be required before a property owner or applicant can locate, erect, or begin construction, reconstruction, extension, conversion, or structural alteration of any building or structure.

(D) INITIATION

An application for a Building Permit may be initiated by a person or entity having authority to submit an application in accordance with Section 3.01: Authority to File Applications.

(E) PROCEDURE

(1) Basic Procedures

The procedures and requirements for the submission, completeness determination, review, and decision on applications are as established in Article 3: Common Review Procedures.

(2) Review and Action by the Building Codes Director

a) Upon receipt of a complete application, the Building Codes Director may distribute the application to other appropriate County departments for review and comment. Such comment may be used by the Building Codes Director in the making of a decision.

b) The Building Codes Director shall review the application and take one of the following actions based on the standards in Section 8.03:(F): Building Permit Review Standards:

i) Issue the Building Permit based on the application as submitted; or

ii) Denial of the application.

(F) BUILDING PERMIT REVIEW STANDARDS

(1) A Building Permit shall be approved upon a finding that the proposed development complies with all the requirements of this Ordinance and all other applicable ordinances and regulations.

(2) The Building Codes Director shall issue a Building Permit upon finding that the building, structure, and proposed use conform to all the requirements set forth herein. No Building Permit shall be issued until:

a) All necessary approvals have been issued for water supply, sewer or septic systems, storm water, and driveways;

b) A Zoning Certificate has been approved; and

c) All required bondable improvements have been completed or appropriate bonds have been posted.

(G) CONDITIONS AND RESTRICTIONS

(1) The Building Codes Director may only impose conditions on the issuance of the Building Permit that will bring the application in compliance with this Ordinance.

(2) If the Building Permit is issued with conditions, the applicant shall be required to submit revised documentation demonstrating compliance with all conditions and this Ordinance before the issuance of any permits.

(H) COMMENCEMENT OF CONSTRUCTION

No work shall begin before the issuance of a Building Permit.

(I) EXPIRATION

A Building Permit issued in accordance with the provisions of this Ordinance shall become void six months after the date of its issuance if the construction for which it was issued has not been started or construction has not been continuous.

Article 9: Interpretations

Section 9.01: Purpose and Intent

The purpose and intent of this Article is to provide a method for clarifying ambiguities in the text of this Ordinance, the Zoning Map, and the standards and requirements adopted pursuant to this Ordinance.

Section 9.02: Authority

The Planning Director may issue an opinion on requests for Interpretation upon compliance with the provisions of this Artilce.

Section 9.03: Initiation

(A) A request for an Interpretation may be initiated by a person or entity having authority to submit an application in accordance with Section 3.01: Authority to File Applications. Additionally, the County Commission, Planning Commission, BZA, or any County staff member or department may also submit a request for an Interpretation.

(B) An application to request an Interpretation can be obtained in the Community Development Department.

Section 9.04: Procedure

(A) **BASIC PROCEDURES**

The procedures and requirements for the submission, completeness determination, review, and decision on applications are as established in Article 3: Common Review Procedures.

(B) **REVIEW AND ACTION BY THE PLANNING DIRECTOR**

(1) Upon receipt of a request for Interpretation, the Planning Director may distribute the application to other appropriate County departments for review and comment. Such comment may be used by the Planning Director in issuing an opinion.

(2) Within 30 days of the receipt of the request for Interpretation, the Planning Director shall provide a copy of the Interpretation to the applicant. The Planning Director shall state the analysis upon which the Interpretation is based.

(3) Failure of the Planning Director to render an Interpretation within this time period, or a longer period of time as may be agreed to by the applicant, shall be deemed to be a rejection of the applicant's proposed Interpretation, if any.

(4) The Planning Director shall keep a copy of each Interpretation on file in the Community Development Department.

Section 9.05: Interpretation Review

(A) **GENERALLY**

(1) In making an Interpretation, the Planning Director shall not substitute his or her own judgment for the legislative acts of the County Commission.

(2) The Planning Director shall undertake the following in evaluating a request for an Interpretation:

a) Determine the public purpose of the standard for which an interpretation is required;

b) Determine the actual impact of various proposed interpretations, permitting flexibility in design but prohibiting any interpretation that lowers the protection afforded to the public; and

c) Determine if the proposed interpretation will ensure a just balance between the rights of the landowner and all others who will be affected by the applicant's land use proposal.

(B) INTERPRETATIONS RELATED TO USE

The following standards shall govern both the Planning Director and any Appeal to the BZA regarding the Planning Director's Interpretation related to use:

(1) No interpretation shall permit a land use listed as a permitted or Special Use in another district if the use is not listed as permitted in the subject property's district;

(2) No interpretation shall permit a land use in a district unless evidence is presented which demonstrates that the land use will comply with each use limitation established for the particular district; and

(3) No interpretation shall permit a land use in a particular district unless such use is substantially similar to other uses permitted in that same district and is more similar to such other uses than to uses either not permitted in the district or permitted or conditionally permitted in a less restrictive district.

(4) If the proposed land use is more similar to a land use permitted only as a Special Use in the subject property's district than to a permitted use, then an interpretation permitting such use shall be conditioned on the approval of a Special Use in accordance with this Ordinance.

(5) Any land use permitted or other interpretation rendered in accordance with this Section shall fully comply with all requirements and standards imposed by this Ordinance.

(C) OTHER INTERPRETATIONS

For other written interpretations, the Planning Director shall evaluate the request in light of the Comprehensive Land Use Plan, this Ordinance, the Official Zoning Map, the Tennessee Code Annotated, other relevant ordinances and statutes, and any previously approved permits or development approvals (if applicable).

(D) ALL INTERPRETATIONS

When making written interpretations, the Planning Director may consult with the County Attorney and other affected County officials before rendering the interpretation.

Section 9.06: Effect of an Interpretation

(A) No interpretation finding a particular land use to be permitted or conditionally permitted in a specific district shall authorize either the establishment of such use or the development, construction, reconstruction, alteration, or moving of any building or structure.

(B) A favorable interpretation merely authorizes the preparation, filing, and processing of applications for any permits and approvals which may be required by the codes and ordinances of Williamson County or other governmental agencies having jurisdiction.

(C) These permits and approvals include, but are not limited to, Zoning Certificates, Special Uses, Building Permits, and Certificates of Occupancy.

Section 9.07: Fees

No fee shall be required in connection with any request for an Interpretation.

Section 9.08: Appeal

Appeals on interpretations rendered by the Planning Director in accordance with this Section may be taken to the BZA as provided in Section 5.03: Appeal.

Article 10: Zoning Districts

Section 10.01: General Provisions

(A) Compliance with District Standards

No land within the unincorporated area of the County shall be developed or used except in accordance with the zoning district regulations of this Article and all other applicable regulations of this Ordinance including, but not limited to, Article 11: Use Regulations and Article 12: Conservation Subdivision Standards through Article 20: Nontraditional Wastewater Treatment and Disposal Systems.

(B) Establishment of Zoning Districts

(1) Establishment of Zoning Districts

a) The unincorporated areas of Williamson County, Tennessee are hereby divided into zoning districts of such number and character as are necessary to achieve compatibility of uses within each district, to implement the Williamson County Comprehensive Land Use Plan, and to achieve the other purposes of this Ordinance. (See Article 1: General Provisions.)

b) Table 10.01-1: Zoning Districts Established, sets out the zoning districts established as part of this Ordinance.

c) For the purpose of this Ordinance, all land and water areas in the County are hereby divided into the zoning districts established in Table 10.01-1: Zoning Districts Established. Districts are grouped into base and overlay zoning districts.

Table 10.01-1: Zoning Districts Established

Abbreviation	New Zoning District Name
	Base Zoning Districts
A	Voluntary Agricultural District
RP-5	Rural Preservation District 5
RD-5	Rural Development District 5
RP-1	Rural Preservation District 1
RD-1	Rural Development District 1
SIC	Suburban Infill and Conservation District
MGA-1	Municipal Growth Area District 1
MGA-5	Municipal Growth Area District 5
MGA-H	Municipal Growth Area-Hamlet District
H	Hamlet District
V	Village District
CGV	College Grove Village District
GV	Grassland Village District
LFV	Leiper's Fork Village District
TV	Triune Village District
NC	Neighborhood Conservation District

TABLE 10.01-1: ZONING DISTRICTS ESTABLISHED	
ABBREVIATION	NEW ZONING DISTRICT NAME
NCMH	Neighborhood Conservation Manufactured Housing District
840C	840 Center District
	OVERLAY ZONING DISTRICT
AP	Airport Overlay District

(2) Relationship of Overlay Districts to Base Districts

a) Where land is classified into an overlay zoning district as well as a base zoning district, the regulations governing development in the overlay zoning district shall apply in addition to the regulations governing the underlying base district.

b) In the event of an express conflict between the standards of the overlay zoning district and the base zoning district, the standards governing the overlay district shall control.

(C) ESTABLISHMENT OF ZONING FOR PARCELS DE-ANNEXED BY MUNICIPALITIES OF WILLIAMSON COUNTY

Upon notification of a legal de-annexation by any municipality of Williamson County of any parcel, said parcel shall be a part of Williamson County's jurisdiction. In order to assure that this parcel conforms to the Williamson County Comprehensive Land Use Plan, the following zoning provisions shall apply:

(1) Upon notification of legal de-annexation, said parcel shall be designated a part of the RP-5 zoning district if the parcel is located west of Interstate 65 and designated a part of the RD-5 zoning district if the parcel is located east of Interstate 65.

(2) No later than 90 days following this notice of legal de-annexation, the Planning Commission shall recommend to the County Commission a zoning classification that conforms to the Williamson County Comprehensive Land Use Plan pursuant to a zoning map amendment procedure (See Section 4.05: Zoning Map Amendment Standards.).

Section 10.02: Base Zoning Districts

(A) VOLUNTARY AGRICULTURAL DISTRICT (A)

(1) Purpose and Intent

a) The primary purpose of the Voluntary Agricultural District (A) is to provide for areas in the County where the primary use of the land is in support of rural economy uses, with residential uses allowed secondarily in a form and context that is consistent with the general open and rural character of the rural economy uses. Furthermore, it is the intent of this district to protect the agricultural industry of Williamson County by allowing for a broader range of rural economy uses, including traditional and new agricultural uses (agriculture, horticulture and animal husbandry), agriculture support and basic services directly associated with on-going agricultural activities, and low impact non-rural uses that can be developed in ways that are consistent with the rural character of the rural economy uses through mitigation or other standards.

b) This district is a voluntary district in that only a property owner or an agent, with authorization from the property owner, may submit an application requesting a zoning map amendment to the A district.

(2) Dimensional Standards

a) Table 10.02-1 establishes the dimensional standards for the A district.

b) Additional standards related to accessory uses are located in Section 11.04: Accessory Uses and Structures.

TABLE 10.02-1: DIMENSIONAL STANDARDS FOR THE VOLUNTARY AGRICULTURAL DISTRICT

DIMENSIONAL STANDARDS	RESIDENTIAL STRUCTURES	NONRESIDENTIAL STRUCTURES
Minimum Lot Area	15 acres	15 acres
Minimum Lot Width	200 feet	200 feet
Front Yard Setback	100 feet	100 feet
Side Yard Setback	50 feet	50 feet
Rear Yard Setback	100 feet	50 feet
Maximum Height	Not Applicable	Not Applicable

(B) RURAL PRESERVATION DISTRICT-5 (RP-5)

(1) Purpose and Intent

The purpose of the Rural Preservation District-5 (RP-5) is to support and protect the rural character of Williamson County west of I-65 by allowing for a broad range of agricultural, rural, and low-density residential development. It is the intent of this district to continue to promote the agricultural and rural use of land within this district while providing for limited, low-density residential development that is consistent with the conservation design principles emphasized in the Williamson County Comprehensive Land Use Plan.

(2) Dimensional Standards

a) Table 10.02-2 establishes the dimensional standards for the RP-5 district.

b) Additional standards related to accessory uses are located in Section 11.04: Accessory Uses and Structures.

TABLE 10.02-2: DIMENSIONAL STANDARDS FOR THE RURAL PRESERVATION DISTRICT-5

DIMENSIONAL STANDARDS		RESIDENTIAL STRUCTURES	NONRESIDENTIAL STRUCTURES
Minimum Lot Area	Traditional Subdivisions	5 acres	5 acres
	Conservation Subdivisions	1 acre	
Maximum Gross Residential Density	All Subdivisions	1 unit per 5 acres	Not Applicable
Minimum Lot Width	Traditional Subdivisions	200 feet	200 feet
	Conservation Subdivisions	100 feet	
Front Yard Setback	Traditional Subdivisions	100 feet	100 feet
	Conservation Subdivisions	50 feet	
Side Yard Setback	Traditional Subdivisions	25 feet	50 feet
	Conservation Subdivisions	20 feet	
Rear Yard Setback	Traditional Subdivisions	50 feet	50 feet
	Conservation Subdivisions	30 feet	
Maximum Height	All Subdivisions	Not Applicable	Not Applicable

(C) RURAL DEVELOPMENT DISTRICT-5 (RD-5)

(1) Purpose and Intent

The purpose of the Rural Development District-5 (RD-5) is to support and protect the rural character and agricultural uses of Williamson County east of I-65 by allowing for a broad range of agricultural, rural, and low-density residential development. It is the intent of this district to continue to promote the agricultural and rural uses of land within this district while providing for limited, low-density residential development that is consistent with the conservation design principles emphasized in the Williamson County Comprehensive Land Use Plan.

(2) Dimensional Standards

a) Table 10.02-3 establishes the dimensional standards for the RD-5 district.

b) Additional standards related to accessory uses are located in Section 11.04: Accessory Uses and Structures.

TABLE 10.02-3: DIMENSIONAL STANDARDS FOR THE RURAL DEVELOPMENT DISTRICT-5

DIMENSIONAL STANDARDS		RESIDENTIAL STRUCTURES	NONRESIDENTIAL STRUCTURES
Minimum Lot Area	Traditional Subdivisions	5 acres	5 acres
	Conservation Subdivisions	1 acre	
Maximum Gross Residential Density	All Subdivisions	1 unit per 5 acres	Not Applicable
Minimum Lot Width	Traditional Subdivisions	200 feet	200 feet
	Conservation Subdivisions	100 feet	
Front Yard Setback	Traditional Subdivisions	100 feet	100 feet
	Conservation Subdivisions	50 feet	
Side Yard Setback	Traditional Subdivisions	25 feet	50 feet
	Conservation Subdivisions	20 feet	
Rear Yard Setback	Traditional Subdivisions	50 feet	50 feet
	Conservation Subdivisions	30 feet	
Maximum Height	All Subdivisions	Not Applicable	Not Applicable

(D) RURAL PRESERVATION DISTRICT 1 (RP-1)

(1) Purpose and Intent

The purpose of the Rural Preservation District 1 (RP-1) is to support and protect the rural character of Williamson County west of I-65 but also allow for low-density residential development where appropriate infrastructure is available. Development in the RP-1 district should respect the natural resources with a focus on conservation subdivisions as the primary form of residential development emphasized in the Williamson County Comprehensive Land Use Plan.

(2) Dimensional Standards

a) Table 10.02-4 establishes the dimensional standards for the RP-1 district.

b) Additional standards related to accessory uses are located in Section 11.04: Accessory Uses and Structures.

TABLE 10.02-4: DIMENSIONAL STANDARDS FOR THE RURAL PRESERVATION DISTRICT-1			
DIMENSIONAL STANDARDS		RESIDENTIAL STRUCTURES	NONRESIDENTIAL STRUCTURES
Minimum Lot Area	Traditional Subdivisions	1 acre	1 acre
	Conservation Subdivisions	10,000 square feet	
Maximum Gross Residential Density	All Subdivisions	1 unit per acre	Not Applicable
Minimum Lot Width	Traditional Subdivisions 1 acre to 2.99 acres	130 feet	130 feet
	Traditional Subdivisions 3 acres to 4.99 acres	160 feet	
	Traditional Subdivisions 5 acres or Greater	200 feet	
	Conservation Subdivisions	60 feet	
Front Yard Setback	Traditional Subdivisions 1 acre to 4.99 acres	60 feet	60 feet
	Traditional Subdivisions 5 acres or Greater	100 feet	
	Conservation Subdivisions	35 feet	
Side Yard Setback	Traditional Subdivisions	20 feet	35 feet
	Conservation Subdivisions	5 feet	
Rear Yard Setback	Traditional Subdivisions	60 feet	60 feet
	Conservation Subdivisions	30 feet	
Maximum Height	All Subdivisions	3.0 stories	3.0 stories

(E) RURAL DEVELOPMENT DISTRICT 1 (RD-1)

(1) Purpose and Intent

The purpose of the Rural Development District 1(RD-1) is to support and protect the rural character of Williamson County east of I-65 but also allow for low-density residential development where appropriate infrastructure is available. This district is also intended to support agricultural uses that are more prevalent in the eastern areas of the County. Development in the RD-1 district should respect the natural resources with a focus on conservation subdivisions as the primary form of residential development emphasized in the Williamson County Comprehensive Land Use Plan.

(2) Dimensional Standards

a) Table 10.02-5 establishes the dimensional standards for the RD-1 District.

b) Additional standards related to accessory uses are located in Section 11.04: Accessory Uses and Structures.

TABLE 10.02-5: DIMENSIONAL STANDARDS FOR THE RURAL DEVELOPMENT DISTRICT -1			
DIMENSIONAL STANDARDS		RESIDENTIAL STRUCTURES	NONRESIDENTIAL STRUCTURES
Minimum Lot Area	Traditional Subdivisions	1 acre	1 acre
	Conservation Subdivisions	10,000 square feet	
Maximum Gross Residential Density	All Subdivisions	1 unit per acre	Not Applicable
Minimum Lot Width	Traditional Subdivisions 1e acre to 2.99 acres	130 feet	130 feet
	Traditional Subdivisions 3 to 4.99 acres	160 feet	
	Traditional Subdivisions 5 acres or Greater	200 feet	
	Conservation Subdivisions	60 feet	
Front Yard Setback	Traditional Subdivisions 1 acre to 4.99 acres	60 feet	60 feet
	Traditional Subdivisions 5 acres or Greater	100 feet	
	Conservation Subdivisions	35 feet	
Side Yard Setback	Traditional Subdivisions	20 feet	35 feet
	Conservation Subdivisions	5 feet	
Rear Yard Setback	Traditional Subdivisions	60 feet	60 feet
	Conservation Subdivisions	30 feet	
Maximum Height	All Subdivisions	3.0 stories	3.0 stories

(F) SUBURBAN INFILL AND CONSERVATION DISTRICT (SIC)

(1) Purpose and Intent

The purpose of the Suburban Infill and Conservation District (SIC) is to provide for moderate intensity residential and limited commercial development in the Planned Growth Areas 1, 2, and 3 as defined by the Williamson County Growth Plan, adopted April 5, 2001, as amended. The intent of this district is to provide for moderate densities while maintaining a high level of protection for sensitive natural resources and ensuring compatible design with surrounding neighborhoods.

(2) Dimensional Standards

a) Table 10.02-6 establishes the dimensional standards for the SIC District.

b) Additional standards related to accessory uses are located in Section 11.04: Accessory Uses and Structures.

TABLE 10.02-6: DIMENSIONAL STANDARDS FOR THE SUBURBAN AND INFILL CONSERVATION DISTRICT

DIMENSIONAL STANDARDS		RESIDENTIAL STRUCTURES	NONRESIDENTIAL STRUCTURES
Minimum Lot Area	Traditional Subdivisions	1 acre	1 acre
	Conservation Subdivisions	8,000 square feet [See Section 10.02:(F)(2)c).]	
Maximum Gross Residential Density	Traditional Subdivisions	1.0 unit per acre	Not Applicable
	Conservation Subdivisions	1.2 units per acre	
Minimum Lot Width	Traditional Subdivisions 1 acre to 2.99 acres	130 feet	130 feet
	Traditional Subdivisions 3 acres to to 4.99 acres	160 feet	
	Traditional Subdivisions 5 acres or Greater	200 feet	
	Conservation Subdivisions	60 feet	
Front Yard Setback	Traditional Subdivisions 1 acre to 4.99 acres	60 feet	60 feet
	Traditional Subdivisions 5 acres or Greater	100 feet	
	Conservation Subdivisions	25 feet	
Side Yard Setback	Traditional Subdivisions	20 feet	35 feet
	Conservation Subdivisions	5 feet	
Rear Yard Setback	Traditional Subdivisions	60 feet	60 feet
	Conservation Subdivisions	30 feet	
Maximum Height	All Subdivisions	3.0 stories	3.0 stories

c) Up to 15 percent of the total lots within a Conservation Subdivision may be reduced to a minimum of 6,000 square feet provided that lots with an area of less than 8,000 square feet shall be located internally within the development where they are surrounded by open space or lots of 8,000 square feet or larger.

(G) MUNICIPAL GROWTH AREA DISTRICT 1 (MGA-1)

(1) Purpose and Intent

The purpose of the Municipal Growth Area District 1 (MGA-1) is for this area to remain largely undeveloped until such a time as the land may be annexed into a municipality. Until such annexation, the municipal growth areas are considered a part of the County's rural landscape and as such, this district is established to protect the rural character of Williamson County by allowing for agricultural, rural, and low-density residential development.

(2) Dimensional Standards

a) Table 10.02-7 establishes the dimensional standards for the MGA-1 District.

b) Additional standards related to accessory uses are located in Section 11.04: Accessory Uses and Structures.

TABLE 10.02-7: DIMENSIONAL STANDARDS FOR THE MUNICIPAL GROWTH AREA DISTRICT-1			
DIMENSIONAL STANDARDS	RESIDENTIAL STRUCTURES		NONRESIDENTIAL STRUCTURES
Minimum Lot Area	1 acre		1 acre
Minimum Lot Width	Traditional Subdivisions 1 acre to 2.99 acres	130 feet	130 feet
	Traditional Subdivisions 3 acres to 4.99 acres	160 feet	
	Traditional Subdivisions 5 acres or Greater	200 feet	
Front Yard Setback	Traditional Subdivisions 1 acre to 4.99 acres	60 feet	60 feet
	Traditional Subdivisions 5 acres or Greater	100 feet	
Side Yard Setback	20 feet		35 feet
Rear Yard Setback	60 feet		60 feet
Maximum Height	3.0 stories		3.0 stories

(H) MUNICIPAL GROWTH AREA DISTRICT 5 (MGA-5)

(1) Purpose and Intent

The purpose of the Municipal Growth Area District 5 (MGA-5) is for this area to remain largely undeveloped until such a time as the land may be annexed into a municipality. Until such annexation, the municipal growth areas are considered a part of the County's rural landscape and as such, this district is established to protect the rural character of Williamson County by allowing for agricultural, rural, and low-density residential development.

(2) Dimensional Standards

a) Table 10.02-8 establishes the dimensional standards for the MGA-5 District.

b) Additional standards related to accessory uses are located in Section 11.04: Accessory Uses and Structures.

TABLE 10.02-8: DIMENSIONAL STANDARDS FOR THE MUNICIPAL GROWTH AREA DISTRICT-5		
DIMENSIONAL STANDARDS	RESIDENTIAL STRUCTURES	NONRESIDENTIAL STRUCTURES
Minimum Lot Area	5 acres	5 acres
Minimum Lot Width	200 feet	130 Feet
Front Yard Setback	100 feet	60 Feet
Side Yard Setback	20 feet	35 feet
Rear Yard Setback	60 feet	60 feet
Maximum Height	3.0 stories	3.0 stories

(I) MUNICIPAL GROWTH AREA-HAMLET DISTRICT (MGA-H)

(1) Purpose and Intent

The purpose of the Municipal Growth Area-Hamlet District (MGA-H) is for the area to remain largely undeveloped until such time as the land may be annexed into a municipality. Until such annexation, the municipal growth areas are considered as part of the County's rural landscape and as such, this district is established to protect the rural character of Williamson County by allowing for agricultural, rural, low-density residential development, a small number of clustered residential, commercial, and/or institutional uses that are often tied to historic sites or place names. Hamlets are important to Williamson County in that they provide small but historic focal points within the rural landscape. For this reason, the preservation of the historic character of Hamlets is an important goal of the County's Comprehensive Plan. The intent of this district is to preserve and enhance the unique character of these hamlet~~s~~ areas through standards that maintain the traditional form and use of the hamlet. New development within Hamlets should respect the existing pattern and scale of development, should be compatible with existing buildings in character, configuration, orientation and materials, and should be consistent with the policies of the Comprehensive Plan.

(2) Dimensional Standards

a) Table 10.02-9 establishes the dimensional standards for the MGA-H District that may be modified in accordance with Section 10.02:(J)(3): Nonresidential Development Contextual Design Standards.

b) Additional standards related to accessory uses are located in Section 11.04: Accessory Uses and Structures.

TABLE 10.02-9: DIMENSIONAL STANDARDS FOR THE MUNICIPAL GROWTH AREA-HAMLET DISTRICT

DIMENSIONAL STANDARDS	RESIDENTIAL STRUCTURES		NONRESIDENTIAL STRUCTURES
Minimum Lot Area	20,000 square feet		15,000 square feet
Maximum Gross Residential Density	2.0 units per acre		Not Applicable
Minimum Lot Width	Traditional Subdivisions 1 acre to 2.99 acres	80 feet	80 feet
	Traditional Subdivisions 3 acres to 4.99 acres		
	Traditional Subdivisions 5 acres or Greater	150 feet	
Front Yard Setback	Traditional Subdivisions 1 acre to 4.99 acres	35 feet	35 feet
	Traditional Subdivisions 5 acres or Greater	100 feet	
Side Yard Setback	15 feet		15 feet

TABLE 10.02-9: DIMENSIONAL STANDARDS FOR THE MUNICIPAL GROWTH AREA-HAMLET DISTRICT		
DIMENSIONAL STANDARDS	RESIDENTIAL STRUCTURES	NONRESIDENTIAL STRUCTURES
Rear Yard Setback	25 feet	25 feet
Maximum Size of Individual Commercial and Industrial Buildings	Not Applicable	5,000 square feet for parcels less than 1 acre in size
		10,000 square feet for parcels between 1 and 10 acres in size
		15,000 square feet for parcels greater than 10 acres in size
Maximum Height	3.0 stories	3.0 stories

(3) Nonresidential Development Contextual Design Standards

The dimensional standards in Table 10.02-10: Dimensional Standards for the Hamlet District may be modified as follows:

a) Lot Area

i) The minimum lot area requirement may be reduced if the average lot area of all lots on the same block face within 300 feet of the subject lot is smaller than that required by Table 10.02-9.

ii) The minimum area shall not be reduced below the average lot areas of all lots on the same block face within 300 feet of the subject lot.

b) Lot Width

i) The minimum lot width requirement may be reduced if the average lot width of all lots on the same block face within 300 feet of the subject lot is smaller than that required by Table 10.02-9.

ii) The minimum width shall not be reduced below the average lot widths of all lots on the same block face within 300 feet of the subject lot.

(4) Potential Transition to Village (V) District

Changing conditions and/or an increase in demand for new development in Hamlet (H) areas may warrant consideration by the County of a map amendment (rezoning) of an individual Hamlet (H) or MGA-Hamlet (MGA-H) District to the Village (V) District. If such a map amendment is approved by the County in accordance with the procedures outlined in Article 4: Official Zoning Map or Zoning Text Amendments, the County should conduct a Special Area Plan to help determine how the area should grow and develop in the future, and, based on that Plan, a customized Zoning District for that new Village should be created and incorporated into this Ordinance.

In addition to the Map Amendment Standards outlined in Section 4.05 of this Ordinance, the following criteria should be taken into account when considering a rezoning request from Hamlet (H) or MGA-Hamlet (MGA-H) to Village (V):

a) Whether the combination of existing and approved development within a Hamlet (H) area exceeds 100 dwelling units or 50,000 square feet of commercial building floor area; and

b) Whether the owners of at least 2/3 of the properties within the Hamlet (H) area have requested the rezoning in writing.

(J) HAMLET DISTRICT (H)

(1) Purpose and Intent

The purpose of the Hamlet District (H) is to preserve and enhance the small-scale hamlets of Williamson County, as identified in the Williamson County Comprehensive Land Use Plan. These hamlets are often considered as crossroad communities that are the location of a small number of clustered residential, commercial, and/or institutional uses that are often tied to historic sites or place names. Hamlets are important to Williamson County in that they provide small but historic focal points within the rural landscape. For this reason, the preservation of the historic character of Hamlets is an important goal of the County's Comprehensive Plan. The intent of this district is to preserve and enhance the unique character of these hamlet~~s~~ areas through standards that maintain the traditional form and use of the hamlet. New development within Hamlets should respect the existing pattern and scale of development, should be compatible with existing buildings in character, configuration, orientation and materials, and should be consistent with the policies of the Comprehensive Plan.

(2) Dimensional Standards

a) Table 10.02-10 establishes the dimensional standards for the H District that may be modified in accordance with Section 10.02:(J)(3): Nonresidential Development Contextual Design Standards.

b) Additional standards related to accessory uses are located in Section 11.04: Accessory Uses and Structures.

TABLE 10.02-10: DIMENSIONAL STANDARDS FOR THE HAMLET DISTRICT

DIMENSIONAL STANDARDS	RESIDENTIAL STRUCTURES		NONRESIDENTIAL STRUCTURES
Minimum Lot Area	20,000 square feet		15,000 square feet
Maximum Gross Residential Density	2.0 units per acre		Not Applicable
Minimum Lot Width	Traditional Subdivisions 1 acre to 2.99 acres	80 feet	80 feet
	Traditional Subdivisions 3 acres to 4.99 acres		
	Traditional Subdivisions 5 acres or Greater	150 feet	
Front Yard Setback	Traditional Subdivisions 1 acre to 4.99 acres	35 feet	35 feet
	Traditional Subdivisions 5 acres or Greater	100 feet	
Side Yard Setback	15 feet		15 feet
Rear Yard Setback	25 feet		25 feet

TABLE 10.02-10: DIMENSIONAL STANDARDS FOR THE HAMLET DISTRICT		
DIMENSIONAL STANDARDS	RESIDENTIAL STRUCTURES	NONRESIDENTIAL STRUCTURES
Maximum Building Size	Not Applicable	5,000 square feet for parcels less than 1 acre in size
		10,000 square feet for parcels between 1 and 10 acres in size
		15,000 square feet for parcels greater than 10 acres in size
Maximum Height	3.0 stories	3.0 stories

(3) Nonresidential Development Contextual Design Standards

The dimensional standards in Table 10.02-10: Dimensional Standards for the Hamlet District may be modified as follows:

a) Lot Area

i) The minimum lot area requirement may be reduced if the average lot area of all lots on the same block face within 300 feet of the subject lot is smaller than that required by Table 10.02-10.

ii) The minimum area shall not be reduced below the average lot areas of all lots on the same block face within 300 feet of the subject lot.

b) Lot Width

i) The minimum lot width requirement may be reduced if the average lot width of all lots on the same block face within 300 feet of the subject lot is smaller than that required by Table 10.02-10.

ii) The minimum width shall not be reduced below the average lot widths of all lots on the same block face within 300 feet of the subject lot.

(4) Maximum Size Limitations

Changing conditions and/or an increase in demand for new development in Hamlet (H) areas may warrant consideration by the County of a map amendment (rezoning) of an individual Hamlet (H) or MGA-Hamlet (MGA-H) District to the Village (V) District. If such a map amendment is approved by the County in accordance with the procedures outlined in Article 4: Official Zoning Map or Zoning Text Amendments, the County should conduct a Special Area Plan to help determine how the area should grow and develop in the future, and, based on that Plan, a customized Zoning District for that new Village should be created and incorporated into this Ordinance.

In addition to the Map Amendment Standards outlined in Section 4.05 of this Ordinance, the following criteria should be taken into account when considering a rezoning request from Hamlet (H) or MGA-Hamlet (MGA-H) to Village (V):

a) Whether the combination of existing and approved development within a Hamlet (H) area exceeds 100 dwelling units or 50,000 square feet of commercial building floor area; and

b) Whether the owners of at least 2/3 of the properties within the Hamlet (H) area have requested the rezoning in writing.

(K) VILLAGE DISTRICT (V)

(1) Purpose and Intent

The purpose of the Village District (V) is to preserve and protect the unique and historic small-town character of the villages found in Williamson County as identified in the Williamson County Comprehensive Land Use Plan. These villages are activity centers that serve as focal points in the rural areas of the County and provide for areas of concentrated development of residential, commercial, industrial, and institutional uses. The intent of this district is to protect and enhance existing village areas by allowing for the continuation and limited expansion of those residential and nonresidential uses typically found in the villages in accordance with a set of development standards that ensures new development is compatible with the scale and character of the existing village form.

(2) Dimensional Standards

a) Table 10.02-11 establishes the dimensional standards for the V District that may be modified in accordance with Section 10.02:(K)(3): Nonresidential Development Contextual Design Standards.

b) Additional standards related to accessory uses are located in Section 11.04: Accessory Uses and Structures.

TABLE 10.02-11: DIMENSIONAL STANDARDS FOR THE VILLAGE DISTRICT

DIMENSIONAL STANDARDS	RESIDENTIAL STRUCTURES		NONRESIDENTIAL STRUCTURES
Minimum Lot Area	15,000 square feet		10,000 square feet
Maximum Gross Residential Density	3.0 units per acre		Not Applicable
Minimum Lot Width	Traditional Subdivisions 1 acre to 2.99 acres	50 feet	50 feet
	Traditional Subdivisions 3 acres to 4.99 acres		
	Traditional Subdivisions 5 acres or Greater	150 feet	
Front Yard Setback	Traditional Subdivisions 1 acre to 4.99 acres	50 feet	50 feet
	Traditional Subdivisions 5 acres or Greater	100 feet	
Side Yard Setback	15 feet		15 feet
Rear Yard Setback	30 feet		30 feet
Maximum Building Size	Not Applicable		10,000 square feet for commercial and industrial uses
Maximum Height	3.5 stories		3.5 stories

(3) Nonresidential Development Contextual Design Standards

The dimensional standards in Table 10.02-11: Dimensional Standards for the Village District may be modified as follows:

a) Lot Area

i) The minimum lot area may be reduced if the average lot area of all lots on the same block face within 300 feet of the subject lot is smaller than that required by Table 10.02-11.

ii) The minimum area shall not be reduced below the average lot areas of all lots on the same block face within 300 feet of the subject lot.

b) Lot Width

i) The minimum lot width requirement may be reduced if the average lot width of all lots on the same block face within 300 feet of the subject lot is smaller than that required by Table 10.02-11.

ii) The minimum width shall not be reduced below the average lot widths of all lots on the same block face within 300 feet of the subject lot.

c) Front Yard and Side Yard Setbacks

i) The minimum front and side yard setbacks may be reduced if the average front or side yard setbacks of buildings along the same block face and within 300 feet of the subject lot is smaller than that required by Table 10.02-11.

ii) The minimum front yard and side yard setbacks shall not be reduced below the average front or side yard setbacks of all lots on the same block face within 300 feet of the subject lot.

d) Building Height and Massing

i) No principal building shall be constructed which is more than 10 feet taller than the average height of principal buildings along the block face within 300 feet of the subject lot.

ii) No principal building shall be constructed where the front facade is more than 50 percent wider or narrower than the average width of principal buildings along the block face and within 300 feet of the subject lot.

(L) NEIGHBORHOOD CONSERVATION DISTRICT (NC)

(1) Purpose and Intent

The purpose of the Neighborhood Conservation District (NC) is to preserve the character of neighborhoods and developments that were classified NC on April 18, 1988. This district is designed to prevent these neighborhoods and developments from becoming nonconforming under the terms of this Ordinance. This district is also intended to provide for minor in-filling of these existing neighborhoods consistent with the applicable zoning and approval at the time these were established. The regulations of this Ordinance permit future development consistent with existing character.

(2) Dimensional Standards

a) The lot area, lot width, and setbacks of lots within the NC District shall be governed as noted on the recorded final plat of subdivision.

b) In cases where such information was not incorporated in the instruments listed above, the Planning Director is authorized to establish minimum standards based upon the smallest lot area, width, or setbacks of all lots on the block face within the same platted subdivision.

c) Additional standards related to accessory uses are located in Section 11.04: Accessory Uses and Structures.

(M) NEIGHBORHOOD CONSERVATION MANUFACTURED HOUSING DISTRICT (NCMH)

(1) Purpose and Intent

The purpose of the Neighborhood Conservation Manufactured Housing District (NCMH) is to provide locations for manufactured housing including mobile homes and mobile home parks that are distinct from the other residential zoning districts so as to minimize land use conflicts.

(2) Dimensional Standards

a) The minimum lot area shall be one acre.

b) The lot width and setbacks of lots within the NCMH District shall be governed as noted on the recorded final plat of subdivision.

c) In cases where such information was not incorporated in the instruments listed above, the Planning Director is authorized to establish minimum standards based upon the smallest lot area, width, or setbacks of all lots on the block face within the same platted subdivision.

d) The standards of this Section apply to both residential and nonresidential uses.

e) Additional standards related to accessory uses are located in Section 11.04: Accessory Uses and Structures.

(N) 840 CENTER DISTRICT (840C)

(1) Purpose

The purpose of the 840 Center District (840C) is to provide locations for the development of a range of nonresidential and moderate density residential uses while discouraging speculative land development patterns. This district will initially be applied only at the State Route 840 interchange with U.S. Highway 31A/41A (at Triune). It is not anticipated that every SR-840 interchange will be suited to this zoning district, and such district will not be applied to other interchanges until completion of an individual special area plan.

(2) Dimensional Standards

a) Table 10.02-12 establishes the dimensional standards for the 840C District.

b) Additional standards related to accessory uses are located in Section 11.04: Accessory Uses and Structures.

TABLE 10.02-12: DIMENSIONAL STANDARDS FOR THE 840 CENTER DISTRICT			
DIMENSIONAL STANDARDS		RESIDENTIAL STRUCTURES	NONRESIDENTIAL STRUCTURES
Minimum Lot Area	Traditional Subdivisions	1 acre	1 acre
	Conservation Subdivisions	8,000 square feet [See Section 10.02:(N)(2)c).]	
Maximum Gross Residential Density	Traditional Subdivisions	1.0 unit per acre	Not Applicable
	Conservation Subdivisions	1.2 units per acre	
Minimum Lot Width	Traditional Subdivisions 1 acre to 2.99 acres	130 feet	100 feet
	Traditional Subdivisions 3 acres to to 4.99 acres	160 feet	
	Traditional Subdivisions 5 acres or Greater	200 feet	
	Conservation Subdivisions	60 feet	
Front Yard Setback	Traditional Subdivisions 1 acre to 4.99 acres	60 feet	60 feet
	Traditional Subdivisions 5 acres or Greater	100 feet	
	Conservation Subdivisions	25 feet	
Side Yard Setback	Traditional Subdivisions	20 feet	30 feet
	Conservation Subdivisions	5 feet	
Rear Yard Setback	Traditional Subdivisions	60 feet	60 feet
	Conservation Subdivisions	30 feet	
Maximum Height		3.0 stories	5.0 stories

c) Up to 15 percent of the total lots within a Conservation Subdivision may be reduced to a minimum of 6,000 square feet provided that lots with an area of less than 8,000 square feet shall be located internally within the development where they are surrounded by open space or lots of 8,000 square feet or larger.

(O) COLLEGE GROVE VILLAGE DISTRICT (CGV)

(1) Purpose and Intent

The purpose of the College Grove Village District (CVG) is to implement the vision and policies of the College Grove Village Special Area Plan, which strives to preserve, protect, and enhance the Village's unique, small town character. The development standards established for this District are intended to:

- Ensure new development is compatible with the scale and character of the Village and complements the Village's unique identity and sense of place;
- Encourage a continuation of the Village's traditional development pattern;
- Encourage and allow complementary land uses while discouraging those that are inconsistent with the character of the village; and
- Preserve and enhance open space and natural resources within the Village.

(2) Establishment of the College Grove Village District Subareas

The College Grove Village consists of two distinctly different areas from the standpoint of overall character and historic patterns of development. In recognition of these differences, and to help ensure that new development is compatible with its surroundings, this Section establishes two subareas: the Village Core Subarea and the General Village Subarea.

a) Village Core Subarea

For the purposes of this Ordinance, the Village Core Subarea is defined as that area generally bounded on the north by Bellenfant Road/Arno-College Grove Road, on the west by Depot Street, on the south by Harper Street, and on the east by the eastern edge of the properties fronting on Horton Highway from Harper Street to Bellenfant Road. See Figure 10.02-A below.

b) General Village Subarea

For the purposes of this Ordinance, the General Village Subarea is defined as that area located outside the Village Core Subarea, but within the boundary of the College Grove Village District.

c) Village Core Subarea Map

Figure 10.02-A illustrates the boundaries of the Village Core Subarea.

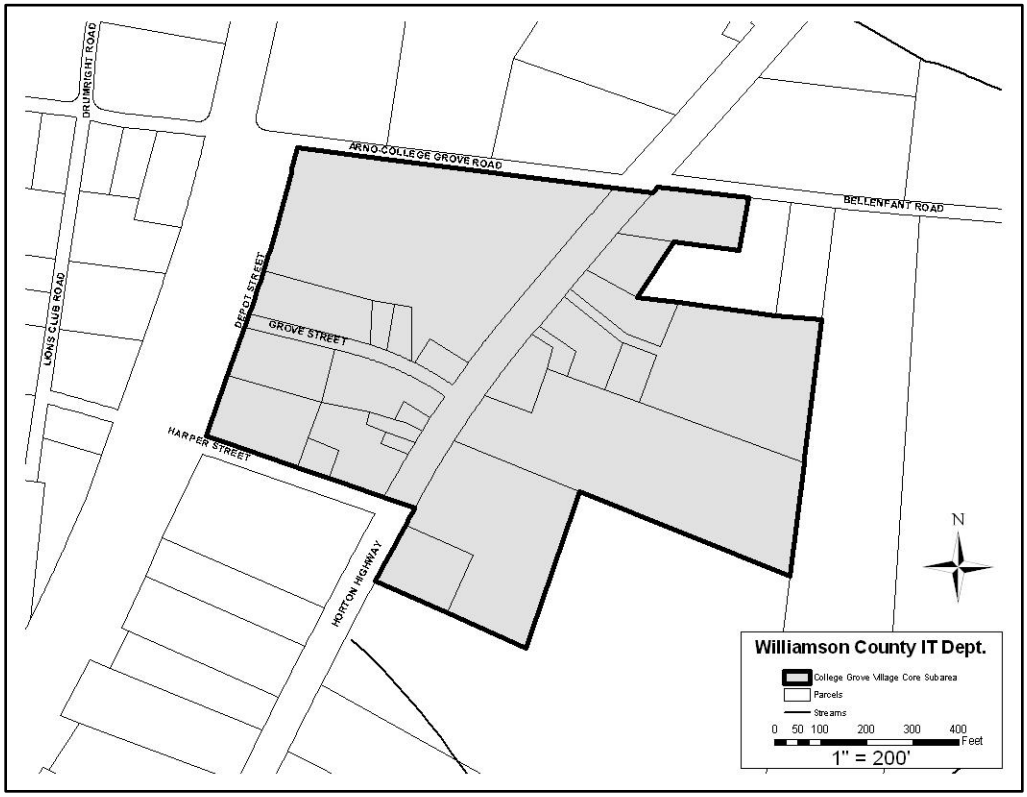

Figure 10.02-A: College Grove Village Core Subarea

(3) Village Core Subarea Standards

a) Dimensional Standards

i) Table 10.02-13 establishes the dimensional standards for the College Grove Village Core Subarea.

ii) Additional standards related to accessory uses are located in Section 11.04: Accessory Uses and Structures.

TABLE 10.02-13: DIMENSIONAL STANDARDS FOR THE COLLEGE GROVE VILLAGE CORE SUBAREA

DIMENSIONAL STANDARDS	RESIDENTIAL STRUCTURES	NONRESIDENTIAL STRUCTURES
MINIMUM LOT AREA	15,000 square feet	Not Applicable
MAXIMUM GROSS RESIDENTIAL DENSITY	3.0 units per acre	Not Applicable
MINIMUM LOT WIDTH	50 feet	No minimum
FRONT YARD SETBACK	20 feet	5 feet
	30 feet maximum	15 feet maximum[1]
SIDE YARD SETBACK	5 feet	0 feet
	20 feet on corner lot	10 feet on corner lot
REAR YARD SETBACK	30 feet	30 feet
MAXIMUM BUILDING SIZE	Not Applicable	10,000 square feet[1]
MAXIMUM HEIGHT	3.0 stories	3.0 stories

[1] The maximum Front Yard Setback and the maximum Building Size requirements do not apply to Religious Institutions or Educational Facilities

b) Contextual Design Standards

i) The minimum lot area, minimum lot width, front yard setback and side yard setback may be reduced if the average lot area, lot width, front yard setback and/or side yard setback along the same block face and within 100 feet of the subject lot are smaller than those required in Table 10.02 – 13: Dimensional Standards for the College Grove Village Core Subarea.

ii) The minimum lot area, minimum lot width, front yard setback and side yard setback shall not be reduced below the average of all lots on the same block face within 100 feet of the subject lot.

iii) No principal building shall be constructed which is more than 10 feet taller than the average height of principal buildings along the block face within 100 feet of the subject lot.

iv) No principal building shall be constructed where the front façade is more than 50 percent wider than the average width of principal buildings along the block face and within 100 feet of the subject lot.

v) Where the building façade is wider than 50 feet, the façade shall be broken up into increments not exceeding this width by varying setbacks, roof forms, materials, etc.

vi) New buildings shall be oriented towards the street rather than the parking area and shall provide at least one entrance on the street-facing façade.

vii) A sidewalk, with a minimum width of five feet, shall be provided between the building and the front property line.

c) Parking Standards

i) The number of parking spaces required as outlined in Section 17.06, may be reduced by up to 50 precent for uses within the Village Core Subarea.

ii) Off-street parking areas must be located to the side or rear of buildings and may be no closer to the street than the building's edge.

iii) On-street parking is permitted, subject to the following:

A. Such parking must be approved by the County Highway Department or the Tennessee Department of Transportation (TDOT), as applicable.

B. On-street parking spaces on Horton Highway must be arranged at a 90-degree angle to the street.

C. On-street parking spaces on other streets within the Village Core must be parallel to the street.

(4) General Village Subarea Standards

a) Dimensional Standards

i) Table 10.02-14 establishes the dimensional standards for the College Grove General Village Subarea.

ii) Additional standards related to accessory uses are located in Section 11.04: Accessory Uses and Structures.

TABLE 10.02-14: DIMENSIONAL STANDARDS FOR THE COLLEGE GROVE GENERAL VILLAGE SUBAREA

DIMENSIONAL STANDARDS	RESIDENTIAL STRUCTURES	NONRESIDENTIAL STRUCTURES
MINIMUM LOT AREA	½ acre	1 acre
MAXIMUM GROSS RESIDENTIAL DENSITY	2.0 units per acre	Not Applicable
MINIMUM LOT WIDTH	75 feet	100 feet
FRONT YARD SETBACK	50 feet	50 feet
SIDE YARD SETBACK	20 feet	25 feet
REAR YARD SETBACK	30 feet	30 feet
MAXIMUM BUILDING SIZE	Not Applicable	10,000 square feet[1]
MAXIMUM HEIGHT	3.0 stories	3.0 stories

[1] The Maximum Building Size requirement does not apply to Religious Institutions or Educational Facilities.

b) Contextual Design Standards

i) Lot Area

A. The minimum lot area may be reduced if the average lot area of all lots on the same block face within 300 feet of the subject lot is smaller than that required by Table 10.02 – 14: Dimensional Standards for the College Grove General Village Subarea.

B. The minimum lot area shall not be reduced below the average lot area of all lots on the same block face within 300 feet of the subject lot.

ii) Lot Width

A. The minimum lot width may be reduced if the average lot width of all lots on the same block face within 300 feet of the subject lot is smaller than that required by Table 10.02 – 14: Dimensional Standards for the College Grove General Village Subarea.

B. The minimum lot width shall not be reduced below the average lot width of all lots on the same block face within 300 feet of the subject lot.

iii) Front and Side Yard Setbacks

A. The minimum front and side yard setbacks may be reduced if the average front or side yard setbacks of buildings along the same block face within 300 feet of the subject lot is smaller than that required by Table 10.02 – 14: Dimensional Standards for the College Grove General Village Subarea.

B. The minimum front and side yard setbacks shall not be reduced below the average front or side yard setbacks of all lots on the same block face within 300 feet of the subject lot.

(P) LEIPER'S FORK VILLAGE DISTRICT (LFV)

(1) Purpose and Intent

The purpose of the Leiper's Fork Village District (LFV) is to implement the vision and policies of the Leiper's Fork Village Special Area Plan, which strives to preserve, protect, and enhance the village's unique, small town character. The development standards established for this District are intended to:

- Ensure new development is compatible with the scale and character of the Village and complements the Village's unique identity and sense of place;
- Encourage a continuation of the Village's traditional development pattern;
- Encourage and allow complementary land uses that promote a sustainable form of growth and bolster community activity while discouraging those that are inconsistent with the character of the Village; and
- Preserve and enhance open space and natural resources within the Village.

(2) Establishment of the Leiper's Fork Village District Subareas

Leiper's Fork Village consists of two distinctly different community areas in terms of overall character and historic patterns of development. In recognition of these differences, and to help ensure that new development is compatible with its surroundings, this section establishes two subareas; the Village Core Subarea and the General Village Subarea.

a) Village Core Subarea

For the purposes of this Ordinance, the Village Core Subarea is defined as that area generally bounded on the north by the northern boundary of the properties to the north of Sycamore Street, on the south by the southern boundary of the properties south of Old Hillsboro Road, on the west by the properties at the western terminus of Sycamore Street, and on the east by the intersection of Floyd Road with Old Hillsboro Road.

b) General Village Subarea

For the purposes of this Ordinance, the General Village Subarea is defined as that area located outside the Village Core Subarea, but within the boundary of the Leiper's Fork Village District.

c) Village Core Subarea Map

Figure 10.02-B: Leiper's Fork Village Core Subarea illustrates the boundaries of the Village Core Subarea.

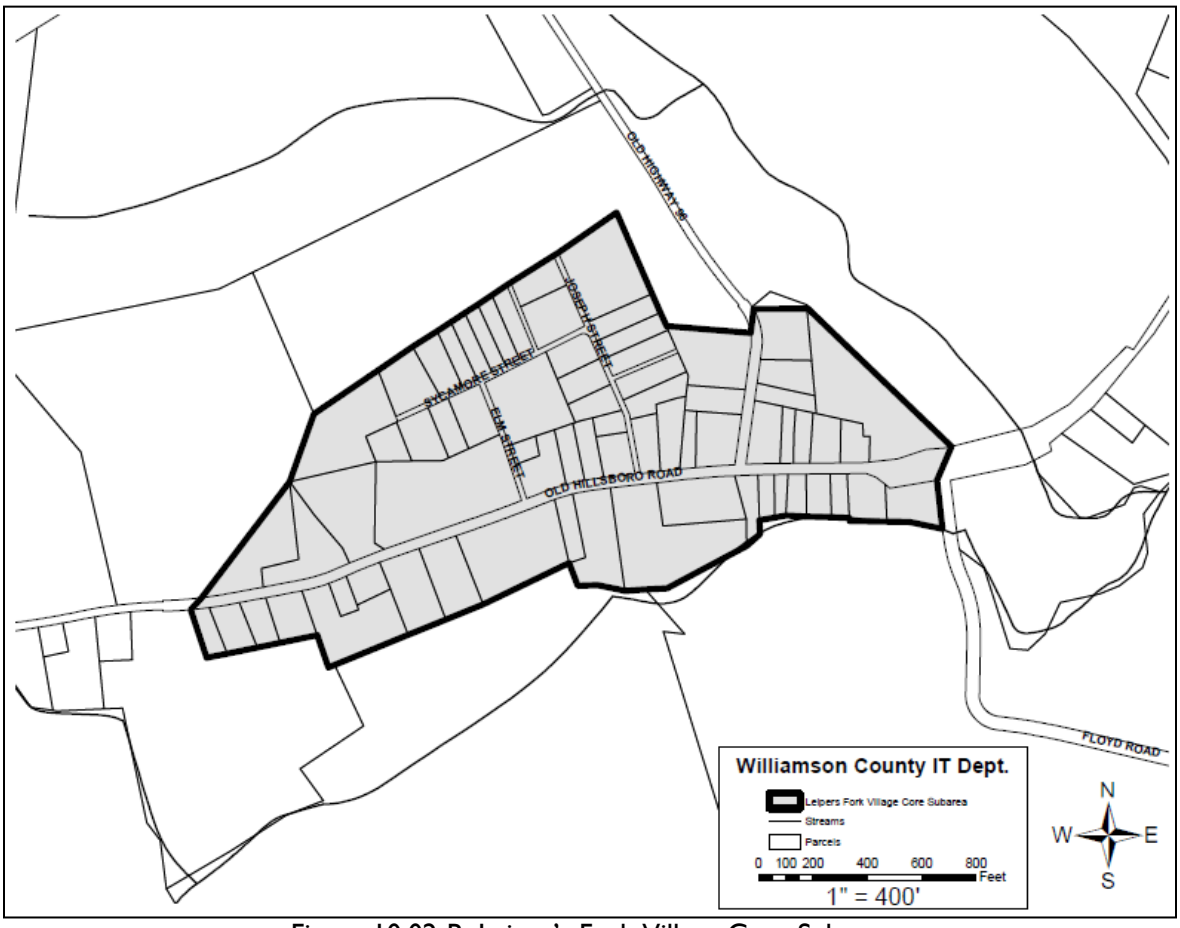

Figure 10.02-B: Leiper's Fork Village Core Subarea

(3) Village Core Subarea Standards

a) Dimensional Standards

i) Table 10.02-15 establishes the dimensional standards for the Village Core Subarea.

ii) Additional standards related to accessory uses are located in Section 11.04, Accessory Uses and Structures.

TABLE 10.02-15 : DIMENSIONAL STANDARDS FOR THE VILLAGE CORE SUBAREA			
Dimensional Standards	Residential Structures		Nonresidential Structures
Minimum Lot Area	10,000 square feet		N/A
Max. Gross Res. Density	4 units per acre		N/A
Minimum Lot Width	Traditional Subdivisions 1 acre to 2.99 acres	40 feet	40 feet
	Traditional Subdivisions 3 acres to 4.99 acres		
	Traditional Subdivisions 5 acres or Greater	150 feet	
Front Yard Setback	Traditional Subdivisions 1 acre to 4.99 acres	20 feet 40 feet maximum	5 feet 25 feet maximum[1]
	Traditional Subdivisions 5 acres or Greater		
Side Yard Setback	5 feet 20 feet on corner lot		0 feet 10 feet on corner lot
Rear Yard Setback	30 feet		30 feet
Maximum Building Size	N/A		7,500 square feet[1]
Maximum Height	2 stories		2 stories
[1] The maximum Front Yard Setback and the maximum Building Size requirements do not apply to Religious Institutions or Educational Facilities.			

b) Contextual Design Standards

i) The minimum lot area, minimum lot width, front yard setback and side yard setback may be reduced if the average lot area, lot width, front yard setback and/or side yard setback along the same block face and within 200 feet of the subject lot are smaller than those required in Table 10.02-15: Dimensional Standards for the Village Core Subarea.

ii) The minimum lot area, minimum lot width, front yard setback and side yard setback shall not be reduced below the average of all lots on the same block face within 200 feet of the subject lot.

iii) No principal building shall be constructed where the front façade is more than 50 percent wider than the average width of principal buildings along the block face and within 200 feet of the subject lot.

iv) Where the building façade is wider than 60 feet, the façade shall be broken up into increments not exceeding this width by varying setbacks, roof forms, materials, etc.

v) New buildings shall be oriented towards the street rather than the parking area and shall provide at least one entrance on the street-facing façade.

c) Parking Standards

i) The number of parking spaces required as outlined in Article 17.06, may be reduced by up to 50 percent for uses within the Village Core Subarea.

ii) New off-street parking areas must be located to the side or rear of buildings and may be no closer to the street than the building's edge.

iii) On-street parking is permitted, subject to approval by the County Highway Department or the Tennessee Department of Transportation (TDOT), as applicable.

(4) General Village Subarea Standards

a) Dimensional Standards

i) Table 10.02-16 establishes the dimensional standards for the General Village Subarea.

ii) Additional standards related to accessory uses are located in Section 11.04, Accessory Uses and Structures.

TABLE 10.02-16: DIMENSIONAL STANDARDS FOR THE GENERAL VILLAGE SUBAREA

Dimensional Standards	Residential Structures		Nonresidential Structures
Minimum Lot Area	1 Acre		1 Acre
Max. Gross Res. Density	2 units per acre		N/A
Minimum Lot Width	Traditional Subdivisions 1 acre to 2.99 acres	75 feet	100 feet
	Traditional Subdivisions 3 acres to 4.99 acres		
	Traditional Subdivisions 5 acres or Greater	150 feet	
Front Yard Setback	Traditional Subdivisions 1 acre to 4.99 acres	30 feet	50 feet
	Traditional Subdivisions 5 acres or Greater		
Side Yard Setback	20 feet		25 feet
Rear Yard Setback	30 feet		30 feet
Maximum Building Size	N/A		7,500 square feet[1]
Maximum Height	2 stories		2 stories

[1] The Maximum Building Size requirement does not apply to Religious Institutions or Educational Facilities.

b) Contextual Design Standards

i) Lot Area

A. The minimum lot area may be reduced if the average lot area of all lots on the same block face within 400 feet of the subject lot is smaller than that required by Table 10.02-16: Dimensional Standards for the General Village Subarea.

B. The minimum lot area shall not be reduced below the average lot area of all lots on the same block face within 400 feet of the subject lot.

ii) Lot Width

A. The minimum lot width may be reduced if the average lot width of all lots on the same block face within 400 feet of the subject lot is smaller than that required by Table 10.02-16: Dimensional Standards for the General Village Subarea.

B. The minimum lot width shall not be reduced below the average lot width of all lots on the same block face within 400 feet of the subject lot.

iii) Front and Side Yard Setbacks

A. The minimum front and side yard setbacks may be reduced if the average front or side yard setbacks of buildings along the same block face within 400 feet of the subject lot is smaller than that required by Table 10.02-16: Dimensional Standards for the General Village Subarea.

B. The minimum front and side yard setbacks shall not be reduced below the average front or side yard setbacks of all lots on the same block face within 400 feet of the subject lot.

iv) Open Space

There shall be a minimum of 25% open space required in all traditional subdivisions.

(Q) GRASSLAND VILLAGE DISTRICT (GV)

PLACEHOLDER

(R) TRIUNE VILLAGE DISTRICT (TV)

PLACEHOLDER

Section 10.03: Overlay District

(A) AIRPORT OVERLAY DISTRICT (AP)

(1) Purpose

The purpose of the Airport Overlay District (AP) is to provide locations where airports may be developed, and to ensure that surrounding land uses are compatible with airport operations.

(2) Dimensional Standards

Specifications of this district will be established in conjunction with its application to a specific land area.

(3) Development Standards

Specifications of this district will be established in conjunction with its application to a specific land area.

Section 10.04: Permitted Encroachments into Required Setbacks

(A) The following features may be located within required setbacks:

(1) Sidewalks and landscaping;

(2) Clotheslines and uncovered ramps for the handicapped provided they do not violate any other provision of this Ordinance;

(3) HVAC units; and

(4) Fences and walls, except retaining walls.

(B) The following appurtenances are permitted to encroach into required setbacks as provided:

(1) Awnings, canopies, marquees, bay windows, patios, porch stoops, steps, eaves, gutters, sills, belt courses, buttresses, cornices, ornamental features, chimneys, and other similar features as determined by the Planning Director, provided they do not encroach into the setback more than three feet;

(2) Driveways as provided in Section 17.02:(B): General Access Standards;

(3) Retaining walls; and;

(4) Accessory uses and structures as allowed in Section 11.04: Accessory Uses and Structures.

Section 10.05: Exempt Lots

The dimensional standards for exempt lots, as defined by Tennessee Code Annotated Section 13-3-401 as amended, shall be the same as those for Traditional Subdivisions located within the RP-5 district.

Section 10.06: Summary Table of Dimensional Standards

(A) SUMMARY TABLES OF DIMENSIONAL STANDARDS

Tables 10.06-1, 10.06-2, and 10.06-3, which begin on the next page, are summary tables of the dimensional standards established for all the zoning districts established in this Article. Where the standards in this table conflict with those set forth in this Ordinance, the most restrictive standards shall apply.

(B) Additional standards related to accessory uses are located in Section 11.04: Accessory Uses and Structures.

TABLE 10.06-1: SUMMARY TABLE OF DIMENSIONAL STANDARDS

DISTRICT	STRUCTURE TYPE	MINIMUM LOT AREA		MAXIMUM GROSS RESIDENTIAL DENSITY		MAXIMUM HEIGHT
		TRADITIONAL SUBDIVISIONS	CONSERVATION SUBDIVISIONS	TRADITIONAL SUBDIVISIONS	CONSERVATION SUBDIVISIONS	
A	Residential Structures	15 acres	Not Applicable	Not Applicable		Not Applicable
	Nonresidential Structures	15 acres	Not Applicable	Not Applicable		Not Applicable
RP-5	Residential Structures	5 acres	1 acre	1 unit per 5.0 acres		Not Applicable
	Nonresidential Structures	5 acres		Not Applicable		Not Applicable
RD-5	Residential Structures	5 acres	1 acre	1 unit per 5.0 acres		Not Applicable
	Nonresidential Structures	5 acres		Not Applicable		Not Applicable
RP-1	Residential Structures	1 acre	10,000 square feet	1unit per acre		3.0 stories
	Nonresidential Structures	1 acre		Not Applicable		3.0 stories
RD-1	Residential Structures	1 acre	10,000 square feet	1 unit per acre		3.0 stories
	Nonresidential Structures	1acre		Not Applicable		3.0 stories
SIC	Residential Structures	1 acre	8,000 square feet [1]	1.0 unit per acre	1.2 units per acre	3.0 stories
	Nonresidential Structures	1 acre		Not Applicable		3.0 stories
MGA-1	Residential Structures	1 acre	Not Applicable	Not Applicable		3.0 stories
	Nonresidential Structures	1 acre	Not Applicable	Not Applicable		3.0 stories
MGA-5	Residential Structures	5 acres	Not Applicable	Not Applicable		3.0 stories
MGA-5	Nonresidential Structures	5 acres	Not Applicable	Not Applicable		3.0 stories
MGA-H	Residential Structures	20,000 square feet	Not Applicable	2.0 units per acre		3.0 stories
	Nonresidential Structures	15,000 square feet	Not Applicable	Not Applicable		3.0 stories
H [2]	Residential Structures	20,000 square feet	Not Applicable	2.0 units per acre		3.0 stories
	Nonresidential Structures	15,000 square feet	Not Applicable	Not Applicable		3.0 stories

TABLE 10.06-1: SUMMARY TABLE OF DIMENSIONAL STANDARDS

DISTRICT	STRUCTURE TYPE	MINIMUM LOT AREA		MAXIMUM GROSS RESIDENTIAL DENSITY		MAXIMUM HEIGHT
		TRADITIONAL SUBDIVISIONS	CONSERVATION SUBDIVISIONS	TRADITIONAL SUBDIVISIONS	CONSERVATION SUBDIVISIONS	
V [3]	Residential Structures	15,000 square feet	Not Applicable	3.0 units per acre		3.5 stories
	Nonresidential Structures	10,000 square feet	Not Applicable	Not Applicable		3.5 stories
CGV-CORE SUBAREA	Residential Structures	15,000 square feet	Not Applicable	3.0 units per acre	Not Applicable	3.0 stories
	Nonresidential Structures	Not Applicable		Not Applicable	Not Applicable	3.0 stories
CGV-General Subarea	Residential Structures	½ acre	Not Applicable	2.0 units per acre	Not Applicable	3.0 stories
	Nonresidential Structures	1 acre		Not Applicable	Not Applicable	3.0 stories
LFV-Core Subarea	Residential Structures	10,000 square feet	Not Applicable	4.0 units per acre	Not Applicable	2.0 stories
	Nonresidential Structures	Not Applicable	Not Applicable	Not Applicable	Not Applicable	2.0 stories
LFV-General Subarea	Residential Structures	1 acre	Not Applicable	2.0 units per acre	Not Applicable	2.0 stories
	Nonresidential Structures	1 acre	Not Applicable	Not Applicable	Not Applicable	2.0 stories
NC	See Section 10.02:(L): Neighborhood Conservation District (NC).					
NCMH	See Section 10.02:(M): Neighborhood Conservation Manufactured Housing District (NCMH).					
840C	Residential Structures	1 acre	8,000 square feet [1]	1.0 unit per acre	1.2 units per acre	3.0 stories
	Nonresidential Structures	1 acre		Not Applicable		5.0 stories

NOTES:

[1] Up to 15 percent of the total lots may be reduced to 6,000 square feet in compliance with Section 10.02:(F)(2)c) or Section 10.02:(N)(2)c), as applicable.

[2] See also Section 10.02:(J)(3): Nonresidential Development Contextual Design Standards.

[3] See also Section 10.02:(K)(3): Nonresidential Development Contextual Design Standards.

TABLE 10.06-2: SUMMARY TABLE OF MINIMUM SETBACKS

DISTRICT	STRUCTURE TYPE	FRONT YARD SETBACK			SIDE YARD SETBACK		REAR YARD SETBACK	
		TRADITIONAL SUBDIVISIONS 1 ACRE TO 4.99 ACRES	TRADITIONAL SUBDIVISIONS 5 ACRES OR GREATER	CONSERVATION SUBDIVISIONS	TRADITIONAL SUBDIVISIONS	CONSERVATION SUBDIVISIONS	TRADITIONAL SUBDIVISIONS	CONSERVATION SUBDIVISIONS
A	Residential Structures	Not Applicable	100 feet	Not Applicable	100 feet	Not Applicable	50 feet	Not Applicable
	Nonresidential Structures	100 feet			50 feet	Not Applicable	50 feet	Not Applicable
RP-5	Residential Structures	Not Applicable	100 feet	50 feet	25 feet	20 feet	50 feet	30 feet
	Nonresidential Structures	100 feet			50 feet		50 feet	
RD-5	Residential Structures	Not Applicable	100 feet	50 feet	25 feet	20 feet	50 feet	30 feet
	Nonresidential Structures	100 feet			50 feet		50 feet	
RP-1	Residential Structures	60 feet	100 feet	35 feet	20 feet	5 feet	60 feet	30 feet
	Nonresidential Structures	60 feet			35 feet		60 feet	
RD-1	Residential Structures	60 feet	100 feet	35 feet	20 feet	5 feet	60 feet	30 feet
	Nonresidential Structures	60 feet			35 feet		60 feet	
SIC	Residential Structures	60 feet	100 feet	25 feet	20 feet	5 feet	60 feet	30 feet
	Nonresidential Structures	60 feet			35 feet		60 feet	
MGA-1	Residential Structures	60 feet	100 feet	Not Applicable	20 feet	Not Applicable	60 feet	Not Applicable
	Nonresidential Structures	60 feet			35 feet	Not Applicable	60 feet	Not Applicable
MGA-5	Residential Structures	Not Applicable	100 feet	Not Applicable	20 feet	Not Applicable	60 feet	Not Applicable
	Nonresidential Structures	60 feet			35 feet	Not Applicable	60 feet	Not Applicable
MGA-H	Residential Structures	35 feet	100 feet	Not Applicable	15 feet	Not Applicable	25 feet	Not Applicable
	Nonresidential Structures	35 feet			15 feet	Not Applicable	25 feet	Not Applicable
H[1]	Residential Structures	35 feet	100 feet	Not Applicable	15 feet	Not Applicable	25 feet	Not Applicable
	Nonresidential Structures	35 feet			15 feet	Not Applicable	25 feet	Not Applicable
V [2]	Residential Structures	50 feet	100 feet	Not Applicable	15 feet	Not Applicable	30 feet	Not Applicable
	Nonresidential Structures	50 feet			15 feet	Not Applicable	30 feet	Not Applicable

TABLE 10.06-2: SUMMARY TABLE OF MINIMUM SETBACKS

DISTRICT	STRUCTURE TYPE	FRONT YARD SETBACK			SIDE YARD SETBACK		REAR YARD SETBACK	
		TRADITIONAL SUBDIVISIONS 1 ACRE TO 4.99 ACRES	TRADITIONAL SUBDIVISIONS 5 ACRES OR GREATER	CONSERVATION SUBDIVISIONS	TRADITIONAL SUBDIVISIONS	CONSERVATION SUBDIVISIONS	TRADITIONAL SUBDIVISIONS	CONSERVATION SUBDIVISIONS
CGV-CORE SUBAREA	Residential Structures	20 feet		Not Applicable	5 feet	Not Applicable	30 feet	Not Applicable
		30 feet maximum			20 feet on corner lot			
	Nonresidential Structures	5 feet		Not Applicable	0 feet	Not Applicable	30 feet	Not Applicable
		15 feet maximum [3]			10 feet on corner lot			
CGV-General Subarea	Residential Structures	50 feet		Not Applicable	20 feet	Not Applicable	30 feet	Not Applicable
	Nonresidential Structures	50 feet		Not Applicable	25 feet	Not Applicable	30 feet	Not Applicable
LFV-Core Subarea	Residential Structures	20 feet		Not Applicable	5 feet	Not Applicable	30 feet	Not Applicable
		40 feet maximum			20 feet on corner lot			
	Nonresidential Structures	5 feet		Not Applicable	0 feet	Not Applicable	30 feet	Not Applicable
		25 feet maximum [3]			10 feet on corner lot			
LFV-General Subarea	Residential Structures	30 feet		Not Applicable	20 feet	Not Applicable	30 feet	Not Applicable
	Nonresidential Structures	30 feet		Not Applicable	25 feet	Not Applicable	30 feet	Not Applicable
NC	See Section 10.02:(L): Neighborhood Conservation District (NC).							
NCMH	See Section 10.02:(M): Neighborhood Conservation Manufactured Housing District (NCMH).							
840C	Residential Structures	20 feet	100 feet	60 feet	30 feet		3.0 stories	
	Nonresidential Structures	30 feet			60 feet		5.0 stories	

NOTES:
[1] See also Section 10.02:(J)(3): Nonresidential Development Contextual Design Standards.
[2] See also Section 10.02:(K)(3): Nonresidential Development Contextual Design Standards.
[3] The maximum front yard setback does not apply to Religious Institutions or Educational Facilities.

TABLE 10.06-3: SUMMARY TABLE OF MINIMUM LOT WIDTHS

DISTRICT	STRUCTURE TYPE	MINIMUM LOT WIDTH			
		TRADITIONAL SUBDIVISIONS 1 ACRE TO 2.99 ACRES	TRADITIONAL SUBDIVISIONS 3 ACRES TO 4.99 ACRES	TRADITIONAL SUBDIVISIONS 5 ACRES OR GREATER	CONSERVATION SUBDIVISIONS
A	Residential Structures	Not Applicable		200 feet	Not Applicable
	Nonresidential Structures	Not Applicable		200 feet	Not Applicable
RP-5	Residential Structures	Not Applicable		200 feet	100 feet
	Nonresidential Structures	Not Applicable		200 feet	
RD-5	Residential Structures	Not Applicable		200 feet	100 feet
	Nonresidential Structures	Not Applicable		200 feet	
RP-1	Residential Structures	130 feet	160 feet	200 feet	60 feet
	Nonresidential Structures	130 feet			
RD-1	Residential Structures	130 feet	160 feet	200 feet	60 feet
	Nonresidential Structures	130 feet			
SIC	Residential Structures	130 feet	160 feet	200 feet	60 feet
	Nonresidential Structures	130 feet			
MGA-1	Residential Structures	130 feet	160 feet	200 feet	Not Applicable
	Nonresidential Structures	130 feet			Not Applicable
MGA-5	Residential Structures	Not Applicable		200 feet	Not Applicable
	Nonresidential Structures	130 feet			Not Applicable
MGA-H	Residential Structures	80 feet		150 feet	Not Applicable
	Nonresidential Structures	80 feet			Not Applicable
H [1]	Residential Structures	80 feet		150 feet	Not Applicable
	Nonresidential Structures	80 feet			Not Applicable
V [2]	Residential Structures	50 feet		150 feet	Not Applicable
	Nonresidential Structures	50 feet			Not Applicable

TABLE 10.06-3: SUMMARY TABLE OF MINIMUM LOT WIDTHS

DISTRICT	STRUCTURE TYPE	MINIMUM LOT WIDTH					
		TRADITIONAL SUBDIVISIONS 1 ACRE TO 2.99 ACRES		TRADITIONAL SUBDIVISIONS 3 ACRES TO 4.99 ACRES		TRADITIONAL SUBDIVISIONS 5 ACRES OR GREATER	CONSERVATION SUBDIVISIONS
CGV-CORE SUBAREA	Residential Structures	50 feet				150 feet	Not Applicable
	Nonresidential Structures	Not Applicable					Not Applicable
CGV-GENERAL SUBAREA	Residential Structures	75 feet				150 feet	Not Applicable
	Nonresidential Structures	Not Applicable					Not Applicable
LFV- Core Subarea	Residential Structures	40 feet				150 feet	Not Applicable
	Nonresidential Structures	40 feet					Not Applicable
LFV-General Subarea	Residential Structures	75 feet				150 feet	Not Applicable
	Nonresidential Structures	100 feet					Not Applicable
NC	See Section 10.02:(L): Neighborhood Conservation District (NC).						
NCMH	See Section 10.02:(M): Neighborhood Conservation Manufactured Housing District (NCMH).						
840C	Residential Structures	130 feet	160 feet	200 feet	250 feet	200 feet	60 feet
	Nonresidential Structures	100 feet					

NOTES:
[1] See also Section 10.02:(J)(3): Nonresidential Development Contextual Design Standards.
[2] See also Section 10.02:(K)(3): Nonresidential Development Contextual Design Standards.

Article 11: Use Regulations

Section 11.01: Use Table

(A) EXPLANATION OF USE TABLE STRUCTURE

(1) General

Table 11.01-1: Table of Allowed Uses lists the principal uses allowed within each of the zoning districts.

(2) Organization of Uses

The use table organizes allowable uses by use classifications, use categories, and use types. The use table and Section 11.02: Use Classifications and Use Categories together provide a systematic basis for identifying and consolidating or distinguishing unidentified land uses to determine whether a particular land use is allowable in a particular zoning district and in addressing future land uses.

a) Use Classifications

The use classifications identify broad general classifications of land uses and include agricultural uses, residential uses, institutional uses, commercial uses, and industrial uses. Use classifications are further broken down into a series of general "use categories" and specific "use types."

b) Use Categories

The use categories describe the major sub-groups of the respective use classifications, and are based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions. For example, the Residential Use Classification is divided into the Household Living and Group Living use categories. Use categories are further broken down into a series of individual use types.

c) Use Types

The specific use types are included in the respective use category. They identify the specific principal uses that are considered to fall within characteristics identified in the use category. For example, single-family dwellings, multi-family dwellings, conservation subdivisions, traditional subdivisions, retirement communities, and mobile homes are use types in the Household Living Use Category.

d) Use Categories and Use Types Defined

All the Use Categories and Use Types listed in Table 11.01-1: Table of Allowed Uses are defined in Article 23: Definitions.

(B) SYMBOLS IN TABLE

The symbols used in the use table are defined as follows:

(1) Permitted Uses (P)

A "P" indicates that a use type is allowed by-right in the respective zoning district subject to compliance with any use-specific standards set forth in the final "additional requirements" column of Table 11.01-1: Table of Allowed Uses. Permitted uses are subject to all other applicable standards of this Ordinance, including but not limited to those set forth in Article 10: Zoning Districts and Article 12: Conservation Subdivision Standards through Article 20: Nontraditional Wastewater Treatment and Disposal Systems.

(2) Special Uses (S)

A "S" indicates that a use type is allowed as a Special Use in the respective zoning district subject to compliance with the use-specific standards set forth in the final "additional requirements" column of Table 11.01-1: Table of Allowed Uses, approval as a Special Use in accordance with Section 5.01: Special Use, and compliance with all other applicable standards of this Ordinance, including but not limited to those set forth in Article 10: Zoning Districts and Article 12: Conservation Subdivision Standards through Article 20: Nontraditional Wastewater Treatment and Disposal Systems.

(3) Use Restricted or Prohibited by Overlay Zoning District

Regardless of whether the use table identifies a particular use type as a permitted use or Special Use in a zoning district, or references additional requirements for the use type, the use type may be restricted or prohibited, or subject to more restrictive additional requirements, in accordance with applicable overlay district provisions in Section 10.03: Overlay District.

(4) Prohibited Uses (Blank Cells)

A blank cell in the table indicates that the listed use type is prohibited in the respective zoning district.

(5) Use-Specific Standards

When a particular use category or use type is permitted in a zoning district, there may be additional regulations that are applicable to a specific use. The existence of these use-specific standards is noted through a section reference in the last column of the use table titled "Additional Requirements." References refer to Section 11.03: Use-Specific Standards. These standards shall apply to a particular use regardless of the zoning district where it is proposed unless otherwise specified.

(6) Unlisted Uses

If an application is submitted for a use that is not listed in Table 11.01-1: Table of Allowed Uses, the Planning Director is authorized to classify the new or unlisted use into an existing use type that most closely fits the new or unlisted use. The Planning Director may prepare an application for an amendment to the text of this Ordinance to clarify where and how the use should be permitted.

(C) USE TABLE

TABLE 11.01-1: TABLE OF ALLOWED USES
P = PERMITTED S = SPECIAL USE BLANK CELL = PROHIBITED

USE CATEGORY	USE TYPE	A	RP-5	RD-5	V	H	CGV	GV	LFV	TV	RP-I	RD-I	SIC	MGA-I	MGA-5	MGA-H	NC	NCMH	AP	840C	ADDITIONAL REQUIREMENTS
AGRICULTURAL USE CLASSIFICATION																					
Agriculture	Agricultural	P	P	P	P	P	P		P		P	P	P	P	P	P	P	P	P	P	
	Nurseries	P	P	P	P	P	P		P		P	P	P	P	P	P			P	P	Section 11.03:(A)(1)
Agricultural Support and Services	Agri-Tourism and Education	P	P	P	S	S	S		S		P	P				S			P		Section 11.03:(A)(2)
	Equestrian Facilities	P	P	P	S	S	S		P		S	S	S	S	S	S			P		Section 11.03:(A)(3)
	Farm Wineries	P	P	P	P	P	P		S		P	P	P	P	P	P			P	P	Section 11.03:(A)(4)
RESIDENTIAL USE CLASSIFICATION																					
Household Living	Congregate Independent Living Centers																			S	Section 11.03:(B)(1)
	Conservation Subdivisions		P	P							P	P	P			P				P	Section 11.03:(B)(2)
	Mobile Homes	P	P	P														P			Section 11.03:(B)(3)
	Mobile Home Parks																	P			Section 11.03:(B)(4)
	Multi-Family Dwellings				S	S							S							S	Section 11.03:(B)(5)
	Retirement Communities				S															S	Section 11.03:(B)(6)
	Single-Family Dwellings on Parcels of Record	P	P	P	P	P	P		P		P	P	P	P	P	P	P	P		P	
	Traditional Subdivisions - Major	P	P	P	P	P	P		P		P	P	P	P	P	P	P	P		P	
	Traditional Subdivisions - Minor	P	P	P	P	P	P		P		P	P	P	P	P	P	P	P		P	
Group Living	Congregate Assisted Living Centers																			S	Section 11.03:(B)(7)

TABLE 11.01-1: TABLE OF ALLOWED USES
P = PERMITTED S = SPECIAL USE BLANK CELL = PROHIBITED

USE CATEGORY	USE TYPE	A	RP-5	RD-5	V	H	CGV	GV	LFV	TV	RP-I	RD-I	SIC	MGA-I	MGA-5	MGA-H	NC	NCMH	AP	840C	ADDITIONAL REQUIREMENTS
	Institutional Single-Family Homes (1-8 Residents)	P	P	P	P	P	P		P		P	P	P	P	P	P	P	P		P	
	Residential Institutional				S															S	Section 11.03:(B)(8)
	Skilled Nursing Facilities																			S	Section 11.03:(B)(9)
PUBLIC AND INSTITUTIONAL USE CLASSIFICATION																					
Day Care	Day Care Centers				P	P	P		P							P				P	Section 11.03:(C)(1)
Educational Facilities	Educational Facilities		P	P	P	P	P		P		P	P	P	P	P	P	P			P	Section 11.03:(C)(2)
	Educational Facilities, Higher		P	P			S		S											P	Section 11.03:(C)(3)
Government Facilities	Government Maintenance, Storage, or Distributional Facilities	P	P	P	P	P	P		P		P	P	P	P	P	P	P	P	P	P	Section 11.03:(C)(4)
	Government Offices				P	P	P		P		P	P	P	P	P	P	P	P	P	P	
	Public Safety Services	P	P	P	P	P	P		P		P	P	P	P	P	P	P	P	P	P	
Health Care Facilities	Hospitals																			S	Section 11.03:(C)(5)
	Medical or Dental Clinics				P	P	P		P							P				P	
	Outpatient Facilities				P	P	P		P							P				P	
	Rehabilitation Center																			S	Section 11.03:(C)(6)
Institutions	Clubs or Lodges				P	P	P		P							P			P	P	
	Cultural Institutions				P	P	P		P							P			P	P	Section 11.03:(C)(6)
	Religious Institutions		P	P	P	P	P		P		P	P	P	P	P	P	P	P	P	P	Section 11.03:(C)(8)
Parks and Open Areas	Commercial Cemeteries										S	S	S	S	S				S	S	Section 11.03:(C)(9)

TABLE 11.01-1: TABLE OF ALLOWED USES
P = PERMITTED S = SPECIAL USE BLANK CELL = PROHIBITED

USE CATEGORY	USE TYPE	A	RP-5	RD-5	V	H	CGV	GV	LFV	TV	RP-I	RD-I	SIC	MGA-I	MGA-5	MGA-H	NC	NCMH	AP	840C	ADDITIONAL REQUIREMENTS
	Park or General Open Space	P	P	P	P	P	P		P		P	P	P	P	P	P	P	P	P	P	
Transportation and Utilities	Airports, Landing Strips, and Heliports, Private	S	S	S																	Section 11.03:(C)(10)
	Airports, Landing Strips, and Heliports, Public																		S		Section 11.03:(C)(11)
	Utilities	P	P	P	P	P	P		P		P	P	P	P	P	P	P	P	P	P	Section 11.03:(C)(12)
	Wireless Telecommunication Facilities	Permitted or Special Use as Established in Section 11.03:(C)(13).																			Section 11.03:(C)(13)
COMMERCIAL USE CLASSIFICATION																					
Adult Entertainment	Adult-Oriented Establishments																			S	Section 11.03:(D)(1)
Animal Care	Animal Boarding Facilities	P	S	S															P	S	Section 11.03:(D)(1)a)
	Animal Hospitals or Veterinarian Clinics or Animal Grooming	P	P	P	P	P	P		P							P				P	
	Animal Hospitals or Veterinarian Clinics with Animal Boarding	P	S	S					S										P	S	Section 11.03:(D)(3)
Conference or Training Center	Conference Centers				S				S											S	Section 11.03:(D)(4)
	Rural Retreats – Extensive	P	P	P			S		S		P	P		P	P						Section 11.03:(D)(5)
	Rural Retreats – Limited	P	P	P	P	P	P		P		P	P		P	P	P					Section 11.03:(D)(6)
Eating and Drinking Establishments	Bars or Taverns				P	P	P		P							P			P	P	
	Drive-In Restaurants																			P	
	Restaurants				P	P	P		P							P			P	P	

TABLE 11.01-1: TABLE OF ALLOWED USES
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USE CATEGORY	USE TYPE	A	RP-5	RD-5	V	H	CGV	GV	LFV	TV	RP-I	RD-I	SIC	MGA-I	MGA-5	MGA-H	NC	NCMH	AP	840C	ADDITIONAL REQUIREMENTS
	Specialty Eating or Drinking Establishment				P	P	P		P							P			P	P	
Offices	Offices				P	P	P		P							P			P	P	
Parking, Commercial	Parking Lot, Stand-Alone								P												Section 11.03:(D)(7)
Recreation/ Entertainment Facilities	Golf Courses	P	P	P	P	P	P		P		P	P	P	P	P	P	P		P	P	
	Golf Driving Ranges	P	P	P	P	P	P		P		P	P	P	P	P	P	P		P	P	
	Private Recreational Centers		P	P	P	P	P		P		P	P	P	P	P	P	P	P		P	Section 11.03:(D)(7)
	Recreational and Athletic Facilities, Indoor				P		S		S											P	Section 11.03:(D)(9)
	Recreational and Athletic Facilities, Outdoor		S	S	S	S	S		S		S	S				S		P	P	S	Section 11.03:(D)(10)
	Stadiums and Arenas																			S	Section 11.03:(D)(11)
Retail Sales and Services	Bank or Financial Institutions				P	P	P		P							P				P	
	Funeral Homes				S		S		S											S	
	Convenience Stores without Gasoline Sales				P	P	P		P							P				P	
	Convenience Stores with Gasoline Sales				P	P	S		S							P				P	Section 11.03:(D)(12)
	Entertainment Establishments				S	S	S		S							S				S	
	Mixed Use/Multi-Tenant Developments				S	S	S		S							S				S	Section 11.03:(D)(13)
	Liquor Store				S	S	S		S							S				S	
	Grocery Store				P	P	P		P							P				P	
	Personal Service Establishments				P	P	P		P							P				P	

TABLE 11.01-1: TABLE OF ALLOWED USES
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USE CATEGORY	USE TYPE	A	RP-5	RD-5	V	H	CGV	GV	LFV	TV	RP-I	RD-I	SIC	MGA-I	MGA-5	MGA-H	NC	NCMH	AP	840C	ADDITIONAL REQUIREMENTS
	Retail Sales and Service, Extensive				S	S										S			P	S	Section 11.03:(D)(14)
	Retail Sales and Service, General				P	P	P		P							P			P	P	
Self-Service Storage	Self-Service Storage				S	S										S			P	S	Section 11.03:(D)(15)
Vehicle/ Machinery Sales and Service	Automotive and Machinery Repair				S	S	S		S							S				P	Section 11.03:(D)(16)
	Automotive and Machinery Rental or Sales																		P	P	
	Vehicle Washing Establishment				P		S													P	
	Truck Stops																			S	Section 11.03:(D)(17)
Visitor Accommodations	Bed and Breakfast Establishments	P	P	P	P	P	P		P		S	S	S			P				S	Section 11.03:(D)(18)
	Hotels				S		S		S											S	
	Vacation Rental Homes								S												Section 11.03:(D)(19)
INDUSTRIAL USE CLASSIFICATION																					
Extractive Industry	Rock Quarries		S	S																S	Section 11.03:(E)(1)
	Mining Operations		S	S																S	Section 11.03:(E)(1)
Industrial Uses	General Industrial Services				S	S										S			P	P	
	Light Industrial Uses				S	S	S		S							S			P	P	Section 11.03:(E)(2)
	Heavy Industrial Uses																		S	S	Section 11.03:(E)(3)
	Research and Development Facilities																		P	P	
	Warehouses					S										S			P	P	

TABLE 11.01-1: TABLE OF ALLOWED USES
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USE CATEGORY	USE TYPE	A	RP-5	RD-5	V	H	CGV	GV	LFV	TV	RP-I	RD-I	SIC	MGA-I	MGA-5	MGA-H	NC	NCMH	AP	840C	ADDITIONAL REQUIREMENTS
Waste Related Services	Landfills, Private		S	S															S		Section 11.03:(E)(4)
	Nontraditional Wastewater Treatment and Disposal Systems	P	P	P	P	P	P		P		P	P	P	P	P		P	P	P	P	Section 11.03:(E)(5)
	Recycling Drop-Off and Other Drop-Off Centers		P	P	P	P	P		P		P	P	P	P	P	P			P	P	Section 11.03:(E)(6)
	Recycling Centers					S										S			S	S	Section 11.03:(E)(7)
	Salvage Centers					S										S			S	S	Section 11.03:(E)(8)
	Trash Compaction and Transfer Stations																		S	S	Section 11.03:(E)(9)

Section 11.02: Use Classifications and Use Categories

(A) GENERAL

(1) Purpose

This Section is intended to provide a systematic framework for identifying, describing, categorizing, and consolidating or distinguishing land uses in a way that makes it easier to determine how a particular land use activity, or combination of activities, is to be considered in applying the use table and other provisions of this Ordinance. This Section is also intended to provide support in addressing unlisted uses pursuant to Section 11.01:(B)(6): Unlisted Uses.

(2) Structure of this Section

a) General

This Section identifies each of the five use classifications in Table 11.01-1: Table of Allowed Uses, and includes a section under each use classification identifying each use category. There are "characteristics" and "examples" subsections under each use category (individual use types are defined in Article 23: Definitions.).

b) Principal Use Characteristics and Accessory Uses

The "characteristics" subsection describes common characteristics of each use category. Principal uses are assigned to the use category that most closely describes the nature of the principal use. Also listed are examples of common accessory uses that, unless otherwise stated in this Ordinance, are allowed in conjunction with a principal use.

c) Examples

The "examples" subsection lists common examples of use types included in the respective use category. The names of these sample uses are generic. They are based on common meanings and not on what a specific use may call itself. For example, a use that calls itself "wholesale sales," but sells mostly to consumers, is included in the Retail Sales and Service Use Category rather than the Wholesale Sales Use Category. This is because the activity on the site matches the characteristics of the Retail Sales and Service Use Category.

(3) Developments with Multiple Principal Uses

When all principal uses of a development fall within one use category, the entire development is assigned to that use category. A development that contains a coffee shop, bookstore, and bakery, for example, would be classified in the Retail Sales and Service Use Category because all of the development's principal uses are in that use category. When the principal uses of a development fall within different use categories, each principal use is classified in the applicable use category and each use is subject to applicable regulations for that use category. Developments with multiple principal uses, such as shopping centers, shall incorporate only those use types allowed in the applicable zoning district.

(4) Interpretation of Unlisted Uses

The procedure and standards for interpreting a use not listed in Table 11.01-1: Table of Allowed Uses shall be as established in Section 9.05:(B): Interpretations Related to Use.

(B) AGRICULTURAL USE CLASSIFICATION

(1) Agriculture Use Category

a) Characteristics

The Agriculture Use Category is characterized by activities related to the production of field crops, fruits, vegetables, ornamental and flowering plants, and the breeding, raising, or keeping of livestock, poultry, swine, and other animals for food or other marketable products. The Agriculture Use Category also includes silvicultural activities related to the planting, management, protection, and harvesting of trees for timber or other forest products, as well as the breeding, raising, and keeping of equine. Accessory uses may include offices, storage areas, barns, stables, irrigation systems, agricultural processing for on-site uses, and repair facilities related to the applicable agricultural and silvicultural activities.

b) Examples

Example use types include farms (arable, dairy, cattle, hog, poultry, sheep), fish farms, fish hatchery operations, orchards, vineyards, plant nurseries, timber forests, and horse farms.

(2) Agricultural Support and Services Use Category

a) Characteristics

The Agricultural Support and Services Use Category is characterized by use types that provide support and services to agricultural activities, whether located on- or off-site where the agricultural activities take place.

b) Examples

Example use types include agricultural processing for on-site uses, agri-education, agri-entertainment, farm wineries, feedlots, agricultural research facilities, and equestrian facilities.

(C) RESIDENTIAL USE CLASSIFICATION

(1) Household Living Use Category

a) Characteristics

i) The Household Living Use Category is characterized by use types that provide for the residential occupancy of a dwelling unit by a household. Accessory uses commonly associated with household living are recreational activities, raising of pets, hobbies, and parking of the occupants' vehicles. Home occupations and residential businesses are accessory uses that are subject to additional regulations (See Section 11.04: Accessory Uses and Structures.).

ii) For the purposes of this Ordinance, single-family dwellings may be located on existing parcels of record or in either a conservation or traditional subdivision.

b) Examples

Example use types include detached residential dwellings (e.g., single-family dwellings, manufactured homes, and other structures with self-contained dwelling units), attached residential dwellings (e.g., multi-family dwellings and congregate independent living centers), and retirement communities.

(2) Group Living Use Category

a) Characteristics

The Group Living Use Category is characterized by use types that provide for the residential occupancy of a structure by a group of people who are not part of an individual housekeeping unit and where the particular use type does not meet the definition of any use type categorized under the Household Living Use Category. The size of the group may be larger than the average size of a household. Generally, group living structures have a common eating area for residents. The residents may receive care, training, or treatment. Common accessory uses include recreational facilities, dining facilities, and parking of vehicles for occupants and staff.

b) Examples

Example use types include group homes, nursing homes, assisted living, halfway houses, and dormitories.

(D) PUBLIC AND INSTITUTIONAL USE CLASSIFICATION

(1) Day Care Use Category

a) Characteristics

The Day Care Use Category is characterized by use types that provide care, protection, and supervision for children or adults on a regular basis away from their primary residence, and typically for less than 24 hours per day. Care can be provided during daytime or nighttime hours. Accessory uses include offices, food preparation, recreation areas, and parking. This use includes both stand-alone facilities and those that meet the description but are housed within a religious institution or educational facility.

b) Examples

Example use types include adult day care centers and child day care centers.

c) Exceptions

The Day Care Use Category does not include temporary day care provided in connection with employment or commercial uses, recreational facilities, religious institutions, hotels, or other principal uses, where children are temporarily cared for while parents or guardians are employed part-time or temporarily occupied on the premises or in the immediate vicinity.

(2) Educational Facilities Use Category

a) Characteristics

The Educational Facilities Use Category is characterized by use types such as public and private schools at the elementary, middle, or high school level that provide state-mandated basic education or a comparable equivalent. This use category also includes colleges, universities, and other institutions of higher learning such as vocational or trade schools that offer courses of general or specialized study leading to a degree or certification. Accessory uses at schools include offices, play areas, cafeterias, recreational and sport facilities, auditoriums, and before- or after-school day care. Accessory uses at colleges or universities include offices, dormitories, food service, laboratories, health and sports facilities, theaters, meeting areas, athletic fields, parking, maintenance facilities, and on-campus supporting commercial.

b) Examples

Example use types include public and private kindergarten schools, elementary schools, middle or junior high schools, and senior high schools that provide state-mandated basic education, as well as colleges or universities, and vocational or trade schools.

(3) Government Facilities Use Category

a) Characteristics

The Government Facilities Use Category is characterized by use types that provide for the general operations and functions of Local, State, or Federal governments. Accessory uses include maintenance, storage (indoor and outdoor), fueling facilities, satellite offices, and parking areas.

b) Examples

Example use types include post offices, government offices, police stations, fire stations, and government maintenance, storage, and distribution facilities.

c) Exceptions

i) Airports, utilities, and surface transportation are classified under the Transportation and Utilities Use Category.

ii) Municipal, County, and State parks are classified under the Parks and Open Areas Use Category.

iii) Water, wastewater, gas, cable, telephone, electric, and other infrastructure services, whether public or private, are classified under the Utilities Use Category.

(4) Health Care Facilities Use Category

a) Characteristics

The Health Care Facilities Use Category is characterized by use types that provide medical or surgical care and treatment to patients as well as laboratory services. Hospitals and medical treatment facilities offer overnight care, as well as outpatient care. Accessory uses include offices, laboratories, teaching facilities, meeting areas, cafeterias, parking, maintenance facilities, housing for staff or trainees, and limited accommodations for family members.

b) Examples

Example use types include hospitals, medical and dental clinics, outpatient facilities, medical and dental labs, medical treatment facilities, drug and alcohol treatment facilities, and blood/tissue collection facilities.

c) Exceptions

i) Uses that involve the provision of residential care for the elderly or disabled are classified under the Group Living Use Category.

ii) Uses related to the care of animals are classified under the Animal Care Use Category.

(5) Institutions Use Category

a) Characteristics

The Institutions Use Category is characterized by use types that provide a variety of facilities, including buildings that provide meeting areas for religious activities, civic or fraternal club activities, convention centers or auditoriums, or institutions for preserving a community's culture and heritage. Accessory uses include kitchens/cafeterias, recreation areas, offices, meeting rooms, parking, and staff residences.

b) Examples

Example use types include cultural facilities, libraries, museums, religious institutions (with cemeteries, columbaria, and mausoleums as accessory uses), private clubs, and lodges.

c) Exceptions

i) Parks are classified under the Parks and Open Areas Use Category.

ii) Convention centers and rural retreats are classified under the Conference or Training Center Use Category.

(6) Parks and Open Areas Use Category

a) Characteristics

The Parks and Open Areas Use Category is characterized by use types that focus on open space areas largely devoted to vegetative landscaping or outdoor recreation, and that tend to have few structures. Accessory uses may include club houses, recreational structures, statuary, fountains, maintenance facilities, concessions, parking, and columbaria and mausoleums (as accessory to cemeteries).

b) Examples

Example use types include arboretums or botanical gardens, greenways, athletic fields, parks, public squares or plazas, and commercial cemeteries.

(7) Transportation and Utilities Use Category

a) Characteristics

The Transportation and Utilities Use Category is characterized by use types that provide for the landing and takeoff of airplanes and helicopters, including loading and unloading areas. This use category also includes utilities and infrastructure that provide regional or community-wide service. Accessory uses include concessions, offices, parking, maintenance, equipment shelters, and fueling facilities.

b) Examples

i) Examples of transportation use types include airports, landing fields, runways, and helicopter pads.

ii) Examples of utilities include wastewater treatment plants, water towers, water and sewage pump stations, potable water treatment plants, electrical substations, and ground-based electrical/telephone/cable. This use category also includes wireless telecommunications towers (free-standing, co-located, and roof-mounted) that include facilities for transmitting wireless phones and pager services, and television and radio broadcasting equipment.

c) Exceptions

Nontraditional Wastewater Treatment and Disposal Systems are considered Waste-Related Services (Industrial Use Classification).

(E) COMMERCIAL USE CLASSIFICATION

(1) Adult Entertainment Use Category

a) Characteristics

The Adult Entertainment Use Category is characterized by use types that sell, distribute, or present material or feature performances or other activities that emphasize the

depiction or display of specified sexual activities or specified anatomical areas, as referenced in the Tennessee Code Annotated.

b) Examples

Example use types include adult book stores, adult video stores, adult arcades, and adult motion picture theaters (all distinguished by being largely devoted to selling, renting, or presenting media emphasizing sexually explicit content), as well as adult motels/hotels (motels/hotels largely devoted to providing room occupants films or other visual representations emphasizing sexually explicit content), and adult cabarets or night clubs (featuring live performances or services emphasizing the display of specified sexual activities or specified anatomical areas).

(2) Animal Care Use Category

a) Characteristics

i) The Animal Care Use Category is characterized by use types related to the provision of medical services and general care.

ii) Boarding services for domestic animals are also included in this category.

b) Examples

Example use types include animal shelters, animal grooming, kennels (outdoor and indoor), and veterinary clinics.

(3) Conference and Training Centers Use Category

a) Characteristics

The Conference and Training Center Use Category is characterized by facilities used for business, professional, spiritual, and other conferences, seminars, and training programs.

b) Examples

Example use types include rural retreats and conference centers.

(4) Eating and Drinking Establishments Use Category

a) Characteristics

The Eating and Drinking Establishments Use Category is characterized by use types that prepare and sell food and beverages for immediate or direct on- or off-premise consumption. Accessory uses may include bars or cocktail lounges associated with the establishment, decks and patios for outdoor seating, drive-through facilities, facilities for live entertainment or dancing, customer and employee parking areas, and valet parking facilities.

b) Examples

Examples include restaurants with indoor and outdoor seating, restaurants with drive-through service, bars and taverns, and specialty eating establishments (e.g., ice cream parlors, bakery shops, dessert shops, juice, or coffee houses).

(5) Offices Use Category

a) Characteristics

The Offices Use Category is characterized by use types that provide for activities that are conducted in an office setting and generally focus on business, professional, or financial services. Accessory uses may include cafeterias, day care facilities, recreational or fitness facilities, parking, supporting commercial, or other amenities primarily for the use of employees in the business or building.

b) Examples

Example use types include business services, professional services (such as lawyers, accountants, engineers, or architects), financial services (such as lenders, banks, brokerage houses, tax preparers), and sales offices (including real estate agents).

c) Exceptions

i) Offices that are part of and located within a principal use in another use category are considered accessory to the establishment's primary activity.

ii) Contractors and others who perform services off-site are included in the Offices Use Category if equipment and materials are not stored outside and no fabrication, services, or similar work is carried on at the site.

iii) Government offices are classified as Government Facilities.

iv) Medical and dental clinics, medical or dental labs, and blood collection facilities are classified as Health Care Facilities.

v) Financial institutions offering drive-through or walk-up service to patrons (branch banks or credit unions) are classified as Retail Sales and Services.

(6) Parking, Commercial

a) Characteristics

The Parking, Commercial Use Category is characterized by parking that is not accessory to a specific principal use. A fee may or may not be charged. Accessory uses related to this Use Category may include small structures intended to shield parking attendants from the weather or for the self-payment of fees.

b) Examples

Examples include short- and long-term parking lots that are not accessory to a principal use.

c) Exceptions

i) Parking facilities that are accessory to a principal use are not considered Commercial Parking uses.

ii) Parking facilities that are accessory to a principal use, but that charge the public to park for occasional events nearby, are not considered Commercial Parking uses.

iii) The sale or servicing of vehicles is classified under the Vehicle/Machinery Sales and Service Use Category.

(7) Recreation/Entertainment Use Category

a) Characteristics

The Recreation/Entertainment Use Category is characterized by use types that are privately owned and provide recreation or entertainment activities either outdoors or indoors. Accessory uses may include offices, concessions, snack bars, parking, and maintenance facilities.

b) Examples

i) Example use types that are primarily indoors include country clubs, indoor commercial recreation uses (including fitness centers, bowling alleys, game rooms, shooting ranges, dancehalls, skating rinks, indoor swimming pools, racquetball and squash courts, and indoor tennis club facilities).

ii) Example use types that are primarily outdoors include privately-owned arenas, amphitheaters, or stadiums, and outdoor commercial recreation uses (including private golf driving ranges and privately-owned miniature golf facilities; go-cart racing, race-track, or dirt-track facilities; drive-in movie theaters; privately-owned outdoor commercial tourist attractions, water parks, and amusement parks; campgrounds; and privately-owned active sports facilities such as ball fields, courts, and archery ranges), private golf courses, and outdoor swimming pools (private or non-profit).

c) Exceptions

i) Banquet halls that are part of hotels (classified under the Visitor Accommodation Use Category) or restaurants (classified under the Eating Establishments Use Category) are accessory to those uses.

ii) Private clubs or lodges are classified as Institutions.

iii) Recreational facilities that are reserved for use by residents of particular residential developments and their guests are accessory to those residential use types.

iv) Publicly owned golf courses, tennis courts, swimming pools, basketball courts, ball fields, amphitheaters, and other similar outdoor recreational or entertainment-oriented facilities are classified under the Parks and Open Areas Use Category.

(8) Retail Sales and Services Use Category

a) Characteristics

The Retail Sales and Services Use Category is characterized by use types involved in the sale, lease, or rental of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods. Accessory uses may include offices, storage of goods, manufacture or repackaging of goods for on-site sale, concessions, ATM machines, and parking. Use types within this use category have been categorized based on their intensity, scale, and function.

b) Examples

Example use types include gasoline sales, establishments meeting frequent or recurrent service needs of a personal nature, including financial institutions with drive-through or

walk-up services to patrons, laundromats, laundry and dry-cleaning drop-off establishments, photography studios, mailing or packaging services, photocopy and blueprint services, hair salons and barber/beauty shops, day spas, dance or music instruction, martial arts classes, taxidermists, funeral homes, and theaters (including cinemas, screening rooms, and stages). The Retail Sales and Services Use Category also includes general retail sales, and uses primarily engaged in the repair of small items (e.g., TVs, bicycles, clocks, and watches).

c) Exceptions

i) Contractors and others who perform services off-site but maintain office space on-site are classified under the Offices Use Category. Those contractors and others whose equipment and materials are stored on-site and/or who fabricate, service, or perform similar work on the site are classified under Industrial Uses Use Category.

ii) Bakeries, dinner theaters, or entertainment establishments primarily engaged in the sale of food for on-site consumption are classified under the Eating and Drinking Establishments Use Category.

iii) Uses providing financial, professional, or business services by appointment or with only limited contact with the general public are classified under the Offices Use Category.

iv) Uses that involve the sales, distribution, or presentation of materials or activities emphasizing sexually explicit content are classified under the Adult Entertainment Use Category.

(9) Self-Service Storage Use Category

a) Characteristics

The Self-Service Storage Use Category is characterized by use types that provide individual, self-contained units or areas leased to individuals, organizations, or businesses for self-service storage of household and personal property. The storage units or areas are designed to allow private access by the tenant for storing or removing personal property. Accessory uses include leasing offices, outdoor storage of boats and campers, and living quarters for a resident manager or security guard. Use of the storage areas for sales, service, repair, or manufacturing operations is not considered accessory to Self–Service Storage. The rental of trucks or equipment is also not considered accessory to the use.

b) Examples

Example use types include self-service storage establishments, also called "mini-warehouses."

c) Exceptions

A transfer and storage business, where there are not individual storage areas, or where employees are the primary movers of property being stored or transferred, is classified under the Industrial Uses Use Category.

(10) Vehicle/Machinery Sales and Services Use Category

a) Characteristics

The Vehicle/Machinery Sales and Services Use Category is characterized by the direct sale and/or service of passenger vehicles, trucks, motorcycles, farm machinery, and other consumer motor vehicles intended for transport of goods or persons over land, water, or in the air; whether for recreation, commerce, or personal transport. Accessory uses may include offices, sales of parts, maintenance facilities, parking, outdoor display and sales, and vehicle storage.

b) Examples

Examples include rental and sales of automobiles, recreational vehicles, boats, motorcycles, off-road vehicles, farm machinery, and aircraft; automobile, aircraft and marine repair and servicing; automobile wash and detail shops; transmission or muffler shops; towing service; tire sales and mounting; taxicab service; or truck or trailer rental.

c) Exceptions

Storage of inoperable vehicles or parts is classified under the Waste Related Services Use Category.

(11) Visitor Accommodations

a) Characteristics

The Visitor Accommodations Use Category is characterized by use types that provide lodging units or space for short-term stays of less than 30 days for rent, lease, or interval occupancy. Accessory uses may include pools and other recreational facilities, limited storage, restaurants, bars, supporting commercial, meeting facilities, offices, and parking.

b) Examples

Example use types include hotels and bed and breakfast establishments.

(F) INDUSTRIAL USE CLASSIFICATION

(1) Extractive Industry Use Category

a) Characteristics

The Extractive Industry Use Category is characterized by use types involving the extraction, removal, or basic processing of minerals, liquids, gases, or other natural resources. Such uses also include quarrying, well operation (excluding water wells), mining, or other procedures typically done at an extraction site. Accessory uses include offices, limited wholesale sales, security or caretaker's quarters, outdoor storage, and maintenance facilities.

b) Examples

Example use types include quarries, general mining, sand, and gravel extraction operations.

(2) Industrial Uses Use Category

a) Characteristics

The Industrial Uses Use Category is characterized by use types involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Use types also may include those uses that involve the repair or servicing of industrial, business, or consumer machinery equipment, products, or by-products. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. The use category also includes custom industries (establishments primarily engaged in the on-site production of goods by use of hand tools and small-scale equipment). Goods are generally not displayed or sold on site, but if so, such sales are a subordinate part of total sales. Relatively few customers come to the manufacturing site. Accessory uses may include retail or wholesale sales, offices, cafeterias, parking, employee recreational facilities, warehouses, storage yards, repair facilities, truck fleets, fueling facilities, security and caretaker's quarters.

b) Examples

Example use types include industrial services, research facilities, laboratories, manufacturing plants, and warehousing. Additional examples of general industrial services, heavy industrial, and light industrial uses are provided below.

i) General Industrial Services

Example use types include: machine shops; production or repair of small machines, electronic parts, and equipment; tool repair; production of precision items and other electrical items; research, development, and testing facilities and laboratories; electric motor repair; manufacture of electric, electronic, or optical instruments or devices; manufacture and assembly of artificial limbs, dentures, hearing aids, and surgical instruments; manufacture, processing, and packing of food products and cosmetics; manufacturing of components, jewelry, clothing, trimming decorations, and any similar item; repair of scientific or professional instruments; heavy equipment sales, rental, or storage; heavy equipment servicing and repair; fuel oil or bottled gas distributors; research and development facilities; laundry, dry-cleaning, and carpet cleaning plants; and general industrial service uses.

ii) Heavy Industrial

Example use types of heavy industrial include, but are not limited to: the manufacture or assembly of textiles, machinery, equipment, instruments, vehicles, and appliances; rendering; concrete production; asphalt plants; glass and plastic production; cardboard fabrication; and petroleum refining.

iii) Light Industrial

Example use types of light industrial include: sewing or assembly of textiles into consumer products; woodworking and cabinet building; publishing and lithography; computer design and development; production of communications equipment; sign making; assembly of pre-fabricated parts; preparation, packing, or baking of food products; and building, heating, plumbing, landscaping or electrical contractors.

c) Exceptions

i) Contractors and others who perform services off-site are included in the Offices Use Category if equipment and materials are not stored on site, and no fabrication, services, or similar work is carried on at the site.

ii) Manufacturing of goods to be sold primarily on-site and to the general public is classified as Retail Sales and Services if the manufacturing area does not exceed 35 percent of the development's gross floor area.

(3) Waste-Related Services Use Category

a) Characteristics

The Waste-Related Services Use Category is characterized by use types that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect sanitary wastes, or uses that manufacture or produce goods or energy from the composting of organic material or processing of scrap or waste material. This use category also includes use types that collect and process or distribute recycled and/or salvaged materials. Accessory uses may include offices, outdoor storage, and repackaging and trans-shipment of by-products.

b) Examples

Example use types include recycling and salvage centers, sanitary landfills, tire disposal or recycling, waste composting, incinerators, energy recovery plants, salvage centers, hazardous waste collection sites, and recycling drop-off centers.

Section 11.03: Use-Specific Standards

Use-specific standards are the requirements applied to individual use types, regardless of the zoning district in which they are located or the review procedure by which they are approved. This Section is intended to identify the use-specific standards for all principal uses identified in Table 11.01-1: Table of Allowed Uses, as subject to "additional requirements." These uses are also subject to all other applicable requirements in this Ordinance.

(A) AGRICULTURAL USE CLASSIFICATION

(1) Nurseries

a) The minimum lot area requirement for a nursery is 10 acres.

b) All plant materials shall be established in the ground and/or propagated in a greenhouse.

c) Retail and wholesale sales of the plant materials are permitted.

d) All non-plant materials sold must be displayed in an enclosed building that shall have a maximum floor area of 1,000 square feet.

e) Nurseries shall comply with the Storm Water Management Regulations of Williamson County.

f) All buildings shall comply with the applicable building code.

(2) Agri-Tourism and Education

a) Agri-tourism and education shall be directly associated with an on-going agricultural use on the same lot or on a parcel adjacent to the agricultural use.

b) The use shall be operated or maintained by the owner or occupant of the land upon which the associated agriculture use is being conducted.

c) The minimum lot area shall be 15 acres.

d) Agri-tourism and education facilities shall comply with the Storm Water Management Regulations of Williamson County.

e) All buildings shall comply with the applicable building code.

(3) Equestrian Facilities

a) Equestrian facilities shall have a minimum lot area of 15 acres.

b) The maximum number of equine permitted on the property shall not exceed one equine per two acres.

c) Equestrian facilities shall be designed to include one inside stall for every two animals kept overnight.

d) The following minimum setbacks shall be provided:

i) Outdoor corrals, riding areas, piles of manure, feed, and bedding shall be set back a minimum of 100 feet from the property lines.

ii) All roofed structures shall be set back a minimum of 150 feet from the property lines. Run-in sheds shall be set back a minimum of 15 feet from the side and rear property lines and 50 feet from the front property line.

iii) Pastures may extend to any property line.

e) Equestrian facilities shall comply with the Storm Water Management Regulations of Williamson County.

f) If a public address system is to be utilized, no sound shall be audible at the property line.

g) Attendance at special events is limited to 100 people. Events not in conformance with these limitations shall only be permitted in accordance with Section 11.05: Temporary Uses and Structures.

h) All buildings shall comply with the applicable building code.

(4) Farm Wineries

a) The owner shall obtain all applicable licenses and approvals from any required Local, State or Federal authority including, but not limited to the Tennessee Alcoholic Beverage Commission and the Tennessee Department of Agriculture prior to commencement of winery operations.

b) The area of the winery site, which may include a single lot or multiple contiguous lots, shall be a minimum of 15 acres.

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

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

e) The total floor area of all buildings used for processing/bottling, tasting, sales, wine storage, or office space shall not exceed 25,000 square feet.

f) All buildings, parking, and loading areas shall be set back a minimum of 100 feet from the property lines, and shall be buffered in accordance with the requirements as established in Article 15: Landscaping and Bufferyards.

g) 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.

h) Farm wineries shall comply with the Storm Water Management Regulations of Williamson County.

i) The following accessory uses and activities are permitted in conjunction with a farm winery:

i) 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 4,000 square feet.

ii) Daily tours shall be permitted between 9:00 a.m. and 10:00 p.m.

iii) Attendance at special events is limited to 250 people. 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 Section 11.05: Temporary Uses and Structures.

j) All buildings shall comply with the applicable building code.

(B) RESIDENTIAL USES

(1) Congregate Independent Living Centers

a) The proposed use shall require Major Site Plan approval by the Planning Commission (See Article 6: Minor and Major Site Plans.).

b) The minimum lot area shall be 10 acres.

c) The maximum gross residential density shall be 7.5 dwelling units per acre.

d) If the dwelling units are attached, the principal buildings shall be set back a minimum of 60 feet from all property lines. If the dwelling units are detached, the minimum setbacks shall be those of the applicable zoning district.

(2) Conservation Subdivisions

The application shall demonstrate compliance with all the requirements of this Ordinance as they relate to the applicable zoning district and the standards of Article 12: Conservation Subdivision Standards.

(3) Mobile Homes

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

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

c) All steps and decks must provide handrails and guardrails a minimum of 32 inches high.

d) Step risers must be a maximum of eight inches high and platforms must be at least nine inches wide.

e) The frame, wheels, crawl space, storage areas, and utility connections of all mobile homes shall be concealed from view by skirting made of durable all-weather construction material that is consistent with the exterior of the mobile home. Installation of the skirting must be completed within 60 days of the placement of the mobile home on the stand. No obstruction shall be permitted that impedes the inspection of plumbing and electrical facilities.

f) A modular home or manufactured home (a double-wide) shall be considered a "single family dwelling" for the purposes of this Ordinance, permitted where single-family dwellings are permitted and subject to all applicable standards of this Ordinance.

(4) Mobile Home Parks

a) Mobile home parks shall be located on a minimum land area of 10 acres.

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

c) There shall be a minimum setback of 1,000 feet between the property line of the mobile home park and the nearest property line of a historic site.

d) No public address or loudspeaker system shall be permitted.

e) See Section 11.03:(B)(3): Mobile Homes for regulations applying to individual mobile home units.

f) Streets in Mobile Home Parks

i) All mobile home parks shall be provided with safe and convenient vehicular access from abutting public streets or roads. Each mobile home plot shall include access by a system of private streets, driveways, or other means of access within the park.

ii) Any private streets that are located in the mobile home park shall use generally accepted engineering practices to provide a minimum pavement width of 24 feet to allow safe and adequate access to each mobile home stand not served by a public street abutting the mobile home park.

iii) Entrances to mobile home parks shall be designed to minimize congestion and hazards and allow free movement of traffic on adjacent streets. Vehicle parking areas, other than on driveways, shall be set back a minimum of 100 feet from a collector or arterial road.

g) Other Design Standards

i) Each mobile home stand shall have off-street parking space for at least two vehicles. Spaces shall meet the minimum design standards of Article 17: Access, Off-Street Parking, and Loading Standards.

ii) All mobile home parks shall be subject to the landscaping and screening requirements of Article 15: Landscaping and Bufferyards.

h) Open Space

Open space shall be provided in accordance with Article 14: Open Space Set-Aside Standards.

i) Mobile Home Stands

i) The general design standards for mobile home stands are as follows:

A. Each mobile home park may have up to 200 mobile home stands.

B. The mobile home stand shall provide for the practical placement of the mobile home and removal of the mobile home from the mobile home park.

C. Access to the mobile home stand shall be kept free of trees or other immovable obstructions.

D. The mobile home stand shall be constructed of appropriate material (such as concrete), be properly graded, placed and compacted in order to provide durable and adequate support of the maximum loads during all seasons of the year. The mobile home stand shall react as a fixed support and remain intact under the weight of the mobile home due to frost action, inadequate drainage, vibration, wind, or other forces acting on the structure. Adequate surface drainage shall be obtained by proper grading of the mobile home stand and the mobile home space.

E. Mobile home stands shall not occupy an area in excess of one-third of the respective mobile home plot (e.g. the maximum coverage of the mobile home stand to the plot where the mobile home is located shall not exceed 0.33).

ii) The dimensional requirements for mobile homes and mobile home stands shall be as follows:

A. There shall be a minimum mobile home stand width of 35 feet.

B. Mobile homes shall be set back a minimum of 20 feet from the edge of the street pavement for internal streets and 40 feet from any right-of-way of a public street.

C. There shall be a minimum setback of 20 feet from all other mobile homes or principal buildings in the park.

D. The setback between mobile homes and accessory structures shall be five feet.

j) Community Buildings

Each mobile home park shall have one or more central community buildings with central heating that must be maintained in a safe, clean, and sanitary condition. The building shall be constructed in such a manner as to provide safe conditions during storms.

(5) Multi-Family Dwellings

a) Multi-family dwellings in the V and H Districts shall meet the general Special Use criteria established in Section 5.01: Special Use.

b) Multi-family dwellings in the SIC and 840C Districts shall meet the general Special Use criteria established in Section 5.01: Special Use and the following standards:

i) Multi-family dwellings shall only be permitted in conservation subdivisions.

ii) A maximum of 15 percent of the total dwelling units in a conservation subdivision may be multi-family dwellings.

iii) There shall be a maximum of six dwelling units in any single structure.

iv) Each dwelling unit shall have a separate, exterior entrance with no common interior space shared between dwelling units.

v) Multi-family dwellings shall be located internally within the conservation subdivision where they are surrounded by single-family dwelling units and open space.

(6) Retirement Communities

a) The proposed use shall require Major Site Plan approval by the Planning Commission (See Article 6: Minor and Major Site Plans.).

b) The minimum lot area for a retirement community shall be 25 acres.

c) The maximum permitted density is 6.5 dwelling units per acre. Each bed in a skilled nursing facility shall be counted as one dwelling unit for the purposes of density calculations.

d) Permitted Residential and Health Care Facilities

The following residential and health care facility use types may be permitted within the retirement community:

i) Single-family dwellings;

ii) Multi-family dwellings;

iii) Congregate independent living centers;

iv) Congregate assisted living centers; and

v) Skilled nursing facilities.

e) Permitted Nonresidential Uses

i) The following nonresidential use types may be permitted within the retirement community:

A. Day care centers for adults;

B. Personal service establishments; and

C. Specialty eating or drinking establishments.

ii) The above uses shall be limited to 2,500 square feet each and shall be located within one of the principal residential buildings allowed as in Section 11.03:(B)(6)d): Permitted Residential and Health Care Facilities above.

f) Retirement communities shall not include residential institutional use types of any size (See Section 11.03:(B)(8): Residential Institutional.), unless otherwise permitted by State law.

g) Services, activities, programs, and accessory uses incidental to the operation of a retirement community may be provided on-site. These uses could include, but are not limited to, social services, food services, exercise programs, and home health programs.

h) Ownership of property in a retirement community shall remain with a single entity that shall be responsible for the operation and maintenance of all of the facilities, residences, and grounds. The fee ownership of individual residences and units and the subdivision of property into individual lots or through a condominium ownership are prohibited. The legal framework to ensure compliance with the requirements of this Subsection is subject to the review by the County Attorney and approval by the Planning Commission prior to the issuance of any Building Permit.

i) It is intended that retirement communities provide a continuum of housing alternatives geared to the physical condition and special needs of its intended population. All retirement communities must contain a single-family and/or multi-family component as well as one or more of the following residential use types: congregate independent living center, congregate assisted living center, and skilled nursing facility.

j) The initial phase of construction of a retirement community must include the core central service facilities, including but not limited to those listed in Section 11.03:(B)(6)g) above.

k) All residential use types within the retirement community shall be interconnected and accessible to one another via a system of sidewalks with a minimum width of six feet.

l) Any main collector roads within a retirement community that connect communal use areas shall contain sidewalks or other off-street walking paths.

m) Where a retirement community is designed to accommodate motorized carts such as golf carts (e.g., through the development of travel trails or designated lanes along roads), the following standards shall apply:

i) Parking spaces designated for motorized carts shall have minimum dimensions of six feet wide by ten feet long.

ii) For commercial or recreational uses that require parking in accordance with Article 17: Access, Off-Street Parking, and Loading Standards, up to ten percent of the required number of parking spaces may be designated for motorized carts.

iii) Any paths that are to be used for motorized carts shall have a minimum width of eight feet.

n) Setbacks

i) Principal buildings shall be set back a minimum of 20 feet from all internal street rights-of-way.

ii) There shall be a minimum distance of 25 feet between all principal buildings unless they are connected by covered or enclosed walkways.

iii) Principal buildings shall be set back a minimum of 100 feet from all the property lines.

o) Accessibility and Safety Standards

i) All facilities within the retirement community shall be handicapped-accessible, with doorways with a minimum width of 36 inches.

ii) Grab bars and non-skid flooring shall be provided in kitchens and bathrooms of all dwelling units.

iii) All units two or more stories in height shall be required to have elevator systems.

iv) All units and activity areas shall be provided with automatic sprinkler systems in accordance with applicable fire safety standards.

p) Open Space

Open space shall be provided in accordance with Article 14: Open Space Set-Aside Standards.

(7) Congregate Assisted Living Centers

a) The proposed use shall require Major Site Plan approval by the Planning Commission (See Article 6: Minor and Major Site Plans.).

b) There shall be a minimum lot area of five acres.

c) All structures and activity areas shall be set back a minimum of 50 feet from all property lines, or shall meet the setback requirements of the applicable zoning district, whichever is greater.

d) The density shall not exceed 10 patient rooms per acre.

(8) Residential Institutional

a) There shall be a minimum lot area of five acres.

b) All structures and activity areas shall be set back a minimum of 50 feet from all property lines, or shall meet the setback requirements of the applicable zoning district, whichever is greater.

c) The applicant shall provide a copy of the license/permit issued by the appropriate State agency or letter from said agency that a license/permit is not required.

d) The facility shall have a staff member on the premises at all times while clients are present.

(9) Skilled Nursing Facilities

a) The proposed use shall require Major Site Plan approval by the Planning Commission (See Article 6: Minor and Major Site Plans.).

b) There shall be a minimum lot area of two acres.

c) All structures and activity areas shall be set back a minimum of 50 feet from all property lines, or shall meet the setback requirements of the applicable zoning district, whichever is greater.

d) The density shall not exceed 15 patient rooms per acre.

(C) PUBLIC AND INSTITUTIONAL USES

(1) Day Care Centers

a) An applicant shall obtain a license to operate the facility from any required Local, State, or Federal authority including, but not limited to, the Tennessee Department of Human Services.

b) All play areas shall be fenced and buffered in accordance with Article 15: Landscaping and Bufferyards.

c) All refuse shall be contained in completely enclosed facilities and located to the rear of the building.

(2) Educational Facilities

a) The proposed use shall require Major Site Plan approval by the Planning Commission (See Article 6: Minor and Major Site Plans.).

b) Proposed additions to educational facilities may be reviewed by the Planning Director as a Minor Site Plan (See Section 6.01: Minor Site Plan.) if the proposed expansion is less than 50 percent of the floor area of the original structure or less than 5,000 square feet, whichever is less.

c) New educational facilities shall be required to take primary access from an arterial or collector road as established in the Williamson County Major Thoroughfare Plan.

(3) Educational Facilities, Higher

a) Higher educational facilities that operate out of office space shall be reviewed as an office use type.

b) New Higher Educational Facilities

i) There shall be a minimum lot area of 20 acres.

ii) New higher educational facilities shall take primary access from an arterial road as established in the Major Thoroughfare Plan.

iii) Principal buildings shall be set back a minimum of 250 feet from all property lines.

iv) All other structures, parking areas, and related uses shall be set back a minimum of 100 feet from all adjacent residential property lines.

(4) Governmental Maintenance Storage or Distributional Facilities

a) There shall be a minimum lot area of five acres.

b) The principal building shall be set back a minimum of 100 feet.

c) All structures, parking areas, and related uses shall be set back a minimum of 50 feet from all adjacent residential property lines.

(5) Hospitals

a) There shall be a minimum lot area of five acres.

b) New hospitals shall take primary access from an arterial road as established in the Major Thoroughfare Plan.

c) The principal building shall be set back a minimum of 100 feet.

d) All structures, parking areas, and related uses shall be set back a minimum of 50 feet from all adjacent residential property lines.

(6) Rehabilitation Center

a) There shall be a minimum lot size of five acres.

b) All structures and activities shall be setback a minimum of 50 feet from all property lines, or shall meet the setback requirement of the applicable zoning district, whichever is greater.

c) The applicant shall provide a copy of the license/permit issued by the appropriate State agency or letter from said agency that a license/permit is not required.

d) Clients of the facility must be actively and continuously enrolled in a rehabilitation or substance abuse program.

e) The facility shall have a staff member on the premises at all times while clients are present.

(7) Cultural Institutions

a) A minimum of 25 percent of the lot shall be maintained as landscaped area or open space.

b) New cultural institutions that require a lot area larger than five acres shall take primary access from an arterial road as established in the Major Thoroughfare Plan.

(8) Religious Institutions

a) The proposed use shall require Major Site Plan approval by the Planning Commission (See Article 6: Minor and Major Site Plans.).

b) Proposed additions to religious institutions may be reviewed by the Planning Director as a Minor Site Plan (See Section 6.01: Minor Site Plan.) if the proposed expansion is less than 50 percent of the floor area of the original structure or less than 5,000 square feet, whichever is less.

c) New religious institutions shall be required to take primary access from an arterial or collector roadway as established in the Major Thoroughfare Plan.

(9) Commercial Cemeteries

a) Commercial cemeteries shall have a minimum lot or site area of 20 acres, including business offices and storage buildings.

b) New commercial cemeteries shall take primary access from an arterial road as established in the Major Thoroughfare Plan.

c) Commercial cemeteries shall be subject to all applicable standards of Title 46 of the Tennessee Code Annotated and any other applicable Local, State, or Federal regulations.

(10) Airport, Landing Strip, and Heliport, Private

a) Private airport, landing strips, and heliports in the A, RP-5, and RD-5 Districts are to be used for agricultural or recreational purposes only.

b) Runways and landing strips shall have a minimum width of 50 feet and a maximum of 3,000 feet in length.

c) There shall be no more than one runway or landing strip, or up to two heliport pads, on a single property.

d) No obstruction shall exist within 50 feet on each side of the center line of the landing field along the full length of the runway or landing strip.

e) The ends of the runway shall be set back a minimum of 1,000 feet from all property lines.

f) Runways, landing strips, and heliport pads shall be set back from the property line a minimum of 200 feet on either side of the runway along points along the runway. If the subject property is adjacent to a residentially zoned property, this setback shall be increased to 1,000 feet.

g) No aircraft will be hangered, tied down, or parked within the setbacks established above.

h) Outside of the setbacks from the runways, landing strips, and heliport pads, all buildings, hangars, or other structures shall be set back a minimum of 100 feet from any street or property line.

i) The proposed establishment or expansion of an airport, landing strip, or heliport shall not in any way conflict or overlap with flight patterns and approach areas of any other airport, landing strip or heliport.

j) The maximum height of structures on the property shall be subject to the provisions of Federal Aviation Administration, Part 77.

k) No commercial activity shall be conducted in connection with any private airport, landing strip, or heliport unless otherwise permitted and approved within the applicable zoning district. This includes a prohibition on airframe or engine repair for compensation; sale of parts or accessories, including oil and fuel; flight school, ground school, flying lessons or pilot training; sightseeing, aircraft rides for compensation, rental, or leasing of aircraft; and the rental of hangar space or outdoor parking space for compensation.

l) All repair of airplanes and machinery shall be conducted inside hangars or other enclosed buildings.

(11) Airport, Landing Strip, and Heliport, Public

a) The area proposed for this use shall be sufficient in size and the site otherwise adequate to meet the standards for the proposed class of airport as established by the Federal Aviation Administration (FAA) and the Tennessee Department of Transportation in accordance with their applicable rules and regulations.

b) Any proposed runway or landing strip shall be situated so that any structures, high voltage power lines, towers, chimneys, and natural obstructions located within the approach zones shall comply with regulations for height restrictions in airport approach zones of the Federal Aviation Administration, Part 77.

c) 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 Administration. If air rights or easements have been acquired from the owners of abutting properties in which approach zones fall, proof thereof shall be submitted with the application.

d) All runways, landing strips, heliport pads, buildings, hangars, or other structures shall be set back a minimum of 200 feet from any street or property line.

e) The ends of the runway shall be set back a minimum of 1,000 feet from all property lines.

f) All other portions of runways, landing strips, and heliport pads shall be set back from the property line a minimum of 200 feet on either side of the runway along points along the runway. If the subject property is adjacent to a residentially zoned property, this setback shall be increased to 1,000 feet.

g) All repair of airplanes and machinery shall be conducted inside hangars or other enclosed buildings.

h) Permitted Uses within the Primary Surface

Uses within the area designated as the primary surface, as established and defined by FAA Part 77, as amended, shall be limited to:

i) Open space; and

ii) Permitted airport uses.

i) Permitted Uses within the Inner Approach, Outer Approach, and Transitional Surfaces

Uses within the inner approach, outer approach, and transitional approach areas, as established and defined by FAA Part 77 as amended, shall be limited to those uses permitted in the underlying base zoning districts with the exception that the following uses shall be prohibited:

i) Private or public landfills;

ii) Trash compaction and transfer stations;

iii) Sewage ponds;

iv) Sludge disposal;

v) Water reservoir;

vi) Feedlots;

vii) Slaughterhouses;

viii) Waterfowl productions that are not completely enclosed within a structure;

ix) Wildlife sanctuaries and refuges;

x) Lakes or ponds with a surface area in excess of one acre or designed to attract or harbor waterfowl unless such lake or pond is required as part of the site's storm water drainage system as required by the County;

xi) Commercial shooting ranges;

xii) Private airports, landing strips, and heliports;

xiii) Hospitals;

xiv) Educational facilities;

xv) Religious institutions; and

xvi) Ball fields.

j) Performance Standards

i) Notwithstanding any other provisions of this Ordinance, no use may be made of land within any AP District established by this Ordinance in such a manner as to create electrical interference with radio communication between the airport and aircraft, to make it difficult for pilots to distinguish between airport lights and other lights, to create glare in the eyes of pilots using the airport, to impair visibility in the vicinity of the airport, or to otherwise endanger the landing, taking off, or maneuvering of aircraft.

ii) Notwithstanding any other provisions of this Ordinance, no use may be made of land within any AP District established by this Ordinance in such a manner as to produce smoke, fumes or gases that would interfere with the safe operation by aircraft of the airport.

(12) Utilities

High-voltage transformers and any other utility structures or equipment of potential hazard shall be completely enclosed by a chain link fence and buffered in accordance with Article 15: Landscaping and Bufferyards.

(13) Wireless Telecommunication Facility

a) 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 ensure 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 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.

b) 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.

c) Severability

i) 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.

ii) Any permit or certificate issued under this Ordinance shall be comprehensive and not severable. If part of a permit or certificate 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.

d) 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:

i) Requiring a permit/Zoning Certificate for any new, co-location, or modification of a wireless telecommunications facility unless otherwise provided herein.

ii) 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.

iii) 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.

iv) Promoting and encouraging, wherever possible, the sharing and/or co-location of wireless telecommunications facilities among service providers.

v) 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.

e) Location of Wireless Telecommunications Facilities

i) Applicants for wireless telecommunications facilities shall locate, site, and erect said wireless telecommunications facilities in accordance with the following priorities, with Paragraph (A) being the highest priority and Paragraph (D) being the lowest priority.

A. On existing towers or other structures without increasing the height of the tower or structure.

B. On County-owned properties.

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

D. All other sites.

ii) 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.

iii) Notwithstanding the above, the Codes Compliance Director or, if applicable, the BZA, 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 welfare of the County and its inhabitants and will not have an adverse effect on the nature and character of the community and neighborhood.

f) Shared Use of Wireless Telecommunications Facilities and Other Structures

i) 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.

ii) No transmit equipment of any kind may be installed on any structure below 10 meters from the surface level without approval from the Codes Compliance Director.

iii) 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 Zoning Certificate shall be granted at no cost to the applicant.

g) Visibility of Wireless Telecommunication Facilities

i) Wireless telecommunications facilities shall not be artificially lit or marked, except as required by law.

ii) 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.

iii) 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.

h) Height of Telecommunications Towers

i) 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.

ii) No application for a new tower or any co-location that requires operation with artificial lighting of any kind in accordance with all applicable laws, ordinances, or rules without providing substantial evidence to the Codes Compliance Director supporting the need for the height and by obtaining approval as a Special Use from the Board of Zoning Appeals will be permitted.

iii) Any increase in the height of an existing tower shall be considered an extension that exceeds the height limitation of Williamson County.

i) Permit Application and Other Requirements

i) Unless otherwise exempted by Tennessee Law or this Ordinance, all applicants for a Zoning Certificate for wireless telecommunications facilities or any modification of such facility shall comply with the requirements set forth in this Ordinance. The Williamson County Codes Compliance Director is the officially designated staff member of the County to whom applications for a Zoning Certificate 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 BZA shall have the authority to make final decisions.

ii) Pre-Application Meeting

A. Once an applicant has contacted the Codes Compliance Director 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 10 working days of receipt of the request to be attended by the applicant, Community Development Department staff, other County staff, 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 a 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 which is to be paid before or at the pre-application meeting. A pre-application meeting shall also include a site visit if the Codes Compliance Director 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.

B. At the conclusion of the pre-application meeting, the Codes Compliance Director will provide a general guidance as to whether the application will be reviewed, approved, or denied by staff or whether as a Special Use

approval will be needed to be obtained by the Williamson County Board of Zoning Appeals.

iii) Staff Approval

A. Unless otherwise provided for herein, the Codes Compliance Director 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 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 modification in the height of the existing structure require lighting under the FAA Regulation Part 77 then the applicant shall seek approval as a Special Use as described herein.

B. The Codes Compliance Director 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 Ordinance for a new telecommunication tower that does not require lighting by the FCC and/or the FAA.

C. Process

1. 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 Codes Compliance Director for review.

2. 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.

3. The applicant is to provide documentation that shows the construction or modification of the telecommunication facility does not require lighting under the applicable FAA regulations.

4. 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.

5. 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.

6. In addition to the above requirements, an application for a new tower that does not require lighting as regulated by the FAA regulations shall provide the necessary submittal requirements as required by Section 3.06: Application Submission.

7. In addition to the above requirements, an application for a new telecommunication tower that does not require lighting as regulated by the FAA regulations shall provide the following information to the Codes Compliance Director:

a. The zoning district or designation in which the property is situated;

b. 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;

c. A map drawn to scale showing the square footage of the proposed lot, the footage of the property lines, as well as the location of all structures within the requested fall zone of the proposed telecommunication facility;

d. If applicable, documentation explaining why sites of a higher priority were not selected;

e. A description of the structures that are located in the fall zone radius of the proposed telecommunication tower;

f. A map of all existing telecommunication facilities within a three mile radius of the proposed telecommunication tower;

g. Documentation supporting and explaining why co-location on one of the towers within the three mile radius is not a viable option;

h. Documentation supporting and explaining the inability of the facility to be located on property owned by Williamson County;

i. Any other reasonable documentation needed by the Codes Compliance Director or its consultant to assess the application;

j. Provide reasonably detailed construction plans of the tower including the color, material used to construct, the model and all other additional facilities needed;

k. Provide supporting documentation to support the need for the proposed height of the telecommunication tower;

l. 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;

m. 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 facility 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;

n. 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;

o. If needed to be constructed, the plans for the construction of any proposed method of ingress and egress;

p. 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;

q. A copy of the geotechnical sub-surface investigation, evaluation report and foundation recommendation for a proposed site; and

r. A grading and erosion control plan, including access road, as required by Williamson County.

D. Should the Codes Compliance Director 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 30 days of the decision. Should an applicant disagree with any of the conditions, it may appeal to the BZA the disputed condition.

E. Should the Codes Compliance Director 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 the Codes Compliance Director's decision, by appealing to the BZA within 60 days of receipt of the denial notice.

F. 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.

iv) Special Use Request

A. 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 review before a Zoning Certificate will be issued.

B. In addition to the requirements included in Section 11.03:(C)(13)i)iii)C: Process, the requirements set out in Section 5.01: Special Use, and Section 5.01:(E): Special Use Review Standards, the applicant must submit the following information to the Codes Compliance Director to review

and include in the Codes Compliance Director's report to be presented to the BZA for request of a Special Use:

1. 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

2. The applicant shall submit a description of the lighting equipment to be installed on the facility.

v) Action on Application

A. The agency 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 Section and shall act within a reasonable period of time given the relative complexity of the application and the circumstances. Should the application require the approval of a Special Use, the applicant will need to satisfy those requirements contained in Section 5.01: Special Use and Section 5.01:(E): Special Use Review Standards of this Ordinance.

B. The agency with the authority to approve or deny an application 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 10 working days of the ruling.

C. Should the application be approved, then the Zoning Certificate may be issued within 30 days of the date on the notification.

D. Should the application be denied or approved with conditions by the Codes Compliance Director, the applicant may appeal the Codes Compliance Director's decision to the BZA within 60 days of receiving the written decision.

E. Should the application be denied or approved with conditions not agreeable by the applicant by the BZA, the applicant may appeal to any court with jurisdiction over these matters.

F. The applicant may still need to obtain necessary building permits, and grading permits, and/or submittal of a Site Plan.

vi) 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.

j) 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 telecommunication facilities. Notwithstanding anything to the contrary in this Section, no Zoning Certificate shall be required for the following:

i) 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.

ii) A Zoning Certificate is not needed for any repair or maintenance of a wireless facility that:

A. Does not increase the height of the highest point of the structure; and

B. Does not increase the current size of the equipment being replaced by 25 percent.

iii) The County's fire, police, or other public service facilities owned and operated by the Local government.

iv) Over-the-air reception devices including the reception antennas for direct broadcast satellites (DBS), multi-channel 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.

v) Facilities exclusively for private, non-commercial radio and television reception and private citizen's bands, licensed amateur radio and other similar non-commercial telecommunications.

vi) 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.

k) 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:

i) 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 accessible; and

ii) 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.

l) Signage

Wireless telecommunications facilities shall contain a sign no larger than four square feet in area 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 an emergency phone number. The sign shall be on the equipment shelter or cabinet of the structure, 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 lit, unless applicable law, rule or regulation requires lighting. No other signage, including advertising, shall be permitted.

m) Lot Size and Setbacks

i) Towers shall be located so that there is a 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.

ii) The applicant shall provide proof of ownership, lease, or permanent easement rights for the designated fall zone.

iii) On-site buildings shall only be used for the storage of necessary on-site equipment, and must meet nonresidential setback requirements for the applicable zoning district.

iv) 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.

n) Retention of Expert Assistance and Reimbursement by the Applicant

i) 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.

ii) 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.

iii) The total amount of the funds needed as set forth in Subsection (ii) 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.

o) Extent and Parameters of Zoning Certificate

The extent and parameters of a Zoning Certificate for wireless telecommunications facilities shall be as follows:

i) 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.

ii) Certificate Revocation

A. A Zoning Certificate may be revoked if a deficiency is not cured within 180 days of being given notice. Upon expiration of the 180 days, the Community Development Department shall provide the owner with notice of a hearing to revoke the Zoning Certificate before the BZA.

B. The applicant will be provided with 30 days notice of the hearing and will be allowed to address and answer any claims made against it.

C. Should the BZA find substantial evidence that the Zoning Certificate holder has materially violated this Ordinance or any condition included in the approval of the Zoning Certificate, the BZA may revoke, cancel, or terminate the Zoning Certificate for the violation of the conditions and provisions of the Zoning Certificate.

D. This Section does not limit the remedies that may be sought by Williamson County should a violation occur.

p) Performance Security

i) 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 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.

ii) 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.

q) Liability Insurance

i) Should an applicant receive permission to construct its wireless telecommunication facility on Williamson County property, the applicant agrees to secure and maintain public liability 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:

A. Commercial general liability covering personal injuries, death and property damage: $1,000,000 per occurrence/$2,000,000 aggregate;

B. Automobile coverage: $1,000,000 per occurrence and $2,000,000 aggregate; and

C. Workers compensation and disability: Statutory amounts.

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

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

iv) Before construction on Williamson County property of a permitted wireless telecommunications facility is initiated, but in no case later than 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.

r) Indemnification

i) 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 therefrom, 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.

ii) Notwithstanding the requirements noted in Subsection (i) 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.

s) 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 in accordance with Section 11.03:(C)(13)o)ii): Certificate Revocation within 180 days of receipt of written notice, the Zoning Certificate may be subject to revocation after hearing by the Board of Zoning Appeals.

t) Construction of New Telecommunication Facilities

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

ii) At a telecommunications site, an access road, turn around space, and parking area 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 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.

iii) 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, 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.

iv) 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.

u) Removal of Wireless Telecommunications Facilities

i) 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:

A. Wireless telecommunication facilities with a permit have been abandoned (i.e., not used as wireless telecommunication facilities) for a period exceeding 365 days.

B. Permitted wireless telecommunications facilities fall into such a state of disrepair that it creates a health or safety hazard and is not corrected within 180 days.

C. 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.

ii) If the County makes such a determination as noted in Subsection (i) 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 BZA 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. 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.

iii) 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 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 30 days to reach an agreement with the owner of the telecommunication facility.

iv) If wireless telecommunications facilities are not removed or substantial progress has not been made to remove the wireless telecommunications facilities within 90 days after the certificate holder has received the written decision by the BZA, then 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.

v) 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 than 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 Codes Compliance Director, 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 180 day time period, then Williamson County may take possession of and dispose of the affected wireless telecommunications facilities in the manner provided in this Section 11.03:(C)(13)u): Removal of Wireless Telecommunications Facilities.

v) Relief

i) Any applicant desiring relief, waiver or exemption from any aspect or requirement of this Ordinance may request such at the preapplication 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 the Codes Compliance Director deny the applicant's request for relief, the applicant may petition the BZA as provided for herein.

ii) Any final decision made by the Codes Compliance Director may be appealed to the BZA.

w) Periodic Regulatory Review by the County

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

ii) 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.

iii) Notwithstanding the provisions of subsections (i) and (ii) 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.

x) Adherence to State and/or Federal Rules and Regulations

i) 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.

ii) 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 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.

(D) COMMERCIAL USES

(1) Adult-Oriented Establishments

a) Adult-oriented establishments shall be set back a minimum of 1,000 feet from the following:

i) Day Care Center, Day Care Centers Accessory to an Institutional Use, Family Child Care Homes, and Group Child Care Homes;

ii) Educational Facilities and Higher Educational Facilities;

iii) Park or General Open Space, Recreational and Athletic Facilities, Indoor, Recreational and Athletic Facilities, Outdoor, and Stadiums and Arenas Accessory to an Educational Facility;

iv) Any of the Use Types listed in the Residential Use Classification, Accessory Dwelling Units, Accessory Dwelling Units, Commercial and Additional Principal Dwellings; and

v) Religious Institutions.

b) The 1,000 foot setback measurement shall be made in a straight line in all directions, without regard to intervening structures or objects, from the nearest point on the property line of a parcel containing an adult-oriented establishment to the nearest point on the property line of a parcel containing any of the uses listed in this Section. The presence of a political boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this Section.

c) An adult-oriented establishment lawfully operating as a conforming use shall not be rendered a nonconforming use by the location, subsequent to the commencement of operations of the said adult-oriented establishment, of a use listed in this Section within 1,000 feet of the adult-oriented establishment.

d) No structure or parcel that contains any adult-oriented establishment shall contain any other kind of adult-oriented establishment in existence on the effective date of this Ordinance. If two or more adult-oriented establishments are within 1,000 feet of one another or are within the same structure or parcel, the adult-oriented establishment that was first established in an otherwise permissible location shall be considered as a conforming use and the later-establishment(s) shall be considered as a nonconforming use.

e) No adult-oriented establishment shall be enlarged so as to violate the provisions of this Ordinance.

f) No adult-oriented establishment shall open to do business before eight o'clock a.m. (8:00 a.m.), Monday through Saturday; and no such establishment shall remain open after twelve o'clock (12:00) midnight, Monday through Saturday. No adult-oriented establishment shall be open for business on any Sunday or legal holiday as designated in Tennessee Code Annotated, Section 15-1-101, and as amended.

g) The physical design and structure of any adult-oriented establishment shall meet all requirements of this Ordinance and all applicable building codes, electrical codes, fire codes, health codes, and the Tennessee Code Annotated, specifically Tennessee Code Annotated Section 7-51-1403, and any other applicable local, State or Federal law, statute or regulation.

(2) Animal Boarding Facilities

a) There shall be a minimum lot area of five acres.

b) The facility shall be set back a minimum of 200 feet from any road.

c) All structures and activities related to the subject facility shall be set back 100 feet from side and rear property lines, except that when located adjacent to a residential zoning district, the following setbacks shall apply:

i) All non-soundproofed structures, runs, or areas where animals are confined shall be set back 150 feet from all property lines.

ii) Soundproofed, air-conditioned buildings shall comply with the minimum setback requirements of the applicable zoning district.

iii) All non-soundproofed structures for the confinement of animals shall be screened by a solid fence or wall a minimum of six feet in height and located within 50 feet of the structure.

d) All outdoor run areas shall be confined to a single area of the property with fencing separating any individual runs.

e) Animals shall be confined in an enclosed building between the hours of 10:00 p.m. and 6:00 a.m. of the following day.

f) There shall be no burial or incineration of animals on the premises.

(3) Animal Hospitals or Veterinarian Clinics with Animal Boarding

Animal hospitals or veterinarian clinics that also provide for animal boarding (beyond that which is necessary for medical treatment) shall be subject to the standards for animal boarding facilities in Section 11.03(D)(2) Animal Boarding Facilities.

(4) Conference Centers

a) There shall be a minimum lot area of two acres.

b) New conference centers shall take primary access from an arterial road as established in the Major Thoroughfare Plan.

c) Any retail business (e.g., catering) conducted on the premises shall be primarily for the use of the guests of the center, and there shall be no entrances directly from the road to such businesses, and no signs or other evidence indicating the existence of such businesses visible from the outside of the building.

(5) Rural Retreats - Extensive

a) Rural Retreats - Extensive shall be subject to Major Site Plan review pursuant to Section 6.02: Major Site Plan.

b) The minimum lot size shall be 20 acres.

c) 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 acres of lot area up to a maximum of 20,000 square feet.

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

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

f) 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.

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

h) All outdoor lighting shall adhere to all requirements of Section 16.03: Outdoor Lighting Standards.

i) Parcels must have public road frontage equal to the lot width of the applicable zoning district. Access must be provided directly from the road frontage.

j) Any use meeting the definition of Rehabilitation Center (See Article 23: Definitions.) shall not be considered as a Rural Retreat.

(6) Rural Retreats – Limited

a) The minimum lot size shall be 15 acres.

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

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

d) The use may only operate between the hours of 7:00 a.m. and 8:00 p.m.

e) 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.

f) 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.

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

h) Any exterior lighting shall adhere to all requirements of Section 16.03: Outdoor Lighting Standards.

i) Parcels must have public road frontage equal to the lot width of the applicable zoning district. Access must be provided directly from the road frontage.

j) Facilities may only be utilized by employees, members, or affiliates of the owner.

k) Any use meeting the definition of Rehabilitation Center (See Article 23: Definitions.) shall not be considered as a Rural Retreat.

(7) Parking Lot, Stand-Alone

a) The parking lot shall not exceed 35 spaces.

b) No business of any kind shall be conducted within the parking lot, including the repair, service, washing, display, or storage of vehicles or other goods.

(8) Private Recreational Centers

a) If included as part of a subdivision, the facility may only be located in common open space.

b) Private recreational clubs, not exclusively for the use of residents in a subdivision, shall require a Special Use approval from the BZA.

c) In all cases, private recreational centers shall require a Major Site Plan review pursuant to Section 6.02: Major Site Plan.

d) The parking area shall be located outside of all setbacks and required bufferyards.

e) The facility shall meet the same minimum setback requirements as residences in the subdivision.

f) Any structures for the facility must be in a scale and architectural style compatible with residences in the subdivision.

(9) Recreational and Athletic Facilities, Indoor

a) The minimum lot area shall be two acres.

b) A minimum of 25 percent of the lot shall be maintained as landscaped area or open space.

c) Principal buildings shall be set back a minimum of 50 feet from all property lines.

(10) Recreational and Athletic Facilities, Outdoor

a) The minimum lot area shall be five acres.

b) All outdoor activity areas (e.g., ball fields, swimming pools, including the decks, and similar uses) shall be set back a minimum of 200 feet from all property lines.

c) The use of outdoor lighting and/or sound systems shall be limited to the hours of 10:00 a.m. to 10:00 p.m.

(11) Stadiums and Arenas

a) The minimum lot area shall be ten acres.

b) A minimum of 20 percent of the lot shall be maintained as landscaped area or open space.

c) Principal buildings shall be set back a minimum of 500 feet from all property lines.

d) New stadiums and arenas shall take primary access from an arterial road as established in the Major Thoroughfare Plan.

e) The use of outdoor lighting and/or sound systems shall be limited to the hours of 10:00 a.m. to 10:00 p.m.

(12) Convenience Stores with Gasoline Sales

a) All repair services shall be performed within a completely enclosed building and shall be subject to the standards of automobile and machinery repair pursuant to Section 11.03:(D)(16): Automobile and Machinery Repair.

b) All fuel pumps and service islands shall meet the dimensional standards of the applicable zoning district.

c) The outermost edges of all protective canopies shall comply with all setback requirements of the applicable zoning district.

d) When the principal building is within 75 feet of a residential use, all vehicles, refuse, and vehicle parts shall be stored within a completely enclosed building or within an area which is completely visually screened from those residences.

e) Where a proposed fuel pump or service island abuts a residential use, the minimum setback shall be 50 feet from the property line adjacent to the residential use.

f) Pumps, underground fuel storage tanks, and islands (with or without canopies) shall be set back a minimum of 25 feet from any street or property line. Entrances and exits to streets from properties containing one or more of these uses shall beset back a minimum of 100 feet from any intersection.

(13) Mixed Use/Multi-Tenant Developments

a) Developments consisting of multiple principal uses shall incorporate only those use types allowed in the applicable zoning district.

b) When principal uses within a development fall within different use categories, each principal use shall be classified in the applicable use category and each use is subject to all specific standards applicable to that use type.

c) When determining peripheral buffer requirements for parcels with multiple principal uses, the proposed use that requires the most extensive buffer according to Article 15: Landscaping and Bufferyards shall govern.

d) The presence of a home occupation and/or a residential business in conjunction with a residential use shall not constitute a mixed use/multi-tenant development.

(14) Retail Sales and Service, Extensive

a) Any outside display of vehicles for sale or storage shall meet the required setback for the district along the front property line.

b) Uses that fall under the definition of "automobile and machinery repair" shall comply with Section 11.03:(D)(16): Automobile and Machinery Repair, in addition to the provisions of this Section.

c) All stored vehicles awaiting repair shall be maintained behind the building and completely screened from view of all public roads and adjacent properties.

d) Large Scale Extensive Retail Sales and Service Standards

Extensive retail sales and service uses that exceed 50,000 square feet shall comply with the following standards in addition to any other applicable regulations in this Ordinance:

i) The use shall take primary access from an arterial road as established in the Major Thoroughfare Plan.

ii) There shall be a minimum 200 foot setback for any loading areas that directly face a residential property line.

iii) All other areas of the building shall have a minimum setback of 100 feet from a residential property line.

iv) Parking lots shall be set back a minimum of 25 feet from all property lines.

(15) Self-Service Storage

a) The minimum lot area shall be five acres.

b) There shall be a minimum setback of 150 feet between all residential property lines and all buildings and/or outdoor storage areas related to the self-service storage use.

c) All driveways, parking, loading and circulation areas shall be paved with concrete, or asphaltic material.

d) Fencing and Screening

i) If fencing is utilized, it shall meet the minimum setback requirements of the applicable zoning district.

ii) A masonry screen wall shall be required around the perimeter of the storage area. All storage units with access from the exterior of the building shall be located behind the screen wall unless otherwise approved by the BZA or Planning Director (as applicable). However, ornamental gates may be used for ingress and egress. Additionally, a total of 30 linear feet of ornamental fencing may be allowed adjacent to the primary customer ingress and egress gates.

iii) Outdoor storage is permitted with the exception of inoperative vehicles.

iv) All required landscaping shall be located outside of any fencing area.

e) The only commercial uses permitted on-site shall be the rental of storage space and the pick-up and/or deposit of goods on the property in storage. Storage spaces, including outdoor storage areas, shall not be used to manufacture, fabricate, or process goods; service or repair vehicles, small engines, or electrical equipment; or to conduct similar activities; conduct garage sales or retail sales of any kind; or conduct any other commercial or industrial activity on-site.

f) A commercial accessory dwelling unit may be permitted in connection with office/watchman purposes.

(16) Automobile and Machinery Repair

a) The minimum lot area shall be one acre.

b) All buildings shall be set back a minimum of 50 feet from all property lines and 100 feet from all property lines that are adjacent to a residential property.

c) 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 rear of the building.

d) All driveways, parking, loading and circulation areas shall be paved with concrete, or asphaltic material.

e) The storage and disposal of solid waste and recyclable materials, including used or discarded motor vehicle parts or equipment, and fluids, shall comply with all applicable Local, State, and Federal requirements.

f) There shall be no above ground storage of gasoline, diesel fuel, or oil.

(17) Truck Stops

a) The minimum lot area shall be five acres.

b) Truck stops may include fuel sales, one truck scale, convenience stores, restaurants, and vehicle repairs.

c) Truck stops shall be subject to the standards of Section 11.03:(D)(12): Convenience Stores with Gasoline Sales.

(18) Bed and Breakfast Establishments

a) All such facilities shall be required to obtain all applicable permits to serve food and beverages.

b) A bed and breakfast use must be conducted by the resident of the establishment.

c) The number of rooms available to rent on a nightly basis shall be limited to five.

d) Only one meal service shall be provided to paying guests.

(19) Vacation Rental Homes

a) The full use of the dwelling shall be provided to by paying guests.

b) Temporary Uses, as outlined in Section 11.05: Temporary Uses and Structures, including Special Events (Extensive or Limited Impact) shall not be permitted.

(E) INDUSTRIAL USES

(1) Rock Quarries and Mining Operations

The following provisions shall apply to rock quarries and mining operations.

a) Purpose

The purpose of this Section is to control rock quarries and mining operations so as to minimize conflicts with adjacent land uses and to ensure that the land where the uses are located is restored at the completion of the quarrying or mining operation.

b) Conformance to State and Federal Regulations

All aspects of the rock quarry or mining operation shall conform to applicable State and Federal regulations.

c) Permitted Uses

In addition to the principal use of rock quarries and mining, the following uses may be approved as part of a Special Use approval:

i) The removal, crushing, washing, refining, borrowing, or processing of material.

ii) In rock quarries, the production or manufacturing of veneer stone, sills, lintels, cut flagstone, hearthstones, paving stone and similar architectural or structural stone, and the storing or stockpiling of such products on the site.

iii) The manufacturing of concrete building blocks or other similar blocks, if conducted on the site, the production or manufacture of lime products, the production of ready-mixed concrete, and any similar production or manufacturing processes that might be related to the extractive operations.

d) Performance Standards

i) Geotechnical Assessment

A geotechnical assessment must be prepared by a qualified engineer and submitted as part of the Special Use application.

ii) Operational Plan

An Operational Plan, which addresses the following, shall be submitted along with the Special Use Application:

A. Extractive operations shall be conducted as to have no adverse impact on intermittent or perennial streams.

B. 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.

C. Operators will conduct their operations so as to minimize adverse effects to streams.

iii) Area and Setback Requirements

A. There shall be a minimum lot area of 20 acres for rock quarries and any mining of sand and gravel.

B. All structures and activities shall be set back a minimum of 200 feet from all property lines.

C. All structures and activities, except parking, fencing, and offices, shall be set back a minimum of 1,000 feet from a residential property line in

existence on the date the Special Use application is received by the Community Development Department.

D. Quarrying or mining operations shall be set back a minimum of 50 feet from all right-of-way lines of any existing or platted street, road or highway, except that excavating may be conducted within such limits in order to reduce the elevation thereof in conformity to the existing or platted street, road or highway.

iv) General Mitigation Requirements

A. All equipment used for mining operations shall be constructed, maintained and operated in such a manner as to minimize noises, dust and vibrations adversely affecting the surrounding property.

B. All motorized equipment utilized for a permitted quarrying or mining operation shall be subject to the performance standards of Article 16: Performance Standards.

C. Control measures shall be implemented on a continuing basis, during the time that the fill is being deposited on site, to mitigate air pollution and prevent the deposit of mud, dust, and debris, on public roads.

D. The operation of stationary and mobile equipment shall not cause vibrations in excess of that permitted by applicable State and Federal law.

E. All blasting activities shall be conducted in accordance with State and Federal regulations.

F. Safety fencing shall be required around all of the quarrying or mining operations.

v) Haul Roads and Traffic

A. The proposed location of all haul roads shall be shown in the Operational Plan. The haul roads shall be identified on the site by visible markings prior to commencement of construction and during operation.

B. If the haul road is to remain as a permanent road, it shall be left properly 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 stabilized with adequate vegetation.

C. All haul roads from mining operations to public highways, roads or streets or to adjoining property shall be paved or surfaced to minimize dust.

vi) Grading

A. Slopes shall not exceed a three feet horizontal to one foot vertical (3:1 ratio).

B. Grading and backfilling may be accomplished by on-site material only. No materials from off-site may be used to grade or backfill.

e) Land Reclamation and Rehabilitation upon Closure of Facility

i) A closure plan for the reclamation and rehabilitation of the site after the quarrying or mining operation is completed shall be submitted and must be approved as part of the Special Use review.

ii) Such closure plan shall address security measures related to access to the site, use or abandonment of haul roads, revegetation of the site, and removal of all equipment, materials, and structures.

iii) Within 60 days after the final termination of a quarry or mining operation (either by decision of the operator or loss of State or Federal permits) or within 60 days after abandonment of said operation for a period of six months, a Major Site Plan shall be submitted providing for the detailed final end use plan and/or open space plan for the site. Said Major Site Plan submitted shall also include geotechnical engineering data on the length of time needed for restoration work associated with the end use plan to settle sufficiently to provide a stable base for the proposed use.

(2) Light Industrial Uses

a) Light industrial uses shall be subject to the performance standards established in Article 16: Performance Standards.

b) All structures shall be set back a minimum of 75 feet from the property lines of any non-industrial property.

c) In the V or H Districts, light industrial uses including all related structures, parking, fencing, storage, etc. shall be set back a minimum of 300 feet from the property lines of a historic site as defined by this Ordinance.

d) Uses with above-ground chemical or fuel tanks shall be considered a heavy industrial use subject to Section 11.03:(E)(3): Heavy Industrial Uses.

(3) Heavy Industrial Uses

a) Heavy industrial uses shall be subject to the performance standards established in Article 16: Performance Standards.

b) All structures and storage shall be set back a minimum of 150 feet from the property lines of any non-industrial property.

c) Above-ground chemical or fuel tanks shall be located in the rear yard and buffered in accordance with Article 15: Landscaping and Bufferyards. Such tanks shall also meet all applicable State and Federal regulations.

d) As part of the Special Use review, the BZA may require the installation, operation and maintenance of such devices and methods of operation as may, in the opinion of the BZA, be necessary to prevent or reduce odor, dust, smoke, gas, noise or similar nuisances. The BZA may impose other conditions it finds necessary including, but not limited to, the amount of open space to be provided between the heavy industrial use and surrounding properties and other standards that will prevent or reduce the injury or nuisance that might result from the proposed use to surrounding properties and neighborhoods.

(4) Landfills, Private

a) Conformance to State and Federal Regulations

All aspects of a landfill shall conform to applicable State and Federal regulations including, but not limited to, those of the Tennessee Department of Environment and Conservation.

b) Permitted Uses

The following uses may be approved as part of a Special Use approval:

i) The use of land as a sanitary landfill or other solid waste disposal facility permitted by State law;

ii) Mining and excavation as an accessory use to the landfill facility; and

iii) Methane recovery.

c) Performance Standards

i) Geotechnical Assessment

Geotechnical assessments shall be prepared by a qualified engineer and submitted as part of the Special Use application.

ii) Operational Plan

An Operational Plan, which addresses the following, shall be submitted along with the Special Use Application:

A. Landfill operations shall meet all development and performance standards of this Ordinance and all applicable Local, State and Federal regulations.

B. Private landfills shall be conducted as to have no adverse impact on intermittent or perennial streams.

C. In no case may solid waste be left uncovered for more than 24 hours.

D. No burning of waste or other materials shall be permitted.

iii) Area and Setback Requirements

A. There shall be a minimum lot area of 40 acres.

B. All structures and activities shall be set back a minimum of 200 feet from property lines.

C. All structures and activities, except parking, fencing, and offices, shall be set back a minimum of 1,000 feet from a residential property line in existence on the date the Special Use application is received by the Community Development Department unless a larger setback is required by State Law.

D. Landfills shall be set back a minimum of 200 feet from all right-of-way lines of any existing or platted street, road or highway.

E. A 100-foot undisturbed and landscaped buffer shall be provided along the boundaries of the landfill.

iv) General Mitigation Requirements

A. All equipment used for the landfill operation, including any trucks that dump on the site, shall be constructed, maintained and operated in such a manner as to minimize, as far as is practicable, noises, dust and vibrations adversely affecting the surrounding property.

B. All motorized equipment utilized for a permitted landfill operation shall be subject to the performance standards of Article 16: Performance Standards.

C. All excavations on-site shall be graded or backfilled to ensure that the excavated area will not collect and retain water.

D. Control measures shall be implemented on a continuing basis, during the time that the fill is being deposited on site, to mitigate air pollution and prevent the deposit of mud, dust, and debris on public roads.

E. The operation of stationary and mobile equipment shall not cause vibrations in excess of that permitted by applicable State and Federal law.

F. Fencing or other special measures shall be installed to prevent the spread or distribution of litter and other materials off-site and shall, at a minimum, be located at the required setback line.

v) Odor

The following minimum procedural steps shall be taken to abate odors:

A. A comprehensive program of manual and machine cleaning, combined with disinfection and vector control procedures shall be prepared in writing and submitted with the Special Use application;

B. A plan shall be prepared which minimizes the generation of wastewater associated with hosing down equipment, tipping areas, and platforms in the facility. Compressed air or vacuum equipment shall be used for cleaning, where feasible; and

C. A plan shall be prepared for effective dust collection and adequate ventilation.

vi) Haul Roads and Traffic

A. The proposed location of all haul roads shall be shown in the Major Site Plan. The haul roads shall be identified on the site by visible markings prior to commencement of construction and during operation.

B. If the haul road is to remain as a permanent road, it shall be left properly 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 stabilized with adequate vegetation.

C. All haul roads from landfills to public highways, roads or streets or to adjoining property shall be paved or surfaced to minimize dust.

vii) Grading

A. Slopes shall not exceed a three feet horizontal to one foot vertical (3:1 ratio).

B. Grading and backfilling may be accomplished by on-site material only. No materials from off-site may be used to grade or backfill.

d) Salvaging of Materials

Salvaging or recycling of materials on-site shall not be permitted unless approved as a recycling center (See Section 11.03:(E)(7): Recycling Centers.) or salvage center (See Section 11.03:(E)(8): Salvage Centers.) in accordance with this Ordinance.

e) Land Reclamation and Rehabilitation upon Closure of Facility

Landfills shall be subject to the provisions of Section 11.03:(E)(1)e): Land Reclamation and Rehabilitation upon Closure of Facility.

(5) Nontraditional Wastewater Treatment and Disposal Systems

a) General Standards

i) These uses shall require Major Site Plan approval by the Planning Commission (See Section 6.02: Major Site Plan.).

ii) The Major Site Plan application shall demonstrate compliance with all applicable provisions of this Ordinance.

iii) In all Zoning Districts except the MGA-1 and MGA-5Districts, these uses may be designed and constructed with the capacity to serve multiple uses in the region surrounding the proposed system, except as otherwise prohibited in this Ordinance.

b) Specific Requirements for Systems in the A, RP-5 and RD-5 Districts

New Nontraditional Wastewater Treatment and Disposal Systems shall only be permitted in the A, RP-5 and RD-5 Districts if they meet one of the following criteria:

i) They are single, on-site systems serving individual uses other than those listed under the Residential Use Classification in Table 11.01-1: Table of Allowed Uses; or

ii) They are developed in conjunction with a Conservation Subdivision and will not be utilized for any new Minor or Major Traditional Subdivision.

c) Specific Requirements for Systems in the MGA-1 and MGA-5 Districts

New Nontraditional Wastewater Treatment and Disposal Systems shall only be permitted in the MGA-1 and MGA-5 Districts if they are single, on-site systems serving individual uses other than those listed under the Residential Use Classification in Table 11.01-1: Table of Allowed Uses.

(6) Recycling Drop-Off and Other Drop-Off Centers

a) The boxes or bins shall be accessory to a permitted nonresidential use.

b) The station shall be kept free of litter, debris, and residue.

c) Drop-off containers and storage bins shall be set back a minimum of 50 feet from a property line of a residential use in existence at the time of the application.

d) Drop-off containers and storage bins shall occupy no more than 1,000 square feet.

e) The station shall not occupy or block access to required parking spaces or aisles.

(7) Recycling Centers

a) There shall be a minimum lot area of five acres.

b) All aspects of a recycling center shall conform to applicable State and Federal regulations.

c) Any structure or activities associated with the recycling center shall be set back a minimum of 150 feet from the property line of any non-industrial use.

d) Exterior junk piles shall not exceed 15 feet in height and shall be arranged in a manner (with drives for accessibility) for fire protection purposes.

e) No burning of materials shall be permitted.

f) The area of the site where recycling materials are stored outside must be enclosed by a fence with a minimum height of eight feet with the exception of entrances or exits into the area. Such fence shall be located at the required setback line.

(8) Salvage Centers

a) There shall be a minimum lot area of 10 acres.

b) All aspects of a salvage center shall conform to applicable State and Federal regulations including, but not limited to, Title 54, Chapter 20 of the Tennessee Code Annotated.

c) The salvage center and any structures associated with the salvage center use shall be set back a minimum of 150 feet from the property line of any non-industrial use.

d) Exterior junk piles shall not exceed 15 feet in height and shall be arranged in a manner (with drives for accessibility) for fire protection purposes.

e) No burning of junk or other materials shall be permitted.

f) The area of the site where junk is stored must be enclosed by a fence with a minimum height of eight feet with the exception of entrances or exits into the area. Such fence shall be designed to completely screen the salvage center and shall be located at the required setback line.

(9) Trash Compaction and Transfer Stations

a) Conformance to State and Federal Regulations

All aspects of a trash compaction facility or a transfer station shall conform to applicable State and Federal regulations including, but not limited to, those of the Tennessee Department of Environment and Conservation.

b) Performance Standards

An Operational Plan, which addresses the following, shall be submitted along with the Special Use Application:

i) Operational Plan

A. Trash compaction and transfer operations shall meet all development and performance standards of this Ordinance and all applicable Local, State and Federal regulations.

B. Trash compaction and transfer stations shall be conducted as to have no adverse impact on intermittent or perennial streams.

C. No burning of waste or other materials shall be permitted.

ii) Area and Setback Requirements

A. There shall be a minimum lot area of 15 acres.

B. All structures and activities shall be set back a minimum of 200 feet from all property lines.

C. All structures and activities, except parking, fencing, and offices, shall be set back a minimum of 500 feet from a residential property line in existence on the date the Special Use application is received by the Community Development Department unless a larger setback is required by State Law.

D. Trash compaction and transfer stations shall be set back a minimum of 100 feet from all right-of-way lines of any existing or platted street, road or highway.

E. A 50-foot undisturbed and landscaped buffer shall be provided along the boundaries of the site being used for the trash compaction or transfer station.

iii) General Mitigation Requirements

A. All equipment used as part of the operation shall be constructed, maintained and operated in such a manner as to minimize noises, dust and vibrations adversely affecting the surrounding property.

B. All motorized equipment utilized for a permitted quarrying or mining operation shall be subject to the performance standards of Article 16: Performance Standards.

C. Control measures shall be implemented on a continuing basis, during the time that the fill is being deposited on site, to mitigate air pollution and prevent the deposit of mud, dust, and debris, on public roads.

D. The operation of stationary and mobile equipment shall not cause vibrations in excess of that permitted by applicable State and Federal law.

E. Safety fencing shall be required around all or portions of the property.

F. Transfer of waste from one vehicle or container to another vehicle or container shall be done within an enclosed containment area designed to assure that waste materials do not fall onto the ground or enter the groundwater, water feature, water system, drainageway, or drainage system.

iv) Odor

The following minimum procedural steps shall be taken to abate odors:

A. A comprehensive program of manual and machine cleaning, combined with disinfection and vector control procedures shall be prepared in writing and submitted with the Special Use application;

B. A plan shall be prepared which minimizes the generation of wastewater associated with hosing down equipment, tipping areas, and platforms in the facility. Compressed air or vacuum equipment shall be used for cleaning, where feasible; and

C. A plan shall be prepared for effective dust collection and adequate ventilation.

v) Haul Roads and Traffic

A. The proposed location of all haul roads shall be shown on the Major Site Plan. The haul roads shall be identified on the site by visible markings prior to commencement of construction and during operation.

B. If the haul road is to remain as a permanent road, it shall be left properly 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 stabilized with adequate vegetation.

C. All haul roads from trash compaction and transfer stations to public highways, roads or streets or to adjoining property shall be paved or surfaced to minimize dust.

c) Storage

Any storage of materials shall be located within a totally enclosed building.

d) Salvaging of Materials

Salvaging or recycling of materials on-site shall not be permitted unless approved as a recycling center (See Section 11.03:(E)(7): Recycling Centers.) or salvage center (See Section 11.03:(E)(8): Salvage Centers.).

Section 11.04: Accessory Uses and Structures

(A) PURPOSE

This Section authorizes the establishment of accessory uses that are incidental and customarily subordinate to principal uses. The purpose of this Section is to allow a broad range of accessory uses, so long as such uses are located on the same site as the principal use, and so long as they comply with the standards set forth in this Section in order to reduce potentially adverse impacts on surrounding lands.

(B) GENERAL STANDARDS AND LIMITATIONS

(1) Compliance with Ordinance Requirements

All accessory uses and accessory structures shall conform to the applicable requirements of this Ordinance, including the district standards in Article 10: Zoning Districts, the use regulations in Section 11.03: Use-Specific Standards, and the development standards in Article 12: Conservation Subdivision Standards through Article 20: Nontraditional Wastewater Treatment and Disposal Systems. The provisions of this Section establish additional standards and restrictions for particular accessory uses and structures.

(2) General Standards

All accessory uses and accessory structures shall meet the following standards:

a) Directly serve the principal use or structure;

b) Be clearly incidental and subordinate to the principal use and structure;

c) Be owned or operated by the same person as the principal use or structure;

d) Be located on the same lot or parcel as the principal use or structure;

e) When considered in conjunction with the principal use or structure, the accessory use or structure shall not violate any provisions of this Ordinance; and

f) May be constructed or established so long as all required permits or approvals for the principal use have been obtained.

(3) Exceptions and Exclusions

a) If an accessory structure is located within 10 feet of a principal structure, whether physically attached or not, the structure shall be considered to be a part of the principal structure and shall meet the setback requirements for principal structures established in Article 10: Zoning Districts.

b) If an accessory structure is located within 20 feet of a principal structure and is connected via roofline, the structure shall be considered to be a part of the principal structure and shall meet the setback requirements for principal structures established in Article 10: Zoning Districts.

(4) Minor Site Plan Review Required

Accessory uses and structures shall be subject to Minor Site Plan review pursuant to Section 6.01: Minor Site Plan.

(5) Table of Permitted Accessory Uses and Structures

a) Listed Accessory Uses

Table 11.04-1: Permitted Accessory Uses and Structures lists what types of accessory uses, structures, and activities are allowed in each of the zoning districts. If a specific accessory use is allowed in a zoning district, the column underneath the zoning district is marked with a "P." If the specific accessory use requires BZA approval as a Special Use, the column underneath the zoning district is marked with a "S." If the accessory use or structure is not allowed in a zoning district, the column is blank. If there is a reference contained in the column entitled "Additional Requirements," refer to the cited section(s) for additional standards that apply to the specific accessory use.

b) Unlisted Accessory Uses and Structures

If an application is submitted for an accessory use or structure that is not listed in Table 11.04-1: Permitted Accessory Uses and Structures, the Planning Director is authorized to classify the new or unlisted use or structure into an existing accessory use type that most closely fits the new or unlisted use. The Planning Director may prepare an application for an amendment to the text of this Ordinance to clarify where and how the use should be permitted.

(6) Table of Permitted Accessory Uses and Structures

Table 11.04-1: Permitted Accessory Uses and Structures specifies types of accessory uses and the zoning district where each type may be permitted.

TABLE 11.04-1: PERMITTED ACCESSORY USES AND STRUCTURES

P = PERMITTED USE S = SPECIAL USE BLANK = PROHIBITED

	A	RD-5	RP-5	V	H	CGV	GV	LFV	TV	RD-I	RP-I	SIC	MGA-I	MGA-5	MGA-H	NC	NCMH	AP	840C	ADDITIONAL REQUIREMENTS
Accessory Dwelling Units	P	P	P	P	P	P		P		P	P	P	P	P	P	P	P		P	Section 11.04:(D)(1)
Accessory Dwelling Units, Commercial				P	P	P		P							P				P	Section 11.04:(D)(2)
Additional Principal Dwellings	P	P	P	P	P	P		P		P	P	P	P	P	P				P	Section 11.04:(D)(3)
Agricultural Product Sales	P	P	P	P	P	P		P		P	P	P			P			P	P	Section 11.04:(D)(4)
Cemeteries, Accessory		P	P	P	P	P		P		P	P	P	P	P	P	P	P	P	P	Section 11.04:(D)(5)
Day Care Centers Accessory to an Institutional Use		P	P	P	P	P		P		P	P	P	P	P	P	P	P	P	P	Section 11.04:(D)(6)
Family Child Care Homes	P	P	P	P	P	P		P		S	S	S	S	S	P	S	S		P	Section 11.04:(D)(7)

TABLE 11.04-1: PERMITTED ACCESSORY USES AND STRUCTURES
P = PERMITTED USE S = SPECIAL USE BLANK = PROHIBITED

	A	RD-5	RP-5	V	H	CGV	GV	LFV	TV	RD-I	RP-I	SIC	MGA-I	MGA-5	MGA-H	NC	NCMH	AP	840C	ADDITIONAL REQUIREMENTS
Garages and Carports	P	P	P	P	P	P		P		P	P	P	P	P	P	P	P	P	P	
Greenhouses Accessory to a Residential Use	P	P	P	P	P	P		P		P	P	P	P	P	P	P	P	P	P	
Group Child Care Homes	S	S	S	S	S	S		S		S	S	S	S	S	S	S				Section 11.04:(D)(8)
Home Occupations	P	P	P	P	P	P		P		P	P	P	P	P	P	P	P	P	P	Section 11.04:(D)(9)
Residential Businesses	S	S	S	S	S	S		S		S	S	S			S					Section 11.04:(D)(10)
Retaining Walls	P	P	P	P	P	P		P		P	P	P	P	P	P	P	P	P	p	Section 11.04(D)(14)
Small-Scale Wind Energy Turbines (SWET)	P	P	P							P	P	P	P	P					P	Section 11.04:(D)(11)
Solar Panels	P	P	P	P	P	P		P		P	P	P	P	P	P	P	P	P	P	Section 11.04:(D)(12)
Stables Accessory to a Residential Use	P	P	P	P	P	P		P		P	P	P	P	P	P	P	P	P	P	
Stadiums and Arenas Accessory to an Educational Facility		P	P	P	P	P		P		P	P	P	P	P	P	P			P	
Swimming Pools	P	P	P	P	P	P		P		P	P	P	P	P	P	P	P	P	P	Section 11.04:(D)(13)

(C) LOCATION AND MAXIMUM COVERAGE OF ACCESSORY USES AND STRUCTURES

(1) Accessory structures on lots with a lot area of less than five acres shall:

a) Only be permitted in the rear yard;

b) Be set back a minimum of 15 feet from the side property lines; and

c) Be set back a minimum of 15 feet from the rear property line.

(2) Accessory structures on lots with a lot area of five acres or more shall either:

a) Be located in the rear yard, in which case the side and rear yard setbacks shall be a minimum of 15 feet;

b) Be located in the side yard so long as the structure meets the side yard setbacks for a principal structure as established in Article 10: Zoning Districts; or

c) Be located in a front yard so long as the structure is setback a minimum of 200 feet from the front property line and meets the minimum side yard setback for a principal structure as established in Article 10: Zoning Districts..

(3) No single accessory structure shall be larger than 75 percent of the total square footage of the principal structure or 2,000 square feet, whichever is less.

(4) In no instance shall accessory uses and structures cover more than 20 percent of the lot area.

(D) SPECIFIC STANDARDS FOR CERTAIN ACCESSORY USES AND STRUCTURES

(1) Accessory Dwelling Units

a) Accessory dwelling units may be constructed within an existing dwelling unit (interior apartment) or as a separate or converted accessory structure (e.g., converted garage, carriage house, or stable).

b) Only one accessory dwelling unit, regardless of the number of principal dwellings located on a single parcel, may be permitted.

c) Accessory dwellings shall be limited in size to 750 square feet or 25 percent of the square footage of the principal dwelling, whichever is greater. In no case shall the accessory dwelling be more than 75 percent of the square footage of the principal dwelling.

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

e) 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 dimensional requirements for division of the property. A copy of the recorded deed restriction shall be provided to the Community Development Department prior to obtaining an approved Zoning Certificate and Building Permit.

f) Interior apartments may be contained within the existing house or attached 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. Any additions to the existing living quarters must comply with all the dimensional requirements of the applicable zoning district.

(2) Accessory Dwelling Units, Commercial

a) Only one commercial accessory dwelling unit shall be permitted on a single parcel.

b) Commercial accessory dwellings shall be limited in size to 750 square feet.

c) The accessory dwelling unit shall be located within the interior of the principal structure.

d) The use of the accessory dwelling unit shall be limited to use by the owner or employees of the commercial use.

(3) Additional Principal Dwellings

Additional, separate, single-family dwellings located on the same parcel as another single-family dwelling may be permitted in accordance with the following:

a) There may be a maximum of four additional dwellings, for a total of five principal dwellings on any given parcel.

b) Principal dwellings on the same parcel must be set back a minimum of 100 feet from each other.

c) For the second principal dwelling, the parcel must meet the density and dimensional standards for the applicable zoning district.

d) In order to have a third principal dwelling, the parcel must have a minimum lot area of 25 acres.

e) In order to have a fourth principal dwelling, the parcel must have a minimum lot area of 50 acres.

f) In order to have a fifth principal dwelling, the parcel must have a minimum lot area of 100 acres.

g) The applicant shall record a deed restriction with the Register of Deeds stating that any subdivision of property will meet minimum building setbacks for each principal building, that the property, if and when it is subdivided in the future, will meet the density and dimensional standards 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 Community Development Department prior to obtaining an approved Zoning Certificate for each additional principal dwelling.

(4) Agricultural Product Sales

a) The use must be operated in association with an existing agricultural use with a minimum lot area of 15 acres. The use must be located on the same property as the associated agricultural use or on adjoining property under the same ownership as the agricultural use.

b) The use may not exceed 1,500 square feet in size and must be located within a permanent structure.

c) A minimum of 51 percent of the product display area must be devoted to a product(s) produced on the associated agricultural use.

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

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

(5) Cemeteries, Accessory

a) Cemeteries that are accessory to institutional uses are allowed where there is a minimum lot area of 20 acres.

b) Cemeteries as an accessory use shall only be permitted when accessory to an institutional use.

c) Cemeteries shall be subject to all applicable standards of Title 46 of the Tennessee Code Annotated and any other applicable Local, State, or Federal regulations.

(6) Day Care Center Accessory to an Institutional Use

a) The day care center shall obtain a license(s) to operate the facility from all required Local, State, or Federal agency including, but not limited to, the Tennessee Department of Human Services.

b) The maximum number of children or adults the center may service is 100.

c) No day care center shall be established under these provisions on a parcel of record in a major subdivision.

d) No day care center shall be established under these provisions in an institutional use that meets in a structure which was originally a residence.

e) All play areas shall be fenced and set back from side and rear property lines a minimum of 40 feet.

f) The minimum lot area shall be two acres.

g) Adequate buffering shall be provided between play areas and residential lots in accordance with Article 15: Landscaping and Bufferyards.

h) All refuse shall be contained in completely enclosed facilities and located to the rear of the building.

i) Only one sign shall be permitted in addition to the existing institutional use sign. Such sign shall not exceed 10 square feet in sign area nor exceed four feet in height.

j) Accessory day care centers must demonstrate that adequate wastewater capacity exists to serve the day care use.

(7) Family Child Care Home

a) The applicant shall obtain a license(s) to operate the facility from all required Local, State, or Federal agency including, but not limited to, the Tennessee Department of Human Services.

b) All outside play areas must be fenced and be set back from side and rear property lines by a minimum of 40 feet. Play areas shall contain a minimum of 50 square feet per child.

c) The minimum lot area shall be one acre.

d) All refuse shall be contained in completely enclosed facilities and located to the rear of the buildings.

(8) Group Child Care Homes

a) The applicant shall obtain a license to operate the facility from all required Local, State, or Federal authority including, but not limited to, the Tennessee Department of Human Services.

b) All outside areas must be fenced and be set back from side and rear property lines by a minimum of 40 feet. Play areas shall contain a minimum of 50 square feet per child.

c) The minimum lot area shall be one acre.

d) All refuse shall be contained in completely enclosed facilities and located to the rear of the buildings.

e) One sign shall be permitted provided it does not exceed two square feet in sign area.

(9) Home Occupation

a) Persons utilizing their home office space secondarily to another primary office (e.g., working from home during off-hours or telecommuting) shall not be subject to these home occupation regulations.

b) Following approval of the home occupation, the applicant shall obtain a Business License from Williamson County when such license is required.

c) Home occupations may be conducted in any single-family dwelling unit.

d) Up to two home occupations are allowed per single-family dwelling unit except where a residential business is located on the parcel, in which case only one home occupation shall be permitted.

e) The home occupation shall only be conducted inside the dwelling and not in any accessory building.

f) Each home occupation shall be conducted by a resident of the dwelling and each home occupation shall be permitted to employ one additional person on-site.

g) Home occupations shall not exceed more than 25 percent of the total square footage of the dwelling.

h) The residence used for the 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.

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

j) Only one sign shall be permitted provided it does not exceed two square feet in sign area.

(10) Residential Business

a) The residential business shall be conducted entirely within the dwelling or in an accessory building.

b) Only one residential business may be operated on a single parcel. One additional home occupation may be permitted on the same parcel in accordance with the provisions of Section 11.04:(D)(9): Home Occupation.

c) The minimum lot area shall be five acres.

d) The residential business shall be owned and operated by a resident of the principal dwelling. No more than three other persons shall be employed on-site in the residential business or in the residential business and home occupation combined (when both occur on the same parcel).

e) Residential businesses may not serve as a gathering place for additional employees engaged in the business that takes place off the premises.

f) Size Limitations

i) If conducted within the principal dwelling, no more than 25 percent of the total square footage of the dwelling shall be used.

ii) The portion of the Residential Business conducted within an accessory structure shall meet the following:

A. Such structure shall not exceed 2,000 square feet in floor area or 75 percent of the total square footage of the principal dwelling, whichever is less.

B. In addition to the principal dwelling, only one accessory structure shall be utilized.

C. The accessory structure where the residential business is conducted shall meet all applicable accessory structure setbacks.

iii) Where a residential business and home occupation are located on the same parcel, the total floor area for both the uses shall not exceed that which is allowed in Paragraphs (i) and (ii) above.

g) The residential business may contain a storage facility for a business conducted elsewhere, provided such storage is inside an enclosed building.

h) All materials, goods or equipment incidental to the residential business shall be stored within the approved building or within a fenced area. Outdoor storage shall be:

i) Buffered in accordance with Article 15: Landscaping and Bufferyards;

ii) Located in the rear yard;

iii) Set back a minimum of 40 feet from the property lines;

iv) Screened so as not to be visible from any public street or adjoining property; and

v) A maximum of 2,000 square feet in total area.

i) Only one sign shall be permitted provided it does not exceed three square feet in sign area.

j) All activities and work shall be conducted inside the approved building, and noise levels shall not exceed those established under Section 16.02: Noise Standards, at the property lines.

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. Storage of tractor trailers, semi-trucks, or any other heavy equipment (e.g., construction equipment) shall be prohibited.

l) Permitted Residential Businesses

The following are the only use types from Table 11.01-1: Table of Allowed Uses, that are permitted as a residential business:

i) Offices, including home recording studios;

ii) Personal service establishments;

iii) Automobile and machinery repair; and

iv) Light industrial.

(11) Small-Scale Wind Energy Turbines (SWET)

a) SWETs shall be located on lots with a minimum area of one acre or more unless the proposed turbine is attached to a building and the turbine (to the top of the blades) does not exceed the maximum building height requirement of the applicable zoning district.

b) The maximum height of a stand-alone SWET shall be 150 feet from natural grade to the top of an extended rotor blade.

c) All portions of a SWET support structure must meet the setback requirements for the applicable zoning district.

d) A SWET must be set back from all property lines by an area equal to or exceeding the distance of the fall zone.

e) Only a single tower and single turbine shall be permitted on a property. Multiple turbines may be permitted with Special Use approval (See Section 5.01: Special Use.) if attached to a building and if the diameter of the rotor is less than eight feet.

f) Climbing access to the tower structure shall be limited by

i) Placing fixed climbing apparatus no lower than 10 feet from the ground; and

ii) Placing a six-foot fence or shielding around the SWET.

g) Small-scale wind energy systems shall be of a scale intended for on-site power consumption and shall not be designed to produce energy to sell to electric providers. This regulation shall not prohibit a property owner that is installing a small-scale wind energy system from connecting to the local electric system if mandated by the electric provider for the purposes of safety.

(12) Solar Panels

Solar panels that are attached to principal buildings or accessory structures shall be permitted provided such panels do not exceed the maximum height requirements established in the applicable zoning district. Such solar panels shall not require a Zoning Certificate.

(13) Swimming Pools

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

a) The fence shall be a minimum of four feet high and shall encompass the pool area to prevent unauthorized entry.

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

c) Openings in the fence shall not permit the passage of a four inch sphere.

d) 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 shall not meet this standard.

e) 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.

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

g) The sides of an above-ground swimming pool may constitute compliance with the fencing standards if:

i) The entire area around the outside of the pool measures four feet from ground (finished grade) level to the top of the pool; and

ii) The ladder or steps can be secured, locked, or removed to prevent unauthorized access to the pool. If these standards are not met, a fence shall be installed as specified above.

(14) Retaining Walls

a) Retaining walls located on private property are the responsibility of the property owner. The property owner (or his representative) must ensure that the retaining wall is properly designed and constructed. The property owner is responsible for maintenance and repairs of all retaining walls on his property. Retaining walls are not permitted to be constructed within the public right-of-way or in areas that will be dedicated for public right-of-way. The setback from the property line shall be no less than five feet or the total height of the wall, whichever is greater.

b) All plans, profiles, cross-sections and calculations must be prepared and sealed by a registered professional engineer licensed to practice in the State of Tennessee. The professional engineer must have sufficient education and experience to design a retaining wall that ensures the safety of the general public. The professional engineer shall also have complete control of all aspects of the design and preparation of plans and calculations. The design must consider global slope stability both above and below the wall. Williamson County does not assume responsibility or liability resulting from the approval of the plans or calculations of the retaining wall design.

c) In order to obtain a Zoning Certificate for construction of retaining walls four feet or taller on private property, the following information must be submitted:

i) A plan sheet that includes existing and proposed contours, drainage features, buildings, property lines, proposed wall locations, public easements, parking facilities and streets;

ii) A typical section showing wall and footing dimensions, backfill slopes, finished grade elevations, steel reinforcement details, weephole locations, and subsurface drainage systems; and

iii) Engineering calculations for the design of the wall, noting all assumptions such as concrete and steel reinforcement strengths, soil parameters, surcharges, bearing pressures, safety factors for bearing capacity, overturning, and sliding.

Section 11.05: Temporary Uses and Structures

(A) PURPOSE

This Section allows for the establishment of certain temporary uses, structures, and events for the limited duration of time provided.

(B) TABLE OF PERMITTED TEMPORARY USES AND STRUCTURES

Table 11.05-1: Permitted Temporary Uses and Structures summarizes the temporary uses and structures that are allowed within the County and any additional requirements that apply to the specified temporary use or structure. Temporary uses or structures not listed in Table 11.05-1: Permitted Temporary Uses and Structures are prohibited.

TABLE 11.05-1: PERMITTED TEMPORARY USES AND STRUCTURES

P = PERMITTED USE S = SPECIAL USE BLANK = PROHIBITED

	A	RD-5	RP-5	V	H	CGV	GV	LFV	TV	RD-I	RP-I	SIC	MGA-I	MGA-5	MGA-H	NC	NCMH	AP	840C	ADDITIONAL REQUIREMENTS
Acceptance of Fill Material	P	P	P	P	P	P		P		P	P	P	P	P	P	P	P	P	P	Section 11.05:(D)(1)
Borrow Pit	P	P	P	P	P	P		P		P	P	P	P	P	P	P	P	P	P	Section 11.05:(D)(2)
Contractor's Office and Construction Equipment Sheds	P	P	P	P	P	P		P		P	P	P	P	P	P	P	P	P	P	Section 11.05:(D)(3)
Firework Sales				P	P	P		P							P				P	Section 11.05:(D)(4)
Produce Stand/Seasonal Sales	P	P	P	P	P	P		P		P	P	P	P	P	P	P	P	P	P	Section 11.05:(D)(5)
Real Estate Sales Office/Model Home Sales	P	P	P	P	P	P		P		P	P	P	P	P	P	P	P	P	P	Section 11.05:(D)(6)
Special Events-Extensive Impact	S	S	S	S	S	S		S		S	S	S	S	S	S	S	S	S	S	Section 11.05:(D)(7)
Special Events-Limited Impact	P	P	P	P	P	P		P		P	P	P	P	P	P	P	P	P	P	Section 11.05:(D)(8)
Temporary Asphalt, Asphalt Reprocessing Plants, or Rock Quarries	P	P	P	P	P					P	P	P	P	P	P	P	P	P	P	Section 11.05:(D)(9)
Temporary Shelter	P	P	P	P	P	P		P		P	P	P	P	P	P	P	P	P	P	Section 11.05:(D)(10)
Temporary Storage in Portable Shipping Containers	P	P	P	P	P	P		P		P	P	P	P	P	P	P	P	P	P	Section 11.05:(D)(11)
Temporary Structures Related to Institutional Uses	P	P	P	P	P	P		P		P	P	P	P	P	P				P	Section 11.05:(D)(12)

(C) PROHIBITED TEMPORARY USES

The following activities are prohibited in all districts:

(1) Retail sales or display of goods, products, or services within the public right-of-way.

(2) Retail sales or display of goods, products, or services from a motor vehicle, trailer, or shipping container except as may be authorized as part of a permitted produce stand and seasonal sales use.

(D) SPECIFIC STANDARDS FOR CERTAIN TEMPORARY USES AND STRUCTURES

(1) Acceptance of Fill Materials

a) The acceptance of fill material onto a property shall constitute a temporary use unless:

i) The acceptance of the material is undertaken as part of a development that has been approved as a Minor or Major Site Plan in accordance with Article 6: Minor and Major Site Plans; or

ii) The area of land that will be used or disturbed for the purpose of accepting the fill material has a total area of 10,000 square feet or less.

b) The acceptance of fill material shall not be considered an agricultural use.

c) The acceptance of fill material subject to these provisions shall require the submittal of an application for a Land Disturbance Permit in accordance with the Williamson County Storm Water Management Regulations.

d) Performance Standards

i) Dust

Control measures shall be implemented on a continuing basis, during the time that the fill is being deposited on site, to mitigate air pollution and prevent the deposit of mud, dust, and debris, on public roads.

ii) Traffic

No trucks associated with the depositing of the fill material may be parked or stored on-site for a period longer than 24 hours.

iii) Final Slopes

Final slopes shall be graded, contoured, or terraced, wherever needed, sufficient to achieve soil stability and control landslides, erosion and sedimentation.

iv) Soil Erosion Sedimentation Control

The area of land affected shall be resoiled, wherever needed, with topsoil or suitable subsoil, fertilizer, lime, or soil amendments, as appropriate, in sufficient quantity and depth to raise and maintain a diverse growth of vegetation adequate to bind the soil and control soil erosion and sedimentation.

(2) Borrow Pit

The following provisions apply to any borrow pit not otherwise regulated by Title 59 of the Tennessee Code Annotated or classified as a use type under the Extractive Industry Use Category in Table 11.01-1: Table of Allowed Uses.

a) A borrow pit associated with any on-site use shall not constitute a temporary use when undertaken as part of a development approved as a Minor or Major Site Plan in accordance with Article 6: Minor and Major Site Plans;

b) Borrow pits shall be subject to the resource protection standards of Article 13: Resource Protection Standards.

c) Borrow pits shall be set back a minimum of 50 feet from all property lines and 150 feet from any residential property line.

d) Borrow pits shall not occupy or cover more than 25 percent of any lot area where the lot is under 10 acres nor occupy or cover more than 10 percent of any lot area where the lot is 10 acres or larger.

e) Borrow pits shall not have any slope that is greater than two feet horizontal to one foot vertical (2:1 ratio).

f) Prior to excavation, the applicant shall obtain a Land Disturbance Permit in accordance with the Williamson County Storm Water Management Regulations.

g) Upon approval of a Land Disturbance Permit, but prior to excavation, the applicant shall be responsible for installing a fence with a minimum height of six feet around the borrow pit, which shall, at a minimum, be located at the required setback lines. Such fence shall include "no trespassing" signs located at intervals of 200 feet or less.

h) No blasting shall be permitted as part of borrow pit operations.

i) Borrow pits shall be subject to the performance standards set forth for the acceptance of fill materials in Section 11.05:(D)(1): Acceptance of Fill Materials.

j) Borrow pits shall only be permitted on sites with a minimum lot area of five acres and shall not be located within a major subdivision.

k) Borrow pits shall take access from an arterial or collector road as established in the Major Thoroughfare Plan.

l) Permits for a borrow pit shall be valid for three months with a one time, three-month extension that may be approved by the Planning Director.

(3) Contractor's Office and Construction Equipment Sheds

a) The use must be incidental to an on-going construction project.

b) Only one office and one shed may be permitted on a single site.

c) The office or shed shall not contain sleeping or cooking accommodations.

d) The office or shed shall be removed upon completion of the construction project.

e) Any gravel or pavement area shall be revegetated after completion of construction.

(4) Fireworks Sales

a) The proposed structure shall be set back a minimum of 250 feet from all residential property lines.

b) The proposed structure shall be set back a minimum of 500 feet from all other structures used for firework sales.

c) The Temporary Use Permit shall be valid for a period of 15 days in any one six-month time period and shall be limited to times around New Year's Day and the Fourth of July holidays.

d) A business license is required for firework sales.

e) A notarized statement from the property owner shall be provided that specifies the location of the sales and duration of time the fireworks sale is authorized on the property. The statement shall also state that the property owner consents to the fireworks sale.

f) Firework sales shall be subject to Minor Site Plan review (See Article 6: Minor and Major Site Plans.) for each time period a permit is requested.

g) An application for a firework sales use shall be submitted no later than 30 days prior to the first day of proposed operation.

(5) Produce Stand/Seasonal Sales

a) All temporary signs shall be affixed to the stand and, when added together, shall not exceed 35 square feet in sign 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. Such signs shall not require the issuance of a Sign Permit.

b) The stand shall not be located within any right-of-way and shall be set back a minimum of 10 feet from the paved surface of any public street.

c) The stand shall conform to the sight distance requirements as set forth in Section 17.02.

d) One off-street parking space shall be provided for every 300 square feet of sales or display area, and in no case shall there be less than two parking spaces provided. Parking shall be arranged so that no vehicle backs out into the street and to prevent vehicles from parking within the street right-of-way.

e) The Temporary Use Permit shall be valid for six months per calendar year.

f) A notarized statement from the property owner shall be provided that specifies the location of the sales and duration of time the produce stand or seasonal sales is authorized on the property. The statement shall also state that the property owner consents to the produce stand or seasonal sales.

g) The use shall not be located within a Major Subdivision as defined by the Williamson County Subdivision Regulations.

(6) Real Estate Sales Office/Model Home Sales

a) The use must be incidental to a development approved in accordance with this Ordinance and the Subdivision Regulations. A model home may be used as a temporary sales office.

b) The temporary office shall be removed when Building Permits have been issued for 95 percent of those lots within the development that have been recorded in the Register of Deeds office.

(7) Special Events – Extensive Impact

a) General

The procedures and standards of this Subsection shall apply to all special events (including but not limited to cultural events, musical events, celebrations, festivals, fairs, carnivals, circuses, and communal camping) held on private property within the County, unless exempted in accordance with Section 11.05:(D)(7)c): Exemptions.

b) Mass Gatherings

The applicant must demonstrate that the event has met all licensing requirements outlined in the Tennessee Code Annotated, Title 68, Chapter 112, if required, as well as those requirements outlined in this Section.

c) Exemptions

The following events or activities are exempt from the standards of this Subsection (i.e., may occur without a Temporary Use Permit for a special event). Such activities are subject to all other applicable procedures and standards of this Ordinance.

i) Any event sponsored in whole or in part by a Local, State, or Federal government.

ii) Any organized activities conducted at sites or facilities typically intended and used for such activities. Examples of such exempt activities include, but are not limited to, sporting events such as golf, soccer, softball, and baseball tournaments conducted on courses or fields intended and used for such activities; fairs and carnivals at fairgrounds; wedding services conducted at reception halls, or similar facilities; funeral services conducted at funeral homes or commercial cemeteries; religious services, wedding services, and funeral services conducted at religious institutions.

d) Standards

i) In addition to the general standards for Special Uses (See Section 5.01: Special Use.), an application for a special event shall comply with the following standards:

A. The application shall not contain intentionally false or materially misleading information.

B. The special event shall not create an unreasonable risk of significant:

1. Damage to public or private property, beyond normal wear and tear;

2. Injury to persons;

3. Public or private disturbances or nuisances;

4. Unsafe impediments or distractions to, or congestion of, vehicular or pedestrian travel;

5. Additional and impracticable or unduly burdensome police, fire, trash removal, maintenance, or other public services demands; and

6. Other adverse effects upon the public health, safety, or welfare.

C. The special event shall not be of such a nature, size, or duration that the particular location requested cannot reasonably accommodate the event.

D. The special event shall not occur at a time and location that has already been permitted or reserved for another special event-extensive impact or special event-limited impact.

ii) The applicant shall provide a copy of the application material to the County's Sheriff's Department, the County's Emergency Communications Department, the County's Emergency Management Department, the applicable fire department, and other appropriate agencies and departments as determined by the Planning Director for review. The applicant shall provide proof that the application has been submitted to each, and such notice shall be provided to the Planning Department at the time of submittal.

iii) In the review of the application, the BZA, will require the following specific criteria, as applicable, be met:

A. Potable water, meeting all applicable Local, State, and Federal standards for purity, must be available at a rate of one gallon per person per day for the maximum number of people attending the event, as identified on the Site Plan.

B. Separate enclosed toilets for male and female attendees, meeting all applicable Local and State standards, sufficient to provide for the maximum number of people attending the event, shall be provided at a rate of one toilet for every 200 females and one toilet for every 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 at a rate of 2.5 pounds per person.

D. Parking shall be provided on-site at a rate of one space per four persons, based on the maximum number of people attending the event.

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 footcandles shall be provided. However, the measurement at the property line cannot exceed one footcandle.

F. Security guards shall be provided at a rate of one security guard for every 750 people attending the event based on the maximum number of people attending the event.

G. A minimum buffer of 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 BZA 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 BZA may permit activities to begin at an earlier time.

I. Any sound amplification shall be subject to the standards of Section 16.02: Noise Standards.

e) Conditions

In approving the special event, the BZA is authorized to impose such conditions as may be necessary to reduce or minimize any potential adverse impacts upon other property in the area. Such conditions may include, but are not limited to, conditions that address the following:

i) Provision of adequate vehicular ingress and egress.

ii) Control of nuisance factors, such as, but not limited to, the prevention of glare or direct illumination of adjacent properties, noise, vibrations, smoke, dust, dirt, odors, gases, and heat.

iii) Regulation of temporary buildings, structures, and facilities, including placement, height and size, location of equipment and open spaces, including buffer areas and other yards.

iv) Provision of medical facilities.

v) Modification or elimination of certain proposed activities.

(8) Special Events – Limited Impact

a) Any event that includes one or more of the following shall be classified as a special event-extensive impact, subject to Section 11.05:(D)(7)Special Events – Extensive Impact:

i) Sale of alcoholic beverages;

ii) Attendance of over 750 people;

iii) Overnight camping; or

iv) Exceeds two consecutive days.

b) There shall be a maximum of four events per calendar year on a single parcel or site.

c) Exemptions

The following events or activities are exempt from the standards of this Subsection (i.e., may occur without a Temporary Use Permit for a special event). Such activities are subject to all other applicable procedures and standards of this Ordinance.

i) Any event sponsored in whole or in part by a Local, State, or Federal government.

ii) Any organized activities conducted at sites or facilities typically intended and used for such activities. Examples of such exempt activities include, but are not limited to, sporting events such as golf, soccer, softball, and baseball tournaments conducted on courses or fields intended and used for such activities; fairs and carnivals at fairgrounds; wedding services conducted at reception halls, or similar facilities; funeral services conducted at funeral homes or commercial cemeteries; religious services, wedding services, and funeral services conducted at religious institutions.

(9) Temporary Asphalt, Asphalt Reprocessing Plants, or Rock Quarries

a) Such facilities shall be permitted only in conjunction with County, State, or Federal highway road improvements in Williamson County.

b) A use that does not meet the criteria in Paragraph (a) above shall not be considered as a temporary use and shall only be permitted in accordance with the requirements of Section 11.03:(E)(1)Rock Quarries and Mining Operations or Section 11.03:(E)(3): Heavy Industrial Uses.

(10) Temporary Shelter

When fire or natural disaster has rendered a single-family dwelling unfit for human habitation, or when a property owner desires to live on site while the primary residence is being constructed, temporary shelter shall be permitted so long as the following are met:

a) In cases where fire or natural disaster has occurred, the following shall apply:

i) The following structures shall be allowed as a temporary shelter:

A. Recreational vehicles and travel trailers;

B. Housing units provided by State or Federal agencies; and

C. Mobile homes.

ii) A Temporary Use Permit may be issued for a period of one year.

iii) The Planning Director is authorized to grant a renewal of the Temporary Use Permit for two additional six-month periods. No renewal shall be issued unless a building permit has been issued and construction has begun on the permanent structure.

iv) The temporary shelter must be served by approved water and sewage disposal facilities.

v) If a mobile home is used, it shall meet all the standards of Section 11.03:(B)(3): Mobile Homes.

vi) The temporary shelter shall be removed from the property upon cessation of use for residential purposes or issuance of the occupancy permit for the new principal dwelling, whichever occurs first.

b) In cases where the property owner desires to live on-site while the primary residence is being constructed, the following shall apply:

i) The following structures shall be allowed as a temporary shelter:

A. Recreational vehicles and travel trailers; and

B. Mobile homes.

ii) The Building Permit for the primary residence must be issued prior to the issuance of the Temporary Use Permit for the temporary shelter.

iii) A Temporary Use Permit may be issued for a period of one year.

iv) The Planning Director is authorized to grant a renewal of the Temporary Use Permit for one additional six-month period. No renewal shall be issued unless construction has begun on the permanent structure.

v) The temporary shelter must meet the setback requirements of the applicable zoning district.

vi) The temporary shelter must be served by approved water and sewage disposal facilities.

vii) If a mobile home is used, it shall meet all the standards of Section 11.03:(B)(3): Mobile Homes.

viii) The temporary shelter shall be removed from the property upon cessation of use for residential purposes or issuance of the occupancy permit for the new principal dwelling, whichever occurs first.

c) In all cases, the applicant shall be required to provide express written consent authorizing Williamson County to remove the shelter at the owner's expense upon termination of the permit.

(11) Temporary Storage in Portable Shipping Containers

Temporary storage in a portable shipping container shall be permitted for the purposes of temporary storage subject to the following standards:

a) Storage containers may not exceed 160 square feet in size or be taller than eight feet.

b) Containers shall be located within a driveway, parking, or loading area.

c) A maximum of one container may be permitted on a single parcel.

d) The temporary storage may be permitted for a period of 30 consecutive days. The Planning Director is authorized to grant a renewal of the Temporary Use Permit for up to one additional 30-day period.

(12) Temporary Structures Related to Institutional Uses

a) The structure shall be located in the side or rear yard and at least 10 feet from the principal building.

b) The structure may be placed in a parking lot but shall not reduce the number of parking spaces to a number below what is required by Article 17: Access, Off-Street Parking, and Loading Standards.

c) The structure shall be surrounded by skirting or other methods to prevent unauthorized access underneath the structure(s).

d) The temporary structure may be permitted for a period of two years. The Planning Director is authorized to grant a renewal of the Temporary Use Permit for up to two additional one-year periods. In no event, however, shall such extensions allow the temporary structure to remain on the site for more than four years.

e) Following removal of a temporary structure, the area shall be restored to its original condition unless a plan for new construction in the subject location has been approved.

Article 12: Conservation Subdivision Standards

Section 12.01: Purpose

The purpose of this Article is to further the goals and policies of the County's Comprehensive Land Use Plan by providing standards for the development of Conservation Subdivisions. Specifically, these standards are intended to:

(A) Promote development that preserves rural character while maintaining allowable densities;

(B) Encourage the permanent preservation of open space and the protection of natural resources;

(C) Facilitate a fiscally efficient layout of roads, utilities, and other public infrastructure;

(D) Allow for greater flexibility and creativity in the design of residential developments; and

(E) Minimize the total amount of land disturbance associated with new development through the use of impact-reducing site design.

Section 12.02: Requirements for Eligibility

To be eligible for consideration as a Conservation Subdivision:

(A) In the RP-1, RD-1, SIC, and 840C districts, the proposed development must contain a minimum of five lots, and the development site shall contain a minimum of 10 acres.

(B) In the A, RP-5 and RD-5 districts, the proposed development must contain a minimum of three lots, and the development site shall contain a minimum of 15 acres.

(C) The required minimum site area shall not be separated by any public road or other public right-of-way in existence prior to development.

Section 12.03: Procedural Elements

(A) **PRE-APPLICATION MEETING REQUIRED**

Before submitting an application for a Conservation Subdivision, the applicant shall meet with the Community Development staff to discuss the procedural and design requirements for Conservation Subdivisions.

(B) **INITIAL SUBMITTAL REQUIREMENTS**

The following information is required and shall be submitted in conjunction with the initial Concept Plan submittal as outlined in the Williamson County Subdivision Regulations:

(1) **Site Context Map**

This map illustrates the development property in relation to its surroundings and shows the major natural features and resource areas that cross parcel boundaries or that are located on adjoining parcels.

(2) Existing Conditions/Site Analysis Map

This map locates and describes all Primary and Secondary Conservation Areas as described in Section 12.04:(E) on the development site and is the basis for determining the key portions of the site that should be protected in permanent open space.

(3) Conservation Subdivision Concept Plan

The Concept Plan shows the overall development proposal, including building lots, open space areas and the layout of roads and other infrastructure. The Concept Plan should be developed only after the Site Context Map and the Existing Conditions/Site Analysis Map are developed and evaluated.

(C) PRELIMINARY AND FINAL PLATS

Following approval of a Concept Plan for a Conservation Subdivision by the Planning Commission, the applicant may proceed with Preliminary and Final Plat approvals according to the procedures outlined in the Subdivision Regulations.

Section 12.04: Design Standards

(A) MAXIMUM GROSS DENSITY

The maximum gross density for Conservation Subdivisions is established in Article 10: Zoning Districts.

(B) MINIMUM LOT AREA

The minimum lot area for Conservation Subdivisions is established in Article 10: Zoning Districts.

(C) MINIMUM LOT WIDTH

The minimum lot width for Conservation Subdivisions is established in Article 10: Zoning Districts.

(D) MINIMUM SETBACKS

The minimum front, side and rear yard setbacks are established in Article 10: Zoning Districts.

(E) OPEN SPACE REQUIREMENTS

In addition to the requirements established in Article 14: Open Space Set-Aside Standards, Conservation Subdivision proposals shall meet the following:

(1) Amount of Open Space Required

The minimum percentage of a development site that must be set aside in permanent open space is established in Article 14: Open Space Set-Aside Standards.

(2) Primary Conservation Areas

Primary Conservation Areas are those areas of a Conservation Subdivision development site that are required to be protected in accordance with Article 13: Resource Protection Standards. All such areas shall be identified on the Existing Conditions/Site Analysis Map and shall be protected as permanent open space, regardless of whether the protection of these areas results in a greater amount of open space than is otherwise required in Article 14: Open Space Set-Aside Standards.

(3) Secondary Conservation Areas

Secondary Conservation Areas are areas of a Conservation Subdivision development site that are not required to be protected in accordance with Article 13: Resource Protection Standards, but must be protected as permanent open space to the extent necessary in order to meet the requirements of Table 14.03-1: Open Space Set-Aside, after all Primary Conservation Areas (and other areas required to be located in Open Space in accordance with this Article and Article 14: Open Space Set-Aside Standards.) are identified and preserved as open space. These areas of the development contain other intrinsic qualities of value to the community, and may include, but are not limited to, the following:

a) Additional areas of tree canopy beyond those required to be protected as Primary Conservation Areas;

b) Areas containing one or more existing healthy trees greater than 26 inches in diameter at breast height (DBH);

c) Prime agricultural land of at least three contiguous acres in area;

d) Site features that, if protected in open space, would minimize the visual impact of building lots from existing road rights-of-way and/or adjoining properties; and

e) Other significant natural features and/or scenic view sheds, particularly those that can be seen from existing public roads.

f) All Secondary Conservation Areas shall be identified on the Existing Conditions/Site Analysis Map.

(4) Contiguity

a) Open space shall be interconnected wherever possible to existing and potential open space areas on adjacent properties as well as to other internal areas of open space on the development site to provide a contiguous network of such lands within and adjoining the development site.

b) Long, thin strips or narrow areas (less than 100 feet) of open space shall be avoided except when necessary to provide access, as a vegetative buffer, or as a connection between open space areas.

c) A minimum of 50 percent of the open space shall be provided in a single, contiguous area. Open space areas will be considered contiguous if separated by a roadway, but will not be considered contiguous if separated by building lots.

(F) FLAG LOTS

Flag lots are permitted within a Conservation Subdivision in accordance with the following:

(1) No more than 15 percent of the total number of lots within a Conservation Subdivision may be flag lots.

(2) The flagpole must be part of the flag lot and must connect to a public or private road.

(3) A minimum width of 25 feet must be maintained throughout the length of the flagpole portion of the lot.

(4) The flag portion of the lot must comply with the minimum lot area and minimum lot width required by the zoning district in which it is located.

(5) The front lot line of a flag lot shall be the lot line which is closest and most nearly parallel to the road to which the flagpole portion of the lot connects.

(6) Where two flag lots abut one another, a shared/common driveway shall be used.

(7) No more than two contiguous flagpoles may be created.

Article 13: Resource Protection Standards

Section 13.01: Purpose

The general purpose of this Article is to establish standards for the protection of natural and historical resources within Williamson County from the potential harmful effects associated with development. Furthermore, it is also the general purpose of this Article to implement the resource protection recommendations of the Williamson County Comprehensive Land Use Plan. In addition to these general purposes, the following are specific purpose statements for the protection of certain resources:

(A) WATERWAY PROTECTION

The purpose of the waterway protection standards is to work in concert with the Williamson County Storm Water Management Regulations to protect, maintain, and enhance the environment of Williamson County and the public health, safety, and the general welfare of its citizens by protecting streams, drainageways, and other water sources from potential pollutants resulting from development and other land disturbing activities.

(B) STEEP TOPOGRAPHY AND SLIPPAGE SOIL PROTECTION

The purpose of the steep topography and slippage soil protection standards is to guide development on hilltops, ridgetops, steep slopes, and on slippage soils (generally referred to as hillsides and hillside areas) to protect natural areas and features and to locate development, where possible, in areas that do not have severe environmental limitations. This Section intends to regulate hillside development in order to protect life and property from hazards due to slope, erodible soils, unstable soils, earth movement, and other geologic and hydrologic hazards. Furthermore, it is the intent of these standards to:

(1) Protect the ridgetops and hilltops of Williamson County because development on hilltops and ridgetops increases runoff, erosion, sedimentation, and the potential for slope destabilization;

(2) Undertake development in a manner that protects life and property from hazards due to slope, unstable and erodible soils, earth movement, and other geologic and hydrologic hazards;

(3) Guide development on sensitive sites consistent with the Williamson County Comprehensive Land Use Plan;

(4) Limit development on slippage soils where there is a possibility of substantial property damage;

(5) Reduce potential for increased erosion, sedimentation, and surface runoff, and the resulting adverse impacts on water quality;

(6) Promote a safe means of ingress and egress for vehicular and pedestrian traffic in sloped areas;

(7) Preserve the visual quality of steep slope areas, which are valuable natural and economic resources; and

(8) Encourage innovative and imaginative building techniques to create structures and site plans that are suited to sloped terrain.

(C) KARST TOPOGRAPHY PROTECTION

The purpose of the karst topography protection standards is to guide development in areas containing karst features to protect natural areas and features and to locate development, where possible, in areas that do not have severe environmental limitations due to karst. The regulations in this Section are intended to protect against the significant public health, safety, and welfare risks associated with development on karst terrain and more specifically to:

(1) Preserve and maintain the water quality and quantity of Williamson County's surface and subsurface water supplies;

(2) Protect groundwater point recharge features;

(3) Guide development on sensitive sites consistent with the Williamson County Comprehensive Land Use Plan;

(4) Aid in the prevention of localized flooding; and

(5) Reduce the potential for significant property damage resulting from subsidence or other earth movements.

(D) SPECIAL FLOOD HAZARD AREA PROTECTION

The purpose of the special flood hazard protection standards is to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas. Furthermore, it is also the purpose of this Section to:

(1) Restrict or prohibit uses which are vulnerable to water or erosion hazards, or which cause damaging increases in erosion, flood heights, or flood velocities;

(2) Require that uses vulnerable to floods, including community facilities, be protected against flood damage;

(3) Control the alteration of natural floodplains, stream channels, and natural protective barriers which accommodate flood waters;

(4) Control filling, grading, dredging and other development which may increase erosion or flood damage; and

(5) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards.

(E) WETLAND PROTECTION

The purpose of the wetland protection standards is to promote, preserve, and enhance the important hydrologic, biological, ecological, aesthetic, recreational, and educational functions that wetlands provide in Williamson County. The purpose of this section is also to guide development on sensitive sites consistent with the Comprehensive Land Use Plan to protect the County's natural resources and to locate development, where possible, in areas that do not have severe environmental limitations.

(F) WOODLAND AND TREE PROTECTION

The purpose of the woodland and tree protection standards is to limit the destruction of and ensure the survival of large areas of tree coverage. The maintenance of existing trees and replanting of new trees is necessary to promote the value of property and the quality of life of the citizens; to ensure the stabilization of soil by prevention of erosion; to reduce storm water runoff and the costs associated with it; to replenish groundwater supply; to cleanse the air of harmful pollutants; and, to provide greenbelts and buffers to screen against noise pollution, artificial light, and glare. It is the intent of this Section to prohibit the unnecessary clearing of land so as to preserve a portion of the existing tree canopy.

(G) HISTORIC AND CULTURAL RESOURCE PROTECTION

The purpose of the historic and cultural resource protection standards is to protect the historic and cultural resources of Williamson County that are an integral part of the County's rural character and charm. Furthermore, these standards are designed to provide improved buffers between new development adjacent to historic sites and allow for the creative integration of sites within open space in a method that will not reduce the integrity of the historic sites.

Section 13.02: Waterway Protection Standards

(A) APPLICABILITY AND ESTABLISHMENT OF WATERWAY NATURAL AREAS

(1) Waterway Natural Areas (WNA) shall be as established in the Williamson County Storm Water Regulations.

(2) WNAs shall be applied along all intermittent and perennial streams, which may be determined by the County, State, or qualified hydrologic professional.

(B) APPLICABILITY AND ESTABLISHMENT OF DRAINAGEWAYS

Where otherwise not classified as a WNA, a drainageway is the land on either side of, and within 12.5 feet of, the centerline of any swale identified by topography having a minimum of five acres of upstream area and which is not included within a floodplain. See Figure 13.02-A: Drainageways.

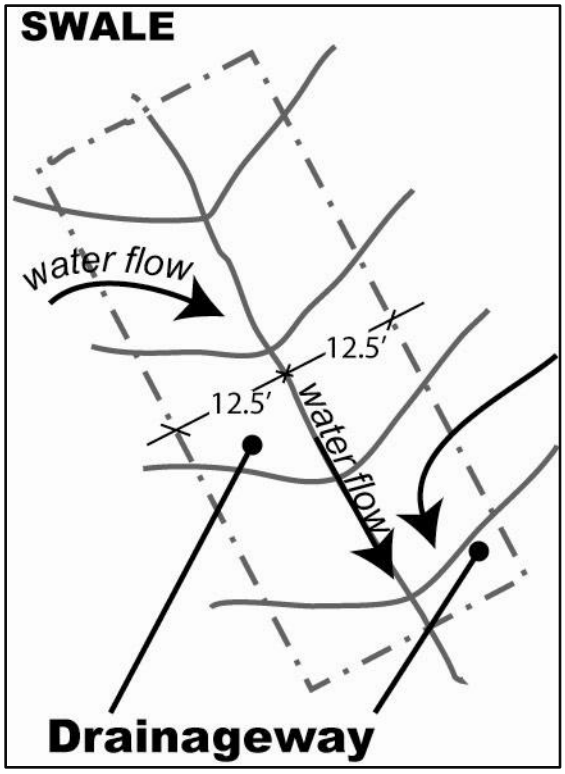


Figure 13.02-A: Drianageways

(C) PROTECTION STANDARDS

(1) All WNAs shall be preserved as permanent open space set-aside areas (See Article 14: Open Space Set-Aside Standards.) except in developments where an open space set-aside is not required as part of this Ordinance.

(2) Permitted uses within the WNAs shall be subject to the standards of the Williamson County Storm Water Regulations and Article 14: Open Space Set-Aside Standards of this Ordinance.

(3) Where open space set-asides are not required, the WNAs shall be preserved in accordance with the Williamson County Storm Water Regulations.

(4) Drainageways shall be located within a recorded drainage easement with a minimum width of 25 feet.

Section 13.03: Steep Topography and Slippage Soil Protection Standards

(A) APPLICABILITY

This Section shall apply to all land disturbing activity and development activities proposed on:

(1) Properties that contain slopes of 15 percent or more;

(2) Hilltops and ridgetops; and

(3) Slippage soils.

(B) STEEP SLOPES

(1) Measurement of Steep Slopes

a) The restrictions on development on steep slopes refer to existing (pre-development) site conditions.

b) Slopes shall be determined by dividing the vertical rise in elevation by the horizontal run of the same slope and converting the result into a percentage value.

(2) Identification of Steep Slope Areas

Steep slope areas are classified into one of the following categories:

a) Moderately Steep Slope Areas

Moderately steep slope areas are areas with slopes from 15 to 25 percent.

b) Very Steep Slope Areas

Very steep slope areas are areas with slopes in excess of 25 percent.

(3) Minimum Size of Steep Slope Areas

The steep slope standards of this Section do not apply to isolated steep slope areas that are less than 5,000 square feet in area. For purposes of this provision, the entire contiguous area of the steep slopes shall be included in the minimum size calculation, regardless of the number of individual lots or property lines involved.

(4) Protection Standards

a) Very Steep Slopes

i) Where open space is required as part of a development, all very steep slope areas shall be preserved as open space, subject to Article 14: Open Space Set-Aside Standards.

ii) Where open space is not required as part of a development, very steep slope areas may be located on a lot, provided that the area(s) is not located within a building envelope or areas subject to land disturbing activities.

b) Moderately Steep Slopes

Where moderately steep slopes are located within a building envelope, an engineered site plan shall be required. All roads and driveways located within moderately steep slope areas shall follow natural contour lines to the maximum extent practicable.

(5) General Prohibition on Land Disturbance

Land disturbing activities, including but not limited to clearing, excavation, grading, construction, reconstruction, and investigative land disturbing activities such as test wells, are prohibited on any very steep slope area, except for the following activities:

a) Passive recreation uses, including trails for non-motorized use only;

b) Minor utilities and driveways, subject to standards in the Williamson County Subdivision Regulations and this Subsection;

c) No driveways or minor utilities shall cross very steep slopes greater than 50 percent;

d) Where driveways and/or minor utilities cross very steep slopes between 25 and 50 percent, the applicant must submit a geotechnical study with findings that:

i) Such driveway and/or minor utility will not have significant adverse visual, environmental or safety impacts, or appropriate engineering or other measures will be taken by the developer to substantially mitigate any such adverse impact; and

ii) No alternative location for access or minor utilities is feasible or available.

(C) HILLTOPS AND RIDGETOPS

(1) Identification of Hilltop and Ridgetop Areas

a) Hilltops and ridgetops are areas of land with a slope of less than 15 percent, located directly above moderately steep and/or very steep slope areas (See Section 13.03:(B)(2)Identification of Steep Slope Areas.), and that are completely surrounded by such steep slope areas. See Figure 13.03-A: Hilltops and Ridgetops.

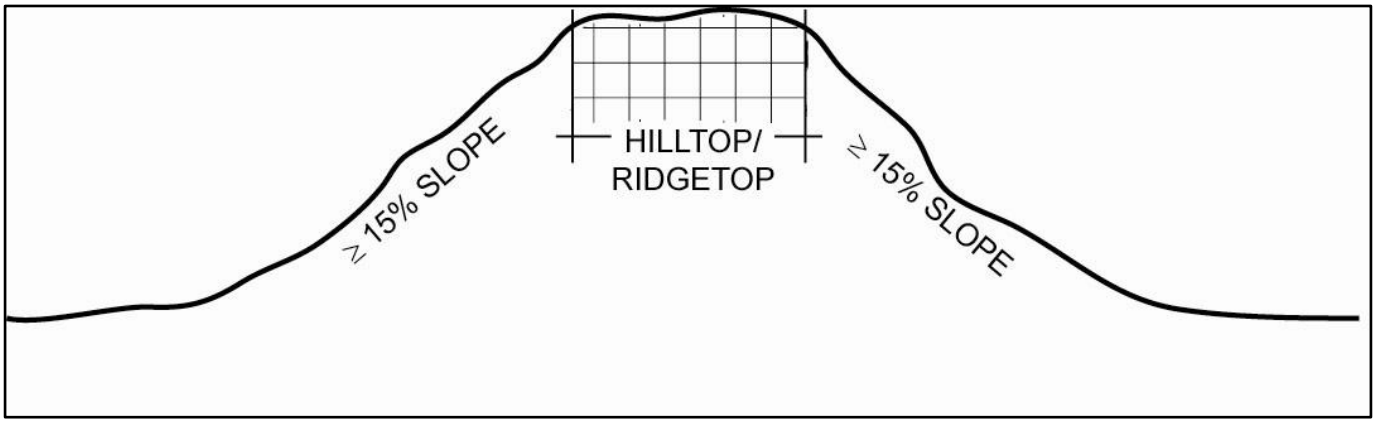


Figure 13.03-A: Hilltops and Rigdgetops

b) Hilltops and ridgetops may be exempted from the requirements of this Section where the applicant can demonstrate to the Planning Director that the hilltop or ridgetop is less predominate than surrounding features and/or that proposed development activities will achieve better aesthetic and structural results than the protection standards established in this Section.

(2) Protection Standards

a) Where open space is required as part of a development, a minimum of 80percent of each hilltop and ridgetop area shall be preserved as open space, subject to Article 14: Open Space Set-Aside Standards.

b) Where open space is not required as part of a development, hilltop and ridgetop areas may be located on a lot, provided that a minimum of 80 percent of the hilltop and ridgetop area(s) are not located within a building envelope or areas subject to land disturbing activities.

c) Development and uses on hilltops and ridgetops shall be planned to minimize disturbance to soil geology, hydrology, and environmental features.

(D) SLIPPAGE SOILS

Slippage soils shall be those where the parent material is Colluvium, e.g., Delrose as classified by the Natural Resources Conservation Service (NRCS).

(1) Identification of Slippage Soils

The applicant shall hire a qualified soil scientist or geotechnical engineer to identify all areas of slippage soils present on the subject property, whenever the Williamson County Soil Survey indicates the presence of slippage soils on such property. The soil scientist or geotechnical engineer shall determine the extent and depth of this soil on the site.

(2) Protection Standards

When a qualified soil scientist identifies areas of slippage soils, the following protection standards shall apply:

a) Slippage soils on slopes of 15 percent or greater

i) Where open space is required as part of a development, all land containing slippage soils on slopes of 15 percent or greater shall be preserved as open space, subject to Article 14: Open Space Set-Aside Standards.

ii) Where open space is not required as part of a development, land containing slippage soils on slopes of 15 percent or greater may be located on a lot, provided that the area(s) is not located within a building envelope or areas subject to land disturbance activities.

b) Slippage soils on slopes of less than 15 percent

Where slippage soils on less than 15 percent slopes are located in areas of a site that will be subject to land disturbing activities, the following requirements shall be met:

i) A geotechnical engineer shall prepare a report identifying the location, character, and extent of the slippage soil areas. The report shall include a design for proper drainage and construction of development.

ii) Development identified in the report prepared in accordance with Paragraph (i) above shall be designed by a qualified geotechnical engineer. The design shall be in compliance with the geotechnical report.

iii) The development shall be supervised and certified upon completion by a geotechnical engineer in order to ensure that all development is in compliance with the approved design.

Section 13.04: Karst Topography Protection Standards

(A) APPLICABILITY

This Section shall be applicable to all land disturbing activity on properties that contain karst features. Karst features shall include, but are not limited to, closed topographic depressions, soil dropouts in solution enlarged joints, exposed solution enlarged joints, sinking streams, groundwater seeps, sinkholes, surface depressions and caves.

(B) IDENTIFICATION OF KARST FEATURES

(1) The applicant shall conduct a visual reconnaissance of the site of a proposed development to locate karst features.

(2) Should no karst features be identified, the applicant shall certify, in writing, the absence of these features. This document shall be submitted with the application.

(3) Should karst features be found, the following shall apply:

a) Each feature shall be located and field marked by a licensed surveyor to allow the locations and dimensions to be plotted in relation to proposed development.

b) Features identified as caves shall require a geotechnical evaluation in order to establish the minimum buffer.

c) The resulting survey shall clearly show the feature's epicenter, the feature's extent utilizing a one-foot contour interval, and shall be incorporated into the site plan or other plan of development.

(C) PROTECTION STANDARDS

For properties that contain karst features, as defined by this Ordinance, the following shall apply:

(1) A minimum 25-foot buffer shall be required from the outermost edge of all karst features unless such features are mitigated per Section 13.04:(D): Mitigation of Karst Features below. Further, no land disturbing activities or development are permitted within the buffer.

(2) The applicant shall be required to obtain a Class V Injection Well permit from the appropriate state agency.

(3) Where open space is required as part of a development, all karst features and surrounding buffers shall be preserved, in their natural state, as part of an open space set-aside, subject to Article 14: Open Space Set-Aside Standards.

(4) Where open space is not required as part of a development, karst features may be located on individual building lots, but such features, along with the required buffers, must be preserved in their natural state and located outside of building envelopes.

(5) The natural runoff rate to karst features shall be maintained or reduced. Additional runoff generated by development in the watershed of a karst feature shall be retained and redirected to surface runoff channels.

(6) During construction, all swales leading to karst features shall have effective sedimentation barriers erected to prevent sediment from reaching the karst feature.

(D) MITIGATION OF KARST FEATURES

(1) Remediation of karst features may be allowed under the following circumstances:

a) A geotechnical study is performed to characterize the structure of the underlying bedrock;

b) The geotechnical engineer determines that the karst feature has no active surface drainage patterns;

c) The geotechnical engineer finds that no large diameter caverns exists within 15 feet below the surface depression; and

d) The geotechnical engineer otherwise determines the karst feature to be inactive.

(2) If all of the findings outlined in Section 13.04:(D)(1) above are made by a geotechnical engineer, the karst feature may be repaired in accordance with the following standards:

a) A plan, including the design for the repair of the inactive karst feature, is prepared by a geotechnical engineer licensed by the State of Tennessee;

b) The repair is supervised by the geotechnical engineer;

c) The completed repair is certified by the geotechnical engineer as appropriate for the proposed land use; and

d) Class V Injection Well permits are obtained from the appropriate state agency.

(E) ADDITIONAL ADMINISTRATIVE PROCEDURES

(1) Any single-family residential lot with a karst feature shall be identified, and all appropriate engineering statements, certifications and building designs shall be provided to the County for review.

(2) All karst features are to be located by GPS/State Plane coordinates, and shall be shown on the Final Plat.

(3) All karst features that have been repaired shall be noted upon the Final Plat indicating they have been repaired per the recommendations of a qualified geotechnical engineer, and as approved in the Class V Injection Well permit.

(4) Newly discovered karst features found prior to the recording of the Final Plat shall be accounted for by amending the Class V Injection Well permit, updating maps and reports provided to the County, and the revision of the Final Plat in accordance with this Section.

(5) Newly discovered karst features located on nonresidential development parcels and residential lots shown on a recorded Final Plat shall be subject to Section 13.04:(D): Mitigation of Karst Features.

Section 13.05: Special Flood Hazard Area Protection Standards

(A) PURPOSE

It is the purpose of this Section to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas. Furthermore, it is also the purpose of this Section to:

(1) Restrict or prohibit uses which are vulnerable to water or erosion hazards, or which cause damaging increases in erosion, flood heights, or flood velocities;

(2) Require that uses vulnerable to floods, including community facilities, be protected against flood damage;

(3) Control the alteration of natural floodplains, stream channels, and natural protective barriers which accommodate flood waters;

(4) Control filling, grading, dredging and other development which may increase erosion or flood damage; and

(5) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards.

(B) OBJECTIVES

The objectives of this Section are:

(1) To protect human life, health, safety and property;

(2) To minimize expenditure of public funds for costly flood control projects;

(3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

(4) To minimize prolonged business interruptions;

(5) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodprone areas;

(6) To help maintain a stable tax base by providing for the sound use and development of floodprone areas to minimize blight in flood areas;

(7) To ensure that potential homebuyers are notified that property is in a floodprone area; and

(8) To maintain eligibility for participation in the NFIP.

(C) BASIS FOR ESTABLISHING THE AREAS OF FLOOD HAZARD

The areas of special flood hazard identified on the Williamson County, Tennessee, Federal Emergency Management Agency (FEMA), Flood Insurance Study and Flood Insurance Rate Maps (FIRM), [Community Number 470204- Map Panel Numbers 47187C0015F, 47187C0020F, 47187C0036F, 47187C0037F, 47187C0038F, 47187C0039F, 47187C0045F, 47187C0064F, 47187C0070F, 47187C0086F, 47187C0088F, 47187C0089F, 47187C0130F, 47187C0135F, 47187C0140F*, 47187C0145F*, 47187C0151F, 47187C0152F, 47187C0153F, 47187C0154F, 47187C0157F, 47187C0159F, 47187C0160F, 47187C0165F, 47187C0170F, 47187C0180F, 47187C0181F, 47187C0182F, 47187C0183F, 47187C0184F, 47187C0190F, 47187C0192F, 47187C0195F, 47187C0203F, 47187C0204F, 47187C0205F, 47187C0209F, 47187C0212F, 47187C0213F, 47187C0214F, 47187C0220F, 47187C0230F, 47187C0235F, 47187C0240F, 47187C0245F, 47187C0255F*, 47187C0265F*, 47187C0280F*, 47187C0285F, 47187C0305F*, 47187C0310F, 47187C0315F*, 47187C0320F*, 47187C0330F, 47187C0335F, 47187C0340F, 47187C0343F, 47187C0345F, 47187C0355F, 47187C0360F, 47187C0365F, 47187C0370F, 47187C0380F, 47187C0385F, 47187C0390F, 47187C0395F, 47187C0405F*, 47187C0415F*, 47187C0435F, 47187C0455F, 47187C0460F, 47187C0480F*, and 47187C0485F*] with the effective date of September 29, 2006, along with all supporting technical data and any subsequent amendments or revisions, are adopted by reference and declared to be a part of this Ordinance

(* denotes panels not printed).

(D) WARNING AND DISCLAIMER OF LIABILITY

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

(E) DESIGNATION OF FLOOD ADMINISTRATOR

The County Engineer is hereby appointed to administer and implement the provisions of this Section. The County Engineer shall have the following roles as the Flood Administrator in addition to those set forth in Section 2.02:(E)(4): County Engineer.

(F) DUTIES AND RESPONSIBILITIES OF THE ADMINISTRATOR

(1) Review all Zoning Certificates to ensure that the permit requirements of this Ordinance have been satisfied, and that proposed building sites will be reasonably safe from flooding.

(2) Review proposed development to ensure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.

(3) Notify adjacent communities and the Tennessee Department of Economic and Community Development, Local Planning Assistance Office, prior to any alteration or relocation of a watercourse and submit evidence of such notification to FEMA.

(4) For any altered or relocated watercourse, submit engineering data/analysis within six months to FEMA to ensure accuracy of community FIRM's through the Letter of Map Revision process.

(5) Ensure that the flood carrying capacity within an altered or relocated portion of any watercourse is maintained.

(6) Record the elevation, in relation to mean sea level or the highest adjacent grade, where applicable, of the lowest floor (including basement) of all new and substantially improved buildings, in accordance with Section 13.05:(I): Permit Procedures.

(7) Record the actual elevation, in relation to mean sea level or the highest adjacent grade, where applicable to which the new and substantially improved buildings have been floodproofed, in accordance with Section 13.05:(I): Permit Procedures.

(8) When floodproofing is utilized for a nonresidential structure, obtain certification of design criteria from a Tennessee registered professional engineer or architect, in accordance with Section 13.05:(I): Permit Procedures.

(9) Where interpretation is needed as to the exact location of boundaries of the Areas of Special Flood Hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Ordinance.

(10) When Base Flood Elevation data and floodway data have not been provided by FEMA, obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from Federal, State, or other sources, including data developed as a result of these regulations, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the Williamson County, Tennessee FIRM meet the requirements of this Ordinance.

(11) Maintain all records pertaining to the provisions of this Ordinance in the office of the Administrator, which shall be open for public inspection. Permits issued under the provisions of this Ordinance shall be maintained in a separate file or marked for expedited retrieval within combined files.

(G) PROTECTION STANDARDS

For properties that contain areas of special flood hazard as defined by the Ordinance, the following shall apply:

(1) Where open space is required as part of a development, all areas of special flood hazard and surrounding buffers shall be preserved, in their natural state, as part of an open space set-aside, subject to Article 14: Open Space Set-Aside Standards.

(2) Where open space is not required as part of a development, areas of special flood hazard may be located on individual lots and shall be preserved and buffered in their natural state.

(3) Under no circumstances shall fill material or other encroachments be permitted so as to change the predevelopment limits of any areas of Special Flood Hazard, except where provided herein.

(H) PERMITTED USES IN AREAS OF SPECIAL FLOOD HAZARD

The following uses are permitted within areas of special flood hazard as a matter of right:

(1) All uses that are permitted in open space in accordance with Article 14: Open Space Set-Aside Standards.

(2) All agricultural uses. The raising of tree and plant stock for clear cutting or nursery uses shall also be permitted. However, no buildings accessory to such activities shall be allowed.

(3) Uses within the Recreation/Entertainment use category in Table 11.01-1: Table of Allowed Uses, provided there are no buildings constructed as part of such uses, except for dugouts, bleachers, and stages.

(4) Bridges, approaches to bridges, pump stations, sub-surface sewage disposal fields, non-traditional wastewater disposal fields, boat-launching ramps, boat docks, piers, marinas, picnic shelters, boathouses, driveways serving a single-family dwelling, and off-street parking.

(5) No encroachments, including fill material, new structures as permitted in Subsection (H)(4) above, or substantial improvements shall be located within the areas of special flood hazard, unless certification by a registered professional engineer is provided demonstrating that:

a) The cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood at any point within the community;

b) Any fill or other encroachment must be offset by an equivalent amount of qualified cut on a one to one basis. Areas below the two-year flood plain elevation shall not represent qualified cut; and

c) The resulting engineering (no impact) certification shall be supported by technical data that conforms to standard hydraulic engineering principles.

(6) Lots of Record Existing Prior to April 1, 1981

For lots of record existing prior to the effective date of the FEMA maps of April 1, 1981, the County Engineer is authorized to allow one single-family residential use, its customary accessory structures, and residential additions in areas of special flood hazard provided that the following conditions are met:

a) The County Engineer must find that there is no other suitable building site outside the area of special flood hazard on the lot of record;

b) All provisions and requirements of Section 13.05:(I): Permit Procedures and Section 13.05:(J): Provisions for Flood Hazard Reduction shall apply; and

c) No encroachments, including fill material, new structures, or substantial improvements shall be located within the areas of special flood hazard, unless certification by a registered professional engineer is provided demonstrating that:

i) The cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood at any point within the community;

ii) Any fill or other encroachment must be offset by an equivalent amount of qualified cut on a one to one basis. Areas below the two-year flood plain elevation shall not represent qualified cut; and

iii) The resulting engineering (no impact) certification shall be supported by technical data that conforms to standard hydraulic engineering principles.

d) In designated floodway, encroachments are prohibited except for nonsubstantial vertical additions to existing dwellings and nonsubstantial interior renovations within the existing building footprint.

(I) PERMIT PROCEDURES

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

(1) Application Stage

a) Elevation in relation to mean sea level of the proposed lowest floor, including basement, of all buildings where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Ordinance.

b) Elevation in relation to mean sea level to which any nonresidential building will be floodproofed where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Ordinance.

c) A FEMA Floodproofing Certificate from a Tennessee registered professional engineer or architect that the proposed nonresidential floodproofed building will meet the floodproofing criteria in Section 13.05:(J)(2) and Section 13.05:(J)(3).

d) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

(2) Construction Stage

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

b) Within approximate A Zones, where Base Flood Elevation data is not available, the elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building relative to the highest adjacent grade. The Administrator shall record the elevation of the lowest floor on the Zoning Certificate. When floodproofing is utilized for a nonresidential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

c) For all new construction and substantial improvements, the Zoning Certificate holder shall provide to the Administrator an as-built certification of the lowest floor elevation or floodproofing level upon the completion of the lowest floor or floodproofing. Upon completion of construction, the Zoning Certificate holder shall provide to the Administrator an Elevation Certificate, certifying the as-built lowest floor elevation and other relevant information.

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

(J) PROVISIONS FOR FLOOD HAZARD REDUCTION

For uses permitted by Section 13.05:(H): Permitted Uses in Areas of Special Flood Hazard, the following standards shall apply:

(1) For purposes of this Section 13.05:(J): Provisions for Flood Hazard Reduction, the term "New Construction" shall mean any structure for which the start of construction commenced on or after July 11, 2005. The term also includes any subsequent improvements to such structure.

(2) General Standards

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

a) New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure;

b) Manufactured homes shall be installed using methods and practices that minimize flood damage. They must be elevated and anchored to prevent flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State of Tennessee and local anchoring requirements for resisting wind forces;

c) New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;

d) New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;

e) All electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;

f) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

g) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;

h) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;

i) Any alteration, repair, reconstruction or improvements to a building that is in compliance with the provisions of this Ordinance, shall meet the requirements of "new construction" as contained in this Ordinance;

j) Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provision of this Ordinance, shall be undertaken only if said non-conformity is not further extended or replaced;

k) All new construction and substantial improvement proposals shall provide copies of all necessary Federal and State permits, including Section 404 of the Federal Water Pollution Control Act amendments of 1972, 33 U.S.C. 1334;

l) All subdivision proposals and other proposed new development proposals shall meet the standards of Subsection (3) below;

m) When proposed new construction and substantial improvements are partially located in an area of special flood hazard, the entire structure shall meet the standards for new construction; and

n) When proposed new construction and substantial improvements are located in multiple flood hazard risk zones or in a flood hazard risk zone with multiple Base Flood Elevations, the entire structure shall meet the standards for the most hazardous flood hazard risk zone and the highest Base Flood Elevation.

(3) Specific Standards

In and adjacent to all Areas of Special Flood Hazard, the following provisions, in addition to those set forth in Section 13.05:(J)(2): General Standards, are required:

a) Residential Structures

i) In and adjacent to AE Zones where Base Flood Elevation data is available, new construction and substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement, elevated to no lower than one (1) foot above the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of Section 13.05:(J)(3)c) Enclosures.

ii) Within and adjacent to approximate A Zones where Base Flood Elevations have not been established and where alternative data is not available, the Administrator shall require the lowest floor of a building to be elevated to a level of at least three (3) feet above the highest adjacent grade, as defined by this Ordinance. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of Section 13.05:(J)(3)c) Enclosures.

b) Nonresidential Structures

i) In and adjacent to AE Zones, where Base Flood Elevation data is available, new construction and substantial improvement of any commercial, industrial, or nonresidential building shall have the lowest floor, including basement, elevated or floodproofed to no lower than one foot above the level of the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of Section 13.05:(J)(3)c) Enclosures.

ii) In and adjacent to approximate A Zones, where Base Flood Elevations have not been established and where alternative data is not available, new construction and substantial improvement of any commercial, industrial, or nonresidential building shall have the lowest floor, including basement, elevated or floodproofed to no lower than three (3) feet above the highest adjacent grade, as defined by this Ordinance. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of Section 13.05:(J)(3)c) Enclosures.

iii) Nonresidential buildings located in and adjacent to all A Zones may be floodproofed, in lieu of being elevated, provided that all areas of the building below the required elevation are watertight, with walls substantially impermeable to the passage of water, and are built with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A Tennessee registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Administrator as set forth in Section 13.05:(I): Permit Procedures.

c) Enclosures

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

ii) Designs for complying with this requirement must either be certified by a Tennessee professional engineer or architect or meet or exceed the following minimum criteria.

A. Provide a minimum of two openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding;

B. The bottom of all openings shall be no higher than one (1) foot above the finished grade; and

C. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.

iii) The enclosed area shall be the minimum necessary to allow for parking of vehicles, storage or building access.

iv) The interior portion of such enclosed area shall not be finished or partitioned into separate rooms in such a way as to impede the movement of floodwaters and all such partitions shall comply with the provisions of Section 13.05:(J)(2): General Standards.

d) Standards for Manufactured Homes and Recreational Vehicles

i) All manufactured homes placed, or substantially improved, on: (1) individual lots or parcels, (2) in expansions to existing manufactured home parks or subdivisions, or (3) in new or substantially improved manufactured home parks or subdivisions, must meet all the requirements of new construction.

ii) All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that either:

A. In and adjacent to AE Zones, with Base Flood Elevations, the lowest floor of the manufactured home is elevated on a permanent foundation to no lower than one (1) foot above the level of the Base Flood Elevation; or

B. In and adjacent to approximate A Zones, without Base Flood Elevations, the manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least equivalent strength) that are at least three (3) feet in height above the highest adjacent grade, as defined by this Ordinance.

iii) Any manufactured home, which has incurred "substantial damage" as the result of a flood, must meet the standards of Section 13.05:(J): Provisions for Flood Hazard Reduction.

iv) All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.

v) All recreational vehicles placed in an identified Special Flood Hazard Area must either:

A. Be on the site for fewer than 180 consecutive days;

B. Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions); or

C. The recreational vehicle must meet all the requirements for new construction.

e) Standards for Subdivisions and Other Proposed New Development Proposals

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

ii) All subdivision and other proposed new development proposals shall be consistent with the need to minimize flood damage.

iii) All subdivision and other proposed new development proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

iv) All subdivision and other proposed new development proposals shall have adequate drainage provided to reduce exposure to flood hazards.

v) In and adjacent to all approximate A Zones require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation data (See Section 13.05:(M).).

(K) STANDARDS FOR SPECIAL FLOOD HAZARD AREAS WITH ESTABLISHED BASE FLOOD ELEVATIONS AND WITH FLOODWAYS DESIGNATED

Located within the Special Flood Hazard Areas established in Section 13.05:(C) are areas designated as floodways. A floodway may be an extremely hazardous area due to the velocity of floodwaters, debris or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights and velocities. Therefore, the following provisions shall apply:

(1) Except whereas otherwise permitted by Section 13.05:(H)(1 through 6), encroachments are prohibited, including earthen fill material, new construction, substantial improvements or other development within the regulatory floodway. Where development is permitted it shall be demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the cumulative effect of the proposed encroachments or new development shall not result in any increase in the water surface elevation of the Base Flood Elevation, velocities, or floodway widths during the occurrence of a base flood discharge at any point within the community. A Tennessee registered professional engineer must provide supporting technical data, using the same methodologies as in the effective Flood Insurance Study for Williamson County, Tennessee and certification, thereof.

(2) New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Section 13.05:(J): Provisions for Flood Hazard Reduction.

(L) STANDARDS FOR AREAS OF SPECIAL FLOOD HAZARD ZONES AE WITH ESTABLISHED BASE FLOOD ELEVATIONS BUT WITHOUT FLOODWAYS DESIGNATED

Located within or adjacent to the Special Flood Hazard Areas established in Section 13.05:(C): Basis for Establishing the Areas of Flood Hazard, where streams exist with base flood data provided but where no floodways have been designated (Zones AE), the following provisions apply:

(1) No encroachments, including fill material, new construction and substantial improvements shall be located within areas of special flood hazard, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood at any point within Williamson County, Tennessee. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.

(2) New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Section 13.05:(J): Provisions for Flood Hazard Reduction.

(M) STANDARDS FOR STREAMS WITHOUT ESTABLISHED BASE FLOOD ELEVATIONS AND FLOODWAYS (A ZONES)

Located within or adjacent to the Special Flood Hazard Areas established in Section 13.05:(C): Basis for Establishing the Areas of Flood Hazard, where streams exist, but no base flood data has been provided and where a Floodway has not been delineated, the following provisions shall apply:

(1) The Administrator shall obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from any Federal, State, or other sources, including data developed as a result of these regulations (See (2) below.), as criteria for requiring that new construction, substantial improvements, or other development in approximate A Zones meet the requirements of Section 13.05:(J): Provisions for Flood Hazard Reduction.

(2) Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation data.

(3) Within or adjacent to approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, require the lowest floor of a building to be elevated or floodproofed to a level of at least three (3) feet above the highest adjacent grade, as defined by this Ordinance. All applicable data including elevations or floodproofing certifications shall be recorded as set forth in Section 13.05:(I): Permit Procedures. Openings sufficient to facilitate automatic equalization of hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Section 13.05:(J)(3): Specific Standards.

(4) Within or adjacent to approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, no encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or 20 feet, whichever is greater, measured from the top of the stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood at any point within Williamson County, Tennessee. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.

(5) New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Section 13.05:(J): Provisions for Flood Hazard Reduction. Within approximate A Zones, require that those subsections of Section 13.05:(J)(3): Specific Standards dealing with the alteration or relocation of a watercourse, assuring watercourse carrying capacities are maintained and manufactured homes provisions are complied with as required.

(N) STANDARDS FOR AREAS OF SHALLOW FLOODING (AO AND AH ZONES)

Located within or adjacent to the Special Flood Hazard Areas established in Section 13.05:(C): Basis for Establishing the Areas of Flood Hazard, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one to three feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore, the following provisions, in addition to those set forth in Section 13.05:(J): Provisions for Flood Hazard Reduction, apply:

(1) All new construction and substantial improvements of residential and nonresidential buildings shall have the lowest floor, including basement, elevated to at least one foot above as many feet as the depth number specified on the FIRMs, in feet, above the highest adjacent grade. If no flood depth number is specified on the FIRM, the lowest floor, including basement, shall be elevated to at least three feet above the highest adjacent grade. Openings sufficient to facilitate automatic equalization of hydrostatic flood forces on exterior walls shall be provided in accordance with standards of Section 13.05:(J)(3): Specific Standards.

(2) All new construction and substantial improvements of nonresidential buildings may be floodproofed in lieu of elevation. The structure together with attendant utility and sanitary facilities must be floodproofed and designed watertight to be completely floodproofed to at least one foot above the flood depth number specified on the FIRM, with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. If no depth number is specified on the FIRM, the structure shall be floodproofed to at least three feet above the highest adjacent grade. A Tennessee registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this Ordinance and shall provide such certification to the Administrator as set forth above and as required in accordance with Section 13.05:(I): Permit Procedures.

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

(O) STANDARDS FOR AREAS PROTECTED BY FLOOD PROTECTION SYSTEM (A-99 ZONES)

Located within or adjacent to the Areas of Special Flood Hazard established in Section 13.05:(C): Basis for Establishing the Areas of Flood Hazard, are areas of the 100-year floodplain protected by a flood protection system but where Base Flood Elevations have not been determined. Within these areas (A-99 Zones) all provisions of Section 13.05:(I): Permit Procedures and Section 13.05:(J): Provisions for Flood Hazard Reduction shall apply.

(P) STANDARDS FOR UNMAPPED STREAMS

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

(1) No encroachments including fill material or other development including structures shall be located within an area of at least equal to twice the width of the stream, measured from the top of each stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood at any point within Williamson County, Tennessee.

(2) When a new flood hazard risk zone and Base Flood Elevation and floodway data is available, new construction and substantial improvements shall meet the standards established in accordance with Section 13.05:(I): Permit Procedures and Section 13.05:(J): Provisions for Flood Hazard Reduction.

Section 13.06: Wetland Protection Standards

(A) APPLICABILITY

This Section shall apply to any land-disturbing activity on properties that contain wetlands, and to all new development and subdivisions.

(B) WETLANDS DELINEATION

(1) Mapped Wetlands

a) The U.S. Fish and Wildlife Services' *National Wetlands Inventory Map* shall be used to determine the general location and types of wetlands in the County.

b) Where a wetland is shown to exist, the applicant shall be responsible for having a qualified person, with demonstrated expertise in the field, delineate all wetland areas.

(2) Unmapped/Disputed Wetlands

If a wetland has not been mapped, or its boundaries are not clearly established, or if either the County or applicant dispute the boundaries, the applicant shall retain a qualified person with demonstrated expertise in the field to delineate the boundaries of the wetland. The applicant shall use *The Corps of Engineers Wetlands Delineation Manual*, Technical Report Y-87-1 (January 1987, or as amended), as a guideline and reference for the wetland boundary determination.

(C) PROTECTION STANDARDS

For properties that contain wetland features, as defined by this Ordinance, the following standards shall apply:

(1) Where open space is required as part of a development and where applicable State and Federal agencies find that there are jurisdictional wetlands that require protection on a site, such wetlands shall be preserved in their natural state as permanently protected open space subject to Article 14: Open Space Set-Aside Standards. No uses or improvements, other than those permitted herein, shall be permitted in any of these areas preserved as part of the open space.

(2) Where open space is not required as part of a development and where applicable State or Federal agencies find that there are jurisdictional wetlands that require protection on a site, wetlands may be located on individual lots and shall be preserved in their natural state.

(D) ALLOWED USES AND ACTIVITIES

The following uses are allowed in wetlands provided the applicant applies for and receives all necessary approvals from applicable State and Federal agencies.

(1) The construction and maintenance of noncommercial catwalks, fences, duckblinds, wildlife management shelters, footbridges, observation decks and shelters and other similar structures, provided that such structures are constructed on pilings so as to preserve the natural contour of the wetlands;

(2) Noncommercial outdoor recreational activities, including hiking, boating, trapping, hunting, fishing, horseback riding, swimming, provided that no structure shall be constructed;

(3) Other outdoor recreational activities, provided they do not impair the natural functions or alter the natural contour of the wetlands;

(4) Grazing, haying, and cultivating and harvesting agricultural, forestry or horticultural products;

(5) Conservation, repletion, and research activities;

(6) The normal maintenance and repair of, or addition to, presently existing roads, highways, railroad beds, or facilities abutting on or crossing wetlands, provided that no waterway is altered and no additional wetlands are covered; and

(7) Governmental activity in wetlands owned or leased by the State or a political subdivision thereof.

(E) COMPLIANCE WITH APPLICABLE FEDERAL WETLANDS LAWS OR REGULATIONS

(1) Prohibited Activities

No person shall engage in any activity that will disturb, remove, fill, drain, dredge, clear, destroy, or alter any area, including vegetation, within a jurisdictional wetland, except as may be expressly allowed under applicable Federal laws or regulations. However, notwithstanding any contrary Federal law or regulations, draining any wetland that falls in the jurisdiction of the Federal government and its agencies is prohibited.

(2) Federal Approvals Prerequisite to County Approval

The County will not grant final approval to any land disturbing activity, development, or subdivision for a site that includes a jurisdictional wetland until the applicant demonstrates that all necessary Federal approvals and permits have been obtained.

(3) Mitigation Plans

If wetlands are to be mitigated, a letter from the U.S. Army Corps of Engineers or any other State or Federal agency that may accept a mitigation plan is required prior to the issuance of any County permits. The County will not take responsibility for the mitigation project, even within areas to be accepted by the County upon final acceptance of all improvements.

Section 13.07: Woodland and Tree Protection Standards

(A) APPLICABILITY

The standards of this Section shall apply to all development in the County, unless it is exempted in accordance with Section 13.07:(B): Exemptions.

(1) Removal of existing vegetation shall not occur on a proposed development site until such time as the development has been approved.

(2) In the event vegetation requiring protection pursuant to this Section is removed from a site within three years prior to application for a development, such development shall be subject to the revegetation requirements of Section 13.07:(C)(2)f): Removal of Protected Tree Canopy.

(B) EXEMPTIONS

The following development activities and types of vegetation are exempt from the standards of this Section:

(1) Development in the A, NC, and NCMH districts is exempt from Section 13.07:(C)(2)b): Existing Tree Canopy Retention Standards.

(2) Development in the AP district is exempt from this Section for the purposes of protecting the approach zones referenced in Section 11.03:(C)(11): Airport, Landing Strip, and Heliport, Public.

(3) The removal of dead or naturally fallen trees or vegetation.

(4) The selective and limited removal of trees or vegetation necessary to obtain clear visibility at driveways or intersections, or for the purpose of performing necessary field survey work.

(5) The removal of vegetation in accordance with a development plan approved prior to the effective date of this Ordinance.

(6) Minor traditional subdivisions as defined in this Ordinance.

(7) Single family dwellings located on:

- **a)** Parcels of record within conservation subdivisions as defined in this Ordinance;
- **b)** Parcels of record that were not created as part of a major traditional subdivision as defined in this Ordinance; or
- **c)** Parcels of record in existence prior to the effective date of this Ordinance.

(8) The actions of public and private utility companies within their utility easements.

(9) Any agricultural use as defined in this Ordinance.

(10) Removal of trees listed in the current edition of *Invasive Exotic Pest Plants*, published by the Tennessee Exotic Pest Plant Council.

(C) TREE CANOPY PROTECTION STANDARDS

(1) Existing Tree Canopy Defined

For the purposes of this Section, "existing tree canopy" shall mean a contiguous area of 10,000 square feet or greater which consists of the crowns of healthy self-supporting trees with a diameter at breast height (DBH) of three inches or greater.

(2) Retention of Existing Tree Canopy

a) Tree Inventory Required

Prior to beginning any tree clearing, development work, or land disturbing activity, the applicant shall prepare and submit an inventory of trees on the parcel, subject to the following requirements:

i) General

A. The tree inventory shall be prepared at the same scale as a Site Plan and shall identify the existing tree canopy as defined herein.

B. The inventory shall depict all areas of existing tree canopy that are to be retained in accordance with this Section.

ii) Professionally Prepared

All tree inventories shall be prepared by a licensed landscape architect, surveyor, arborist, registered forester, or engineer registered in the State and shall have an accuracy of plus or minus three feet.

iii) Use of Aerial Photo for Developments Larger Than Ten Acres

For a parcel or site that is greater than 10 acres, an aerial photograph, or a print of equal quality, may be substituted for the inventory if it provides essentially the same information as the tree survey. Said aerial photography or print shall be no older than the most recent aerial photography maintained by the County.

b) Existing Tree Canopy Retention Standards

Table 13.07-1: Tree Canopy Retention Standards establishes the percentage of existing tree canopy on a development site that shall be retained and protected, based on the amount of "existing tree canopy" on the site.

TABLE 13.07-1: TREE CANOPY RETENTION STANDARDS	
EXISTING TREE CANOPY COVER (AS A PERCENT OF THE TOTAL SITE SIZE)	MINIMUM PERCENTAGE OF EXISTING TREE CANOPY THAT SHALL BE RETAINED (AS A PERCENT OF THE TOTAL PRE-DEVELOPMENT TREE CANOPY COVER)
91%-100%	48%
81%-90%	51%
71%-80%	54%
61%-70%	57%
51%-60%	60%
41%-50%	63%
31%-40%	66%
21%-30%	69%
11%-20%	72%
10% or less	75%

c) Protection Standards

For properties that contain existing tree canopy as defined by this Ordinance, the following shall apply:

i) Where open space is required as part of a development, any existing tree canopy required to be retained in accordance with Table 13.07-1 shall be preserved, in its natural state, as part of an open space set-aside, subject to Article 14: Open Space Set-Aside Standards.

ii) Where open space is not required as part of a development, any existing tree canopy required to be retained in accordance with Table 13.07-1 may be located on individual lots provided that such canopy is not located within the building envelope or areas subject to land disturbing activities.

d) Tree Protection during Construction

i) During development, the applicant shall be responsible for the erection of any and all barriers necessary to protect any existing or installed vegetation from damage both during and after construction.

ii) All trees or tree canopy areas that are to be protected in accordance with this Section shall be protected during construction with the use of tree fencing.

iii) Trees that are to be protected shall be fenced with a sturdy and visible fence before grading or other development activity begins. Fencing shall be erected no closer than one linear foot to the tree's drip line. Areas located inside of tree protection fencing are considered as "tree save areas".

iv) All fencing required by this Subsection shall be a minimum four feet high and of durable construction (i.e., chain link or wooden post with 2x4 wire mesh). Passive forms of tree protection (e.g., continuous rope or durable taping with a minimum width of four inches) may be utilized to delineate tree save areas that are remote from areas of land disturbance.

v) Signs shall be installed on the tree protection fence visible on all sides of the fenced-in area at a rate of at least one for every 150 linear feet. The size of each sign must be a minimum of two feet by two feet and shall contain the following language: "TREE PROTECTION ZONE: KEEP OUT."

vi) The removal of trees adjacent to tree protection zones can cause inadvertent damage to the protected trees. Prior to clearing activities, trenches with a minimum width of one-and-one-half inches and a minimum depth of 12 inches shall be cut along the limits of land disturbance, so as to cut, rather than tear tree roots.

vii) No construction, grading, equipment or material storage, or any other activity shall be allowed within the fenced area. Fencing shall be maintained until after the final site inspection.

e) Credit Towards Open Space and Landscaping Requirements

Existing tree canopy retained in accordance with this Section may be credited toward the requirements of Article 15: Landscaping and Bufferyards.

f) Removal of Protected Tree Canopy

In cases where tree clearing, development work, land disturbance as part of construction, or intentional damage to trees occurs in violation of the standards of this Section, the following shall apply:

i) Replanting shall be required at a rate of 80 trees for each acre disturbed or an inch-by-inch caliper replacement.

ii) Replacement trees shall have a minimum DBH of three inches at the time planted.

iii) Replacement trees shall be maintained through an establishment period of at least three years. If the replacement trees do not survive the establishment period, the applicant shall purchase and install new replacement trees, and the establishment period shall reset.

Section 13.08: Historic and Cultural Resource Protection Standards

(A) APPLICABILITY

The standards of this Section shall apply to new development on parcels that:

(1) Contain any structure or site listed on the National Register of Historic Places.

(2) Contain historic, dry-laid stone walls, cemeteries, archaeological sites, or vestiges of early human habitation.

(B) PROTECTION STANDARDS ON SITES CONTAINING HISTORIC STRUCTURES

Proposed developments that include a historic site with a historic structure shall be subject to the following standards:

(1) Residential Developments

Historic structures located on properties proposed for residential development shall either:

a) Be placed into open space to be commonly owned by the Homeowner's Association; or

b) Be placed on an individual lot provided that such lot has a minimum lot area of five acres or three times the size of the largest lot within the development, whichever is greater, with a maximum required lot area of 15 acres. Nothing in this provision shall preclude an applicant from exceeding these maximum lot size requirements.

(2) Nonresidential Developments

Historic structures located on properties proposed for nonresidential development shall either:

a) Be subdivided from the remaining development parcel into an individual lot meeting the requirements of Section 13.08:(B)(1)b) above. Where the existing parcel being developed is less than five acres in size, the minimum lot area shall be no less than one-third the size of the parcel being developed or the minimum lot area required in the applicable zoning district, whichever is greater; or

b) Be incorporated into the development, in which case the following standards should apply:

i) The historic structure should be incorporated into the nonresidential development in a way that retains and preserves its historic character;

ii) Every precaution should be taken to avoid the alteration of the structure's historic features and architectural details;

iii) The character of new buildings should blend in and not contrast with the historic structure;

iv) New buildings and/or additions thereto should be compatible to the size, height, and proportion of the historic structure;

v) New buildings and/or additions thereto should be reflective of the architectural and spatial character of the historic structure in regards to massing, form, and scale;

vi) When a historic structure is located within 500 feet of an existing or proposed public roadway, the following minimum setback requirements for any new building and/or additions thereto shall apply:

A. The new building or addition shall not be located in front of the historic structure;

B. When located to the side and in the front yard of the historic structure, the new building or addition shall not be located within 100 feet of the centerline of the historic structure extending perpendicular to the public roadway; and

C. When located to either the side or rear of the historic structure, the new building or addition shall not be located within 50 feet of the historic structure.

vii) When a historic structure is located a distance greater than 500 feet from an existing or proposed public roadway, the minimum setbacks from the historic structure shall be 50 feet; and

viii) In cases where the historic structure abuts two streets, the standards of Section 13.08:(B)(2)b)vi) above shall only apply to the roadway to which the structure's front façade is oriented.

(C) PROTECTION STANDARDS ON SITES THAT CONTAIN OTHER STRUCTURES OF HISTORIC SIGNIFICANCE

Proposed developments that include a historic site with those items in Section 13.08:(A)(2) above shall be subject to the following standards:

(1) Where open space is required as part of a development, all historic sites shall be preserved as part of an open space set-aside, subject to Article 14: Open Space Set-Aside Standards; or

(2) Where open space is not required as part of a development, all historic sites may be located on individual lots, located outside the building envelope, and shall be preserved.

(3) No new building or addition shall be located within 25 feet of the structure of historic significance.

Article 14: Open Space Set-Aside Standards

Section 14.01: Purpose

This Article addresses the character and design of those portions of a development that are not occupied by platted lots or streets and that are reserved for parks, trails, landscaping, and other open space uses. The standards of this Article apply regardless of whether or not the land involved will be dedicated to the County, and regardless of whether or not such open space will be open to the public or other residents of the development. This Article also establishes ownership and minimum maintenance standards for homeowners' associations, property owner associations, and nonresidential property owners related to open space set-asides.

Section 14.02: Applicability

The provisions of this Article shall apply to all development types listed in Table 14.03-1: Open Space Set-Aside.

Section 14.03: General Standards

(A) Amount of Open Space Required

Development shall provide at least the minimum amount of open space identified in Table 14.03-1: Open Space Set-Aside.

Table 14.03-1: Open Space Set-Aside

District and Type of Use	Minimum Percentage of Gross Site Area Designated as Open Space
A District	
All Use Types	None
RD-5 and RP-5 Districts	
Conservation Subdivisions	60%
Major Traditional Subdivisions	30%
Nonresidential Uses	60%
RD-1, RP-1, and SIC Districts	
Conservation Subdivisions	50%
Major Traditional Subdivisions	25%
Multi-Family Dwellings	50%
Nonresidential Uses	50%
V and H Districts	
Major Traditional Subdivisions	20%
Multi-Family Dwellings	40%
Nonresidential Uses	40%
Residential Institutional	40%
Retirement Communities	40%
MGA District	
Major Traditional Subdivisions	30%
Nonresidential Uses	60%

TABLE 14.03-1: OPEN SPACE SET-ASIDE	
DISTRICT AND TYPE OF USE	MINIMUM PERCENTAGE OF GROSS SITE AREA DESIGNATED AS OPEN SPACE
NC AND NCMH DISTRICTS	
Major Traditional Subdivisions	25%
Mobile Home Parks	50%
Nonresidential Uses	50%
840C DISTRICT	
Congregate Assisted Living Centers and Congregate Independent Living Centers	50%
Conservation Subdivisions	50%
Major Traditional Subdivisions	25%
Multi-Family Dwellings	50%
Nonresidential Uses	50%
Residential Institutional	40%
Retirement Communities	40%
Skilled Nursing Facilities	50%
AP DISTRICT	
Nonresidential Uses	Based on the Underlying Zoning District

(B) REQUIRED AREAS TO BE PLACED IN OPEN SPACE

The following shall be required to be part of the preserved open space when open space is required:

(1) Resource protection areas (See Article 13: Resource Protection Standards.);

(2) Required landscaping (See Article 15: Landscaping and Bufferyards.); and

(3) Storm water management systems and facilities as required by the Williamson County Storm Water Management Regulations.

(C) PERMITTED USES IN OPEN SPACE

In addition to those items listed in Section 14.03:(B): Required Areas to be placed in Open Space, the following uses may be permitted in required open space:

(1) Passive recreational uses, as defined by this Ordinance;

(2) Active recreational uses associated with uses within the Residential Use Classification in Table 11.01-1: Table of Allowed Uses;

(3) Gardens and the raising of agricultural crops;

(4) Picnic areas and associated shelters; and

(5) Natural areas.

Section 14.04: Design Standards for Open Space Set-Asides

Land set-aside as open space shall comply with the following standards:

(A) All areas of open space shall be accessible to residents or users of the development by providing at least 15 feet of frontage on a public road, or in the case of a nonresidential development, 15 feet of frontage on an internal access drive;

(B) Areas of open space in residential subdivisions (of any type) shall be no less than 10,000 square feet in size;

(C) Where appropriate, open space should be arranged in order to provide connections to existing or future open space areas on adjoining parcels; and

(D) Wherever feasible, areas of open space should be contiguous, thereby eliminating small, isolated pockets of open space.

Section 14.05: Protection and Maintenance

(A) DEDICATED TO HOMEOWNERS' OR PROPERTY OWNERS' ASSOCIATION

For residential development consisting of two or more lots, all open space set-aside areas shall be owned jointly or in common by the owners of the development through a recognized homeowners' or property owners' association. Such associations shall be subject to the requirements of Section 16.06: Homeowners' and Property Owners' Association Standards, and the following:

(1) Review of Document Creating Association

As part of the review of the association's documents, the County Attorney shall review all documents governing ownership, maintenance, and use restrictions for the open space set-aside, including a legal description of such areas to ensure full compliance with the requirements of this Article.

(2) Property Owner Responsibility

The property owner or applicant shall establish the association and provide written proof of the same prior to recordation of the first final plat of subdivision.

(B) RETAINED ON PRIVATE LOTS

All required open space set-aside areas that are maintained on individual building lots shall be protected as open space through the use of an easement prohibiting future development of open space, except in accordance with this Section. Such open space shall be clearly marked on any Site Plan and on any Preliminary and Final Plats for subdivisions. Any required open space areas subject to an open space easement shall be credited against any open space set-aside required.

(C) DEDICATION OF OPEN SPACE TO OTHERS

(1) Dedication to a Non-profit Organization or Similar Entity

The property owner or applicant may propose that certain lands designated as open space set-aside areas, such as wetlands, floodplains, or other natural areas, be dedicated to a non-profit organization or a similar entity in perpetuity who shall be responsible for managing the open space. To ensure adequate management of the open space set-aside, such a dedication shall be reviewed by the County Attorney as part of the development review process.

(2) Dedication to the County or Other Governmental Entity

The homeowners' or property owners' association may propose that certain lands designated as common space or open space set-aside areas, such as wetlands, floodplains, or other natural areas, be dedicated to the County or other governmental entity in perpetuity who shall be responsible for managing the open space or common space. To ensure adequate management of the open space set-aside, such a dedication shall be reviewed by the County Attorney and may require a revision to the Site Plan, in addition to any amendments required by the Subdivision Regulations. An offer of dedication of any common space or open space, regardless of the type of resources or amenities placed thereon, shall not become the responsibility of the County or other governmental entity unless the dedication is formally accepted by the County or other governmental entity by its governing body. Nothing in this Section requires the County or other governmental entity to accept said offer of dedication.

Article 15: Landscaping and Bufferyards

Section 15.01: Purpose

It is the purpose of this Article to promote and protect the public health, safety, and general welfare by providing for the planting, maintenance, and retention of trees, shrubs and other plants within the County. The intent of this Article is to promote this purpose by:

(A) Ensuring and encouraging the planting, maintenance, and survival of trees, shrubs and other plants;

(B) Mitigating soil erosion and sedimentation;

(C) Reducing storm water runoff and the costs associated therewith;

(D) Preserving and protecting the water table and surface waters;

(E) Restoring soils and land denuded as a result of construction and grading;

(F) Protecting and enhancing property values and aesthetic qualities; and

(G) Providing visual screening, where appropriate.

Section 15.02: Applicability

(A) **GENERAL**

Except where otherwise exempted by this Section, the provisions of this Article shall apply to all development of land in the County that is subject to the Williamson County Subdivision Regulations or a Major or Minor Site Plan.

(B) **EXEMPTIONS**

The following shall be exempt from the provisions of this Article:

(1) Single-family dwellings on parcels of record;

(2) Mobile homes on individual lots;

(3) Institutional single-family homes (1-8 residents);

(4) Minor traditional subdivisions; and

(5) Except as provided in Section 15.04: Parking Area Landscaping, additions or expansions of uses shall only be required to meet the standards of this Article for those portions of the site affected by the addition or expansion.

Section 15.03: General Provisions

(A) **LANDSCAPE PLAN REQUIRED**

(1) When a development is subject to the provisions of this Article, a landscaping plan shall be submitted with an application for a Minor or Major Site Plan, or an application for a Final Plat for a major traditional or conservation subdivision.

(2) The landscaping plan shall demonstrate how the development will comply with the provisions of this Article, and shall include, at a minimum, the location, size, spacing, species, form, and quality of all existing and proposed materials intended to fulfill the requirements of this Article. The landscaping plan shall also illustrate topography, the location of all utilities, and any proposed underground sprinkler system or hose bib attachments.

(B) PLANTING STANDARDS

All plants utilized in the fulfillment of the requirements of this Article shall meet the following requirements:

(1) Plants installed shall meet the standards for size, form, and quality set out in the American Standard for Nursery Stock (ANSI Z60.1, latest edition); and

(2) Vegetation shall comply with the minimum size requirements established in Table 15.03-1: Minimum Size Requirements for Vegetation.

TABLE 15.03-1: MINIMUM SIZE REQUIREMENTS FOR VEGETATION

VEGETATION TYPE	MINIMUM SIZE REQUIREMENT
Canopy Trees	3-inch DBH
Understory Trees	2-inch caliper
Evergreen Trees	6 feet in height when planted
Shrubs	3 feet in height when planted

(C) NATIVE AND DROUGHT-TOLERANT VEGETATION

At least 40 percent of all landscaping or bufferyard vegetation shall consist of native and/or drought-tolerant vegetation. A list of acceptable plant materials is maintained by the Community Development Department.

(D) SPECIES DIVERSITY

To curtail the spread of disease or insect infestation in a plant species, new plantings shall comply with the standards of Table 15.03-2: Species Diversity.

TABLE 15.03-2: SPECIES DIVERSITY

NUMBER OF TREES REQUIRED ON SITE	MAXIMUM PERCENTAGE OF TREES THAT MAY BE OF A SINGLE SPECIES
1-19	50%
20-39	33%
40 or more	25%

(E) EXISTING VEGETATION

Existing healthy, well-formed canopy and understory trees, as well as healthy shrubs, may be credited toward the requirements of this Article, provided the vegetation is protected before and during development of the site and maintained thereafter in a healthy growing condition.

(F) USE OF BUFFER AREAS

(1) A buffer area may be used for passive recreational uses. It may contain trails provided that:

a) There is no reduction in the required plant materials;

b) The maximum width of the trail shall be 20 percent of the width of the required buffer;

c) All other regulations of the Ordinance are met; and

d) Where trails connect to any public rights-of-way, the trails shall comply with all applicable State and Federal laws and regulations, including but not limited to the Americans with Disabilities Act.

(2) Swimming pools, tennis courts, sports fields, golf courses, or other such uses shall not be permitted in any required buffer area.

(3) Signs may be located in the required streetscape landscaping area (See Section 18.06: General Sign Regulations.).

Section 15.04: Parking Area Landscaping

This Section establishes the minimum standards by which parking areas will be screened from adjacent public streets or from adjacent properties. In addition, this Section delineates standards for landscaping within the interior of parking areas.

(A) PERIMETER PARKING AREA LANDSCAPING REQUIRED

The perimeter parking area landscaping requirements of this Section shall apply to all off-street parking adjacent to a public street or to a lot line where the parking area is larger than 2,000 square feet.

(1) Areas Adjacent to Public Streets

a) Parking areas adjacent to public streets shall be separated from the edge of the right-of-way by a perimeter landscape strip no less than 15 feet in width, which shall be landscaped per the standards set forth in Section 15.04:(A)(3) below.

b) The public right-of-way and areas reserved for future rights-of-way in compliance with the adopted Major Thoroughfare Plan shall not be used to satisfy the requirements of this Article; and

c) Perimeter landscape strips shall be continuous and unbroken except for driveways or sidewalks required to access the parking area.

(2) Areas Adjacent to Lot Lines

A perimeter landscaping strip a minimum of 10 feet in width shall separate an access drive or parking area from all adjacent lot lines, which shall be landscaped per the standards set forth in Section 15.04:(A)(3) below.

(3) The following landscaping materials shall be provided within each perimeter landscaping strip:

a) A minimum of 10 aggregate caliper inches of canopy and/or understory trees per 100 linear feet or proportional share thereof; and

b) A minimum of 10 shrubs per 100 linear feet or proportional share thereof.

c) When a fractional number results from the calculations performed in Section 15.04:(A)(3)a) and Section 15.04:(A)(3)b) above, the number shall be rounded upward to the nearest whole number.

(4) Trees and other landscaping required in the perimeter strip shall be maintained to ensure unobstructed visibility pursuant to Section 17.02.

(5) Landscaping materials used to comply with this Section may be counted toward the streetscape landscaping requirements and/or the bufferyard landscaping requirements when the perimeter parking area landscaping coincides with the streetscape or bufferyard area.

(B) INTERIOR PARKING AREA LANDSCAPING REQUIRED

Landscaping shall be provided and maintained within the interior of all parking areas, and shall comply with the following standards:

(1) Landscape islands shall be located at the end of internal parking bays;

(2) Landscape islands shall be located within interior parking bays with a single row of 40 or more spaces such that no more than 15 spaces shall be located without being interrupted by a landscaped island;

(3) Landscape islands shall have a minimum size of 135 square feet for single-loaded parking bays and a minimum size of 270 square feet for double-loaded parking bays;

(4) A minimum of one canopy tree is required for every 15 parking spaces; and

(5) If an existing tree is be used to meet the requirements of this Subsection, the landscape island shall be equal in size to the tree's drip line area.

(C) NONCONFORMING PARKING AREAS

When a parking area that is not in conformance with the provisions of this Article is expanded, the following standards shall apply:

(1) When an existing parking area is expanded by less than 25 percent, only the expanded area must comply with the provisions of this Article;

(2) When an existing parking area is expanded by 25 percent or more, the entire parking area shall comply with the provisions of this Article; and

(3) Repeated expansions of a parking area over a period of time commencing with the effective date of this Ordinance shall be combined in determining whether the 25 percent threshold has been reached.

Section 15.05: Streetscape Landscaping Required

Development subject to the requirements of this Article shall provide streetscape landscaping in accordance with the following:

(A) Residential use types shall use the following landscaping materials within the required streetscape:

(1) A minimum of 18 aggregate caliper inches of canopy and/or understory trees per 100 linear feet or proportional share thereof; and

(2) A minimum of 14 shrubs per 100 linear feet or proportional share thereof.

(3) When a fractional number results from the calculations performed in A(1) and A(2) above, the number shall be rounded upward to the nearest whole number.

(B) Nonresidential use types shall use the following landscaping materials within the required streetscape:

(1) A minimum of 10 aggregate caliper inches of canopy and/or understory trees per 100 linear feet or proportional share thereof; and

(2) A minimum of 10 shrubs per 100 linear feet or proportional share thereof;

(3) When a fractional number results from the calculations performed in Section 15.05: A(1) and A(2) above, the number shall be rounded upward to the nearest whole number.

Section 15.06: Bufferyard Landscaping Required

Development subject to the requirements of this Article shall provide bufferyard landscaping in accordance with the following:

(A) BUFFER TYPES

Table 15.06-1: Buffer Types describes four different buffering standards. Where a particular buffer type is required in Table 15.06-2: Required Buffer Area, the requirements may be met with the combination of minimum buffer width and planting requirements specified under either Option 1, Option 2, or Option 3.

TABLE 15.06-1: BUFFER TYPES

BUFFER TYPE AND CONFIGURATION	MINIMUM SCREENING REQUIREMENTS PER 100 LINEAR FEET		
	OPTION 1: MINIMUM WIDTH 35 FEET	OPTION 2: MINIMUM WIDTH 25 FEET	OPTION 3: MINIMUM WIDTH 15 FEET
A. Basic: The perimeter buffer functions as a basic edge demarcating individual properties with a slight visual obstruction.			
	9 ACI* of canopy and/or understory trees	12 ACI* of canopy and/or understory trees	15 ACI* of canopy and/or understory trees + 3 evergreens
B. Aesthetic: This perimeter buffer functions as an intermittent visual obstruction, and creates the impression of spatial separation without eliminating visual contact between uses.			
	12 ACI* of canopy and/or understory trees + 12 shrubs + 3 evergreens	15 ACI* of canopy and/or understory trees + 15 shrubs + 5 evergreens	18 ACI* of canopy and/or understory trees + 18 shrubs + 7 evergreens
C. Semi-Opaque: This perimeter buffer functions as a semi-opaque screen.			
	15 ACI* of canopy and/or understory trees + 25 shrubs + 7 evergreens	18 ACI* of canopy and/or understory trees + 30 shrubs + 7 evergreens	21 ACI* of canopy and/or understory trees + 35 shrubs + 7 evergreens

D. Opaque: This perimeter buffer functions as an opaque screen and prevents visual contact between uses and creates a strong impression of total separation.			
	24 ACI* of canopy and/or understory trees + 40 shrubs + 8 evergreens	30 ACI* of canopy and/or understory trees + 50 shrubs + 10 evergreens	No Option
* ACI = Aggregate Caliper Inches			

(B) REQUIRED BUFFERS

Table 15.06-2: Required Buffer Area specifies the type of perimeter landscape buffer that a new development shall provide between it and adjacent properties, based on the use of the development site and that of adjacent properties. The buffer type is indicated by a letter corresponding to one of the four buffer types depicted in Table 15.06-1: Buffer Types.

TABLE 15.06-2: REQUIRED BUFFER AREA

ADJACENT TO:	VACANT PARCEL	AGRICULTURAL USE CATEGORY	AGRICULTURAL SUPPORT AND SERVICES USE CATEGORY	RESIDENTIAL USE CLASSIFICATION EXCEPT CONSERVATION SUBDIVISIONS AND TRADITIONAL SUBDIVISIONS-MAJOR	CONSERVATION SUBDIVISIONS	TRADITIONAL SUBDIVISIONS-MAJOR	PUBLIC AND INSTITUTIONAL USE CLASSIFICATION	COMMERCIAL USE CLASSIFICATION	INDUSTRIAL USE CLASSIFICATION
PROPOSED USE:									
Agricultural Use Category	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Agricultural Support and Services Use Category	A	A	N/A	C	C	C	B	N/A	N/A
Residential Use Classification except Conservation Subdivisions and Traditional Subdivisions-Major	A	B	B	N/A	C	C	B	B	B
Conservation Subdivisions	A	N/A	A	A	N/A	C	B	B	B
Traditional Subdivisions-Major	A	N/A	A	A	B	N/A	B	B	B
Public and Institutional Use Classification	A	A	B	C	C	C	N/A	B	B
Commercial Use Classification	A	B	B	C	D	D	B	N/A	B
Industrial Use Classification	A	C	C	D	D	D	C	C	N/A

Article 16: Performance Standards

Section 16.01: Purpose

The purpose of this Article is to address the potential detrimental impacts associated with noise, lighting, and the outdoor storage of goods and materials. Additionally, this Article establishes the standards for the applicability and formation of Homeowners' Associations.

Section 16.02: Noise Standards

(A) APPLICABILITY

The standards of this Section shall apply to the following:

(1) All use types within the Industrial Use Classification;

(2) All use types in the Agricultural Support and Services Use Category;

(3) All use types in the Animal Care Use Category;

(4) All use types in the Conference or Training Center Use Category;

(5) All outdoor use types within the Recreational and Athletic Facilities Use Category; and

(6) Residential businesses.

(B) GENERAL STANDARDS

Noises associated with the uses outlined in Section 16.02:(A): Applicability above shall not exceed the standards listed in Table 16.02-1: Maximum Noise Standards when measured at the property line.

TABLE 16.02-1: MAXIMUM NOISE STANDARDS

ADJACENT USE TYPE IN:	MAXIMUM SOUND LEVEL (IN DECIBELS "DB")
Agricultural Use Classification	55
Residential Use Classification	55
Public and Institutional Use Classification	65
Commercial Use Classification	65
Industrial Use Classification	75

(C) COMPLIANCE WITH THIS SECTION

(1) At the time of a Site Plan application submitted in accordance with Article 6: Minor and Major Site Plans, the applicant shall be required to provide a description and analysis of the noise environment and construction methods, if any, necessary to comply with the maximum noise levels established in Table 16.02-1: Maximum Noise Standards.

(2) The Site Plan shall include a note indicating the proposed development will comply with all requirements and limitations of this Section.

Section 16.03: Outdoor Lighting Standards

(A) APPLICABILITY

The standards of this Section shall apply to all uses listed in Table 11.01-1: Table of Allowed Uses, except:

(1) Mobile homes;

(2) Single-family dwellings; and

(3) Street lighting.

(B) GENERAL STANDARDS

(1) At the time a Site Plan application is submitted in accordance with Article 6: Minor and Major Site Plans, a lighting plan (including an isolux or photometric plan) shall be submitted.

(2) No flickering or flashing light shall be permitted.

(3) Light sources or luminaires shall not be located within required bufferyards except for pedestrian-scaled lighting along walkways.

(4) All lighting shall be directed downward except for low-wattage architectural lighting intended to illuminate structures.

(5) Exterior lighting shall not shine directly into the yard or windows of adjacent residential uses.

(6) Light fixtures in excess of 1,000 lumens shall use full cut-off lenses or hoods to prevent glare or spillover onto adjacent parcels and streets.

(7) No light source in a canopy structure shall extend downward further than the lowest edge of the canopy's ceiling.

(C) EXTERIOR LIGHTING

(1) All lighting shall be designed and located so that the illumination measured in footcandles at the finished grade shall comply with the standards in Table 16.03-1. The illumination shall take into account changes in finished grade, walls, buildings, and other existing or proposed site conditions.

TABLE 16.03-1: MINIMUM AND MAXIMUM ILLUMINATION VALUES (IN FOOTCANDLES) [1]

USE CLASSIFICATIONS [2]	MINIMUM LIGHT LEVELS IN PARKING LOTS	MAXIMUM AVERAGE ILLUMINATION IN PARKING LOTS	MAXIMUM ILLUMINATION AT PROPERTY LINE	MAXIMUM HEIGHT OF FIXTURE [3]
Agricultural	None	2.0	0.2	30
Residential	0.2	1.0	0.2	20
Public and Institutional	0.2	2.0	0.2	25
Commercial	0.2	2.0	0.2	25
Industrial	0.2	1.0	0.2	30
Temporary Uses	0.2	1.0	0.2	16

NOTES:

[1] These standards do not apply to Wall-mounted lights. See Section 16.03:(C)(3): Wall-mounted Lighting.

[2] These standards do not apply to following Use Types: Parks and General Open Space; Recreational Athletic Facilities, Outdoor; Stadiums and Arenas; and Stadiums and Arenas Accessory to an Educational Facility.

[3] Height shall be measured in feet from finished grade to the highest part of the fixture or pole assembly.

(2) Uniformity Requirements

In order to maintain uniformity in light levels across parking lots and prevent or minimize dark areas, the ratio of maximum to minimum lighting levels within a given parking lot as measured in footcandles at ground level, shall not exceed ten-to-one (10:1).

(3) Wall-mounted Lighting

a) Wall-mounted lights shall be fully shielded luminaires (such as shoebox or can style fixtures) to prevent the light source from being visible from any adjacent residential property or public street right-of-way. Nothing in this Subsection shall prevent the use of decorative lighting fixtures provided that the source of illumination is not visible from adjacent lands used or zoned for residential.

b) Wall packs on buildings may be used at entrances to a building to light unsafe areas. They are not intended to draw attention to the building or provide general building or site lighting. Wall packs on the exterior of the building shall be fully shielded (true cut-off type-bulb or light source not visible from off-site) to direct the light downward and shall not exceed 1,500 lumens.

(4) Floodlights and Spotlights

a) Floodlights and spotlights shall be located, aimed, and shielded so that direct illumination is focused exclusively on a portion of the building façade or other intended site feature and away from adjoining lands or rights-of-way. On-site lighting may be used to accent architectural elements of buildings.

b) Such lighting shall be installed in a fixture that is shielded so that no portion of the light bulb extends below the bottom edge or above the top edge of the shield, and the main beam from the light source is not visible from adjacent lands or adjacent rights-of-way. Floodlights or other type of lighting attached to light poles that illuminate the site or building are prohibited.

(5) Exterior Lighting for Specified Outdoor Recreational Uses

Lighting for the following use types: Parks and General Open Space; Recreational Athletic Facilities, Outdoor; Stadiums and Arenas; and Stadiums and Arenas Accessory to an Educational Facility, shall comply with the following standards:

a) All lighting fixtures shall be equipped with a glare control package (e.g., louvers, shields, or similar devices), and the fixtures shall be aimed so that their beams are directed and fall within the primary playing or performance area;

b) The maximum permitted illumination at the interior property line shall not exceed 2.0 footcandles; and

c) The hours of operation for the lighting system for any game or event shall not exceed one hour after the end of the game or event.

(6) Sign Lighting

Lighting fixtures illuminating signs shall comply with the standards of this Subsection, and such fixtures shall be aimed and shielded so that direct illumination is focused exclusively on the sign face.

Section 16.04: Outdoor Display and Sales

(A) Outdoor display and sales may be allowed in conjunction with all use types within the Retail Sales and Service Use Category. Uses classified as Automotive and Machinery Rental or Sales are exempted from the standards of this Section.

(B) All outdoor display/sales areas shall be clearly delineated on the proposed site plan.

(C) All outdoor display/sales areas shall be located immediately adjacent to the storefront and/or building sides, and not in drive aisles, loading zones, fire lanes, or parking areas.

(D) Outdoor display/sales areas shall not exceed 50 percent the length of the storefront.

(E) In the case of a multi-tenant building, the "storefront" shall include the entire frontage of the building façade, meaning that the total amount of display for all tenants combined shall not exceed 50 percent of the aggregate storefront of the total building.

(F) Where an outdoor display/sales area is adjacent to a drive aisle, loading zone, fire lane, or parking area, at least five feet adjacent to these areas shall be maintained free of obstruction.

Section 16.05: Outdoor Storage

(A) Outdoor storage may be allowed in conjunction with the following Use Types: Retail Sales and Services, Extensive, Self-Service Storage, Light Industrial Uses, and Heavy Industrial Uses. Uses classified as Automotive and Machinery Repair are exempted from the standards of this Section.

(B) All outdoor storage areas shall be clearly delineated on the proposed site plan.

(C) No outdoor storage areas shall be located in drive aisles, loading zones, fire lanes, or parking areas.

(D) Outdoor storage areas shall be located to the side or rear of the principal structure.

(E) Goods stored in an outdoor storage area shall be limited to those sold on the premises. Outdoor storage areas shall not be used for displays or sales.

(F) Each outdoor storage area shall be enclosed by a fence or wall that is at least six feet in height.

(G) Materials shall be stored no higher than the height of the primary structure.

(H) No materials shall be stored in areas intended for drive aisles, loading zones, fire lanes, or parking areas.

(I) Outdoor storage, including garden centers, lumberyards, or other storage that may be enclosed by a fence, shall be set back minimum of 75 feet from all property lines and may only be permitted to the side or rear of the principal structure.

Section 16.06: Homeowners' and Property Owners' Association Standards

Where common open space or common areas are required and/or proposed within a residential development consisting of two or more lots, a homeowners' or property owners' association shall be established to permanently maintain all open space and common areas (except as otherwise permitted by Sections 16.06(G) and 16.06(H) below). Such association shall comply with the following:

(A) The applicant shall file a declaration of covenants and restrictions that will govern the association. Copies of the proposed covenants, articles of incorporation, and bylaws of the homeowners' or property owners' association shall be submitted with the application for Final Plat or as part of a Major Site Plan approval. The provisions shall include, but not be limited to, the following:

(1) The association must be established before any lots are sold;

(2) Membership must be mandatory for each property owner and any successive property owner;

(3) The open space and/or common area restrictions must be permanent, not just for a period of years;

(4) The association must be responsible for liability insurance, local taxes, and the maintenance of recreational and other amenities, drainage structures or other facilities pertaining to the open space or common areas; and

(5) Each individual lot is financially responsible on a pro-rata basis for the maintenance of the open space or common areas and any recreational or other amenities through the pro-rata funding of the association. If the association ceases to exist for whatever reason, responsibility for maintenance of open space or common areas shall become that of the individual lot owners on a pro-rata basis.

(B) All homeowners' or property owners' associations shall guarantee the maintenance of all open space and common areas within the boundaries of the development for which such association was created.

(C) Such covenants shall be recorded with the final subdivision plat. No set of proposed covenants, articles of incorporation, or bylaws of a homeowners' or property owners' association shall permit the abrogation of any duties set forth in this section.

(D) The homeowners' or property owners' association shall be incorporated and shall remain active permanently. In the event of dissolution of the homeowners' or property owners' association for any reason whether administrative or otherwise, responsibility for maintenance of all common areas shall become that of the individual lot owners within the subdivision on a pro-rata basis, based upon the number of lots within the subdivision, or if the restrictive covenants for the subdivision so provide, any one or more lot owners within the subdivision may re-form the homeowners' or property owners' association and assess each lot equally for the amount necessary to maintain said open space. In the event of failure of either of the above remedies the County may, but is not required, after giving proper notice to each property owner, to bring such open space into compliance, and place a lien on all lot owners within the subdivision for their pro-rata share of the cost, plus any administrative fees.

(E) In the event of a failure to maintain such open space or common areas, the County may, but is not required to, seek to enforce the homeowners' or property owners' association's non-performance of its obligations and duties (as described in the covenants and provisions) or as may be required by the Tennessee Code Annotated, through an injunction or any other civil remedy. The cost of such enforcement shall be reimbursed by the lot owners, and the County may place a lien on all lot owners within the subdivision for their pro-rata share of the cost, plus any administrative fees.

(F) In the event of failure of the association to pay any taxes assessed to the common areas, such taxes shall attach to each lot within the subdivision on a pro-rata basis based on the number of lots within the subdivision.

(G) The homeowners' or property owners' association may propose that certain lands designated as common space or open space set-aside areas, such as wetlands, floodplains, or other natural areas, be dedicated to a non-profit organization or a similar entity in perpetuity who shall be responsible for managing the open space or common space. To ensure adequate management of the open space set-aside, such a dedication shall be reviewed by the County Attorney and may require a revision to the Site Plan, in addition to any amendments required by the Subdivision Regulations.

(H) The homeowners' or property owners' association may propose that certain lands designated as common space or open space set-aside areas, such as wetlands, floodplains, or other natural areas, be dedicated to the County or other governmental entity in perpetuity who shall be responsible for managing the open space or common space. To ensure adequate management of the open space set-aside, such a dedication shall be reviewed by the County Attorney and may require a revision to the Site Plan, in addition to any amendments required by the Subdivision Regulations. An offer of dedication of any common space or open space, regardless of the type of resources or amenities placed thereon, shall not become the responsibility of the County or other governmental entity unless the dedication is formally accepted by the County or other governmental entity by its governing body. Nothing in this Section requires the County or other governmental entity to accept said offer of dedication.

Section 16.07: Performance Guarantees

(A) PERFORMANCE AGREEMENT

The Planning Commission may allow an applicant to delay the installation of certain on-site and off-site infrastructure or improvements through the execution of a Performance Agreement with supporting surety, in a form and manner approved by the County Attorney and in accordance with the requirements of this Section.

(1) The applicant shall execute a performance agreement and post the supporting surety within 60 days of approval of a Site Plan by the Planning Commission. Failure to execute the performance agreement or post the surety within 60 days will result in expiration of the approval of the Site Plan.

(2) The Performance Agreement shall be in the amount of 120 percent of the actual estimated cost of the infrastructure or improvements as determined by the Highway Superintendent, County Engineer or Planning Director.

(3) The applicant shall submit a letter to the Planning Department in which he agrees to have a registered professional engineer or landscape architect, depending on the type of improvements, involved in the construction phase of the project for the purpose of monitoring construction in order to ensure conformity with approved plans and specifications.

(4) The period within which required improvements shall be completed shall not exceed one year from the date the Performance Agreement is signed; however, extensions and reductions may be approved by the Planning Commission in accordance with this Section.

(5) The Performance Agreement shall name the Planning Commission as obligee and shall be satisfactory to the County Attorney as to form, sufficiency, and manner of execution. The Performance Agreement shall remain in force in its full face amount until improvements are completed and accepted, when applicable, by the County and its appropriate departments or utility district, as applicable. The Performance Agreement may be reduced as provided in Section 16.07:(C): Reduction or Release of Performance Agreement and Surety.

(B) SURETY REQUIRED

(1) A Performance Agreement authorized by the Planning Commission shall be secured by either an irrevocable standby letter of credit with an automatically renewable feature, (often termed as an "evergreen" letter of credit), or a certified check from an approved financial institution. The beneficiary of the surety shall be the Williamson County Regional Planning Commission, the Williamson County Highway Department, or the applicable utility district.

(2) The financial institution shall permit the letter of credit to be presented for collection at a place physically located within Williamson County, Tennessee.

(C) REDUCTION OR RELEASE OF PERFORMANCE AGREEMENT AND SURETY

(1) Except for maintenance obligations, which are governed by Section 16.07(D), Maintenance Obligations, the Performance Agreement may be reduced one time by the Planning Commission as provided in Section 16.07:(A): Performance Agreement.

(2) A request for reduction of the surety or release of the Performance Agreement shall be submitted to the Community Development Department. The Planning Commission may release the Performance Agreement, extend the Performance Agreement, or reduce a surety after consultation with the applicable utility district or County departments. In the event the request for release or reduction occurs prior to the expiration of the last term authorized by the Planning Commission, an early review fee, as established in the Administrative Manual, will be assessed to the applicant at the time of the request.

(3) Performance Agreements may be extended as determined by the appropriate utility districts or County departments, but such extensions shall not exceed one year. Extensions of Performance Agreements may necessitate an increase in the Performance amount.

(4) If the applicant requests extension of any Performance Agreement because of inadequate completion, then an extension fee, as established in the Administrative Manual, shall be assessed to the applicant. If the County requests the extension because it would be in the best interest of the County, then this extension fee shall be waived.

(5) Except for maintenance obligations, which are governed by Section 16.07:(D): Maintenance Obligations, a request for reduction of the surety or release of the Performance Agreement shall not be granted until all of the following have been completed:

a) The applicant has presented a letter to the Community Development Department requesting reduction of the surety, including the percentage amount of completion of the improvement, or release of the Performance Agreement. Such requests shall include a written statement from the engineer or landscape architect employed by the applicant stating that the improvements have been installed in accordance with the approved plans and specifications, or in the case of a request for reduction, specifying the percentage of completion of the improvement. Once such a written statement from the engineer or landscape architect has been received, an inspection by the applicable County department shall be performed at no cost to the applicant.

b) The appropriate County department has submitted a statement to the Community Development Department indicating that the required public improvements and required landscaping have been inspected and satisfactorily completed in accordance with the approved plans, or in the case of a request for reduction, specifying the status or percentage of completion of the improvement.

c) Assurances have been obtained through affidavits, releases, or waivers of liens from all contractors and subcontractors of the filing of public disclaimers, that liens will not be filed against the dedicated land or improvements after they are accepted by the Community Development Department or appropriate County department.

(6) At the time that an extension, reduction or release of a Performance Agreement is approved, the Community Development Department or other appropriate County department, whichever is applicable, shall establish the expiration date of the maintenance obligation or Performance Agreement (as applicable). However, the maintenance obligation or Performance Agreement shall not have an expiration date of greater than one year.

(7) No Performance Agreement for public improvements or applicable private infrastructure shall be reduced to less than 20 percent of its full-face amount, irrespective of the estimated cost of completing the improvements. An amount equal to 20 percent of the original amount may be added to the reduced amount for possible future inflation cost.

(8) Performance Agreements for landscaping shall not be reduced to less than 75 percent of its full-face amount, irrespective of the estimated cost of completing the improvements.

(9) The applicant's costs incurred in the connection with a request for the extension or reduction of the surety or the release of a Performance Agreement and surety (that is, landscape architect or engineering inspections fees, legal fees, and so forth) shall be borne by the applicant, regardless of whether his request is ultimately granted.

(D) MAINTENANCE OBLIGATIONS

Upon completion of the Performance period, the applicant shall be required to maintain the completed improvements and required landscape to ensure against defects in workmanship and materials. Maintenance obligations shall be subject to the terms of the Performance Agreement and the maintenance obligations shall be applied in accordance with the following standards:

(1) The maintenance obligation shall remain in effect for a period of two years or until final release of the maintenance obligation by the Planning Commission or other appropriate County departments, whichever period is longer.

(2) Such maintenance obligation shall be in an amount satisfactory to the Planning Commission or other appropriate County departments, whichever is applicable. However, the maintenance obligation for landscaping improvements shall not be less than 25 percent of the original full-face amount or $3,000.00, whichever is greater, and the maintenance obligation for all other improvements shall not be less than 10 percent of the original full-face amount or $2,500.00, whichever is greater.

(3) Upon request of the applicant, or automatically after a period of two years from the release of the Performance Agreement, whichever is greater, the Planning Commission shall consider the release of the maintenance obligation.

(E) FAILURE TO COMPLETE IMPROVEMENTS

(1) Where a Performance Agreement has been executed with a supporting surety posted and required improvements have not been installed within the terms of such Performance Agreement, the Planning Commission may thereupon declare the Agreement to be in default and require that all the improvements be installed regardless of the extent of the building development at the time the Agreement is declared to be in default.

(2) Further, the Planning Director shall notify the Building Codes Director that the Performance Agreement for the subject site is in default and request that no additional building permits be issued in the development. The Planning Commission shall also issue a notice that the subject site is in default. Said notice shall be recorded in the Registers Office of Williamson County, Tennessee. In the event the subject site is thereafter found not to be in default for any reason, prompt notice shall be given to the Building Codes Director and recorded in the Registers Office of Williamson County, Tennessee.

(3) In the event the Performance Agreement or supporting surety is not renewed or extended as approved by the Planning Commission within 14 days of the expiration date, or if the new documentation is not in accordance with this Section, then the Performance Agreement and supporting surety may be declared in default and the Secretary of the Planning Commission may issue a call or draw letter. Where the surety is provided by a financial institution, the call or draw letter shall be presented to said financial institution for payment. Otherwise, the call or draw letter shall be presented to the applicant. Funds "called" pursuant to the Performance Agreement and supporting surety shall be placed in escrow in the County treasury. A fee will be assessed for each letter of credit or surety "called" in accordance with this Section, as established in the Administrative Manual.

Article 17: Access, Off-Street Parking, and Loading Standards

Section 17.01: Purpose

The purpose of this Article is to regulate vehicular access points to individual properties, the amount and location of vehicle parking and maneuvering areas in order to promote a more efficient use of land, enhance the community form, and provide for better pedestrian movement. The provisions of this Article are intended to:

(A) Minimize the congestion of public streets;

(B) Increase and protect the capacity of the roadway system;

(C) Promote greater safety of passage between roadways and adjacent properties;

(D) Minimize the detrimental effects of vehicular use areas on adjacent properties;

(E) Encourage the reduction of impervious surfaces; and

(F) Establish minimum requirements for off-street parking and loading areas as well as provisions for access control.

Section 17.02: Roadway and Access Standards

(A) APPLICABILITY

Unless otherwise specifically stated, all development shall be subject to the standards of this Section.

(B) GENERAL ACCESS STANDARDS

(1) Except as provided in Section 17.03: Access Easements, below, all lots shall abut a public road for a distance equal to or greater than the minimum lot width standards shown in Article 10: Zoning Districts.

(2) Lots abutting the radius of a cul-de-sac shall conform to the required width at the required minimum building setback line. See Figure 23.03-A.

(3) Development plans approved in accordance with this Section that require access to either a State highway or a County roadway shall obtain approval for the access from the appropriate State or County agency. Construction within the existing County right-of-way shall require approval of the Williamson County Highway Department.

(4) All lots within any proposed Major Traditional or Conservation Subdivision shall take access from a local road or street as defined by this Ordinance.

(5) Residential access points shall not exceed a width of 30 feet where they intersect the public road.

(6) Nonresidential access point width and curb radii requirements shall accommodate the design vehicle as determined by the design engineer.

(7) Access points shall be no closer than 150 feet from an intersecting collector street as measured from the right-of-way of the intersecting collector street to the centerline of the proposed access drive.

(8) Access points shall be no closer than 250 feet from an intersecting arterial street as measured from the right-of-way of the intersecting arterial street to the centerline of the proposed access drive.

(9) Either the centerline of opposing nonresidential access points shall align, or they shall be offset by no less than 75 feet. This shall not apply where a permanent median exists without break for these access points.

(10) All new access points shall have adequate intersection sight distance for the posted speed limit per AASHTO requirements.

(11) Unless otherwise specified by this Section, Table 17.02-1: Number of Access Points establishes the maximum number of access points for each nonresidential property.

TABLE 17.02-1: NUMBER OF ACCESS POINTS

LENGTH OF ROAD FRONTAGE	MAXIMUM NUMBER OF ACCESS POINTS
400 feet or less	1
401 to 800 feet	2
More than 800 feet	3

(12) For all uses other than single-family dwellings, Table 17.02-2: Distance between Access Points specifies the minimum distance between access points.

TABLE 17.02-2: DISTANCE BETWEEN ACCESS POINTS

SPEED LIMIT	MINIMUM DISTANCE BETWEEN ACCESS POINTS
30 mph	100 feet
35 mph	150 feet
40 mph	200 feet
45 mph	250 feet
50 mph	300 feet
55 mph	350 feet

(13) When a proposed development will generate 50 or more peak hour trips, an Intersection Study shall be submitted confirming adequate roadway geometry and the necessity for speed change and/or turning lanes. Study results shall be submitted to the Highway Superintendent, the Williamson County Highway Commission, or the Tennessee Department of Transportation, as applicable, and the governing agency shall determine whether turn lanes or other improvements are required.

(14) Cross Access

a) New nonresidential developments adjacent to existing nonresidential development or adjacent to vacant land zoned to allow nonresidential uses shall provide a cross access drive to allow circulation between sites.

b) Property owners shall record an easement with the deed allowing cross access to and from other properties served by the cross access drive.

c) Property owners shall record a cross access maintenance agreement with the deed defining maintenance responsibilities to property owners.

(15) Nonconforming Access Features

Existing access points that were approved prior to the adoption of this Ordinance and do not conform with the standards of this Section shall be considered nonconforming, and these access points shall meet the standards of this Section under the following circumstances:

a) When new access connection permits are requested;

b) Expansion or enlargement of the use by 25 percent or greater. Repeated expansions of the use over a period of time commencing with the effective date of this Ordinance shall be combined in determining whether the 25 percent threshold has be reached; and/or

c) Expansions or enlargements of the use by less than 25 percent that will result in a 25 percent or greater increase in trip generation, as shown in the most recent addition of Trip Generation by the Institute of Transportation Engineers.

(16) Development Entry Points

All subdivisions shall provide access from the development to the public street system outside the development according to the following:

a) A single ingress/egress point may be provided for subdivisions containing less than 100 dwelling units.

b) At least two ingress/egress points shall be provided for subdivisions containing 100 or more dwelling units.

c) For each additional 200 dwelling units beyond the first 100 units, one additional ingress/egress point shall be required.

(17) Vehicular gates, barriers, or other devices intended to obstruct vehicular traffic across a public right-of-way shall be prohibited.

Section 17.03: Access Easements

Access easements shall be permitted as follows:

(A) A development of five residential lots, each being five acres or greater in size, may take access from an access easement provided the lots are created via a subdivision plat.

(B) Lots that take access from an access easement and are created after the adoption of this Ordinance shall abut such easement for a distance equal to or greater than the minimum lot width standards shown in Article 10: Zoning Districts. Such lots shall not abut a public road unless such abutment is equal to or greater than the minimum lot width standards shown in Article 10: Zoning Districts.

(C) Access easements shall have a minimum width of 50 feet.

(D) Access easements shall be continuously separated from other access easements by a minimum of 200 feet.

(E) Driveways shall be constructed within the access easement serving as the principal means of access.

(F) When a development utilizes an access easement, the developer shall adopt and record a covenant that runs with the land that declares that the access easement is not a public road, and imposes the requirements for joint maintenance by all property owners served by the access easement.

Section 17.04: Sidewalks

(A) Sidewalks shall be required on both sides of the street in developments where the average lot size is 10,000 square feet or less.

(B) All sidewalks shall meet the requirements of the Williamson County Subdivision Regulations, as applicable, and all applicable State and Federal laws and regulations, including but not limited to the Americans with Disabilities Act.

Section 17.05: Off-Street Parking, Loading, and Drive-Through General Standards

(A) APPLICABILITY

The standards of this Section shall apply to the following:

(1) New developments involving construction of a new structure;

(2) Establishment of a new land use;

(3) Existing developments involving construction of a new structure, expansions, or enlargements of existing structures. Additional off-street parking, loading, and drive-through areas are required to serve only the new structure, or the expansion or enlargement of the existing structure; and

(4) Changes of use that would result in the requirement for more off-street parking, loading, or drive-through areas than the existing use requires.

(B) GENERAL STANDARDS FOR OFF-STREET PARKING, LOADING, OR DRIVE-THROUGH AREAS

The following are general standards applicable to all parking, loading, and drive-through areas:

(1) Use of Parking, Loading or Drive-Through Areas

All vehicular parking areas, drive-through areas, and loading spaces required by this Section shall be used only for those purposes. Any other use, including but not limited to vehicular storage, vehicle sales, vehicular repair work, vehicle service, or display of any kind, shall constitute a separate use of the space, which is only allowed in accordance with the provisions of this Ordinance.

(2) Delineation of Spaces

Off-street parking areas of four or more spaces and loading spaces shall include painted lines, bumper stops, or other methods of identifying individual parking and loading spaces, thus distinguishing such spaces from aisles.

(3) Surfacing

a) All access drives, off-street parking, loading, and drive-through areas shall be surfaced with asphalt, concrete, brick, stone, or pavers, except as provided for in Section 17.08:(C) Alternative Materials.

b) Single-family dwellings, those use types within the Agriculture Use Category, all Temporary Uses and Structures listed in Table 11.05-1: Permitted Temporary Uses and Structures, and any off-street parking areas consisting of three or fewer spaces shall be exempt from this surfacing requirement.

Section 17.06: Off-Street Parking Standards

All off-street parking areas shall meet the following standards:

(A) COMPUTATION OF REQUIRED OFF-STREET PARKING SPACES

(1) Fractions

When measurements of the number of required parking spaces result in fractions, the space standard shall be rounded upward to the next highest whole number.

(2) Different Use Areas

Except as provided for in this section, parking shall be calculated separately for each different use area in a building or on a site, including all accessory uses.

(3) Parking Based on Floor Area

When the standards use square footage as a unit of measurement, calculations shall be based on gross floor area.

(4) Parking Based on Occupants

When the standards use the number of occupants as a unit of measurement, all calculations shall be based on the maximum fire-rated capacity.

(5) Parking Based on Employees

When the standards use the number of employees as a unit of measurement, the calculations shall be based on the maximum number of employees on the largest work shift during a single given day, regardless of the time period during which this occurs, and regardless of whether any such person is a full-time employee. The largest work shift may occur on any particular day of the week or during a lunch or dinner period in the case of a restaurant.

(6) Determination by the Planning Director

The Planning Director shall determine the parking standards for uses not specifically listed in Table 17.06-1: Minimum Off-Street Parking Standards, by one of the following methods:

a) Evaluate the proposed use based on the standards for the closest comparable use or by reference to standard parking resources published by the National Parking Association or the American Planning Association; or

b) Require the applicant to submit a parking demand study that justifies estimates of parking demand based on the recommendations of the Institute of Traffic Engineers (ITE), and includes relevant data collected from uses or combinations of uses that are the same or comparable to the proposed use in terms of density, scale, bulk, area, type or activity, and location.

(B) MINIMUM NUMBER OF SPACES REQUIRED

Unless otherwise expressly stated in this Section, off-street parking spaces shall be provided in accordance with Table 17.06-1: Minimum Off-Street Parking Standards, which begins on the following page

TABLE 17.06-1: MINIMUM OFF-STREET PARKING STANDARDS		
USE CATEGORY	**USE TYPE**	**MINIMUM OFF-STREET PARKING SPACES REQUIRED**
AGRICULTURAL USE CLASSIFICATION		
Agriculture	Agricultural	See Section 17.06:(D).
	Agricultural Direct Market Businesses	See Section 17.06:(D).
	Nurseries	1.0 space per 200 square feet of indoor sales area + 1.0 space per employee on the largest shift
Agricultural Support and Services	Agri-Tourism and Education	See Section 17.06:(D).
	Equestrian Facilities	See Section 17.06:(D).
	Farm Wineries	See Section 17.06:(D).
RESIDENTIAL USE CLASSIFICATION		
Household Living	Congregate Independent Living Centers	Spaces provided based on the type of dwelling unit + 1.0 space for each employee on the largest shift
	Conservation Subdivisions	2.0 spaces per dwelling unit
	Mobile Homes	2.0 spaces per dwelling unit
	Mobile Home Parks	
	Multi-Family Dwellings	1.0 space per efficiency or studio dwelling unit 1.5 spaces per 1 or 2 bedroom dwelling unit 2.0 spaces per 3+ bedroom dwelling unit
	Retirement Communities	Spaces provided based on the uses within the retirement community
	Single-Family Dwellings on Parcels of Record	2.0 spaces per dwelling unit
	Traditional Subdivisions - Major	
	Traditional Subdivisions - Minor	
Group Living	Congregate Assisted Living Centers	1.0 space per 3 patient beds
	Institutional Single-Family Homes (1-8 Residents)	2.0 spaces per dwelling unit
	Residential Institutional	1.0 space per bedroom
	Skilled Nursing Facilities	1.0 space per 3 patient beds
PUBLIC AND INSTITUTIONAL USE CLASSIFICATION		
Day Care	Day Care Centers	1.0 space per every 5 children up to 50, then 1.0 space per every 10 children
Educational Facilities	Educational Facilities	1.0 space per 2 classrooms + 1.0 space per employee for elementary, middle, or junior high schools 1.0 space per classroom + 1.0 space per five students for senior high schools
	Educational Facilities, Higher	1.0 space per 2 students + 1.0 space per employee on the largest work shift
Government Facilities	Government Maintenance, Storage, or Distributional Facilities	1.0 space per 600 square feet
	Government Offices	1.0 space per 300 square feet for space used by the public and 1.0 space per 600 square feet of space not used by the public
	Public Safety Services	See Section 17.06:(D).

TABLE 17.06-1: MINIMUM OFF-STREET PARKING STANDARDS

USE CATEGORY	USE TYPE	MINIMUM OFF-STREET PARKING SPACES REQUIRED
Health Care Facilities	Hospitals	2.0 spaces per 3 patient beds + 1.0 space per staff doctor and each other employee on the largest work shift
	Medical or Dental Clinics	1.0 space per 250 square feet
	Outpatient Facilities	
Institutions	Clubs or Lodges	1.0 space per 300 square feet or 1.0 space per every four persons at maximum capacity, whichever is greater
	Cultural Institutions	
	Religious Institutions	1.0 space per every four persons at maximum capacity
Parks and Open Areas	Commercial Cemeteries	1.0 space per employee on the largest shift + 1.0 space per four persons at maximum capacity for any chapels or places of gathering
	Park or General Open Space	See Section 17.06:(D).
Transportation and Utilities	Airports, Landing Strips, and Heliports, Private	See Section 17.06:(D).
	Airports, Landing Strips, and Heliports, Public	See Section 17.06:(D).
	Utilities	See Section 17.06:(D).
	Wireless Telecommunication Facilities	2.0 spaces per provider at the facility
COMMERCIAL USE CLASSIFICATION		
Adult Entertainment	Adult-Oriented Establishments	1.0 space per 3 persons at maximum capacity or 1.0 space per 200 square feet, whichever is greater
Animal Care	Animal Boarding Facilities	1.0 space per 300 square feet
	Animal Hospitals or Veterinarian Clinics or Animal Grooming	
	Animal Hospitals or Veterinarian Clinics with Animal Boarding	
Conference or Training Center	Conference Centers	See Section 17.06:(D).
	Rural Retreats – Extensive	1.0 space per guest room or camp site (if lodging is provided) + 1.0 space per 3 persons at maximum capacity
	Rural Retreats – Limited	1.0 space per every 3 persons at maximum capacity
Eating and Drinking Establishments	Bars or Taverns	1.0 space per 3 persons at maximum capacity or 1.0 space per 100 square feet, whichever is greater
	Drive-In Restaurants	1.0 space per drive-in order station + 1.0 space per 3 seats for any outdoor seating + 1.0 space per employee on the largest shift
	Restaurants	1.0 space per 3 people at maximum capacity or 1.0 space per 150 square feet, whichever is greater
	Specialty Eating or Drinking Establishment	
Offices	Offices	1.0 space per 300 square feet

TABLE 17.06-1: MINIMUM OFF-STREET PARKING STANDARDS

USE CATEGORY	USE TYPE	MINIMUM OFF-STREET PARKING SPACES REQUIRED
Recreation/ Entertainment	Golf Courses	10.0 spaces per hole or 5.0 spaces per hole for par 3 courses; + 50 percent of spaces otherwise required for any accessory uses (e.g., bars or restaurants)
	Golf Driving Ranges	3.0 spaces per tee
	Private Recreational Centers	1.0 space per four people at maximum capacity + 1.0 space per 2 employees on the largest shift
	Recreational and Athletic Facilities, Indoor	1.0 space per 200 square feet or 1.0 space per four persons at maximum capacity, whichever is greater
	Recreational and Athletic Facilities, Outdoor	1.0 space per 5,000 square feet of land area or 1.0 space per 3 persons at maximum capacity, whichever is greater
	Stadiums and Arenas	
Retail Sales and Services	Bank or Financial Institutions	1.0 space per 300 square feet
	Funeral Homes	1.0 space per employee on the largest shift + 1.0 space per four persons at maximum capacity for any chapels or places of gathering
	Convenience Stores without Gasoline Sales	1.0 space per 150 square feet
	Convenience Stores with Gasoline Sales	1.0 space per 150 square feet
	Entertainment Establishments	1.0 space per 3 persons at maximum capacity or 1.0 space per 200 square feet, whichever is greater
	Mixed Use/Multi-Tenant Developments	1.0 space per 250 square feet
	Liquor Store	1.0 space per 250 square feet
	Grocery Store	
	Personal Service Establishments	1.0 space per 300 square feet
	Retail Sales and Service, Extensive	1.0 space per 250 square feet
	Retail Sales and Service, General	1.0 space per 300 square feet
Self-Service Storage	Self-Service Storage	1.0 space per 50 storage cubicles, evenly distributed through the site + 2.0 additional spaces for any on-site manager, + 5.0 spaces adjacent to rental office for customers
Vehicle/Machinery Sales and Service	Automotive and Machinery Repair	1.0 space per 300 square feet
	Automotive and Machinery Rental or Sales	1.0 space per 300 square feet of enclosed floor area + 1.0 space per 5,000 square feet of outdoor display area
	Vehicle Washing Establishment	1.0 space per employee on the largest shift
	Truck Stops	1.0 space per 150 square feet of retail + 1.0 per service bay
Visitor Accommodations	Bed and Breakfast Establishments	2.0 spaces + 1.0 space for each sleeping room
	Hotels	1.0 space per every 3 guest rooms or suites + 1.0 per employee on the largest shift + 75 percent of spaces otherwise required for any accessory uses
	Vacation Rental Homes	1.0 spaces for each sleeping room
INDUSTRIAL USE CLASSIFICATION		
Extractive Industry	Rock Quarries	See Section 17.06:(D).
	Mining Operations	See Section 17.06:(D).

TABLE 17.06-1: MINIMUM OFF-STREET PARKING STANDARDS		
USE CATEGORY	USE TYPE	MINIMUM OFF-STREET PARKING SPACES REQUIRED
Industrial Uses	General Industrial Services	See Table 17.06-2.
	Light Industrial Uses	
	Heavy Industrial Uses	
	Research and Development Facilities	
	Warehouses	
Waste Related Services	Landfills, Private	See Section 17.06:(D).
	Nontraditional Wastewater Treatment and Disposal Systems	2.0 spaces
	Recycling Drop-Off and Other Drop-Off Centers	See Section 17.06:(D).
	Recycling Centers	See Section 17.06:(D).
	Salvage Centers	See Section 17.06:(D).
	Trash Compaction and Transfer Stations	See Section 17.06:(D).

(C) OFF-STREET PARKING STANDARDS FOR SELECTED INDUSTRIAL USES

Uses that reference this Subsection in Table 17.06-1: Minimum Off-Street Parking Standards, shall provide the minimum number of spaces identified in Table 17.06-2: Off-Street Parking Standards for Selected Industrial Uses.

TABLE 17.06-2: OFF-STREET PARKING STANDARDS FOR SELECTED INDUSTRIAL USES		
USE OR ACTIVITY		REQUIRED NUMBER OF SPACES
Office or administrative area		1.0 space per 300 square feet
Indoor sales area		1.0 space per 200 square feet
Indoor storage, warehousing, assembly, vehicular service, or manufacturing area:	1-3,000 square feet of floor area	1.0 space per 250 square feet
	3,001-5,000 square feet of floor area	1.0 space per 500 square feet
	5,001-10,000 square feet of floor area	1.0 space per 750 square feet
	10,001 or more square feet of floor area	1.0 space per 1,250 square feet
Outdoor sales, display, or storage area (3,000 square feet or less)		1.0 space per 750 square feet
Outdoor sales, display, or storage area (more than 3,000 square feet)		1.0 space per 1,000 square feet
NOTE: The total number of required spaces is cumulative based on the variety of different functions present in a single use.		

(D) USES WITH VARIABLE PARKING DEMAND CHARACTERISTICS

Uses that reference this subsection in Table 17.06-1: Minimum Off-Street Parking Standards, have widely varying parking demand characteristics, making it difficult to establish a single off-street parking standard. Upon receiving a development application for a use subject to this Subsection, the Planning Director shall apply the off-street parking standard specified for the listed use that is deemed most similar to the proposed use or establish minimum off-street parking standards on the basis of a parking demand study prepared by the applicant. Such a study shall include estimates of parking demand based on recommendations of the Institute of Traffic Engineers (ITE), or other acceptable estimates as approved by the Planning Director, and should include other reliable data collected from uses or combinations of uses that are the same as or comparable with the proposed use. Comparability will be determined by density, scale, bulk, area, type of activity, and location. The study shall document the source of data used to develop the recommendations.

(E) MAXIMUM NUMBER OF SPACES PERMITTED

In no event shall a proposed development include more than 125 percent of the minimum number of parking spaces required in Table 17.06-1: Minimum Off-Street Parking Standards, except if an alternative is proposed in accordance with Section 17.08: Alternative Parking Options.

Section 17.07: Design of Parking Spaces and Aisles

All off-street parking areas shall meet the following provisions unless specified elsewhere in this Ordinance:

(A) Parking spaces shall be located on the same lot as the principal use they serve unless the spaces meet the requirements of Section 17.08:(B): Shared Parking .

(B) MANEUVERABILITY AREAS

The following provisions shall be followed to maintain efficient maneuverability:

(1) Where more than four parking spaces are served by a single driveway, a turn around area shall be provided, or other provisions made, to permit cars to exit the parking lot without backing onto any street or sidewalk. See maneuvering aisle widths in Table 17.07-1: Parking Area Dimensions and Figure 17.07-A.

(2) Each parking space shall be located adjacent to a maneuvering aisle that meets or exceeds the requirements of Table 17.07-1: Parking Area Dimensions.

(C) DIMENSIONAL REQUIREMENTS

(1) Parking stalls shall conform to the minimum standards set forth in Table 17.07-1: Parking Area Dimensions and Figure 17.07-A.

(2) Any parking space adjoining a landscaped area of the parking lot may include a two-foot overhang into the landscaped area as part of the required parking stall length, provided curbing or other well maintained wheel stops are used to prevent damage to landscaped areas. See Figure 17.07-A.

(3) All parking spaces shall have a vertical clearance of at least seven feet.

TABLE 17.07-1: PARKING AREA DIMENSIONS				
ANGLE OF PARKING (DEGREES)	ONE-WAY MANEUVERING AISLE WIDTH (FEET) "A"	TWO-WAY MANEUVERING AISLE WIDTH (FEET) "A"	PARKING STALL WIDTH (FEET) "B"	PARKING STALL LENGTH (FEET) "C"
0 – Parallel	12	20	9	23
30 – 53	13	20	9	18
54 – 75	18	22	9	18
76 – 90	22	24	9	18

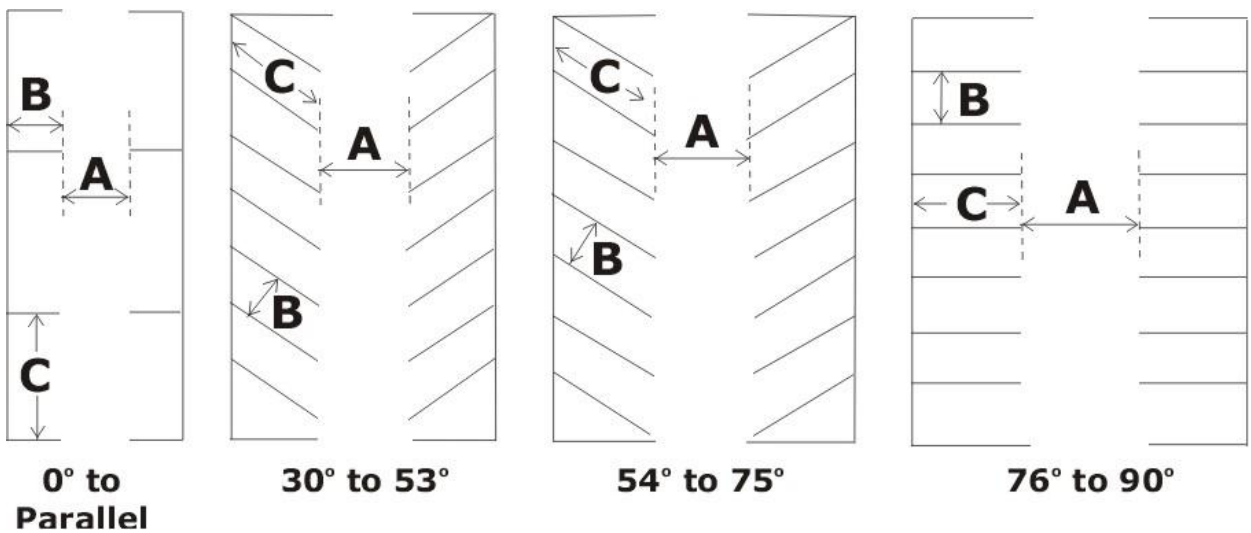


Figure 17.07-A: Illustration of parking area dimensions

(D) CONTINUOUS CURBS

(1) Continuous curbs shall be required to surround parking areas in the V, H, and 840C Districts for parking lots with 25 or more parking spaces.

(2) Continuous curbs shall not be required where the site will utilize depressed landscaped islands, rain gardens, or other techniques to accommodate storm water. In such cases, wheel stops may be utilized as a method of separating vehicular movement from pedestrians and landscaping.

(3) Where used, continuous curbs shall be made of asphalt, concrete, stone or other similar material and shall have a height of six inches and a minimum width of six inches. They shall form a non-interrupted edge around all landscaped areas adjacent to parking and maneuvering areas.

(4) Continuous curbs shall be located a minimum of four feet from any structures, buildings, or walls to prevent a vehicle from hitting any structure at the edge of a parking area. Figure 17.07-B.

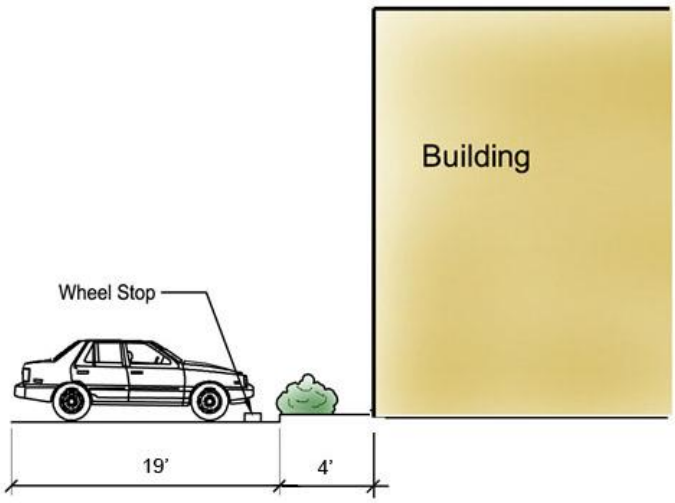


Figure 17.07-B: Minimum setback for parking (continuous curb or wheel stop) from a building or wall.

(E) STRIPING

Except as provided in Section 17.05:(B), upon completion of the parking area, individual parking spaces (stalls) shall be striped according to the approved layout.

(F) DRAINAGE

All parking areas shall provide for drainage of surface water in accordance with all applicable Federal, State, and County runoff and storm water regulations to prevent the drainage of such water onto adjacent properties.

(G) HANDICAPPED PARKING

Parking for the handicapped shall be provided in the size, number, and location as specified by State and Federal regulations.

Section 17.08: Alternative Parking Options

An alternative parking plan that proposes alternatives to providing the number of off-street parking spaces required by Table 17.06-1: Minimum Off-Street Parking Standards, may be approved in accordance with the standards listed below. Nothing in this Section shall limit the use of one or more of the following alternative parking options by a single use.

(A) PROVISION OVER THE MAXIMUM ALLOWED

Requests to provide more than the maximum number of off-street parking spaces established in Section 17.06:(E): Maximum Number of Spaces Permitted, shall comply with the following:

(1) Parking Demand Study

Requests for exceeding the maximum number of required off-street parking spaces shall be accompanied by a Parking Demand Study demonstrating how the maximum number of parking spaces specified by Section 17.06:(E): Maximum Number of Spaces Permitted, is insufficient for the proposed development.

(2) Minimum Amount Required

Requests to exceed the maximum number of off-street spaces allowed are limited to the minimum number of additional spaces required as recommended in the required Parking Demand Study.

(3) Surfaced with Alternative Materials

All off-street parking spaces provided in excess of the maximum specified in Section 17.06:(E): Maximum Number of Spaces Permitted, shall be surfaced with one of the pervious surfacing materials outlined in Section 17.08:(C): Alternative Materials.

(B) SHARED PARKING

The joint use of up to 75 percent of the required parking for two or more uses located on the same parcel or on adjacent parcels may be approved under the following standards:

(1) The applicant must demonstrate that the uses will not overlap in hours of operation or in demand for the shared spaces. Justification shall include information on the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover, and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces.

(2) Proximity to Use

Shared parking spaces shall be located within 500 linear feet of the primary entrances of all uses served as measured along the shortest legal, practical walking route. This route may include crossing a right-of-way provided it uses a legal crosswalk. In addition, adequate and safe pedestrian access must be provided from and to the shared parking areas.

(3) All uses sharing parking must be allowed uses within the zoning district in which the shared parking is located.

(4) Directional signage that complies with the standards of this Ordinance shall be added to direct the public to the shared parking spaces.

(5) Any sharing of required parking spaces by uses located on different parcels shall be guaranteed by written agreement between the owner of the parcel where the parking area is to be located and the owner of any use served by the parking area. An executed and notarized copy of the agreement between the owners of record must be recorded with the Williamson County Register of Deeds. Recordation of the agreement shall take place prior to the issuance of a Zoning Certificate for any use to be served by the shared parking area. A shared parking agreement may be revoked only if all required off-street parking spaces will be provided in accordance with the requirements of Table 17.06-1: Minimum Off-Street Parking Standards.

(C) ALTERNATIVE MATERIALS

The use of dust free pervious or semi-pervious parking area surfacing materials may be allowed by the County Engineer. Such materials should be used in areas proximate to and in combination with on-site storm water control devices.

Section 17.09: Off-Street Loading Standards

(A) MINIMUM NUMBER OF REQUIRED LOADING SPACES

Unless otherwise expressly stated in this Section, off-street loading spaces shall be provided in accordance with Table 17.09-1: Required Off-Street Loading Spaces.

TABLE 17.09-1: REQUIRED OFF-STREET LOADING SPACES

LAND USE	GROSS FLOOR AREA (IN SQUARE FEET)	MINIMUM NUMBER OF SPACES
Offices and personal service establishments	6,000-99,999	1.0
	100,000 or more	1.0 +1.0 for each 100,000 above 100,000 gross square feet of floor area
Retail Sales and Services, General and Extensive	6,000-24,999	1.0
	25,000-74,999	2.0
	75,000-124,999	3.0
	125,000 or more	4.0 +1.0 for each 75,000 above 125,000 square feet
Industrial Uses	Up to 15,000	1.0
	15,000-49,999	2.0
	50,000 +	3.0 + 1 per each 50,000 above 50,000 gsf of area
Conference Centers, Stadiums and Arenas, Recreational and Athletic Facilities, Indoor	6,000-24,999	1.0
	25,000-124,999	2.0
	125,000-199,999	3.0
	200,000 or more	4.0 +1.0 for each 100,000 above 200,000 square feet
All Other Commercial Uses	Less than 40,000	1.0
	40,001 to 99,999	2.0
	100,000-159,999	3.0
	160,000-239,999	4.0
	240,000-319,999	5.0
	320,000-399,999	6.0
	Above 400,000	1.0 per each 90,000 above 400,000 gross square feet of area

(B) LOADING SPACE DESIGN STANDARDS

(1) Each loading space shall have a minimum width of 12 feet and a minimum length (or depth) of 50 feet. See Figure 17.09-A.

(2) For uses where the building floor area is less than 6,000 square feet and the use requires a single loading space, the minimum dimensions may be reduced to 10 feet wide by 30 feet long (or deep).

(3) There shall be a minimum overhead clearance of 15 feet. See Figure 17.09-A.

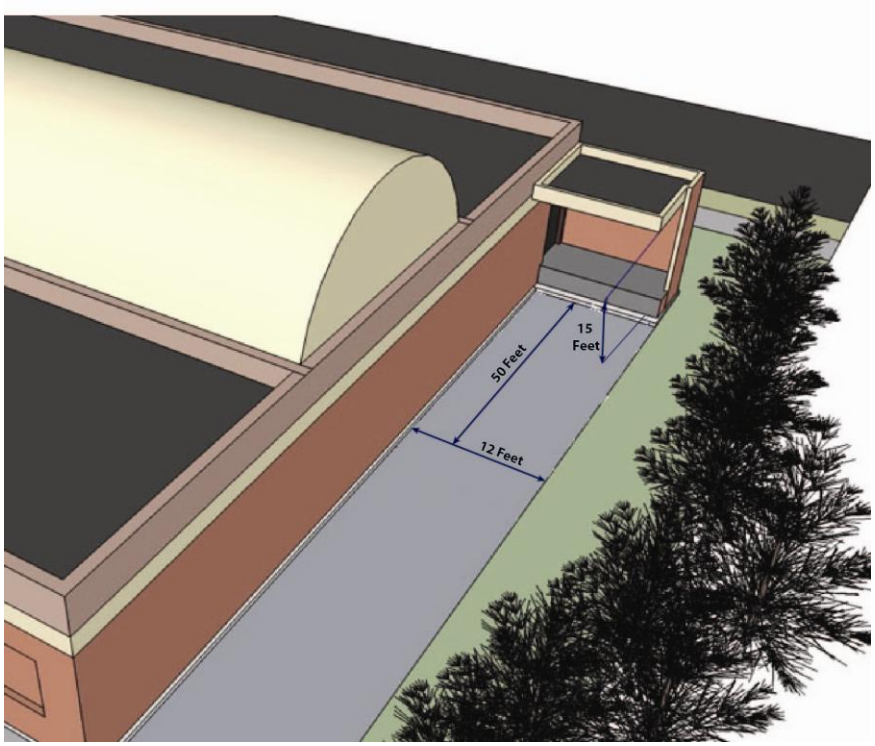


Figure 17.09-A: Minimum loading space dimensions

(4) Each loading space shall have adequate, unobstructed means for ingress and egress of vehicles and at no time shall any part of a truck or van be allowed to extend into a public street or right-of-way while the truck or van is being loaded or unloaded.

(5) Loading spaces shall be subject to the buffering requirements for the applicable district pursuant to Section 15.06: Bufferyard Landscaping Required.

Section 17.10: Drive-Through Requirements

The following standards shall apply to businesses that contain a drive-through service, regardless of whether the drive-through is part of another use (e.g. restaurant or financial institution) or is a stand-alone use (e.g. automatic teller machine).

(A) The number of required stacking spaces shall be as provided in Table 17.10-1: Stacking Space Requirements. See Figure 17.10-A for illustration of stacking spaces.

TABLE 17.10-1: STACKING SPACE REQUIREMENTS		
ACTIVITY	MINIMUM STACKING SPACES (PER LANE)	MEASURED FROM:
Bank, Financial Institution or Automated Teller Machine (ATM)	3.0	Teller or Window
Restaurant	6.0	Pick-Up Window
Full Service Vehicle Washing Establishment	6.0	Outside of Washing Bay
Self-Service or Automated Vehicle Washing Establishment	2.0	Outside of Washing Bay
Fuel or Gasoline Pump Island	2.0	Pump Island
Other	3.0	Point of Service

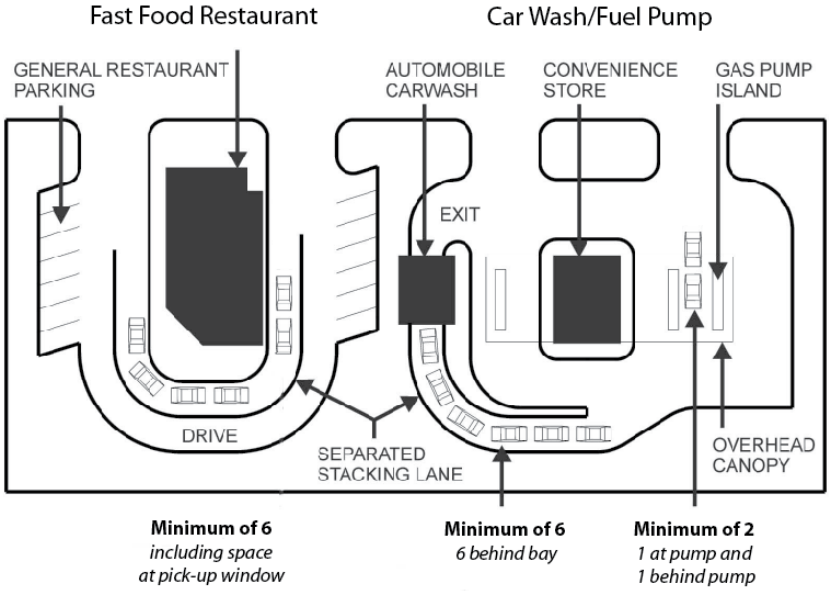


Figure 17.10-A: Illustration of the location of required stacking spaces.

(B) Stacking lanes shall be provided for any use having a drive-through service and shall comply with the following standards:

(1) Drive-through stacking lanes shall have a minimum width of 10 feet and a minimum length of 20 feet per required stacking space.

(2) When stacking lanes are separated from other stacking lanes, bypass lanes, or from other site areas, the separation shall be by means of a raised concrete median, concrete curb, or landscape island.

(3) Stacking lanes shall be set back a minimum of 25 feet from rights-of-way.

Article 18: Signage

Section 18.01: Purpose

The purpose of this Article is to establish regulations governing the display of signs that will:

(A) Promote and protect the public health, safety, and general welfare;

(B) Enhance the economy and businesses in the County by promoting the reasonable, orderly, and effective display of signs and thereby encourage increased communication with the public;

(C) Maintain public safety and traffic safety by ensuring that signs are properly designed, constructed, installed, and maintained;

(D) Minimize distractions and obstructions of view that contribute to traffic hazards and endanger public safety;

(E) Protect existing development and promote high standards of quality in new development by encouraging appropriately designed, placed, and sized signage; and

(F) Provide an effective guide for communicating through signage while preventing signs from dominating the visual appearance of the areas in which they are located.

Section 18.02: Applicability

This Article shall regulate the height, area, location, graphics, and other visual aspects of signs and sign structures. It does not regulate flags or emblems of any nation, state, city, or organization of nations, holiday signs, or other decorations that do not have a commercial message, public informational and safety signs, or signs required by law.

Section 18.03: Computations

The following shall control the computation of sign area and sign height:

(A) **SIGN FACE AREA COMPUTATIONS**

(1) The sign face area shall be the advertising display surface of the sign.

(2) The supporting structure or bracing of a sign shall not be counted as a part of sign face area unless such structure or bracing is made a part of the sign's message. See Figure 18.03-A.

(3) Where a sign has two display faces back to back, the area of only one face shall be considered the sign face area. Where a sign has more than one display face, all areas that can be viewed simultaneously shall be considered the sign face area.

(4) In the case of ground signs, the entire surface area of the sign on which copy could be placed is considered the sign face area.

(5) For a sign, other than a ground sign, whose message is fabricated together with the background which borders or frames said message, the sign face area shall be the total area of the entire background.

(6) For a sign, other than a ground sign, whose message is applied to a background, which provides no border or frame, the sign area shall be the area of the smallest rectangle, which can encompass all words, letters, figures, emblems, and any other elements of the sign's message. See Figure 18.03-A.

(7) When a calculation is based on street frontage, the longest single street frontage shall be used and not the total of all street frontages.

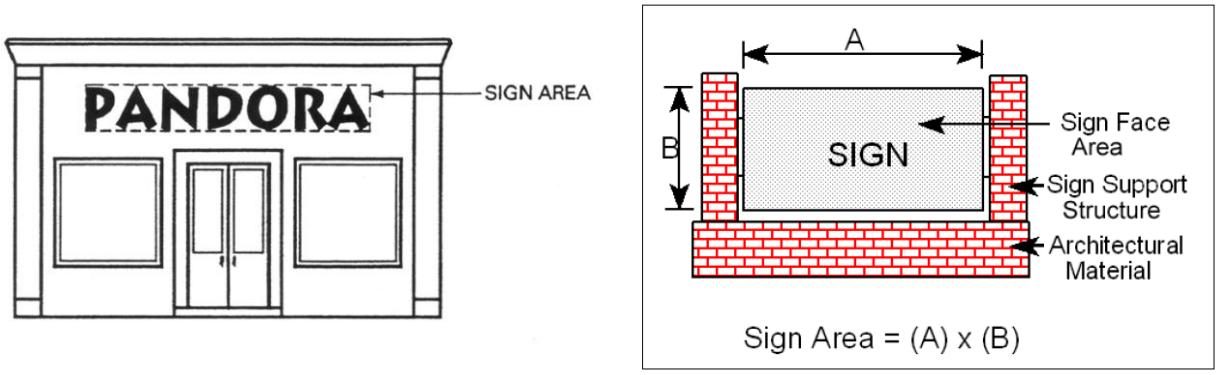


Figure 18.03-A: Illustration of sign area calculation for a wall sign (left) and a ground sign (right).

(B) SIGN HEIGHT AND CLEARANCE COMPUTATIONS

(1) The height of a ground-mounted sign shall be computed as the distance from the base of the sign at the average adjacent grade to the top of the highest attached component of the sign.

(2) Wall signs shall not be placed so as to exceed the height of the wall on which they are placed.

(3) The clearance of a projecting sign shall be measured from the base of the sign face to the average grade below.

Section 18.04: Sign Permit Requirements

(A) Unless otherwise provided by this Article or Article 7: Sign Permits, all signs shall require a Sign Permit (See Article 7: Sign Permits.).

(B) No Sign Permit shall be issued until the use that the sign serves has been approved in accordance with the provisions of this Ordinance.

(C) The relocation of a sign from one area of a property to another location on the same property shall require a Sign Permit.

(D) Except as provided in this Section, the alteration or enlargement of any sign shall require a Sign Permit.

(E) A Sign Permit shall not be required for:

(1) Commemorative signs displayed on public or private property or in cemeteries;

(2) Address numerals and signs bearing the name of occupants of the premises not exceeding two square feet in area;

(3) Legal notices;

(4) Change of the copy on changeable copy signs;

(5) Incidental signs that are generally informational in nature (e.g. no parking, entrance, loading only, no trespassing, credit cards accepted here, etc.) that do not exceed two square feet in sign face area; and

(6) General maintenance, painting, repainting, cleaning and other normal maintenance and repair of a sign or any sign structure unless a structural change or copy change (on a non-changeable copy sign) is made that results in anything more than a minor modification as determined by the Codes Compliance Director.

Section 18.05: Prohibited Signs

The following types of signs are prohibited in all districts:

(A) Signs in any public right-of-way except:

(1) Signs owned by the local, State, or Federal government; and

(2) Signs installed by public utilities in their rights-of-way, easements, or on their facilities and bearing no commercial message other than such message necessary to identify the use.

(B) Signs that contain or consist of balloons, pennants, ribbons, streamers, spinners, or other similar moving devices for the purpose of advertising or attracting attention;

(C) Signs that consist of lights that revolve or flash;

(D) Signs where the message is changed more frequently than every two hours or four times per 24-hour period;

(E) Signs that include air activated graphics or balloons bearing a commercial message;

(F) Signs that rotate, revolve, or otherwise move unless otherwise expressly permitted under this Article;

(G) Signs that exhibit statements, words or pictures of an obscene nature as defined by State and Federal case law;

(H) Signs placed on trailers. This does not apply to lettering on buses, taxis, or vehicles operating during the normal course of business;

(I) Signs imitating or resembling official traffic or governmental signs or signals;

(J) Graffiti, as defined by State or Federal statute or case law; or

(K) Roof signs.

Section 18.06: General Sign Regulations

(A) Signs shall not be constructed, maintained, and/or illuminated in such a manner as to create or allow the obstruction of vision of drivers, pedestrians, or the general public, or create a fire or safety hazard.

(B) Any spot lights permitted to illuminate signs shall be shielded so that they cannot be seen from adjoining roads or property.

(C) Signs may be located within the required streetscape landscaping (See Section 15.05: Streetscape Landscaping Required.). No sign shall be located within a required bufferyard adjacent to any side or rear lot line.

(D) No sign shall be installed, erected, or attached to a structure in any form, shape, or manner that is in violation of applicable building or fire codes.

(E) The illumination of all signs shall comply with Section 16.03: Outdoor Lighting Standards.

(F) **IMPOUNDMENT/DISPOSAL OF ILLEGAL SIGNS**

The Codes Compliance Director shall have the authority to remove, without notice, any illegal sign on public property or in a public right-of-way. Such signs shall be considered litter and shall be subject to disposal.

(G) **MAINTENANCE**

All signs permitted herein shall be constructed, maintained, and illuminated in a safe manner, comply with all applicable codes, and be kept in good repair.

(1) The Codes Compliance Director shall have the right to order the repair or removal of any sign that is defective, damaged, or substantially deteriorated. Such sign shall be repaired or removed by the property owner, agent, or owner of the use that the sign is advertising within 30 days after notice from the Codes Compliance Director.

(2) Should any sign be or become unsafe or be in danger of falling, the property owner, agent, or owner of the use that the sign is advertising shall, upon notice from the Codes Compliance Director, immediately correct the unsafe condition and/or remove the sign in question.

(H) TEMPORARY SIGNS

(1) Temporary Signs shall not be permitted in any local right-of-way and are subject to Section 18.08: Permitted Temporary Signs.

(2) Temporary Signs shall not be permitted in any State right-of-way unless authorized by the Tennessee Department of Transportation.

Section 18.07: Permitted Permanent Signs

(A) PERMITTED PERMANENT SIGNS

(1) Each use on a property shall be permitted at least one sign; however, there may be limitations on the number of sign types per property.

(2) Table 18.07-1: Permitted Permanent Signs, which is located on the next page, identifies the permitted, permanent signs within each zoning district.

TABLE 18.07-1: PERMITTED PERMANENT SIGNS

USE TYPES	PERMITTED PERMANENT SIGN TYPE				
	GROUND	WALL	PROJECTING	ENTRANCE	AUXILIARY
All use types within the Agricultural Use Classification	A	Y	N	N	Y
All use types within the Residential Use Classification except single-family dwellings, mobile homes, and traditional subdivisions-minor	N	N	N	E	Y
Single-family dwellings, Mobile Homes, Accessory Dwelling Units (Residential), Additional Principal Dwellings, Agricultural Product Sales, Day Care Centers Accessory to an Institutional Use, Group Child Care Homes, Family Child Care Homes, Home Occupations, Residential Business	A	B	N	N	N
Cemeteries (accessory), Cemeteries (family burial grounds), Small-Scale Wind Energy Turbines (SWET), Swimming Pools	A	N	N	N	N
Accessory Dwelling Units (commercial), Greenhouses (accessory to a residential use), Stables (accessory to a residential use), Stadiums and Arenas Accessory to an Educational Facility	N	B	N	N	N
Garages and Carports, Solar Panels	N	N	N	N	N
Mixed Use/multi-tenant developments	A	Y	N	E	Y
All other nonresidential development use types	A	Y	C	N	Y

Abbreviations:
A = Only one Ground Sign Permitted
B = Wall Sign(s) may be substituted for a permitted Ground Sign
C = One Projecting Sign may be substituted for one permitted Ground Sign
Y = Permitted in addition to other allowed signs
N = Not Permitted
E = Permitted Entrance Sign, which may be divided into 2 per entrance so long as the maximum square footage is not exceeded

(B) SIGN PERFORMANCE STANDARDS

(1) Unless a maximum number of signs is given in Table 18.07-1: Permitted Permanent Signs, there is no limitation on the number of signs of a permitted sign type so long as the total of all the sign face areas does not exceed the maximum permitted sign face area.

(2) Ground Signs

a) Table 18.07-2: Ground Sign Standards establishes the maximum sign face area and maximum sign height permitted for ground signs based on the use and total lot width/street frontage.

b) Ground signs shall be located outside of any right-of-way.

TABLE 18.07-2: GROUND SIGN STANDARDS

USE TYPES	MAXIMUM SIGN FACE AREA (IN SQUARE FEET)						MAXIMUM SIGN HEIGHT (FEET)
	STREET FRONTAGE						
	0-100 FEET	101-200 FEET	201-400 FEET	401-800 FEET	801-1200 FEET	1201+ FEET	
All use types within the Agricultural Use Classification except the agricultural use type	24	36	50	50	50	50	6
Agricultural Use Type (including Ag Product Sales), Cemeteries (accessory), Cemeteries (family burial grounds)	24	24	24	24	24	24	6
Single-family dwellings, Mobile Homes, Accessory Dwelling Units (residential), Additional Principal Dwellings, Group Child Care Homes, Home Occupations, Swimming Pools	2	2	2	2	2	2	6
All use types within the Public and Institutional Use Classification	24	36	50	50	50	50	10
All use types within the Commercial Use Classification except mixed use/multi-tenant developments	24	36	50	50	50	50	12
Mixed use/multi-tenant developments	24	36	50	50	80	120	15
Day Care Centers Accessory to an Institutional Use	10	10	10	10	10	10	6
Family Child Care Homes, Residential Business, Small-Scale Wind Energy Turbines (SWET)	4	4	4	4	4	4	6

(3) Wall or Façade Signs

a) Table 18.07-3: Wall or Façade Sign Standards establishes the maximum sign face area for wall or façade signs based on the use and total length of building frontage

TABLE 18.07-3: WALL OR FAÇADE SIGN STANDARDS

USE TYPES	MAXIMUM SIGN FACE AREA (IN SQUARE FEET)				
	BUILDING FRONTAGE				
	0-20 FEET	21-40 FEET	41-80 FEET	81-150 FEET	151+ FEET
Agricultural Use Classification (including Ag Product Sales)	24	24	24	24	24
Single-Family Dwellings and Mobile Homes, Accessory Dwelling Units (Residential and Commercial), Additional Principal Dwellings, Greenhouses Accessory to a Residential Use, Group Child Care Homes, Home Occupations, Stables Accessory to a Residential Use, Swimming Pools	2	2	2	2	2
Day Care Centers Accessory to an Institutional Use	10	10	10	10	10
Family Child Care Homes, Residential Business	4	4	4	4	4
All Other Uses	24	36	50	80	120

b) If an applicant chooses not to construct a ground sign, the maximum sign face area of the wall sign may be increased by 25 percent. However, no ground sign shall be permitted after the wall sign is constructed unless the enlarged wall sign is reduced to the size permitted in Table 18.07-3: Wall or Façade Sign Standards.

c) Buildings that have facades that face multiple street frontages shall only be permitted to utilize one building frontage wall/façade to calculate the total amount of permitted wall signage.

d) No wall sign shall exceed the size allowed for the wall on which the sign is to be placed.

e) Wall signs shall not exceed the height of the wall on which they are placed.

(4) Projecting Signs

a) Where Table 18.07-1: Permitted Permanent Signs permits the use of projecting signs, Table 18.07-4: Projecting Sign Standards establishes the maximum sign face area for projecting signs based on the total length of street frontage.

TABLE 18.07-4: PROJECTING SIGN STANDARDS

MAXIMUM SIGN FACE AREA (SQUARE FEET)					
STREET FRONTAGE					
0-100 FEET	101-200 FEET	201-400 FEET	401-800 FEET	801-1200 FEET	1201+ FEET
24	36	50	50	50	50

b) The minimum clearance between the grade below the sign and the bottom most portion of the sign shall be ten feet.

c) Projecting signs many not project into road rights-of-way.

(5) Entrance Signs

Where Table 18.07-1: Permitted Permanent Signs permits the use of entrance signs, the total sign area shall be limited to a maximum of 50 square feet and shall have a maximum height of 8 feet.

(6) Auxiliary Signs

a) Menu Board Signs

i) One menu board sign shall be permitted for each stacking lane provided the menu board sign does not exceed 35 square feet in sign area. Any additional attachments such as pictures or photographs of food or other items shall be included within the maximum signage area.

ii) Menu board signage shall not be included in the total calculated signage for the property.

iii) No menu board sign shall exceed six feet in height measured from the grade of the adjacent driving surface to the top of the sign.

iv) Menu boards shall be reviewed and approved as a part of a Minor or Major Site Plan.

b) Incidental Signs Greater than Two Square Feet

Incidental signs are generally considered informational in nature (e.g. no parking, entrance, loading only, no trespassing, credit cards accepted here, etc.), and are allowed subject to the following:

i) Up to four incidental signs that are greater than two square feet.

ii) Each sign may be no larger than eight square feet.

iii) No incidental sign shall exceed six feet in height measured from the grade of the adjacent driving surface to the top of the sign.

iv) May not include names, brand names, or information regarding product lines, services, or anything of a similar nature.

Section 18.08: Permitted Temporary Signs

(A) TEMPORARY SIGNS GENERALLY

(1) Temporary Signs shall not be permitted in any local right-of-way and may be subject to the provisions of Section 18.05: Prohibited Signs, as applicable.

(2) Temporary Signs shall not be permitted in any State right-of-way unless authorized by the Tennessee Department of Transportation.

(B) TEMPORARY SIGNS ON RESIDENTIAL PROPERTIES

(1) Temporary, freestanding signs that contain non-commercial messages may be posted on any residential lot at any given time.

(2) This category of signs includes, but is not limited to, real estate or auction signs, political preference signs, garage sale signs, baby announcements, lost pet signs, social/special event announcements, or any other non-commercial messages.

(3) There shall be a maximum of five temporary, noncommercial message signs, per lot, at any given time.

(4) The total sign area of all temporary signs shall not exceed 30 square feet and no single sign shall exceed 16 square feet in sign area. The maximum height of any temporary sign shall be six feet.

(5) Construction signs may be located on the lot where the construction takes place and may be maintained for the duration of the construction project.

(6) Except as noted in Section 18.08:(B)(5) above, all other signs may be displayed for a period not to exceed 60 days in any 12-month period.

(7) Real estate and auction signs shall be removed within 48 hours following the recording of the deed to property. For purposes of this Subsection, and to determine the time in which the temporary sign shall be removed, calculations shall begin at 11:59 p.m. on the day the deed is recorded.

(8) Signs announcing a social or special event shall be removed within 48 hours following the conclusion of the event. For purposes of this Subsection, and to determine the time in which the temporary sign shall be removed, calculations shall begin at 11:59 p.m. on the day the event concludes.

(9) For the purpose of this Subsection, political signs shall not have a time limit in which to be removed.

(10) Home occupation or residential business signs shall be considered permanent commercial messages, and therefore do not count toward allowed temporary signage.

(C) TEMPORARY SIGNS ON NONRESIDENTIAL PROPERTIES

(1) Temporary signs that contain a commercial message may be posted on a nonresidential lot at any given time subject to the following:

a) Shall be limited to one per lot at any given time.

b) Total sign area of all temporary signs shall not exceed 25 square feet.

c) Signs may be displayed for a period not to exceed 30 days in any 12-month period.

d) Must be attached and supported by the building wall or the permanent permitted ground sign.

i) If posted on a building, the sign shall be posted flat against said building and shall not exceed the height of the wall on which it is located.

ii) If posted on a permanent ground sign, the sign shall be posted on said sign's structure.

(2) Temporary freestanding signs that contain a non-commercial message may be posted on a nonresidential lot at any given time subject to the following:

a) Shall be limited to five per lot, at any given time.

b) Total sign area of all temporary signs shall not exceed 30 square feet, no single sign shall exceed 16 square feet, and signs shall have a maximum height of six feet.

c) This category includes, but is not limited to, real estate or auction signs, political preference signs, garage sale signs, baby announcements, lost pet signs, social/special event announcements, or any other non-commercial messages.

d) Construction signs may be located on the lot where the construction takes place and may be maintained for the duration of the construction project.

e) Except as noted in Paragraph(d) above, all other signs may be displayed for a period not to exceed 60 days in any 12-month period.

f) Real estate or auction signs shall be removed within 48 hours following the recording of the deed to property. For purposes of this Subsection, and to determine the time in which the temporary sign shall be removed, calculations shall begin at 11:59 p.m. on the day the deed is recorded.

g) Signs announcing a social or special event shall be removed within 48 hours following the recording of the deed to property or the conclusion of the event. For purposes of this Subsection, and to determine the time in which the temporary sign shall be removed, calculations shall begin at 11:59 p.m. on the day the event concludes.

h) For the purposes of this Subsection, political signs shall not have a time limit in which to be removed.

Article 19: Road Capacity Adjustment

Section 19.01: Purpose

The purpose of this Article is to directly connect the intensity of development to the capacity of the roadway infrastructure available to the subject site. Where the roadway infrastructure is inadequate to serve a proposed development, the intensity of said development will be limited unless the roadway infrastructure is modified in accordance with the provisions of this Article.

Section 19.02: Applicability

(A) GENERAL

Except where otherwise exempted by this Section, the provisions of this Article shall apply to all development of land in the County subject to the Williamson County Subdivision Regulations and Major or Minor Site Plans.

(B) EXEMPTIONS

The following use types in Table 11.01-1: Table of Allowed Uses shall be exempt from the provisions of this Article:

(1) Agricultural;

(2) Single-family dwellings on parcels of record;

(3) Mobile homes;

(4) Institutional single-family homes (1-8 residents);

(5) Traditional subdivisions-minor;

(6) All residential use types generating 0.2 trips or less per acre; and

(7) All nonresidential use types generating 10 trips or less per acre.

Section 19.03: General Provisions

(A) Under these Roadway Capacity Adjustment provisions, the location of a development in relation to the network of arterial and collector roadways in the County plays the most important role in determining the development potential of a parcel. The Official Traffic Shed Map (incorporated herein by reference and available in the Community Development Department) divides the County into collector and arterial traffic sheds.

(B) The development capacity of a traffic shed is limited by the capacity of the collector roadway which immediately serves that traffic shed and the capacity of the arterial roadway which is the primary traffic receptor from that collector roadway. The development capacities of collector and arterial roadways are regulated differently. For both arterial and collector roadways, the development potential of property is based on a pro-rata share of roadway capacity, and not on a first-come-first-served-basis. For arterial roadways, the development potential of property is also affected by the levels of existing traffic.

(C) The Official Traffic Shed Map, Table 19.06-2: Arterial Traffic Shed Capacities, and Table 19.06-3: Collector Traffic Shed Capacities, define all traffic sheds and other information required to determine the development potential of property located within each traffic shed.

(D) All developments that are likely to generate 400 or more p.m. peak hour trips, and all developments proposed to be located within Municipal Growth Areas (MGA) or Suburban Infill and Conservation (SIC) areas, shall conduct traffic studies and make capacity modifications to roadways adjoining or located near the proposed development site. In addition, in all areas to which the provisions of this Article apply, the County may also allow or require traffic studies for developments that are likely to generate fewer than 400 p.m. peak hour trips.

Section 19.04: Capacity Adjustment Procedure

For developments that are not subject to Traffic Study Requirements pursuant to Section 19.05 (below), the following procedure must be followed to determine the roadway capacity available at a site.

(A) CALCULATION OF AVAILABLE PER ACRE CAPACITY OF ARTERIAL ROADWAYS

(1) First refer to the Official Traffic Shed Map, available in the Community Development Department, to determine in which arterial traffic shed the proposed development is located. Next, determine the roadway classification for the arterial roadway section that provides primary access to the identified arterial shed.

(2) Obtain a weekday peak hour traffic count for the affected arterial roadway section. With the permission of the Planning Director, data collected on the same arterial section within the past 12 months may be used. Traffic count data may also be available from the State, the County, or from a qualified traffic engineer or transportation planner. If no current or valid traffic count data are available, then the applicant must conduct and submit a new p.m. peak hour traffic count.

(3) If the arterial roadway is two lanes wide refer to Table 19.06-1: Vehicular Traffic Service Volumes

(4) (Two-Way PM Peak Hour Trips), to determine the current level of service based on the traffic count and on the roadway classification shown on the Official Traffic Shed Map. Once the level of service has been determined, refer to Table 19.06-2: Arterial Traffic Shed Capacities, to determine the maximum number of trips per acre permitted in the applicable arterial traffic shed.

(5) If the arterial roadway is more than two lanes wide, the level of service must be determined by a qualified traffic engineer or transportation planner, using the procedures documented in the current edition of the Highway Capacity Manual published by the Transportation Research Board. Once the level of service has been determined, multiply the value obtained from Table 19.06-1: Vehicular Traffic Service Volumes

(6) (Two-Way PM Peak Hour Trips), by 1.67 to determine the maximum number of permitted trips per acre.

(B) DETERMINATION OF THE MAXIMUM PERMITTED DEVELOPMENT POTENTIAL OF PROJECTS GENERATING FEWER THAN 400 P.M. PEAK HOUR TRIPS

(1) All developments with fewer than 400 p.m. peak hour trips shall follow the following procedures and submit a report documenting the application of these requirements.

(2) For all uses:

a) **Step 1:** If the arterial roadway serving the proposed development is already at Level of Service D, or below, the proposed development is limited to a maximum development potential of 0.2 dwelling units per acre; and 10.0 trips per acre for nonresidential development. See Table 19.06-4: Trip Generation Table.

b) **Step 2:** Reference the Official Traffic Shed Map (maintained by the Community Development Department) to determine the collector traffic shed(s) in which the proposed development lies.

c) **Step 3:** Utilize Table 19.06-3: Collector Traffic Shed Capacities to determine the number of permitted trips per acre that may be generated by the proposed development in the p.m. peak hour.

d) **Step 4:** For any proposed development, the number of permitted trips per acre in the p.m. peak hour will be the lower of either the collector shed capacity calculated in Step 3 above, or the arterial shed capacity calculated above. Select the appropriate number of permitted trips per acre before proceeding to Step 5.

e) **Step 5:** To determine the maximum number of permitted trips for a proposed development, multiply the acreage of the site by the number of permitted trips per acre as determined in Step 4.

f) **Step 6:** If the proposed development exceeds the maximum number of permitted trips in Step 5 above, said development proposal shall be adjusted so as not to exceed the number of permitted trips, except as permitted in Section 19.05(G). The required roadway capacity adjustment may be mitigated through County approved, applicant-implemented, improvements to the roadway network, pursuant to the recommendations of a traffic study prepared in accordance with the provisions of this Section, and approved by the County.

Section 19.05: Traffic Study Requirements

(A) Within areas designated as Municipal Growth Areas (MGA) and Suburban Infill and Conservation (SIC) areas, all developments must conduct a traffic study in accordance with the criteria outlined below, and in accordance with Traffic Study Guidelines (available in the Community Development Department).

(B) Outside of areas designated as Municipal Growth Areas (MGA) and Suburban Infill and Conservation (SIC) areas, all developments that are likely to generate 400 or more trips in the p.m. peak hour must conduct a traffic study in accordance with the criteria outlined below, and in accordance with Traffic Study Guidelines (available in the Community Development Department). The County also has the option to allow or require traffic studies for developments that are located outside of areas designated as MGA or SIC areas and that are considered likely to generate fewer than 400 trips in the p.m. peak hour.

(C) Prior to the commencement of a traffic study, a meeting shall be scheduled between the applicant and Community Development Department staff to discuss the scope of the traffic study. Elements of the scope shall include, but are not limited to, the following:

(1) Identification of any deficiencies that limit the collector and/or arterial capacity;

(2) Geometry;

(3) Alignment;

(4) Volume;

(5) Trip generation; and

(6) Trip distribution.

(D) At a minimum, and utilizing the factors listed above, the study area shall include the collector roadway, where applicable, from the project site to the arterial roadway that serves the proposed development. The study area shall also include the segment of the arterial roadway that limits the capacity available to the development.

(E) The traffic study shall be conducted by a qualified traffic engineer or transportation planner, and said study shall be reviewed by a traffic consultant hired by the County, whose services are payable by the applicant.

(F) The traffic study shall identify the necessary improvements to mitigate the deficiencies stated therein.

(G) The required roadway capacity adjustment may be mitigated through County-approved, applicant-implemented improvements to the roadway network, pursuant to the recommendations of the traffic study prepared in accordance with the provisions of this Section, and approved by the County.

Section 19.06: Roadway Capacity Modification Options

The required road capacity adjustment may be mitigated through improvements to the road network in accordance with the recommendations of a traffic study approved by the County.

(A) If right-of-way has been obtained for roadway improvements that would provide additional capacity, and if the County determines that public funds have been committed that would provide for the completion of these roadway improvements prior to the completion of the proposed development, then the capacity of the traffic shed(s) may be adjusted to account for the additional roadway capacity that would be provided by such improvements.

(B) No developer-implemented improvements within the right-of-way shall occur unless such improvements are approved by the Highway Superintendent, the Williamson County Highway Commission, or the Tennessee Department of Transportation, as applicable. Written notice of this approval shall be received by the Community Development Department staff prior to consideration of the development proposal by the Planning Commission.

(C) Right-of-way acquisition and/or utility relocation necessary for implementing the roadway improvements shall be the responsibility, and at the expense, of the developer.

(D) Developer-implemented improvements shall be constructed in accordance with the phasing recommended in the approved study.

TABLE 19.06-1: VEHICULAR TRAFFIC SERVICE VOLUMES (TWO-WAY PM PEAK HOUR TRIPS)

LEVEL OF SERVICE (LOS)	ROADWAY CLASSIFICATIONS				
	GREEN	ORANGE	BLUE	PURPLE	RED
LOS A	50	30	(*)	(*)	(*)
LOS B	290	180	60	30	(*)
LOS C	750	640	430	190	(*)
LOS D	1,440	1,330	1,210	1,080	40
(*) This LOS cannot be achieved on this class of roadway.					

TABLE 19.06-2: ARTERIAL TRAFFIC SHED CAPACITIES

TRAFFIC SHED	ROAD NAME	ACRES	CLASS	TRIPS PER ACRE			
				LOS A	LOS B	LOS C	LOS D
101	Clovercroft Rd	2,034	Blue	1.44	1.15	0.71	0.20
102	Nolensville Rd	5,846	Orange	1.46	1.17	0.68	0.20
103	Murfreesboro Rd	2,079	Orange	2.14	1.72	1.05	0.20
111	Long Lane	2,592	Blue	1.32	1.06	0.60	0.20
112	Arno Rd	1,455	Blue	1.61	1.29	0.74	0.20
113	Murfreesboro Rd	2,351	Orange	2.14	1.72	1.05	0.20
114	Wilson Pk	3,939	Blue	1.15	0.92	0.52	0.20
115	Murfreesboro Rd	1,523	Orange	2.40	1.92	1.11	0.20
121	Lewisburg Pk	2,142	Blue	1.44	1.15	0.71	0.20
122	Arno Allisona Rd	3,456	Purple	0.84	0.67	0.39	0.20
123	Arno College Grove Rd	4,539	Purple	0.74	0.59	0.34	0.20
124	Horton Highway	4,404	Orange	1.72	1.38	0.78	0.20
131	Carters Creek Pk	1,099	Blue	1.86	1.48	0.86	0.20
132	Coleman Rd	1,975	Blue	1.44	1.15	0.71	0.20
141	Fairview Blvd	1,168	Green	3.26	2.60	1.50	0.20
142	Fairview Blvd	1,350	Green	2.82	2.26	1.30	0.20
151	Old Hillsboro Rd	2,211	Blue	1.44	1.15	0.71	0.20
152	Old Hillsboro Rd	2,840	Blue	1.32	1.06	0.60	0.20
211	SR 840 @ Horton Highway	5,896	Green	1.72	1.38	0.80	0.20
212	SR 840 @ Horton Highway	3,007	Green	3.32	1.86	1.06	0.20
221	SR 840 @ Arno Rd	4,014	Green	2.02	1.62	0.92	0.20
222	SR 840 @ Arno Rd	5,006	Green	1.90	1.52	0.88	0.20
230	SR 840 @ Peytonsville Rd	3,578	Green	2.16	1.72	1.00	0.20
240	SR 840 @ Lewisburg Pk	1,773	Green	2.82	2.26	1.30	0.20
351	Vaughn Rd	2,470	Blue	1.44	1.15	0.71	0.20
352	Hillsboro Rd	2,871	Green	3.32	1.86	1.06	0.20
353	Lynwood Way	4,809	Blue	1.08	0.87	0.50	0.20
354	Old Hillsboro Rd	2,178	Blue	1.44	1.15	0.71	0.20
355	Sneed Rd W	3,095	Blue	1.32	1.06	0.60	0.20
411	- No Designated Arterial -	1,945	--	0.20	0.20	0.20	0.20
412	- No Designated Arterial -	988	--	0.20	0.20	0.20	0.20
413	- No Designated Arterial -	1,163	--	0.20	0.20	0.20	0.20
421	- No Designated Arterial -	12,502	--	0.20	0.20	0.20	0.20
422	- No Designated Arterial -	492	--	0.20	0.20	0.20	0.20
423	- No Designated Arterial -	8,518	--	0.20	0.20	0.20	0.20
431	- No Designated Arterial -	7,873	--	0.20	0.20	0.20	0.20
432	- No Designated Arterial -	7,977	--	0.20	0.20	0.20	0.20
433	- No Designated Arterial -	2,909	--	0.20	0.20	0.20	0.20

TABLE 19.06-2: ARTERIAL TRAFFIC SHED CAPACITIES

TRAFFIC SHED	ROAD NAME	ACRES	CLASS	TRIPS PER ACRE			
				LOS A	LOS B	LOS C	LOS D
434	- No Designated Arterial -	1,603	--	0.20	0.20	0.20	0.20
435	- No Designated Arterial -	945	--	0.20	0.20	0.20	0.20
441	- No Designated Arterial -	3,267	--	0.20	0.20	0.20	0.20
442	- No Designated Arterial -	4,008	--	0.20	0.20	0.20	0.20
461	- No Designated Arterial -	230	--	0.20	0.20	0.20	0.20
462	- No Designated Arterial -	2,036	--	0.20	0.20	0.20	0.20
463	- No Designated Arterial -	4,090	--	0.20	0.20	0.20	0.20
510	- No Designated Arterial -	2,866	--	0.20	0.20	0.20	0.20
520	- No Designated Arterial -	4,606	--	0.20	0.20	0.20	0.20
530	- No Designated Arterial -	29,462	--	0.20	0.20	0.20	0.20
540	- No Designated Arterial -	387	--	0.20	0.20	0.20	0.20
550	- No Designated Arterial -	42,903	--	0.20	0.20	0.20	0.20
560	- No Designated Arterial -	60,139	--	0.20	0.20	0.20	0.20
570	- No Designated Arterial -	31	--	0.20	0.20	0.20	0.20
580	- No Designated Arterial -	285	--	0.20	0.20	0.20	0.20

TABLE 19.06-3: COLLECTOR TRAFFIC SHED CAPACITIES

SORT	ARTERIAL ROAD NAME	ARTERIAL SHED #	COLLECTOR SHED #	COLLECTOR ROAD NAME	ROADWAY CLASS	ACRES	2 X SERVICE VOLUME	PERMITTED TRIPS PER ACRE
1	**Clovercroft Rd**	**101**				**2,034**		
2			10101	'- No Collector -	None	1,212	-----	0.20
3			10102	Tulloss Road	Blue	822	860	1.05
4	**Nolensville Rd**	**102**				**5,846**		
5			10201	Osburn Hollow Rd	Red	1,873	80	0.20
6			10202	Puckett Lane	Blue	1,967	860	0.44
7			10203	Beulah Church Rd	Purple	910	380	0.42
8			10204	'- No Collector -	None	453	-----	0.20
9			10205	Old Horton Highway	Blue	643	860	1.34
10	**Murfreesboro Rd**	**103**				**2,079**		
11			10301	Thomas Road	Purple	1,582	380	0.24
12			10302	New Castle Road	Red	497	80	0.20
13	**Long Lane**	**111**				**2,592**		
14			11101	Crowder Rd	Purple	124	380	3.05
15			11102	Gosey Hill Rd	Purple	385	380	0.99
16			11103	Brandon Park Ct	Blue	142	860	6.08
17			11104	'- No Collector -	None	354	-----	0.20
18			11105	Peytonsville Rd	Purple	108	380	3.52
19			11106	Bagsby Ln	Blue	754	860	1.14
20			11107	Old Arno Rd	Purple	441	380	0.86
21			11108	Gosey Hill Rd	Purple	285	380	1.34
22	**Arno Rd**	**112**				**1,455**		
23			11201	Peytonsville - Trinity Rd	Purple	261	380	1.46
24			11202	Peytonsville - Trinity Rd	Purple	398	380	0.96
25			11203	Gosey Hill Rd	Purple	247	380	1.54
26			11204	Gosey Hill Rd	Purple	181	380	2.10
27			11205	'- No Collector -	None	369	-----	0.20
28	**Murfreesboro Rd**	**113**				**2,351**		
29			11301	Lampkins Bridge Rd	Purple	489	380	0.78
30			11302	N Chapel Rd	Purple	346	380	1.10
31			11303	Ladd Rd	Purple	234	380	1.62
32			11304	Trinity Rd	Purple	371	380	1.02
33			11305	Trinity Rd	Purple	310	380	1.22
34			11306	'- No Collector -	None	72	-----	0.20
35			11307	Hickory Hills Dr	Purple	528	380	0.72
36	**Wilson Pk**	**114**				**3,939**		
37			11401	Maple Ln	Red	377	80	0.21

TABLE 19.06-3: COLLECTOR TRAFFIC SHED CAPACITIES

SORT	ARTERIAL ROAD NAME	ARTERIAL SHED #	COLLECTOR SHED #	COLLECTOR ROAD NAME	ROADWAY CLASS	ACRES	2 X SERVICE VOLUME	PERMITTED TRIPS PER ACRE
38			11402	Osburn Rd	Purple	780	380	0.49
39			11403	Osburn Rd	Purple	1,029	380	0.37
40			11404	Starnes Mill Road	Blue	347	860	2.48
41			11405	Trinity Rd	Purple	218	380	1.74
42			11406	Trinity Rd	Purple	132	380	2.88
43			11407	Guy Ferrell Rd	Red	776	80	0.20
44			11408	Lake Colonial Drive	Blue	280	860	3.07
45	**Murfreesboro Rd**	**115**				**1,523**		
46			11501	Hawks Landing Dr	Blue	263	860	3.27
47			11502	Cox Rd	Blue	521	860	1.65
48			11503	Roberts Rd	Purple	244	380	1.56
49			11504	Les Waggoner Rd	Red	276	80	0.29
50			11505	Murfreesboro Rd	Orange	218	1,280	5.87
51	**Lewisburg Pk**	**121**				**2,142**		
52			12101	Breinz Valley Drive	Blue	428	860	2.01
53			12102	Wilhoite Lane	Purple	531	380	0.72
54			12103	Bethesda Rd	Blue	717	860	1.20
55			12104	Reed Rd	Purple	466	380	0.81
56	**Arno Allisona Rd**	**122**				**3,456**		
57			12201	Giles Hill Road	Purple	352	380	1.08
58			12202	Bizzell-Howell Lane	Red	812	80	0.20
59			12203	Pulltight Hill Rd	Purple	108	380	3.53
60			12204	Pulltight Hill Rd	Purple	196	380	1.93
61			12205	Hatcher Lane	Red	401	80	0.20
62			12206	'- No Collector -	None	74	-----	0.20
63			12207	Hatcher Lane	Red	238	80	0.34
64			12208	Owen Hill Road	Purple	901	380	0.42
65			12209	Owen Hill Road	Purple	374	380	1.02
66	**Arno College Grove Rd**	**123**				**4,539**		
67			12301	Pinkston Road	Purple	772	380	0.49
68			12302	Hyde Rd	Purple	521	380	0.73
69			12303	New Town Rd	Purple	296	380	1.28
70			12304	Owen Hill Road	Purple	720	380	0.53
71			12305	Locust Ridge Road	Blue	333	860	2.58
72			12306	Eudailey Covington Rd	Purple	278	380	1.36
73			12307	Eudailey Covington Rd	Purple	292	380	1.30

TABLE 19.06-3: COLLECTOR TRAFFIC SHED CAPACITIES

SORT	ARTERIAL ROAD NAME	ARTERIAL SHED #	COLLECTOR SHED #	COLLECTOR ROAD NAME	ROADWAY CLASS	ACRES	2 X SERVICE VOLUME	PERMITTED TRIPS PER ACRE
74			12308	Grove Park Drive	Blue	675	860	1.27
75			12309	McKee Padilla Ln	Purple	219	380	1.74
76			12310	Drumright Rd	Purple	434	380	0.88
77	**Horton Highway**	**124**				**4,404**		
78			12401	Covington Road	Purple	211	380	1.80
79			12402	'- No Collector -	None	238	-----	0.20
80			12403	'- No Collector -	None	121	-----	0.20
81			12404	'- No Collector -	None	693	-----	0.20
82			12405	'- No Collector -	None	129	-----	0.20
83			12406	'- No Collector -	None	165	-----	0.20
84			12407	'- No Collector -	None	415	-----	0.20
85			12408	'- No Collector -	None	105	-----	0.20
86			12409	Owen Hill Road	Purple	254	380	1.50
87			12410	Owen Hill Road	Purple	493	380	0.77
88			12411	Cox Rd	Blue	623	860	1.38
89			12412	Horton Highway	Orange	135	1,280	9.52
90			12413	Horton Highway	Orange	394	1,280	3.25
91			12414	Horton Highway	Orange	429	1,280	2.99
92	**Carters Creek Pk**	**131**				**1,099**		
93			13101	'- No Collector -	None	423	-----	0.20
94			13102	Kinnard Springs Rd	Blue	295	860	2.92
95			13103	'- No Collector -	None	382	-----	0.20
96	**Coleman Rd**	**132**				**1,975**		
97			13201	'- No Collector -	None	375	-----	0.20
98			13202	Kittrell Rd	Purple	295	380	1.29
99			13202	Carters Creek Pk	Blue	497	860	1.73
100			13203	Kittrell Rd	Purple	807	380	0.47
101	**Fairview Blvd**	**141**				**1,168**		
102			14101	Deer Ridge Rd	Purple	296	380	1.29
103			14102	Deer Ridge Rd	Purple	469	380	0.81
104			14103	Liberty Rd	Purple	81	380	4.71
105			14104	Liberty Rd	Purple	93	380	4.09
106			14105	Caney Fork Rd	Red	140	80	0.57
107			14106	Caney Fork Rd	Red	90	80	0.89
108	**Fairview Blvd**	**142**				**1,350**		
109			14201	Hunting Camp Rd	Purple	373	380	1.02
110			14202	Taylor Rd	Red	771	80	0.20
111			14203	'- No Collector -	None	206	-----	0.20

TABLE 19.06-3: COLLECTOR TRAFFIC SHED CAPACITIES

SORT	ARTERIAL ROAD NAME	ARTERIAL SHED #	COLLECTOR SHED #	COLLECTOR ROAD NAME	ROADWAY CLASS	ACRES	2 X SERVICE VOLUME	PERMITTED TRIPS PER ACRE
112	**Old Hillsboro Rd**	**151**				**2,211**		
113			15101	McMillan Rd	Purple	612	380	0.62
114			15102	Boyd Mill Pike	Red	651	80	0.20
115			15103	SR 96 W	Green	352	1,500	4.27
116			15104	SR 96 W	Green	596	1,500	2.52
117	**Old Hillsboro Rd**	**152**				**2,840**		
118			15201	SR 96 W	Green	217	1,500	6.91
119			15202	SR 96 W	Green	850	1,500	1.77
120			15203	Del Rio Pk	Purple	560	380	0.68
121			15204	Del Rio Pk	Purple	333	380	1.14
122			15205	Barrel Springs Hollow Rd	Blue	544	860	1.58
123			15206	Old Natchez Trace	Red	337	80	0.24
124	**SR 840 @ SR 11**	**211**				**5,896**		
125			21101	Nolensville Rd	Orange	728	1,280	1.76
126			21102	Horton Highway	Orange	1,540	1,280	0.83
127			21103	Cox Rd	Blue	638	860	1.35
128			21104	Horton Highway	Orange	612	1,280	2.09
129			21105	Cox Rd	Blue	225	860	3.81
130			21106	Murfreesboro Rd	Orange	958	1,280	1.34
131			21107	Murfreesboro Rd	Orange	856	1,280	1.50
132			21108	Nolensville Rd	Orange	203	1,280	6.31
133			21109	Horton Highway	Orange	136	1,280	9.45
134	**SR 840 @ SR 11**	**212**				**3,007**		
135			21201	Nolensville Rd	Orange	1,629	1,280	0.79
136			21202	Murfreesboro Rd	Orange	249	1,280	5.15
137			21203	Murfreesboro Rd	Orange	419	1,280	3.05
138			21204	Horton Highway	Orange	441	1,280	2.90
139			21205	Horton Highway	Orange	268	1,280	4.77
140	**SR 840 @ Arno Rd**	**221**				**4,014**		
141			22101	Lampkins Bridge Rd	Purple	319	380	1.19
142			22102	Lampkins Bridge Rd	Purple	614	380	0.62
143			22103	McDaniel Rd	Purple	929	380	0.41
144			22104	Arno Rd	Blue	467	860	1.84
145			22105	Arno Rd	Blue	368	860	2.33
146			22106	Arno Rd	Blue	1,127	860	0.76
147			22107	Arno Rd	Blue	191	860	4.51
148	**SR 840 @ Arno Rd**	**222**				**5,006**		

TABLE 19.06-3: COLLECTOR TRAFFIC SHED CAPACITIES

SORT	ARTERIAL ROAD NAME	ARTERIAL SHED #	COLLECTOR SHED #	COLLECTOR ROAD NAME	ROADWAY CLASS	ACRES	2 X SERVICE VOLUME	PERMITTED TRIPS PER ACRE
149			22201	Eudailey-Covington Rd	Purple	1,368	380	0.28
150			22202	Eudailey-Covington Rd	Purple	526	380	0.72
151			22203	Arno Rd	Blue	1,486	860	0.58
152			22204	Arno Rd	Blue	239	860	3.61
153			22205	Arno Rd	Blue	242	860	3.55
154			22206	Arno Rd	Blue	344	860	2.50
155			22207	Bethesda-Arno Rd	Purple	340	380	1.12
156			22208	Bethesda-Arno Rd	Purple	461	380	0.82
157	**SR 840 @ Peytonsville Rd**	**230**				**3,578**		
158			23001	Gosey Hill Rd	Purple	261	380	1.45
159			23002	Peytonsville - Trinity Rd	Purple	364	380	1.04
160			23003	Peytonsville Rd	Purple	1,292	380	0.29
161			23004	Gosey Hill Rd	Purple	182	380	2.08
162			23005	Peytonsville Rd	Purple	1,306	380	0.29
163			23006	Peytonsville - Trinity Rd	Purple	172	380	2.21
164	**SR 840 @ Lewisburg Pk**	**240**				**8,928**		
165			24001	Les Watkins Rd	Purple	875	380	0.43
166			24002	Harpeth-Peytonsville Rd	Blue	117	860	7.35
167			24003	Les Watkins Rd	Purple	189	380	2.02
168			24004	Lewisburg Pk	Blue	197	860	4.37
169			24005	Lewisburg Pk	Blue	396	860	2.17
170	**Vaughn Rd**	**351**				**2,470**		
171			35101	Polo Club Rd	Blue	698	860	1.23
172			35102	'- No Collector -	None	234	-----	0.20
173			35103	'- No Collector -	None	252	-----	0.20
174			35104	Stonebridge Park Dr	Blue	579	860	1.49
175			35105	Sneed Rd W	Blue	461	860	1.87
176			35106	Sneed Rd W	Blue	246	860	3.49
177	**Hillsboro Rd**	**352**				**2,871**		
178			35201	Battlewood Dr	Purple	56	380	6.78
179			35202	Hillsboro Valley Rd	Purple	683	380	0.56
180			35203	Sneed Rd W	Blue	385	860	2.24
181			35204	Sunnyside Dr	Purple	247	380	1.54

TABLE 19.06-3: COLLECTOR TRAFFIC SHED CAPACITIES

SORT	ARTERIAL ROAD NAME	ARTERIAL SHED #	COLLECTOR SHED #	COLLECTOR ROAD NAME	ROADWAY CLASS	ACRES	2 X SERVICE VOLUME	PERMITTED TRIPS PER ACRE
182			35205	Moran Rd	Red	89	80	0.89
183			35206	Manley Lane	Red	140	80	0.57
184			35207	Manley Lane	Red	431	80	0.20
185			35208	Harpeth Hills Drive	Purple	193	380	1.97
186			35209	Bobby Drive	Purple	369	380	1.03
187			35210	Gen. J. B. Hood Dr	Purple	279	380	1.36
188	**Lynwood Way**	**353**				**4,809**		
189			35301	Manley Lane E	Red	161	80	0.50
190			35302	Hidden Valley Rd	Blue	353	860	2.44
191			35303	Hidden Valley Rd	Blue	244	860	3.53
192			35304	N Berrys Chapel Rd	Red	711	80	0.20
193			35305	N Berrys Chapel Rd	Red	226	80	0.35
194			35306	Lynwood Drive	Blue	425	860	2.02
195			35307	N Berrys Chapel Rd	Red	302	80	0.27
196			35308	Brookside Dr	Blue	488	860	1.76
197			35309	Farmington Dr	Blue	384	860	2.24
198			35310	Legends Ridge Dr	Blue	349	860	2.46
199			35311	Berrys Chapel Rd	Blue	233	860	3.68
200			35312	Cotton Lane	Purple	423	380	0.90
201			35313	River Landing Dr	Blue	369	860	2.33
202			35314	Gillette Dr	Blue	142	860	6.07
203	**Old Hillsboro Rd**	**354**				**2,178**		
204			35401	Bethlehem Loop Rd	Purple	47	380	8.14
205			35402	Blue Springs Rd	Blue	138	860	6.25
206			35403	Foxwood Lane	Blue	408	860	2.11
207			35404	Kinnie Rd	Red	503	80	0.20
208			35405	'- No Collector -	None	543	-----	0.20
209			35406	Kinnie Rd	Red	540	80	0.20
210	**Sneed Rd W**	**355**				**3,095**		
211			35501	Pasquo Rd	Purple	598	380	0.64
212			35502	Sandcastle Rd	Blue	789	860	1.09
213			35503	Temple Rd	Blue	302	860	2.84
214			35504	Temple Rd	Blue	115	860	7.45
215			35505	Old Natchez Trace	Red	191	80	0.42
216			35506	Broyles Lane	Blue	268	860	3.21
217			35507	Sawyer Bend Rd	Blue	344	860	2.50
218			35508	Temple Rd	Blue	487	860	1.77
219	**- No Designated Arterial -**	**411**				**1,945**		

TABLE 19.06-3: COLLECTOR TRAFFIC SHED CAPACITIES

SORT	ARTERIAL ROAD NAME	ARTERIAL SHED #	COLLECTOR SHED #	COLLECTOR ROAD NAME	ROADWAY CLASS	ACRES	2 X SERVICE VOLUME	PERMITTED TRIPS PER ACRE
220			41101	Split Log Rd	Purple	348	380	1.09
221			41102	Sam Donald Rd	Purple	989	380	0.38
222			41103	Pleasant Hill Rd	Purple	608	380	0.63
223	**- No Designated Arterial -**	**412**				**988**		
224			41201	Holly Tree Gap Rd	Purple	761	380	0.50
225			41202	Murray Lane	Blue	227	860	3.79
226	**- No Designated Arterial -**	**413**				**1,163**		
227			41301	Murray Lane	Blue	305	860	2.82
228			41302	Murray Lane	Blue	375	860	2.30
229			41303	Murray Lane	Blue	147	860	5.86
230			41304	Murray Lane	Blue	173	860	4.96
231			41305	'- No Collector -	None	163	-----	0.20
232	**- No Designated Arterial -**	**421**				**12,502**		
233			42101	Drag Strip Rd	Blue	1,169	860	0.74
234			42102	Kingston Rd	Purple	5,358	380	0.20
235			42103	CCC Rd	Purple	2,276	380	0.20
236			42104	Brush Creek Rd	Purple	3,698	380	0.10
237	**- No Designated Arterial -**	**422**				**492**		
238			42201	Forrest Glen Rd	Purple	217	380	1.75
239			42202	Cumberland Dr	Purple	232	380	1.64
240			42203	Cumberland Dr	Purple	3	380	128.70
241			42204	King Rd	Purple	39	380	9.66
242	**- No Designated Arterial -**	**423**				**8,518**		
243			42301	Valley Rd	Purple	247	380	1.54
244			42302	Pinewood Rd	Orange	82	1,280	15.59
245			42303	Pinewood Rd	Orange	208	1,280	6.16
246			42304	Walker Rd	Red	4,850	80	0.20
247			42305	Northwest Hwy	Purple	3,131	380	0.20
248	**- No Designated Arterial -**	**431**				**7,873**		
249			43101	Clovercroft Rd W	Purple	300	380	1.27
250			43102	Clovercroft Rd E	Purple	881	380	0.43
251			43103	Oxford Glen Dr	Blue	1,398	860	0.62
252			43104	N Chapel Rd	Purple	965	380	0.39
253			43105	Trinity Rd	Purple	151	380	2.51

TABLE 19.06-3: COLLECTOR TRAFFIC SHED CAPACITIES

SORT	ARTERIAL ROAD NAME	ARTERIAL SHED #	COLLECTOR SHED #	COLLECTOR ROAD NAME	ROADWAY CLASS	ACRES	2 X SERVICE VOLUME	PERMITTED TRIPS PER ACRE
254			43106	Laurawood Lane	Blue	292	860	2.95
255			43107	N Chapel Rd	Purple	226	380	1.68
256			43108	N Chapel Rd	Purple	312	380	1.22
257			43109	Abington Ridge Lane	Blue	847	860	1.02
258			43110	Clovercroft Rd W	Purple	335	380	1.13
259			43111	Cedarmont Dr	Blue	1,522	860	0.56
260			43112	S Carothers Rd	Purple	342	380	1.11
261			43113	'- No Collector -	None	183	-----	0.20
262			43114	'- No Collector -	None	119	-----	0.20
263	**- No Designated Arterial -**	**432**				**7,977**		
264			43201	McLemore Rd	Red	2,168	80	0.20
265			43202	Snowbird Hollow Rd	Red	2,155	80	0.20
266			43203	Ellington Dr	Blue	736	860	1.17
267			43204	Henpeck Ln	Blue	867	860	0.99
268			43205	Henpeck Ln	Blue	165	860	5.21
269			43206	Hunter Rd	Red	796	80	0.20
270			43207	Kittrell Rd	Purple	1,088	380	0.35
271	**- No Designated Arterial -**	**433**				**2,909**		
272			43301	Old Carters Creek Pk	Purple	1,905	380	0.20
273			43302	Southall Rd	Purple	208	380	1.83
274			43303	Southall Rd	Purple	797	380	0.48
275	**- No Designated Arterial -**	**434**				**1,603**		
276			43401	Del Rio Pk	Purple	1,224	380	0.31
277			43402	Del Rio Pk	Purple	353	380	1.08
278			43403	Spencer Creek Rd	Red	26	80	3.12
279	**- No Designated Arterial -**	**435**				**945**		
280			43501	Deerfield Lane	Blue	622	860	1.38
281			43502	S Berrys Chapel Rd	Purple	293	380	1.30
282			43503	Century Oak Dr	Blue	9	860	100.41
283			43504	Century Oak Dr	Blue	22	860	39.10
284	**- No Designated Arterial -**	**441**				**3,267**		
285			44101	Kidd Rd	Purple	224	380	1.70
286			44102	McFarlin Rd	Red	2,007	80	0.20
287			44103	Rocky Springs Rd	Purple	365	380	1.04

TABLE 19.06-3: COLLECTOR TRAFFIC SHED CAPACITIES

SORT	ARTERIAL ROAD NAME	ARTERIAL SHED #	COLLECTOR SHED #	COLLECTOR ROAD NAME	ROADWAY CLASS	ACRES	2 X SERVICE VOLUME	PERMITTED TRIPS PER ACRE
288			44104	Rocky Fork Rd	Purple	672	380	0.57
289	**- No Designated Arterial -**	**442**				**4,008**		
290			44201	Sanford Rd	Purple	1,996	380	0.20
291			44202	Williams Rd	Purple	1,048	380	0.36
292			44203	Burke Hollow Rd	Red	431	80	0.20
293			44204	Sam Donald Rd	Purple	291	380	1.31
294			44205	Split Log Rd	Purple	242	380	1.57
295	**- No Designated Arterial -**	**461**				**230**		
296			46101	'- No Collector -	None	171	-----	0.20
297			46102	'- No Collector -	None	27	-----	0.20
298			46103	'- No Collector -	None	33	-----	0.20
299	**- No Designated Arterial -**	**462**				**2,036**		
300			46201	Wilkes Lane	Red	1,500	80	0.20
301			46202	Evergreen Rd	Purple	482	380	0.79
302			46203	'- No Collector -	None	54	-----	0.20
303	**- No Designated Arterial -**	**463**				**4,090**		
304			46301	W Harpeth Rd	Purple	343	380	1.11
305			46302	'- No Collector -	None	222	-----	0.20
306			46303	W Harpeth Rd	Purple	2,988	380	0.20
307			46304	W Harpeth Rd	Purple	537	380	0.71
308	**- No Designated Arterial -**	**510**				**2,866**		
309			51000	'- No Collector -	None	2,866	-----	0.20
310	**- No Designated Arterial -**	**520**				**4,606**		
311			52000	'- No Collector -	None	4,606	-----	0.20
312	**- No Designated Arterial -**	**530**				**29,462**		
313			53001	'- No Collector -	None	29,199	-----	0.20
314			53002	Bethesda Duplex Rd	Blue	263	860	3.27
315	**- No Designated Arterial -**	**540**				**387**		
316			54000	'- No Collector -	None	387	-----	0.20
317	**- No Designated Arterial -**	**550**				**42,903**		
318			55001	'- No Collector -	None	42,171	-----	0.20

TABLE 19.06-3: COLLECTOR TRAFFIC SHED CAPACITIES								
SORT	ARTERIAL ROAD NAME	ARTERIAL SHED #	COLLECTOR SHED #	COLLECTOR ROAD NAME	ROADWAY CLASS	ACRES	2 X SERVICE VOLUME	PERMITTED TRIPS PER ACRE
319			55002	Johnson Hollow Road	Red	148	80	0.54
320			55003	Trace View Drive	Purple	33	380	11.66
321			55004	Carters Creek Pk	Blue	77	860	11.20
322			55005	Old Hillsboro Rd	Blue	474	860	1.81
323	**- No Designated Arterial -**	**560**				**60,139**		
324			56001	'- No Collector -	None	59,323	-----	0.20
325			56002	Davis Hollow Road	Purple	292	380	1.30
326			56003	Hargrove Road	Purple	342	380	1.11
327			56004	Garrison Rd	Red	67	80	1.19
328			56005	Pinewood Rd	Orange	76	1,280	16.79
329			56006	Fernvale Rd	Red	38	80	2.13
330	**- No Designated Arterial -**	**570**				**31**		
331			57000	'- No Collector -	None	31	-----	0.20
332	**- No Designated Arterial -**	**580**				**285**		
333			58000	'- No Collector -	None	285	-----	0.20

TABLE 19.06-4: TRIP GENERATION TABLE

USE CATEGORY	USE TYPE	AVERAGE VEHICLE TRIP ENDS [1]	PER	ITE CODE [2]
AGRICULTURAL USE CLASSIFICATION				
Agriculture	Agricultural	NA	NA	NA
	Agricultural Direct Market Business	NA	NA	NA
	Nurseries	3.8	1,000 gross s.f.	817
Agricultural Support and Services	Agri-Tourism and Education	To be determined [3]		
	Equestrian Facilities			
	Farm Wineries			
RESIDENTIAL USE CLASSIFICATION				
Household Living	Congregate Independent Living Centers	0.17	dwelling unit	253
	Conservation Subdivisions	1.01	dwelling unit	240
	Mobile Homes	0.59	dwelling unit	240
	Mobile Home Parks			
	Multi-Family Dwellings	0.62	dwelling unit	220
	Retirement Communities	0.27	dwelling unit	251
	Single Family Dwellings on Parcels of Record	1.01	dwelling unit	210
	Traditional Subdivisions – Major			
	Traditional Subdivisions – Minor			
Group Living	Congregate Assisted Living Centers	0.22	bed	254
	Institutional Single-Family Homes (1 – 8 Residents)	0.27	dwelling unit	251
	Residential Institutional	0.16	dwelling unit	252
	Skilled Nursing Facilities	0.22	bed	620
PUBLIC AND INSTITUTIONAL USE CLASSIFICATION				
Day Care	Day Care Centers	0.82	student	565
Educational Facilities	Elementary School	0.15	student	520
	High School	0.13	student	530
	College / University	0.21	student	550
Government Facilities	Government Maintenance, Storage, or Distributional Facilities	To be determined [3]		
	Government Offices	1.21	1,000 gross s.f.	730
	Public Safety Services	17.09	1,000 gross s.f.	731
Health Care Facilities	Hospital	1.31	bed	610
	Medical or Dental Clinics	3.46	1,000 gross s.f.	720
	Outpatient Facilities	5.18	1,000 gross s.f.	630

TABLE 19.06-4: TRIP GENERATION TABLE

USE CATEGORY	USE TYPE	AVERAGE VEHICLE TRIP ENDS [1]	PER	ITE CODE [2]
Institutions	Clubs or Lodges	0.03	members	591
	Cultural Institutions	7.3	1,000 gross s.f.	590
	Religious Institutions	0.55	1,000 gross s.f.	560
Parks and Open Areas	Commercial Cemeteries	0.84	acres	566
	Park or General Open Space	0.06	acres	412
Transportation and Utilities	Airports, Landing Strips, and Heliports, Private	0.37	based aircraft	22
	Airports, Landing Strips, and Heliports, Public			
	Utilities	0.76	1,000 gross s.f.	170
	Wireless Telecommunication Facilities	To be determined [3]		
COMMERCIAL USE CLASSIFICATION				
Adult Entertainment	Adult Oriented Establishments	To be determined	1,000 gross s.f.	440
Animal Care	Animal Boarding Facilities	4.72	1,000 gross s.f.	640
	Animal Hospitals or Veterinarian Clinics or Animal Grooming			
	Animal Hospitals or Veterinarian Clinics with Animal Boarding			
Conference or Training Center	Conference Centers	0.76	room	330
	Rural Retreats – Extensive			
	Rural Retreats – Limited			
Eating and Drinking Establishments	Bars or Taverns	11.34	1,000 gross s.f.	925
	Drive-In Restaurants	33.84	1,000 gross s.f.	934
	Restaurants	11.15	1,000 gross s.f.	932
	Specialty Eating or Drinking Establishment	19.56	1,000 gross s.f.	940
Offices	Offices	1.49	1,000 gross s.f.	710
Recreation / Entertainment	Golf Courses	2.78	hole	430
	Golf Driving Ranges	1.25	tee / driving position	432
	Private Recreational Centers	To be determined	1,000 gross s.f.	495
	Recreational and Athletic Facilities, Indoor	1.45	1,000 gross s.f.	495
	Recreational and Athletic Facilities, Outdoor	3.58	1,000 gross s.f.	435
	Stadiums and Arenas	To be determined [3]		

TABLE 19.06-4: TRIP GENERATION TABLE

USE CATEGORY	USE TYPE	AVERAGE VEHICLE TRIP ENDS [1]	PER	ITE CODE [2]
Retail Sales and Services	Bank or Financial Institutions	12.13	1,000 gross s.f.	911
	Drive-in Bank	27.41	lane	912
	Funeral Homes	To be determined [3]		
	Convenience Stores without Gasoline Sales	52.41	1,000 gross s.f.	851
	Convenience Stores with Gasoline Sales	59.69	1,000 gross s.f.	853
	Entertainment Establishments	13.43	1,000 gross s.f.	473
	Mixed Use / Multi-Tenant Developments	To be determined [3]		
	Liquor Store	To be determined [3]		
	Grocery Store	10.5	1,000 gross s.f.	850
	Personal Service Establishments	7.41	1,000 gross s.f.	920
	Retail Sales and Service, Extensive	5	1,000 leasable s.f.	815
	Retail Sales and Service, General	3.73	1,000 leasable s.f.	820
Self-Service Storage	Self-Service Storage	0.26	1,000 gross s.f.	151
Vehicle / Machinery Sales and Service	Automotive and Machinery Repair	4.46	1,000 gross s.f.	943
	Automotive and Machinery Rental or Sales	5.98	1,000 gross s.f.	843
	Vehicle Washing Establishment	5.54	stall	947
	Truck Stops	13.94	fueling position	946
Visitor Accommodations	Bed and Breakfast Establishments	To be determined [3]		
	Hotels	0.59	room	310
INDUSTRIAL USE CLASSIFICATION				
Extractive Industry	Rock Quarries	To be determined [3]		
	Mining Operations			
Industrial Uses	Light Industrial Uses	0.97	1,000 gross s.f.	110
	Heavy Industrial	0.68	1,000 gross s.f.	120
	Research and Development Facilities	1.07	1,000 gross s.f.	760
	Warehouses	To be determined [3]		

TABLE 19.06-4: TRIP GENERATION TABLE				
USE CATEGORY	USE TYPE	AVERAGE VEHICLE TRIP ENDS [1]	PER	ITE CODE [2]
Waste Related Services	Landfills, Private	To be determined [3]		
	Nontraditional Wastewater Treatment and Disposal Systems			
	Recycling Drop-Off and Other Drop-Off Centers			
	Recycling Centers			
	Salvage Centers			
	Trash Compaction and Transfer Stations			

NOTES:
[1] Average Vehicle Trip Ends, for Weekday PM Peak Hour of Generator, OR If Available, for Weekday PM Peak Hour of Adjacent Street Traffic
[2] Source: Trip Generation, 8th Edition (©2008, Institute of Transportation Engineers)
[3] Determination of the appropriate trip generation rate is subject to County review and approval.

Section 19.07: Amendments

The provisions of this Article, including but not limited to Table 19.06-2: Arterial Traffic Shed Capacities and Table 19.06-3: Collector Traffic Shed Capacities, may be amended in accordance with the provisions of Article 4: Official Zoning Map or Zoning Text Amendments.

Article 20: Nontraditional Wastewater Treatment and Disposal Systems

Section 20.01: Purpose

The purpose of this Article is to establish standards for Nontraditional Wastewater Treatment and Disposal Systems in order to implement the policies of the Williamson County Comprehensive Land Use Plan and to mitigate potential negative impacts from such systems on surrounding properties.

The Tennessee Department of Environment and Conservation (TDEC), Division of Water Pollution Control, has adopted a set of design criteria for the land disposal of effluent from various wastewater treatment methods. The Williamson County Commission, the Williamson County Regional Planning Commission, and the Williamson County Water and Wastewater Authority believe that additional regulations for Nontraditional Wastewater Treatment and Disposal Systems are necessary in Williamson County in order to protect the public health, safety and welfare.

The provisions of this Article are not intended to replace the role of TDEC but to provide additional requirements and a consistent approach to the review and approval of Nontraditional Wastewater Treatment and Disposal Systems within Williamson County.

Section 20.02: Authority

The Williamson County Water and Wastewater Authority is authorized to adopt by majority vote of the board Regulations, including requirements for the posting of performance bonds and maintenance bonds, governing the operation and maintenance of Nontraditional Wastewater Treatment and Disposal Systems. The phrase "Nontraditional Wastewater Treatment and Disposal systems" does not include subsurface sewage disposal systems that are subject to the permitting requirements of Tennessee Code Annotated, title 68, chapter 221, part 4, nor to wastewater collection and disposal systems that are owned or operated by a governmental entity. The provisions of the Water Quality Control Act, compiled in Tennessee Code Annotated, title 69, chapter 3, and the Regulations adopted thereunder, shall prevail over any such Regulations of the Authority in the event of a conflict; provided, that the authority may adopt Regulations that are more stringent than the Water Quality Control Act and Regulations promulgated thereunder, if a copy of such Regulations is filed with the Department of Environment and Conservation. Such authority is expressly granted in Tennessee Code Annotated Section 68-221-607.

Section 20.03: Jurisdiction

(A) The provisions of this Article shall apply to all Nontraditional Wastewater Treatment and Disposal Systems within unincorporated Williamson County.

(B) No Building Permit or Certificate of Occupancy shall be issued for any parcel, use or plat of land which was created by subdivision after the effective date of, and not in conformity with, the provisions of this Article and no construction of any private or public improvement shall take place or be commenced except in conformity with the provisions of this Article.

(C) In the event that a subdivision or parcel containing any part of a wastewater treatment and land disposal system to which the provisions of this Article apply are annexed by a municipality, following the effective date of such annexation, Williamson County shall continue administration of the bonds. Release of any bonds shall only occur upon concurrence of both the municipality and Williamson County.

(D) The Williamson County Water and Wastewater Authority, by the adoption of the provisions in this Article, formally delegate the administration, implementation and review of these Regulations and the wastewater treatment and land disposal systems subject to these Regulations to the Williamson County Regional Planning Commission and its staff in accordance with the Tennessee Code Annotated.

Section 20.04: Interpretation, Conflict and Separability

(A) In their interpretation and application, the provisions of this Article shall be held to be the minimum requirements for promotion of the public health, safety and general welfare.

(B) It is established that the provisions of this Article are not intended to interfere with, abrogate or annul any other regulations, statutes or laws. In any case where the provisions of this Article impose restrictions different from those imposed by any other provision of this Ordinance, or any other regulation, law or statute, whichever provisions are more restrictive or impose higher standards shall control.

(C) If any part or provision of this Article or application thereof is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in all controversy in which such judgment was rendered. The remainder of this Article shall be considered valid and in force.

Section 20.05: Submittal and Review Process

(A) **MAJOR SITE PLAN REQUIRED**

Prior to construction of any Nontraditional Wastewater Treatment and Disposal Use, or any component thereof, and prior to any expansion of a previously approved Nontraditional Wastewater Treatment and Disposal System beyond the capacity that was proposed in the initial Design Development Report (DDR) and Detailed Soils Investigation Report (DSIR) a Major Site Plan must be approved by the Planning Commission in accordance with the procedures outlined in this Section and the provisions in Section 6.02: Major Site Plan.

(1) The Site Plan submittal must include the following:

a) A DDR and DSIR meeting the requirements outlined in Sections 20.06 and 20.07of this Article.

b) Written proof from the Tennessee Regulatory Authority (TRA) of a valid and current Certificate of Convenience and Necessity (CCN) issued to and in the name of the proposed Owner of the system, or written proof from the TRA that a CCN is not required.

c) Written proof from the Tennessee Secretary of State's office of a valid, legal existence of the Owner and the Agent, Applicant, Developer, Subdivider that is in good standing.

d) Written proof that the person or entity contracted to install the proposed system has a valid and current contractor's license by the applicable licensing board of the State of Tennessee with proper designation for the type of system proposed.

e) A filing fee.

f) An Operating Permit issued by TDEC.

(2) The DDR and DSIR must be approved by the County's consultant prior to approval of the Site Plan for the proposed system or system component.

(3) Combined Site Plans for Systems and the Uses They Serve

a) If an individual use other than those listed under the Residential Use Classification in Table 11.01-1 is proposed, and such use will utilize the proposed Nontraditional Wastewater Treatment and Disposal System, and if all components of the proposed system will be located on the same parcel as the proposed use, a single Site Plan showing the proposed use as well as the proposed Nontraditional Wastewater Treatment and Disposal System or system component may be submitted.

b) Where a proposed Nontraditional Wastewater Treatment and Disposal System does not meet the criteria listed in Section 20.05 (A)(3)a) above, a separate Site Plan for the proposed system must be approved before a Site Plan may be approved for the use the system will serve.

(B) ZONING CERTIFICATE UPON COMPLETION OF SYSTEM

Upon completion of the Nontraditional Wastewater Treatment and Disposal System, or component thereof, a Zoning Certificate shall be required prior to the operation of the system. Prior to issuance of the Zoning Certificate, the applicant shall provide the following:

(1) A letter from TDEC indicating that the Nontraditional Wastewater Treatment and Disposal System was installed and is functioning.

(2) As-built drawings showing the location of all system components and a sealed certification from the design engineer that the Nontraditional Wastewater Treatment and Disposal System was constructed in accordance with the approved construction plans and specifications.

(3) A letter from the Owner/utility provider that it has accepted the Nontraditional Wastewater Treatment and Disposal System and is currently operating same.

(4) Applicable Performance and/or Maintenance Bonds as specified by the County's wastewater consultant.

(C) ZONING CERTIFICATE PREREQUISITE TO OTHER COUNTY APPROVALS

A Zoning Certificate for the completed system must be obtained before the following may occur:

(1) The submittal of a Final Plat for a Conservation or Traditional Subdivision that will utilize the completed system; or

(2) The issuance of a Certificate of Occupancy (C.O.) for a use other than a Conservation or Traditional Subdivision.

(D) PHASING OF SYSTEM COMPONENTS FOR RESIDENTIAL DEVELOPMENTS CONTAINING MORE THAN 200 LOTS

Where a proposed residential development/subdivision contains more than 200 lots, the Agent, Applicant, Developer, Subdivider and/or Owner may choose to construct the treatment and/or disposal facilities in stages or phases, so long as the first phase or stage is constructed to provide treatment and disposal for a minimum of 201 lots or its equivalent gallons per day prior to submittal to the Planning Commission of the first Final Plat. Subsequent phases or stages of construction shall provide treatment and disposal for a minimum of 50 lots or its equivalent gallons per day unless the treatment capacity necessary to fully complete the treatment or disposal system is less than this amount. For each phase or stage following the initial construction, the treatment and disposal sufficient for the proposed number of lots within that stage or phase shall be constructed prior to submittal to the Planning Commission of the Final Plat for that section.

For all residential developments containing more than 200 lots, the primary and secondary disposal areas sufficient to serve the entire proposed development shall be dedicated with the Final Plat for the first section.

During construction of later phases or stages of either the treatment system or disposal system, the Agent, Applicant, Developer, Subdivider and/or Owner shall provide adequate safeguards and protections

for the existing treatment system and disposal system and for the land areas designated for future disposal, including, but not limited to, construction fencing around the original system(s) and erosion and siltation control measures in order to protect the original systems from any water runoff during the construction.

(E) OPERATIONAL REPORTS

Operational reports shall be submitted by the owner/operator of the system to TDEC and the Williamson County Planning Department on an annual basis for compliance review.

Section 20.06: Design Development Report Required Information

The Design Development Report shall include the following:

(A) SITE DESCRIPTION:

(1) Location map

(2) Climate

(3) Geology (including subsurface hydrology)

(4) Topography

(5) Access

(6) Water supply wells within 1,500 L.F. of facility

(7) Centralized Wastewater Treatment/Disposal (CWTD) Evaluation

a) Identify potential CWTD service area (topographic maps of area adjacent to proposed project).

b) Evaluation of the Facility for providing a CWTD system in the service area (Nature and extent of the area to be served, including immediate and probable future development).

c) Summary, conclusion and plan of service regarding the potential CWTD systems within the identified service area.

(B) SCALED DRAWING WITH 2 FOOT ELEVATION CONTOURS SHOWING THE PRELIMINARY SITE LAYOUT INCLUDING:

(1) Pre-application treatment facilities

(2) Storage facilities

(3) Disposal fields

(4) Buffer zones

(5) Hand auger, test pit and soil boring locations

(6) Access roads and utilities

(7) Watercourses

(8) Drainage structures

(9) Flood elevations with 10 year, 50 year, and 100 year flood plain elevation noted

(10) Residences and habitable structures within or adjacent to site

(11) Wells within 500 feet of the site

(C) DESIGN WASTEWATER CHARACTERISTICS (INFLUENT TO PRE-APPLICATION TREATMENT AND TREATED EFFLUENT TO DISPOSAL FIELDS).

If the project involves an existing facility, then actual, recent data should be used:

(1) Average and peak daily flows

(2) Biochemical Oxygen Demand

(3) Total Suspended Solids

(4) Ammonia Nitrogen, Total Kjeldahl Nitrogen, Nitrate plus Nitrite

(5) Total Phosphorus

(6) Chloride

(7) Sodium Adsorption Ratio

(8) Electrical Conductivity

(9) Metals/Priority Pollutants

(D) WATER BALANCE/DETERMINATION OF DESIGN WASTEWATER LOADING RATES FOR EACH DISPOSAL FIELD

(E) NITROGEN BALANCE/SELECTION OF COVER CROP AND MANAGEMENT SCHEME

(F) BACKGROUND GROUNDWATER SAMPLES

(G) PHOSPHORUS AND OTHER CONSTITUENT LOADING RATES

(H) DETERMINATION OF WETTED FIELD AREA(S) AND REQUIRED STORAGE VOLUME

(I) PROCESS DESIGN FOR PRE-APPLICATION TREATMENT FACILITY

(1) Schematic of pump stations and unit processes.

(2) Basin volumes, loading rates, hydraulic detention times, etc. (aerobic or anaerobic).

(3) Capacity of all pumps, blowers and other mechanical equipment. Pump curves and hydraulic calculations for the distribution system must accompany the DDR.

(4) Design life of treatment and disposal system

(J) DETAILED SOIL INVESTIGATION REPORT (SECTION 20.07)

(K) The back-up wastewater disposal site(s) shall be identified and shown in the DDR. All proposed uses for the back-up site(s) shall be described in the DDR.

(L) COST ESTIMATES

(1) Detailed construction cost estimate for the wastewater treatment and disposal system. The cost estimate shall be calculated including all of the components, facilities and improvements to the land in order to build the wastewater treatment and disposal system which shall also include any off-site improvements and any components, facilities and improvements for auxiliary disposal. The cost estimate shall be submitted as part of the DDR shall be calculated utilizing recent actual construction costs for similar systems. Said cost estimate shall be created by the Design Engineer of the proposed system and who shall also seal and certify the cost estimate.

(2) Detailed construction cost estimates for the collection system for each section of a residential development or the entire non-residential development shall be submitted or, in the case of future sections of a residential development, supplemented to the DDR filed in conjunction with the preliminary plat submittal. The cost estimate shall be calculated including all of the facilities and improvements to the land in order to construct the collection system for the applicable section of a residential development or the entire non-residential development. The cost estimate shall be calculated utilizing recent actual construction costs for similar systems. Said cost estimate shall be created by the Design Engineer of the proposed collection system and who shall also seal and certify the cost estimate.

(3) If the treatment or disposal system will be constructed in stages or phases in accordance with Section 20.05(D), detailed construction cost estimates for the treatment system and for the disposal system for each section of a residential development shall be submitted or, in the case of future sections of a residential development, supplemented to the DDR filed in conjunction with the preliminary plat submittal. The cost estimate shall be calculated including all of the facilities and improvements to the land in order to construct the treatment system and the disposal system for the applicable section of a residential development or the entire non-residential development. The cost estimate shall be calculated utilizing recent actual construction costs for similar systems. Said cost estimate shall be created by the Design Engineer of the proposed treatment and disposal system and who shall also seal and certify the cost estimate.

(M) If auxiliary disposal sites are anticipated beyond the primary dedicated disposal site, these sites or disposal options must be presented for review. Beneficial reuse opportunities with treated wastewater will be considered on a case-by-case basis.

(N) **STAGING OR PHASING OF CONSTRUCTION**

If the Agent, Applicant, Developer, Subdivider and/or Owner chooses to stage or phase the construction of either the treatment system or disposal system, they shall provide a schedule of construction describing the stages or phases, provide detailed plans for protecting existing treatment or disposal upon construction of additional facilities, and detailed plans for protecting land designated for future disposal during construction of facilities. For each stage or phase proposed after the first stage or phase, the Agent, Applicant, Developer, Subdivider and/or Owner shall supplement the DDR and, if necessary, the DSIR, with the information required by this Section.

Section 20.07: Detailed Soil Investigation Report Required Information

The Detailed Soil Investigation Report shall include the following:

(A) **SITE DESCRIPTION:**

(1) Location map

(2) Topographic map

(3) Soil Survey map

(4) Hand auger, test pit and soil boring locations

(B) **SOIL SERIES DESCRIPTIONS (EACH SOIL SERIES PRESENT)**

(1) Texture

(2) Permeability

(3) Slope

(4) Drainage

(5) Depth to seasonal high water table

(6) Depth to bedrock

(7) Erodibility

(C) **SOIL CHARACTERISTICS (EACH SOIL SERIES PRESENT)**

(1) Hand auger, test pit and soil boring logs:

a) Soil horizons

b) Depth to groundwater

c) Depth to rock

(2) Unified Soil Classification

(3) Results from saturated hydraulic conductivity testing

(4) Results from soil chemistry testing:

a) pH

b) Cation Exchange Capacity

c) Percent Base Saturation

d) Sodium Exchange Potential

e) Phosphorus Absorption

f) Nutrients (N, P, K)

g) Agronomic trace elements (for cover crop proposed)

h) Mineralogy (clay)

(5) Engineering properties of soils proposed for any potential pond construction:

a) Clay content

b) Permeability

c) Plasticity

d) Consistency

(D) Identification of subsurface conditions adversely affecting vertical or lateral drainage of the land treatment site

(E) Delineation of soils and areas suitable and not suitable for wastewater drip or spray irrigation

(F) Determination of design percolation for each soil type

(G) EXTRA HIGH-INTENSITY SOIL MAPS

Soil Survey Maps shall be in accordance with the following requirements for an Extra High Intensity Soil Map:

(1) These are special use maps that show a high degree of soil map unit and landscape configuration detail. Each highly detailed soil map unit will be accompanied by site specific interpretations and recommendations (i.e. specific soil improvement practices). This type of map is to provide the information needed, relative to soil characteristics and landscape features, so that Williamson County is able to thoroughly evaluate a site and ascertain its suitability to support effluent disposal systems.

(2) The base map shall be at a scale of 1:1,200 or one inch equals 100 feet. The soil mapping grid stakes are to be set at intervals of 50 feet. Areas of 1,000 square feet or more with a significant difference from the adjoining soil mapping units shall be delineated.

(3) Soil line placement shall have a tolerance limit of 10 feet. With the available ground control, there should be no less than 41 soil observations per acre. Soil observations should be made at each grid stake and the grid-box center. Any mappable landscape feature shall be located with absolute accuracy (i.e. drainways, embankments, field roads, wells, etc.).

(4) These maps shall be clearly marked and labeled, in a conspicuous manner, as an EXTRA HIGH-INTENSITY SOIL MAP.

(5) Williamson County will require ULTRA-HIGH-INTENSITY SOIL MAPPING if the sites have been disturbed (i.e. cut, filled, compacted, etc.) or for sites that have been previously assessed and were found to be unsuitable soil conditions.

Section 20.08: Assurance for Completion and Operation of Improvements (Bonding Requirements)

A Performance and/or Maintenance Bond shall be required in association with all new Nontraditional Wastewater Treatment and Disposal Systems.

(A) WASTEWATER TREATMENT AND DISPOSAL SYSTEM BONDS

Bonds for the Wastewater Treatment and Disposal System shall be required according to the following:

(1) Performance Bond

Upon completion of the Wastewater Treatment and Disposal System, a Performance Bond and accompanying surety shall be posted prior to issuance of the Zoning Certificate.

a) Calculation of Performance Bond Amount

In order to determine the amount of the Performance Bond, the total cost of construction of the Wastewater Treatment and Disposal System shall be calculated taking into consideration and including all of the components, facilities and improvements to the land in order to build the Wastewater Treatment and Disposal System, which shall also include any off-site improvements and any components, facilities and improvements for auxiliary disposal. A cost estimate shall be submitted as part of the DDR, calculated utilizing recent actual construction costs for similar systems. Said cost estimate shall be created by the Design Engineer of the proposed system, who shall also seal and certify the cost estimate.

b) The Performance Bond for the Wastewater Treatment and Disposal System shall equal 30 percent of the cost as calculated above.

(2) Duration of Performance Bond

a) In the case of Traditional and Conservation Subdivisions, the Performance Bond for the Wastewater Treatment and Disposal System shall remain in effect until 25 percent of the building permits are issued for the entire development or for one year after issuance of the first Certificate of Occupancy, whichever occurs last.

b) In the case of uses other than Traditional and Conservation Subdivisions, the Performance Bond for the Wastewater Treatment and Disposal System shall remain in effect for one year after issuance of the first Certificate of Occupancy.

(3) Maintenance Bond

Following completion of the required Performance Bond period, the Water and Wastewater Authority and/or the Planning Commission may choose to convert the bond, remaining in the same amount, to a Maintenance Bond. The Maintenance Bond shall remain in effect for a minimum of two years.

(4) Bonding for Separate Phases of Construction

When the Wastewater Treatment and/or Disposal System is to be constructed in phases or stages, as permitted in Section 20.05(D) of this Article, separate Performance and/or Maintenance Bonds shall be required for each phase or stage of the System construction.

(B) WASTEWATER COLLECTION SYSTEM BONDS

Bonds for the Wastewater Collection System shall be required according to the following:

(1) Performance Bond

A separate Performance Bond and accompanying surety for the Wastewater Collection System shall be required. In the case of Traditional and Conservation Subdivisions, a separate Performance Bond shall be posted for each Section of the development.

a) Calculation of Performance Bond Amount

i) A cost estimate shall be calculated utilizing recent actual construction costs for similar systems. Said cost estimate shall be created by the Design Engineer of the proposed collection system, who shall also seal and certify the cost estimate.

ii) The Performance Collection Bond shall be equal to 100 percent of the cost of the facilities and improvements to the land in order to construct the collection system.

b) Duration of Bond

i) In the case of Traditional and Conservation Subdivisions, the Performance Bond for the Wastewater Collection System shall remain in effect until 25 percent of the building permits are issued for the applicable Section or for one (1) year after issuance of the first Certificate of Occupancy in the applicable Section, whichever occurs last.

ii) In the case of uses other than Traditional and Conservation Subdivisions, the Performance Bond for the Wastewater Collection System shall remain in effect for one year after issuance of the first Certificate of Occupancy.

(2) Maintenance Bond

Following completion of the required Performance Bond period, the Water and Wastewater Authority and/or the Planning Commission may choose to convert the bond to a Maintenance Bond in an amount equal to 30percent of the Performance Bond amount. The Maintenance Bond shall remain in effect for a minimum of two years.

Before a Performance Bond for the Wastewater Collection System is reduced to a Maintenance Bond, the following must be provided:

a) A letter from TDEC that the Wastewater Collection System has been installed and is functioning;

b) A sealed letter from the Design Engineer that the Wastewater Collection System has been installed in accordance with the design plans; and

c) A letter from the Utility Provider that it has accepted the Wastewater Collection System and that the System is available for operation/connection.

(C) AGREEMENTS

The Agent, Applicant, Developer, Subdivider shall be required to execute Performance Agreements for the Wastewater Treatment and Disposal System and Collection System consistent with and in accordance with this Article for the provision of the wastewater treatment and disposal system and a Maintenance Agreement which shall be reviewed by the County Attorney and binding upon all heirs, successors, and assigns of Agent, Applicant and Developer. Such agreements shall be executed prior to the posting of required bonds. The Agent, Applicant, Developer, Subdivider, Owner and the Utility Provider shall be required to execute the agreements.

(D) BENEFICIARY OF THE BONDS

The Performance Bonds shall be for the use and benefit of the Williamson County Water and Wastewater Authority and the Williamson County Regional Planning Commission. The Wastewater Authority shall have the power to establish the amount of the bonds and review said amount on an annual basis to determine if the amount is sufficient. The Wastewater Authority may also specifically delegate such review to the Williamson County Regional Planning Commission.

(E) ADDITIONAL TERMS AND REQUIREMENTS

Applicable provisions of this Ordinance and Section IV, "ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS", of the Williamson County Subdivision Regulations, concerning the type of acceptable performance bonds and the Williamson County Planning Commission's rights under the required bonds are incorporated herein and are made part of this Article.

Section 20.09: Ownership of Wastewater Treatment and Disposal System Site

(A) The Wastewater Treatment System, storage lagoons and land disposal site(s) and back-up disposal sites shall be owned and operated by the same entity. No homeowners' association, property owners' association or trust indenture shall be permitted to own or operate any part of any Wastewater Treatment and Disposal System. The Owner of the Wastewater Treatment and Disposal System shall also be required to employ on a full-time basis a person to hold a valid, current and applicable operator's license issued by TDEC, Water & Wastewater Operators Certification Board. Said Owner shall also be required to hold a valid and current approval from the Tennessee Regulatory Authority to operate said system in the proposed location. The treatment system and disposal site shall be dedicated or restricted so the only approved or acceptable use for the land disposal sites shall be for the purpose of providing wastewater treatment and disposal. All of the components of the wastewater system, including the wastewater septic tanks, if required, collection systems, pumping stations, treatment systems and storage lagoons land disposal sites shall be owned and operated by the same entity.

(B) All required wastewater utility easements shall be shown on the plat or site plan. Easements shall be provided to allow access to all components of the treatment system, i.e., septic tanks, pipelines, etc.

(C) If auxiliary disposal sites are proposed (over and above the minimum area required for satisfactory operation of the treatment and disposal system), these sites will not be required to be owned by the same entity as the wastewater treatment and disposal system. A written contract or agreement between the owner of the treatment system and the owner of the auxiliary disposal site will be required. The contract will require the owner of the auxiliary disposal site to adhere to all conditions and requirements placed on the use of the auxiliary disposal sites by TDEC and/or Williamson County.

(D) Where the treatment system, disposal system, storage lagoons or backup disposal area will be operated by a utility issued a Certificate of Convenience and Necessity ("CCN") by the Tennessee Regulatory Authority, the land upon which the treatment and disposal system, storage lagoon(s) and backup disposal area(s) are located shall be transferred to the owner/operator of the wastewater system holding the CCN. This transfer shall be via deed with said deed being recorded in the Williamson County Register of Deeds office within sixty days of execution by the Planning Director of the Final Plat of subdivision upon which the treatment and disposal system, storage lagoon(s) or backup disposal area(s) are located. Proof of recording of this property transfer shall be provided to the Community Development Department by providing a copy of the recorded deed no later than the 60-day requirement herein. In the event the recorded deed is not provided to the Community Development Department before the expiration of these sixty days, then the development shall be considered in violation of the Zoning Ordinance and subject to the enforcement mechanisms outlined in this Ordinance.

(E) In the event that the treatment system, disposal system, storage lagoons or backup disposal areas are utilized for the nontraditional sewage treatment and disposal for a single non-residential use and does not require a CCN from the TRA, then the owner of the land upon which any portion of the system is constructed, shall provide proof of ownership of that land in the form of recorded deed in the Williamson County Register of Deeds office within 60 days of approval of the Site Plan for the use of the nontraditional wastewater treatment and disposal system by the Planning Commission. In the event the recorded deed is not provided to the Community Development Department before the expiration of these 60 days, then the development shall be considered in violation of the Zoning Ordinance and subject to the enforcement mechanisms outlined in this Ordinance.

Section 20.10: Compliance with State Regulations and Guidelines

These requirements shall apply to all wastewater treatment and disposal systems utilizing land application as a disposal method for the wastewater. This Article do not apply to single residential or non-residential lots utilizing individual on-site wastewater treatment and disposal systems, as regulated by the Williamson County Department of Sewage Disposal Management, for the treatment and disposal of wastewater.

All Wastewater Treatment and Disposal Systems constructed in Williamson County using land for the disposal of the wastewater shall comply with the provisions of the State of Tennessee, Department of Environment and Conservation, Division of Water Pollution Control, Chapter 15 – Managed Wastewater Dispersal Using Drip Irrigation, Chapter 16 - Design Guidelines for Wastewater Treatment Systems Using Spray Irrigation and/or Chapter 17 – Design Guidelines for Wastewater Dispersal Using Drip Irrigation effective January 27, 2010, and as amended.

The provisions of Chapters 15, 16 and 17, as applicable to the type of disposal chosen, shall apply except where modified herein.

Section 20.11: Additional Requirements for Drip Emitter Systems

The following provisions shall apply to all drip emitter systems:

(A) **BUFFER ZONES, PUBLIC ACCESS AND PROTECTION OF WATER SUPPLY WELLS**

(1) Buffer zones are required to provide adequate access to buried drip lines and to ensure that no wastewater leaves the site. Specific buffer zone requirements for varying system components and site conditions are provided in Table 20.12-1.

(2) In order to protect the drinking water aquifers, abandoned water supply wells within the treatment site must be identified along with all public water supply wells within 1,500 linear feet of any community land treatment site and all private water supply wells within 500 linear feet of any community land treatment site. Shallow wells within 500 feet of a community land treatment system will require monitoring along with all other monitoring wells.

(3) Public access to the disposal field shall be restricted by posting signs and fencing of disposal fields. Fencing and access road gates shall be provided along property lines adjacent to residential and other developed areas. Fencing is required around all wastewater treatment systems, storage facilities, pump stations, and holding ponds.

(B) SURFACE DRAINAGE AND RUN-OFF CONTROL

(1) Drainage of storm run-off should be considered in the design of drip irrigation systems. All land application fields must be protected against flooding (below 10 year flood elevation), ponding and erosion. Run-off from upgradient areas should be redirected around the irrigation site. If properly designed and constructed, drip irrigation systems will not produce any runoff if surface applied or any surface flow of wastewater if subsurface applied. All areas that acquire a wet surface should have the hydraulic loading rate reduced to prevent the situation from recurring. Areas exhibiting a wet surface on a regular basis must be eliminated from future applications unless the surface wetting can be corrected. A reassessment of the design should be performed to determine if reconstruction or repair of the failing area would correct the deficiency. Any areas taken out of service because of failure will subsequently cause a reduction in the permitted system capacity.

(2) Indirect runoff as a result of underflow, changes in slope, and shallow restrictive soil layers can be anticipated at some slow rate land treatment sites. Indirect runoff may be acceptable if it is dispersed over a wide area. However, monitoring of streams affected by such indirect runoff will be required.

(3) Water resulting from line flushing must be dispersed over a wide area. No flush waters shall be permitted to flow off the site onto adjoining property. Direct discharge of these flows into any water course is prohibited. Effluent from line flushing should be absorbed by the surrounding area within a few minutes of line flushing. Line flushing should not be performed during any rain event.

(C) DISTRIBUTION SYSTEMS, MAINTENANCE AND CONSTRUCTION

(1) Hydraulic calculations for the pump and distribution system must be submitted for review in the DDR. Field pressure and flow variation due to friction loss and changes in static head should not exceed plus or minus 10 percent of the design emitter pressure or flow. If this criterion cannot be met, revisions to field layout, emitter output, or any other viable option should be used to comply with this requirement. The system will not be allowed to initiate operations if the total flow or pressure variation is in excess of 10 percent of the design. The 10 percent difference should be the difference between any two emitters in the entire system.

(2) Fields should be laid out so that the irrigation lines follow the contour of the site. The DDR submittal should contain the proposed line layout so that flushing flows and static head calculations can be addressed on a field by field basis. Each field should define total flow (gpm) proposed, total length of emitter piping, emitter spacing, line spacing, total numbering of lines and total number of lines to be included per flushing. This layout information should be shown on a topographic map. All proposed main line sizes and lengths along with individual irrigation line lengths should be shown. All return piping sizes and lengths should also be shown and should not exceed manufacturers' specifications to ensure equal distribution to each emitter. Emitter and line spacing should be in accordance with manufacturers' recommendations.

(3) The system should be self-draining to prevent freezing during the winter months. The Plan of Operation and Management should address disinfection and flushing of emitter lines to prevent solids build-up. Flushing of lines should be performed according to the manufacturers' recommendations but at minimum on a bi-monthly basis. Velocities must be a minimum of 2 feet per second at the end of each irrigation or return line during the flushing operation. Calculations supporting the two feet per second velocity requirement should be included in the DDR.

(4) Satisfactory operation of the drip irrigation system is necessary to safeguard the health of the public and to ensure that the wastewater effluent is disposed of in an environmentally sound manner. Emitter manufacturers must supply documentation that placing the emitter in the root zone of the cover crop will not interfere with the emitter performance. Emitters should be buried no less than five inches nor more than seven inches from the surface for optimum nutrient uptake. Variance from this depth of burial will be evaluated on a case-by-case basis if supported by manufacturers' recommendations. All systems must be equipped with audible and visual alarms to signal system malfunctions. Telemetry systems should also be installed where the facility is not manned during normal working hours. Monitoring equipment must be provided to detect a 5 percent change in flow rate to any given field. If a change is detected which shows a 10 percent variance, evaluations must be performed to determine if it is a result of clogging filters, force main breaks, emitter clogging, leaks in field lines, a flush valve failure, etc. The Plan of Operation and Management should address what actions are required to correct any such problem should it occur. Pumping equipment must be provided with pressure and flow sensitive controls which will disengage pumps if a main breaks or clogs.

(5) Prior to pumping to the drip field distribution system, the wastewater must be screened to remove fibers, solids and other matter which might clog drip emitters. As a minimum, screens with a nominal diameter smaller than the smallest flow opening in the drip emitter tubing should be provided. Screening to remove solids greater than one-third (1/3) the diameter of the smallest drip emitter opening is recommended.

(6) The wastewater storage requirements as determined for spray application disposal methods will also be required for drip emitter disposal method. The design percolation rate and wastewater loading rate as determined in Chapter 16 of TDEC Sewage Criteria shall be the maximum rates allowed for drip emitter systems.

Section 20.12: Additional Requirements Applicable To All Treatment and Disposal Systems

(A) SEPTIC TANK PUMPING

Wastewater treatment systems that require septic tanks for proper operation will be required to have the septic tanks pumped on a regular basis. The septic tank pumping schedule shall be presented in the DDR. The septic tanks shall be pumped out at least every 3 years (more often if required for proper operation of the system). The DDR shall present the specific septage disposal location to be used for the wastewater system.

(B) LOCATION OF SYSTEM COMPONENTS

The disposal site shall be relatively isolated, easily accessible and not susceptible to flooding. In no event shall a disposal site be located within the 10 year floodplain. The limits of the 10 year floodplain shall be established by a field elevation survey utilizing FEMA cross-section data, or an equivalent engineering study which defines the site area having a 10 percent chance of storm water inundation in any given year. No disposal site shall be utilized when inundated or saturated with water. In no event shall a wastewater treatment system be located within the pre-existing boundary of the 100 year floodplain. The limits of the 100 year floodplain shall be established by a field elevation survey utilizing FEMA cross-section data, or an equivalent engineering study which defines the site area having a 1 percent chance of storm water inundation in any given year. Areas within the 10 year and/or 100 year floodplain boundaries cannot be manipulated in such a way that the pre-existing grade is changed. Under no circumstances shall the treatment system, storage pond, disposal site and back-up disposal site be installed upon properties encumbered by easements. Under no circumstances shall the treatment system, storage pond, disposal site and back-up disposal site be installed on properties with grades in excess of 15 percent slope.

(C) DISPOSAL SITE USE RESTRICTIONS

The primary disposal site shall be closed to public access and shall be restricted so that its only acceptable use is for wastewater disposal. The use of the primary disposal site as a park, golf course, cemetery, outdoor institutional, recreational or other public use is prohibited.

(D) BOD AND TSS REDUCTION DISINFECTION

Wastewater irrigated on sites closed to public access and restricted to only wastewater disposal sites must not exceed a 5-day BOD and total suspended totals of 30 mg/l as a monthly average. Disinfection to reduce fecal coliform bacteria to 200 colonies per 100 m/l is required. All wastewater treatment systems to achieve these parameters must be done in accordance with the Tennessee Department of Environment and Conservation Design Criteria.

(E) BUFFER ZONE REQUIREMENTS

(1) The objectives of buffer zones around wastewater system components are to control public access, improve project aesthetics and, in the case of spray irrigation, minimize the transport of aerosols. Since development of off-site property adjacent to the disposal site may be uncontrollable, the buffer zone must be the primary means of separating the field area from off-site property. Table 20.12-1 specifies the minimum widths of buffer zones for varying system components and site conditions:

TABLE 20.12-1: BUFFER ZONES

APPLICABLE FOR TREATMENT AND STORAGE AREAS AND PRIMARY, SECONDARY, AND AUXILIARY AREAS					
	Development Boundaries[1]	Internal Property Lines	Streams, Ponds Roads	Habitable Structures	Drinking Water Wells [3]
Piping	25 feet	25 feet	25 feet[2]	50 feet	300 feet
Treatment Facility (Including associated equipment/ buildings)	300 feet	150 feet	25 feet[2]	300 feet	300 feet
Storage Facility	100 feet	100 feet	100 feet	100 feet	300 feet
Application System					
Drip Emitters	25 feet	25 feet	50 feet [2]	100 feet	300 feet
Spray Nozzles [4]	25 feet	25 feet	50 feet [2]	100 feet	300 feet

Notes:
1. For purposes of this Section, development boundaries refer to properties that are a part of the site area of the proposed development or the proposed sewage disposal area. However, this buffer zone may extend into, but not beyond, public road rights-of-way dedicated to a governmental entity and railroad rights-of-way.
2. These distances may be superseded by the Williamson County Storm water Management Regulations.
3. Requirements for buffer areas in relation to potable water wells will be determined after reviewing groundwater pollutions susceptibility and groundwater recharge maps or by contacting the Division of Water Supply, Tennessee Department of Environment and Conservation. In no case shall a wastewater application system be located within 300 feet of a drinking water well. Wellhead Protection requirements may increase the buffer distances as necessary.
4. Designers must specify appropriate irrigations devices to prevent overspray under any conditions. In the event that noticeable overspray is observed, facilities will be adjusted or removed and relocated as needed. Drinking fountains, outdoor eating areas and other similar features (i.e. snack bars) located within the approved use area must be protected from overspray or contact with treated wastewater. Protection may be accomplished by relocating the irrigation system or relocating the protected facilities.

(2) In addition to the 300 feet buffer zone required in Table 20.12-1 above, a minimum of two cross-sectional drawings shall be filed along with the Site Plan application demonstrating whether the pre-treatment facilities, storage facilities, equipment storage buildings, pump stations and other such above ground appurtenances can be effectively screened from adjacent properties by distance, topographical features, existing vegetation and/or new vegetation as required by Section 15.06 of this Ordinance. If the Planning Commission determines that that the facilities described above will not be adequately screened from adjacent properties, additional buffering as necessary to fully screen the facilities may be required.

(F) BACK-UP DISPOSAL SITE REQUIRED

In addition to the primary wastewater disposal site(s), a back-up or secondary wastewater disposal site(s) shall be provided.

(1) The back-up disposal site shall be owned by the wastewater system owner.

(2) The back-up disposal site shall be sized based on the design wastewater flow rates and the specific design hydraulic loading rate for the back-up disposal site(s).

(3) The back-up wastewater disposal site(s) shall be protected to prevent encroachment of any unauthorized vehicles or equipment. No encumbrance or physical structure shall be placed in such a manner so as to interfere with the wastewater disposal site's intended purpose. No activity will be allowed on the back-up wastewater disposal site(s) that will alter the soil characteristics or the design percolation rates for each soil type.

Section 20.13: Auxiliary Disposal Sites

The use of auxiliary disposal sites shall be permissible, provided the minimum primary disposal sites are provided and restricted to public access. The auxiliary disposal sites which may be open to public access shall include golf courses, cemeteries, green areas, parks and other public or private lands where public use occurs or is expected to occur. Effluent applied on auxiliary disposal sites where public access is permitted must be treated to higher levels. The effluent applied on public access sites must not exceed a 5-day Biochemical Oxygen Demand and Total Suspended Solids of 10 mg/l, as a monthly average. Disinfection to reduce fecal coliform bacteria to 20 colonies/100 ml is required. Turbidity must be less than three NTU.

The pre-application treatment standards for effluent that is to be applied to public access areas will be reviewed by the TDEC and Williamson County on a case-by-case basis. More stringent pre-application treatment standards may be required as the TDEC deems necessary. TDEC recommends that the engineer give preference to pretreatment systems that will provide the greatest degree of reliability.

The following management/operation guidelines shall also apply to auxiliary disposal sites:

(A) Provisions must be made to allow the wastewater treatment system operators to discontinue the pumping of effluent to the site in the event of an obvious plant upset.

(B) Effluent water will be controlled to the extent that run-off as a direct result of over watering is prevented.

(C) All effluent water valves or outlets will be appropriately tagged to warn the public that the water is not safe for drinking, bathing, or direct contact.

(D) All piping, valves, and outlets will be marked to differentiate effluent water from domestic or other potable water. A different pipe material has been used to facilitate water system identification.

(E) All effluent water valves, outlets, and sprinkler heads will be operated only by authorized personnel. Where hose bibs are present on domestic and effluent water lines, differential sizes will be established to preclude the interchange of hoses.

(F) Adequate means of notification will be provided to inform the public that effluent water is being used. Such notification will include the posting of conspicuous warning signs with proper wording of sufficient size so as to be clearly read. At golf courses, notices will also be printed on score cards and at all water hazards containing effluent reuse water.

(G) Tank trucks used for carrying or spraying effluent water will be appropriately identified to indicate such.

(H) Application or use of effluent water will be done so as to prevent or minimize contact with the public with the sprayed material and precautions shall be taken to ensure that effluent reuse water is not being sprayed on walkways, passing vehicles, buildings, picnic tables, domestic water facilities, or areas not under control of the user. Also:

(1) Application of the effluent water should be practiced during periods when the grounds will have maximum opportunity to dry before use by the public unless provisions are made to exclude the public from areas during and after spraying with effluent water.

(2) Windblown spray from the application of effluent water should not reach areas accessible to the public.

(3) Effluent water will be kept completely separate from domestic water wells and reservoirs.

(4) Drinking water fountains will be protected from direct or windblown effluent water spray.

(I) Adequate measures will be taken to prevent the breeding of flies, mosquitoes, and other vectors of public health significance during the process of effluent land application.

(J) Operation of the effluent application facilities will not create odors or discharge, slimes, or unsightly deposits of sewage origin in places accessible to the public.

(K) Specific buffer zone requirements for varying system components and site conditions are provided in Table 20.12-1.

Article 21: Nonconformities

Section 21.01: Nonconformities Generally

(A) PURPOSE

Upon adoption of this Ordinance, there will exist certain uses of land, structures, parcels of record, and signs that were lawfully existing but will hereafter no longer conform to this Ordinance's terms and requirements. The purpose and intent of this Article is to regulate the continued existence of those uses, structures, parcels of record, and signs that do not conform to the provisions of this Ordinance, or any amendments thereto.

(B) APPLICABILITY

Any lawful use of land or structure existing on the effective date of this Ordinance, or subsequent amendment thereto that is located in a zoning district in which it would not be permitted as a new use, or where the structure or lot does not comply with the applicable dimensional standards, is declared to be a legal nonconformity.

(C) AUTHORITY TO CONTINUE

Nonconformities are allowed to continue in accordance with the requirements of this Section.

(D) BURDEN OF PROOF

The burden of establishing that any nonconformity is a legal nonconformity, as defined by this Ordinance, shall, in all cases, be upon the owner of the nonconforming use, lot, structure, or sign, and not upon the County.

(E) EXCEPTION DUE TO VARIANCE OR OTHER MODIFICATION

The requirements of this Section shall not apply to a development standard or feature that is the subject of an approved Variance or a condition of a Special Use. Where a Variance or condition of a Special Use has been granted for a development standard or feature that does not otherwise conform to the requirements of this Ordinance, that development standard or feature shall be deemed conforming.

(F) MINOR REPAIRS AND NORMAL MAINTENANCE; RESTORATION TO A SAFE CONDITION

(1) Minor repairs and normal maintenance that are required to keep nonconforming uses, structures, parcels of record, and signs in a safe condition are permitted, provided the minor repair or maintenance does not extend, expand, or enlarge the nonconforming use, structure, parcel of record, or sign. For the purposes of this Subsection, "minor repair or normal maintenance" shall mean:

a) Repairs necessary to maintain a nonconforming use, structure, parcel of record, or sign in a safe condition;

b) Maintenance of lot or site areas to protect against health hazards and to promote the safety of surrounding uses.

(2) Nothing in this Article shall be deemed to prevent the strengthening or restoration to a safe condition of a structure in accordance with an order of a public official who is charged with protecting the public safety and who declares such structure to be unsafe and orders its restoration to a safe condition. Such restoration shall not be in violation of the various provisions of this Article prohibiting the repair or restoration of partially damaged or destroyed structures or signs.

(G) CHANGE OF TENANCY OR OWNERSHIP

Changes of tenancy, ownership, or management of an existing nonconformity are permitted but shall continue to be subject to the requirements of this Subsection.

Section 21.02: Nonconforming Uses

(A) CHANGE OF USE

(1) A nonconforming use may be changed to a conforming use in accordance with the applicable requirements in this Ordinance, but in no event shall a nonconforming use be converted to another nonconforming use or replace an abandoned or discontinued nonconforming use.

(2) An ongoing, legal nonconforming commercial use may apply to the BZA for a change of use to another commercial use as allowed in the Hamlet District. This change of use will require Special Use approval by the BZA. Such change of use shall only be authorized when the proposed new use will have the same or a lesser impact on surrounding uses and shall meet the standards applicable to the Hamlet District.

(3) A nonconforming use type classified under the Extractive Industry Use Category may not be changed to a nonconforming disposal use or vice versa.

(4) No use, structure, or sign which is accessory to a principal nonconforming use or structure shall continue after such principal use or structure has ceased or been removed, unless the accessory portion conforms to all regulations of this Ordinance. This Paragraph shall prevail over any other provisions of this Ordinance that may be interpreted to the contrary.

(5) Nonconforming industrial or commercial uses shall be subject to Section 21.02:(I): Nonconforming Industrial or Commercial Uses.

(B) EXPANSION AND ENLARGEMENT OF NONCONFORMING USE

(1) Except where otherwise allowed by Tennessee Code Annotated, nonconforming uses shall not be enlarged more than 20 percent of the total square footage of buildings and structures existing at the time the use became legally nonconforming unless such alteration will bring the use into full compliance with all requirements of this Ordinance. Such expansions or enlargements shall meet all applicable dimensional requirements of this Ordinance.

(2) Except where otherwise allowed by Tennessee Code Annotated, nonconforming use types classified under the Extractive Industry Use Category and nonconforming salvage center use types may not be expanded in any manner.

(3) Nonconforming industrial or commercial uses shall be subject to Section 21.02:(I): Nonconforming Industrial or Commercial Uses.

(C) DISCONTINUANCE OR ABANDONMENT

(1) Nonconforming use types under the Extractive Industry Use Category and nonconforming salvage center uses shall not be permitted to renew operations once the use is discontinued or abandoned for six months or more.

(2) A nonconforming mobile home that has been abandoned or not used for six months or longer shall be assumed to be abandoned, regardless of any intent to resume or not to abandon the use, and shall be completely terminated.

(3) Except nonconforming industrial or commercial uses, all other nonconforming uses that have ceased for three years or greater shall be assumed to be abandoned, regardless of any intent to resume or not to abandon the use, and the use shall be completely terminated. Any new use of the land or structure shall be in conformity with the applicable zoning district.

(4) Nonconforming industrial or commercial uses shall be subject to Section 21.02:(I): Nonconforming Industrial or Commercial Uses.

(D) NONCONFORMING USES AND FLOODPLAINS

Nonconforming uses in special flood hazard areas shall comply with the provisions of this Article and Section 13.05:(H): Permitted Uses in Areas of Special Flood Hazard.

(E) NONCONFORMING ACCESSORY USES

A nonconforming use that is accessory to a principal use shall not make the principal use nonconforming.

(F) CONTINUATION OF NONCONFORMING USE AFTER CASUALTY DAMAGE

(1) If a nonconforming use is destroyed, or partially destroyed and a Building Permit is not obtained within 18 months, then the structure or use shall not be rebuilt, restored, or reoccupied for any purpose unless it shall thereafter conform to all regulations of this Ordinance.

(2) Nonconforming industrial or commercial uses shall be subject to Section 21.02:(I): Nonconforming Industrial or Commercial Uses.

(G) NONCONFORMING USE OF PART OF A STRUCTURE

A nonconforming use in one part of a structure shall not affect the status of conforming uses in other parts of the same structure.

(H) RELOCATION OF A NONCONFORMING USE

A nonconforming use shall not be relocated, in whole or in part, to any other location in the County unless it is to a parcel where the use will be conforming in accordance with the applicable zoning district.

(I) NONCONFORMING INDUSTRIAL OR COMMERCIAL USES

(1) Industrial or commercial uses that become nonconforming under this Ordinance shall be permitted to continue in operation provided there is no change in the use of land.

(2) Industrial or commercial uses that become nonconforming under this Ordinance shall be permitted to expand operations and construct additional facilities that involve an actual continuance and expansion of the activities of the industry or business that existed prior to the effective date of this Ordinance provided that there is a reasonable amount of space for such expansion on the property owned by such industry or business situated within the area which is affected by the change in zoning, so as to avoid nuisances to adjoining landowners.

(3) Industrial or commercial uses that become nonconforming under this Ordinance shall be permitted to demolish the present buildings and structures and then reconstruct new facilities necessary to the conduct of such industry or commercial use that existed prior to the effective date of this Ordinance, provided that no destruction and rebuilding shall occur which shall act to change the use classification of the land as it was classified prior to the effective date of this Ordinance.

(4) The provisions of Subsection (I) apply only to the land area owned and in use by such affected business, and does not allow for the expansion of the nonconforming industrial or commercial use through the acquisition of additional land.

(5) Except as provided herein, the provisions shall not apply if an industrial or commercial use ceases to operate for a period of 30 continuous months (or the minimum period provided in Tennessee Code Annotated Section 13-7-208 and as may be amended, whichever is less) and the industrial or commercial use of the property did not conform with the land use classification as denoted in the applicable zoning district. Anytime after the 30 month cessation (or the minimum period provided in Tennessee Code Annotated Section 13-7-208 and as may be amended, whichever is less), any use proposed to be established on the site shall conform to the provisions of this Ordinance. For the purposes of this Subsection, the period of continuous ceased operation shall be tolled by:

a) The period in which an industrial or commercial use is party to any action in a court of competent jurisdiction regarding the use of the property until such time that a final settlement, order, decree, or judgment has been rendered;

b) Any period in which a facility is being constructed, reconstructed, renovated, or refurbished, provided that all necessary building permits were obtained within 30 months of cessation of continuous use;

c) The filing of an application for a Building Permit for the alteration, renovation or reconstruction of a structure which is nonconforming or of a structure in which or out of which a nonconforming industrial or commercial use operates or is located; or

d) The reactivation of the nonconforming use any time prior to the end of the 30 month period (or the minimum period provided in Tennessee Code Annotated Section 13-7-208 and as may be amended, whichever is less) provided, however, that the restrictions of Subsections (5) and (6) shall only apply if the property owner intentionally and voluntarily abandons the nonconforming use of the property. In any contested matter on the use of such property, the government has the burden of proving an overt act of abandonment in such matter.

(6) Notwithstanding the provisions of Subsection (3), any structure rebuilt on the site must conform to the provisions of the applicable zoning district in regards to setbacks, height, or other dimensional standards.

(7) Notwithstanding Subsections (1) through (6), Subsection (5) shall not apply to any industrial establishment location where 25 percent or more of the gross annual sales from such location are derived from sales to or contracts with Local, State, or Federal governments or as a subcontractor to contracts with Local, State, or Federal governments, or to any industrial establishment location where 75 percent or more of the gross annual sales from the location are made to agriculture or construction businesses.

Section 21.03: Nonconforming Structures

(A) RELATIONSHIP WITH NONCONFORMING USES

Where a nonconforming structure houses a nonconforming use, the regulations for nonconforming structures and nonconforming uses shall both apply. In case of conflict, the rules for nonconforming uses shall prevail.

(B) ENLARGEMENT

Nonconforming structures shall not be enlarged, extended, or modified unless such alteration is in full compliance with all requirements of this Ordinance except as allowed in Section 21.02:(I)(2).

(C) GOVERNMENTAL ACQUISITION OF A PORTION OF A PARCEL

Governmental acquisition of a portion of a parcel for a public purpose that results in reduction in a required yard or building setback below that required in Article 10: Zoning Districts shall not render the structure legally nonconforming.

(D) CONTINUATION OF NONCONFORMING STRUCTURE AFTER CASUALTY DAMAGE

In the event a nonconforming structure is damaged or destroyed, it may be rebuilt to its previous level of nonconformity so long as the Building Permit is obtained within 12 months after the date the damage or destruction occurred.

(E) RELOCATION OF A NONCONFORMING STRUCTURE

A nonconforming structure shall not be relocated, in whole or in part, to any other location on the parcel or in the County unless, once relocated, the structure will be conforming in accordance with the applicable zoning district.

Section 21.04: Nonconforming Lots

(A) DEVELOPMENT PROHIBITED

No use or structure shall be established on a lot of record that does not conform to the standards established in this Ordinance, except in accordance with this Subsection.

(B) UNIMPROVED NONCONFORMING PARCEL OF RECORD

If a nonconforming unimproved parcel of record was part of a subdivision or other division of land evidenced by plat or deed, or both, recorded prior to the effective date of this Ordinance, any use allowed in the applicable zoning district may be developed on the lot, even though the lot does not meet the minimum lot area, or minimum lot width established in Article 10: Zoning Districts provided that the development conforms to all other requirements of this Ordinance.

(C) GOVERNMENTAL ACQUISITION OF A PORTION OF A LOT OR PARCEL

Governmental acquisition of a portion of a lot or parcel for a public purpose that results in a reduction in lot area, lot width, or setbacks below that which are required in Article 10: Zoning Districts shall not render the lot or parcel legally nonconforming.

Section 21.05: Nonconforming Signs

(A) ENLARGEMENT

Nonconforming signs shall not be enlarged, extended, or modified, except where otherwise allowed by the Tennessee Code Annotated.

(B) REPLACEMENT, RECONSTRUCTION, OR RELOCATION

A nonconforming sign shall not be replaced, reconstructed, or relocated in whole or in part to any other location on the same or any other parcel unless the replaced, reconstructed, or relocated sign conforms to the provisions of this Ordinance.

(C) MAXIMUM SIGN HEIGHT OF NONCONFORMING SIGNS

The maximum sign height regulation for existing nonconforming signs (businesses such as convenience stores with gasoline sales, etc.) shall be adjusted by the Codes Compliance Director based on safe height clearances for vehicles accessing the property.

(D) TERMINATION OF NONCONFORMING SIGNS

(1) Nonconforming signs shall not be changed, expanded, or altered in any manner that would increase the degree of nonconformity, prolong the useful life, or be moved in whole or in part to any other location where it would remain nonconforming, except where otherwise allowed by the Tennessee Code Annotated.

(2) Termination by Damage or Destruction

Any nonconforming sign damaged or destroyed, by any means, to the extent of one-third (1/3) of its replacement cost, shall be terminated and shall not be restored.

(3) Termination by Change of Business

Any nonconforming sign advertising or relating to a business on the premises on which it is located shall be terminated upon any change in text advertising or relating to the new business.

(4) Termination by Discontinuance of Business

Signs that advertise a business no longer conducted or a product no longer sold on the premises where such sign is located shall be terminated and shall not be restored.

(5) Termination by Abandonment

Any nonconforming sign, the use of which as a sign is discontinued for a period of 90 consecutive days, regardless of any intent to resume or not to abandon such use, shall be presumed to be abandoned and shall not thereafter be reestablished except in full compliance with this Ordinance, except where otherwise allowed by the Tennessee Code Annotated. Abandonment shall, in this Section, mean having electricity disconnected for lighted signs, no message, or the failure to repair damaged signs.

Section 21.06: Other Legal Nonconformities

(A) Nonconformities other than structures, uses, or signage, which include but are not limited to parking, loading, stacking, access, landscaping, and lighting, which lawfully exists on the effective date of this Ordinance, or subsequent amendment thereto, is declared to be a legal nonconformity.

(B) Where other legal nonconformities exist, any additions or expansions to the use or structure, where such addition or expansion is less than 50 percent of the total square footage of the use or structure and is completed over a continuous five-year period, such other legal nonconformities associated with the addition or expansion shall be required to comply with the provisions of this Ordinance.

(C) Where other legal nonconformities exist, any additions or expansions to the use or structure, where such addition or expansion is 50 percent or more of the total square footage of the use or structure and is completed over any continuous five-year period, all such nonconformities associated with the use or structure shall be required to comply with the provisions of this Ordinance.

Article 22: Enforcement

Section 22.01: Purpose

This Article establishes procedures to ensure compliance with the provisions of this Ordinance and obtain corrections for Ordinance violations. It also sets forth the remedies and penalties that apply to violations of this Ordinance. The provisions of this Article are intended to encourage the voluntary correction of violations, where possible.

Section 22.02: Compliance Required

Compliance with all the procedures, standards, and other provisions of this Ordinance is required by all persons owning, developing, managing, using, or occupying land or structures in the County.

Section 22.03: Violations

Any of the following shall be a violation of this Ordinance and shall be subject to the enforcement remedies and penalties provided by this Article and by State law:

(A) To engage in any development, use, construction, remodeling or other activity of any nature upon the land and improvements thereon subject to the jurisdiction of the County without all of the required permits, certificates, or other forms of authorization as may be set forth in this Ordinance, or other applicable laws, to conduct or engage in such activity.

(B) To engage in any development, use, construction, remodeling or other activity of any nature in any way inconsistent with the permit, certificate, or other form of authorization granted for such activity by the County.

(C) To violate, by act or omission, any term, condition or qualification placed by the County upon a required permit, certificate or other form of authorization granted by the County to allow the use, development or other activity upon land or improvements.

(D) To erect, construct, reconstruct, alter, maintain or use any building or structure or to use any land in violation or contravention of any zoning, subdivision, or general regulation of this Ordinance or any amendment thereto.

(E) To violate any other term, condition, standard, or requirement of this Ordinance or any other applicable law.

(F) To continue any of the above-stated violations. Each day of a violation shall be considered a separate offense.

Section 22.04: Responsible Persons

The owner, tenant, or occupant of any land or structure, or an architect, engineer, builder, contractor, agent, or any other person who participates in, assists, directs, creates, or maintains a situation that constitutes a violation of this Ordinance or other applicable laws may be held responsible for the violation and subject to the remedies and penalties set forth in this Article.

Section 22.05: Enforcement Generally

(A) RESPONSIBILITY FOR ENFORCEMENT

The Codes Compliance Director or Building Codes Director (as appropriate) shall be responsible for enforcing the provisions of this Ordinance in accordance with the Tennessee Code Annotated.

(B) COMPLAINTS REGARDING VIOLATIONS

Whenever a violation of this Ordinance occurs, or is alleged to have occurred, any person may file a complaint. The complaint, stating fully the cause and basis, shall be filed at the Community Development Department office. Such complaint shall be properly recorded, investigated, and appropriate action taken as provided by this Ordinance.

(C) INSPECTIONS

On presenting proper credentials, the Codes Compliance Director or the Building Codes Director (as appropriate) shall have the power to enter upon land or inspect any structure to ensure compliance with the provisions of this Ordinance.

(D) ENFORCEMENT PROCEDURE

The Codes Compliance Director or the Building Codes Director (as appropriate), may institute enforcement proceedings as deemed appropriate and as authorized pursuant to this Ordinance and/or applicable State law.

Section 22.06: Revocation of Permits

(A) All Zoning Certificates and permits outlined in this Ordinance shall be revocable, subject to continued compliance with all requirements and conditions of this and other applicable laws and regulations.

(B) Any permit or certificate issued in conflict with the provisions of this Ordinance shall be null and void.

(C) The Codes Compliance Director shall be responsible for the revocation of any permit or certificate if they determine that a permit is no longer in compliance with the requirements and conditions of this Ordinance, conditions of approval, or other applicable laws and regulations.

(D) The Codes Compliance Director may institute revocation proceedings as deemed appropriate and as authorized pursuant to this Ordinance and/or applicable State law.

Section 22.07: Penalties and Remedies

(A) Any person violating any provisions of this Ordinance shall be guilty of a misdemeanor and, upon conviction, may be fined not less than ten dollars nor more than fifty dollars for each offense in accordance with Section 13-7-111 of the Tennessee Code Annotated. Each day that a violation is permitted to exist shall constitute a separate offense.

(B) In addition to the foregoing, civil enforcement proceedings may be initiated to ensure compliance with this Ordinance.

(C) Payment of the fine shall not constitute compliance.

Article 23: Definitions

Section 23.01: Purpose

It is the purpose of this Article to define words, terms, and phrases contained in this Ordinance.

Section 23.02: General Rules for Interpretation

The following rules shall apply for construing or interpreting the terms and provisions of this Ordinance.

(A) MEANINGS AND INTENT

(1) All provisions, terms, phrases, and expressions contained in this Ordinance shall be interpreted in accordance with the general purposes set forth in Section 1.03: General Purpose and Intent, and the specific purpose statements set forth throughout this Ordinance. When a specific section of this Ordinance gives a different meaning than the general definition provided in this Article, the specific section's meaning and application of the term shall control.

(2) Lot shall mean parcel and parcel shall mean lot.

(B) HEADINGS, ILLUSTRATIONS, AND TEXT

In the event of a conflict or inconsistency between the text of this Ordinance and any heading, caption, figure, illustration, table, or map, the text shall control. Graphics and other illustrations are provided for informational purposes only and should not be relied upon as a complete and accurate description of all applicable regulations or requirements.

(C) LISTS AND EXAMPLES

Unless otherwise specifically indicated, lists of items or examples that use terms like "for example," "including," and "such as," or similar language are intended to provide examples and are not exhaustive lists of all possibilities.

(D) COMPUTATION OF TIME

The time in which an act is to be completed shall be computed by excluding the first day and including the last day. If a deadline or required date of action falls on a Saturday, Sunday, or holiday observed by the County, the deadline or required date of action shall be the next day that is not a Saturday, Sunday, or holiday observed by the County. References to days are calendar days unless otherwise stated.

(E) REFERENCES TO OTHER REGULATIONS OR PUBLICATIONS

Whenever reference is made to a resolution, ordinance, statute, regulation, or document, it shall be construed as a reference to the most recent edition of such regulation, resolution, ordinance, statute, or document, unless otherwise specifically stated.

(F) DELEGATION OF AUTHORITY

Any act authorized by this Ordinance to be carried out by a specific official of the County may be carried out by a designee of such official.

(G) TECHNICAL AND NON-TECHNICAL TERMS

Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases that may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.

(H) PUBLIC OFFICIALS AND AGENCIES

All public officials, bodies, and agencies to which references are made are those of Williamson County, Tennessee, unless otherwise indicated.

(I) MANDATORY AND DISCRETIONARY TERMS

The words "shall," "must," and "will" are mandatory in nature, establishing an obligation or duty to comply with the particular provision. The words "may" and "should" are permissive in nature.

(J) CONJUNCTIONS

Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:

(1) "And" indicates that all connected items, conditions, provisions or events apply; and

(2) "Or" indicates that one or more of the connected items, conditions, provisions, or events apply.

(K) TENSES AND PLURALS

Words used in the present tense include the future tense. Words used in the singular number include the plural number and the plural number includes the singular number, unless the context of the particular usage clearly indicates otherwise. Words used in the masculine gender include the feminine gender, and vice versa.

(L) TERMS NOT DEFINED

If a term used in this Ordinance is not defined in this Article, the Planning Director shall have the authority to provide a definition through the Interpretation procedure (See Article 9: Interpretations.) based upon the definitions used in accepted sources, including but not limited to *A Planners Dictionary*, *A Glossary of Zoning, Development, and Planning Terms*, and *A Survey of Zoning Definitions*, published by the American Planning Association.

Section 23.03: Rules of Measurement

(A) PURPOSE

The purpose of this Section is to clarify the rules of measurement and exemptions that apply to all principal and accessory uses allowed in this Ordinance. These standards may be modified by other applicable sections of this Ordinance.

(B) DISTANCE MEASUREMENTS, GENERALLY

Unless otherwise expressly stated, distances specified in this Ordinance are to be measured as the length of an imaginary straight line joining those points.

(C) LOT MEASUREMENTS

(1) Lot Area

The area of a lot includes the total horizontal surface area within the lot's boundaries.

(2) Lot Width

a) Lot width is the distance between the side property lines measured along the front property line and shall be maintained to the minimum front yard setback line.

b) Cul-de-Sac

For a cul-de-sac lot, the lot width shall follow the curve of the front property line and the lot width shall be measured at the minimum required front yard setback line. See Figure 23.03-A.

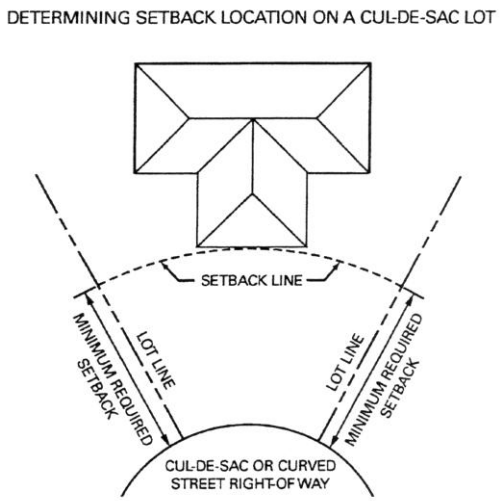


Figure 23.03-A: Building setback line on a cul-de-sac lot

(D) SETBACKS AND YARDS

(1) Measurements

Setbacks refer to the unobstructed, unoccupied open area between the furthermost projection of a structure and the property line of the lot on which the structure is located except as otherwise expressly allowed in Section 10.04: Permitted Encroachments into Required Setbacks.

(2) Front Yard Setback

a) Front Yard Setback and Streets

i) The front yard shall be the distance between the street right-of-way line and the required minimum front yard setback line.

ii) Except where delineated on a plat of a subdivision, where there are multiple street frontages, the yard fronting a street towards which the front of the primary structure faces shall be considered to be a front yard and shall meet the minimum front yard setback.

iii) If it is not clear which street a structure faces, consideration shall be given to which side of a structure includes the primary entrance and (for existing structures) which street provides the structure's street address.

b) Measurement

i) The front yard setback shall extend the full width of the lot and shall be measured from the street right-of-way line.

ii) If there is no right-of-way boundary, the setback shall be measured from the following:

A. Arterial Street: Mandated right-of-way line as established in the Williamson County Major Thoroughfare Plan

B. Collector Street: 30 feet from the street centerline

C. Other: 25 feet from the street centerline

D. If an easement or private road is used for access, the setback shall be measured from the closest edge of the easement.

c) Double Frontage Lot

A double frontage lot shall provide a front yard setback on both streets. The remaining yards shall meet the side yard setback requirements.

d) Corner Lot

i) Buildings located on corner lots may have a side yard facing a street. This side yard shall be a minimum of one-half (0.5) of the minimum front yard setback in the applicable zoning district.

ii) If an easement or private road is used for access, the setback shall be measured from the closest edge of the easement.

(3) Side Yard Setback

The side yard setback shall extend from the required front yard setback line to the required rear yard setback line and shall be measured from the side property line.

(4) Rear Yard Setback

The rear yard setback shall extend the full width of the lot and shall be measured from the rear property line.

(E) HEIGHT MEASUREMENT AND EXCEPTIONS

(1) Height Measurements

Building height shall be measured in number of complete stories above the finished grade for any elevation fronting on a public street including attics, half-stories, mezzanines, at-grade structured parking, but excluding features that are completely below grade, such as basements, cellars, crawl spaces, subbasements, and underground parking structures.

(2) Height Limit Exceptions

a) Height limits for wireless telecommunication are established by Section 11.03:(C)(13): Wireless Telecommunication Facility.

b) Height limits shall not apply to chimneys, church spires, belfries, cupolas, domes, flag poles, monuments, water towers, rooftop dish antennas, or similar appurtenances, provided the appurtenance does not interfere with Federal Aviation Regulations, Part 77, Objects Affecting Navigable Airspace;

Section 23.04: Definitions

100-YEAR FLOOD

See "Base Flood".

ABUTTING OR ADJACENT

The land, lot, or property adjoining the property in question along a property line or separated only by an alley, easement, or street.

ACCEPTANCE OF FILL MATERIAL

The acceptance of any substance or material, such as (by way of illustration) earth, clay, sand, concrete, rubble, wood chips, bark, or other similar material, that is placed, stored, or dumped upon the ground resulting in an increase and/or change in the natural surface elevation. The acceptance of fill material is considered a temporary use that is not associated with any use type that is classified under the Extractive Industry Use Category in Table 11.01-1: Table of Allowed Uses.

ACCESSORY EQUIPMENT (RELATED TO WIRELESS TELECOMMUNICATION FACILITIES)

Equipment serving or being used in conjunction with a "Telecommunication Facility" or "Support Structure."

ACCESSORY FACILITY OR STRUCTURE (RELATED TO WIRELESS TELECOMMUNICATION FACILITIES)

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.

ACCESSORY STRUCTURE

A subordinate structure to the principal structure.

ACCESSORY STRUCTURE (RELATED TO SPECIAL FLOOD HAZARD AREA PROTECTION STANDARDS)

An accessory structure shall mean a subordinate structure to the principal structure on the same lot and, for the purpose of this Ordinance, shall conform to the following:

- Accessory structures shall only be used for parking of vehicles and storage;
- Accessory structures shall be designed to have low flood damage potential;
- Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;
- Accessory structures shall be firmly anchored to prevent flotation, collapse, and lateral movement, which otherwise may result in damage to other structures; and
- Utilities and service facilities such as electrical and heating equipment shall be elevated or otherwise protected from intrusion of floodwaters.

ACTIVE RECREATIONAL USES (OPEN SPACE)

Facilities for active recreation, including but not limited to: pools, playgrounds, tennis courts, and clubhouses used primarily for recreational purposes.

ADDITION (TO AN EXISTING BUILDING)

Any walled and roofed expansion to the perimeter or height of a building.

ADDITIONAL PRINCIPAL DWELLING

An additional principal dwelling unit located on a single parcel where no subdivision has occurred and where allowed pursuant to Section 11.04: Accessory Uses and Structures.

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 Section 7-51-1102 and Section 7-51-1401, and as amended, and in construing this term, the definitions contained in Tennessee Code Annotated Section 7-51-1102 (1) through (6) and Section 7-51-1401, and as amended, are likewise incorporated by reference and made a part of this Ordinance.

AFFIDAVIT OF COMPLIANCE

A statement of agreement to abide by the conditions of the approval of Site Plans, Special Uses, or other approved uses that do not require bonds to ensure compliance. The affidavit shall be signed by the recipient of the permit and notarized.

AGENT

A person with express written consent to act upon another person's behalf.

AGENT, APPLICANT, DEVELOPER, SUBDIVIDER (RELATED TO NONTRADITIONAL WASTEWATER TREATMENT AND DISPOSAL SYSTEMS)

The owner of land, or his representative, who proposes that the land be subdivided or proposes a use authorized by this Zoning Ordinance for which a nontraditional sewage treatment or disposal system will be utilized for wastewater treatment or disposal. One who, having an interest in land, causes it, directly or indirectly, to be divided into a subdivision. Consent shall be required from the legal owner of the premises.

AGGRIEVED PARTY

A person with a standing to appeal that is injuriously affected by a decision from any review or decision-making body of the County, including any officer or agent of the County.

AGRICULTURAL

The definition of agricultural as set forth herein shall be applicable to the term wherever it appears in this Ordinance, unless a different definition is specifically made applicable to the Article, Section, or Subsection in which the term appears.

- The land, buildings, and machinery used in the commercial production of farm products and nursery stock;
- The activity carried on in connection with the commercial production of farm products and nursery stock;
- As used in this definition of agriculture, the term "Farm Products" means forage and sod crops; grains and feed crops; dairy and dairy products; poultry and poultry products; livestock, including breeding and grazing; fruits; vegetables; flowers; seeds; grasses; forestry products; fish and other aquatic animals used for food; bees; equine; and all other plants and animals that produce food, feed, fiber, or fur; and
- As used in this definition of agriculture, the term "Nursery Stock" means all trees, shrubs, or other plants, or parts of such trees, shrubs or other plants, grown or kept for, or capable of, propagation, distribution or sale on a commercial basis.

AGRICULTURAL PRODUCT SALES

A retail establishment that is located within a permanent structure, operated in association with an agricultural use, and which predominantly sells and markets agricultural products grown/produced on the associated farm.

AGRI-TOURISM AND EDUCATION FACILITIES

Any structure, land, or combination thereof used for tourism or educational purposes as it relates to an active agricultural use. Agri-tourism relates to activities that focus on the visitation of farms by allowing visitors to experience farm life or providing a service to visitors that showcases and sells the yield or products grown on the farm. Uses that fall under this definition include, but are not limited to, farm markets, homegrown restaurants, and participatory farms. Agri-education relates to instruction about crop production, livestock management, soil and water conservation, and various other aspects of agriculture.

AIRPORTS, LANDING STRIPS, AND HELIPORTS, PRIVATE

Any privately owned land and related structures designed, used, or intended for use for the landing and take-off of aircraft that is licensed and approved as necessary by State and Federal authorities. Such airport, landing strip, or heliport, shall only be open for use by the property owner and shall not include any commercial activities.

AIRPORTS, LANDING STRIPS, AND HELIPORTS, PUBLIC

Any publicly owned land and related structures designed, used, or intended for use for the landing and take-off of aircraft that is licensed and approved as necessary by State and Federal authorities. Such airport, landing strip, or heliport is open for use for commercial activities (e.g., passenger service) and open to the general flying public.

ANIMAL BOARDING FACILITIES

Any structure, land, or combination thereof used, designed, or arranged for the boarding, breeding, or care of dogs, cats, fowl, or other domestic animals, but excluding animals used for agricultural purposes.

ANIMAL HOSPITAL OR VETERINARIAN CLINIC OR ANIMAL GROOMING

A place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment. Use as a boarding facility shall be limited to short-time stays and shall be only incidental to the veterinarian facility. Such use type shall also apply to facilities that provide grooming and general care services to animals.

ANIMAL HOSPITAL OR VETERINARIAN CLINIC WITH ANIMAL BOARDING

An establishment that includes both an animal hospital or veterinarian clinic and animal boarding facility, each as defined herein.

ANTENNA

Any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic waves when such system is either external to or attached to the exterior of a structure.

APPEAL

An Appeal of an administrative decision made by County staff, reviewed and considered by the BZA in accordance with Section 5.03: Appeal.

APPLICANT

A person who is authorized by the provisions of this Ordinance to file an application. See also the definition for "Agent."

APPLICATION

The completed form or forms and all accompanying documents, exhibits, and fees required of an applicant by the appropriate County department, board, or commission as part of the review for an application.

ARCHEOLOGICAL SITE

A concentration of material remains of past human life or activities of historic or prehistoric significance. Examples of material remains include rock art, pottery, basketry, tools, graves, skeletal remains, and structures or portions of structures.

AREA OF SHALLOW FLOODING

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

AREA OF SPECIAL FLOOD HAZARD

See "Special Flood Hazard Area."

AREA OF SPECIAL FLOOD-RELATED EROSION HAZARD

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

AUTHORIZED AGENT

A person, authorized in writing by the property owner, to represent and act for a property owner in contacts with County staff and review board in matters related to an application or this Ordinance.

AUTOMOBILE AND MACHINERY REPAIR

Any building or establishment primarily engaged in the repair and maintenance of automobiles, motorcycles, farm machinery, trailers, or similar vehicles including but not limited to body, fender, muffler, or upholstery work, oil changes, lubrication, tire services, painting, and installation of aftermarket accessories.

AUTOMOTIVE AND MACHINERY RENTAL OR SALES

Any building or establishment primarily engaged in the sale or leasing of automobiles, motorcycles, farm machinery, trailers, or similar vehicles and machinery.

AUXILIARY DISPOSAL SITE (RELATED TO NONTRADITIONAL WASTEWATER TREATMENT AND DISPOSAL SYSTEMS)

The auxiliary disposal sites are land or parcels that may be used for effluent disposal and may have other uses. Higher levels of treatment are required for auxiliary disposal sites. These sites shall provide opportunities for beneficial reuse of the treated effluent.

AWNING

A roof like cover that is temporary or permanent in nature, and that projects from the wall of a building for the purpose of shielding an area of a structure and constructed of a rigid supporting framework with a canvas, vinyl or fabric covering.

BACK-UP WASTEWATER DISPOSAL SITE (RELATED TO NONTRADITIONAL WASTEWATER TREATMENT AND DISPOSAL SYSTEMS)

Back-up wastewater disposal site or secondary disposal site is the back-up land or parcels used to provide a redundant wastewater disposal site, in the event the primary wastewater disposal site no longer provides proper or adequate wastewater disposal.

BANK OR FINANCIAL INSTITUTION

Establishments engaged in deposit banking. Banks and financial institutions may include, but are not limited to, commercial banks, loan or mortgage companies, stockbrokers, savings institutions, credit unions, and other similar uses.

BAR OR TAVERN

An establishment providing or dispensing, for on-site consumption, any fermented malt beverage, malt beverage, special malt, vinous, or spirituous liquors. The sale of food products including, but not limited to, sandwiches and light snacks may be a secondary use to the service of the aforementioned drinks.

BASE FLOOD

The flood having a one percent chance of being equaled or exceeded in any given year. This term is also referred to as the 100-year flood or the one percent annual chance flood.

BASEMENT

Any portion of a building having its floor subgrade (below ground level) on all sides.

BED AND BREAKFAST

A resident-managed and resident-occupied residential structure used as a lodging establishment where up to five rooms are rented on a nightly basis and in which breakfast is the only meal and is included as part of the basic compensation.

BLOCK

A unit of land bounded by streets or by a combination of streets and public land, railroad rights-of-way, waterways, or any other barriers to the continuity of development.

BLOCK FACE

That portion of a block or tract of land facing the same side of a single street and lying between the closest intersecting street.

BONDABLE IMPROVEMENTS

Improvements for which a Performance or Maintenance bond has been established by the Williamson County Regional Planning Commission.

BORROW PIT

An area from which soil or other unconsolidated material is removed to be used, without further processing, as fill for activities such as landscaping, building construction, or roadway construction and maintenance.

BUFFER OR BUFFERYARD

A strip of land with natural or planted vegetation located between a land use and a side or rear property line intended to separate and partially obstruct the view of adjacent land uses or properties from one another.

BUFFER ZONE (RELATED TO NONTRADITIONAL WASTEWATER TREATMENT AND DISPOSAL SYSTEMS)

The minimum distance from various Nontraditional Wastewater Treatment and Disposal System components to a property line, habitable structure, water well, right-of-way line, water course or other location.

BUILDING

A structure built, maintained, or intended for use for the support, shelter, or enclosure of persons, animals, or property of any kind or any occupancy or storage. The term is inclusive of any part thereof. Where independent units with separate entrances are divided by party walls, each unit is a building.

BUILDING ENVELOPE

The area formed by the front, side, and rear, and any other applicable setbacks, on a lot within which principal buildings must be constructed.

BUILDING LINE

A line that runs parallel and adjacent to the primary building façade.

BUILDING PERMIT

A permit reviewed and approved, approved with conditions, or denied by the Building Codes Director in accordance with Section 8.03: Building Permit.

BUILDING, PRINCIPAL

A building in which the main or primary use of the lot or parcel is conducted, or which is intended to be conducted, is located.

BZA

The Williamson County Board of Zoning Appeals.

CANOPY

A free standing permanent roof-like shelter not attached to or requiring support from an adjacent structure.

CEMETERIES, ACCESSORY

A portion of a lot that is dedicated to the burial of the dead that is accessory to an institutional use and that may include mausoleums, necessary sales, and maintenance facilities.

CEMETERIES, COMMERCIAL

Land used or dedicated to the burial of the dead, including crematoriums, mausoleums, necessary sales, and maintenance facilities. Funeral homes shall be included when operated within the boundary of such commercial cemetery.

CEMETERIES, FAMILY BURIAL GROUNDS

A portion of a lot that is dedicated to the burial of the dead that is accessory to a residential dwelling unit and that does not include any associated uses found in commercial cemeteries such as crematoriums, mausoleums, necessary sales, and maintenance facilities.

CLUBS OR LODGES

Buildings or premises owned or operated by a corporation, association, or group of persons for a social, educational, or recreational purpose, but not primarily for profit or to render a service which is customarily carried on as a business.

CO-LOCATION

The act of placing Telecommunication Equipment on an already existing tower or other established structure being used as a telecommunication structure.

COMMERCIAL IMPRACTICABILITY OR COMMERCIALLY IMPRACTICABLE

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".

COMMERCIAL MESSAGE

Any sign, wording, logo, or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service, or other commercial activity.

COMPLETED APPLICATION

An application that has been determined to be complete in accordance with Section 3.07: Determination of Application Completeness.

COMPREHENSIVE PLAN

The most recently adopted version of the Williamson County Comprehensive Land Use Plan.

CONFERENCE CENTER

A building or complex of buildings that is used for conferences, seminars, product displays, recreation activities, and entertainment functions, along with accessory functions including, but not limited to, temporary outdoor displays and food and beverage preparation and service for on-premise consumption.

CONGREGATE ASSISTED LIVING CENTERS

A shared residential living environment for six or more elderly residents that includes assistance with daily activities such as dressing, grooming, bathing and meal preparation.

CONGREGATE INDEPENDENT LIVING CENTERS

A shared residential living environment for six or more elderly residents where there are individual dwelling units that contain a kitchen, sleeping area, and bathroom facilities where there may be facilities for group activities or meals but assistance is not required for daily activities. See also the definition for "Congregate Assisted Living Centers".

CONSERVATION SUBDIVISION

The division of a tract of land into two or more lots, building sites, or other divisions along with additional land area set aside as open space for conservation, agricultural, recreational, or other rural purposes in accordance with Section 11.03:(B)(2): Conservation Subdivisions and Article 12: Conservation Subdivision Standards.

CONSTRUCTION

The erection of any building or structure or any preparations (including land disturbance activities) for the same.

CONSTRUCTION, START OF (RELATED TO SPECIAL FLOOD HAZARD AREA PROTECTION STANDARDS)

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

CONSTRUCTION, START OF BUILDING

The inspection and approval by the Building Codes Director of the footing and/or slab, or the placement of other substantial improvements. See also "Construction, Start of."

CONSTRUCTION, START OF DEVELOPMENT

The preparation of a site for development in accordance with either an approved plat or plan and following the issuance of a Land Disturbance Permit.

CONSTRUCTION, START OF DEVELOPMENT (RELATED TO SPECIAL FLOOD HAZARD AREA PROTECTION STANDARDS)

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

CONTRACTOR'S OFFICE AND CONSTRUCTION EQUIPMENT SHEDS

A temporary structure dedicated to the storage of equipment or the provision of office space related to a construction project that is designed to be removed upon completion of the project.

CONVENIENCE STORES WITH GASOLINE SALES

A retail store that caters to the motoring public where the sale of food items such as hot or cold drinks, prepackaged foods, road maps, magazines and other publications, automotive maintenance items such as brake fluid, oil, polishes, anti-freeze, and similar products, and other retail items that may be readily purchased. Such store shall also provide for the sale of vehicle fuel and such services as lubrication oil and tire changes, and minor repairs where any repairs or services take place within an enclosed building. This use does not include paint spraying or body/fender repair that is classified as "Automobile and Machinery Repair."

CONVENIENCE STORES WITHOUT GASOLINE SALES

A retail store that caters to the motoring public where the sale of food items such as hot or cold drinks, prepackaged foods, and tobacco, road maps, magazines and other publications, automotive maintenance items such as brake fluid, oil, polishes, anti-freeze, and similar products, and other retail items that may be readily purchased. Such store shall not include the sale of any gasoline as is permitted in "Convenience Stores with Gasoline Sales."

COUNTY

Williamson County, Tennessee.

COUNTY COMMISSION

The Williamson County Board of County Commissioners.

CRITICAL ROOT ZONE

The area inside the dripline of a tree that contains its roots.

CULTURAL INSTITUTIONS

Public or private facilities used for display, performance, or enjoyment of heritage, history, or the arts. This use includes, but is not limited to, museums, libraries, art performance venues, cultural centers, and interpretative sites but does not include movie theaters.

DAY CARE CENTERS

Any nonresidential facility providing care for children, the elderly, or functionally impaired adults in a protective setting for a portion of the day. See also the definition for "Family Child Care Home" and "Group Child Care Home."

DAY CARE CENTERS ACCESSORY TO AN INSTITUTIONAL USE

A day care center that is incidental to a principal institutional use including, but not limited to, religious institutions and schools.

DBH

See "Diameter at Breast Height."

DEDICATION

The offer of property interests for transfer from private to public ownership for a public purpose. The dedication may be of fee-simple interest or of a less than fee-simple interest, including an easement.

DENSITY

The number of dwelling units per gross acre of land. Gross density shall be the total number of dwelling units as divided by the gross area of a site (including public rights-of-way, easements, etc.). Net density shall be the total number of dwelling units divided by the gross area of the site minus any land used for easements and/or rights-of-way.

DEVELOPER

See definitions of "Applicant" and "Agent."

DEVELOPMENT

The initiation, construction, change, or enlargement of any use or structure, the disturbance of land through the removal of trees or ground cover, or the division of land into two or more parcels. "Development" shall include, but not be limited to, the following:

- Construction, alteration, or enlargement of a building or structure;
- Change in the type of use of a building, structure, or land;
- Material increase in the intensity of use of land, such as an increase in the number of businesses, offices, manufacturing establishments, or dwelling units located in a building or structure or on the land;
- Commencement or expansion of resource quarrying or mining, agricultural, horticultural, or forestry activities on a parcel of land;
- Demolition of a structure or the removal of trees from a parcel of land;
- Deposition of refuse, solid or liquid waste, or fill on a parcel of land;
- Alteration, either physically or chemically, of the shore, bank, or channel of any stream, lake, or other body of water or alteration of any wetland; and
- Any land disturbance activity that adds to or changes the amount of impervious or partially impervious cover on a land area or which otherwise decreases the infiltration of precipitation into the soil.

DEVELOPMENT (RELATED TO SPECIAL FLOOD HAZARD AREA PROTECTION STANDARDS)

For the purposes of Section 13.05: Special Flood Hazard Area Protection Standards, any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or storage of equipment or materials.

DIAMETER AT BREAST HEIGHT (DBH)

The diameter of a tree taken at four and one-half feet from mean ground level.

DISTURBANCE

Removal of vegetative cover, including clearing, grading, filling, and excavating of the land surface.

DRAINAGE

The outflow of water or other fluid from a site whether by natural or artificial means.

DRAINAGEWAY

A natural or artificial channel with or without perceptively defined beds and banks to which surface run-off gravitates and collectively forms a flow of water continuously or intermittently in a definite direction.

DRIP LINE

A vertical line that extends from the outermost branches of a tree's canopy to the ground around the circumference of the tree.

DRIVEWAY

A private way, other than a street or alley, that provides access to parcels for the use of vehicles and pedestrians.

DWELLING OR DWELLING UNIT

A separate, complete housekeeping unit that has its own kitchen, sleeping area, and full bathroom facilities, but not including hotels, motels, tents, recreational vehicles, or boarding or lodging houses.

DWELLING UNIT, ACCESSORY

A separate, complete dwelling unit that has its own kitchen, sleeping area, and full bathroom facilities

DWELLING UNIT, ACCESSORY COMMERCIAL

A separate, complete dwelling unit with a kitchen, sleeping area, and full bathroom facilities that is associated with a commercial use.

DWELLING, MULTI-FAMILY

A building designed to incorporate two or more dwelling units, where the dwelling unit exceeds the size limits of an accessory dwelling unit and where the dwelling unit is totally separated from the other by a wall or a ceiling.

DWELLING, PRINCIPAL

A dwelling or series of attached dwellings that serve as the principal use on a specific parcel.

DWELLING, SINGLE-FAMILY

A building designed for or used exclusively for residential purposes by one family or housekeeping unit.

DWELLING, SINGLE-FAMILY ON PARCELS OF RECORD

A single-family dwelling located on an individual lot of record.

EASEMENT

Authorization in writing by a property owner for another party to use for a specified purpose any designated part of his property.

EDUCATIONAL FACILITY

Buildings or structures that may include primary schools, elementary schools, middle schools, or high schools. See also the definition of "Educational Facility, Higher."

EDUCATIONAL FACILITY, HIGHER

Public or private schools conducting regular academic instruction at the college level, including graduate schools, universities, community and junior colleges, colleges, non-profit research institutions, and seminaries which may also include related instructional and recreational uses with or without living quarters, dining rooms, restaurants, heating plants and other incidental facilities for students, teachers and employees.

EFFLUENT (RELATED TO NONTRADITIONAL WASTEWATER TREATMENT AND DISPOSAL SYSTEMS)

The treated wastewater discharged from a wastewater treatment system and applied to the disposal site(s).

ELEVATED BUILDING

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

EMERGENCY FLOOD INSURANCE PROGRAM OR EMERGENCY PROGRAM

The program as implemented on an emergency basis in accordance with Section 33 USC 1336 of the Federal Water Pollution Control Act. It is intended as a program to provide a first layer amount of insurance on all insurable structures before the effective date of the initial FIRM.

ENTERTAINMENT ESTABLISHMENT

Indoor continuous entertainment activities such as game arcades, video and pinball parlors, pool halls, indoor firing ranges, and similar types of uses, movie theaters, and similar uses.

EQUESTRIAN FACILITIES

Commercial facilities for the boarding or training of equine owned by persons other than the property owner, which may include stalls, feeding areas, paddocks, haylofts, corrals, and other similar exercise, instructional, or performance areas.

EROSION

The removal of soil particles by the action of water, wind, ice or other geological agents, whether naturally occurring or acting in conjunction with or promoted by anthropogenic activities or effects.

EROSION (RELATED TO SPECIAL FLOOD AREA PROTECTION STANDARDS)

For the purposes of Section 13.05: Special Flood Hazard Area Protection Standards, "Erosion" shall be the process of the gradual wearing away of land masses.

EXISTING CONSTRUCTION

Any structure for which the start of construction commenced before the effective date of the initial floodplain management code or resolution adopted by the community as a basis for that community's participation in the National Flood Insurance Program.

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION

A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management code or resolution adopted by the County as a basis for the County's participation in the National Flood Insurance Program.

EXISTING STRUCTURES

See "Existing Construction."

EXPANSION

An increase in the size of an existing structure or use, including physical size of the land, building, parking, or other improvements or structures.

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION

The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FAA
The Federal Aviation Administration or its duly designated and authorized successor agency.

FAÇADE
The exterior wall on the front, side, or rear elevation of the building regardless of whether the building side faces a street.

FALL ZONE
The radius surrounding a tower which is measured by taking the proposed height of a tower and adding any additional height required to accommodate any proposed antennas or any other appurtenances. For the purposes of a Wind Energy Turbine (WET), the fall zone is the area within which there is a potential hazard from falling debris (such as ice) and, in the case of towers, shall not be less than a radius equal in distance to the total height of the WET. The area within the fall zone shall be under the legal care, custody, and control of the WET applicant.

FAMILY
One or more persons related by blood, marriage, adoption, or guardianship (including foster care), and in addition to and including up to five other unrelated persons, occupying a dwelling unit and living as a single housekeeping unit.

FAMILY CHILD CARE HOME
Any place or facility that is operated by any person or entity that provides child care for three or more hours per day for at least five children but not more than seven children who are not related to the primary caregiver; provided, that the maximum number of children present in the family child care home, including related children of the primary caregiver shall not exceed 12, with the exception that, if the family child care home is operated in the occupied residence of the primary caregiver, children related to the primary caregiver nine years of age or older will not be counted in determining the maximum number of children permitted to be present in a Family Child Care Home if those children are provided a separate space from that occupied by the family child care home.

FARM
See definition of "Agricultural."

FARM WINERIES
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.

FCC
The Federal Communications Commission or its duly designated and authorized successor agency.

FENCE
An artificially constructed barrier of wood, masonry, stone, wire, metal, or other manufactured material or combination of materials erected to enclose, screen, or separate areas.

FILL MATERIAL
See definition of "Acceptance of Fill Material."

FILLING
The depositing on land, whether submerged or not, of sand, gravel, earth, or other materials of any composition whatsoever.

FINAL PLAT

A map or plan of record of a subdivision and any accompanying material, as described in the Williamson County Subdivision Regulations.

FIREWORK SALES

A business that sells fireworks for a temporary period of time.

FIRM

See "Flood Insurance Rate Map."

FLOOD OR FLOODING

A general and temporary condition of partial or complete inundation of normally dry land areas from:

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

FLOOD ELEVATION DETERMINATION

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

FLOOD ELEVATION STUDY

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

FLOOD HAZARD BOUNDARY MAP (FHBM)

An official map of a community, issued by FEMA, where the boundaries of areas of special flood hazard have been designated as Zone A.

FLOOD INSURANCE RATE MAP (FIRM)

An official map of a community, issued by FEMA, delineating the areas of special flood hazard or the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY

The official report provided by FEMA, evaluating flood hazards and containing flood profiles and water surface elevation of the base flood.

FLOOD PROTECTION SYSTEM

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

FLOODPLAIN ADMINISTRATOR

The floodplain administrator for Williamson County shall be the County Engineer.

FLOODPLAIN MANAGEMENT

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

FLOODPLAIN OR FLOODPRONE AREA

Any land area susceptible to being inundated by water from any source (See definitions "Flood" or "Flooding".).

FLOODPROOFING

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

FLOOD-RELATED EROSION

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

FLOOD-RELATED EROSION AREA MANAGEMENT

The operation of an overall program of corrective and preventive measures for reducing flood-related erosion damage, including but not limited to emergency preparedness plans, flood-related erosion control works and floodplain management regulations.

FLOOD-RELATED EROSION AREA OR FLOOD-RELATED EROSION PRONE AREA

A land area adjoining the shore of a lake or other body of water, which due to the composition of the shoreline or bank and high water levels or wind-driven currents, is likely to suffer flood-related erosion damage.

FLOODWAY

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

FLOOR

The top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction.

FLOOR AREA

The sum of the gross floor area for each of a building's stories measured from the interior wall dimensions. The floor area of a building includes basement floor area. Attic floor area is included only if the attic area meets the Williamson County Building Code standards for habitable floor area. Not included are cellars and unenclosed porches or any floor space in an accessory building or in the principal building which is designed for the parking of motor vehicles in order to meet the parking requirements of this Ordinance. The definition of floor area does not include the area of a garage designed for the parking of motor vehicles in order to meet the parking requirements of this Ordinance.

FOOTCANDLE

A unit of illumination produced on a surface, all points of which are one foot from a uniform point source of one standard candle.

FOOTPRINT

The area of a building measured from the exterior surface of the exterior walls at grade level where a building is elevated above grade level.

FREEBOARD

A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, blockage of bridge or culvert openings, and the hydrological effect of urbanization of the watershed.

FREEWAY

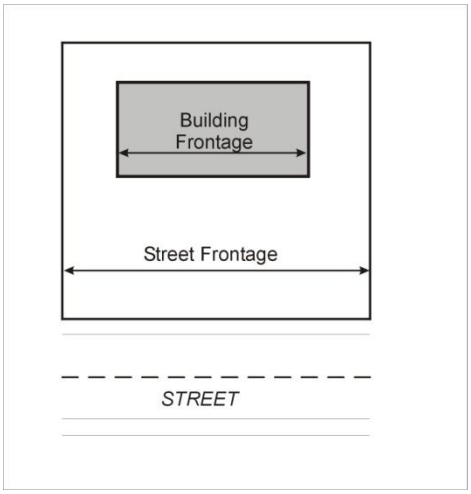
Arterial highways with restricted or limited access, (e.g., Interstate-65, Interstate-40, the Natchez Trace, and State Route-840) as established in the Williamson County Major Thoroughfare Plan.

FRONT FAÇADE

That façade of a building that abuts the required front yard.

FRONTAGE, BUILDING

The length of an enclosed building facing a public or private street.



FRONTAGE, STREET

The distance along which a property line of a lot adjoins a street.

FUNCTIONALLY DEPENDENT USE

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

FUNERAL HOME

An establishment that provides human funeral services, including embalming and memorial services. Crematories are accessory uses to a funeral home.

GARAGES AND CARPORTS

A building, or part thereof, used or intended to be used for the parking and storage of motor vehicles that includes, at a minimum, a roof on supporting walls or columns.

GENERAL INDUSTRIAL SERVICES

Establishments providing industrial services to individuals or businesses that may include welding shops, machinery repair, cleaning services, and other business or industrial related services.

GLARE

The effect from a light source with an intensity sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

GOLF COURSE

A tract of land laid out with at least nine holes for playing the game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse (with or without eating facilities), shelters, a driving range, putting green, maintenance facilities, an irrigation system, and outdoor storage of materials and equipment.

GOLF DRIVING RANGE

A driving range is a limited area on which players do not walk, but onto which they drive golf balls from a common driving tee.

GOVERNMENT MAINTENANCE, STORAGE, OR DISTRIBUTION FACILITY

A facility housing government shops, maintenance and repair centers, equipment, and outdoor storage yards.

GOVERNMENT OFFICE

An office of a governmental agency that provides administrative and/or direct services to the public, such as, but not limited to, employment offices, public assistance offices, or motor vehicle licensing and registration services.

GRADE

The average level of the finished surface of the ground.

GRADING

Any operation or occurrence by which the existing site elevations are changed; or where any ground cover, natural or man-made, is removed, or any watercourse or body of water, either natural or man-made, is relocated on any site, thereby creating an unprotected area. This includes stripping, cutting, filling, stockpiling, or any combination thereof, and shall apply to the land in its cut or filled condition.

GREENHOUSE, ACCESSORY TO A RESIDENTIAL USE

An enclosed building, permanent or portable, that is largely constructed of glass, glasslike or translucent material, cloth, or lath, which is devoted to the protection or cultivation of flowers and other small plants and which is accessory to a residential use.

GROCERY STORE

An establishment engaged in retail and/or wholesale sale of food, foodstuffs, sundries, or other common household items to members of the public.

GROSS DENSITY

See "Density."

GROUP CHILD CARE HOME

Any place or facility operated by any person or entity that provides child care for three or more hours per day for at least eight children who are not related to the primary caregiver; provided, however, that the maximum number of children present in a group child care home, including those related to the primary caregiver, shall not exceed 12 children, with the exception that, if the group child care home is operated in the occupied residence of the primary caregiver, children related to the primary caregiver nine years of age or older will not be counted in determining the maximum number of children permitted to be present in a group child care home, if those children are provided a separate space from that occupied by the group child care home; and, provided, further, that up to three additional school age children, related or unrelated to the primary caregiver, may be received for child care before and after school, on school holidays, on school snow days and during summer vacation.

HAUL ROAD

Any road constructed, improved, or used by the operation (except public roads) that ends at the pit or mine and which is located within the permitted area.

HEAVY INDUSTRIAL USES

Manufacturing or other enterprises with significant external effects (e.g., significant outdoor manufacturing or storage) or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, and other hazardous materials. Examples of such uses include the manufacturing of alcoholic beverages, processing of meat products, processing of chemicals, petroleum, or coal products, manufacturing of rubber and plastics, leather tanning, and manufacturing of stone, clay, glass, and metal products. Other uses include the manufacturing of electrical distribution equipment, railroad yards, processing of asphalt, and transportation related industries.

HEIGHT (RELATED TO WIRELESS TELECOMMUNICATION FACILITIES)

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 height of an existing tower that exceeds the height limitations of this Ordinance, shall be considered an extension, and shall be required to meet the permitting requirements for said extension.

HEIGHT, BUILDING

The vertical distance, as measured in stories, from the average ground elevation to the highest point of a building or structure. See Section 23.03:(E): Height Measurement and Exceptions.

HIGHEST ADJACENT GRADE

The highest natural elevation of the ground surface, prior to construction, adjacent to the proposed walls of a structure.

HIGHWAY COMMISSION

The Williamson County, Tennessee, Highway Commission.

HILLTOPS AND RIDGETOPS

Hilltops and ridgetops are areas of land with a slope of less than 15 percent, located directly above moderately steep and/or very steep slope areas, and that are completely surrounded by such steep slope areas. See Figure 13.03-A: Hilltops and Ridgetops.

HISTORIC SITE

A site that contains any structure or site listed on the National Register of Historic Places, and/or contains historic, dry-laid stone walls, cemeteries, archaeological sites, or vestiges of early human habitation.

HISTORIC STRUCTURE (RELATED TO SPECIAL FLOOD HAZARD AREA PROTECTION STANDARDS)

Historic structure shall mean any structure that is:

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

HOLDER
The individual, corporation, or other entity that holds a Zoning Certificate issued under this Zoning Ordinance.

HOME OCCUPATION
A business, occupation, or profession for financial gain or profit that is incidental to a residential dwelling, operated by a resident occupant of the dwelling unit and which occupation is clearly incidental to and accessory to the residential use of the property.

HOSPITAL
An institution which provides inpatient and outpatient medical and/or surgical care to sick or injured persons.

HOTEL
A building in which temporary lodging, with or without meals, is offered for compensation and in which there are individual sleeping rooms. Such use shall not include "Bed and Breakfast Establishments."

HOUSEKEEPING UNIT
One or more persons occupying a dwelling unit and living as a single group, and doing their own cooking on the premises as distinguished from a group occupying a bed and breakfast establishment or hotel.

IMPERVIOUS SURFACE
Impervious surfaces are those which do not absorb water.

INNER AND OUTER APPROACH SURFACE
A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of each runway based upon the type of approach available or planned for that runway end.

- The inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of:
  - 1,250 feet for that end of a utility runway with only visual approaches;
  - 1,500 feet for that end of a runway other than a utility runway with only visual approaches;
  - 3,500 feet for that end of a non-precision instrument runway other than utility, having visibility minimums greater than three-fourths of a statute mile;
  - 2,000 feet for that end of a utility runway with a non-precision instrument approach;
  - 4,000 feet for that end of a non-precision instrument runway, other than utility, having a non-precision instrument approach with visibility minimums as low as three-fourths of a statute mile; and
  - 16,000 feet for precision instrument runways.
- The approach surface extends for a horizontal distance of:
  - 5,000 feet at a slope of 20/1 for all utility and visual runways;
  - 10,000 feet at a slope of 34/1 for all non-precision instrument runways other than utility; and,
  - 10,000 feet at a slope of 50/1 with an additional 40,000 feet at a slope of 40/1 for all precision instrument runways.
- The outer width of an approach surface to an end of a runway will be that width prescribed in this Ordinance for the most precise approach existing or planned for that runway end.

INSTITUTIONAL SINGLE-FAMILY HOME (1-8 RESIDENTS)

A home in which eight or fewer unrelated mentally retarded, mentally handicapped or physically handicapped persons reside, and may include three additional persons acting as houseparents or guardians, who need not be related to each other or to any of the mentally retarded, mentally handicapped or physically handicapped persons residing in the home. If such home is operated on a commercial basis, it shall be classified as a "Residential Institutional" use type, subject to applicable standards.

INTERMITTENT STREAM

Natural or man-made watercourses that cease to flow for sustained periods during a normal rainfall year (typically during the late summer or fall months).

INTERPRETATION

A formal request, submitted in writing to the Planning Director, requesting a written Interpretation in accordance with Article 9: Interpretations.

JUNK

Means old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, waste, or junked, dismantled or wrecked automobiles, or parts of junked, dismantled or wrecked automobiles, iron, steel, and other old or scrap ferrous or nonferrous material.

JURISDICTIONAL WETLAND

An identified wetland area subject to jurisdiction of any Federal or State regulation.

KARST BUFFER AREA

An area surrounding a karst feature intended to protect the natural resource and the surrounding development from the safety hazards related to karst features.

KARST FEATURES

Karst features shall include, but are not limited to, closed topographic depressions, soil dropouts in solution enlarged joints, exposed solution enlarged joints, sinking streams, groundwater seeps, sinkholes, surface depressions and caves.

LAND DISTURBANCE PERMIT

A permit to allow for the cutting, disturbing, filling, moving of earth, or other land disturbing activities as regulated by the Williamson County Storm Water Management Regulations.

LAND DISTURBING ACTIVITY

An activity on property that results in a change in the existing soil cover, both vegetative and non-vegetative, and/or the existing soil topography. Land disturbing activities include, but are not limited to, development, redevelopment, demolition, construction, reconstruction, clearing, grading, filling, and excavation.

LAND USE PLAN

See "Comprehensive Plan."

LANDFILL, PRIVATE

A privately owned facility, other than a land application unit, where solid wastes are disposed of by burial in excavated pits or trenches or by placement on land and covering with soil or other approved material.

LANDSCAPING PLAN

A plan that demonstrates how a proposed development will comply with the provisions of Article 15: Landscaping and Bufferyards of this Ordinance.

LEVEE

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

LEVEE SYSTEM

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

LEVEL OF SERVICE (LOS)

A measure of effectiveness by which traffic engineers determine the quality of service on elements of a transportation network.

LIGHT INDUSTRIAL USES

A use engaged in the manufacturing, production, processing, fabrication, assembly, treatment, repair, or packaging of finished products, predominately from previously prepared or refined materials (or raw materials that do not need refining). Such uses may include assembly of component parts and the creation of products for sale to wholesale or retail markets or directly to consumers. Such uses are wholly confined within an enclosed building, do not include processing of hazardous gases and chemicals, and do not emit noxious noise, smoke, vapors, fumes, dust, glare, odor, or vibration. Examples may include research and development facilities, production assembly, manufacturing of electronic instruments or components, manufacturing of wood products, furniture, and apparel, printing and publishing businesses, preparation of food products (e.g., non-retail bakery), and pharmaceutical manufacturing.

LIQUOR STORE

An establishment licensed by the State exclusively for the retail sale of alcoholic beverages, excluding beer, in original packages for consumption off the premises where sold.

LOADING SPACE

A space designed and located on lot for the temporary parking of commercial vehicles while loading or unloading merchandise or materials.

LOT

A parcel of land that is part of a plat, legally recorded in the Williamson County Register of Deeds, occupied or intended to be occupied by a principal use or structure.

LOT AREA

The area contained within the boundary lines of a lot.

LOT LINE

See "Property Line."

LOT OF RECORD

See "Parcel of Record".

LOT WIDTH

Lot width is the distance between the side property lines measured along the front property line and shall be maintained to the minimum front yard setback line. See Figure 23.04-A.

LOT, CORNER

A lot abutting two or more streets at their intersection. See Figure 23.04-A.

LOT, DOUBLE FRONTAGE

A lot which has a front line abutting on one street and a back or rear lot line abutting on another street. See Figure 23.04-A.

LOT, FLAG

A lot consisting of two distinct portions:

- The flag, which comprises the main body of the lot and which includes the lot's building envelope; and
- The flagpole, which connects the flag portion of the lot to the road and which, at any point, is less than the minimum lot width for the zoning district in which it is located. See Figure 23.04-A.

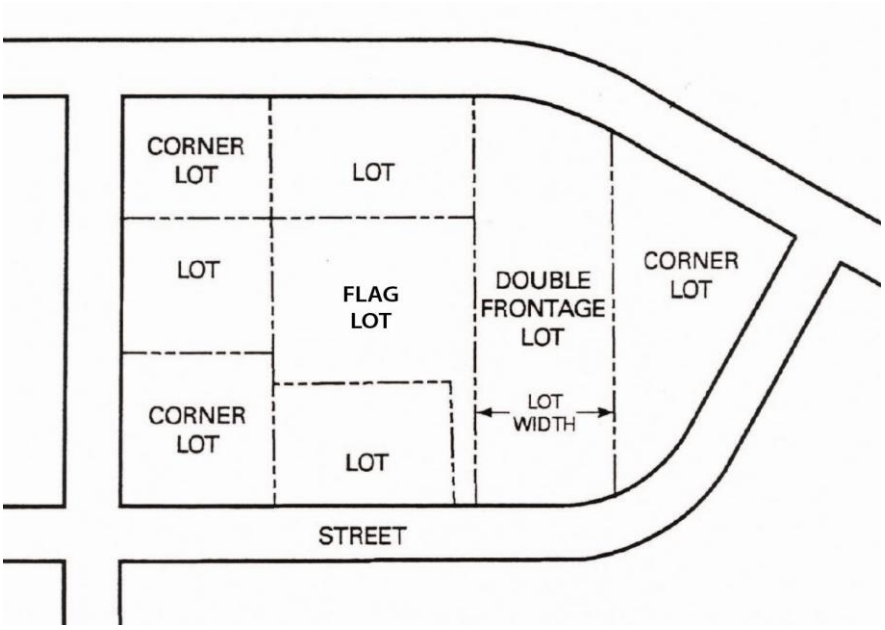


Figure 23.04-A: Illustration of lot configurations and types.

LOT, NONCONFORMING

A lot, the area, dimensions, or location of which were lawful prior to the effective date of this Ordinance, which no longer conforms to the dimensional standards because of an amendment to this Ordinance.

LOWEST FLOOR

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

LUMINAIRE

A complete lighting unit consisting of one or more lamps, together with the components designed to distribute the light, to position and protect the lamps, and to connect the lamps to the electrical power supply. Luminaire shall not include the light pole or sign support structure used to support the luminaire.

MAINTENANCE GUARANTEE OR BOND

A guarantee of facilities or work to ensure the correction of any failures of any improvements required pursuant to this Ordinance or to maintain same.

MANUFACTURED HOME

A factory-manufactured dwelling designed for and occupied by not more than one family or housekeeping unit that consists of sections constructed on two or more chassis, meeting the minimum standards of HUD specifications and mounted on a permanent foundation.

MANUFACTURED HOME (RELATED TO SPECIAL FLOOD HAZARD AREA PROTECTION STANDARDS)

For the purposes of Section 13.05: Special Flood Hazard Area Protection Standards, a structure, transportable in one or more sections, which is built on a permanent chassis and designed for use with or without a permanent foundation when attached to the required utilities. The term Manufactured Home does not include a Recreational Vehicle.

MANUFACTURED HOME PARK OR SUBDIVISION

A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MAP (RELATED TO SPECIAL FLOOD HAZARD AREAS)

The Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by FEMA.

MEAN SEA LEVEL

The average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For the purposes of this Ordinance, the term is synonymous with the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

MEDICAL OR DENTAL CLINIC

Office or clinic uses concerned with the diagnosis, treatment, and care of human beings related to medical or dental. This definition does not include hospitals or outpatient facilities.

MINING OPERATION

The process of obtaining sand, gravel, rock aggregate, clay or similar materials from an open excavation in the earth for financial gain.

MIXED USE/MULTI-TENANT DEVELOPMENT

Development of a lot or structure with two or more different principal uses or nonresidential tenants.

MOBILE HOME

A transportable, factory-manufactured dwelling designed for and occupied by not more than one family or housekeeping unit that is constructed as a single self-contained unit and mounted on a single chassis. All mobile homes shall meet minimum standards of HUD specifications.

MOBILE HOME PARK

A development containing mobile home lots for sale or for rent, including mobile home subdivisions.

MOBILE HOME PLOT

The portion of a mobile home park dedicated for occupation by a single mobile home that shall include the mobile home stand and any private yard space dedicated to such mobile home.

MOBILE HOME STAND

That part of a mobile home lot that has been reserved for the placement of a mobile home.

MODERATELY STEEP SLOPES

Steep slope areas are areas where the slope is between 15 and 25 percent.

MODIFICATION OR MODIFY (RELATED TO WIRELESS TELECOMMUNICATION FACILITIES)

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.

MODULAR HOME

A dwelling unit constructed on-site in accordance with the applicable building code and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. Such home shall be deemed a single-family dwelling if it meets all other applicable requirements of this Ordinance. Modular homes shall meet the specifications of Southern Building Code Congress and/or the Tennessee Modular Building Code, and mounted on a permanent foundation.

MOTORIZED CART

A motor vehicle having no less than three wheels and an unladen weight of 1,300 pounds or less that cannot operate at more than 20 miles per hour (e.g., golf carts).

NATIONAL GEODETIC VERTICAL DATUM (NGVD)

As corrected in 1929, a vertical control used as a reference for establishing varying elevations within the floodplain.

NEW CONSTRUCTION (RELATED TO SPECIAL FLOOD HAZARD AREA PROTECTION STANDARDS)

Any structure for which the start of construction commenced on or after the effective date of the initial Floodplain Management Resolution and includes any subsequent improvements to such structure.

NEW MANUFACTURED HOME PARK OR SUBDIVISION

A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of this Ordinance or the effective date of the initial Floodplain Management Resolution and includes any subsequent improvements to such structure.

NIER (RELATED TO WIRELESS TELECOMMUNICATION FACILITIES)

Non-Ionizing Electromagnetic Radiation.

NONCONFORMITY

A nonconforming use, structure, parcel of record, site feature, or sign.

NON-PROFIT ORGANIZATION

Any charitable or not-for-profit organization, corporation, or trust whose purposes include or encompass protecting natural, scenic, or open space values of real property, assuring its availability for agricultural, forest, recreational, or open space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving sites or properties of historical, architectural, archaeological, or cultural significance.

NONTRADITIONAL WASTEWATER DISPOSAL SITE (RELATED TO NONTRADITIONAL WASTEWATER TREATMENT AND DISPOSAL SYSTEMS)

The primary land or parcel used for the land disposal of effluent. The wastewater disposal site or sites shall be restricted in their usage to only effluent disposal.

NONTRADITIONAL WASTEWATER TREATMENT AND DISPOSAL SYSTEMS (RELATED TO NONTRADITIONAL WASTEWATER TREATMENT AND DISPOSAL SYSTEMS)

These uses are designed to collect and treat raw wastewater, and store treated wastewater from nonresidential or residential uses and to utilize land to dispose of the treated effluent. The system includes all components, such as treatment mechanisms and methodologies, collection lines, tanks, pump stations, storage ponds and disposal systems.

NONTRADITIONAL WASTEWATER TREATMENT SYSTEM (RELATED TO NONTRADITIONAL WASTEWATER TREATMENT AND DISPOSAL SYSTEMS)

The wastewater system used to collect, treat and store the wastewater. The system includes all components such as collector lines, septic tanks, pump stations, treatment unit and storage ponds.

NORTH AMERICAN VERTICAL DATUM (NAVD)

As corrected in 1988, a vertical control used as a reference for establishing varying elevations within the floodplain.

NURSERY

An enterprise which conducts the retail and wholesale sale of plants.

OFFICES

Establishments providing executive, management, administrative, or professional services including, but not limited to, real estate, architecture, legal, travel, employment, advertising, design, engineering, accounting, and similar uses.

OFFICIAL ZONING MAP

The Official Zoning Map of Williamson County, Tennessee.

OPEN SPACE SET-ASIDE

Land or water areas retained for use as active or passive recreation areas or for resource protection in an essentially undeveloped state.

OUTDOOR DISPLAYS AND SALES

The placement of products or materials for sale outside of a retail or wholesale sales establishment.

OUTDOOR STORAGE

The keeping, in an unroofed area, of any goods, junk, material, merchandise, or vehicles in the same place for more than 24 hours.

OUTPATIENT FACILITY

A facility where patients, who are not lodged overnight, are admitted for examination and treatment by one person or a group of persons practicing any form of the healing arts, whether such persons be medical doctors, chiropractors, osteopaths, chiropodists, naturopaths, optometrists, or any such profession, the practice of which is regulated by the State.

OWNER (RELATED TO NONTRADITIONAL WASTEWATER TREATMENT AND DISPOSAL SYSTEMS)

Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity, excluding homeowners' associations or other trust indentures, having legal title to or sufficient proprietary interest in the wastewater treatment and disposal systems described in this Ordinance in Article 20: Nontraditional Wastewater Treatment and Disposal Systems.

PARCEL

Any legally described piece of land that is created by a partition of land, subdivision, deed, or other instrument recorded with the Williamson County Register of Deeds. See also the definitions of "Lot" and "Site."

PARCEL OF RECORD

Any validly recorded lot which at the time of its recordation complied with all applicable laws, ordinances, and regulations.

PARKING AISLE

A vehicular traffic way or lane within an off-street parking area, used as means of ingress/egress from parking spaces.

PARKING AREA

The entire paved area that encompasses all parking spaces and the parking aisles that provide access to those spaces but that does not include the entry drive or driveway with no direct access to a parking space.

PARKING SPACE

An off-street space available for the parking of one motor vehicle conforming to the standards of this Ordinance.

PARKS OR GENERAL OPEN SPACE

Land used for recreation, exercise, sports, education, rehabilitation, or similar activities, or a land area intended to enhance the enjoyment of natural features or natural beauty, specifically excluding commercially operated amusement parks. Also included are passive recreational uses including but not limited to, arboretums, areas for hiking, nature areas, and wildlife sanctuaries.

PASSIVE RECREATIONAL USES (OPEN SPACE)

Areas used for recreational and/or educational pursuits, which can be carried out with little alteration or disruption to the area in which they are performed. Such uses may include but are not limited to walking, jogging, biking, picnicking, fishing, preservation of natural areas and scenic resources, parks, environmental education, and wildlife habitat protection.

PERFORMANCE GUARANTEE OR BOND

A financial guarantee to ensure that all improvements, facilities or work required by this Ordinance will be completed in compliance with the Ordinance, regulations and the approved plans and specifications of a development.

PERMIT (RELATED TO WIRELESS TELECOMMUNICATION FACILITIES)

The official document 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.

PERSON

Any individual, corporation, government agency, government official, business trust, partnership, association, two or more persons having a joint interest, or any other legal entity.

PERSONAL SERVICE ESTABLISHMENTS

Establishments that are primarily engaged in providing services generally involving the care of the person or person's possessions. Personal services may include, but are not limited to, laundry and dry-cleaning services, barber shops, beauty salons, health and fitness studios, music schools, informational and instructional services, tanning salons, and portrait studios.

PLANNING COMMISSION

The Williamson County Regional Planning Commission.

PLATTED SUBDIVISION

A subdivision that has been formally recorded by the Williamson County Register of Deeds.

PRELIMINARY PLAT

The preliminary drawing or drawings, required as part of the subdivision process, indicating the manner or layout of the subdivision to be submitted to the Planning Commission for approval.

PRIMARY SURFACE

For the purposes of public or private airports, landing strips, and heliports, the primary surface shall be a surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; but when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The width of a primary surface is:

- 250 feet for utility runways having only visual approaches.
- 500 feet for utility runways having non-precision instrument approaches.
- For other than utility runways the width is:
  - 500 feet for visual runways having only visual approaches.
  - 1,000 feet for a non-precision instrument runway having non-precision instrument approach with visibility minimums as low as three-fourths of a statute mile, and for precision instrument runways.
  - 500 feet for non-precision instrument runways having visibility minimums greater than three-fourths of a statute mile.

The width of the primary surface of a runway will be that width prescribed in this Ordinance for the most precise approach existing or planned for either end of that runway.

PRIVATE RECREATIONAL CENTERS

A recreational facility or club that is exclusively for the use of residents of a subdivision or development that may include swimming pools, tennis courts, clubhouses, and putting greens. Such use does not include "Golf Courses" and "Driving Ranges," nor, does it include any type of "Recreational and Athletic Facilities" use.

PRODUCE STAND/SEASONAL SALES

A temporary structure or vehicle used in the sale of agricultural products such as fruits, vegetables, and juices where such facilities may sell agricultural products not grown on site. Seasonal sales, including the sale of such items as Christmas trees, pumpkins, seasonal produce, and similar agricultural products, which may be permitted on a temporary basis pursuant to Section 11.05: Temporary Uses and Structures.

PROPERTY LINE

A line of record bounding a lot that divides one lot from another lot, a public right-of-way or any other public or private space. A property line may also be called a "Lot Line."

PROPERTY LINE, FRONT

That boundary of a lot which abuts an existing or dedicated public or private street or easement.

PROPERTY LINE, REAR

The property line that is opposite and most distant from the front property line.

PROPERTY LINE, SIDE

Any property line other than a front or rear property line.

PROPERTY LINE, STREET

See definition of "Property Line, Front."

PUBLIC HEARING

A meeting open to the public advertised in advance in the local printed media, or as otherwise required by statute, concerning proposed ordinances, amendments or other official County business which require public participation and input.

PUBLIC SAFETY SERVICES

Facilities operated by public agencies for the protection of the public that may include fire stations and other firefighting facilities, sheriff and police stations, and emergency medical service facilities.

QUORUM

The minimum number of board members that must be present in order to conduct official business or take official action.

REAL ESTATE SALES OFFICE/MODEL HOME SALES

A dwelling unit temporarily converted into a sales and display office or a temporary sales office established in a development or subdivision for the purpose of providing an example of the units in the development.

REASONABLY SAFE FROM FLOODING

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

RECREATIONAL AND ATHLETIC FACILITIES, INDOOR

Recreational facilities that are contained primarily within an enclosed structure including skate centers, gymnastics schools, indoor ball fields, swimming pools, bowling alleys, fitness centers, racquetball/tennis facilities, etc.

RECREATIONAL AND ATHLETIC FACILITIES, OUTDOOR

Outdoor recreational facilities including, but not limited to, jogging, cycling, tot lots, play-fields, playgrounds, ball fields, outdoor swimming pools, and tennis courts. Private parks and other open space such as youth recreation camps are also considered outdoor recreational and athletic facilities.

RECREATIONAL VEHICLE

A vehicular unit that is designed to be used primarily for recreational purposes. Examples include, but are not limited to, travel trailers, motor homes, boats, snowmobiles, and jet skis. Recreational vehicles shall include any mobile structure designed for temporary occupancy but shall not include mobile homes or manufactured homes. Recreational vehicle shall also include any trailers related to the main vehicle.

RECREATIONAL VEHICLE (RELATED TO SPECIAL FLOOD HAZARD AREA PROTECTION STANDARDS)

For the purposes of Section 13.05: Special Flood Hazard Area Protection Standards, a recreation vehicle which is:

- Built on a single chassis;
- 400 square feet or less when measured at the largest horizontal projection;
- Designed to be self-propelled or permanently towable by a light duty truck; and
- Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

RECYCLING CENTERS

A building in which recyclable material (e.g., paper, glass, plastic, and metal) is collected, processed, and/or baled in preparation for shipment to others who will use those materials to manufacture new products.

RECYCLING DROP-OFF OR OTHER DROP-OFF BOXES

A small collection facility where recyclable materials, clothing, or household goods are purchased or accepted from the public. Typical uses include neighborhood recycling stations and thrift store collection trucks.

REGULATORY FLOODWAY

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

REHABILITATION CENTER

A facility that provides formal, organized services designed to alter specific physical, mental, or social functions of persons under treatment by reducing disability or discomfort. Such facilities also ameliorate the signs or symptoms causing such functions, which may include counseling, vocational, social and/or educational services aimed at restoring the overall well-being, health, and abilities of those being treated.

RELIGIOUS INSTITUTION

A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to facilitate public worship.

REPAIRS OR MAINTENANCE (RELATED TO WIRELESS TELECOMMUNICATION FACILITIES)

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.

RESEARCH AND DEVELOPMENT FACILITIES

An establishment that conducts research, development, or controlled production of high-technology electronic, industrial, or scientific products or commodities for sale or laboratories conducting educational or medical research or testing.

RESIDENTIAL BUSINESS

A business that is accessory to a residential use, is operated by a resident occupant of the property, and is more intensive than a "Home Occupation."

RESIDENTIAL DISPOSAL USE

These uses are designed to collect and possibly store treated residential wastewater received from offsite treatment facilities. These uses utilize land disposal of the treated effluent after it has been treated at a location offsite. The system includes all components such as collection lines, pump stations, storage ponds, and disposal systems. These uses are subject to Site Plan approval by the Planning Commission and may be located on a development property.

RESIDENTIAL INSTITUTIONAL

These uses include group homes, protective living facilities, and sheltered care homes that are not classified as "Institutional Single-Family Homes (1-8 residents)" but that house unrelated persons.

RESTAURANT

An establishment whose principal business is the selling of food and beverages to the customer in a ready-to-consume state, in individual servings. This use type does not include those restaurants serving food and/or beverages to customers in vehicles. See definition of "Restaurant, Drive-In."

RESTAURANT, DRIVE-IN

An establishment whose principal business is the sale of food and/or beverages in a ready-to-consume state. The products sold are usually served in containers that are either edible or made of paper, plastic, or other disposable material. Consumption of the products may be within the restaurant building, a motor vehicle that is parked on the premises or off the premises, in a car or home, or other locations as carry-out services.

RETAIL SALES AND SERVICE, EXTENSIVE

Establishments primarily engaged in the sale of goods and materials to the general public and which have large amounts of exterior services and/or storage areas or in partially enclosed structures. Examples of this use type include lumberyards, building material sales, garden centers, and other similar uses. Extensive sales and service uses shall also include large scale retail establishments that exceed 50,000 square feet in size.

RETAIL SALES AND SERVICE, GENERAL

Establishments primarily engaged in the sale of goods and materials to the general public and which do not have outdoor storage or services, but may have outdoor displays. Examples of this use type may include, but are not limited to, bookstores, antique stores, bakeries, grocery stores, and other similar uses.

RETAINING WALL

A structure that provides lateral support for a mass of soil and that owes it stability primarily to its own weight and to the weight of any soil located directly above its base.

RETIREMENT COMMUNITIES

A development that incorporates a variety of residential and nonresidential use types designed for citizens aged 55 and older. See Section 11.03:(B)(6): Retirement Communities for the residential and nonresidential use types allowed.

RIDGETOP

See definition of "Hilltops and Ridgetops".

RIVERINE

Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

ROAD OR STREET, ARTERIAL

Roads that are intended to provide for connectivity between or within communities or to and from collectors and freeways. For the purposes of this Ordinance, an arterial road or street is any roadway listed as established in the Major Thoroughfare Plan or Table 19.06-2: Arterial Traffic Shed Capacities herein.

ROAD OR STREET, COLLECTOR

Collector roads and streets connect local streets to the highway system's arterial roads or provide access to nonresidential uses and arterial streets as established in the Williamson County Major Thoroughfare Plan.

ROAD OR STREET, LOCAL

A roadway, the main purpose of which is to provide access to abutting residential and nonresidential properties.

ROAD OR STREET, RESIDENTIAL

See definition of "Road or Street, Local."

ROCK QUARRY

An open pit from which building stone, sand, gravel, mineral, or fill is taken to be processed for commercial purposes. See also the definition of "Mining Operation" and "Borrow Pit."

ROTOR

The blades of a Wind Energy Turbine (WET) and the hub to which they are attached.

RUN-IN SHEDS

A three-sided shed that is open on one side to allow for the sheltering or feeding of equine but that does not include any stalls or other components to corral or permanently shelter equine.

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.

RURAL RETREAT – LIMITED

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. No overnight lodging or camping is permitted.

SALVAGE CENTERS

An establishment or place of business that is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard. "Salvage Center" includes scrap metal processors, used auto parts yards, yards providing temporary storage of automobile bodies, or parts awaiting disposal as a normal part of the business operation, when the business will continually have like materials located on the premises, garbage dumps and sanitary landfills; "Salvage Center" does not include a recycling center.

SELF-SERVICE STORAGE

A building or group of buildings in a controlled-access and fenced compound that contains varying sizes of individual, compartmentalized, or controlled-access stalls or lockers for the dead storage of a customer's goods or wares.

SETBACK

The minimum distance a building or structure must be built from a property line or road right-of-way as defined further in Section 23.03: Rules of Measurement.

SHRUB

A woody plant, smaller than a tree, consisting of several small stems emerging from the ground, or small branches near the ground. Shrubs may be deciduous or evergreen.

SIGN

Any words, lettering, figures, numerals, emblems, devices, trademarks or trade names, or any combination thereof, by which anything is made known and which is designed to attract attention or to convey a message.

SIGN FACE

The area or display surface used for the message.

SIGN PERMIT

A permit reviewed and approved, approved with conditions, or denied by the Codes Compliance Director in accordance with Article 7: Sign Permits.

SIGN, AUXILIARY

A sign which provides special information such as direction, price, sales information, hours of operation, or warning.

SIGN, COMMEMORATIVE

A sign, tablet, or plaque commemorating or memorializing a person, event, structure, or site.

SIGN, ENTRANCE

A sign located adjacent to a development's access point and intended to identify the development.

SIGN, GROUND

A detached sign erected upon or supported by the ground, and which is not attached to any building.

SIGN, ILLEGAL

A sign that has been erected without appropriate permits or otherwise in compliance with the requirements of this Ordinance.

SIGN, PROJECTING

A sign, other than a wall sign, which projects perpendicularly from, and is supported by, a wall of a building or structure.

SIGN, ROOF

A sign that is mounted or otherwise located on the roof of a building or that is wholly dependent upon a building for support and projects above the highest point of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof.

SIGN, TEMPORARY

A sign intended to be displayed for a limited period of time that is portable or easily removed and constructed of cloth, canvas, plastic sheet, cardboard, wallboard, inflatable device, or other like materials.

SIGN, WALL OR FAÇADE

A sign fastened to or painted on a wall of a building or structure in such a manner that the wall is the supporting structure for or forms the background surface of the sign and which does not project more than 15 inches from such building or structure.

SITE

A parcel or a series of contiguous parcels that are under the control of one applicant and is subject to an application pursuant to this Ordinance.

SITE AREA

The area of a site, which may contain several contiguous parcels, as determined by an actual on-site survey, less:

- Any land within the current or additional required rights-of-way of existing roads;
- Any land that has been cut-off from the main parcel by a roadway, rail-line, or water course so that common access and use is impossible and where separate uses are not feasible; and
- Any land utilized as a wastewater system, storage lagoon, land disposal and back-up disposal, as defined by Article 20: Nontraditional Wastewater Treatment and Disposal Systems.

SITE PLAN, MAJOR

An application for development subject to administrative review by the Planning Commission in accordance with Section 6.02: Major Site Plan.

SITE PLAN, MINOR

An application for development subject to administrative review by the Planning Director in accordance with Section 6.01: Minor Site Plan.

SKETCH PLAN

A generalized concept plan of subdivision offering information in regard to proposed improvements and natural features of the property in question prepared prior to preliminary plat to save time and expense in reaching general agreement as to the form of the plat and the objectives of this Ordinance and the Williamson County Subdivision Regulations.

SKILLED NURSING FACILITIES

Facility which provides in-patient skilled nursing care and related services to patients who require medical, nursing or rehabilitative services but do not require the level of care provided in a hospital.

SLIPPAGE SOILS

Those soils where the parent material is Colliuvium (e.g. Delrose as classified by the Natural Resources Conservation Service (NRCS)).

SLOPE

The degree of deviation of a surface from the horizontal, usually expressed in percent or degrees.

SMALL-SCALE WIND ENERGY TURBINE (SWET)

A wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics. SWETs shall have a rated capacity of not more that 60 Kilowatts, be intended primarily to produce energy for on-site power consumption and reduce the need to purchase utility power from the grid, and have the ability to sell power back to the grid.

SOLAR PANEL

A structure designed to utilize solar energy as an alternate for, or supplement to, a conventional energy system.

SPECIAL EVENT – EXTENSIVE IMPACT

A temporary use on private property that is not usual or customary for that property and the zoning district in which the subject property is located, and is typified by any one or more of the following:

- Sale of alcoholic beverages;
- Attendance of over 750 people;
- Overnight camping; or
- Exceeds two consecutive days.

SPECIAL EVENT – LIMITED IMPACT

A temporary use on private property that is not usual or customary for that property and the zoning district in which the subject property is located. See also the definition of "Special Event – Extensive Impact."

SPECIAL FLOOD HAZARD AREA

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

SPECIAL HAZARD AREA

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

SPECIAL USE

A use that requires review by the BZA in accordance with Section 5.01: Special Use prior to being permitted in a zoning district.

SPECIALTY EATING OR DRINKING ESTABLISHMENT

Establishments selling specialty food items that normally do not constitute a full meal, including but not limited to ice cream parlors, dessert cafes, snack shops, juice and coffee houses, and bakeries.

STABLE, ACCESSORY TO A RESIDENTIAL USE

Any building, incidental to an existing residential principal use that shelters equine for the exclusive use of the occupants of the premises.

STACKING LANE OR STACKING SPACE

A waiting area for motorists who remain in their vehicles awaiting service at a drive-through establishment.

STADIUMS AND ARENAS

A large open or enclosed space that is not accessory to an educational facility, used for games, concerts, or other major events and partly or completely surrounded by tiers of seating for spectators.

STADIUMS AND ARENAS, ACCESSORY TO AN EDUCATIONAL FACILITY

Stadiums and arenas that are designed to be accessory to an educational facility such as a soccer arena or football stadium associated with a high school.

STATE

The State of Tennessee.

STATE COORDINATING AGENCY (RELATED TO SPECIAL FLOOD HAZARD AREA PROTECTION STANDARDS)

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

STATE OF TENNESSEE OPERATING PERMIT

Permit issued by TDEC granting approval and authority for the operation of a wastewater treatment and disposal system within the State of Tennessee.

STEALTH OR STEALTH TECHNOLOGY

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.

STORY

Part of a building, except a mezzanine, included between the surface of one floor and the surface of the next floor, or if there is no floor above, then the ceiling next above. If the floor level directly above a basement is more than six feet above grade, such basement shall be considered a story.

STREET LIGHTING

Lighting on poles, with either underground or overhead service, along a street for purposes of illuminating public or private rights-of-way.

STREET LINE

See "Property Line, Front."

STRUCTURAL ALTERATION

Any change in the supporting members of a building, such as the bearing walls, beams, or girders, or any change in the dimension or configuration of the roof or exterior walls.

STRUCTURE

Anything constructed, installed, or portable, the use of which requires a location on a parcel of land. This includes a fixed or movable building which can be used for residential, business, commercial, agricultural, or office purposes, either temporarily or permanently. "Structure" also includes, but is not limited to, swimming pools, tennis courts, signs, canopies, cisterns, sewage treatment plants, sheds, and similar accessory construction.

STRUCTURE (RELATED TO SPECIAL FLOOD HAZARD AREA PROTECTION STANDARDS)

A walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

STRUCTURE, NONCONFORMING

A structure or building, the size, dimensions, or location of which were lawful prior to the adoption, revision, or amendment to this Ordinance but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district.

SUBDIVIDER

A person who is acting as an "Applicant" or "Agent" as part of a subdivision application pursuant to the Williamson County Subdivision Regulations.

SUBDIVISION

Any subdivision or re-division of a parcel of land as defined under Tennessee Code Annotated. (Also see the Williamson County Subdivision Regulations.)

SUBSTANTIAL DAMAGE

Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT

Any reconstruction, rehabilitation, addition, alteration or other improvement of a structure in which the cost equals or exceeds 50 percent of the market value of the structure before the start of construction of the initial improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial improvement, or (2) in the case of substantial damage, the value of the structure prior to the damage occurring.

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

SUBSTANTIALLY IMPROVED EXISTING MANUFACTURED HOME PARKS OR SUBDIVISIONS

Where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

SWIMMING POOL

A structure, whether above or below grade level, designed to hold water more than 30 inches deep to be used for recreational purposes.

TCA
The Tennessee Code Annotated.

TDEC
The Tennessee Department of Environment and Conservation (TDEC).

TELECOMMUNICATIONS
The transmission and/or reception of audio, video, data, and other information by wire, radio frequency, light, and other electronic or electromagnetic systems.

TELECOMMUNICATIONS STRUCTURE
A structure used in the process 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.

TEMPORARY ASPHALT, ASPHALT REPROCESSING PLANTS, OR ROCK QUARRIES
Temporary asphalt and asphalt reprocessing plants or rock quarries that are used during the construction and improvement of public streets and roadways.

TEMPORARY SHELTER
A temporary dwelling unit that may be used in connection with the construction of a principal dwelling unit and that is to be removed upon completion of the principal dwelling unit.

TEMPORARY STORAGE IN PORTABLE SHIPPING CONTAINERS
A portable structure or container that allows for storage of goods or materials, on or off-site and which is not permanently affixed to a foundation.

TEMPORARY STRUCTURES RELATED TO INSTITUTIONAL USES
A temporary structure that is related and incidental to a use within the institutional use classification that may include temporary classrooms or storage facilities.

TEMPORARY USE PERMIT
A permit reviewed and approved, approved with conditions, or denied by the Planning Director in accordance with Section 8.02: Temporary Use Permit.

TOP OF BANK
The point of a streambank which coincides with its "bankfull" condition. "Bankfull" shall mean the flow stage of a watercourse in which the stream completely fills its channel and the elevation of the water surface coincides with the bank margins.

TOWER
Any structure designed or used primarily to support an antenna for receiving and/or transmitting a wireless signal. This definition includes monopoles.

TRADITIONAL SUBDIVISION - MAJOR
The division of a tract of land into three or more lots, building sites, or other divisions that does not meet the definition of a "Conservation Subdivision."

TRADITIONAL SUBDIVISION - MINOR
The division of a tract of land into two lots, building sites, or other divisions that does not meet the definition of a "Conservation Subdivision."

TRAFFIC SHED

A land area served by a particular segment of an arterial or collector road. The area and boundary of traffic sheds are determined by the anticipated traffic flow generated by the permitted land uses which will be located in that traffic shed utilizing that particular road segment. Arterial sheds are composed of the collector sheds that contribute to traffic generated by land uses surrounding the particular arterial road segment.

TRANSITIONAL SURFACE

These surfaces extend outward and upward at right angles to the runway centerline and the runway centerline extended at a slope of seven feet horizontal to one foot vertical (7:1 ratio) from the sides of the primary surface and from the sides of the approach surfaces. Transitional surfaces for those portions of the precision approach surface which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at right angles to the runway centerline.

TRASH COMPACTION AND TRANSFER STATIONS

Facilities that receive solid waste for separation (recycling), compaction, and eventual transfer of the waste to a landfill or other appropriate facility.

TRAVEL TRAILERS

A recreational vehicle, intended as a temporary residence, that is towed behind a motor vehicle.

TREE CANOPY

A contiguous area of 10,000 square feet or greater, which consists of the crowns of healthy self-supporting trees with a diameter at breast height (DBH) of three inches or greater.

TREE, CANOPY

A tree that would occupy the upper canopy of a forest in a natural ecological situation. These trees are often referred to as shade trees. Examples include, but are not limited to, beech, hickory, oak, sassafras, maple and tulip.

TREE, EVERGREEN

A tree with foliage that is not dropped, or that remains green throughout the year.

TREE, UNDERSTORY

A tree that would occupy the understory of a forest in a natural ecological situation. These types of trees are often referred to as ornamental trees. Examples include redbud, hazel, alder, holly, hornbeam, dogwood, witch-hazel, etc.

TRIBUTARY AREA

The drainage area upstream of a specified point including all overland flow that directly or indirectly connects down-slope to the specified point.

TRUCK STOP

A facility intended to provide services to the trucking industry including, but not limited to, convenience stores, gasoline sales, overnight parking, restaurants, and truck scales.

UNIT (RELATED TO NONTRADITIONAL WASTEWATER TREATMENT AND DISPOSAL SYSTEMS)

One single family residential unit with the required equivalent to 300 gallons per day per unit.

UNITS PER ACRE

Dwelling units per acre.

USE

Any purpose for which a lot, building, or other structure, or a parcel of land may be designated, arranged, intended, maintained, or occupied; or any activity, occupation, business, or operation carried on or intended to be carried on in a building or other structure or on a parcel of land.

USE, ACCESSORY

A use subordinate to and servicing the principal use or structure on the same parcel and customarily incidental thereto. See Section 11.04: Accessory Uses and Structures.

USE, NONCONFORMING

A use or activity that was lawful prior to the adoption, revision, or amendment of this Ordinance but that fails, by reason of such adoption, revision, or amendment, to conform to the present requirements of the zoning district in which it is located.

USE, PRINCIPAL

The main use of land or buildings as distinguished from subordinate or accessory uses. A principal use may be either permitted or conditional.

USE, TEMPORARY

A use that is established for a fixed period of time with the intent of discontinuing such use upon the expiration of such time. Such uses do not involve the construction or alteration of any permanent structure. Temporary uses may require a Temporary Use Permit or Special Use Approval as established in Section 11.05: Temporary Uses and Structures.

USGS

United States Geological Survey.

UTILITIES

Infrastructure services providing regional or community-wide service that normally entail the construction of new buildings or structures such as water towers, waste treatment plants (other than non-traditional wastewater treatment or disposal facilities), potable water treatment plants, and electrical substations that are not defined more specifically elsewhere in this Ordinance. Utilities are:

- Owned or maintained by public utility companies or public agencies;
- Located in public ways or in easements provided for the purpose, or on a customer's premises and not requiring a private right-of-way;
- Reasonably necessary for the furnishing of adequate water, sewer, gas, electric, communication, or similar services to adjacent customers; and
- Not including any cross-country line on towers, and not in a private right-of-way.

VACATION RENTAL HOME

A single-family dwelling where the entire dwelling is provided to guests for short-term stays of less than 30 days for compensation.

VARIANCE

A deviation from the requirements of this Ordinance that is approved, approved with condition, or denied by the BZA in accordance with Section 5.02: Variance.

VEHICLE WASHING ESTABLISHMENT

The use of a site for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment.

VEHICLE, RECREATIONAL

A vehicle that is:

- Built on a single chassis;
- 400 square feet or less when measured at the largest horizontal projections;
- Designed to be self-propelled or permanently towable by a light duty truck; and
- Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

VERY STEEP SLOPES

Steep slope areas where the slope exceeds 25 percent.

VIOLATION (RELATED TO SPECIAL FLOOD HAZARD AREA PROTECTION STANDARDS)

The failure of a structure or other development to be fully compliant with the Williamson County floodplain management regulations. A structure or other development without the elevation certificate, other certification, or other evidence of compliance required in this Ordinance is presumed to be in violation until such time as that documentation is provided.

WALL-MOUNTED LIGHTING

An exterior lighting device that is flush-mounted on a vertical wall surface.

WAREHOUSE

A use engaged in storage of manufactured products, supplies, and equipment excluding bulk storage of materials that are flammable or explosive or that present hazards or conditions commonly recognized as offensive.

WASTEWATER DISPOSAL SITE

The primary land or parcel for the land disposal of treated effluent generated by a nontraditional wastewater treatment system. Also includes the required back-up disposal sites as required by this Ordinance. The wastewater disposal site or sites shall be restricted in their usage to only effluent disposal.

WASTEWATER TREATMENT SYSTEM

The wastewater system used to collect, treat and store the wastewater. The system includes all components such as collector lines, septic tanks, pump stations, treatment unit and storage ponds.

WATER SURFACE ELEVATION

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

WATERWAY NATURAL AREA (WNA)

A strip of undisturbed native vegetation, either original or reestablished, that borders streams and rivers, ponds, lakes, wetlands, and springs.

WETLAND

Those areas that are inundated and saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

WILLIAMSON COUNTY MAJOR THOROUGHFARE PLAN

The Williamson County Major Thoroughfare Plan, adopted by the Williamson County Regional Planning Commission.

WILLIAMSON COUNTY STORM WATER MANAGEMENT REGULATIONS

The Storm Water Management Regulations of Williamson County, Tennessee.

WILLIAMSON COUNTY SUBDIVISION REGULATIONS

The Williamson County Subdivision Regulations, adopted by the Williamson County Regional Planning Commission.

WIND ENERGY TURBINE (WET)

Any structure or facility used for the converting of wind energy to electric power, including, but not limited to, towers, blades, motors, transmission wires, buildings, monopoles or other support structures, constructed, installed or operated, or to be constructed, installed or operated.

WIRELESS TELECOMMUNICATIONS FACILITIES

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. This use type includes a "Telecommunications Tower," "Tower," "Telecommunications Site," and "Personal Wireless Facility."

WNA

Waterway Natural Area.

YARD

An open space that lies between the principal structure(s) and the nearest property line.

YARD, FRONT

An open, unoccupied space on a lot, except for accessory structures as herein permitted, that extends between the front property line and the front building line of the principal structure the full distance between the side property lines. See also Section 23.03:(D): Setbacks and Yards for the determination of front yards for corner lots and double frontage lots.

YARD, REAR

An open, unoccupied space on a lot, except for accessory structures as herein permitted, that extends between the rear property line and the rear building line of the principal structure the full distance between the side property lines. See also Section 23.03:(D): Setbacks and Yards for the determination of rear yards for corner lots and double frontage lots.

YARD, SIDE

An open, unoccupied space on a lot, except for accessory structures as herein permitted, that extends between the side property lines and the side building line of the principal structure, between the areas designated as the rear and front yards. See also Section 23.03:(D): Setbacks and Yards for the determination of side yards for corner lots and double frontage lots.

YIELD PLAN

A plan of a subdivision that depicts the maximum number of building lots or dwelling units that could reasonably be built on a parcel of land under the applicable zoning, taking into account resource protection areas.

ZONING CERTIFICATE

A certificate reviewed and approved, approved with conditions, or denied by the Planning Director in accordance with Section 8.01: Zoning Certificate.

ZONING MAP AMENDMENT

An amendment or change to the Official Zoning Map of Williamson County reviewed and decided upon by the County Commission in accordance with Article 4: Official Zoning Map or Zoning Text Amendments.

ZONING TEXT AMENDMENT

An amendment or change to the text of the Williamson County Zoning Ordinance reviewed and decided upon by the County Commission in accordance with Article 4: Official Zoning Map or Zoning Text Amendments.

Appendix of Changes

Listing of Text Amendments

The following table contains all amendments to the text of the document:

ARTICLE	SECTION	SUBSECTION	DESCRIPTION OF CHANGE	DATE OF ADOPTION
10	10.02	I(1)	Revised Entire Purpose and Intent statement	October 8, 2012
10	10.02	I(4)	Removed **Maximum Size Limitations** and Replaced with **Potential Transition to Village (V) District**	October 8, 2012
10	10.02	J(1)	Revised Entire Purpose and Intent statement	October 8, 2012
10	10.02	J(4)	Removed **Maximum Size Limitations** and Replaced with **Potential Transition to Village (V) District**	October 8, 2012
10	10.02	P	**Addition of Standards for Leiper's Fork Village District**	November 13, 2012
11	11.03	D(19)	**Addition of Vacation Rental Home Use**	November 13, 2012
23	23.04		**Addition of Definition for Vacation Rental Home**	November 13, 2012

Listing of Table Amendments

The following table contains amendments to the tables of the document:

ARTICLE	SECTION	TABLE NUMBER AND TABLE TITLE	DESCRIPTION OF CHANGE	DATE OF ADOPTION
10	10.02	10.02-9: Dimensional Standards for the Municipal Growth Area-Hamlet District	Renamed **Maximum Building Size** to **Maximum Size of Individual Commercial and Industrial Buildings**, and replaced of 5,000 square feet maximum building size with sliding scale	October 8, 2012
10	10.02	10.02-10: Dimensional Standards for the Hamlet District	Renamed **Maximum Building Size** to **Maximum Size of Individual Commercial and Industrial Buildings**, and replaced of 5,000 square feet maximum building size with sliding scale	October 8, 2012
1	1.07	1.07-1 Translation to New Zoning Districts	Removed Leiper's Fork Village District as Future and made it a named Zoning District	November 13, 2012
10	10.06	10.06-1: Summary of Dimensional Standards	Addition of Leiper's Fork Village District's Core Subarea and General Subarea Standards	November 13, 2012

ARTICLE	SECTION	TABLE NUMBER AND TABLE TITLE	DESCRIPTION OF CHANGE	DATE OF ADOPTION
10	10.06	10.06-2: Summary Table of Minimum Setbacks	Addition of Leiper's Fork Village District's Core Subarea and General Subarea Standards	November 13, 2012
10	10.06	10.06-3: Summary Table of Minimum Lot Widths	Addition of Leiper's Fork Village District's Core Subarea and General Subarea Standards	November 13, 2012
11	11.01	11.01-1: Table of Allowed Uses	Addition of those uses permitted by-right or by Special Use within the Leiper's Fork Village District	November 13, 2012
11	11.04	11.04-1: Permitted Uses and Structures	Addition of those Accessory Uses or Structures permitted by-right or by Special Use within the Leiper's Fork Village District	November 13, 2012
11	11.05	11.05-1: Permitted Temporary Uses and Structures	Addition of those Temporary Uses or Structures permitted by-right or by Special Use within the Leiper's Fork Village District	November 13, 2012
11	11.01	11.01-1: Table of Allowed Uses	Addition of Vacation Rental Homes as a Use Type under the Visitor Accommodations Use Category within the Commercial Use Classification	November 13, 2012
17	17.06	Table 17.06-1: Minimum Off-Street Parking Standards	Addition of parking requirements for Vacation Rental Homes under the Visitor Accommodations Use Category within the Commercial Use Classification	November 13, 2012

Listing of Map Amendments

MAP NUMBER	DESCRIPTION OF AMENDMENT	DATE AMENDED
27	Parcel referenced by 27O, Group B, Parcel 1 zoned from Neighborhood Conservation to Village (V) to correct a previous mapping error	November 13, 2012
92	Parcels zoned Village (V) changed to Leiper's Fork Village (LFV) after creation of LFV District	November 13, 2012
93	Parcels zoned Village (V) changed to Leiper's Fork Village (LFV) after creation of LFV District	November 13, 2012