

***ZONING RESOLUTION***  
*of*  
***WASHINGTON COUNTY,***  
***TENNESSEE***



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Prepared for  
**THE WASHINGTON COUNTY REGIONAL PLANNING  
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**ZONING RESOLUTION**  
**OF**  
**WASHINGTON COUNTY, TENNESSEE**

**TITLE OF RESOLUTION**

A resolution establishing zone districts within the unincorporated territory of Washington County, Tennessee, regulating the uses of property therein, adopting a map of said districts, requiring zoning permits for the construction and use of buildings and premises within said districts, establishing the office of Zoning Administrator or Designee, establishing a board of zoning appeals and fixing the powers and duties thereof, and providing for the adjustment, enforcement, and penalties for violation of this resolution.

This resolution shall be known as the "Zoning Resolution of Washington County, Tennessee." The map herein referred to which is identified by the title "Zoning Map of Washington County, Tennessee," dated July 5, 2011, and all explanatory matter thereon are hereby adopted and made a part of this resolution.

**AUTHORITY FOR RESOLUTION**

WHEREAS, authority has been conferred by the State Legislature in Section 13-7-101 through Section 13-7-119, Tennessee Code Annotated, to provide for the establishment of district or zones in portions of Washington County which lie outside the limits of municipal corporations for the location, height, and size of buildings and structures, the percentage of lot occupancy, the required open spaces, the density and distribution of population, and the uses of lands, buildings, and structures, and

WHEREAS, the Washington County Planning Commission, after a comprehensive study of present land uses, development, and development trends, has prepared, adopted, and recommended zones and appropriate regulations to which all owners of property affected were given ample opportunity, after public notice to file their protests or criticisms thereon, if any.

NOW, THEREFORE, Be it resolved by the Washington County Board of Commissioners as follows:

# **ARTICLE I**

## **GENERAL PURPOSE**

For the purpose of promoting the public health, safety, morals, convenience, order, prosperity, or general welfare of Washington County, Tennessee, and to lessen congestion in the streets, to secure safety from fire, flood, panic and other dangers, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provisions of transportation, water, sewerage, schools, parks, and other public requirements; to promote desirable living conditions and the sustained stability of neighborhoods, protecting property against blight and depreciation, securing economy in governmental expenditure, concerning the value of building and encouraging the most appropriate use of lands, buildings, and other structures throughout the county, all in accordance with the Land use and Transportation Plan, The Washington County Growth Plan or comprehensive plan, the Board of County Commissioners of Washington County, Tennessee, does hereby ordain and enact into law the following articles and sections:

## ARTICLE II

### DEFINITIONS OF TERMS USED IN RESOLUTION

Where applicable, words not defined in this section, shall be construed to have the meaning given by common and ordinary use as defined in A PLANNERS DICTIONARY (April 2004). For the purpose of this resolution, certain words or terms used herein shall be defined as follows: Words used in the present tense include the future tense. Words used in the singular number include the plural, and words used in the plural include the singular. The word "person" includes a firm, partnership, company, organization, trust, association, corporation, as well as an individual. The word "lot" includes the word "plot" or "parcel." The word building includes the word "structure."

The word "shall" is always mandatory. The word "used" or "occupied" as applied to any land or building shall be construed to include the word "intended," arranged or designed to be used or occupied.

**201. Access** - The right to cross between public and private property allowing pedestrians and vehicles to enter and leave property.

**202. Accessory Dwelling Unit**- A separate, complete housekeeping unit with a separate entrance, kitchen, sleeping area, and full bathroom facilities, which is an attached or detached extension to an existing single-family structure. An accessory dwelling unit cannot be used for income.

**203. Accessory Use or Accessory Structure** – Any use or structure in any zoning district, which meets the criteria set below:

A. **Accessory Use** – A use that is necessary, customary, incidental and subordinate to the main use of the property and located on the same lot as the main use.

B. **Accessory Structure** – A structure that is customarily designed and used as an accessory use; *excluding* singlewide mobile homes, tractor trailers, car trailers, buses, recreational vehicles, cargo containers, or any other type of vehicle and the like. Except as permitted in the A-1 District, these are subordinate structures detached from but located on the same lot as a principal building. The use of an accessory structure must be identical and accessory to the use of the principal building and located on the same lot therewith. Accessory structures shall not be occupied as dwellings. When permitted in agriculture or residential districts, accessory structures are not to be used for commercial/industrial use or commercial/industrial storage. Anything that was originally designed to be used for transportation is not an accessory structure.

**204. Adequacy of Outfalls** - The capacity of the receiving channel, stream, waterway, storm drain system, etc., and a determination whether it is adequately sized to receive runoff from the developed site so as to not cause erosion and/or flooding.

**205. Adult bookstore** - Means a business which offers, as its principal or predominate stock or trade, sexually oriented material, devices, or paraphernalia or specified sexual activities, or any combination or form thereof, whether printed, filmed, recorded or live and which restricts or purports to restrict admission to adults or to any class of adults.

**206. Adult cabaret** - Means an establishment which features as a principal use of its business, entertainers and/or waiters and/or bartenders who expose to public view of the patrons within such establishment, at any time, the bare female breast below a point immediately above the top of the areola, human genitals, pubic region, or buttocks, even if partially covered by opaque material or completely covered by translucent material; including swim suits, lingerie, or latex covering. "Adult cabaret" includes a commercial establishment, which features entertainment of an erotic nature including exotic dancers, strippers, male or

female impersonators, or similar entertainers.

**207. Adult Day Care and day care centers** – As defined in TCA § 71-2-401, a licensed facility that provides adult day care services.

**208. Adult entertainment** - Means any exhibition of any adult-oriented motion picture, live performance, display or dance of any type, which has as a significant or substantial portion of such performance, any actual or simulated performance of specified sexual activities of exhibition and viewing of specified anatomical areas, removal of articles of clothing or appearing unclothed, pantomime, modeling, or any other personal service offered customers.

**209. Adult mini-motion picture theater** - Means an enclosed building with a capacity of less than fifty (50) persons regularly used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" as defined in this section, for observation by patrons therein.

**210. Adult motion picture theater** - Means an enclosed building with a capacity of fifty (50) or more persons regularly used for presenting material having as a dominant theme or presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas as defined below, for observation by patrons therein;

**211. Adult-oriented establishment** - Includes, but is not limited to, an adult bookstore, adult motion picture theater, adult mini-motion picture establishment, adult cabaret, escort agency, sexual encounter center, massage parlor, rap parlor, sauna, and further "adult-oriented establishment" means any premises to which the public patrons or members are invited or admitted and which are so physically arranged as to provide booths, cubicles, rooms, compartments or stalls separate from the common areas of the premises for the purpose of viewing adult-oriented motion pictures, or wherein an entertainer provides adult entertainment to a member of the public, a patron or a member, when such adult entertainment is held, conducted, operated or maintained for a profit, direct or indirect. "Adult-oriented establishment" further includes, without being limited to, any adult entertainment studio or any premises that is physically arranged and used as such, whether advertised or represented as an adult entertainment studio, rap studio, exotic dance studio, encounter studio, sensitivity studio, model studio, escort service, escort or any other term of like import.

**212. Agritourism** – As governed in TCA § 43-39-101-103, "Agritourism activity" means any activity carried out on a farm or ranch, eligible for greenbelt classification under title 67, chapter 5, part 10, that allows members of the general public, for recreational, entertainment or educational purposes, to view or enjoy rural activities, including farming, ranching, historic, cultural, harvest-your-own activities or natural activities and attractions. An activity is an "agritourism activity" whether or not a participant provides compensation in money or other valuable compensation to participate in the activity. "Agritourism activity" includes an activity involving any animal exhibition at an agricultural fair, regardless of the location of the fair. Agritourism can include but is not limited to, farm stand or shops, U pick, farm stays, tours, on-farm classes, fairs, festivals, pumpkin patches, Christmas tree farms, winery weddings, orchard dinners, riding stables, youth camps, barn dances, corn mazes, hunting or fishing, guest ranches, and more. Agritourism involves any agriculturally based operation or activity that brings visitors to a farm or ranch. It is the crossroads of tourism and agriculture: when the public visits working farms, ranches or wineries to buy products, enjoy entertainment, participate in activities, shop in a country store, eat a meal or make overnight stays.

**213. Airport (Commercial)** - Any area of land designed and set aside for the landing and take-off of aircraft, including all necessary facilities for the housing and maintenance of aircraft.

**214. Alley**- A street which affords only a secondary means of access to property.

**215. Animal Hospital** - Any building or portion of a building designed or used for the care, observation, or treatment of large or small domestic animals.

**216. Arterial Road** - A roadway that provides for traffic movement between areas and across portions of the county and secondarily for direct access to abutting land, as indicated on the Major Thoroughfare Plan or Land Use Transportation Plan of Washington County, Tennessee.

**217. Assisted Living Facility** - A building, establishment, complex, distinct part thereof which:

- i. accepts primarily aged persons for domiciliary care, not nursing or medical care;
- ii. meets the definition provisions as per *Tennessee Code Annotated* 68-11-201;
- iii. meets the regulatory licensure provisions as per *Tennessee Code Annotated* 68-11-209;
- iv. provides linkages with hospitals, community services and makes transportation available;
- v. provides timely assistance to residents for response to urgent or emergency needs;
- vi. meets the regulations as set forth by the State Fire Marshal's Office.

(Amended 7/05)

**218. Automobile** - (See also *motor vehicle*) Every vehicle designed for carrying passengers or used for the transportation of persons.

**219. Automobile Body Shop** - A facility which provides collision repair services, including body frame straightening, replacement of damaged parts, and painting.

**220. Automobile Repair Shop** - Motor vehicle construction, and farm equipment repair shops for the repair of vehicles and equipment with outside storage only for vehicles and equipment awaiting parts or repair. All motor vehicles stored outside shall have current registration.

**221. Automotive Restoration and Customizing Businesses** - Businesses that use auto parts or components to restore and customize automobiles but do not sell any parts or components. The auto parts and components are used only in the business.

**222. Automobile Sales** - Storage and display for sale of more than two motor vehicles or any type, and where repair or bodywork is incidental to the operation of the new or used vehicle sales. Motor vehicles sales include motor vehicle retail or wholesale sales. Automobile Sales is not an Automobile Wrecking Yard, Automobile Repair Shop, or Automotive Restoration and Customizing Business.

**223. Automobile Storage Lot** - An outdoor storage facility for the temporary storage of towed vehicles.

**224. Automobile Wrecking Yard** - A premises used for the outside storage or sale of two (2) or more inoperative used automobile or truck parts, or engaged in assembling, breaking up, sorting, and the temporary storage and distribution or recyclable or reusable scrap and waste materials. Also, including auto wreckers engaged in dismantling automobiles for scrap, and the incidental wholesale or retail sales of parts from those vehicles. An Automobile Wrecking Yard is not an Automobile Repair Shop, Automotive Restoration and Customizing Business or Automobile Sales.

**225. Bakery, retail** - A place for preparing, cooking, baking, and selling of products on the premises

**226. Bakery, wholesale** - A place for preparing, cooking, baking, and selling of products intended for off premise distribution.

**227. Barber Shop** - Any establishment or place of business within which the practice of barbering is engaged in or carried on by one or more barbers.

**228. Beauty Shop** - Any establishment where cosmetology services are provided including hair care, nail care, and skin care on a regular basis for compensation.

**229. Bed and Breakfast Facility** - A residential unit in which not more than five (5) guest rooms are used to offer overnight accommodations and breakfast for transient guests for compensation.

**230. Best Management Practices (BMP or BMPs)** - Schedules of activities, prohibitions of practices, maintenance procedures, water quality management facilities, structural controls and other management practices designed to prevent or reduce the pollution of waters of the United States. Water quality BMPs may include structural devices, such as water quality management facilities, or non-structural practices such as buffers or natural open spaces.

**231. Board** - Means the adult-oriented establishment board, or, if there is in existence in the county a massage registration board appointed by the **County Mayor**, such board may be substituted for the board.

**232. Building** - A structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind.

**233. Building Permit** - An official document or certification that is issued by the Zoning Office and which authorizes the construction, alteration, enlargement, conversion, reconstruction, remodeling, rehabilitation, erection, demolition, moving, or repair of a building or structure.

**234. Building, Principal** - A building in which is conducted the main or principal use of a lot on which said building is located.

**235. Building permit valuation** - The dollar amount used for the valuation of building permit fees as calculated by the Zoning Administrator or designee for the issuance of a building permit.

**236. Buffer Strip** – Also known as a Planting Strip or Area, See Appendix A, *Landscape Manual*.

**237. Buffer** - Open spaces, landscaped areas, fences, walls, berms, or any combination thereof used to physically and visually separate one use or property from another in order to mitigate the impacts of noise, light, unsightly storage of materials or other nuisance. See Appendix A, *Landscape Manual*. This can also be known as transitional yard.

**238. Business Services** - An establishment providing services to places of business including, but not limited to: repair and maintenance of equipment, temporary personnel services, printing and copying, cleaning, rental and leasing, credit reporting and collection, mailing and advertising and other similar services not specifically allowed as a permitted use or special exception and where the primary purpose does not involve retail trade.

**239. Business Sign** - A sign which directs attention to a business or profession conducted on the premises. A "For Sale" sign or a "To Let" sign for the property on which it is displayed shall be deemed a business sign.

**240. CAFO, Animal Feeding Operation (AFO)** - Means a facility that (1) stables, confines, and feeds or maintains animals for a total of 45 days or more in any 12-month period and (2) does not sustain crops, vegetation forage growth, or post-harvest residues in the normal season over any portion of the facility. Regardless of the size of the AFO, no discharge through a man-made ditch, flushing system, or similar man-made device or discharge into waters of the state which flow through the confinement facility is permitted, unless such discharge occurs only in the event of a 25-year, 24-hour or greater storm event.

**241. CAFO, Concentrated Animal Feeding Operation (CAFO)** - Means an animal feeding operation that may discharge to waters of the United States, impact groundwater or otherwise adversely impact the water resources of Tennessee. CAFOs are subject to the NPDES permitting authority of the Tennessee

Department of Environment and Conservation (TDEC). The extent of such regulatory oversight is dependent upon the type and number of animals confined and may also be influenced by the type of waste management system in operation or proposed. All CAFOs must provide for appropriate disposal of dead animals by composting, rendering, incineration, disposal in a Class I permitted landfill or burial on-site, as approved in a Waste Management System Plan or as approved by the Tennessee Department of Agriculture (TDA), unless necessitated by emergency. Permits are required for Class I and Class II CAFOs.

**242. CAFO, Department** - Means the department of environment and conservation, and includes any officer, agency or designee of that department.

**243. CAFO, Egg Production House** - Means any place or premises where chickens are kept for the production of eggs for resale to processors, wholesalers or retailers.

**244. CAFO, Established Date of Operation** -Means the date on which a feedlot or egg production house commenced operating. If the physical facilities of the feedlot or egg production house are subsequently expanded, the established date of operation for each expansion is deemed to be a separate and independent "established date of operation" established as of this date of commencement of the expanded operations, and the commencement of expanded operations shall not divest the feedlot or egg production house of a previously established date of operation.

**245. CAFO, Established Date of Ownership** - Means the date of the recording of an appropriate muniment of title establishing the ownership of realty.

**246. CAFO, Feedlot** - Means a lot, yard, corral or other area in which livestock are confined, primarily for the purposes of feeding, growing, raising, or birthing prior to slaughter or resale to processors, wholesalers or retailers.

**247. CAFO, Regulations.** - Means a resolution by the county legislative body regulating or prohibiting the normal noises of animals or fowls, the noises in the operation of the equipment, the odors normally associated with any feedlot or egg production house, or the preclusion of any animals or fowls from within the defined area of the county.

**248. CAFO, Zoning Requirement** - Means a resolution, which has been adopted by the county, which materially affects the operation of a feedlot or egg production house. The zoning requirement shall apply to a feedlot or egg production house with an established date of operation subsequent to the effective date of the zoning requirement. The zoning requirement shall not apply to a feedlot or egg production house with an established date of operation prior to the effective date of the zoning requirement.

**249. Campground** - A plot of ground upon which two (2) or more campsites are located, established or maintained for occupancy by camping units of the general public as temporary living quarters for recreation, education or vacation purposes. Campgrounds are permitted and regulated by Appendix D, Campground Regulation Table, and shall not be used for storage or as a dwelling unless in conformance with Appendix D.

**250. Cargo Container** - A standardized, reusable vessel that is or appears to be: (1) originally, specifically or formerly designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities, or (2) designed for or capable of being mounted or moved on a rail car, or (3) designed for or capable of being mounted on a chassis or bogie for movement by truck trailer or loaded on a ship.

**251. Cemeteries** - A place used for interment of human or animal remains or cremated remains, including a burial park for earth interments, a mausoleum for vault or crypt interments, a columbarium for cinerary interments, or a combination thereof. All cemeteries must have proper licensing per T.C.A regulations.

**252. Center Line of the Street** - That line surveyed and monumented by the governing body shall be the center line of the street; or if such center line has not been surveyed, it shall be that line running midway between the outside curbs or ditches of such street.

**253. Certificate of Occupancy** - An official document issued by the Zoning Office that certifies all inspections were made and approved any the Zoning Office and the structure is ready for occupancy.

**254. Churches** - A building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such primary purpose. This includes a synagogue, temple, mosque, or other such place for worship and religious activities.

**255. Clinic** - A building or portion of a building, other than a hospital, as herein defined, containing facilities providing outpatient medical, dental, chiropractic, optical, osteopathic diagnostic, and similar services, for humans, by physicians, dentists, and other health care specialists. The term clinic includes offices as a separate use for the above, but does not include Substance Abuse Treatment Facility, or Methadone Treatment Clinic

**256. Club, Private** - An organization catering exclusively to members and their guests, or premises and buildings for recreational or athletic purposes which are not considered primarily for gain, providing that any vending stands, merchandising or commercial activities are conducted only as required generally for the membership of such club.

**257. Coal Surface Mining Operations per T.C.A. 59-8-403** - Activities conducted on the surface of lands in connection with a coal surface mine. Such activities include excavation for the purpose of obtaining coal, including such common methods as contour, strip, auger, mountaintop removal, box cut, open pit, and area mining, the uses of explosives and blasting, and loading of coal at or near the mine site; provided, however, that such activities do not include the extraction of coal incidental to the extraction of other minerals where coal does not exceed sixteen and two-thirds percent (16 $\frac{2}{3}$ %) of the tonnage of minerals removed for purposes of commercial use or sale; and the areas upon which such activities occur or where such activities disturb the natural land surface. Such areas also include any adjacent land, the use of which is incidental to any such activities, all lands affected by the construction of new roads or the improvement or use of existing roads to gain access to the site of such activities for haulage and excavations, workings, impoundments, dams, ventilation shafts, entryways, refuse banks, dumps, stockpiles, overburden piles, spoil banks, culm banks, tailings, holes or depressions, repair areas, storage areas, processing areas, shipping areas, and other areas upon which are sited structures, facilities, or other property or materials on the surface, resulting from or incidental to such activities.

**258. Collector Street** - A street providing for traffic movement within areas of the county and between major streets and local streets for direct access to abutting property as indicated on the Major Thoroughfare Plan of Washington County, Tennessee.

**259. Commercial Printing Operations** - A commercial printing operation involving a process that is considered printing, imprinting, reproducing, or duplicating images and using printing methods including but not limited to offset printing, lithography, web offset, flexographic, and screen process printing.

**260. Construction** - Any placement, assembly, or installation of facilities or equipment (including contractual obligations to purchase such facilities or equipment) at the premises where such equipment will be used, including preparation work at such premises.

**261. County** - All unincorporated areas of Washington County, Tennessee.

**262. Crematories** - A location containing properly installed, certified apparatus intended for use in the act of cremation. All crematories must have proper licensing per T.C.A regulations.

**263. Day Nurseries, Private** - Any place, home or institution which receives eight (8) or more young children, conducted for cultivating the normal aptitude for exercise, play, observation, imitation and construction.

**264. Development Plan** - Detailed engineered/architectural drawing(s) of a commercial, industrial, institutional or residential development project, showing existing site conditions and proposed improvements with sufficient detail (e.g. technical reports, specifications, survey) for county review, approval, and then subsequent construction. The contents of a development plan are further defined by the Washington County Zoning Resolution and/or Subdivision Regulations.

**265. Drug Store/Pharmacy** - Every establishment or building or part thereof where the majority of retail sales within said store are prescription or nonprescription drugs.

**266. Dry Cleaning Establishment** - An establishment which launders or dry cleans articles dropped off on the premises directly by the customer or where articles are dropped off, sorted, and picked up but where laundering or cleaning is done elsewhere.

**267. Dwelling** - A building or structure or portion thereof designed for residential purposes as a single housekeeping unit. In no case shall a motor home, trailer coach, automobile chassis, tent, or portable building be considered a dwelling.

**268. Dwelling, Multi-Family** - A building or portion thereof, designed for occupancy by three or more families living independently of each other.

**269. Dwelling, Single-Family** - A single building containing one dwelling unit and designed for occupancy by one family only.

**270. Dwelling, Two-Family** - A single building containing two families.

**271. Dwelling Unit** - One or more rooms in a building designed for occupancy by one family and having not more than one principal cooking facility.

**272. Employee, Adult-Oriented Establishment** - Means a person who performs any service on the premises of an adult-oriented establishment on a full-time, part-time, or contract basis, whether or not the person is denominated an employee, independent contractor, agent or otherwise, and whether or not such person is paid a salary, wage, or other compensation by the operator of such business. "Employee" does not include a person exclusively on the premises for repair or maintenance of the premises or equipment on the premises, or for the delivery of goods to the premises.

**273. Entertainer, Adult-Oriented Establishment** - Means any person who provides entertainment within an "adult-oriented establishment" as defined in this section, whether or not a fee is charged or accepted for entertainment and whether or not entertainment is provided as an employee, escort or an independent contractor.

**274. Escort** - Means a person who, for monetary consideration in the form of a fee, commission, salary or tip, dates, socializes, visits, consorts with, accompanies, or offers to date, socialize, visit, consort or accompany to social affairs, entertainment or places of amusement or within any place of public resort or within any private quarters of a place of public resort;

(A) "Service-oriented escort" is an escort which:

- (i) Operates from an open office;
- (ii) Does not employ or use an escort runner;
- (iii) Does not advertise that sexual conduct will be provided to the patron or work for an escort bureau which so advertises; and
- (iv) Does not offer or provide sexual conduct.

(B) "Sexually-oriented escort" is an escort which:

- (i) Employs as an employee, agent, or independent contractor an escort bureau runner;
- (ii) Works for, as an agent, employee, contractor, or is referred to a patron by a sexually-oriented escort bureau;
- (iii) Advertises that sexual conduct will be provided, or works for, as an employee, agent or independent contractor or is referred to a patron by an escort bureau which so advertises;
- (iv) Solicits, offers to provide or does provide acts of sexual conduct to an escort patron, or accepts an offer or solicitation to provide acts of sexual conduct for a fee in addition to the fee charged by the escort bureau;
- (v) Works as an escort without having a current valid permit issued under this part, in such person's possession at all times while working as an escort; or
- (vi) Accepts a fee from a patron who has not first been delivered a contract.

**275. Escort service** - Means a "person" as defined in this section, who, for a fee, commission, profit, payment or other monetary consideration, furnishes or offers to furnish escorts or provides or offers to introduce patrons to escorts.

(A) "Service-oriented escort bureau" is an escort bureau which:

- (i) Maintains an open office at an established place of business;
- (ii) Employs or provides only escorts which possess valid permits issued under this part;
- (iii) Does not use an escort bureau runner; and
- (iv) Does not advertise that sexual conduct will be provided to a patron.

(B) "Sexually-oriented escort bureau" is an escort bureau which:

- (i) Does not maintain an open office;
- (ii) Employs as an employee, agent, or independent contractor, uses an escort bureau runner;
- (iii) Advertises that sexual conduct will be provided, or that escorts which provide such sexual conduct will be provided, referred, or introduced to a patron;
- (iv) Solicits, offers to provide or does provide acts of sexual conduct to an escort patron;
- (v) Employs, contracts with or provides or refers escorts who do not possess valid permits issued under this part;
- (vi) Does not deliver contracts to every patron or customer; or
- (vii) Employs, contracts with a sexually-oriented escort or refers or provides to a patron, a sexually-oriented escort.

**276. Explosives** - Any substance or material that requires a federal or state permit to purchase because it is a powerful explosive.

**277. Farming** - This includes all forms of farming and agriculture, the growing of crops in the open, dairy farming, grazing, the raising and maintaining of poultry and other livestock, horticulture, forests, and woods.

**278. Fence** - A tangible barrier constructed of any allowable material erected for the purpose of providing a boundary or as a means of protection, or to prevent uncontrolled access, or for decorative purposes (such as an ornamental gate or ornamental gates), or to screen from viewers in or on adjoining properties and streets, materials stored and operations conducted behind it, but not including hedges, shrubs, trees, or other natural growth.

**279. Financial Institution** - Any trust company, savings bank, industrial bank, savings and loan association, building and loan association, commercial bank, credit union, federal association, investment company, or other business association, which is chartered under federal or state law, solicits, receives, or accepts money or its equivalent on deposit and loans money as a regular business.

**280. Floods** - (*See the Flood Damage Prevention Resolution, for all definitions pertaining to floods and floodplain provisions.*)

**281. Freight container** (*See also cargo container*)

**282. Freight Goods** - Merchandise, substances, materials, and commodities of any kind that may be transported or transferred from one place to another by air, rail, or motor-carrier.

**283. Funeral Home or Mortuary Establishment** - A building or part thereof used for funeral services. Such building may contain space and facilities for (a) embalming and the performance of other services used in the preparation of the dead for burial; (b) the performance of autopsies and other surgical procedures; (c) the storage of caskets, funeral urns, and other related funeral supplies; (d) the storage of funeral vehicles; and (e) facilities for cremation. Where a funeral home is permitted, a funeral chapel shall also be permitted.

**284. General Store** - A single store, the ground floor area of which is 2,500 square feet or less, and which offers for sale, primarily, most of the following articles: bread, milk, cheese, canned and bottled foods and drinks, tobacco products, candy, newspapers and magazines, and general hardware articles. General Stores are not retail stores as defined.

**285. Gift Shops** - Retail stores where items such as art, antiques, jewelry, books, and notions are sold.

**286. Golf Course** - A tract of land laid out with a least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse, restrooms, driving range, and shelters as accessory uses.

**287. Green House** - An establishment where flowers, shrubbery, vegetables, trees, and other horticultural and floricultural products are grown both in open and enclosed buildings.

**288. Grocery Store** - Stores where most of the floor area is devoted to the sale of food products for home preparation and consumption, which typically also offer other home care and personal care products, and which are substantially larger and carry a broader range of merchandise than convenience stores.

**289. Hardship** - A restriction on property that relates to the physical characteristics of the property, not the personal circumstances of the owner or user, such that the property is rendered unusable without the granting of a variance.

**290. Hardware Store** - A facility with floor space less than 5,000 square feet engaged in the retail sale of various basic hardware lines, such as tools, builders' hardware, plumbing and electrical supplies, paint and glass, house wares and household appliances, garden supplies, and cutlery. A Hardware Store by definition greater than 5,000 square feet will be considered a Retail Store.

**291. Hazardous Substance** - Any substance or material that, by reason of their toxic, caustic, corrosive, abrasive, or other injurious properties, may be deleterious to the health of any person handling or otherwise coming into contact with such material or substance.

**292. Height of Buildings** - The vertical distance from the grade to the highest point of the coping of a flat roof, to the deck line of a mansard roof, or to the center height between the highest and lowest points on other types of roofs.

**293. Heliports** - An area designed to be used for the landing or takeoff of helicopters including operations facilities, such as maintenance, loading and unloading, storage, fueling, or terminal facilities.

**294. Home Occupation** - An occupation or business activity which results in a product or service and which: is conducted, in whole or in part, in the principal dwelling; is conducted by at least one (1) family member occupying the residence; and is clearly subordinate to the residential use of the dwelling and premises. Home occupations do not include garage sales, yard sales, Christmas bazaars, or home parties that are held for the purpose of the sale or distribution of goods or services. However, if such sales and/or parties are held more than six (6) times in any month or operate in excess of twenty-four cumulative days in a calendar year, such sales and/or parties shall be considered a home occupation.

**295. Hospital** - An institution licensed by the state health department providing primary health services and medical or surgical services to persons, primarily in-patients suffering from illness, disease, injury, and other abnormal physical or mental conditions, and including as an integral part of the institution related facilities and services such as laboratories, surgical care, testing, and outpatient and emergency services.

**296. Hotels & Motels** - An establishment providing, for a fee, sleeping accommodations and customary lodging services, including maid service, the furnishing and upkeep of furniture and bed linens, and telephone and desk service. Related ancillary uses may include but shall not be limited to conference and meeting rooms, restaurants, bars, and recreational facilities.

**297. Inoperative Motor Vehicle** - Any vehicle, car, truck, van, bus, trailer, recreational vehicle, motorcycle, which does not have an engine or drive train in operating condition, inflated tired on all wheels, an operative battery, and valid state license plate and registration issued to a person in possession of the property in which the vehicle is located, or which, for any reason, is not operative and capable of being legally driven upon the roads and highways of the State of Tennessee under its own power. Tractors and similar farm vehicles that are used on a lot containing an established agricultural operation and are capable of movement under their own power are not considered to be inoperative vehicles. A motor vehicle may only be used as it was originally designed by the manufacturer.

**298. Junk** - Any item, secondhand, worn, or discarded articles, trash, something of little meaning, or significance, articles that have outlived their usefulness in their original form regardless of the type material in which the item is made of, but shall not be limited to old iron, aluminum, wire, cordage, paper, plastic, rubber, fiberglass, wood, or other waste items that may or may not be used again in some form.

**299. Junkyard** - An open area, where wastes or used or secondhand materials are bought, sold, exchanged, stored, processed, handled or displayed. Materials shall include but are not limited to any item, secondhand, worn, or discarded articles, trash, something of little meaning, or significance, articles that have outlived their usefulness in their original form regardless of the type material in which the item is made of, but shall not be limited to old iron, aluminum, wire, cordage, paper, plastic, rubber, fiberglass,

wood, or other waste items that may or may not be used again in some form. A junkyard is not a Automobile Repair Shop, Automotive Restoration and Customizing Business or Automobile Sales.

**300.  kennel, Commercial** - An establishment licensed to operate a facility housing dogs, cats, or other household pets and where grooming, breeding, boarding training or selling of animals is conducted as a business

**301.  kennel, Private** - Any building or buildings or land designed or arranged for the care of dogs and cats belonging to the owner of the principal use, kept for the purpose of show, hunting, or as pets.

**302.  Laboratories** - A building or group of buildings in which are located facilities for scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

**303.  Landing Strip (Private)** - Any area of land designed and set aside for landing and take-off for personal use aircrafts.

**304.  Laundromat** – A facility where patrons wash, dry, or dry clean clothing or other fabrics in machines operated by the patron.

**305.  Livestock** - Domestic animals of types customarily raised or kept on farms for profit or other purposes.

**306.  Livestock Feeding Yard** - An enclosure designed or used for the purpose of the concentrated feeding or fattening of livestock for marketing.

**307.  Livestock Market** - An enclosure or structure designed or used for holding livestock for purposes of sale or transfer by auction, consignment, or other means.

**308.  Livestock Sales Yard** - An enclosure or structure designed or used for holding livestock for purposes of sale or transfer by auction, consignment, or other means.

**309.  Lot** - A parcel or tract of land.

**310.  Lot Area** - The total horizontal area within the lot lines of a lot exclusive of streets, and easements of access to other property.

**311.  Lot, Corner** - A lot abutting on two or more streets other than an alley, at their intersection.

**312.  Lot Line** - The property line bounding a lot.

**313.  Lot Line, Front** - The lot line separating the lot from the street other than an alley, and in the case of a corner lot, the shortest lot line along a street other than an alley.

**314.  Lot Line, Rear** - The lot line which is opposite and most distant from the front lot line. In the case of an irregular, triangular, or other shaped lot, a line ten feet in length within the lot parallel to and at a maximum distance from the front lot line.

**315.  Lot Line, Side** - Any lot line not a front or rear lot line.

**316.  Lot Width** - The average horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line.

**317. Manufacturing** - The mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the manufacturing of products, and the blending of materials, such as lubricating oils, plastics, resins, or liquors. These materials are not for sale on the premises.

**318. Manufactured Home by T.C.A. 55-1-105** - "Manufactured home" means any structure, transportable in one (1) or more sections, which, in the traveling mode, is eight (8) or more body-feet in width or forty (40) or more body-feet in length, or when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein.

**319. Massage Parlor** - Means an establishment or place primarily in the business of providing massage or tanning services where one (1) or more of the employees exposes to public view of the patrons within such establishment, at any time, the bare female breast below a point immediately above the top of the areola, human genitals, pubic region, or buttocks, even if partially covered by opaque material or completely covered by translucent material.

**320. Meat Products Manufacturing** – A building where live animals are killed and processed; and/or a building where meat, poultry, or eggs are cooked, smoked, or otherwise processed or packed but does not include a butcher shop or rendering plant.

**321. Methadone Treatment Clinic or Facility** - A building or portion of a building, other than a clinic containing offices, facilities or designated space with the predominant, substantial, or significant purpose of providing outpatient treatment for counseling of patients and the distribution of methadone for outpatient, non-residential purposes only. A methadone treatment clinic or facility is not a medical clinic or substance abuse treatment facility.

**322. Mobile Home by T.C.A 68-126-202** - "Mobile home" means a structure manufactured before June 15, 1976, that is not constructed in accordance with the National Manufactured Home Construction and Safety Standards Act of 1974, compiled in 42 U.S.C. § 5401 et seq. It is a structure that is transportable in one (1) or more sections that in the traveling mode is eight (8) body-feet or more in width and forty (40) body-feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet and that is built on a chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes any plumbing, heating, air conditioning and electrical systems contained in the structure.

**323. Mobile Home Park** - An area or tract of land of not less than two (2) acres where two or more mobile homes as herein defined are placed, located or maintained, or intended to be placed, located or maintained for permanent residence, and shall include all accessory buildings used or intended to be used as part of the equipment thereof.

**324. Mobile Home Subdivision** - A subdivision of land designed for occupancy by mobile homes exclusively and where the individual lots are sold to the occupant.

**325. Motor Home** - A vehicular unit designed to provide temporary living quarters for recreational, camping or travel use built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van which is an integral part of the completed vehicle. A motor home is not to be used as a permanent residence.

**326. Motor Vehicle** - (*See also automobile definitions; truck definitions*) Any self-propelled vehicle designed primarily for transportation of persons or goods along public streets or alleys, or other public ways.

**327. MS4** - Municipal Separate Storm Sewer System

**328. Nonconforming Structure or Use** - A lawful existing structure or use at the time this resolution or any amendment thereto becomes effective, which does not conform to the requirements of the zone in which it is located.

**329. Non-hazardous Solid-Waste Disposal** - A facility for the purpose of treating, burning, compacting, composting, storing, or disposing of solid waste.

**330. Nuisance** - Anything, condition, or conduct that endangers health and safety, or unreasonably offends the senses, or obstructs the free use and comfortable enjoyment of property, or essentially interferes with the comfortable enjoyment of life.

**331. Nurseries** - An establishment for the growth, display, and/or sale of plants, shrubs, trees, and materials used in indoor or outdoor planting, conducted within or without an enclosed building.

**332. Nursing Home** - A facility established for profit or nonprofit, which provides nursing care and related medical services on a 24-hour per day basis to two or more individuals because of illness, disease, or physical or mental infirmity. Provides care for those persons not in need of hospital care.

**333. Open Office, Escort Service** - Means an office at the escort service from which the escort business is transacted and which is open to patrons or prospective patrons during all hours during which escorts are working, which is managed or operated by an employee, officer, director or owner of the escort service having authority to bind the service to escort and patron contracts and adjust patron and consumer complaints.

**334. Operator, Adult-Oriented Establishment** - Means any person, partnership, or corporation operating, conducting or maintaining an adult-oriented establishment.

**335. Owner or Property Owner** - The legal owner of the property as recorded in the Register of Deeds office for Washington County, Tennessee, including a lessee, guardian, receiver or trustee, operator of a business, and the said person's duly authorized agent.

**336. Paper & Allied Products Manufacturing** - The manufacture of paper and paperboard, from both raw and recycled materials, and their conversion into products including paper bags, boxes, envelopes, wallpaper, etc.

**337. Parks** - Any public or private land available for recreational, educational, cultural, or aesthetic use.

**338. Person** - Any individual, firm, corporation, partnership, association, organization or entity, including governmental entities, or any combination thereof.

**339. Person, Adult-Oriented Establishment** - Means an individual, partnership, limited partnership, firm, corporation or association.

**340. Personal Services** - An establishment providing services to individuals such as barber and beauty shops, shoe repair, dressmaking, tailoring, and laundry and other similar services not specifically allowed as a permitted use or special exception and where the primary purpose of the business does not involve retail trade.

**341. Playgrounds** - A publicly owned area for recreational use primarily by children.

**342. Private Landing Strip** - Any area of land designed and set aside for the landing and take-off of personal use aircrafts.

**343. Professional Service** - An establishment providing a service by established professions such as legal services, engineering/architectural services, clinics, accounting services, and other similar services not specifically allowed as a permitted use or special exception and where the primary purpose does not involve retail trade.

**344. Portable Storage Container**. A boxlike container used for outdoor storage including commercial storage, transported to a desired location, typically designed to be delivered and recovered on a specialized truck or transport system of such a size as to make it impractical to be easily moved by hand in the event of fire or other emergency. A Portable Storage Container shall not include, among other things, structures which are constructed from or consists of the use of a tractor and/or trailer truck, a railroad car or engine of any type, any automobile, a truck bed, any other converted vehicle, a camper, trailer, or mobile home of any kind, a gondola, sway car, a boat or ship, or any combination of the above. Customary Accessory buildings are not considered Portable Storage Containers.

**345. Public Utility or Public Utility Facility** - A public utility or public utility facility in the context of this resolution is a facility providing a public service which is owned or authorized by a municipal, county, state or federal government in the provision of such services as transportation, water supply, sewerage treatment, electricity, natural gas and telephone, telegraph or microwave transmission. A public utility or public utility facility specifically excludes sanitary landfills and refuse disposal facilities.

**346. Rail Yards** - An area of land, a portion of which is covered by a system of tracks, that provides for the making up of trains by one or more railroads or private industry concerns. Necessary functions of a rail yard include but are not limited to the classifying, switching, storing, assembling, distributing, consolidating, moving, repairing, weighing, or transferring of cars, trains, engines, locomotives, and rolling stock.

**347. Rap Parlor** - Means an establishment or place primarily in the business of providing nonprofessional conversation or similar service for adults.

**348. Recreational** - The refreshment of body and mind through forms of play, amusement, or relaxation. The recreational experience may be active, such as boating, fishing, and swimming, or may be passive, such as enjoying the natural beauty of the shoreline or its wildlife.

**349. Recreational Vehicle** - A vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. The basic entities classified as 'recreational vehicles' are: travel trailers, camping trailers, truck campers and motor homes. A recreational vehicle is only to be used as originally designed by the manufacturer. A recreational vehicle is not to be used as a permanent residence.

**350. Recreational Vehicle Park** - Any lot or parcel of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy for a fee by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.

**351. Residence, Permanent** - The place where a person actually lives and which such person regularly intends to occupy over a substantial period of time. If a person has more than one such place where he or she lives, the permanent residence shall be the place occupied the majority of the time by such person.

**352. Restaurant** - A structure in which the principal use is the preparation and sale of food and beverages.

**353. Retail Stores** - Establishments that carry an assortment of merchandise for direct sale to the public with floor space greater than 2,500 square feet utilized in the sale and display of merchandise. Such establishments may include but are not limited to department stores, discount stores, farm stores, grocery stores, supermarkets and similar establishments. Retail stores are not General Stores as defined.

**354. Rooming or Boarding House** - A building containing a single dwelling unit and not more than five guest rooms where lodging is provided with or without meals for compensation.

**355. Sauna** - Means an establishment or place primarily in the business of providing:

- (A) A steam bath; or
- (B) Massage services.

**356. Sawmill** - An operation or facility which has, as its predominant purpose, the sawing or planing of logs or trees into rough slabs.

**357. Screen** - (*See also buffer; fence; visual obstruction*) A structure providing enclosure and a visual barrier or noise barrier between the area enclosed and the adjacent property. A screen may also be nonstructured, consisting of shrubs or other growing materials.

**358. Sediment** - Solid material, either mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by erosion.

**359. Service Station** - That portion of property where flammable or combustible liquids or gases used as fuel are stored and dispersed from fixed equipment into the fuel tanks of motor vehicles. Accessory activities may also exist such as, car wash service, food sales, lubricants, and other small accessories to motor vehicles, with floor space less than 2,500 square feet utilized in the sale and display of the merchandise, and where repair work is not done. A Service Station is not an Automobile Service and Repair Establishment or Automobile Body Shop.

**360. Sexual Conduct** - Means the engaging in or the commission of an act of sexual intercourse, oral-genital contact, or the touching of the sexual organs, pubic region, buttocks or female breast of a person for the purpose of arousing or gratifying the sexual desire of another person.

**361. Sexual Encounter Center** - Means a business or commercial enterprise that, as one (1) of its primary business purposes, offers for any form of consideration:

- (A) Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
- (B) Physical contact between male and female persons and/or persons of the same sex when one (1) or more of the persons exposes to view of the persons within such establishment, at any time, the bare female breast below a point immediately above the top of the areola, human genitals, pubic region, or buttocks, even if partially covered by opaque material or completely covered by translucent material.

**362. Sexual Gratification** - Means "sexual conduct" as defined in this part.

**363. Sexual Stimulation** - Means to excite or arouse the prurient interest or to offer or solicit acts of "sexual conduct" as defined in this part.

**364. Shooting Range, Indoor** - A facility designed or used for shooting at targets with rifles, pistols, bows, or shotguns, and which is completely enclosed within a building or structure.

**365. Sign** - An identification, description, illustration, or device which is affixed to or represented, directly or indirectly, upon a building, structure, or land, and which directs attention to a product, place, activity, person, institution, or business.

**366. Slaughterhouse** - A facility for the slaughtering and processing of animals and the refining of their byproducts.

**367. "Specified Anatomical Areas."** Means:

- (A) Less than completely and opaquely covered:
  - (i) Human genitals;
  - (ii) Pubic region;
  - (iii) Buttocks; and
  - (iv) Female breasts below a point immediately above the top of the areola;
- (B) Human male genitals in a discernibly turgid state, even if completely opaquely covered;

**368. "Specified Criminal Acts."** - Means the following criminal offenses as defined by Tennessee Code Annotated:

- (A) Aggravated rape;
- (B) Rape;
- (C) Rape of a child;
- (D) Aggravated sexual battery;
- (E) Sexual battery by an authority figure;
- (F) Sexual battery;
- (G) Statutory rape;
- (H) Public indecency;
- (I) Prostitution;
- (J) Promoting prostitution;
- (K) Distribution of obscene materials;
- (L) Sale, loan or exhibition to a minor of material harmful to minors;
- (M) The display for sale or rental of material harmful to minors; Sexual exploitation of a minor;
- (N) Sexual exploitation of a minor;
- (O) Aggravated sexual exploitation of a minor; and
- (P) Especially aggravated sexual exploitation of a minor;

**369. "Specified Sexual Activities"** Means:

- (A) Human genitals in a state of sexual stimulation or arousal;
- (B) Acts of human masturbation, sexual intercourse or sodomy; or
- (C) Fondling or erotic touching of human genitals, pubic region, buttocks or female breasts;  
and

**370. "Specified Services"** - Means massage services, private dances, private modeling, acting as an "escort" as defined in this part, and any other live "adult entertainment" as defined in this part.

**371. Stormwater** - Also "Stormwater Runoff" or "Runoff". Surface water resulting from rain, snow or other form of precipitation, which is not absorbed into the soil and results in surface water flow and drainage.

**372. Stop Work Order** - A written document issued by a Zoning official, an administrative order which directs a person not to continue or not to allow the continuation of an activity which is in violation of this code

**373. Storage Yards & Buildings** - A space or place where goods, materials, or personal property is placed and kept for more than 24 consecutive hours.

**374. Stream** - For the specific purpose of vegetated buffers, a stream is defined as a linear surface water conveyance that can be characterized with either perennial or ephemeral base flow and:

- (A) is regulated by the County as a Special Flood Hazard AREA (SFHA); or
- (B) is, or has been, identified by the County, the United States Army Corps of Engineers or the Tennessee Department of Environment and Conservation as a stream.

**375. Street** - A public right-of-way for motorized, non-motorized, and pedestrian traffic.

**376. RESERVED**

**377. Structural Alteration** - Any change to the supporting members of a structure including foundations, bearing walls or partitions, columns, beams, girders, or any structural change in the roof or in the exterior walls.

**378. Structure** - Anything constructed or erected such that the use of it requires a more or less permanent location on or in the ground. Such construction includes, but is not limited to, objects such as buildings, towers, smokestacks, overhead transmission lines, carports and walls, unless otherwise defined in this code.

**379. Substance Abuse Treatment Facility** - A building or portion of a building, other than a clinic containing offices, facilities or designated space with the predominant, substantial, or significant purpose of providing outpatient treatment, counseling or similar services to individuals who are dependent on legal and illegal drugs, opiates, alcohol or other similar substances. Staffing by physicians who have received a waiver or have been certified or should have received a waiver or be certified by the Substance Abuse Treatment Act of 2000 and subsequent amendments or enactments shall create a presumption that the building or portion of a building should be designated a substance abuse treatment facility. A substance abuse treatment facility is not a clinic.

**380. Surface Mining (Mineral Extraction)** - Surface mining means all or any part of the process followed in the production of minerals from a natural mineral deposit by the open pit or open cut method, auger method, highwall mining method which requires a new cut or removal of overburden, or any other mining process in which the strata or overburden is removed or displaced in order to recover the mineral; or in which the surface soil is disturbed or removed for the purpose of determining the location, quality or quantity of a natural mineral deposit.

**381. SWC** - The Stormwater Coordinator of Washington County, Tennessee, or designee.

**382. Traumatic Brain Injury Residential Home** – As defined in TCA § 68-11-201 (43), means a single family residence owned and operated by a community-based traumatic brain injury (TBI) adult care home provider in which residential care, including assistance with activities of daily living, is provided in a homelike environment to disabled adults suffering from the effects of a traumatic brain injury as defined in § 68-55-101.

**383. Travel Trailer** - A vehicular unit, mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use and of such size or weight as not to require special highway movement permits when drawn by a motorized vehicle, and with a living area of less than two hundred twenty square feet (220 sq. ft.) excluding built-in equipment (such as wardrobes, closets, cabinets, kitchen units or fixtures) and bath and toilet rooms. A travel trailer is to only be used as designed by the original manufacturer. A travel trailer is not to be used as a permanent residence.

**384. Trailer** - Any vehicle which is drawn by or used in connection with a motor vehicle. A trailer is only to be used as it was originally designed by the manufacturer. A trailer may not be used as an accessory structure.

**385. Truck** - Every motor vehicle, except trailers and semitrailers, designed and used to carry property.

**386. Truck, Heavy** - Trucks, including truck tractors, and similar vehicles with two or more rear axles.

**387. Truck Stop** - A facility intended to provide services to the trucking industry, including but not limited to the following activities: dispensing of fuel, repair shops, automated washes, restaurants, and motels; and overnight parking all as part of the facility.

**388. Truck, Light** - Trucks and similar vehicles with single rear axles and single rear wheels.

**389. Truck, Medium** - Trucks and similar vehicles, other than truck tractors, with single rear axles and dual rear wheels.

**390. Truck Terminals** - Any premises used by a motor freight company as a carrier of goods, which is the origin or destination point of goods being transported, for the purpose of storing, transferring, loading, and unloading goods.

**391. Truck Camper** - A portable unit constructed to provide temporary living quarters for recreational, travel or camping use, consisting of a roof, floor and sides, designed to be loaded onto and unloaded from the bed of a pickup truck. A truck camper is to be only used as designed by the original manufacturer. A truck camper is not to be used as a permanent residence.

**392. Use** - The purpose for which land or a structure is designed, arranged, or intended, or for which it is occupied or maintained.

**393. Vacation Rental** - The rental of any structure or any portion of any structure for occupancy for dwelling, lodging or sleeping purposes 30 – consecutive days or less in a residential zoning district, including single-family residences, condominiums, duplexes, townhomes, and multiple family dwellings.

**394. Vegetated Buffer** - A use-restricted vegetated area that is located along the perimeter of streams, ponds, lakes or wetlands, containing natural vegetation and grasses, or enhanced or restored vegetation.

**395. Visual Obstruction** - A screen of live plant material that is opaque from the ground to a height of at least six feet, intended to exclude visual contact between uses and to create a strong impression of special separation during all seasons of the year. At maturity, the screen shall be considered to be view-obscuring if there are no openings greater than one square foot.

**396. Warehouses** - A use engaged in storage, wholesale, and distribution of manufactured products, supplies, and equipment, excluding bulk storage of materials that are inflammable or explosive or that present hazards or conditions commonly recognized as offensive

**397. Wholesale Business** - An establishment or place of business primarily engaged in selling and/or distributing merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies. This is not considered a general commercial use

**398. Wrecked Automobile Storage Yard** - Storage of wrecked automobiles with no parts, accessories, or scrap being sold. Sales of complete automobiles shall be made to licensed automobile dealers only. There shall be no processing or dismantling of wrecked automobiles.

**399. Yard** - An open space on a lot which is unobstructed from the ground upward except as otherwise provided in this resolution.

**400. Yard, Front** - A yard between side lot lines and measured horizontally at right angles to the front lot line from the nearest point of a building. Any yard meeting this definition and abutting on a street other than an alley, shall be considered a front yard.

**401. Yard, Rear** - A yard between side lot lines and measured horizontally at right angles to the rear lot line from the rear lot line to the nearest point of a building.

**402. Yard, Side** - A yard between the front and rear yard measured horizontally at right angles from the side lot line to the nearest point of a building.

**403. Yard, Street Side** - A yard adjacent to a street between the front yard and rear lot line measured horizontally and at right angles from the side lot line to the nearest point of a building.

**404. Zoning Atlas Map** - A map or series of maps and special overlays (the official copy being maintained by the Zoning Administrator) showing districts and special districts that are established under the provisions of and, hereby, being a part of this resolution.

**405. Zoning Permit** - A general term referring to a permit required to construct, reconstruct, alter or use any building or other structure or any zone, as required by this resolution.

## **ARTICLE III**

### **ESTABLISHMENT OF DISTRICTS**

For the purpose of this resolution, Washington County, Tennessee, is hereby divided into twenty-three (23) classes of districts as follows:

A-1	General Agriculture District
A-2	Agriculture-Residential District
A-3	Agriculture-Business District
R-1	Low Density Residential District
R-1A	Low Density Residential District
R-1B	Low Density Residential District
R-2	Medium Density Residential District
R-2A	Medium Density Residential District
R-3	High Density Residential District
R-3A	High Density Residential District
B-1	Neighborhood Business District
B-2	Retail Business District
B-3	General Business District
B-4	Arterial Business District
MS	Medical Services District.
M-1	Light Industrial District
M-2	High Impact Use District
M-E	Mineral Extraction District
PRD	Planned Residential District
PR-BD	Planned Residential - Business District
PBD-1	Planned Business District
PBD-2	Planned Business District
PMD	Planned Manufacturing District

The boundaries of these districts are hereby established as shown on the map entitled "Zoning Map of Washington County, Tennessee," dated July 5, 2011 and any subsequent amendments which accompanies this resolution and which is on file in the office of the Washington County Zoning Administrator. Unless otherwise specifically indicated on the map, the boundaries of districts are lot lines or Right of Way lines of streets or alleys or such lines extended, the boundary lines with cities or counties, or a Right of Way line of the main track of a railroad or the center lines of streams or other water bodies as dictated by the location of the lot line.

## ARTICLE IV

### APPLICATION OF REGULATIONS

Except as hereinafter provided:

401. Use. No building, structure or land shall hereafter be used and no building or part thereof shall be erected, moved, or altered unless for a use expressly permitted by and in conformity with the regulations herein specified for the district in which it is located.

402. Street Frontage. No dwelling shall be erected on a lot which does not abut a public road without meeting the following minimum standards or exemptions:

402.1. Standards:

1. All lots less than two (2) acres in total area shall have a minimum of twenty-five (25) feet of street frontage;
2. All lots two (2) acres or greater in total area shall have a minimum of forty (40) of street frontage; or (Newly created lots shall conform to the subdivision regulations for minimum road frontage.)
3. All lots fronting on an arterial road shall have a minimum of one hundred (100) of street frontage. An arterial road is determined by the Major Thoroughfare Plan.
4. Any lot as part of an approved plan in a private gated community and on a permanent easement (private street) that corresponds in its location and lines with a permanent easement shown on a plat approved by the Planning Commission with such approval entered in writing on the recorded plat by the secretary of the Planning Commission shall have a minimum street frontage per principal building or structure subject to the standards above (Section 402.1) according to the size of property.

402.2. Exemptions For Lots-of-Record: In the case where a tract of land is considered legal and recorded prior to the adoption of County-wide zoning on August 27, 1984, and which is outside of any Planning Region of the Regional Planning Commissions (Johnson City and Jonesborough), the land may be subdivided so long as the following requirements and conditions are satisfied prior to issuance of any principal use permit:

1. The lot-of-record, which has less than forty (40) feet of road frontage or none at all, may be subdivided only if the proposed new lot(s) obtain the minimum width of public road frontage subject to the standards in Section 402.1, and in no case shall new lots be created without the required minimum public road frontage requirements nor further non-conformities be created to the original tract by subdividing. All other zone lot requirements shall apply.

403. Corner Lots. The minimum width of a side yard along an intersecting street shall be 50 percent greater than the minimum side yard requirements of the district in which the lot is located.

404. One Principal Building On A Lot. Only one principal building and its customary accessory buildings may hereafter be erected on a lot in any A-2, R-1, R-1A, and R-1B residential district. In all other zoning districts, the requirements of the zoning district shall apply provided that all buildings meet the yard and density requirements of the district in which they are located.

405. Yard and other Spaces. No part of a yard or other open space required about any building for the purpose of complying with the provisions of this resolution shall be included as a part of a yard or other space required under this resolution for another building.

406. Reduction of Lot Size. No lot shall be reduced in area so that yards, density, lot width, building area or other provisions of this resolution shall be maintained.

407. Conformity to Subdivision Regulations. No building permit shall be issued for or no building shall be erected on any lot within the county, unless the street giving access to the lot upon which said building is proposed to be placed shall have been accepted or opened as a public street prior to that time or unless such street corresponds in its location and lines with a street shown on a subdivision plat approved by the appropriate regional planning commission (Washington County, Jonesborough, Johnson City, or other state approved regional planning commission.) and such approval entered in writing on the plat by the secretary of the commission.

408. Height and Density. No building or structure shall hereafter be executed or altered so as to exceed the height limit, to accommodate or house a greater number of families, to have narrower or smaller front yards or side yards than are required or specified in the regulations herein for the district in which it is located.

409. Deed Restrictions. Deed restrictions shall not be construed to be superseded nor abrogated by this zoning resolution where the provisions of this resolution are less restrictive in nature than the restrictions in the deed; nor shall deed restrictions be construed to override, annul, abrogate, or supersede any provision of this resolution where said deed restrictions are less restrictive in nature than the provisions of this resolution.

410. Manufactured Home Skirting. All manufactured homes shall be skirted using masonry or some other decay resistant material specifically manufactured for such use. The skirting shall be installed around the entire perimeter of the structure and have adequate ventilation as required by the manufacturer or, if there are no specifications available, no less than one square foot of ventilation for every 150 square feet of crawlspace area. All work must be completed within sixty days.

## ARTICLE V

### GENERAL PROVISIONS

501. Continuance of Nonconforming Uses. Any lawful use of any building or land existing at the time of the enactment of this resolution or whenever a district is changed by an amendment thereafter may be continued although such use does not conform to the provisions of this resolution with the following limitations:

501.1. No building or land containing a nonconforming use shall hereafter be extended unless such extensions shall conform with the provisions of this resolution for the district in which it is located; provided, however, that a nonconforming use may be extended throughout those parts of a building which were manifestly arranged for such use prior to the enactment of this resolution.

501.2. Any nonconforming building, which has been damaged by fire or other causes, may be reconstructed and used as before, unless it is determined by the building official that the building is damaged to the extent of more than seventy-five (75) percent of the fair cash market value of the structure, in which case any repair or reconstruction shall be in conformity with this resolution.

501.3. When a nonconforming use of any building or land has ceased for a period of one year, it shall not be reestablished or changed to any use not in conformity with the provisions of this resolution.

501.4. Any building containing a nonconforming use shall not be changed to another nonconforming use unless it is determined by the Board of Zoning Appeals that such use is less offensive than the previous use.

501.5. Nonconforming Mobile Home. A mobile home deemed to be a legal nonconforming use at the time of the adoption of this resolution and located on a single lot may be replaced under the following conditions.

501.5.1. Provided that they are replaced within one year of the removal or destruction of the previous mobile home;

501.5.2. Provided that the replacement mobile home is of structural quality equal to or exceeding that of the previous mobile home in the opinion of the Zoning Administrator;

501.5.3. Provided that they meet the front, side and rear yard requirements of the district in which they are located.

501.6. Nonconforming Mobile Home Parks. A mobile home park deemed to be a legal nonconforming use at the time of the adoption of this resolution may replace mobile homes under the following conditions:

501.6.1 Mobile homes may be replaced in the parks if they meet the density and spacing requirements of section 508.3.1 and the setback requirements of section 508.3.2.

501.7. A nonconforming commercial or industrial use may be expanded provided that said expansion is approved by the Washington County Planning Commission; however the expansion of a nonconforming commercial or industrial use shall not be permitted through the acquisition of additional land. Before any expansion is begun, however, a set of plans showing existing development and the proposed expansion shall be presented to the planning commission for review and approval. A nonconforming use by its nature is not in character with its surrounding

neighborhood, therefore, an effort shall be made to maintain the aesthetic characteristics of the neighborhood in order to protect the safety and welfare of citizens and to protect property values. Since noise, visual pollution and traffic congestion are the primary sources of incompatibility of land uses, efforts should be made to minimize their effects. A site plan showing the following, as a minimum, may be required by the planning commission.

501.7.1. A signed statement by a licensed engineer or architect indicating existing noise levels and proposed noise levels when the expansion is completed.

501.7.2. Landscaped areas indicating fencing, berms, and planted buffer strips.(see Appendix A)

501.7.3. Off-street parking - loading and unloading areas.

501.7.4. Erosion and sedimentation control.

501.7.5. Points of ingress and egress.

501.7.6. A bond may be required to insure completion of all required improvements.

501.7.7. Any other data deemed necessary by the planning commission.

501.8. Any building existing and operating as a commercial use at the time of any amendment to Section 507 and eligible for the issuance of a permit pursuant to 507 shall be entitled to a permit as a non-conforming use.

## **Section 502 Off-Street Parking**

### 502.1 Purpose

The purpose of these regulations is to ensure adequate parking is provided and maintained throughout the County. Parking shall be provided in the amount specified by this section, at the time of erection of any structure, or at the time when any main structure is enlarged or increased in capacity by adding dwelling units, guest rooms, seats, or floor area; or before conversion from one zoning use or occupancy to another.

### 502.2 General Provisions

502.2.1 Parking spaces provided to meet the requirements of this section shall not be reduced in size or number, modified, eliminated, or assigned to another use at the same time, except as allowed by these regulations. The use of required parking for the display of equipment, material, or supplies, or for the sale, repair, or dismantling of vehicles shall not be permitted.

502.2.2 Each required parking space, aisle, and drive shall be paved and provide paved vehicular access to a public or private street or alley, unless a waiver is approved by the Planning Commission. If a waiver is approved, at a minimum the paved surface shall extend from the edge of the public road to the right of way line or 15', whichever is greater. Each parking space shall be unobstructed and independently accessible from an aisle or drive.

502.2.3 With the exception of required spaces for single-family and two-family dwelling units, adequate on-site turning space shall be provided so that no vehicle is required to back into the street. However, any direct driveway access to arterial or collector streets from single-family and two-family dwelling units shall have an adequate on-site turning space provided so that no vehicle is required to back into the street

502.2.4 Each required parking space shall be marked by painted lines extending the full length of the space.

502.2.5 When several uses occupy a single structure or lot, typically the total required parking is the sum of the requirements of the individual uses.

502.2.5.1 However, the Planning Commission may approve a waiver allowing the total parking requirement to be calculated on the maximum parking need at any point throughout a typical day based on the timing of the maximum needs of the individual uses.

502.2.7 Parking areas and loading facilities shall be maintained by the owner or lessee in a clean and orderly condition, free of debris and other foreign substances. Parking and loading areas shall be properly maintained, pavement markings periodically repainted, and on-site traffic signs properly maintained, as necessary to maintain a clear and safe identification of individual parking spaces and to facilitate the safe movement of pedestrian and automobile traffic.

502.2.8 When calculations indicate a fraction of one (1) space is required, the following shall apply:

For fractions from 0.01 to 0.49, provide no additional space.

For fractions from 0.50 to 0.99, provide one (1) additional space.

502.2.9 Each parking space and aisle shall have the minimum dimensions specified by the following standards and illustrations.

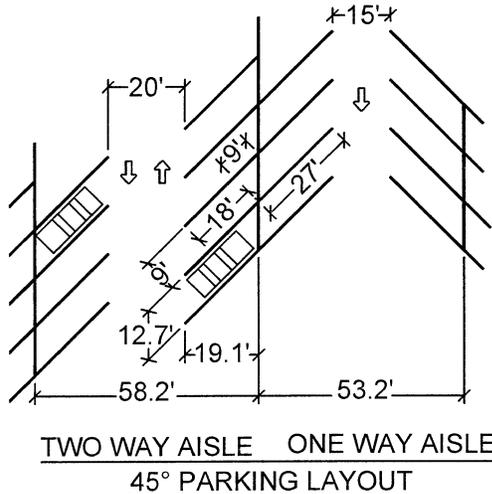
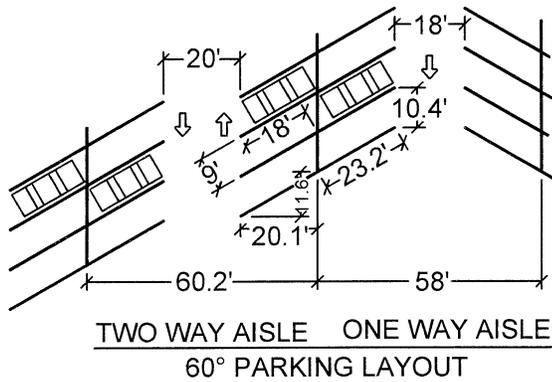
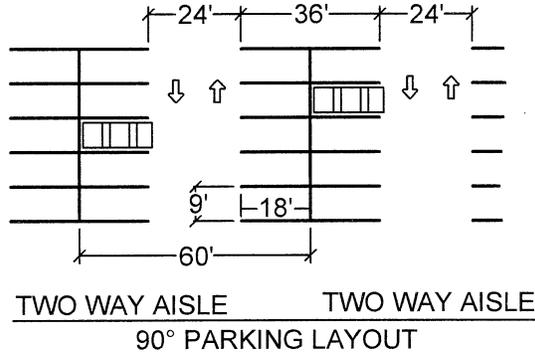
PARKING DESIGN STANDARDS

Type of Space		Parking Angle ***	Minimum Space Width	Minimum Space Depth	Minimum Aisle Width* (1-Way Drives)	Minimum Aisle Width (2-Way Drives)
Automobile Parking Spaces		0° parallel	9'	25'	15'	20'
		15°	9'	23'	15'	20'
		30°	9'	22'	15'	20'
		45°	9'	21'	15'	20'
		60°	9'	20'	18'	20'
		75°	9'	19'##	22'#	24'##
		90°	9'	18'##	24'#	24'##
Handicapped Spaces	Standard	**	14'****	18'-25'***	**	**
	Van Accessible	**	17'****	18'-25'***	**	**
Motorcycle	Spaces	**	4 1/2'	7'	**	**

- \* Measured perpendicular to traffic flow in aisle.
- \*\* Same as requirements for automobiles.
- \*\*\* Use the graph below to determine parking angle.
- \*\*\*\* Includes 9-foot parking spaces and 5-foot access aisle for standard spaces and 8-foot access aisle for van accessible spaces. Access aisles may be shared by two adjacent spaces.
- # Drive aisles may be reduced by up to 2' if there is parking on one side only and there are no plants over 18" tall or structures within 2' of the pavement.
- ## Parking stall length may be reduced by up to 2' if there is green space of at least 2' width at the front of the space and there are no plants over 18" tall or structures within 2' of the pavement. However, there shall be a curb, or wheel stops placed at the edge of the pavement, to prevent the vehicles from travelling into the green space.

Note: The designer may not use the parking space length reduction and drive aisle width reduction for the same parking spaces.

PARKING SPACE AND DRIVE AISLE ILLUSTRATIONS



502.2.10 For uses not specifically mentioned herein, off-street parking requirements shall be interpreted by the Zoning Administrator based upon requirements for similar uses established herein or upon acceptable standards.

502.2.11 All space requirements which are based upon employment shall be computed on the basis of the greatest number of persons employed at any one period during the day or night.

502.2.12 Garages and their associated driveways may count towards parking space requirements as follows:

502.2.12.1 1 garage space equals 1 parking space for one and two family units

502.2.12.2 1 garage space equals 0.5 parking spaces for multi-family units

502.2.12.3 Every 18' of driveway length equals 1 parking space if the space does not block a walkway.

502.2 Required Parking Spaces

502.3.1 The following are minimum parking requirements. The maximum parking allowed is an additional 30% above the minimum required. The Planning Commission may grant a waiver to the maximum limit but the parking spaces above the maximum allowable and their associated drive aisle should be constructed using a durable pervious material, to the extent possible. For calculation of the maximum allowable, garage spaces are not taken into consideration-it is only the exterior spaces that cannot exceed the maximum allowable without a waiver from the Planning Commission.

Residential	Spaces required
Bed-and-breakfast inns\house	One (1) parking space per guest room plus two (2) additional parking spaces for the permanent residence.
Elderly housing, assisted living	One (1) space per unit plus one (1) space per employee on the largest shift.
Elderly housing, congregate care	One-half (1/2) space per bed or one (1) space per bedroom whichever is greater plus one (1) space per employee on the largest shift.
Elderly/retirement housing	One and one-quarter (1 1/4) spaces per unit.
Home occupation	Two (2) spaces for the dwelling unit plus one (1) space per one-hundred square feet of floor area devoted to the home occupation.
Manufactured (Mobile) home parks	Two (2) spaces per dwelling unit.
Multi-family, one bedroom multi-family dwelling unit with floor area of four-hundred twenty five (425) square feet or less	One and one-quarter (1 1/4) spaces per dwelling unit.
Multi-family, one bedroom multi-family dwelling units with a floor area greater than four-hundred twenty five (425) square feet	One and one-half (1 1/2) spaces per dwelling unit.

Multi-family, two or more bedroom multi-family dwelling unit	Two (2) spaces per dwelling unit.
Residential facilities for developmentally disabled	Two (2) parking spaces for the first dwelling unit and one (1) additional parking space provided for each additional dwelling unit.
Rooming and boarding houses, excluding bed and breakfast houses	One (1) space per rented bedroom plus two (2) spaces for the permanent residence.
Single-family and two family dwelling units	Two (2) spaces per dwelling unit.

<b>Commercial</b>	<b>Spaces Required</b>
Adult day-care centers	One (1) space per employee and one (1) space per five (5) persons enrolled in the program.
Automobile repair garages	One (1) space per employee plus one (1) space per two-hundred fifty (250) square feet of floor area used for repair work.
Automobile sales	One (1) space per employee plus one (1) space per two-hundred fifty (250) square feet of floor area for service area, plus one (1) space per one- thousand (1,000) square feet of gross building area (exclusive of service area).
Barber/beauty shop (other than home occupation)	Three (3) spaces per chair or beautician station for the first two (2) chairs or station, plus two (2) spaces for each additional chair or station.
Bowling lanes	Four (4) spaces per lane plus any additional spaces required for other uses.
Child day-care centers	One (1) space per four-hundred (400) square feet of gross floor area.
Commercial centers, including office, retail, and restaurants not exceeding 20,000 square feet.	One (1) space per one-hundred and fifty (150) square feet of gross floor area.
Convenience centers	One space per one-hundred and fifty (150) square feet of retail area plus one (1) space per employee
Dance/gymnastic schools	One (1) space per two-hundred and fifty (250) square feet of gross floor area.
Fraternal organizations, lodges, and clubs	One (1) space per two-hundred (200) square feet of gross floor area.

Funeral home or mortuary	One (1) space per four (4) seats in the chapel plus four (4) additional spaces per one-hundred (100) square feet of floor area in each viewing room, and one (1) space per vehicle operated by the establishment.
Golf and country clubs, swimming clubs, tennis clubs, and other similar recreational activities	One (1) space per five (5) families with membership in the club.
Golf course	Forty-eight (48) spaces for a par-3 course; ninety-six (96) spaces for an executive or regulation golf course; and one (1) space per employee and one (1) space per two-hundred (200) square feet of gross floor area of the pro-shop and snack bar.
Golf driving ranges	One (1) space per tee, plus one (1) space per putting green, plus one (1) space per employee.
Health/fitness club	One (1) space per two-hundred (200) square feet of gross floor area.
Kennels	One (1) space per five-hundred (500) square feet of gross floor area plus one (1) space per employee.
Motels, hotels	One (1) space per rental unit, plus one (1) space for each two (2) employees, plus one (1) space per two-hundred (200) square feet of gross floor area devoted to eating and entertainment.
Movie theatre	One (1) space per four (4) seats.
Night clubs	One (1) space per one-hundred (100) square feet of gross floor area.
Outdoor sales areas not otherwise specified	One (1) space per five-hundred (500) square feet of sales area, plus one (1) space per employee.
Personal, business, or professional services not otherwise specified	One (1) space per two-hundred (200) square feet of gross floor area.
Plant nurseries	One (1) space per two-hundred (200) square feet of gross floor area, plus one (1) space per four-thousand (4,000) square feet of gross acreage.
Restaurants	
	A. Sit-Down: One (1) space per one-hundred (100) square feet of gross floor area.
	B. Carry-Out Only: One (1) space per two-hundred (200) square feet of gross floor area.
	C. Drive-Thru Only: One (1) space per employee.
	D. Restaurants located inside retail malls with an excess of four-hundred thousand (400,000) square feet of gross leasable area (GLA) shall be calculated at the same rate as the remainder of the mall.

Retail sales, general	One (1) space for each two-hundred (200) square feet of retail area.														
Retail sales, specialty	One (1) space for each four-hundred (400) square feet of retail area.														
Retail sales, bulk	One (1) space per five-hundred (500) square feet of retail area, or one (1) space per one-thousand (1,000) square feet of gross floor area, whichever is greater.														
Retail mall	Retail malls having in excess of four hundred-thousand (400,000) square feet of gross leasable area (GLA), according to the table below:														
	<table border="1"> <thead> <tr> <th>Square Feet of GLA (SFGLA)</th> <th>Spaces Required (per 1000 SFGLA)</th> </tr> </thead> <tbody> <tr> <td>400,000 – 500,000</td> <td>5</td> </tr> <tr> <td>500,000 – 600,000</td> <td>4.9</td> </tr> <tr> <td>600,000 – 700,000</td> <td>4.8</td> </tr> <tr> <td>700,000 – 800,000</td> <td>4.7</td> </tr> <tr> <td>800,000 – 900,000</td> <td>4.6</td> </tr> <tr> <td>900,000 +</td> <td>4.5</td> </tr> </tbody> </table>	Square Feet of GLA (SFGLA)	Spaces Required (per 1000 SFGLA)	400,000 – 500,000	5	500,000 – 600,000	4.9	600,000 – 700,000	4.8	700,000 – 800,000	4.7	800,000 – 900,000	4.6	900,000 +	4.5
Square Feet of GLA (SFGLA)	Spaces Required (per 1000 SFGLA)														
400,000 – 500,000	5														
500,000 – 600,000	4.9														
600,000 – 700,000	4.8														
700,000 – 800,000	4.7														
800,000 – 900,000	4.6														
900,000 +	4.5														
Wholesale business	One (1) space per three-thousand (3,000) square feet of gross floor area plus one (1) space per employee														

Office	Spaces Required
Call centers	One (1) space per (2) employees in the largest shift.
General offices	One (1) space per three-hundred (300) square feet of gross floor area.
Medical and dental offices	Five (5) spaces per doctor plus one (1) space per employee or one (1) space per two-hundred (200) square feet of gross floor area, whichever is greater.

Industry	Spaces Required
Industry	One (1) space per two (2) employees in the largest shift.
Warehouses	One (1) space per employee.

Institutional	Spaces Required
Ambulance service	One (1) space for each ambulance plus one (1) space per employee.
Animal hospitals, veterinary clinics	One (1) space per three-hundred (300) square feet of gross floor area.

Churches, chapel, mosque, synagogue, or other place of worship	One (1) space per four (4) seats in the main sanctuary, a seat being defined as at least eighteen (18) inches of row seating or each individual chair.
Community center	One (1) space per three-hundred (300) square feet of gross floor area plus one (1) space per employee.
Emergency or temporary shelters	One and one-half (1 1/2) space per five (5) persons staying at the shelter.
Fraternity or sorority houses	One (1) space per bed.
Group homes for the mentally retarded, mentally handicapped, or physically handicapped	Three (3) spaces for the first ten (10) residents, plus two (2) additional spaces for facilities with eleven (11) to fifteen (15) residents.
Hospitals	One (1) space per two (2) beds (exclusive of bassinets) plus one (1) space per two (2) staff or visiting physicians plus one (1) space per employee.
Libraries, museums, and art galleries	One (1) space per four-hundred (400) square feet of gross floor area.
Places of public assembly	One (1) space per four (4) seats in the principal assembly room.
Public utility buildings	One (1) space per employee plus one (1) space per company vehicle.
Schools	
A. Elementary school	One (1) space per employee or staff plus one (1) space per twenty-five (25) students.
B. Middle school	One (1) space per employee or staff plus one (1) space per twenty-five (25) students.
C. High school	One (1) space per employee or staff plus one (1) space per four (4) students.
D. Colleges, universities, technical schools	One (1) space per employee or staff plus one (1) space per three (3) students.
Stadium	One (1) space per four (4) seats.

502.4 Off Premises Parking

If the required parking spaces cannot be provided on the same lot as the principal use, the Board of Zoning Appeals may, as a Special Exception, permit such spaces to be located on other property, provided;

- 502.4.1 The property used for parking shall be located within four-hundred (400) feet of the property line of the principal use.
- 502.4.2 The property used for parking shall have the same landscape requirements as the principal structure or use.
- 502.4.3 The property used for parking shall not be separated from the principal use by an arterial street as designated on the Major Thoroughfare Plan.
- 502.4.4 Lighting shall be shaded or recessed so as not to project light on to adjoining properties or onto any public right of way as determined by staff. A site inspection shall be conducted prior to the issuance of a Certificate of Occupancy.
- 502.4.5 Such spaces shall not exceed fifty (50) percent of the required parking.
- 502.4.6 Ingress and egress to the parking lot shall not be through a local residential street and is provided through the property of the non-residential principal use.
- 502.4.7 When off-street parking is located on a lot other than the lot where the principal use is located, the applicant shall submit a legal instrument duly executed by all parties allowing the land to be available for the parking as long as required for the principal use.

502.5 Handicap Parking

Except for single-family, two-family, and multiple-family dwellings offered for sale, all uses shall provide off-street parking spaces for handicapped persons.

- 502.5.1 The number of handicapped parking spaces required shall be based on the total number of parking spaces according to the following table:

<u>Total Spaces</u>	<u>Required Number to be Reserved for the Handicapped</u>
Up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
Over 1,000	20 plus 1 for each 100 over 1,000

- 502.5.2 Each handicapped parking space shall be identified by an above-grade sign conforming to the requirements of the Manual on Uniform Traffic Control Devices. Each sign shall be no less than seven (7) feet in height to the bottom of

the sign, and the sign itself shall be twelve (12) inches in width by eighteen (18) inches in height. Other methods identifying handicapped parking spaces, such as painting on asphalt surfaces, shall not be considered as acceptable alternatives to the required signage, but may be installed in addition to these requirements.

502.5.3 Handicap spaces shall be provided at the closest possible location to the entrance of the building, and shall be connected to that entrance by a paved surface no less than five (5) feet in width, which does not exceed one (1) foot rise or fall per twelve (12) feet of length. In no case shall a handicapped individual, in proceeding from a handicapped parking space to an entrance, be required to walk or wheel behind non-handicapped parking.

**502.6 Motorcycle Parking**

502.6.1 Any off-street parking facility of fifty (50) or more spaces may install, as an option, motorcycle parking spaces in lieu of required automobile parking. The maximum percentage of such spaces that may be counted toward the required parking requirement shall be one (1) percent, with fractions being rounded to the nearest whole number.

502.6.2 Any such spaces provided shall be grouped in the parking area and at the ends of parking aisles where possible.

502.6.3 Motorcycle spaces shall be identified by above grade signs, no less than seven (7) feet in height to the bottom of the sign as being reserved for such use. The sign itself shall be twelve (12) inches in width by eighteen (18) inches in height. Other methods of identification, including painting of asphalt surfaces, shall not be considered as acceptable alternatives to the required signage, but may be installed in addition to these requirements.

**502.7 Stacking Lanes for Drive-up Order Windows**

502.7.1 A required stacking space shall be an area measuring eighteen (18) feet long with direct forward access to an order window or device of a drive-through facility. A required stacking space shall be located to minimize any vehicle from extending into the public right-of-way. Stacking spaces for drive-through or drive-in uses may not be counted as required parking spaces.

502.7.2 Stacking spaces begin at the ordering device of a drive-through facility. Uses providing drive-up or drive-through services shall provide stacking spaces as follows:

502.7.2.1 For a drive-through restaurant with indoor seating, a minimum of seven (7) stacking spaces shall be provided;

502.7.2.2 For a drive-through restaurant without indoor seating, a minimum of ten (10) stacking spaces shall be provided;

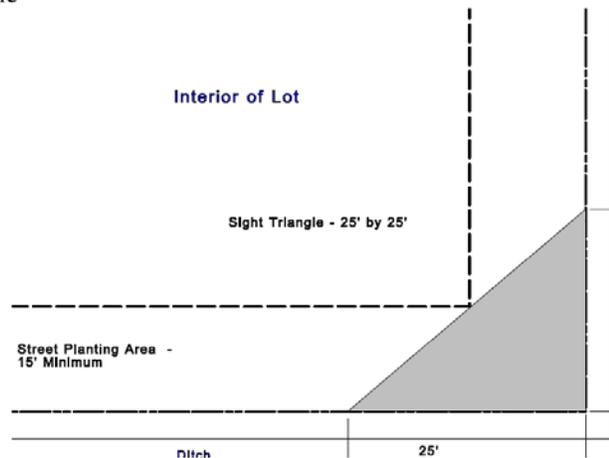
502.7.2.3 For each drive-up window of a bank or other financial institution, a minimum of five (5) stacking spaces shall be provided per service window or device.

502.7.2.4 For other uses, a minimum of three (3) stacking spaces shall be provided per service window.

Section 503 Loading Areas. All nonresidential uses shall provide an area outside of the public right-of-way sufficient for loading and unloading goods. The size and number of loading areas should be based on the particular use.

504. Vision Clearance. No fence, wall, shrubbery, sign or other obstruction to vision between the height of three feet and fifteen feet above the center line grades of the intersecting streets and/or drives shall be permitted within twenty feet of the intersection of the rights-of-way lines of streets, or of streets and railroads.

#### Sight Triangle



#### 505. Design, Construction and Maintenance of Off-Street Parking and Unloading Lots.

505.1. Clearly defined driveways used for ingress and egress shall be confined to and shall not exceed thirty feet in width, exclusive of curb returns. Unless otherwise approved by the planning commission, there shall be one point of ingress and egress to each parking or unloading lot unless the lot is shared between two or more uses.

505.2. All areas devoted to permanent off-street parking and loading and unloading as required under this section shall be of a sealed surface construction and maintained in such a manner that no dust will result from continuous use.

505.3. Parking and loading and unloading lots shall be well drained to eliminate surface water.

505.4. Landscaping requirements are in accordance with Appendix A, *Landscape Manual*.

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

506.1. A point of access, i. e., a drive or other opening for vehicles onto a street shall not exceed thirty (30) feet in width.

506.2. There shall be no more than two (2) points of access to any one (1) public street on a lot of less than 400 feet but more than 100 feet in width. Lots less than one hundred(100) feet in width shall have no more than one (1) point of access to any one (1) public street.

506.3. No point of access shall be allowed within twenty-five (25) feet of the right-of-way of any public street intersection.

506.4. Where sidewalks exist, the area existing between the street and an interior parking space or driveway parallel to the street shall have a curb at least six (6) inches in height and six inches (6) inches in width separating the parking area from the sidewalk to prevent encroachment of vehicles onto the sidewalk area.

506.5. No curbs on county streets or rights-of-way shall be cut or altered without written approval of the Washington County Highway Department. Written approval shall be submitted in order to obtain any permits from the Zoning Office.

506.6. Cases requiring variances relative to this action, and hardships not caused by the property owner, shall be heard and acted upon by the Board or Zoning Appeals with a recommendation from the Public Works Committee, provided, further, that no curb cuts for off-street automobile storage or parking space shall be permitted where the arrangement would require that vehicles back directly into a public street.

506.7. Access control on property abutting state or federal highways shall be governed by official regulations of the Tennessee Department of Transportation, Division of Highways or the provisions of this resolution, whichever is higher.

507. Alcoholic Beverages. The retail sale of beverages having an alcoholic content of less than five (5) percent by weight and the retail sale of beverages having an alcoholic content of more than five (5) percent by weight and requiring for their sale a license issued by the Tennessee Alcoholic Beverage Commission shall be permitted only in Business District that permits the sale of retail goods, (B-2, B-3, &B-4) No such sale, however, shall be permitted until all state laws have been complied with and approval has been received from the Washington County Beer Board or other such board as designated by the Washington County Board of Commissioners.

508. Mobile Home Parks. Except for the A-1 General Agriculture District and the R-3 Residential District, mobile homes will be permitted only in approved mobile home parks. Each mobile home park shall be subject to the density provisions of the district in which it is located. A mobile home park is any plot of ground containing a minimum of two acres upon which two or more mobile homes unless otherwise provided for in this resolution, are located or are intended to be located, but does not include sites where unoccupied mobile homes are on display for sale. The following property development standards shall apply for all mobile home parks:

508.1. Mobile Home Park Definitions. A detached single family dwelling unit with all the following characteristics:

508.1.1. Designed for long-term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems.

508.1.2. Designed to be transported after fabrication on its own wheels, or on flatbed or other trailers or detachable wheels.

508.1.3. Arriving at the site where it is to be occupied as a dwelling complete, including major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and assembly operations, location on foundation supports, connection to utilities, and the like.

508.2. The owner of the land parcel proposed for a mobile home park shall submit a plan for development to the Washington County Planning Commission. In addition to the site plan development requirements of sections 511 or 512 the plan shall show:

508.2.1. The park plan drawn to scale.

508.2.2. The area and dimensions of the proposed park.

508.2.3. The location and width of all roadways and walkways.

508.2.4. The location and dimensions of any proposed service buildings and structures.

508.2.5. The location of all water and sewer lines.

508.2.6. The location of all equipment and facilities for refuse disposal and other park improvements.

508.2.7. A drainage plan of the park.

508.2.8. A certificate of accuracy signed by the surveyor or engineer that the engineering work is correct.

508.2.9. Certificate and signature of the health officer.

508.2.10. Any other information deemed pertinent by the planning commission.

508.3. Each mobile home park site shall meet the following minimum standards:

508.3.1. The mobile home park shall contain no more than five (5) individual mobile home spaces per gross acre in any allowed district when served by a sanitary sewer system. Mobile home parks not served by a sanitary sewer system shall not exceed three (3) mobile home spaces per gross acre in any allowed district. All mobile home parks shall maintain a minimum of twenty (20) feet between each mobile home.

508.3.2. No mobile home shall be located closer than fifty (50) feet to any side or rear property lines of the park.

508.3.3. The site shall be located on a well drained and flood free site with proper drainage.

508.3.4. The site shall not be exposed to objectionable smoke, noise, odors, insect or rodent harborage or other adverse influences.

508.3.5. The site shall be located with direct access to a public street.

508.3.6. Each mobile home park shall provide a common area for playgrounds. The area shall contain a minimum of 500 square feet for each mobile home space exclusive of roadways, mobile home spaces, and parking spaces.

508.3.7. Entrances and exits to the mobile home park shall be designed for safe and convenient movement of traffic into and out of the park, and shall be located and designed as prescribed by the planning commission.

508.3.8. There shall be a planted buffer strip along the side and rear property lines. Any part of the park area not used for buildings or other structures, parking, or access ways shall be landscaped with grass, trees, shrubs, and pedestrian walks.

508.3.9. The park shall be adequately lighted.

508.3.10. Each mobile home shall have two 10 feet by 20 feet parking spaces paved to the same standards as roadways detailed in the next section.

508.3.11. Roadways shall have a minimum pavement width of twenty (20) feet except on cul-de-sacs (dead end streets) with five units or less which may have a pavement width of sixteen feet. The required improvements are as follows:

508.3.11.1. Base: A compacted base course six (6) inches deep and one and one-half (1-1/2) feet wider than the width of the pavement on each side of the street shall be installed on all streets, including cul-de-sacs, temporary turn arounds and access streets to adjoining properties, according to the method specified in Section 303 *Standard Specifications for Roads and Bridge Construction*, (Tennessee Department of Highways January 1, 1968) and latest revision thereto. Wetting of the stone before compaction may be done at a point of origin or on the job site at the option of the contractor. In all cases the center line of a roadway shall coincide with the center line of the right-of-way dedicated for such road or street.

508.3.11.2. Binder: After a thoroughly compacted base has been established, an asphalt binder course shall be constructed in one layer not less than one and three fourths (1-3/4) inches thick as specified under Section 307, Bituminous Plant Base (hot mix) Type B, *Standard Specifications for Road and Bridge Construction*, Tennessee Department of Highways, January 1, 1968 and latest revisions thereto.

508.3.11.3. Surface course: The surface course shall consist of a course constructed with asphalt concrete, prepared with mineral aggregate laid hot as specified under Section 411, Asphalt Concrete Surface (hot mix) Grade E, mixed with sand, *Standard Specifications for Road and Bridge Construction*, Tennessee Department of Highways, January 1, 1968 and latest revisions thereto. It shall be constructed in one layer not less than one and one-fourth (1-1/4) inches thickness.

508.3.12. Each mobile home shall be anchored according to state law and shall be skirted as specified in Article IV, Application of Regulations, Section 410, Manufactured Home Skirting.

509. Temporary Use Regulations: The following regulations are necessary to govern the operation of certain necessary or seasonal uses which are nonpermanent in nature. Application for a temporary use permit shall be made to the Zoning Administrator or Designee. Said application shall contain a graphic description of the property and a site plan, description of the proposed use and sufficient information to determine yard requirements, setbacks, sanitary facilities and parking spaces. The following uses are permitted as temporary uses and subject to specific regulations and time limits which follow and to the regulations of any district in which such use is located.

509.1. Carnival or Circus. May obtain a temporary use permit in any agriculture, commercial or industrial district. Such permits shall be issued for a period of not longer than fifteen (15) days. Such uses shall only be permitted on lots where adequate off-street parking can be provided.

509.2. Christmas Tree Sale. May obtain a thirty (30) day temporary permit for display and sale of Christmas trees on open lots in any district.

509.3. Religious Tent Meetings. In any district, except a residential, a temporary use permit may be issued for a tent or other temporary structures to house a religious meeting. Such permit issued for not more than a thirty (30) day period. Such activity shall be permitted only on lots where adequate off-street parking can be provided.

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

509.5. Portable Storage Containers. In any A-1, A-2, A-3, R-1, R-1A, R-1B, R-2, R-2A, R-3, R-3A, B-1, B-2, B-3, B-3A, B-4, PRD, PR-BD, or PBD zoning district, a Temporary Use Permit shall be required for a portable storage container located on a parcel more than 14 days and issued based on the following requirements except the A-1 and A-3 zoning districts when used for agricultural use.:(Sept. 26, 2011 Resolution 11-09-02)

509.5.2 The use of a portable storage container shall be limited to no more than six consecutive months in any year for the A-1, A-2, A-3, R-1, R-1A, R-1B, R-2, R-2A, R-3, R-3A districts. There will be no time limit for the remaining permitted zoning districts. In the event the owner of the property suffers a catastrophic loss due to fire, flood or other physical calamity occurring on the property in question, an exception to this shall be made if the Portable Storage Container is being used as temporary storage when work requiring a building or demolition permit is being done to structures or buildings on the property. In such cases, the use of the Portable Storage Container shall not exceed the period for which the building or demolition permit has been issued.

509.5.3. Portable Storage Containers shall not be placed in a public Right-of-Way, or located so as to interfere with traffic safety or visibility. They shall also comply with building setback requirements of the zoning district.

509.5.4. Portable Storage Containers shall not be placed in the front yard of the principal building, unless there is a physical hardship or characteristic of the property that will not allow the placement of the container in any other location without undue expense or damage to the property as determined by the Washington County Zoning Administrator. The Board of Zoning Appeals shall have the power to hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an

administrative official. The containers shall not be placed in front of residential structures, unless placed in a pre-existing driveway.

509.5.5. Portable Storage Containers shall not be placed adjacent to existing structures, and shall be at least 10 feet from all structures unless approved by the Washington County Zoning Administrator. The Board of Zoning Appeals shall have the power to hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official.

509.5.6. Portable Storage Containers shall not be located in a flood hazard area.

510. Sign Regulations: The purpose of this Article is to provide a comprehensive system of sign regulations that will promote the best development of Washington County through the establishment of regulations to regulate the type placement, and size of signs and other graphic devices within the county; protect and enhance the scenic beauty of the natural environment in the county; emphasize the assets of community appearance and high environmental quality in promoting industrial recruitment and economic development; promote the public health, safety, and welfare by prohibiting improperly designed or located signs which could distract confuse, mislead, or obstruct vision in order to prevent hazardous distraction to the safe and efficient movement of vehicular traffic, ensure safe construction and maintenance of signs, protect and enhance public and private property; ensure equity in the distribution of the privilege of using the public visual environment to communicate private information; and improve the appearance of the county's business areas, especially along major thoroughfares.

#### 510.1. Definitions

510.1.1. Abandoned Sign: A sign which identified or advertises a discontinued business lessor, owner, product or activity.

510.1.2. Animated Sign:

Means any sign or permanent structure that uses movement, projection, or change of lighting or other electrical impulses to depict action or create a special effect. Variable display signs, beacons, and moving message boards are considered to be animated signs under this chapter.

510.1.3 Awning: A shelter projecting from and supported by the exterior wall of a building constructed of non-rigid materials on a supporting framework.

510.1.4. Awning Sign: A sign painted on, printed on, or attached to the surface of an awning or canopy. For purposes of determining permitted use, area, or location within this code, an awning sign shall be considered a wall sign.

510.1.5 Balloon: A tethered gas- or air-filled figure used for advertising purposes and not certified for flight by the Federal Aviation Administration.

510.1.6 Banner: A temporary sign made of fabric or any non-rigid material with no enclosing framework, and displayed outside of a building. This would include feather banners.

510.1.5. Business Sign: A sign which advertises the name, logo, slogan, prices, products, or services offered by the business or activity on the premises.

510.1.6 Canopy: A permanent shelter supported by a framework upon the ground. A canopy may be either freestanding or attached to a building.

510.1.7 Construction sign: A temporary freestanding sign identifying an architect, contractor, subcontractor, engineer, financier, and/or material supplier participating in construction on the property on which the sign is located.

510.1.8 Comprehensive development: A single parcel initially under the ownership of a single entity. Subdivision may occur within the development with access to public streets or private easements

510.1.9. Changeable Message Sign: An off-premise advertising device that displays a series of messages at intervals by means of digital display or mechanical rotating panels.

510.1.10. Digital Display: A type of changeable message sign that displays a series of messages at intervals through the electronic coding of lights or light emitting diodes or any other means that does not use or require mechanical rotating panels.

510.1.11. Directional Sign: An on-premise sign giving direction instructions, or facility information, such as parking loading, entrance or exit. The maximum size of each such sign shall be four (4) square feet and the maximum height shall be three (3) feet.

510.1.12. Directory Sign: A sign which gives the names and locations of occupants or uses in a multi-occupant, nonresidential development, building, or organized merchant association. Such sign shall be oriented to the view of pedestrians or to vehicles on the site rather than to view from the adjacent public right of way. The maximum size of a Directory Sign shall not exceed one (1) square foot per listed occupant or use.

510.1.13 Electronic Message Board: A sign that uses electronic technology to display information.

510.1.14 Feather Banners: A sign typically made of a flexible fabric attached to a long pole in the general shape of a feather, teardrop, or similar shape.

510.1.15 Festoons: A string of ribbons, pennants, streamers, tinsel, small flags, or pinwheels.

510.1.16 Flashing Sign: A sign or portion thereof, which exhibits sudden changes in lighting or transitory bursts of lighting of less than three (3) seconds in duration.

510.1.17. Freestanding Sign: A business sign supported upon the ground by poles or braces and not attached to any building.

510.1.18. Government Sign: Any temporary or permanent sign erected and maintained by the city, county, state, or federal government for traffic direction or for designation of direction to, or announcement of activities at any school, hospital, historic site or other public property or facility. This definition shall also include signs giving necessary traffic information or warning, such as railroad signs or temporary traffic signs erected by contractor working within or adjacent to a public street.

510.1.19 Human Signs: A temporary sign that may be worn as a costume or held or manipulated by a human that is used for commercial advertising purposes.

510.1.20 Mansard: A sloped roof or roof-like facade architecturally comparable to a building wall.

510.1.21 Menu Board: A sign associated with drive-thru windows. The sign shall not exceed thirty-two (32) square feet and oriented toward drive-thru window traffic. A permit is required, but such a sign will not be counted toward the freestanding sign allowance for the business or property.

510.1.22. Off Premise Advertising Sign: An off premise sign or is an outdoor advertising sign, including the supporting sign structure, which directs the attention of the general public to a business, service, or activity not usually conducted or a product not usually offered or sold upon the premises where such sign is located.

510.1.23 Off Premise Directional Sign: An off premise sign giving direction instructions, or facility address information. These signs shall be on private property by permission.

These signs are not for advertisement, but for locational purposes only. The maximum size of each such sign shall be four (4) square feet and the maximum height shall be three (3) feet. These signs shall be constructed of wood or metal and shall be permanently affixed to the ground.

510.1.24. Pole Sign: A freestanding sign which exceeds six (6) feet in height.

510.1.25. Political Sign: A temporary sign used in connection with a political, religious, or civic, non-commercial campaign.

510.1.26. Portable Sign: Any sign designed or intended to be readily relocated, and not permanently affixed to the ground or to a structure. Portable signs include such signs as sidewalk signs, A-frame sign or any sign attached to or painted on a vehicle or trailer parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business. For the purpose of this chapter, portable signs shall not be considered permanent signs. Real estate signs and other temporary signs that are otherwise provided for in this chapter shall not be considered portable signs for the purpose of this chapter.

510.1.27 Projecting Sign: A sign attached non-parallel to the wall of a building. A projecting sign may extend no more than four (4) feet from that wall or one-half the distance between the wall of the building and the curb line of the adjacent street, whichever is less. No such sign shall extend above the roof line of its building nor shall it be placed less than ten (10) feet above the sidewalk or ground level.

510.1.28 Real Estate Sign: A sign which announces the auction, sale, rental, or lease of the property upon which the sign is located. The maximum area of such signs shall be as follows:

<u>Zoning Districts</u>	<u>Area</u>
R-1 R-1A, R-1B, R-2 R-2A, R-3. R-3A and PRD	6 square feet
A-1, A-2, A-3, and MS	16 square feet
B-1, B-2. B-3, B-3A, B-4, PBD, M-1, M-2 & PMD	32 square feet

Real estate signs shall be removed within ten (10) days after the property has been sold, rented, or leased.

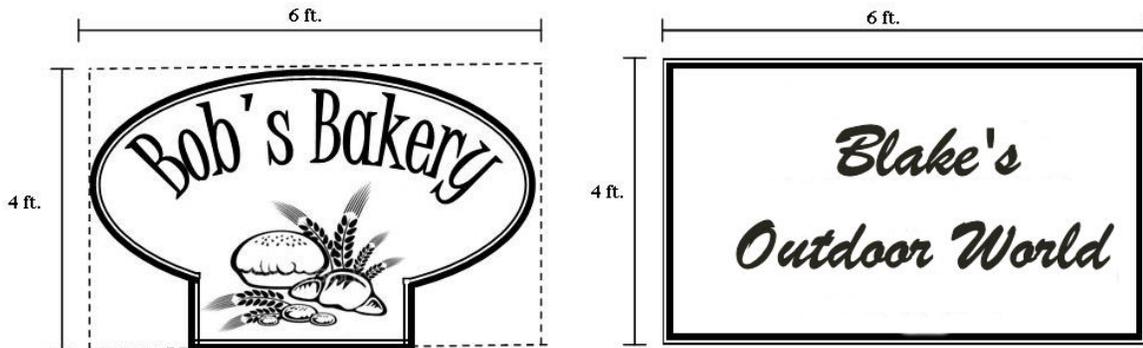
510.1.29 Sandwich Board: a self-supporting, A-shaped freestanding temporary sign with only two visible sides that are situated adjacent to a business, on the sidewalk. The maximum area of a sign shall be no more than six (6) square feet per side of sign with the maximum height being (42) inches.

510.1.30 SCROLLING: A type of animated sign that uses change of lighting to create the appearance of words, numbers, or objects moving across the face of the sign horizontally, vertically, or diagonally.

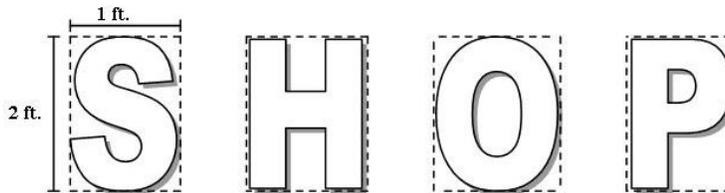
510.1.31 Sign: Any device, structure placard, surface, or fabric using graphics, letters, symbols, pictures or sculptured matter designed to convey information visually and exposed to public view from the outside.

510.1.32 Sign Area

510.1.32.1. The area of a wall sign shall be the area of the smallest rectangle which will enclose the sign face and its cabinet. If the sign is composed of individual letters or symbols using the wall as a background with no added decoration, the total sign area shall be the sum the areas of the smallest rectangles which enclose each individual letter or symbol.

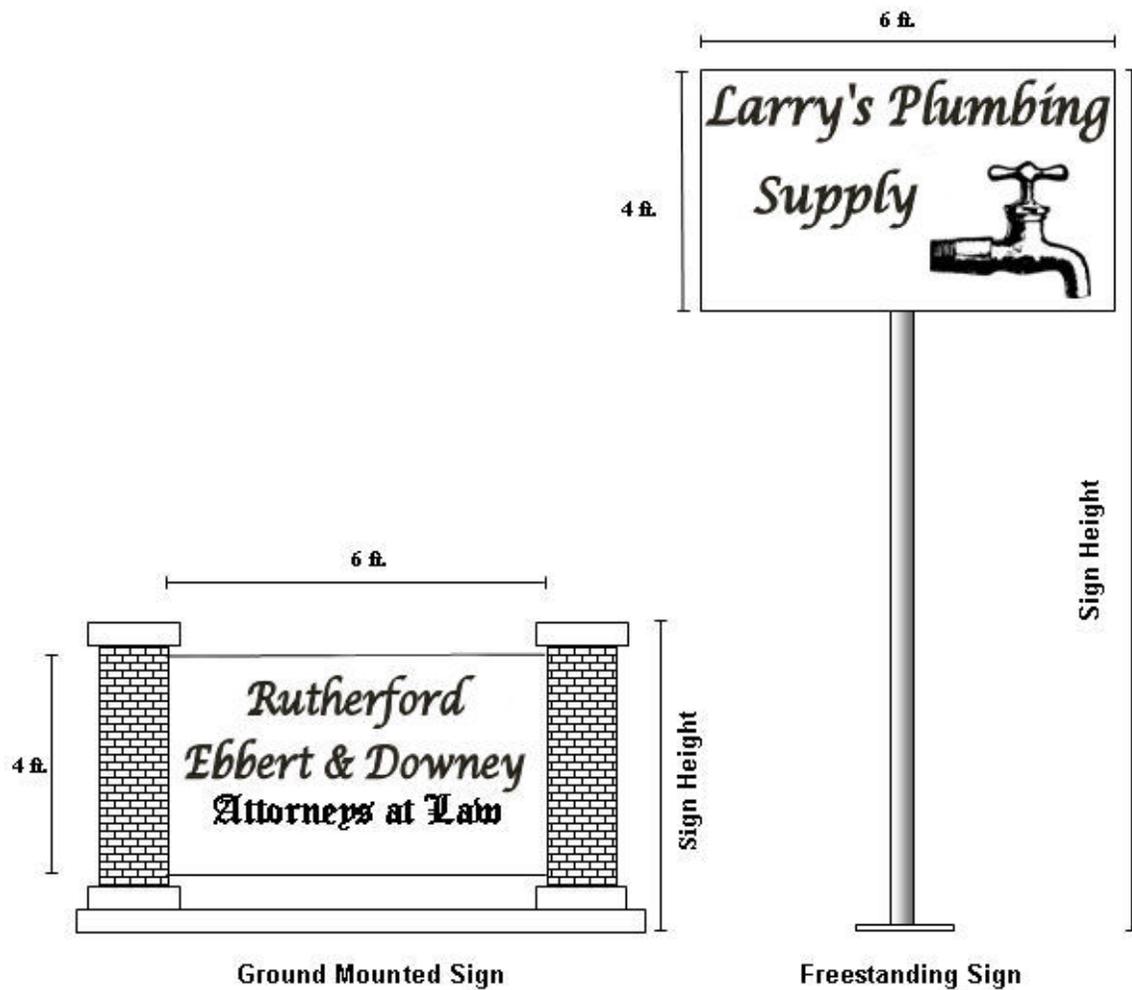


Wall Signs



Individual letters or symbols

510.1.32.2. The area of a Freestanding Sign shall be the area of the smallest rectangle which encloses the sign and its cabinet, if any. For a sign with two parallel faces only the area of a single face shall be considered. If the faces of multiple-faced sign are not parallel, then he total sign area shall be the sum of the areas of the individual non-parallel faces.



510.1.33 Height Sign: The height of a Freestanding Sign shall be the vertical distance from the highest point of the sign and its structure to either (1) the surface grade at the base of the sign or (b) the surface grade of the nearest adjacent street granting access to the property upon which the sign is located, whichever is higher.

510.1.34 Static: A Digital Display characterized by a lack of movement, animation, or progression.

510.1.35 Subdivision Identification Sign: A ground-mounted sign identifying a specific development that is located on one or both sides of each principal roadway entrance into the development or in the roadway median inside at the entrance to the development.

510.1.36 Streaming Video: Electronic video displays utilizing content in motion picture form similar to or otherwise depicting a television screen.

510.1.37 Special Event Sign. Means any sign, including a banner, which carries a message regarding a special community event or function associated with a recognized charitable or civic organization.

510.1.38 Snipe Sign. Means any sign that is affixed by any means to trees, utility poles, fences, or other objects, where the message appearing thereon is not applicable to the present use of the premises upon which the sign is located.

510.1.39 Sign Structure. Any structure that supports, has supported, or is capable of supporting a sign, including any decorative cover for the sign structure. This definition shall not include a building, fence, wall, or earthen berm.

510.1.40 Subdivision Identification Sign: A ground-mounted sign identifying a specific development that is located on one or both sides of each principal roadway entrance into the development or in the roadway median inside at the entrance to the development.

510.1.41 Temporary Sign: Any sign that is intended for temporary use and a limited period. This includes, but is not limited to: real estate signs; construction signs, political signs, garage sales or any other non-commercial messages.

510.1.42 Public Right-of-Way/Public Way. Means a strip of ground dedicated for public use, usually for Public Street, public infrastructure, and/or waterway. For the purpose of this chapter, such right-of-way shall be considered to extend a minimum of ten (10) feet from the edge of pavement, or to the dedicated right-of-way boundary, whichever is further.

510.1.43 On –Premise Sign\_Means a sign that directs attention to a business, commodity, or service offered located on the premises on which the sign is erected.

510.1.44 Mural Sign. Is a scene or form of artwork without wording that is painted or affixed onto a structure. The Washington County Regional Planning Commission must approve this type of sign.

510.1.45 Monument Sign. Means a freestanding sign attached to the ground, which incorporates a design and materials complimentary to the architectural theme of the building on the same property. A monument sign is not mounted on a pole or brace.

510.1.46 Electronic Reader Board: A sign with a fixed or changing message composed of a series of lights that may be changed manually or electronically, the message changing at intervals of not less than eight (8) seconds, the message being limited to alphabetic, numerical and punctuation, and advertising a product and/or price located on-premise. For the purpose of this sign resolution, an electronic reader board sign shall not be animated, flashing, scrolling, or change physical position by any movement or rotation or that gives the visual impression of such movement.

510.1.47 Unsafe Sign: Any sign or structure of appurtenance which, in the opinion of the Zoning Administrator of Washington County, poses an imminent or potential threat to the public health or safety, whether personal or property.

510.1.48 Video: The display or transmission of moving pictures (not animated) such as television images or video recordings.

510.1.49 Vehicular Sign: A sign placed on a vehicle or trailer which is parked or located for the primary purpose of displaying said sign. This does not apply to signs or lettering on buses taxis, or vehicles operating during the normal course of business.

510.1.50 Wall Sign: A business sign attached parallel to and extending not more than eighteen (18) inches to the wall of a building. This definition includes painted, individual

letter, and cabinet signs located on the outside of the building, whether located on a wall, mansard, awning, canopy, or window. No such sign shall extend above the roof line of its building or canopy structure.

510.2 Minimum Standards and Conformance:

- 510.2.1 Minimum Standards:  
The minimum standards set forth herein shall not be construed as relieving any owner or tenant of the responsibility for compliance with other local resolutions, codes, and regulations, including established requirements and provisions of the International Building Code or National Electrical Code or other authority having jurisdiction.
- 510.2.2 Conformance Required:  
All signs erected, replaced, reconstructed, expanded, or relocated on any property shall conform with the provisions of this Article and with all other pertinent laws. For the purposes of sign regulation, this Article shall supersede the provisions of Article III where the two Articles conflict.
- 510.2.3 Electrical Safety:  
All signs having electric wiring shall bear a seal of approval of a nationally recognized electrical testing laboratory. Each sign with electrical wiring must have an external disconnect. Where appropriate, label numbers shall be registered with the Washington County Zoning Administrator's Office at the time a sign permit is issued.
- 510.2.4 Solar Powered Signs:  
A sign that utilizes solar panels for power are permitted as long as they are included as part of the sign structure.
- 510.2.5 Setback:  
The following signs shall be erected no closer than ten (10) feet to any property line or public street right-of-way. In addition, such signs shall comply with Section 4.11 of the Zoning Code, which deals with vision clearance at street intersections. If the adjoining street right-of-way is less than fifty (50) feet in width, each such sign shall be located no closer than thirty-five (35) feet from the centerline of the right-of-way.
- A. Freestanding signs;
  - B. Real estate signs;
  - C. Political signs;
  - D. Construction signs;
  - E. Directory signs;
  - F. Ground-mounted signs; and
  - G. Temporary signs.
- 510.2.6 Noncommercial Copy:  
Any sign, display, or device allowed under this resolution may contain, in lieu of

any other copy, any otherwise lawful noncommercial message which does not direct attention to a business operated for profit, or to a product or service for sale, provided that such sign complies with the size, height, and location requirements of this resolution or those regulations in effect at the time the sign was erected.

510.2.7 Sign Maintenance:

Every sign and its structure shall be maintained in a safe, presentable, and good structural condition at all times, including the replacement of defective parts and wiring, painting, repainting, cleaning, and other acts required for the general maintenance of said sign. Signs not adequately maintained shall result in the owner being cited to court. For the purpose of this regulation, repairing or replacing a sign shall be deemed general maintenance.

510.3. Permits

510.3.1. Permit required: No freestanding, or off-premise advertising sign shall be erected, replaced, reconstructed, expanded, or relocated without first securing a building permit from the Washington County Zoning Administrator. No permit shall be required for customary maintenance or a change of copy on a sign, the customary use of which involves frequent and periodic changes of copy, e.g. reader boards with changeable letters, movie theater marquees, and service station price signs. Other signs do not require a permit, but shall conform to applicable regulations of this article.

510.3.2. Revocation of permits: The Washington County Zoning Administrator is hereby authorized and empowered to revoke any permit upon failure of the holder to comply with any provision of this resolution or with the terms of the permit the times of its issuance.

510.3.3. Inspection of signs: At any time deemed necessary, the Washington County Zoning Administrator, or designee, may inspect each sign regulated by this Article to ensure that such sign conforms to this Article and to all other resolutions of the county.

510.3.4. Permit fees: The fee for signs requiring permits shall be one dollar (\$1.00) per square foot. This permit shall be valid for a period of six (6) months.

510.4. Prohibited signs: The following signs shall be prohibited in all zoning districts:

510.4.1. Any unsafe sign: If the Zoning Administrator shall find that any sign is unsafe or insecure, or is a menace to the public, or has been constructed or erected or is being maintained in violation of the provisions of this resolution, he shall give written notice to the owner of the sign and/or of the property and/or the architect, builder, contractor, or agent for both or either requiring the sign to be made safe and secure or to be removed. If the sign is not removed or altered so as to render it safe and secure the Zoning Administrator shall proceed with action as provided by law. The Zoning Administrator may cause any sign which is in immediate danger to persons or property to be removed immediately and without notice.

510.4.2. Any sign located within, upon, or over the public right-of-way, except government signs. The Zoning Administrator or designee may remove any sign located in the public right of way without notice, except government signs.

510.4.3. Any sign located on a tree, telephone pole, power pole, or street light pole located on a public right-of-way. The Zoning Administrator or designee may remove any sign located in the public right of way without notice, except government signs.

510.4.4. Any sign which contains flashing or intermittent red, blue, green, or amber illumination. This shall not be construed in prohibiting time, temperature or electronic message center signs.

510.4.5. Illuminated signs within one hundred (100) feet of a residential district, unless the illumination is designed so as not to shine or reflect light onto the residential district.

510.4.6. Any sign which constitutes a traffic hazard. No sign or revolving beam or beacon of light shall be erected at any location where by reason of the position, shape, color, type or illumination or reflectance it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal, or device. Any such sign shall be removed immediately at the direction of the Zoning Administrator.

510.4.7. Portable signs shall be prohibited in all zoning districts of Washington County, Tennessee.

510.4.8. Off premises Sign: Off premises signs (billboards) shall be prohibited in all zoning districts of Washington County, Tennessee. A directional sign to a business may be placed off premise, on private property after obtaining written permission from the property owner and obtaining a permit. This directional sign may display the business name, a directional arrow and the business address. The maximum size of each such sign shall be four (4) square feet and the maximum height shall be three (3) feet and shall adhere to the remaining requirements.

510.4.9 Festoons, pennants, ribbons, streamers, pinwheels, balloons, A-frame, sandwich, and similar temporary signs

510.4.10 Abandoned Signs: Any sign, or part thereof, that is not conforming to the minimum standards of this resolution, and which is advertising a discontinued use, occupant, product, or service shall be removed or made conforming within 45 days of the discontinuance. If such sign is not removed within this period, the Washington County Zoning Administrator shall cite the property owner to court.

510.4.11 Vehicular Signs;

510.4.12 Any sign having or consisting of any rotating, revolving, or otherwise moving parts;

510.4.13 Human Signs;

510.4.14 Any sign not specifically included in these regulations.

510.5 Regulations for all Residential Zones:

SUBDIVISION IDENTIFICATION SIGNS:

1. Such sign shall not exceed fifty-two (52) square feet in area;
2. Ground mounted signs located within the right-of-way of the entrance shall be located in a median of not less than fifty (50) feet in length and ten (10) feet in width and be setback at least ten (10) feet from the right-of-way line when projected across the entrance. Signs located at the side of the entrance must be located on private property within an easement; and
3. The petitioner shall provide documentation that a homeowners association has been created to maintain sign.

510.6. Regulations for A-1, A-3 and B-1 Zoning Districts: For permitted sign uses, the following regulations shall apply:

510.6.1. Freestanding Sign: One (1) freestanding sign for each street frontage granting access to the premises. Maximum height of each such freestanding sign shall be fifteen (15) feet. Maximum area of each such sign shall be thirty-two (32) square feet. In lieu of a free standing sign a monument sign may be used with a maximum height of fifteen (15) feet and a maximum area of fifty (50) square feet.

510.6.2. Wall signs: Each nonresidential building shall be permitted one or more signs. Two (2) square feet of wall sign area shall be allowed for each horizontal linear foot of exterior wall length. If an exterior wall length is less than 16 feet, the maximum allowable sign area on that wall shall be 32 square feet. For a business utilizing a building and a freestanding canopy, the maximum allowable wall sign area shall be based on either the length of the exterior wall or the length of the canopy, but not both combined. The maximum allowable wall sign area may be apportioned between wall and the canopy as the owner chooses. A permitted wall sign must be placed on the wall surface for which it is authorized; sign areas for two or more walls cannot be combined and placed on a single wall.

510.6.3. No sign shall have or consist of an rotating, revolving, or otherwise moving part. No sign shall be animated.

510.6.4 Electronic Message Boards are not permitted in these zones.

510.7. Regulations for B-2, B-3, B-3A, B-4, PBD-1, PBD-2, PR-BD, M-1, M-2, MS and PMD Zoning District: For permitted sign uses, the following regulations shall apply:

510.7.1. Freestanding Sign: Each parcel in a B-2, B-3, B-3A, B-4, PBD-1, PBD-2, PR-BD, M-1, M-2, MS, PMD District shall be permitted at least one freestanding sign under the following conditions:

510.7.1.1. Number of signs: A parcel in B-2, B-3, B-3A, B-4, PBD-1, PBD-2, PR-BD, M-1, M-2, MS, planned business, or planned manufacturing development is permitted one (1) freestanding sign per street frontage granting access to the parcel, center or planned development. If the length of a single street frontage is greater than four hundred (400) feet, the parcel, center, or planned development shall be permitted a second freestanding sign along that frontage. In computing the allowable number of signs for parcels with more than one qualifying frontage, each frontage shall be considered separately. Any out parcel not qualifying for a freestanding sign under the conditions listed above relative to street frontage shall be allowed one freestanding sign provided that it has a minimum 10 foot setback from all property lines, has a maximum height of 30 feet and that the sign have no more than 100 square feet in area.

510.7.1.2. Height The maximum height of each freestanding sign shall be determined by its setback distance from the adjoining qualifying street according to the following table:

<u>Setback Distance</u>	<u>Maximum Height (See section 510.9)</u>
10 ft. to 25 ft.	20 ft. plus setback (in ft.)
25 ft. or greater	45 ft.

510.7.1.3. Sign area: The maximum area of each freestanding sign shall be determined by its setback distance from the adjoining qualifying street according to the following table:

<u>Setback Distance</u>	<u>Maximum Area (see section 510.9)</u>
10 ft. to 45 ft.	2 ft. x (setback - 10 ft.) + 100 sq. ft.
45 ft. or greater	250 sq. ft.

510.7.2. Wall Signs: Each nonresidential building shall be permitted one or more signs. Two (2) square feet of wall sign area shall be allowed for each horizontal linear foot of exterior wall length. If an exterior wall length is less than 16 feet, the maximum allowable sign area on that wall shall be 32 square feet.

For a business utilizing a building and a freestanding canopy, the maximum allowed wall sign area shall be based on either the length of the exterior wall or the length of the canopy, but not both combined. The maximum allowable wall sign area may be apportioned between wall and the canopy as the owner chooses.

A permitted wall sign must be placed on the wall surface for which it is authorized; sign areas for two or more walls cannot be combined and placed on a single wall.

510.8. Abandoned Non conforming Sign; Any sign advertising a discontinued use, occupant, product or service after a period of one (1) year shall not be re-established or changed in any way not in conformity with provisions of this resolution.

#### 510.9. Non-Conforming Off-Premise Changeable Message Sign

510.9.1. Internal relocation. Any qualified sign may be relocated or reconstructed on the lot on which it is currently erected so long as there is no increase in nonconformity with respect to height, setback, or size.

510.9.2. Changeable Message Signs may be double faced, back to back or V- type signs.

510.9.3. No off-premise Digital Display may be attached to any building.

#### 510.9.4 Spacing

510.9.4.1. The minimum spacing of between Changeable Message Signs with a Digital Display is two thousand feet.

510.9.4.2. No Changeable Message Signs sign shall be placed within one hundred feet of a residential use.

510.9.4.3. In no case shall off-premises Changeable Message Sign be in a line of site with another off-premise Changeable Message Sign.

#### 510.9.5 Display

510.9.5.1. The each Digital Display image or message shall remain static for a minimum of eight seconds with a maximum change time between images or messages of two seconds.

510.9.5.2. The images and messages displayed must be complete in themselves, without continuation in content to the next image or message or to any other sign.

510.9.5.3. The Changeable Message Sign shall not be configured to resemble a warning, danger signal, official signage used to control traffic or to cause a driver to mistake the digital sign for a warning or danger signal.

510.9.5.4. Video, continuous scrolling messages and animation are prohibited.

510.9.6. Default display. All off-premise Digital Displays must be designed and equipped to freeze the image in one position or immediately discontinue the display if a malfunction occurs.

510.9.7. Brightness.

510.9.7.1.No Digital Display may display light of such intensity or brilliance to cause glare or otherwise impair the vision of the driver or result in a nuisance to a driver.

510.9.7.2.No Digital Display may be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device, or signal.

510.9.7.3.All Changeable Message Signs must be equipped with both a dimmer control and a photocell that automatically adjusts the display's intensity according to natural ambient light conditions.

510.9.8. A new sign permit is required to convert an existing qualified billboard into a Changeable Message Sign.

510.9.9. Any sign found to be out of compliance with any standard of this section must be shut off immediately.

510.10. Exempt Signs: The following signs shall be allowed in any zoning district without a permit.

510.10.1. Directional Signs.

510.10.2. Flags of any nation, government, or non-commercial organization;

510.10.3. Government signs.

510.10.4. Real Estate Signs.

510.10.5. Memorial signs, cornerstones and similar signs containing the name of the building and date of erection, provided such signs are permanently installed on the building.

510.10.6. Window signs which consist entirely of letters, numerals, and symbols.

510.10.7. Political Sign.

510.10.8. Non-commercial seasonal displays customarily associated with a national, local, or religious holiday, provided such are not used to advertise the name of a product, service or business. Such displays shall be removed promptly after the holiday.

510.11. Electronic Message Boards that are not animated shall be allowed in the following districts B-3 (General Business District), B-4 (Arterial Business District), PBD-2, (Planned Business District 2), M-1, (Industrial District), and M-2 (High Impact Use District). only along and facing collector and arterial streets as designated on Major Therefore Plan and only on parcels with a minimum road frontage of 100 feet. Developments or parcels which are allowed multiple signs, including wall signs, shall be allowed only one (1) electronic message board, which shall be counted towards the total allowable signage for the development (including wall signs). Electronic message shall include an automatic dimmer as not to cause a danger or nuisance to drivers. No permit for an electronic message board shall be issued for any sign display that interferes with traffic signal devices as determined by the Washington County Zoning Administrator. Any display on an electronic message board shall be for a minimum of eight (8) seconds in duration. Electronic message boards shall not be used for off-premise advertising, but may be used for noncommercial copy. Any animation or streaming video is prohibited.

The maximum area of an electronic message board wall sign is sixty-two and one-half (62.5) square feet. The maximum area of a freestanding electronic message board is thirty-two (32) square feet, or 25 percent of the maximum sign area allowed, whichever is greater. The maximum freestanding sign area allowed is determined by its setback distance from the adjoining qualifying street, according to the following table:

<u>setback distance</u>	<u>maximum area</u>
10 to 45 feet	32 square feet + (the setback distance – 10); (not to exceed 62.5 square feet)
45 feet or greater	62.5 square feet

510.11.1 Nonconforming electronic message boards which have received building permits prior to the effective date of this resolution shall be grandfathered.

## 510.9. Height and Area Requirements

<u>Setbacks</u>	<u>Height</u>	<u>Square Footage</u>
10	30'	100 ft.
11	31'	102 ft.
12	32'	104 ft.
13	33'	106 ft.
14	34'	108 ft.
15	35'	110 ft.
16	36'	112 ft.
17	37'	114 ft.
18	38'	116 ft.
19	39'	118 ft.
20	40'	120 ft.
21	41'	122 ft.
22	42'	124 ft.
23	43'	126 ft.
24	44'	128 ft.
25	45'	130 ft.
26	45'	132 ft.
27	45'	134 ft.
28	45'	136 ft.
29	45'	138 ft.
30	45'	140 ft.
31	45'	142 ft.
32	45'	144 ft.
33	45'	146 ft.
34	45'	148 ft.
35	45'	150 ft.
36	45'	152 ft.
37	45'	154 ft.
38	45'	156 ft.
39	45'	158 ft.
40	45'	160 ft.
41	45'	162 ft.
42	45'	164 ft.
43	45'	166 ft.
44	45'	168 ft.
45	45'	250 ft.

511. Site Development Plan Regulations. (Amended 10/25/04)

(A) A concept plan shall be submitted to the Planning Commission and County Commission for the purpose of rezoning in the following Zoning Districts: R-2, R-2A, R-3, R-3A, and Planned Development Districts.

A concept plan shall contain the following provisions:

1. General Provisions

- a. All concept plans shall be prepared and certified by a licensed engineer, landscape architect, architect, and/or surveyor as may be appropriate, and in accordance with state law regarding the practice of these professions. Drawings shall be at a scale of not less than 1" = 20' for small tracts and 1" = 60' for large tracts.
- b. All concept plans shall show:
  - i. Location of all land subject to flooding; including a flood zone certification stating zone, community number, panel number and date.
  - ii. Dimensions and calls of all property lines.
  - iii. North point, scale, acreage of site, and location map.
  - iv. Location of all existing and proposed structures (including signs), street rights-of-way, sidewalks, easements, and covenants.
  - v. Dimensions of all existing and proposed structures.
  - vi. Plans for vehicular and pedestrian circulation, utilities, solid waste disposal, landscaping and open space, buffer strips, signs, off-street parking, and storm water drainage.

(B) A site development plan shall be submitted to the Planning Commission for the purpose of a building permit in the following Zoning Districts: R-1 (non-residential) R-2, R-2A, R-3, R-3A, and Planned Development Districts.

A site development plan shall contain and be subject to the following general provisions:

1. General Provisions

- a. All site plans shall be prepared and certified by a licensed engineer, architect, and/or surveyor as may be appropriate, and in accordance with state law regarding the practice of these professions. Drawings shall be at a scale of not less than 1" = 20' for small tracts and 1" = 60' for large tracts.
- b. All site plans shall show:
  - i. Topography of existing and finished grades,
  - ii. Location of all land subject to flooding,
  - iii. Dimensions and calls of all property lines,
  - iv. North point, scale, acreage of site, and location map,
  - v. Location of all existing and proposed structures (including signs), street rights-of-way, sidewalks, easements, and covenants,
  - vi. Dimensions of all existing and proposed structures,
  - vii. Plans for vehicular and pedestrian circulation, utilities, solid waste disposal, landscaping, signs, off-street parking, lighting, erosion and sediment control, and storm water drainage.
  - viii. Notes, labels, and/or calculations of zoning district, site area, existing and proposed uses, density, disturbed area, required setbacks, required and provided parking, required and provided landscaping, and any other requirements as may be appropriate.

2. Landscaping

Landscaping shall be provided in accordance with Appendix A, *Landscape Manual*.

3. Signs

Sign size and placement shall be governed by the provisions of Article V, Section 510.

4. Off-Street Parking

The off-street parking and loading/unloading areas, points of ingress/egress, vision clearance, design, construction and maintenance, and access control shall be developed in accordance with the provisions of Article V, Sections 502, 503, 504, 505 and 506.

5. Waste Disposal

All waste disposal facilities shall be screened by fencing, walls, or evergreen plant materials in such a way that they are not visible from any public street or adjoining properties.

6. Stormwater Conveyance and Management

A plan prepared and sealed by a registered design professional qualified to prepare stormwater plans in accordance with State of Tennessee law for stormwater conveyance

and management shall be included with the site plan, which identifies all easements, drainage structures and pipes, including sizes/capacities, Best Management Practices, and other pertinent information concerning the assumptions upon which the plan is based.

Stormwater management shall be provided in accordance with all appropriate County and State regulations.

7. Erosion and Sediment Control

An erosion and sediment control plan shall be provided in accordance with all appropriate County and State regulations.

8. Lighting shall be shaded or recessed as to not project light on to adjoining properties or onto any public right of way as determined by staff. A site inspection shall be conducted prior to the issuance of a Certificate of Occupancy.

9. Expiration of Approved Site Plans

Approval of a site plan shall expire six (6) months after the date of its approval unless a building permit has been issued and substantial progress has been made toward completion of the project.

10. Administrative Approval for Additions to Existing Buildings

A site plan meeting all the requirements as set forth under the provisions of this section of the Zoning Resolution may be administratively approved provided that all requirements listed below are met:

- (1) That the approval is for additions to existing buildings only;
- (2) The new construction or land disturbance activity for said addition does not exceed 25% of the total footprint of the existing building, or 25% of the impervious surface area at the project site;
- (3) That no variance from the regulations has been requested.

512. Site Plan Regulations.

(A) A concept plan shall be submitted to the Planning Commission and County Commission for the purpose of rezoning in the following Zoning Districts: B-1, B-2, B-3, B-3A, B-4, M-1, M-2, MS, and Planned Development Districts.

A concept plan shall contain the following provisions:

1. General Provisions

- a. All concept plans shall be prepared and certified by a licensed engineer, landscape architect, architect, and/or surveyor as may be appropriate, and in accordance with state law regarding the practice of these professions. Drawings shall be at a scale of not less than 1" = 20' for small tracts and 1" = 50' for large tracts.
- b. All concept plans shall show:
  - i. Location of all land subject to flooding; including a flood zone certification stating zone, community number, panel number and date.
  - ii. Dimensions and calls of all property lines.
  - iii. North point, scale, acreage of site, and location map.
  - iv. Location of all existing and proposed structures (including signs), street rights-of-way, sidewalks, easements, and covenants.
  - v. Dimensions of all existing and proposed structures.
  - vi. Plans for vehicular and pedestrian circulation, utilities, solid waste disposal, landscaping and open space, buffer strips, signs, off-street parking, and storm water drainage.

(B) A site plan shall be submitted to the Planning Commission for the purpose of a building permit in the following Zoning Districts: B-1, B-2, B-3, B-3A, B-4, M-1, M-2, MS, and Planned Development Districts. A site plan shall be submitted to the Planning Commission for the purpose of a building permit for any two-family or multi-family developments, or any non-residential developments in the following Zoning Districts: A-1, A-2, A-3. In case of conflict between this resolution or any part thereof, and the whole or part of any existing or future resolution of Washington County, Tennessee, the most restrictive shall in all cases apply.

A site plan shall contain and be subject to the following general provisions:

1. General Provisions

- a. All site plans shall be prepared and certified by a licensed engineer, architect, and/or surveyor as may be appropriate, and in accordance with state law regarding the practice of these professions. Drawings shall be at a scale of not less than 1" = 20' for small tracts and 1" = 60' for large tracts.
- b. All site plans shall show:
  - i. Topography of existing and finished grades,
  - ii. Location of all land subject to flooding,

- iii. Dimensions and calls of all property lines,
- iv. North point, scale, acreage of site, and location map,
- v. Location of all existing and proposed structures (including signs), street rights-of-way, sidewalks, easements, and covenants,
- vi. Dimensions of all existing and proposed structures,
- vii. Plans for vehicular and pedestrian circulation, utilities, solid waste disposal, landscaping, signs, off-street parking, lighting, erosion and sediment control, and storm water drainage.
- viii. Notes, labels, and/or calculations of zoning district, site area, existing and proposed uses, density, disturbed area, required setbacks, required and provided parking, required and provided landscaping, and any other requirements as may be appropriate.

2. Landscaping

Landscaping shall be provided in accordance with Appendix A, *Landscape Manual*.

3. Signs

Sign size and placement shall be governed by the provisions of Article V, Section 510.

4. Off-Street Parking and Access

The off-street parking; off-street loading and unloading; vision clearance; design, construction and maintenance of off-street parking and unloading; access control; points of ingress/egress, and driveways shall be developed in accordance with the provisions of Article V, Sections 502, 503, 504, 505, and 506.

5. Waste Disposal

All waste disposal facilities are to be located to the rear of the development and shall be screened by fencing, walls, or evergreen plant materials in such a way that they are not visible from any public street or adjoining properties.

6. Mechanical Equipment

All ground mounted mechanical equipment shall be screened from view from a public street by the use of walls, fences, or landscaping. All roof mounted mechanical equipment shall be properly screened to minimize visual impact, where such screening will be effective. Where screening will not be effective, the color of the equipment shall be the same as the building.

7. Service, Loading, and Equipment Storage Areas

Service areas, including storage, special equipment, maintenance, and loading areas, shall be screened with landscaping and/or architectural so as not to be visible from a public street. Refuse collection areas shall be visually screened with a solid perimeter wall consisting of materials and colors compatible with those of the adjacent structure and shall be roofed if the contents are visible from an arterial street.

8. Outdoor Storage and Sales of Merchandise

- a. Outdoor storage shall only be permitted as an accessory use and shall be located behind the front building line and outside any required setback from an arterial street.
  - b. Outdoor sales of merchandise shall be permitted as an accessory use and shall be located outside the required front yard setback and any required setback from an arterial street.
9. Utility Lines
- All new utility lines and service lines shall be placed underground, including, but not limited to, electric, telephone, and cable. Electric power lines in excess of 100 amp, 3 phase, 2500 KVA may be placed aboveground.
10. Lighting
- Direct light and glare from lights can be both a hazard and a nuisance to drivers and neighboring residential development. Lighting shall be shaded or recessed as to not project light on to adjoining properties or onto any public right of way as determined by staff. A site inspection shall be conducted prior to the issuance of a Certificate of Occupancy.
- Searchlights, laser source lights, or any similar high intensity light for advertising purposes shall be prohibited.
11. Wireless Transmission Facilities
- All Wireless Transmission Facilities shall be governed by the provisions of the Wireless Transmission Facilities Regulations of the Washington County Zoning Resolution.
12. Stormwater Conveyance and Management
- A plan prepared and sealed by a registered design professional qualified to prepare stormwater plans in accordance with State of Tennessee law for stormwater conveyance and management shall be included with the site plan, which identifies all easements, drainage structures and pipes, including sizes/capacities, Best Management Practices, and other pertinent information concerning the assumptions upon which the plan is based.
- Stormwater management shall be provided in accordance with all appropriate County and State regulations.
13. Erosion and Sediment Control
- An erosion and sediment control plan shall be provided in accordance with all appropriate County and State regulations.
14. Expiration of Approved Site Plans
- Approval of a site plan shall expire six (6) months after the date of its approval unless a building permit has been issued and substantial progress has been made toward completion of the project.

15. Administrative Approval for Additions to Existing Buildings

A site plan meeting all the requirements as set forth under the provisions of this section of the Zoning Resolution may be administratively approved provided that all requirements listed below are met:

- (1) That the approval is for additions to existing buildings only;
- (2) The new construction or land disturbance activity for said addition does not exceed 25% of the total footprint of the existing building, or 25% of the 47impervious surface area at the project site;
- (3) That no variance from the regulations has been requested.

Additions to existing buildings which do not increase impervious surface area and otherwise meet the aforementioned requirements for administratively approved site plans may be approved under this section and granted a building permit without a site plan. Provided that staff may require additional information as necessary, including a site plan, to ensure all requirements and regulations are met prior to granting a building permit.

513. Uses Permitted in all Zoning Districts

513.1 Churches & Cemeteries

513.1.1 They are located on an arterial or collector street as shown on the Major Thorough Plan of Washington County, Tennessee.

513.1.2 They are located on a lot containing a minimum of three acres.

513.1.3 The buildings are placed not less than fifty feet from the side and rear lot lines.

513.1.4 Landscaping shall be provided in accordance with Appendix A, *Landscape Manual*.

514. Declared Emergency Exception. The intent of this section is to provide assistance to citizens that have been affected by a natural disaster and temporarily suspend sections of Zoning Resolution as the literal enforcement may be overbearing during a time of crisis.

514.1 In the event the County Mayor declares an emergency, the Zoning Administrator may temporarily suspend the specific sections zoning resolution in the affected area for up to twelve months. This will permit local, state and federal assistance for the recovery to have relief on temporary housing or other assistance deemed necessary by the Zoning Administrator. All rebuilding or repair of the properties shall conform with the non-conforming section of this resolution. Within one year of the deceleration the property owners shall conform to the requirement of these regulations.

514.2 In the event emergency relief is granted, the property owners shall file a legal binding agreement with the Zoning Administrator for the terms of the relief granted and agree to conform within the allotted timeline.

515. Assisted Living Facility(Amended 07/05)

Assisted Living Facilities shall be permitted in the following Zoning Districts:

MS, PRD-1, PRD-2, PRD-3, PBD-1 and PBD-2

Assisted Living Facilities shall meet the provisions of the Zoning Resolution, the density standards of the Zoning District, and the following regulations:

- i. should be designed so as to cluster the residential units and associated buildings based on the net density and provide sufficient open space and amenities area;
- ii. one and one-half (1.5) parking per unit shall be provided. Ten percent of the total parking spaces shall be designated as handicap accessible. The Planning Commission reserves the right to require overflow parking area(s);
- iii. development shall be located on an arterial street or collector street as shown on the zoning map of Washington County, Tennessee;
- iv. all buildings shall be set back from the street right-of-way and from all property lines as required by the zoning district within which the development is located except: where adjacent to the A-1, R-1, R-1A, or R-1B zoning districts, the minimum setback shall be 50 feet. Where adjacent to a state highway, the minimum setback shall be 50 feet;
- v. a planted buffer strip along the side and rear lot lines; and
- vi. no certificate of occupancy shall be issued prior to the issuance of required permits and certificates by federal, state, and local agencies and all required conditions of approval by the Planning Commission.

(Amended 7/05)

516. Renewable Energy- The intent of this section is to promote alternative renewable energy sources while maintaining the aesthetics and safety of the community in which they are proposed.

516.1 Solar Energy- Solar Panels and related equipment shall be permitted in all zones and in accordance with the following:

516.1.1 All panels and equipment shall be co-located on the primary dwelling or accessory structure if the property is zoned A-1, A-2, R-1, R-1A, R-1B, R-2, R-2A, R-3, R-3A, B-1, Planned Residential, Planned Residential Business.

516.1.1.1 Freestanding solar panels and associated equipment may be allowed on lots at least three (3) acres in size in the A-1 and A-2 zoning districts provided that no panel or equipment be located closer than 50' from any property line. No freestanding solar panel or associated equipment in the A-1 and A-2 district shall exceed 1,500 square feet of surface area or a maximum height of 20'

516.1.2 Solar Panels and equipment may co-located or be freestanding individual structures in the following zones: A-3, B-3, B-4, MS, M-1, M-2, and Planned Manufacturing districts. In the event the solar panels are the primary use of the property, the panels and equipment shall meet the primary building setbacks of the district, otherwise it may be treated as an accessory structure. A site plan is required if the panels and equipment are not co-located on a structure.

516.2 Wind Energy – Any single or combination of Wind Turbines greater than 10kW shall submit a site plan for approval by the Washington County Regional Planning Commission to ensure the conformity with the community. Wind Turbines and related equipment are permitted in all zones in accordance with the following:

516.2.1 The Turbine and equipment shall be located as on the same property as the primary use of property and the setback shall be at least the same distance as the height of the turbine from the ground if the property is zoned A-1, A-2, R-1, R-1A, R-1B, R-2, R-2A, R-3, R-3A, B-1, Planned Residential, Planned Residential Business.

516.2.2 The Turbine and equipment may be the primary or secondary use in the following zones: A-3, B-3, B-4, MS, M-1, M-2, and Planned Manufacturing districts.

## ARTICLE VI

### USE REQUIREMENTS BY DISTRICTS

**601. A-1 General Agriculture District.** It is the intent of this district to provide space for agriculture and agriculturally oriented uses and structures which provide an important part in the economy of Washington County, and at the same time provide space for residential development for an ever expanding population. It is the intent here to protect the physical and economic well-being of agriculture operations and to prevent the encroachment of urban and other incompatible land uses on farmlands. This district is intended to provide locations for urbanization which are compatible with agriculture uses and it is not intended that this district provide a location for a lower standard of residential, commercial, or industrial development than is authorized in other districts.

601.1. In order to achieve the intent of the A-1 General Agriculture District, the following uses are permitted:

601.1.1. Farming uses, their accessory structures, and farming related uses including roadside stands for the sale of farm produce provided they meet the setback requirements of this district.

601.1.2. General stores, restaurants, feed mills, farm supply stores, greenhouses and commercial nurseries.

601.1.3. Service stations provided that:

(1) There shall be a building setback a distance of at least forty (40) feet from all street right-of-way lines, except for canopies designed to cover the gasoline pump islands.

(2) Gasoline pumps shall not be located closer than twenty (20) feet to any street right-of-way line.

601.1.4. Detached single family dwellings.

601.1.5. Two Family dwellings.

601.1.6. Mobile homes will be allowed on individual lots only. However, three mobile homes will be permitted for tenant usage on large acreage farming enterprises.

601.1.7. Churches and cemeteries.

601.1.8. Schools both public and private.

601.1.9. Parks, playgrounds, marinas, and recreational uses.

601.1.10. Public utility facilities necessary for public service.

601.1.11. Bed and Breakfast Facilities provided that:

601.1.11.1. The owner (or manager) must reside on premise and maintain a current guest register limiting registered guests to a maximum stay of fourteen (14) days.

601.1.11.2. Meals for compensation shall be limited to breakfast for registered guests.

601.1.11.3. There shall be only one (1) sign not to exceed six (6) square feet in size affixed to the building.

601.1.11.4. The house shall have a minimum lot size of one acre.

601.1.11.5. The parking requirements are governed by section 502. The parking spaces shall be buffered in accordance with Appendix A, *Landscape Manual*.

601.1.12. Customary, incidental, home occupations conducted within the principal building provided there is no external evidence of such occupation except announcement or professional sign attached to the principal building not more than two square feet in area, that only one person not a resident of the premises is employed, and that no more than 25 percent of the total floor area of any dwelling unit is in such use.

The following additional standards shall apply to beauty shops as a customary home occupation:

601.1.12.2. There shall be a limited line of hair care products.

601.1.12.3. Proper professional and business licenses must be presented.

601.1.12.4. There shall be no external evidence of the beauty shop except for the sign attached to the principal building not more than two (2) square feet in area.

601.1.12.5. The zoning administrator shall make an on-site inspection and issue a certificate of occupancy.

601.1.13. Farm Wineries. Provided that they are in conformity with and meet the provisions as outlined in Section 57-3-207 and 57-3-208 Tennessee Code Annotated.

601.1.14. Accessory Buildings for: (1) residential uses provided the structure is located in the side or rear yard and not closer than 12 feet to any lot line; or (2) as principal structures provided the structure is located no closer than 30 feet to the front lot line and no closer than 12 feet to the rear and side lot lines.

601.1.15. Animal hospital, veterinary offices, medical offices and shooting ranges are allowed, but only if the structures enclosing them limit sound emitted through exterior walls or structures to 60 decibels or less.

601.1.16. Landing Strip. The personal use of aircrafts subject to site plan review by the planning commission, and the following requirements:

601.1.16.1. Must have the required FAA permits and licenses.

601.1.16.2. The use must be personal only, with no commercial use for fee or barter for lessons, skydiving, etc.

601.1.17. Family Day-Care Center. Subject to the following standards:

601.1.17.1. Family Day-Care Centers shall consist of a minimum of four (4) children with a maximum of eight (8).

601.1.17.2. The owner/operator shall live on premise.

601.1.17.3. The center is licensed by the State of Tennessee.

601.1.17.4. They shall be limited to arterial or collector roads.

601.1.17.5. Lot area: One (1) acre minimum.

601.1.17.6. Signage to be determined by WCRPC.

601.1.17.7. Fencing to be determined by WCRPC.

601.1.17.8. Planning Commission shall review site plan to determine neighborhood compatibility with the proposed Family Day-Care Center.

601.1.18. Small Day-Care Center. Subject to the following standards:

601.1.18.1. They shall be limited to sixteen (16) children.

601.1.18.2. The owner/operator shall live on premise.

601.1.18.3. The center is licensed by the State of Tennessee.

601.1.18.4. They shall be limited to arterial or collector roads.

601.1.18.5. Lot area: two (2) acre minimum.

601.1.18.6. Signage to be determined by WCRPC.

601.1.18.7. Fencing to be determined by WCRPC.

601.1.18.8. Planning Commission review of site plan to determine neighborhood compatibility with the proposed Family

601.1.19 Agritourism Activities.

601.2. Area Regulations. All buildings shall be setback from street or road right-of-way line and lot lines to comply with the following yard requirements.

601.2.1. Lot area

Minimum required lot area except for single family detached residential structures.....43,560 sq. ft.

Minimum required lot area for single family detached structures

With public sewer .....15,000 sq. ft.

With public water & private sewer ( Septic System).....21,780 sq. ft.

With no public water or sewer..... 43,560 sq. ft.

Minimum required lot area for two family and multi-family residential Structure

First unit with public water..... 43,560 sq. ft.

Second & additional units with public water..... 15,000 sq. ft.

Second & additional units with public water & sewer.....8,700 sq. ft.

601.2.2. Lot Width

Minimum required lot width at building line for all except single family detached structures ..... 150 ft.

Minimum required lot width at building line for single family detached structures..... 100 ft.

601.2.3. Front Yard

Minimum required front yard for all buildings except single family detached structures..... 50 ft.

Minimum required front yard for single family detached structures30 ft.

601.2.4. Rear Yard

The minimum required rear yard for all buildings except single family detached structures ..... 50 ft.

Minimum required rear yard for single family detached structures ..... 30 ft.

601.2.5. Side Yard

Minimum required side yard at the building line for all structures except single family structures..... 50 ft.

Minimum required side yard at the building line for single family detached structures..... 12 ft.

601.2.6. Porches, etc.

Porches, stairways, terraces steps and handicapped ramps as may be required or other similar features that are uncovered may project into a required rear yard setback, not more than ten (10) feet.

601.2.7. Entrance stairwells.

Steps or stairs handicapped ramps as may be required to a dwelling that is uncovered, may project ten (10) feet into the required front yard setback. This does not include any portion of the porch, stoop or main structure.

Uses Permitted Upon Review:

Small Agriculture-Based Food Processing Facilities are permitted on condition that:  
(Adopted 3/28/05)

1. Lot area: 10 acres minimum.
2. They shall be limited to 8 employees, to include the owners/operators.
3. The total square footage of the principal structure shall not exceed 6,000 square feet and shall be one-level.
4. Accessory structures shall be located in the rear of the property and not closer than 50 feet to any lot line. Accessory structures shall not exceed 20 percent of the total square footage of the principal structure.
5. The maximum height at the peak of any structure shall be 24 feet.
6. They shall be limited to arterial or collector roads.
7. Fencing to be determined by Planning Commission.
8. Signage to be determined by Planning Commission.
9. Planning Commission review and approval of site plan to determine neighborhood compatibility with the proposed small agriculture-based food processing facility.
10. A site plan shall contain and be subject to the same requirements found in Section 512.B.

**602. A-2 Agriculture-Residential District.** It is the intent of this district to provide areas for low density rural residential development where continuation of certain farm uses are compatible with this development. The A-2 Agriculture-Residential District is particularly intended for lower density development than the typical suburban residential development, and yet is not meant to be a predominate agriculture area, although farming may be carried on to a large extent as a supplementary activity. In some instances this district may be applied where there is little likelihood that public water and sewer systems will be available in the near future.

602.1. Within the A-2 Agriculture Residential District, the following uses are permitted:

602.1.1. Single family residences.

602.1.2. Public utilities, provided that plans for the utilities are submitted to and approved by the planning commission.

602.1.3. Customary general farming.

602.1.4. Schools, both public and private; Animal hospital, veterinary offices, medical offices.

602.1.4.1 Any of these uses to be located in the A-2 Agriculture residential district shall be located on a lot containing not less than three acres;

602.1.4.2. The buildings shall be placed not less than fifty feet from the side and rear property lines.

602.1.4.3. Landscaping shall be provided in accordance with Appendix A, *Landscape Manual*.

602.1.4.4. They are located on a arterial or collector street as shown on the zoning map of Washington County, Tennessee.

602.1.5. Customary incidental home occupations.

602.1.6 Commercial Boarding Stables and Riding Rings.

602.2. Area Regulations. All buildings shall be setback from the street or road right-of-way lines and lot lines to comply with the following yard requirements.

602.2.1. Lot Area

Minimum required lot area for all uses except single family structures and public utilities ..... 3 acres

Minimum required lot area for single family structures ..... 1 acre

Minimum required lot area for public utilities as approved by the planning commission

602.2.2. Lot Width

Minimum required lot width at the building line ..... 125 feet

602.2.3. Front Yard

Minimum required front yard at the building line ..... 30 feet

602.2.4. Rear Yard

Minimum required rear yard at the building line..... 30 feet

602.2.5. Side Yard

Minimum required side yard at the building line..... 20 feet

**603. A-3 Agriculture - Business District.** It is the intent of this district to provide areas for businesses that locate in rural areas. This district is designed for businesses that would normally locate near agriculture activities, natural resources, etc., associated with rural areas.

603.1. Within the A-3 Agriculture-Business District of Washington County, the following uses are permitted.

603.1.1. Any use permitted in the A-1 Agricultural District.

603.1.2. Animal hospitals, veterinarian offices, are permitted subject to the provision that all structures including runways are setback 150 feet from all property lines except if they abut a M-2 district. Shooting ranges are permitted subject to the provision that all structures including ranges are setback 250 feet from all property lines except if they abut a M-2 district.

603.1.3. Commercial livestock markets, slaughterhouses, sawmills, recreational vehicle parks, airports, and similar uses provided that there shall be a planted buffer strip along side and rear lot lines.

603.1.4. Dog Kennels provided they have fifty foot setbacks and buffer strips alongside and rear property lines. The dogs must be kept inside a fenced area which can completely contain the dogs. Dogs may not be outside the fenced area unless they are under the control of a representative of the kennel. The containment fence must not be within 500 feet of a residence.

603.1.5. Outdoor Recreation Facilities. These facilities apply to the following recreational activities:

- (a) Amusement Parks
- (b) Sports Arenas
- (c) Racetracks

The following minimum standards for Outdoor Recreational Facilities shall be observed:

- i. A site plan shall be submitted to the Planning Commission for review and approval;
- ii. The minimum site shall be twenty-five (25) acres;
- iii. The minimum setback of all structures from all public roads shall be one hundred (100) feet;
- iv. Such facility shall be situated so that no residential use is located closer than five hundred (500) feet from the building entrance of the principal use at the time of approval;
- v. Off-street parking shall be provided at a minimum of one (1) space for each four (4) patrons or seats. For those facilities which are not utilized on a regular and frequent basis, parking may be provided on adjacent parcels of land provided further that any parcel so used is located no more than five hundred (500) feet from the lot boundary;
- vi. Any lighting provided at such facilities shall be designed so that no direct light falls on adjacent residential property;
- vii. Accessory uses may be permitted in conjunction with the principal use of the property provided that such uses are physically designed as a part of or within the principal structure. Such uses may include food sales, beverage sales, gift or souvenir shops, and similar activities;

- viii. Accessory structures may be permitted which are incidental and subordinate to the principal structure. Such structures shall be in conformity with the current requirements for accessory structures as per the Washington County Zoning Resolution.

603.1.6. Paint Ball Fields. The following minimum standards for Paint Ball Fields shall be observed:

- i. A site plan shall be submitted to the Planning Commission for review and approval;
- ii. The minimum site shall be ten (10) acres;
- iii. The minimum setback of all structures from all public roads shall be one hundred (100) feet;
- iv. Such facility shall be situated so that no residential use is located closer than five hundred (500) feet from the building entrance of the principal use at the time of approval;
- v. Location of any permanent structures on the site and designation of areas for playing, staging, tune-up, and spectators. This shall include the proper storage, maintenance and use of CO2 and other compressed air fuel stations based on standards adopted by the Tennessee Department of Transportation;
- vi. Landscaping in accordance with Appendix A, *Landscape Manual*.
- vii. Off-street parking shall be provided at a minimum of one (1) space for each four (4) patrons or seats. For those facilities which are not utilized on a regular and frequent basis, parking may be provided on adjacent parcels of land provided further that any parcel so used is located no more than five hundred (500) feet from the lot boundary;
- viii. Any lighting provided at such facilities shall be designed so that no direct light falls on adjacent residential property;
- ix. Procedures needed for the safety and protection of participants, employees and spectators, including a description of any safety equipment that will be required to be worn by participants, employees and spectators;
- x. Number of employees per workday shift which shall be a minimum of one (1) employee for every fifteen (15) participants;
- xi. Description of the type of paintball guns that will be allowed to be used on the paintball range;
- xii. Accessory uses may be permitted in conjunction with the principal use of the property provided that such uses are physically designed as a part of or within the principal structure. Such uses may include food sales, beverage sales, gift or souvenir shops, and similar activities;

Accessory structures may be permitted which are incidental and subordinate to the principal structure. Such structures shall be in

conformity with the current requirements for accessory structures as per the Washington County Zoning Resolution.

603.1.7 Public Utilities

603.1.8 Adult Day Care and day care centers are permitted subject to the provision that such facilities are licensed by the State of Tennessee, located on a lot with a minimum area of three (3) acres, and new construction or additions require site plan approval by the Planning Commission.

603.1.9 Traumatic Brain Injury Residential Homes licensed by the State of Tennessee.

603.2. Area Regulations. All buildings shall be setback from street or road right-of-way lines and lot lines to comply with the following yard requirements.

603.2.1. Lot Area

The minimum required lot area shall be five (5) acres.

603.2.2. Front yard

All buildings shall be setback thirty feet from the street right-of-way line.

603.2.3. Side and Rear Yards

Side and rear yard setbacks shall not be less than fifty (50) feet.

603.3. Uses Permitted on Review. Within the A-3 Agriculture-Business District of Washington County, the following uses permitted on review are permitted.

603.3.1. Uses permitted on review are intended to include feedlots (concentrated animal feeding operations, CAFOs), animal feeding operations (AFOs) dairy farms, and egg production operations covered under provisions of Sections 48-18-101 through 48-18-104, Tennessee Code, where animals are tightly confined in buildings or outdoor pens, including facilities for the processing, packaging, or treatment of agricultural products.

603.3.1. Area Regulations. All buildings shall be setback from street or road right-of-way lines and lot lines to comply with the following yard requirements.

603.3.2. Lot Area

The minimum required lot area shall be twenty five (25) acres.

603.3.3. Minimum Setbacks

All buildings, fenced lots, yards, corrals or other area where livestock are confined primarily for the purposes of feeding, growing, raising, or birthing prior to slaughter is set back as follows.

- a. A minimum of one thousand (1000) feet from any existing residence.
- b. A minimum of five hundred (500) feet from any property boundary.
- c. A minimum of two hundred fifty (250) feet from any public right-of-way.
- d. A minimum of five hundred (500) feet from any other well that supplies water for human consumption.

603.3.4. Special Conditions. These provisions are adopted pursuant to Title 44, Chapter 18, "Feedlots, Dairy Farms and Egg Production Houses," of the Tennessee Code. The following supplementary regulations shall be required.

603.3.5. The location of such activity shall be in an area anticipated to remain sparsely developed during the length of time the use as an egg production house, dairy farm, feedlot, concentrated animal feeding operation, and animal feeding operation is to continue.

603.3.6. The location, design and nature of the facility shall be such that the facility will not pose any significant hazard to human life, health or safety.

603.3.7. No permit shall be issued until a site plan and other documents submitted with an application are reviewed and approved by the Washington County Planning Commission. The site plan and documents shall indicate the following:

- a. Existing contours of the site and up to one hundred (100) feet beyond the site boundary. Contour intervals shall be at two (2) feet intervals.
- b. Location of all proposed buildings, animal pens, roadways and other facilities proposed on the site.
- c. Proposed method and location of drainage of all animal pens.
- d. Proposed fencing for the site.

603.3.8. Any facility to be constructed shall submit a groundwater protection plan with the application required, hereunder. Such plan shall address:

- a. Decreased water quality from erosion and runoff; and
- b. Surface and groundwater contamination from animal waste.

603.3.9. A plan for disposal of waste, including manure, litter and dead animals, shall accompany the application required, herein under.

603.3.10. A plan for odor control to include evidence developed from operations similar to the one being proposed shall accompany the application required, herein under.

603.3.11. All feedlots, dairy farms, egg production houses, concentrated animal feeding operations and animal feeding operations shall comply with the State of Tennessee Strategy For Animal Feeding Operations. This State of Tennessee Strategy For Animal Feeding Operations is developed and implemented pursuant to the authority of the Tennessee Water Quality Act of 1977, the Tennessee Solid Waste Disposal Act, the

United States Environmental Protection Agency's National Pollutant Discharge Elimination System (NPDES) program delegation, the Tennessee Right to Farm Act and the duties and powers of the Commissioner of the Tennessee Department of Environment and Conservation (TDEC) and the Commissioner of the Tennessee Department of Agriculture (TDA). The University of Tennessee Agricultural Extension Service will assist the Departments in technical guidance, education and training for the implementation of this Strategy. The purpose of the Strategy is to assure compliance with the above Acts, delegation, and powers; to encourage best management practices and to assure protection of public health, the environment and the waters of the state.

603.4. Commercial Boarding Stables and Riding Rings

603.5.1. Commercial Boarding Stables and Riding Rings subject to the following conditions:

- i. A site plan shall be submitted to the Planning Commission for review and approval;
- ii. The minimum site shall be ten (10) acres;
- iii. The minimum setback for all structures from all public roads shall be one hundred (100) feet;
- iv. The minimum setback of riding rings shall be one hundred (100) feet from all property lines;
- v. Landscaping in accordance with Appendix A, *Landscape Manual*
- vi. Any outside lighting shall be designed so that no direct light falls on adjacent agricultural or residential property.

(Amended 7/05)

**604. R-1 Low Density Residential District.** This is the most restricted residential district, intended for low density single-family use along with open areas which appear likely to develop in a similar manner. The requirements for the district are designed to protect essential characteristics and provide an environment for family life. Additional related uses normally required to provide the basic needs and conveniences of a residential area are permitted upon review by the planning commission provided certain standards are met. It is necessary to set higher standards for these related uses because they generate more traffic than single family residential uses and would be detrimental to a residential neighborhood if they were not required to meet minimum standards.

604.1. Within the R-1 Low Density Residential District of Washington County, the following uses are permitted:

604.1.1. Single family residence provided: (Amended 2/04)

604.1.1.1. The structure is used for residential uses only, and not for commercial/industrial use or commercial/industrial storage.

604.1.1.2. Prior to the issuance of a permit, the property owner shall (1) submit a footprint of the structure showing the living space, storage space, garage, and (2) sign a statement affirming that the use of main or principal structure is and will remain in compliance with the applicable zone.

604.1.2. Customary general farming.

604.1.3. Public utility stations, subject to review and approval by the Washington County Planning Commission.

604.1.4. Customary accessory buildings provided:

604.1.4.1. They are located in the side or rear yard and not closer than seven and one-half feet to any lot line.

604.1.4.2. All customary accessory buildings shall not be larger in area (total square footage) than the outside perimeter (footprint) of the principal structure.

604.1.4.3. The customary accessory building is used for residential uses only, and not for commercial/industrial use or commercial/industrial storage.

604.1.4.4. Prior to the issuance of a permit, the property owner shall (1) submit a footprint of the building, and (2) sign a statement affirming that the use of such building is and will remain in compliance with the applicable zone.

604.1.5. Publicly owned recreation facilities and grounds.

604.1.6. Cemeteries, churches and schools, both public and private offering general education, provided:

604.1.6.1. They are located on an arterial or collector street as shown on the zoning map of Washington County, Tennessee.

604.1.6.2. They are located on a lot containing a minimum of three acres.

604.1.6.3. The buildings are placed not less than fifty feet from the side and rear lot lines.

604.1.6.4. Landscaping in accordance with Appendix A, *Landscape Manual*

604.1.6.5 A Site plan is required for Churches and Cemeteries.

604.1.7. Family Day-Care Centers. Subject to the following standards:

604.1.7.1. Family Day-Care Centers shall consist of a minimum of four (4) children with a maximum of eight (8).

604.1.7.2. The owner/operator shall live on premise.

604.1.7.3. The center is licensed by the State of Tennessee.

604.1.7.4. They shall be limited to arterial or collector roads.

604.1.7.5. Lot area: One (1) acre minimum.

604.1.7.6. Signage to be determined by WCRPC.

604.1.7.7. Fencing to be determined by WCRPC.

604.1.7.8. Planning commission shall review site plan to determine neighborhood compatibility with the proposed Family Day-Care Center.

604.2. Uses Permitted on Review. The following uses may be permitted on review by the planning commission; provided, however, that no permit may be issued except with the written approval of the planning commission and subject to such conditions as the planning commission may require in order to preserve and protect the character of the district in which the proposed use is located.

604.2.1. Medical clinics, office buildings for doctors, dentists, architects, or lawyers; general offices, and nursing homes and hospitals for the treatment of human ailments provided:

604.2.1.1. That they are located on an arterial or collector street.

604.2.1.2. That they are located on a lot containing a minimum of three acres.

604.2.1.3. That the buildings are not less than fifty feet from the side and rear lot lines.

604.2.1.4. Landscaping in accordance with Appendix A, *Landscape Manual*.

604.2.1.5. Obtain Site Plan Approval.

604.2.2 Customary, incidental, home occupations conducted within the principal building provided there is no external evidence of such occupation except announcement or professional sign attached to the principal building not more than two square feet in

area, that only one person not a resident of the premises is employed, and that not more than 25 percent of the total floor area of any dwelling unit is in such use.

The following additional standards shall apply to beauty shops as a customary home occupation

604.2.2.2. There shall be a limited line of hair care products.

604.2.2.3. Proper professional and business licenses must be presented.

604.2.2.4. The Zoning Administrator or designee shall make an on-site inspection and issue a certificate of occupancy.

604.3. Area Regulations

604.3.1. Lot Area

Minimum required lot area for single family dwelling units  
..... 15,000 sq. ft.

604.3.2. Lot Width

Minimum required width at building line ..... 80 ft.

604.3.3. Front Yard

Minimum required front yard for lots fronting an arterial street ..... 30 ft.

Minimum required front yard for lots fronting other streets ..... 25 ft.

604.3.4. Rear Yard

Minimum rear yard ..... 30 ft.

604.3.5. Side Yard

Minimum side yard ..... 12 ft.

Minimum additional side yard for all buildings over two stories  
..... 6 ft. per story

604.3.6. Porches, etc.

Porches, stairways, terraces steps and handicapped ramp as may be required or other similar features that are uncovered may project into a required rear yard setback, not more than ten (10) feet.

604.3.7. Entrance stairwells.

Steps or stairs handicapped ramps as may be required to a dwelling that is uncovered, may project ten (10) feet into the required front yard setback. This does not include any portion of the porch, stoop or main structure.

**605. R-1A Low Density Residential District.** Same intent and standards of the R-1 district except that single family residences on sanitary sewers may have smaller lot sizes, side yard setbacks, and rear yard setbacks:

605.1 Same land uses, standards and setbacks as the R-1 district except that single family residences on sanitary sewers may have a minimum lot size of 12,000 square feet, a minimum side yard setback of 10 feet, and a minimum rear yard setback of 25 feet.

605.2. Porches, etc. Porches, stairways, terraces steps and handicapped ramps as may be required or other similar features that are uncovered may project into a required rear yard setback, not more than ten (10) feet.

605.3. Entrance stairwells. Steps or stairs handicapped ramps as may be required to a dwelling that is uncovered, may project ten (10) feet into the required front yard setback. This does not include any portion of the porch, stoop or main structure.

**606. R-1B Low Density Residential District.** Same intent and standards of the R-1 district except that single family residences on sanitary sewers may have smaller lot sizes, side yard setbacks, and rear yard setbacks:

606.1 Same land uses, standards and setbacks as the R-1 district except that single family residences on sanitary sewers have a minimum lot size of 10,000 square feet, a minimum side yard setback of 10 feet, and a minimum rear yard setback of 25 feet.

606.2. Porches, etc. Porches, stairways, terraces steps and handicapped ramps as may be required or other similar features that are uncovered may project into a required rear yard setback, not more than ten (10) feet.

606.3. Entrance stairwells. Steps or stairs handicapped ramps as may be required to a dwelling, that is uncovered, may project ten (10) feet into the required front yard setback. This does not include any portion of the porch, stoop or main structure.

**607. R-2 Medium Density Residential District.** This district is intended to provide for medium density residential development including single family residential development and low density multiple family apartment uses. Like the R-1 district, this district is designed to protect the essential characteristics of family living. Additional related uses normally required to provide the basic needs and conveniences of a residential area are permitted upon review by the planning commission provided certain standards are met. It was necessary to set higher standards for these related uses because they create more traffic than residential uses and would be detrimental to a residential neighborhood if they were not required to meet minimum standards.

607.1. Within the R-2 Medium Density Residential District of Washington County, the following uses are permitted, however two-family and multi-family dwellings, and boarding and rooming houses shall be subject to site plan approval by the Planning Commission as per the Zoning Resolution, Article V, Section 511 :

607.1.1. Any use permitted in the R-1 Residential District.

607.1.2. Landscaping in accordance with Appendix A, *Landscape Manual*

607.1.3. Boarding and rooming houses; bed and breakfast facilities provided that:

607.1.3.1. The owner (or manager) must reside on premise and maintain a current guest register limiting registered guests to a maximum stay of fourteen (14) days.

607.1.3.2. Meals for compensation shall be limited to breakfast for registered guests.

607.1.3.3. There shall be only one (1) sign not to exceed six (6) square feet in size affixed to the building.

607.1.3.4. The house shall have a minimum lot size of three fourths (3/4) of an acre.

607.1.3.5. There shall be one (1) parking space for each guest room plus two additional parking spaces.

607.1.4. Mobile home parks per standards in Article V.

607.1.5 Two family dwellings.

607.2. Uses Permitted on Review

607.2.1. Any use permitted on review in the R-1 Low Density Residential District and subject to the same standards as outlined in Section 604.2 of this resolution.

607.3. Area regulations.

607.3.1. Lot Area

Minimum required lot area for single family dwelling units  
.....10,000 sq. ft.

Minimum required lot area for two family and multi-family units, first unit  
.....10,000 sq. ft.

Minimum required lot area for the second and each additional unit if connected  
to sanitary sewers.....6,000 sq. ft.

607.3.2. Lot Width

Minimum required width at building line ..... 60 ft.

607.3.3. Front Yard

Minimum required front yard for lots fronting an arterial street ..... 30 ft.

Minimum required front yard for lots fronting other streets..... 25 ft.

607.3.4. Rear Yard

Minimum required rear yard..... 25 ft.

Minimum required rear yard when parcel ..... 30 ft.  
abuts any A-1, A-2, or R-1 district.

607.3.5. Side Yard

Minimum required side yard ..... 10 ft.

Minimum required side yard when parcel ..... 20 ft.  
abuts any A-1, A-2, or R-1 district.

Minimum additional side yard for all buildings over two stories  
..... 6 ft. per story

**608. R-2A Medium Density Residential District.** Like the R-2 district, this district is intended to provide for medium density residential development including single family residential development and low density multiple family uses. Unlike the R-2 district it is not intended for mobile home uses. Like the R-1 district, this district is designed to protect the essential characteristics of family living.

608.1. Within the R-2A Medium Density Residential District of Washington County, the following uses are permitted, however two-family and multi-family dwellings shall be subject to site plan approval by the Planning Commission as per the Zoning Resolution, Article V, Section 511.

608.1.1. Any use permitted in the R-1 Residential District.

608.1.2. Landscaping in accordance with Appendix A, *Landscape Manual*

608.2. Uses Permitted on Review

608.2.1. Any use permitted on review in the R-1 Low Density Residential District and subject to the same standards as outlined in Section 604.2 of this resolution.

608.3. Area Regulations

608.3.1. Lot Area

Minimum required lot area for single family dwelling units  
.....10,000 sq. ft.

Minimum required lot area for two family and multifamily units,  
first unit .....10,000 sq. ft.

Minimum required lot area for the second and each additional unit if connected  
to sanitary sewers.....6,000 sq. ft.

608.3.2. Lot Width

Minimum required width at building line ..... 60 ft.

608.3.3. Front Yard

Minimum required front yard for lots fronting an arterial street ..... 30 ft.

Minimum required front yard for lots fronting other streets..... 25 ft.

608.3.4. Rear Yard

Minimum required rear yard..... 25 ft.

Minimum required rear yard when parcel ..... 30 ft.  
abuts any A-1, A-2, or R-1 district.

608.3.5. Side Yard

Minimum required side yard ..... 10 ft.

Minimum required side yard when parcel ..... 20 ft.  
abuts any A-1, A-2, or R-1 district.

Minimum additional side yard for all buildings over two stories  
..... 6 ft. per story

**609. R-3 High Density Residential District.** It is the intent of this district to provide for areas of high density residential development. One of the important purposes of this district is to create adequate standards of residential development in order to prevent a recurrence of the overcrowded and unhealthy housing conditions which have long been a major problem. Intensities of development have been established which will not cause traffic congestion and densities are limited in order to provide adequate sunlight, air, and usable open space for dwellings and adequate space for all related facilities.

609.1. Within the R-3 High Density Residential District of Washington County, the following uses are permitted:

609.1.1. Any use permitted in the R-2 residential district, however two-family and multi-family dwellings, and boarding and rooming houses shall be subject to site plan approval by the Planning Commission as per the Zoning Resolution, Article V, Section 511.

609.1.2. Mobile homes on single lots.

609.2. Uses permitted on review

609.2.1. Any use permitted on review in the R-1 and R-2 residential districts and subject to the same standards as outlined in Sections 604.2 and 609.2 of this resolution.

609.3 Area Regulations

609.3.1. Lot Area

Minimum required lot area for single family dwelling units.....7,500 sq.ft.

Minimum required lot area for two-family and multi-family dwelling units, each unit if approved by TDEC.....7,500 sq.ft.

Minimum required lot area for two-family and multi-family dwelling units if connected to sanitary sewer.....3,200 sq.ft.

609.3.2. Lot Width

Minimum required lot width at building line..... 50 ft.

609.3.3. Front Yard

Minimum required front yard for lots fronting an arterial street ..... 30 ft.

Minimum required front yard for lots fronting other streets..... 25 ft.

609.3.4. Rear Yard

Minimum required rear yard..... 20 ft.

Minimum required rear yard when parcel ..... 30 ft.  
abuts any A-1, A-2, or R-1 district.

609.3.5. Side Yard

Minimum required side yard ..... 10 ft.

Minimum required side yard when parcel ..... 20 ft.  
abuts any A-1, A-2, or R-1 district.

Minimum additional side yard for all buildings over two stories  
..... 6 ft. per story

**610. R-3A High Density Residential District.** It is the intent of this district to provide for areas of high density residential single family and multi-family development exclusive of mobile homes.

610.1. Within the R-3A High Density Residential District of Washington County, the following uses are permitted:

610.1.1. Any use permitted in the R-2A Residential District, however two-family and multi-family dwellings shall be subject to site plan approval by the Planning Commission as per Zoning Resolution, Article V, Section 511.

610.2. Uses permitted on review

610.2.1. Any use permitted on review in the R-1 and R-2A Residential District and subject to the same standards as outlined in Section 604.2 of this resolution.

610.3 Area Regulations

610.3.1. Lot Area

Minimum required lot area for single family dwelling units.....7,500 sq.ft.

Minimum required lot area for two-family and multi-family dwelling units, each unit if approved by TDEC.....7,500 sq.ft.

Minimum required lot area for two-family and multi-family dwelling units if connected to sanitary sewer.....2,400 sq.ft.

610.3.2. Lot Width

Minimum required lot width at building line..... 50 ft.

610.3.3. Front Yard

Minimum required front yard for lots fronting an arterial street ..... 30 ft.

Minimum required front yard for lots fronting other streets..... 25 ft.

610.3.4. Rear Yard

Minimum required rear yard..... 20 ft.

Minimum required rear yard when parcel ..... 30 ft.  
abuts any A-1, A-2, or R-1 district.

610.3.5. Side Yard

Minimum required side yard ..... 10 ft.

Minimum required side yard when parcel ..... 20 ft.  
abuts any A-1, A-2, or R-1 district.

Minimum additional side yard for all buildings over two stories  
..... 6 ft. per story

**611. B-1 Neighborhood Business District.** It is the intent of this district to establish business areas to serve surrounding residential districts. This is intended to be a restricted commercial district, limited to a narrow range of retail and services. The district regulations are intended to encourage grouping of uses in which parking and traffic congestion is reduced to a minimum and where pedestrian traffic and non-motorized traffic is promoted

611.1. In order to achieve the intent of the B-1 Neighborhood Business District, as shown on the Zoning Map of Washington County, Tennessee, the following uses are permitted subject to site plan approval by the Planning Commission as per the Zoning Resolution, Article V, Section 512:

611.1.2. Drug stores, funeral homes, barber and beauty shops, laundry and dry cleaning pick-up stations, laundromats, gift shops, shoe repair shops, hardware stores, day-care centers, professional services, flower shops, restaurants, retail bakeries, financial institutions and similar uses as determined by the Planning Commission.

611.1.3. For sign regulations refer to Article V Section 510.

611.1.5. Service stations provided that all structures, including underground storage tanks, shall be placed not less than thirty feet from any property line. Points of ingress and egress shall be located not less than fifteen feet from the intersection of street lines. The closest part of the canopy may be located within fifteen (15) feet of the right-of-way. The pump island may be located within twenty-five (25) feet of the right-of-way. A gasoline service station shall be compatible with the neighborhood layout as determined by the Planning Commission with a preliminary concept plan.

611.1.6 Second story single and multi-family dwellings are permitted as long as the first floor principle use is permitted in this zone.

611.2 Area Regulations. The following requirements shall apply to all uses permitted in this district.

611.2.1. Front Yard

All buildings shall be set back thirty (30) feet from the street right-of-way lines.

611.2.2. Side Yard

On the side of a lot adjoining a residential district or residential use there shall be a side yard of not less than thirty (30) feet. There shall be a side yard setback from an intersection street of not less than thirty (30) feet. The setback shall be seven and one half (7 1/2) feet in all other cases.

611.2.3. Rear Yard

There shall be a rear yard, alley, service court, or combination thereof, of not less than thirty feet in depth, and all of the service areas of all buildings shall be completely screened from public view with plant material or fencing.

**612. B-2 Retail Business District.** It is the intent of this district to establish areas for concentrated general business development. Uses which do not require a central location and create friction in the performance of function will be discouraged from this district. The requirements are designed to protect the essential characteristics of the district by promotion of business and public uses which serve the general public, and to discourage industrial and wholesale development while promoting pedestrian and non-motorized traffic and discourage congestion. All Retail Business Districts shall submit and receive approval of a site plan pursuant to the requirements as set forth in Sections 512.

612.1. In order to achieve the intent of the B-2 Retail Business District, as shown on the Zoning Map of Washington County, Tennessee, the following uses are permitted subject to site plan approval by the Planning Commission as per the Zoning Resolution, Article V, Section 512:

612.1.1. Any use permitted in the B-1 Business District.

612.1.2. Business signs as permitted in the B-1 business district.

612.1.3. Stores and shops conducting retail business, sales and display rooms.

612.1.4. Offices, grocery stores, restaurants and similar community services as determined by the Planning Commission.

612.1.5. Personal and professional services, public and semi-public buildings, retail printing operations, financial institutions, places of amusement and assembly, animal hospitals, veterinary offices, and shooting ranges if structures enclosing them limit sound emitted through exterior walls or structures to 60 decibels.

612.1.6. Any other store or shop for retail trade or for rendering personal, professional, or business service which does not produce more noise, odor, dust, vibration, or traffic than those enumerated above as determined by the Planning Commission.

612.1.7 Second story single and multi-family dwellings are permitted as long as the first floor principle use is permitted in this zone.

612.2. Area Regulations.

612.2.1. Front Yard

All buildings shall be setback thirty (30) feet from the street right-of-way line.

612.2.2. Side Yards

On the side of a lot adjoining a residential district or residential use there shall be a side yard of not less than thirty (30) feet. There shall be a side yard setback from an intersection street of not less than thirty (30) feet. The setback shall be seven and one half (7 1/2) feet in all other cases.

612.2.3. Rear Yard

There shall be a rear yard of not less than thirty (30) feet. Rear yards which abut a residential district shall be completely screened from public view with plant material or fencing.

**613. B-3 General Business District.** It is the intent of this district to encourage commercial development to concentrate to the mutual advantage of consumers and at the same time provide for adequate space and sufficient depth from the street for transactions of the district. This district is for personal and business services and general retail business, and is intended to include areas where commercial development has displaced or is displacing residential development, or is moving in on vacant lands. Regulations were designed to guide future change so as to discourage formation of future slums, to preserve the carrying capacity of the streets, and to provide for off-street parking and loading. It is not the intent of this district to encourage the extension of existing strip commercial areas, but rather to provide concentrations of general commercial activities.

613.1. Within the B-3 General Business District of Washington County, Tennessee, the following uses are permitted subject to site plan approval by the Planning Commission as per the Zoning Resolution, Article V, Section 512:

613.1.1 Any use permitted in the B-1 and B-2 districts.

613.1.3. Wholesale business, warehouses, storage yards and buildings, and truck terminals. The storage of hazardous substances and explosives will not be allowed in storage yards. They will only be allowed in the M-2 High Impact Use District.

613.1.4. Automobile sales, new and used, and mobile home sales, new and used.

613.1.5 Automobile service and repair establishments and automobile body shops for motor vehicle construction, farm equipment repair, for the repair of other vehicles and equipment with outside storage only for vehicles and equipment awaiting parts or repair. All motor vehicles stored outside shall have current registration. All automobiles, or parts thereof, are stored to the rear of the building in an enclosed fenced storage area. All automobiles, or parts thereof, are properly disposed of when they have no further use in the business. Storage containment area must be approved by the Planning Commission prior to construction.

613.1.6. Automotive restoration and customizing businesses provided that all automobiles, or parts thereof, are properly disposed of when they have no further use in the business. However no more than 10 vehicles without current registration shall be permitted, all automobiles, or parts thereof, are stored to the rear of the building in an enclosed fenced storage area. Storage containment area must be approved by Zoning Administrator staff prior to construction.

613.1.7. Automobile and truck tire stores, new and used provided that the inventory is enclosed within the structure.

613.1.8. Service Station, provided:

A. Service station principal and accessory buildings and gasoline pumps shall not be constructed closer than forty (40) feet to any residential district.

B. Gasoline pump islands shall not be located closer than twenty feet (20) feet to any street right-of-way line; however where pump islands are constructed perpendicular to the pavement edge, the pump island shall be located not less than thirty (30) feet back of the right-of-way line.

Canopies shall not be constructed closer than fifteen (15) feet from any street right-of-way. No variance shall be considered from this section.

613.1.9. Bottling operations and retail bakeries.

613.1.10. Funeral Homes

613.1.11. Animal hospitals, veterinarian offices, are permitted subject to the provision that all structures including dog runs are setback 150 feet from all property lines except if they abut a M-2 district. Shooting ranges are permitted if structures enclosing them limit sound emitted through exterior walls or structures to 60 decibels.

613.1.12. Public and private non-profit clubs are permitted.

613.1.13 Second and third story single and multi-family dwellings are permitted as long as the first floor principle use is permitted in this zone.

613.2. Area regulations. The following requirements shall apply to all uses permitted in this district.

613.2.1. Front Yard

All buildings shall be setback (30) feet from the street right-of-way lines;

613.2.2. Side Yards

On the side of a lot adjoining a residential district or residential use there shall be a side yard of not less than thirty (30) feet. There shall be a side yard setback from an intersection street of not less than thirty (30) feet. The setback shall be seven and one half (7 1/2) feet in all other cases.

613.2.3. Rear Yard

There shall be provided an alley way, service court, rear yard or combination thereof of not less than thirty (30) feet in depth. Rear yards which abut a residential district shall be completely screened from public view with plant material or fencing.

613.2.4. Maximum Lot Coverage

No Requirement

613.2.5. Height Restriction

No Requirement

**614. B-4 Arterial Business District.** It is the intent of this district to establish areas in which the principal use of land is devoted to commercial uses which cater specifically to the needs of motor vehicle oriented trade. The intent of this district is to provide appropriate space and sufficient depth from the street to satisfy the needs of modern commercial development where access is entirely dependent on motor vehicle trade, to provide for the orderly development and concentration of highway and arterial commercial uses; and to encourage the development of these locations with such uses and in such a manner as to minimize traffic hazards and interference with other uses in the vicinity.

614.1. Within the B-4 Arterial Business District as shown on the zoning map of Washington County, Tennessee, the following uses are permitted subject to site plan approval by the Planning Commission as per the Zoning Resolution, Article V, Section 512:

614.1.1. Any use permitted in the B-3 Neighborhood Business District.

614.1.2. Hotels and motels.

614.2. Area Regulations:

614.2.1. Front Yard

All lots shall have a building setback of not less than fifty (50) feet.

614.2.2. Side Yard

The width of any side yard which abuts a residential district or residential use shall not be less than thirty (30) feet. In all other cases each side yard shall not be less than twenty (20) feet.

614.2.3. Rear Yard

Each lot shall have a rear yard of not less than twenty-five (25) feet.

**615. MS - Medical Services District.** This district is intended to provide space for the harmonious development of medical facilities, services, and related support uses. The Medical Services District is intended to be protected from encroachment by land uses adverse to the location, operation, and expansion of medical use development.

615.1. PERMITTED USES: Within the MS - Medical Services District the following uses are permitted:

615.1.1 Apothecaries, drug stores, and pharmacies;

615.1.2 Artificial limb and brace, therapeutic establishments, including the manufacturing, wholesale, and retail sales of products;

615.1.3 Clinics: medical, dental, chiropractic, optical, osteopathic and similar operations, but not including methadone treatment clinics and the practice of veterinary medicine;

615.1.4 Hospitals for the treatment of human ailments, including psychiatric hospitals;

615.1.5 Laboratories - medical, dental, optical, pharmaceutical and related;

615.1.6 Medical, surgical, and dental supply businesses, both wholesale and retail;

615.1.7 Municipal, County, State or Federal Buildings or land uses; and

615.1.8 Retail sales and service establishments pertaining to any medically oriented product or service;

615.1.9 Nursing homes and assisted living facilities

615.1.10 Adult Day Care and day care centers subject to the provision that such facilities are licensed by the State of Tennessee.

615.1.11 Traumatic Brain Injury Residential Homes licensed by the State of Tennessee.

615.2. COMPLIANCE REQUIREMENTS: Within the MS-1 Medical Services District the following requirements must be met:

A. Detailed site plan as required by Article VIII, Section 803. Issuance of Building Permit.

B. Compliance with:

Article V., Section 502. Off -Street Automobile Parking

Section 503. Off-street Loading and Unloading Space.

Section 504. Vision Clearance.

Section 505. Design, Construction and maintenance of Off-Street Parking and Unloading

Section 506. Access Control.

- C. The requirements for Business Signs pursuant to Article V, Section 510. Sign Regulations.

615.3 AREA REGULATIONS. All buildings and uses in the MS – Medical Services District, unless otherwise specified in this Code, shall comply with the following setback, coverage, and area requirements:

615.3.1 Front Yard

All lots shall have a building setback of not less than fifty (50) feet.

615.3.2 Side Yard

The width of any side yard which abuts a residential district, shall not be less than thirty (30) feet. In all other cases each side yard shall not be less than twenty (20) feet.

615.3.3 Rear Yard

Each lot shall have a rear yard of not less than twenty-five (25) feet.

615.4. Uses Permitted By Review. The following uses may be permitted in the MS – Medical Services District on review by the planning commission; provided, however, that no permit may be issued except with the written approval of the planning commission and subject to such conditions as the planning commission may require in order to preserve and protect the character of the district in which the proposed use is located:

615.4.1. Heliports subject to compliance with the most recent edition of Federal Aviation Administration Circular 150/5390-2A;

615.4.2. Mortuary establishments, Crematories, provided such establishments will not cause undue traffic congestion or create a traffic hazard; and

615.4.3. Methadone Treatment Clinic or Substance Abuse Treatment Facility provided:

- a. The consideration for approval by the Planning Commission of a methadone treatment clinic, or Substance Abuse Treatment Facility shall be contingent upon the receipt of the appropriate license and certificate of need by the State of Tennessee.
- b. Maps showing existing land use and zoning within one-quarter (1/4) mile of the proposed site should be submitted with an application for Use of Review approval along with the license of the applicant, certificate of need, site plan, survey or other information deemed reasonable by the Planning Commission for use in making a thorough evaluation of the proposal.
- c. The clinic or facility shall be located on an Arterial street.
- d. Measurement shall be made in a straight line on the Washington County Zoning Map from the nearest property line of the lot on which the methadone treatment clinic or facility is situated to the nearest property line of the following uses:

- 1) The clinic or facility shall not be located within two thousand (2,000) feet of a school, day care facility, park, church, synagogue, mosque, mortuary or hospital.
- 2) The clinic or facility shall not be located within two thousand (2,000) feet of any establishment that sells alcoholic beverages for either on-or-off-premises consumption.
- 3) The clinic or facility shall not be located within two thousand (2,000) feet of any area devoted to public recreation activity.
- 4) The clinic or facility shall not be located within two thousand (2,000) feet of any amusement catering to family entertainment.
- 5) The site shall not be less than two thousand (2000) feet of any agriculture or residential zoned property at the time of approval.
- 6) The site shall not be less than one-half (1/2) mile from any other methadone treatment clinic or facility.

615.4.4. Area Regulations. All buildings and uses permitted by review in the MS – Medical Services District, unless otherwise specified in this Code, shall comply with the following setback, coverage, and area requirements:

615.4.4.1. Front, side and rear yards shall have an eighty (80) foot minimum building setback.

615.4.4.2. There shall be a minimum thirty (30) foot undisturbed buffer on all surrounding property lines with a minimum of three rows of evergreen plants, staggered, with a minimum total height of 6ft unless the WCRPC requires a greater buffer due to topography. The ingress/egress and stormwater facilities may be located in the minimum thirty (30) foot buffer.

615.4.4.3. The principal building and all accessory buildings shall cover not more than fifty (50) percent of the total lot area, excluding paved parking areas.

**616. M-1 Industrial District.** It is the intent of this district to establish industrial areas along with open areas, which will likely develop in a similar manner. It is the intent that permitted uses are conducted so that noise, odor, dust, and glare is established to provide areas in which the principal use of land is for manufacturing and assembly plants, processing, storage, warehousing, wholesaling and distribution.

616.1. Within the M-1 Industrial District as shown on the Zoning Map of Washington County, Tennessee, the following uses are permitted subject to site plan approval by the Planning Commission as per the Zoning Resolution, Article V, Section 512.

616.1.1. Wholesale business, warehouses, storage yards and buildings.

616.1.2. Any industry which does not cause injurious or obnoxious noise, vibrations, smoke, gas, fumes, odors, dust, fire hazard or other objectionable conditions.

616.1.3. Trucking terminals and railroad yards;

616.1.4. Wholesale business, warehouses, storage yards and buildings.

616.1.5. Bottling and packaging operations.

616.1.6. Retail & Wholesale Bakeries

616.1.7. Adult Oriented Establishments

616.1.7.1. Adult Oriented Establishments: Because adult oriented establishments have a deteriorating effect on property values, create higher crime rates in the area, create traffic congestion, and depress nearby residential neighborhoods and retail districts, these activities will only be permitted when minimum conditions are met.

616.1.7.2. The following minimum conditions must be complied with for a site to be approved for adult entertainment activities:

616.1.7.3. The site shall not be less than one thousand feet from any residentially zoned property at the time of approval for an adult entertainment activity.

616.1.7.4. The site shall not be less than one thousand feet from the site of any public amusement or entertainment activity, including, but not limited to, the following: arcades, motion picture theaters, bowling alleys, marinas, playgrounds, ice skating or roller skating rinks or arenas, zoos, community centers and similar amusements offered to the general public.

616.1.7.5. The site shall not be less than one thousand feet from any area devoted to public recreation activity.

616.1.7.6. The site shall not be less than one thousand feet from any school, library, day care center, park, church, mortuary or hospital.

616.1.7.7. The site shall not be less than one-half mile from any other adult entertainment business site.

616.1.7.8. Measurement shall be made from the nearest recorded property line of the lot on which the adult oriented establishment is situated to the nearest property line or boundary of the above mentioned uses, measuring a straight line on the Washington County Zoning Map.

616.1.7.9. Maps showing existing land use and zoning within one-half mile of the proposed site should be submitted with an application for Use on Review approval along with site plans, surveys or other such special information as might reasonably be required by the Washington County Planning Commission for use in making a thorough evaluation of the proposal.

## 616.2. Area Regulations

### 616.2.1. Front Yard

All buildings shall be setback fifty (50) feet from all street right-of-way lines;

### 616.2.2. Side Yard

All buildings shall have a side yard of at least twenty (20) feet.

### 616.2.3. Rear Yard

All lots shall have a minimum rear yard of at least thirty (30) feet. All rear lots which abut a residential district shall be completely screened with plant material or fencing.

**617. M-2 High Impact Use District.** It is the intent of this district to establish areas which, unless closely regulated, might cause a detrimental effect upon and be injurious to surrounding areas. This district created, therefore, to allow for heavy type industries and uses, noise, odor, dust and other objectionable conditions.

617.1. Within the M-2 High Impact District, as shown on the Zoning Map of Washington County, the following uses are permitted subject to site plan approval by the Planning Commission as per the Zoning Resolution, Article V, Section 512.

617.1.1. Any use permitted in M-1 District.

617.1.2. Lots or yards for scrap or salvage operations or for processing, storage, display or sales of any scrap, salvage, or secondhand building materials.

617.1.3. Meat products manufacturing.

617.1.4. Dyeing and finishing of textiles.

617.1.5. Paper and allied products manufacturing.

617.1.6. Chemicals and allied products manufacturing

617.1.7. Rubber and miscellaneous plastic products manufacturing.

617.1.8. Automobile wrecking, salvage and junk yards provided that:

617.1.8.1. All motor vehicles stored or kept in such yards shall be kept that they will not catch or hold water in which mosquitoes may breed and so that they will not constitute a place or places in which rats, mice or other vermin may be harbored, reared or propagated.

617.1.8.2. Because of the tendency for salvage yards to promote the breeding of vermin, no such operation shall be permitted closer than three hundred (300) feet from any established residential zone.

617.1.8.3. All outdoor storage of salvage and wrecking operations shall be conducted entirely within an enclosed fence, screen, or wall, excepting driveway areas a maximum of 24 feet wide, from six (6) to twelve (12) feet in height (determined by the zoning administrator based on topography), to contain and conceal business operations. The open area between the road or street and such fence, screen or wall shall be maintained in good condition. Off street parking must be provided within the enclosed area. Existing outdoor storage of salvage and wrecking operations must meet the above requirements for fencing and parking for any part of the business visible from any street or road, but limited to 150 feet along side property lines, within two (2) years.

617.1.8.4. All such yards shall be so maintained as to be in a sanitary condition and so as not to be a menace to public health or safety.

617.1.8.5. Application for automobile wrecking, junk or salvage yard permit:  
No person shall own or maintain an automobile wrecking, junk, or salvage yard

within Washington County until he has secured a permit from the Washington County Zoning Administrator or Designee. A detailed site plan, a schedule for construction and any other information deemed necessary shall be submitted to said Zoning Administrator or Designee prior to the issuance of such permit.

617.1.9. Non-hazardous solid waste disposal provided that:

617.1.9.1. The site is approved by the Tennessee Department of Environment and Conservation..

617.1.9.2. The total tract contains a minimum of one-hundred (100) acres.

617.1.9.3. The site is located on an arterial road as shown on the Zoning Map of Washington County, Tennessee or on a road with a minimum asphalt pavement width of twenty-two feet.

617.1.9.4. Trenches and areas for burial of refuse shall be located at least 500 feet from any existing residence or any residence under construction or on adjoining property at the time the landfill operation is begun.

617.1.9.5. Existing trees shall be maintained within one hundred (100) feet of the adjoining property lines. Where the natural growth within 100 feet of the adjoining property line is inadequate to effectively screen the landfill site from the view from adjoining properties, trees shall be planted for such screening purposes.

617.1.9.6. The site plan is reviewed and approved by the Washington County Planning Commission, said site plan shall consider, but not be limited to the criteria of site suitability, population density of the surrounding area, accessibility, suitability of entrances and exits, and any other criteria deemed important by the planning commission.

617.1.10. The storage of hazardous substances and explosive materials will be limited to this zone.

617.1.11. Adult Oriented Establishments.

617.1.11.1. Adult Oriented Establishments: Because adult oriented establishments have a deteriorating effect on property values, create higher crime rates in the area, create traffic congestion, and depress nearby residential neighborhoods and retail districts, these activities will only be permitted when minimum conditions are met.

617.1.11.2. The following minimum conditions must be complied with for a site to be approved for adult entertainment activities:

617.1.11.3. The site shall not be less than one thousand feet from any residentially zoned property at the time of approval for an adult entertainment activity.

617.1.11.4. The site shall not be less than one thousand feet from the site of any public amusement or entertainment activity, including, but not limited to, the following: arcades, motion picture theaters, bowling alleys, marinas, golf

courses, playgrounds, ice skating or roller skating rinks or arenas, zoos, community centers and similar amusements offered to the general public.

617.1.11.5. The site shall not be less than one thousand feet from any area devoted to public recreation activity.

617.1.11.6. The site shall not be less than one thousand feet from any school, library, day care center, park, church, mortuary or hospital.

617.1.11.7. The site shall not be less than one-half mile from any other adult entertainment business site.

617.1.11.8. Measurement shall be made from the nearest recorded property line of the lot on which the adult oriented establishment is situated to the nearest property line or boundary of the above mentioned uses, measuring a straight line on the Washington County Zoning Map.

617.1.11.9. Maps showing existing land use and zoning within one-half mile of the proposed site should be submitted with an application for Use on Review approval along with site plans, surveys or other such special information as might reasonably be required by the Washington County Planning Commission for use in making a thorough evaluation of the proposal.

## 617.2. Area Regulations

### 617.2.1. Front yard.

All buildings shall be setback fifty (50) feet from all street right-of-way lines.

### 617.2.2. Side yard.

All buildings shall have a side yard of at least twenty (20) feet.

### 617.2.3. Rear yard.

All lots shall have a rear yard of at least thirty (30) feet. All rear lots which abut a residential district shall be completely screened with plant material or fencing.

## **618. M-E Mining and Mineral Extraction District**

### **Specific Standards for Mining and Mineral Extraction Activities**

Approval shall not be granted for mining or mineral extraction activity unless the standards established therein are met as a part of the conditions for issuing such permit as follows:

#### Standards for Mining and Mineral Extraction Activity

618.1 Any application for a mining and quarrying type use shall include a general area plan and a specific site plan.

618.2 A general area plan shall be prepared at a scale of one inch equals 1,000 feet with a ten (10) foot contour interval and shall show the following:

##### i. Existing Conditions

- (1) Location of proposed site.
- (2) Surrounding land use pattern including building locations by type of use within a one (1) mile radius of the proposed site.
- (3) Roads including state, federal and county roads showing right-of-way width, weight loads, pavement types and widths, and traffic data.

##### ii. Site and Geologic Data

- (1) Soil types and geology.
- (2) Surface drainage patterns.
- (3) Groundwater movements and aquifer information including aquifer recharge areas.
- (4) Wetlands.
- (5) Vegetation cover by type including the identification of dominant species.
- (6) Climate, precipitation and wind direction to include the percent of wind movements on the points of the compass.

##### iii. Operation of the Site

- (1) Type of material to be removed and the annual removal rate.
- (2) Methods of extraction including types of equipment, use of conveyors, and use of blasting materials.
- (3) Supplementary processes, drying, grading, mixing, manufacturing, batching and similar activities.
- (4) Estimated life of the operations and maximum extent of area to be disturbed, final depths and side wall slopes.

618.3 A detailed site plan for the entire property drawn to a scale no smaller than one (1) inch equals two hundred (200) feet with a contour interval no greater than two (2) feet. In addition to the requirements for a site plan contained in this part, a site plan shall show:

##### i. Base Data

- (1) Soils and geology with borings on a five hundred (500) foot grid.
- (2) On-site groundwater movements and aquifer information including aquifer recharge areas.
- (3) Surface drainage patterns.
- (4) Wetlands.
- (5) Vegetation cover by type including the identification of dominant species.

##### ii. Proposed Use

- (1) Final grading by contours.

- (2) Interior road pattern showing its relationship to on-site operations, points of ingress and egress and egress to state and county roads.
- (3) Estimated amount and description of aggregate and overburden to be removed.
- (4) Final use and ownership of the property after completion of operations.
- (5) Service by public water and the means of disposal of human waste.
- (6) Area that may be disturbed once all applicable setbacks have been applied.

iii. Plan of Operations

- (1) Locations of screening and berms.
- (2) Soil embankments for noise, dust and visual barriers, and heights of spoil mounds
- (3) Method of disposition of excess water.
- (4) Method of erosion control.
- (5) Location and typical schedule of blasting.
- (6) Machinery to be used by type and noise levels.
- (7) Safety measures to be employed and methods of addressing complaints.

iv. Reclamation Plan

A reclamation plan shall be submitted that conforms to the provisions within TCA Title 59, Chapter 8, Part 208. The Washington County Regional Planning Commission shall review and approve the bonding of the reclamation plan to secure that the Plan is complete.

v. Performance Criteria

In addition to the other performance standards specified by this Resolution, the following criteria shall be observed:

618.4 Operations. All mining and quarrying operations shall meet all development and performance standards of this Resolution and all applicable local, state and federal regulations and provide evidence of such compliance.

Setbacks. At the time of application for a special exception, no excavation area or quarry wall shall be located within:

- 1,500 feet to the property line of any existing public or semi-public land use activity, existing residentially zoned property or existing residential dwellings, including residential portions of approved planned developments;
- 1,000 feet from any properties zoned in the M-S Districts or Commercial Districts; and
- 500 feet from any properties zoned in the Manufacturing Districts, public roads and rights-of-way.
- Nothing shall be stored at any time within 200 feet from any property line, with the exception of parking fencing, offices, and weight scales, which shall be subject to all other requirements of this Resolution.

618.5 Grading. All excavations shall be graded in such a way as to provide an area that is harmonious with the surrounding terrain and not dangerous to human or animal life to the extent possible.

618.6 Access. Such use shall be restricted to lots or parcels that are directly contiguous to and have legal frontage for access on roadways and bridges that can support the maximum limits on size and weight as established by the Tennessee Department of Transportation and the Washington County Highway Department or municipal road department. Access by private easement shall not be allowed. Truck routing shall be proposed to reasonably minimize traffic impact. Any road improvements proposed for the site must be submitted with the Site Plan.

618.7 Mitigation of Road Damage. The operator of the site shall post a bond or bonds to cover the potential damage to public roads caused by the development, operation and/or rehabilitation of the subject property prior to the commencement of any site work or operations. The bond amount shall be determined by the Highway Superintendent based on the distance from the entrance of the site to the nearest State Highway. The bond shall be held by the county clerk with a receipt being furnished to the Washington County Zoning Administrator and Highway Superintendent.

618.8 Landscaping, Buffering and Screening. In addition to complying with the landscaping regulations found in the Washington County Landscape Manual, natural vegetation shall be preserved to the extent possible in the setback area established above. The frontage of the site along a public road shall be screened with a berm of sufficient height to restrict the view of the operations from the road by a traveling motorist and shall be planted with ground cover, trees, and shrubs.

618.9 Security Measures. The disturbed area shall be secured with a method accepted by the Washington County Regional Planning Commission.

618.10 Pre-blast Survey. A pre-blast survey is required, consistent with State Regulations.

vi. Productive Use of Mining By-Products

All incidental processing of by-product materials generated on site from mining or mineral processing operations shall be reviewed and approved by the Washington County Regional Planning Commission. All development standards and requirements as stated within this Zoning District shall apply to the incidental processing activities.

## PLANNED DEVELOPMENT DISTRICTS

**619. Planned Development Districts.** The regulations established in this section for planned residential, commercial and industrial districts are intended to provide optional methods of land development which encourage imaginative solutions to environmental design problems. A planned development permits design innovation, Encourages a maximum choice of types of environment, and optional methods of land development, which encourage imaginative solutions to environmental design problems. The goal is a development plan in which buildings, land use, transportation facilities, utility systems and open spaces are integrated through overall design. The planned development permits the placement of buildings on land without adherence to conventional lot-by-lot approach common to traditional zoning. By planning the total parcel rather than the single lot, flexibility is provided in the building site, thereby permitting a mixture of housing and building types and uses as well as the grouping of units to create more useable open space for the preservation of significant natural features.

The Washington County Board of County Commissioners hereby establishes a planned residential district (PRD), planned business district (PBD), a planned manufacturing district (PMD), and a planned residential- business district (PR-BD). These districts shall be shown on the zoning map of Washington County, TN and shall be established as follows:

619.1. A request for a planned development district shall not become effective unless it is first submitted to the Washington County Planning Commission for approval or disapproval.

619.2. Following approval or disapproval by the planning commission and a public hearing as provided by law, the Washington County Board of County Commissioners may, by a favorable vote of a majority of the entire membership of said Board of Commissioners, create a planned development district as herein provided.

619.3. From and after the approval of any zone for a planned development district, it shall be unlawful to commence the filling or leveling of any land or the excavation for, or the construction of any building including accessory buildings, until such time as the owner or developer of the proposed development has submitted and received approval of a comprehensive development plan by the Washington County Planning Commission.

619.4. Uses Permitted:

619.4.1. PRD-1, PRD-2, PRD-3 Planned residential Districts: The purpose of the planned residential districts is to permit optional methods of residential development; low, medium, and high-density development. These zones would permit development to other than the traditional single lot development yet maintain the character of a neighborhood. The PRD classification may be utilized to promote flexibility in the design of a planned residential development while maintaining the current residential density and integrity of the surrounding development.

619.4.1.1. The following uses are permitted in the planned development district: Single family attached and detached dwellings, two family dwellings, multi-family dwellings, and the customary accessory structures.

619.4.1.2. Residential uses shall meet the following density standards:

619.4.1.2.1. PRD-1 2.4 dwelling units per acre.

619.4.1.2.2. PRD-2 6.5 dwelling units per acre if sanitary sewers are available.  
2.4 dwelling units per acre if no sanitary sewers are available.

619.4.1.2.3. PRD-3 16 dwelling units per acre if sanitary sewers are available.  
2.4 dwelling units per acre if no sanitary sewers are available.

619.4.2. Planned business district (PBD).

PBD-1 Any use permitted in the B-1 and B-2 zoning districts.

PBD-2 Any use permitted in the B-3 and B-4 zoning districts.

619.4.3. Planned manufacturing district (PMD). Any use permitted in any manufacturing district except automobile wrecking, salvage and junkyards; hazardous and non hazardous waste disposal.

619.4.3.1. Adult Oriented Establishments

619.4.3.1.1. Adult Oriented Establishments: Because adult oriented establishments have a deteriorating effect on property values, create higher crime rates in the area, create traffic congestion, and depress nearby residential neighborhoods and retail districts, these activities will only be permitted when minimum conditions are met.

619.4.3.1.2. The following minimum conditions must be complied with for a site to be approved for adult entertainment activities:

619.4.3.1.3. The site shall not be less than one thousand feet from any residentially zoned property at the time of approval for an adult entertainment activity.

619.4.3.1.4. The site shall not be less than one thousand feet from the site of any public amusement or entertainment activity, including, but not limited to, the following: arcades, motion picture theaters, bowling alleys, marinas, golf courses, playgrounds, ice skating or roller skating rinks or arenas, zoos, community centers and similar amusements offered to the general public.

619.4.3.1.5. The site shall not be less than one thousand feet from any area devoted to public recreation activity.

619.4.3.1.6. The site shall not be less than one thousand feet from any school, library, day care center, park, church, mortuary or hospital.

619.4.3.1.7. The site shall not be less than one-half mile from any other adult entertainment business site.

619.4.3.1.8. Measurement shall be made from the nearest recorded property line of the lot on which the adult oriented establishment is situated to the nearest property line or boundary of the above mentioned uses, measuring a straight line on the Washington County Zoning Map.

619.4.3.1.9. Maps showing existing land use and zoning within one-half mile of the proposed site should be submitted with an application for Use on Review approval along with site plans, surveys or other such special information as might reasonably be required by the Washington County Planning Commission for use in making a thorough evaluation of the proposal.

619.4.4. Planned residential- business district (PR-BD). Any use permitted in the R-3A residential district and any use permitted in the B-1 business districts, B-2 business districts, and golf courses. The total area of the development parcel for residential purposes including streets, parking and open space shall not be less than 50 percent of the total development, area excluding open spaces between the boundaries of the tract as outlined in Section 619.5.1 of this Resolution.

619.4.5. Mobile home parks are not permitted in the planned residential-business district (PR-BD).

619.5. Area Regulations:

619.5.1. The open spaces between the boundaries of the tract and proposed buildings or structures shall not be less than twenty-five (25) feet in depth, shall not be used for any purpose whatsoever except as an open area in which walks and driveways may be permitted for ingress and egress directly to the premises, and for rights-of-way for utilities and drainage channels, and shall be developed and maintained as landscaped area.

619.5.2. Residential uses shall meet the density standards as provided in the R-3A (High Density) Residential District.

619.5.3. In order to allow flexibility in design there shall be no requirement for a front, rear, or side yard except as provided in Section 619.5.1. However, the planning commission may require the comprehensive development plan to show additional front, rear and side yards in order to protect the health, safety and welfare of the residents of Washington County.

619.5.4. No commercial or industrial structure shall exceed 35% of the total lot area.

619.6. General Requirements:

619.6.1. The comprehensive development plan shall be prepared by an architect, engineer, surveyor or contractor licensed by the State of Tennessee.

619.6.2. A planned development applicant may elect to develop the site in successive stages. The stages and expected development periods shall be shown on the comprehensive development plan.

619.6.3. Any changes to the approved comprehensive development plan shall be resubmitted to and approved by the planning commission.

619.6.4. Building, grading permits. These permits shall not be issued until after approval of the comprehensive development plan by the planning commission. The building official, however, shall revoke any permit issued in reliance on said plans at such time as it becomes obvious that the project is not in compliance with the approved plan.

619.6.5. Following the completion of any stage of development as shown on the comprehensive development plan, the builder or developer may make application to the zoning administrator for a certificate of occupancy; however, no building or structure or use for which a zoning compliance permit has been issued shall be used or occupied until the zoning administrator, after final inspection, issues a certificate of occupancy indicating his opinion that all provisions of the comprehensive development have been complied with. A certificate of occupancy shall not be issued until all conditions of the staged comprehensive development plan are met.

619.6.6. Time limitations. Any approved comprehensive development plan or any building permit issued in reliance thereon shall expire after a period of twelve months from and after its approval, if it is not in compliance with the development plan. The development plan or permit may be extended for a period of one year by the zoning administrator for good cause shown.

619.6.7. Signs. The use of signs or similar devices for the purpose of advertisement or identification within the planned development area, exclusive of governmental signs, intended to:

619.6.8.1. Residence "For Sale Signs." One sign not exceeding four (4) square feet in area may be erected and maintained on each lot or parcel of real property located in any (PRD) to advertise the leasing, rental or sale of said lot or parcel of real property. Residential signs identifying the development may be permitted at or near the entrance to

the development provided the design, scale, material and location are in harmony with and complimentary to the overall development.

619.6.8.2. Construction signs - nonresidential. A sign not more than thirty-six (36) square feet in area and not illuminated will be permitted on premises and must be removed immediately upon completion of the building or project.

619.6.8.3. Identification signs - no residential. Signs in the PBD and PMD districts will be permitted provided that the design, scale, material, and location thereof is in harmony with and complimentary to the overall development; such signs may also be illuminated provided that they shall be properly shaded so that the source of light will not be visible.

619.6.8. Off-Street Automobile Parking. Off-street parking for any planned development district shall meet the requirements as specified in Section 502 of this Resolution.

619.7. Comprehensive Development Plan. In accordance with Section 619.3 a comprehensive development plan shall be submitted to and approved by the appropriate regional planning commission for any PRD district, PBD district, PMD district, and PR-BD district prior to the issuance of any building permit by the zoning administrator. The comprehensive development plan shall comply with the following requirements.

619.7.1. A survey and description of the planned district and proof of ownership of the land included in the district.

619.7.2. A site plan showing existing significant features, including trees, buildings, streets, utility lines, easements, rights-of-way, existing land use and contours at vertical intervals of not more than five feet.

619.7.3. Proposed traffic circulation and access plans, parking areas and pedestrian walks.

619.7.4. Landscaping in accordance with Appendix A, *Landscape Manual*.

619.7.5. Proposed construction sequence for buildings, landscaping and other uses.

619.7.6. Proposed building elevations, materials and dimensions.

619.7.7. Plans for sewers, water, fire hydrants and drainage facilities.

619.7.8. Such other information as may be required by the planning commission.

## **620. RESERVED FOR FUTURE AMENDMENT**

## Section 621 WIRELESS TRANSMISSION FACILITIES

### Section 621.1 Intent

These regulations shall apply to wireless transmission facilities located within the unincorporated territory of Washington County, Tennessee. The purpose of these requirements are to provide for wireless transmission services while minimizing the potential negative impact of these facilities on neighboring properties. Reasonable technical standards and site plan review procedures will be used to carefully and fairly evaluate the placement and impact of wireless transmission facilities.

### Section 621.2. Definitions

621.2.1 Alternative Tower Structure – shall mean a type of monopole tower structure camouflaged to appear as a tree, clock tower, light pole, flag pole, farm silo, or similar man-made structure to conceal the presence of antennas and/or towers.

621.2.2 County means Washington County, Tennessee

621.2.3 Planning Commission means Washington County, Tennessee Regional Planning Commission

621.2.4 BOZA means Washington County Board of Zoning Appeals

621.2.5 Mature System – shall mean an existing wireless transmission facility at the time of the original adoption of Washington County’s Wireless Transmission Facilities resolution.

621.2.6 Tower – shall mean the base of any wireless transmission facility; including, but not limited to, a self-supporting tower and/or monopole, together with any antennae or other appurtenances.

621.2.7 Tower Structure – shall mean a wireless transmission facility constructed as a lattice tower with or without guy wires, as an alternative tower structure, or as a monopole tower; primarily for the purpose of supporting an antenna array; and support buildings and equipment; excluding equipment under thirty (30) feet in height used for amateur radio communication.

621.2.8 Urban Growth Area (UGA) – shall mean that land that falls within the urban growth boundaries of the City of Johnson City or the Town of Jonesborough that were established in conformance with the provisions of Public Chapter 1101 of 1998, and as reflected in the Washington County 1101 Map. Urban Growth Areas are territory where high density residential, commercial, and industrial growth is expected.

621.2.9 User – shall mean any wireless telecommunications carrier utilizing wireless transmission facilities for the purpose of production or transmission.

621.2.10 Wireless Transmission Facilities – shall include buildings, cabinets, structures and facilities, including generating and switching stations, repeaters, antennas, transmitters, receivers, towers and all other buildings and structures relating to low-power mobile voice transmission, data transmission, video transmission, and radio transmission, or wireless transmission, accomplished by linking a wireless network of radio wave transmitting devices (including, but not limited to wire, cable, fiber optics, laser, microwave, radio, satellite, portable phones, pagers, mobile phones, or similar facilities) to the conventional ground-wired communications system (including, but not limited to telephone lines, video, and/or microwave transmission) through a series of short range, contiguous cells that are part of an evolving cell grid

### Section 621.3 Procedures

621.3.1 The construction and maintenance of wireless transmission facilities is provided for in this resolution through a procedure which requires approval by the Washington County, Board of Zoning Appeals or the Washington County Regional Planning Commission, or both. Wireless transmission facilities are permitted as a “special exception” within the R-1, R-1A, R-1B, R-2, R-2A, R-3, R-3A, and Planned Residential Districts. Wireless transmission facilities are permitted, subject to site plan review by the Planning Commission within all zoning districts. These uses shall be subject to such additional conditions the Planning Commission may require to preserve and protect the character of the district in which the use is proposed.

621.3.3 Providers shall show and submit the following:

621.3.3.1 Show there is an existing, significant gap in service within the community.

621.3.3.2 Show the manner in which is proposes to fill the significant gap in service is the LEAST intrusive based on aesthetic and visual effects and effect on neighboring homes or buildings.

621.3.2 Within a designated Urban Growth Area (UGA), wireless transmission facilities shall be of the alternative tower type subject to Washington County Planning Commission approval. The following regulations shall apply:

621.3.2.1. Alternative tower structures shall be permitted only as a special exception in the county’s A-1, A-2, A-3, R-1, R-1A, R-1B, R-2, R-2A, R-3, R-3A, and Planned Residential Districts.

621.3.2.2. The county will afford the municipality the opportunity to review proposed tower projects within their designated UGA and any municipality recommendation will be reported to the Planning Commission.

621.3.2.3 All other regulations shall be as per Washington County Zoning Resolution, Article VI, Section 621 shall apply.

#### Section 621.4. Site Plan Required

The owner or authorized agent of any property proposed for the location of a wireless transmission facility within the unincorporated areas of Washington County, Tennessee shall prepare and submit a site plan meeting the requirements of this resolution.

In addition, the owner or authorized agent shall submit:

621.4.1. Information showing the relationship of the proposed development to:

- a. The existing street system.
- b. Existing zoning districts within a 500’ radius.
- c. The names and addresses of all property owners within a 500’ radius.

621.4.2. The distance to and the location of the nearest adjacent wireless transmission facility.

621.4.3. A location map indicating the proposed facility and all surrounding wireless transmission facilities within a radial distance of 2500 feet.

#### Section 621.5 Preliminary Plan

The site plan approved by the Planning Commission shall be valid for a period not to exceed one year. If construction of the wireless transmission facility is not 80% complete within one year and completed within 18 months of Washington County approval, the applicant shall be required to resubmit plans for appropriate review under the technical standards and review procedures applicable at the time of resubmission.

Section 621.6. General Provisions Co-location: Design Requirements

In addition to all applicable building and safety codes, all towers, except amateur radio towers, shall be designed to accommodate the co-location of cellular telecommunication antennas according to the following:

621.6.1. For towers up to 150 feet in height, the structure and fenced compound shall be designed to accommodate at least two providers, and

621.6.2. For towers greater than 150 feet in height but less than 195 feet, the structure and fenced compound shall be designed to accommodate at least three providers.

Section 621.7. Co-location: Availability of Suitable Existing Structures:

No new tower, except amateur radio towers, shall be permitted unless the applicant demonstrates to the satisfaction of the Planning Commission that no existing tower or existing alternative tower structure can accommodate the applicant's proposed antenna. All evidence submitted shall be signed and sealed by appropriate licensed professionals or qualified industry experts. Evidence submitted to demonstrate that no existing tower or structure can accommodate the proposed antenna shall consist of one or more of the following:

621.7.1. That no existing towers or suitable alternative tower structures are located within the geographic antenna placement area required to meet the applicant's engineering requirements.

621.7.2. That existing towers or structures are not of sufficient height to meet the applicant's engineering requirements.

621.7.3. That existing towers or structures do not have sufficient structural strength to support the applicant's antenna and related equipment.

621.7.4. That the applicant's proposed antenna (s) would cause electromagnetic interference with the antenna (s) on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.

621.7.5. That the cost or contractual provisions required by the tower owner to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.

621.7.6. That the applicant adequately demonstrates that there are other limiting factors that render existing towers and structure unsuitable.

Section 621.8. Administrative Approvals for Co-Location on Existing Wireless Telecommunication Support Structures:

General

The County Zoning Administrator may administratively approve the co-location of additional antenna(s) upon existing wireless telecommunication support structures based on the applicant providing the following information:

621.8.1 That the co-location does not require the height of the existing structure to be lighted;

621.8.2 That the co-location does not require the height of the existing structure to exceed the height limitation of the authority;

621.8.3 That the applicant provides additional information, including:

- a. Tax map and parcel number of subject property;
- b. A scaled site plan with supporting drawings, signed by a licensed professional, showing the location and dimensions of all improvements, including the tower height.

621.8.4 Administrative approval is subject to the applicant providing the above information. If the applicant requests a variance to the above standards, the applicant shall make application to the Planning Commission or Board of Zoning Appeals as determined by the Zoning Administrator.

#### Section 621.9. Technical Standards

621.9.1. No Wireless Transmission Facility shall be located closer than 2500 feet of any existing wireless transmission facility except in the instance of co-location or if proposed adjacent to a mature wireless facility (within 100 feet).

621.9.2. Towers located in any A-1, A-2, A-3, R-1, R-1A, R-1B, R-2, R-2A, R-3, R-3A or PRD shall be located on a single lot with a minimum frontage on a public street of 40 feet. The minimum distance from the base of a tower to any adjacent property or street right-of-way shall be equivalent to or greater than the height of the tower plus 25 feet. Except for wireless transmission facilities necessary for the proposed tower, no buildings or structures shall be located within this required "clear fall zone." All other applicable provision of the Washington County Zoning Resolution shall apply.

621.9.3. Towers located in any B-1, B-2, B-3, B-3A, B-4, M-1, M-2 and PBD and PMD zoning districts which shall be located on a lot which adjoins a residential district shall be located from any such residential district a distance equivalent to or greater than the height of the tower plus 25 feet.

621.9.4. Towers located in any B-1, B-2, B-3, B-3A, B-4, M-1, M-2, PBD and PMD district which shall be located on a lot which does not adjoin a residential district shall be located in such a manner as set forth above unless the proposed tower is certified by a licensed structural engineer to be designed to collapse inward into its self in the event of structural failure. In such an instance the setbacks from property lines will become the outer boundary of the identified clear fall zone. In all cases, the standard setbacks established for each zone by the Washington County, Tennessee Regional Planning and Zoning Resolution must be met.

621.9.5. National Standards – The applicants engineer shall provide documentation that the proposed wireless transmission facility meets or exceeds the standards of the American National Standards Institute (ANSI) for professionally acceptable radio frequency emissions standards.

621.9.6. Tower Height and Altitude Restrictions – Maximum tower height shall be 195 feet unless specifically allowed due to topographic conditions located within one (1) mile of the proposed wireless transmission facility. No wireless transmission facility shall extend more than 150 feet above the ridgeline or tree line of the surrounding knob areas.

621.9.7. Structural Requirements – Prior to the approval of any tower in excess of thirty-five (35) feet in height, the applicant shall provide the Board of Zoning Appeals and/or Planning Commission with written certification from a registered structural engineer that the tower is able to minimally withstand winds of 70 miles per hour with 1/2 inch radial ice, as per the ANSI Standards and/or 100 miles per hour and/or 130 MPH wind gusts, whichever is greater. For towers placed on

buildings, the applicant shall also provide the Board of Zoning Appeals and/or Planning Commission such written certification plus evidence that the building itself is structurally capable of supporting the tower and its' accompanying equipment. The tower must not affect the structural integrity of the building.

621.9.8. Shared Use – Co-Location Sites - The shared use of existing towers or the placement of towers less than thirty-five (35) feet in height at locations adjacent to a mature wireless facility, or wireless transmission facilities incorporated within existing power transmission line towers, shall be encouraged whenever possible.

621.9.8.1. The applicant shall also address the extent to which shared use of the proposed tower will be allowed in the future. A letter of intent committing the tower owner and his or her successors to allow shared use of the tower, if an applicant agrees in writing to pay any reasonable charge for shared use, shall be filed in the office of the Washington County, TN Zoning Administrator prior to any building permit being issued.

621.9.8.2. The applicant's plans must demonstrate how shared facilities would potentially be situated on proposed sites. Towers and/or structures shall be required to be designed for multi-tenants on the initial installation, i.e. designed for two (2) sets of a fully sectored antenna arrays.

#### Section 621.10 Development Standards

The following landscaping and buffering standards shall apply.

621.10.1 A minimum 50 foot buffer strip shall be required on the outer perimeter of the property, abutting property currently zoned for residential, office, or commercial use or development. No Internal roads or driveways, parking areas, structures or storage of material shall be allowed within the buffer strip. This standard shall not provide for a greater buffer strip than outlined above.

621.10.2 The buffer strip shall consist of plantings and physical features sufficient to screen the view beginning at a specified level, reduce glare and noise, and provide greater privacy for nearby residential uses. The buffer shall be initially installed for the permanent year-round protection of adjacent property by visually shielding internal activities from adjoining property from ground level substance, design, width, height, opacity, growing period to maturity, time schedule for installation and responsibility for perpetual maintenance of the buffer strip shall be submitted to and approved by the Planning Commission.

621.10.3. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. Where natural vegetation around the perimeter of the site would provide an adequate visual screen, an undisturbed buffer may be utilized.

621.10.4. The landscaping provisions of this section may be varied or reduced if the proposed plan provides for unique and innovative landscaping treatment or physical features that, in the opinion of the Planning Commission, meet the intent and purpose of this section. In instances where significant physical features exist (i.e. railroads, major roads, hillsides, preserved wooded areas, and utility easements, etc.) which in the opinion of the Planning Commission provide adequate buffering between land uses, the existing buffers may be used to meet landscaping provisions of this section.

621.10.5. Off Street Parking – Off-street parking space shall be provided for each wireless transmission facility.

621.10.6. Lighting – Outside lighting, if required for safety and security purposes shall be arranged so as to minimize glare and reflection on adjacent residential properties and public streets. The Planning Commission may require the submission of a lighting plan by a qualified professional engineer to ensure that the illumination of outside lighting as designed and installed does not exceed 0.4 foot candles measured at the property line of abutting property zoned for residential use or

development. Wireless transmission facilities shall not be artificially lighted unless required by the Federal Aviation Administration or other governmental authority.

621.10.7. Signs – Signs identifying the wireless transmission facility may be allowed providing such signs:

- a. Do not exceed 10 square feet.
- b. Are not illuminated.
- c. Comply with all other requirements of the Washington County Tennessee sign regulations.

621.10.8. Vehicle Access Control – the location and design of driveways and/or accesses to reach the facility from a public street shall be approved by the Washington County, Tennessee Regional Planning Commission.

621.10.9. Erosion Control and Stormwater Management – The control of erosion during development and the design of drainage systems suitable to handle stormwater runoff after the site is developed shall be approved by the Washington County, Tennessee Regional Planning Commission upon recommendation of the County Engineer.

621.10.10. Noise – the intensity level of sound from the wireless transmission facility including temporary generators used during extended power outages, measured at the property line of abutting property zoned for residential use of development, shall not at any time exceed 70 decibels.

621.10.11. The Washington County, Tennessee Regional Planning Commission shall have the authority to require additional landscaping, buffering, screening, parking or other physical features when it is determined as necessary to insure the compatibility of the proposed use with existing and future surrounding land uses, or in order to protect the health, safety, and welfare of the residents of Washington County, Tennessee.

621.10.12. Guy-wires and accessory buildings and facilities shall meet the minimum accessory use location and setback requirements.

621.10.13. Security Fencing/Anti-Climbing Devices: All towers and supporting equipment shall be enclosed by fencing not less than ten (10) feet in height and shall also be equipped with appropriate anti-climbing devices. Fencing shall be of chain link, wood or other approved alternative. Amateur radio towers and antennas shall not be subject to the provisions of this section unless required by the Washington County Regional Planning commission.

#### Section 621.11. Aesthetics:

The guidelines set forth in this section shall govern the design and construction of all towers, and the installation of all antennas, governed by this resolution.

621.11.1. At all tower sites, the design of all buildings and related structures shall use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and building environment.

621.11.2 Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the governing authority may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views.

621.11.3. No signage or other identifying markings of a commercial nature shall be permitted upon any tower or alternative tower structure within Washington County.

621.11.4 Change of Ownership Notification: Upon the transfer of ownership of any tower, alternative tower

structure, or lot upon which such a structure has been erected, the tower permit holder shall notify the County Zoning Administrator of the transaction in writing within 30 days.

Section 621.12. Inspections

621.12.1. The user shall provide the Washington County Tennessee Regional Planning Commission with a letter of certification from the design engineers (electrical, structural and civil) indicating that the wireless transmission facility was constructed according to the plans approved by Washington County, TN. The letter shall be submitted within 30 days of completion of the facility.

621.12.2. The user shall provide the Washington County Tennessee Regional Planning Commission with a copy of Washington County, Tennessee Electrical Inspector Report which ensures that the user met code requirements during construction of the facility.

621.12.3. The user shall provide the Washington County Tennessee Regional Planning Commission with a certified copy of the engineer's annual inspection report, which includes but is not limited to the condition of the grounding system, the structural integrity of the facility any damage incurred over the past year, the condition of the bolts, and a plan to correct any deficiencies.

Section 621.13. Required Demolition

Any approved wireless transmission facility not utilized as an active wireless transmission for a period exceeding twelve months shall be considered abandoned, and the owner of such antenna or tower shall remove the structure within ninety (90) days of receipt of notice from the Department notifying the owner of such abandonment. If said tower or antenna is not removed within said ninety (90) days, the governing authority may require removal of said structure.

Section 621.14 Surety Bond

The applicant shall post a surety bond for the amount of the wireless transmission facility demolition, after all approvals from the required governing boards and prior to the required building permit.

Section 621.15 Public Facilities

Wireless transmission facilities used exclusively for use by Washington County,

Tennessee, the State of Tennessee, or the United States of America may exceed the height limitations of this Resolution with documented need.

## CORRIDOR OVERLAY DISTRICT

### Section 622 CO – Corridor Overlay District

622.1. INTENT: The purpose of this overlay district is to establish higher environmental, aesthetic, and design standards for designated areas of Washington County that includes properties visible from specified roadways. Because these standards shall apply without regard to the underlying use of the land, they are created in a special overlay district which shall be applied over any zoning district located along a designated roadway.

622.2. APPLICABILITY: The Corridor Overlay District shall be in effect in all zoning districts along designated roadways as shown on the Zoning Map of Washington County, Tennessee. The district as measured extends from a parcel's front property line for a distance of 300 feet. Provided that when any parcel under five (5) acres in size has an area in the 300 feet overlay, the entire parcel shall be included. As an overlay, this district is applied in addition to those standards of the underlying district. Any developments within the geographic limits of this district shall conform to the requirements of both districts or the more restrictive of the two. New and existing single-family, two-family, and agricultural uses land uses shall be exempt from the provisions of this overlay.

622.3. DEVELOPMENT STANDARDS: The following standards and guidelines shall apply to all development, construction, reconstruction, or alteration including, but not limited to, any conversion of a residential or agricultural structure to a commercial or industrial use:

622.3.1. Mechanical Equipment: Ground-mounted mechanical equipment shall not be located in the front yard. All ground-mounted mechanical equipment shall be screened from view from the designated street by the use of walls, fences, or landscaping. All roof-mounted mechanical equipment shall be properly screened to minimize visual impact from the designated street, where such screening will be effective. Where screening will not be effective, the color of the equipment shall be the same as or complementary to the building.

622.3.2. Building Facades: Buildings shall be designed and constructed to avoid lengthy, unbroken facades with no scale, detailing, or fenestration. Examples of architectural details include: recessed or articulated wall surfaces; columns and beams; windows and other openings that reflect and enhance the character and style of the building; and defined rooflines. The use of sloped roofs in combination with flat roofs, may be used to vary the building profile and to provide equipment screening.

622.3.3. Exterior building materials that are prohibited, when visible from the designated roadway or an abutting residential development, include: corrugated metal siding; vinyl siding, unpainted concrete block, and visually similar materials. Painted smooth-faced concrete block may be utilized, in an amount not to exceed five percent (5%). No more than twenty-five (25%) non-smooth block may be utilized.

622.3.4. Service, Loading, and Equipment Storage Areas: Service areas, including storage, special equipment, maintenance, and loading areas, shall be screened so as to minimize visibility from the designated roadway or abutting residential development. Refuse collection areas shall be located in the side or rear yard and shall be screened so as to minimize visibility. If architectural elements are employed for screening, they shall be of the same or complimentary building materials as the principal structure.

622.3.5. Signage: All signage located within this overlay shall comply with the requirements of the underlying zoning unless modified below:

Monument signs shall be the only sign allowed not attached to a building. No monument sign shall exceed one-hundred (100) square feet of sign area and shall not exceed fourteen (14) feet in height above ground level including supports. Multiple tenant commercial buildings with seven

(7) or more tenants may apply for an additional eleven (11) square feet of sign area for each additional tenant above six up to a maximum of one hundred and forty-four (144) square feet.

622.3.6. Lighting: Direct light and glare from lights can be both a hazard and a nuisance to drivers and neighboring residential development. Exterior lighting shall be full cutoff fixtures which do not emit light above a horizontal plane. Searchlights, laser source lights, or any similar high intensity light for advertising purposes shall be prohibited. The maximum height of lights not located in the public right-of-way shall be thirty-five (35) feet.

622.4. PROHIBITED USES: The following uses shall be prohibited in the CO district:

- A. Adult-oriented establishments;
- B. Wireless Transmission Facilities;
- C. Mobile home sales;
- D. Salvage and/or junk yards;
- E. Material Storage or Display and Equipment Yards when storage of materials and equipment are visible from the designated roadway;
- F. Automobile Sales & Repair; and
- G. Self Service Storage.

622.5. USES PERMITTED BY APPROVAL AS SPECIAL EXCEPTION: When allowed in the underlying district, the following is permitted when approved by the Board of Zoning Appeals as a Special Exception:

- A. Freestanding signs may be allowed as special exception. As allowed under this section, no freestanding or development identification sign shall exceed fifteen (15) feet in height as measured at the base of the sign or from the surface grade of the highway to which this overlay is applied. The surface grade of the designated highway shall be measured from the centerline of the travel lane closest to the sign. No freestanding sign or development identification sign shall exceed one hundred (100) square feet in sign area. However, the Board of Zoning Appeals may increase the sign size and height based on the setback of the sign and size of the development in a manner not to exceed the requirements of Section 510 of the Zoning Resolution. In evaluating a request for a freestanding sign, the Board of Zoning Appeals shall make an affirmative finding on one or more of the following:
  - a. The use of a monument sign as prescribed in this section is overly burdensome for the applicant based on the topography of the property.
  - b. The development is a large scale comprehensive development, the scope of which a monument sign will not be suitable as advertisement and a freestanding sign will not negatively impact the intent of the Corridor Overlay District.

622.6. GREENWAYS: At the time of subdivision or development, whichever comes first, all parcels which abut a flood zone shall provide a drainage and transportation easement of up to fifteen (15) feet in the flood zone to ensure the continued safe flow and unimpeded access.

622.7. DRAINAGE AND EROSION CONTROL: The construction of storm sewers and storm water management systems shall be in accordance with the Washington County standards of latest issue. Reseeding or sodding any cleared or graded site shall be required where no building activity has occurred within a three (3) month period. Additional reseeding or sodding will be required in the event the initial application(s) are unsuccessful.

ARTICLE VII  
EXCEPTIONS AND MODIFICATIONS

701. Lot of Record. Where the owner of a lot consisting of one or more lots of official record, at the time of the adoption of this resolution, does not own sufficient land to enable him to conform to the yard or other requirements of this resolution may submit an application to the Board of Zoning Appeals for a variance from the terms of this resolution. Such lot may be used as a building site, provided, however, that the yard and other requirements of the district are complied with as closely as is possible.

702. Adjoining and Vacant Lots of Record. A plat of land consisting of one or more adjacent lots with continuous frontage in single ownership which individually are less than lot widths required by this resolution, such groups of lots shall be considered as a single lot or several lots of minimum permitted size, and the lot or lots in one ownership shall be subjected to the requirements of this resolution.

703. Front Yards. The front yard requirements of this resolution shall not apply to any lot where the average depth of existing front yards on developed lots, located within the same block and zoning district and fronting on the same street as such lot is less than the minimum required front yard depth. In such case, the minimum front yard shall be the average of the existing front yard depths on the developed lots.

## ARTICLE VIII

### ENFORCEMENT

801. Enforcing Officer. The provisions of this resolution shall be administered and enforced by the County Zoning Administrator or Designee. This official shall have the right to enter upon any premises necessary to carry out his duties in the enforcement of this resolution, and in addition shall:

- 801.1. Issue all building permits and make and maintain records thereof;
- 801.2. Issue all certificates of occupancy and make and maintain records thereof;
- 801.3. Where applicable, issue and review all temporary use permits and make and maintain records thereof;
- 801.4. Maintain and keep current zoning maps, and records of amendments thereto;
- 801.5. Conduct inspections as prescribed by this resolution, and such other inspections as are necessary to ensure compliance with the various provisions of this resolution generally.

802. Building Permit Required. It shall be unlawful to commence the excavation for or the construction of any building including accessory buildings, or to commence the moving or alteration of any building, including accessory buildings, until the Zoning Administrator or designee has issued for such work a building permit including a statement that the plans, specifications, and intended use of such building in all respects conform with the provisions of this resolution. Application for a building permit shall be made to the Zoning Administrator. However, no building permit shall be required and there shall be no regulation of the erection, construction, or reconstruction of any building, or other structure on lands now devoted to agriculture uses or which may hereafter be used for agriculture purposes. Nor shall this resolution be construed as limiting or affecting in any way or controlling the agriculture uses of land.

- 802.1 Commencement of work prior to issuance of permit; penalty.  
Any person who commences work requiring a permit under this Resolution before obtaining the necessary building permit shall be subject to a penalty of one hundred (100%) percent of the usual permit fee in addition to the required permit fee unless such person can demonstrate to the satisfaction of the Zoning Administrator or Designee: (1) that the work was occasioned by a sudden emergency, (2) that reasonable effort was made by such person to obtain the required permit prior to commencement of work, (3) the required permit could not be obtained prior to commencement of work because county offices were closed or otherwise unavailable, and (4) that such person did obtain the required permit at the earliest reasonable opportunity thereafter.

803. Issuance of Building Permit. In applying to the Zoning Administrator or designee for a building permit, the applicant shall submit a dimensioned sketch or scale plan indicating the shape, size, height, and location of all buildings to be erected, altered or moved, and any building on the lot subject to the discretion of the issuing building official. The applicant may be required to provide at the time of application written proof for the approval of a Subsurface Sewage System or approval to connect to the public sewer system, or any other information that may be required by staff. He shall also state the existing and intended use of all such buildings and supply such other information as may be required by the Zoning Administrator or designee for determining whether the provisions of this resolution are being observed. If the proposed excavation or constructions as set forth in the application are in conformity with the provisions of this resolution, the Zoning Administrator or Designee shall issue a building permit for such excavation or construction. If a building permit is refused, the Zoning Administrator or Designee shall state such refusal in writing with cause. Building permits are valid for the duration of the project, provided construction begins within six (6) months of obtaining the permit. If work is abandoned for more than six continuous months, the permit will expire and new permits must be obtained to continue work.  
(Amended 07/05)

804. Certificate of Occupancy. Upon the completion of the construction or alteration of a building or structure for which a building permit has been granted, written application shall be made to the Zoning Administrator or Designee for a certificate of occupancy. Within three working days of such application, the Zoning Administrator or Designee shall make a final inspection of the property in question, and shall issue a certificate of occupancy if the building or structure is found to conform to the provisions of this resolution and the statements made in the application for the building permit. If such a certificate is refused, the Zoning Administrator or Designee shall state such refusal in writing, with the cause. No land or building hereafter erected or altered in its use, shall be used until such a certificate of occupancy has been granted.

805. Penalties. Any person violating any provision of the Washington County Zoning Resolution shall be guilty of a misdemeanor as set forth and described by statutes of the State of Tennessee, and in addition to any criminal proceedings appropriately brought, any person violating any provision of the Washington County Zoning Resolution shall be subjected to a civil penalty not to exceed Five Hundred Dollars (\$500.00) for each violation of said Zoning Resolution. Each day a violation continues to exist **shall constitute a separate violation.**

806. Remedies. In case any building or structure is erected, constructed, reconstructed, repaired, converted or maintained, or any building, structure or land is used in violation of this resolution, the Zoning Administrator or Designee or any other appropriate authority or any adjacent or neighboring property owner who would be damaged by such violation, in addition to other remedies may institute injunction, mandamus or other appropriate action in proceeding to prevent the occupancy or use of such building.

807. Washington County Planning Commission. The Washington County Planning Commission, for the purpose of this resolution shall be referred to as the planning commission. The planning commission shall:

- 807.1. Establish such rules of procedure as are necessary to the performance of its functions hereunder;
- 807.2. Review and decide all applications for uses permitted on review in accordance with this resolution;
- 807.3. Study and report to the Washington County Board of Commissioners on all proposed amendments to this resolution; further, review this resolution periodically and on the basis of such review, suggest amendments thereto.

ARTICLE IX  
BOARD OF ZONING APPEALS

901. Creation and Appointment. A Board of Zoning Appeals is hereby established in accordance with Section 13-7-106, Tennessee Code Annotated. The board shall consist of five members and two associate members that can serve in the absence of a regular member. Initial terms shall be for one, two, three, four, and five years respectively; thereafter, terms shall be for five years and vacancies filled for the unexpired term only. Board members shall be appointed by the Board of County Commissioners. No person holding any public office or position in county government shall be eligible for membership on the board.
- 901.2. Membership. Board members shall each serve for a five-year term, or until their successors are appointed. Board members may be removed from office by the Board of County Commissioners for continued absence or other just causes. Any member being so removed shall be provided, upon request, a public hearing on the removal decision before the Board of County Commissioners. Vacancies shall be filled for unexpired terms in the manner herein provided for initial appointments. Board members shall annually elect a chair and vice-chair from among their membership.
- 901.3. Conflict of Interest. A board member with either a direct or indirect interest in property affected by the consideration of the board shall be disqualified from any participation in the proceedings on that matter. No Board member shall take any official action, including participating in and voting upon, any matter in which the Board member, or a member of his immediate family, or an organization, with which the Board member is associated, has a substantial financial interest. Nor shall any member use his position in a way that produces or assists in the production of a substantial benefit, direct or indirect, for the Board member, or a member of his immediate family, or an organization with which the Board member is associated. Any issue of financial interest shall be brought to the attention of the Chair prior to the hearing of the appeal in question. In the event a Board member has an issue of a possible conflict, the Chair shall be asked to make a determination. If the Chair has an issue of a possible conflict, it shall be referred to the Vice-Chair, or to the Board if no Vice-Chair has been approved.
902. Procedure. The Board of Zoning Appeals shall meet at the call of the chairman, and at such other times as the Board of Zoning Appeals may determine, at a fixed time and place. All meetings of the Board of Zoning Appeals shall be open to the public. The Board of Zoning Appeals shall keep minutes of its proceedings showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and other official actions, all of which shall be promptly filed in the office of the County Clerk and shall be a public record. The Board of Zoning Appeals shall take all evidence necessary to justify or explain its action; it shall make findings of fact and shall make all determinations based on the law and the standards for determination of variances.
903. Powers.
- 903.1 The Board of Zoning Appeals shall have the power to hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official.
- 903.2 Where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this resolution, the Board of Zoning Appeals shall have the power, in passing upon appeals, to authorize such variance from the terms of this Resolution as will not be contrary to the public interest in confirming with the standards set forth in Section 905 of this article;
- 903.3 The Board of Zoning Appeals shall determine the appropriateness of proposed changes to nonconforming uses or structures.

- 903.4 To call on any department for assistance in its duties; and it shall be the duty of such department to render all such assistance as may reasonably be required.
- 903.5 To compel attendance of witnesses at hearings and to administer oaths.
- 903.6 To hold at least one (1) scheduled meeting per month and give notice of such meeting as required by law.
904. Variations. The purpose of the variance is to modify the strict application of the specific requirements of this resolution in the case of exceptionally irregular, narrow, shall, or steep lots, or other exceptional physical conditions, whereby such strict application would result in practical difficulty or unnecessary hardship which would deprive an owner of the reasonable use of his land. The variance shall be used only where necessary to overcome some obstacle which is preventing an owner from using his property as the Zoning Resolution intended.
905. Standards for Variations. In accordance with Tennessee Code Annotated Section 13-7-109, the Board of Zoning Appeals shall not grant a variance without an affirmative finding of fact on each of the following standards based on evidence presented by the applicant:
- 905.1. Variations shall be granted only where special circumstances or conditions (such as exceptional narrowness, topography, or sitting) fully described in the findings of the Board of Zoning Appeals, do not apply generally in the district.
- 905.2. The alleged difficulty or hardship has not been created by the actions of the applicant or any previous actions of any person having an interest in the property after the adoption of the Washington County Zoning Resolution.
- 905.3. The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.
- 905.4. Variations shall not be granted to allow a use otherwise excluded from the particular district in which requested.
- 905.5. That the literal enforcement of the Zoning Resolution will result in unnecessary hardship.
- 905.6. Financial gain is not the primary basis for granting the variance. Attempts to improve business profits do not constitute adequate hardship to grant a variance.
- 905.7. The granting of any variance is in harmony with the general purposes and intent of this resolution and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the comprehensive plan for development. That by granting the permit, substantial justice will be done.
- 905.8. For reasons fully set forth in the findings of the Board of Zoning Appeals, the aforesaid circumstances or conditions are such that the strict application of the provisions of this resolution would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variance; there must be a deprivation of beneficial use of land.
- 905.9. Any variance granted under the provisions of this section shall be the minimum adjustment necessary for the reasonable use of the land.
906. Special Conditions. In granting a variance, special exception permit, or change to a nonconforming use or structure, the Board of Zoning Appeals may impose conditions, restrictions or time limits considered necessary to protect surrounding properties and better carry out the general intent of the Zoning Resolution.

907. Cases before the Board of Zoning Appeals. Every appeal or application shall be made to the Board of Zoning Appeals on a form approved by the Board of County Commissioners, which may be secured at the office of the Zoning Administrator. The procedure for appeals shall be as follows:
- 907.1. A written appeal shall be filed with the Board of Zoning Appeals through the office of the Zoning Administrator by the party aggrieved by any order or decision of the Zoning Administrator or Designee or Zoning Administrator. Said appeal shall be accompanied by accurate plans and specifications of the proposed work showing also the plot of land to be built upon, together with the placement of proposed building(s) and all other existing or proposed structures. No appeal shall be accepted without payment of any variance fee required by the Board of County Commissioners.
- 907.2. Every appeal shall be taken within sixty days from the date of the action causing such appeal.
- 907.3. A fee, to be established by the Board of County Commissioners, due and payable at the time of appeal, shall be paid to the office of the Zoning Administrator, as agent for the Board of Zoning Appeals, to cover the cost of notices and other expenses incidental to the hearing.
- 907.4. At the public hearing of the case before the Board of Zoning Appeals, the appellant shall appear in his own behalf or be represented by counsel or agent. The appellant's side of the case shall be heard first and those in opposition shall follow.
- 907.5. Upon receipt in proper form of any such appeal or application, the Board of Zoning Appeals shall post such appeal or application, together with maps and the accompanying data in its office for public inspection, for a period of not less than one week, and shall hold a public hearing thereon. The Board of Zoning Appeals may also adopt regulations requiring notice by personal service or registered mail by the Zoning Administrator to property owners within any reasonable radius of the property effected that the Board of Zoning Appeals may determine.
908. Findings of Fact. Any Board of Zoning Appeals decision on a variance shall indicate the section of the Zoning Resolution under which the variance or exception is being considered and include substantive findings of fact relating to the specified review standards. In the approval of a variance or exception, findings shall specifically identify the unique characteristics of the property and the precise nature of the hardship. In the denial of a variance or exception request, findings shall specifically identify the standards that were not met.
909. Board of Zoning Appeals Rules. The Board of Zoning Appeals may adopt rules to govern the organization, procedure, and jurisdiction of the Board of Zoning Appeals, which rules shall not be inconsistent with Tennessee Code Annotated and the Zoning Resolution.
910. Court Review. Any person, firm or corporation aggrieved by any decision of the Board of Zoning Appeals may petition to a court of competent jurisdiction in accordance with the laws of the state of Tennessee.

ARTICLE X  
AMENDMENT

1001. Procedure. The Washington County Board of Commissioners may amend the regulations, restrictions, boundaries, or any provision of this resolution. Any member of the County Commission may introduce such amendment, or any official, board or any other person may present a petition to the Washington County Board of Commissioners requesting an amendment or amendments to this resolution. All changes and amendments shall be effective only after official notice and public hearing.

1002. Approval by Planning Commission. No such amendment shall become effective unless it is first submitted to the Washington County Planning Commission for approval, disapproval, or suggestions. If such amendment is disapproved by the Washington County Planning Commission, it shall receive the favorable vote of a majority of the entire membership of the Washington County Board of Commissioners to become effective.

1003. Initiation of Amendments. An amendment of this resolution may be initiated by any one of the following three methods: the petition of one or more persons interested in the proposed amendment, the resolution of the Washington County Planning Commission; the resolution of the Washington County Board of Commissioners.

## ARTICLE XI

### LEGAL STATUS PROVISION

1101. Conflict with Other Resolutions. In case of conflict between this resolution or any part thereof, and the whole or part of any existing or future resolution of Washington County, Tennessee, the most restrictive shall in all cases apply.

1102. Validity. If any section, clause, provision, or portion of this resolution shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this resolution which is not of itself invalid or unconstitutional.

ARTICLE XII  
EFFECTIVE DATE

This Resolution shall take effect from and after the date on which it is approved by the County Mayor or as indicated by certification of the County Clerk, as hereinafter set forth.

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Introduced by Commissioner:  
Seconded by Commissioner:  
Commissioners Voting FOR Resolution  
Commissioners Voting AGAINST Resolution: *None*  
Commissioners NOT VOTING:  
Commissioners ABSENT:

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ADOPTED BY THE COUNTY LEGISLATIVE BODY, in session duly assembled, on this the 22<sup>nd</sup> day of July 2013

\_\_\_\_\_  
KATHY STOREY, County Clerk

\_\_\_\_\_  
GREG MATHERLY, Chair of the Board

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REFERRED to the County Mayor on the \_\_\_\_ day of \_\_\_\_\_ 2013

\_\_\_\_\_  
KATHY STOREY, County Clerk

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APPROVED by County Mayor on this the \_\_\_\_ day of \_\_\_\_\_ 2013.

\_\_\_\_\_  
DANIEL J. ELDRIDGE, County Mayor

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The County Mayor having declined to approve this Resolution, the same became effective on the \_\_\_ day of \_\_\_\_\_ 2013, pursuant to Tennessee Code Annotated § 5-6-107(b)(5).

\_\_\_\_\_  
KATHY STOREY, County Clerk

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The County Clerk to send a certified copy of the resolution to the Zoning Administrator.  
Completed on the \_\_\_\_ day of \_\_\_\_\_ 2013.

\_\_\_\_\_  
KATHY STOREY, County Clerk

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**APPENDIX A**



**LANDSCAPE MANUAL**  
**Washington County, Tennessee**

## **APPROVAL**

This Landscape Manual was approved by the Washington County, TN Planning Commission on July 2, 2013 and the County Commission on October 28, 2013.

## **GENERAL PROVISIONS**

### **INTENT:**

It is the intent of the Washington County Regional Planning Commissions and the citizens of Washington County to make our county even more attractive and environmentally sound through the requirement of new landscaping and the preservation of existing landscaping.

The landscaping of parking areas, street yards, and transitional yards is intended to not only improve aesthetics but to also reduce the heat island effect of parking lots, reduce thermal pollution of stormwater runoff, reduce the quantity of stormwater runoff, improve air quality through the filtering of the air by the plants, reduce noise and light pollution, and lessen the impact of high intensity uses on the community.

### **APPLICABILITY:**

1. All new development, excluding active agricultural uses and the individual development of one single-family or two-family detached dwelling unit, shall comply with this landscape manual.
2. For redevelopment sites, this landscape manual only applies to the new stand alone building(s), parking, vehicular storage or display areas, or access drive areas being created. If the existing parking, vehicular storage or display areas, and/or access drive areas are being demolished and re-constructed then this landscape manual is applicable to those areas also.
3. For redevelopment sites that involve an expansion of an existing building, this landscape manual is applicable when the additional gross floor area (GFA) exceeds twenty-five (25) percent of the existing gross floor area or any change of use which results in the property becoming a higher impact use, as determined by transitional yard section of this manual, and shall comply with the following:
  - a. The site shall be modified to provide at least twenty-five (25) percent of the amount of landscaping which would be required for a comparable new development. The developer is allowed some flexibility in the placement of the landscaping as long as the intent of this landscape manual is being adhered to.
  - b. Any change in use, which results in a higher impact, may require transitional yards per this landscape manual if the adjoining use(s) is a lower impact.

### **LANDSCAPE PLAN:**

1. A landscape plan, prepared by someone knowledgeable of landscape design, shall be submitted as part of the site plan or as a separate plan, as applicable, and shall contain adequate information to determine compliance with this manual. The following elements should be shown on the landscape site plan:
  - Title, name of owner, date, graphic scale, and north arrow;
  - Name and phone number of person or firm responsible for landscape plan;
  - Common name and size of plant materials to be used;
  - Boundary lines and lot dimensions;
  - Current zoning of site and adjoining properties;
  - Current use of site and adjoining properties;
  - Existing and proposed building locations;

- Location of existing and proposed streets, driveways, sidewalks, and parking areas;
  - Location of drainage swales or ditches;
  - Location, species, sizes, and spacing of plant material;
  - Size and location of landscaped areas, islands, screening, and transitional yards;
  - Planting details;
  - Location, species, size, diameter breast height (dbh), and location of root zone protection area of any tree(s) to be preserved;
  - The location and extent of both underground and overhead utilities including electric, telephone, cable TV, natural gas, water, sewer, storm drain, utility poles, and interior lighting poles.
2. Landscape plans shall be designed to assure adequate sight distance and maintain appropriate clear sight triangles at all entrances and exits to developments and parking areas.

**TREE PRESERVATION:**

It is the goal of the County to encourage and facilitate the preservation of healthy trees wherever possible. The following incentives are designed to achieve that goal:

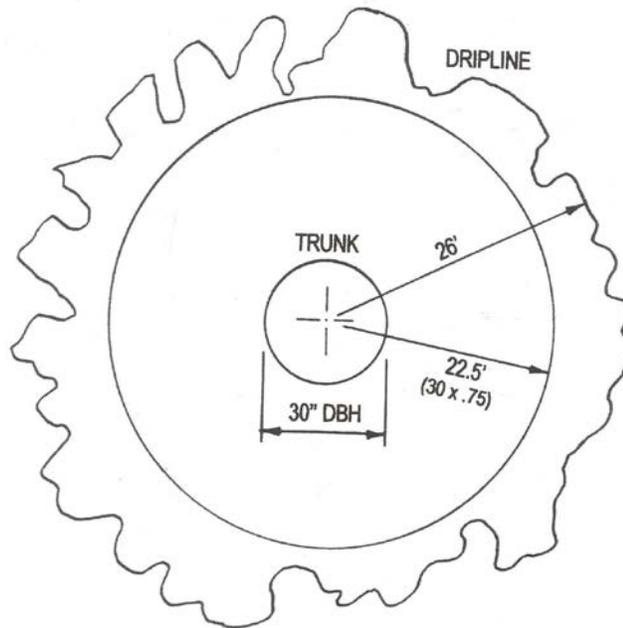
1. Preservation of healthy trees, four (4) inches dbh or greater, shall be credited toward the required number of trees per the following ratio: for every four (4) inches of diameter preserved, a credit of one tree shall be granted, provided credit is limited to thirty (30) percent of required trees. The Zoning Administrator or designee shall approve any tree to be preserved for which credit is to be given.

**TREE PROTECTION DURING CONSTRUCTION:**

In order to receive credit for an existing tree or grove of trees, a critical root zone (CRZ) shall be established. The critical root zone shall have a minimum area equal to the distance from the trunk to the average drip line or the distance derived from the CRZ calculation, whichever is greater.

$$\text{CRZ calculation} = (\text{tree dbh in inches} * .75 \text{ feet})$$

*Example: a tree with a thirty (30) inch dbh would require a minimum CRZ of 22.5 feet or the distance from the trunk to the average drip line, whichever is greater.*



*In this example, the CRZ is determined to be the distance from the trunk to the average drip line due to the fact that the distance derived from the CRZ calculation is less than the distance to the drip line.*

The critical root zone shall not be disturbed by construction activity, excluding sodding or the placement of other landscape materials. This area shall be barricaded and marked with signage during construction. Curbing placed around preserved trees shall be located no closer than the edge of the critical root zone. Damage to trees, including injuries resulting from chemical poisoning, concrete wash water, construction equipment, soil compaction, grading, paving and/or other mechanical injuries to the roots, trunk, or branches of the tree that will result in their death within one year of construction shall nullify or void any credit given for preservation.

**MIXTURE OF TREES:**

Sites with required new shade trees of more than five (5) shall provide a variety of trees.

Number of Required Trees	Minimum Required Variety of Trees	Maximum Percent of Any Variety
6-14	2	65%
15-29	3	50%
30-44	4	40%
45+	5	35%

*Example: Site requires 12 shade trees. Based on the above table, at least 2 varieties of shade trees shall be planted and no more than 7 trees of a single variety.*

## UNACCEPTABLE TREES:

The landscape designer should be knowledgeable of plant material and select appropriate species. There are specific trees that should not be selected for use due to physical constraints such as overhead utility lines, being weak or short lived trees, or due to invasive root system.

As a minimum, the following trees shall not be used:

- Bradford Pear
- Silver Maple (near any sidewalk or underground pipes)
- Weeping Willows (near any underground pipes)
- Type I shade trees under or within 25' of overhead utility line
- Type I or II shade trees over or within 20' of underground utilities

## TREE TYPES:

Shade trees and Evergreen transitional yard trees are separated into two groups, Type 1 and Type 2.

- Type 1 trees are those that have a mature height of thirty (30) feet or more.
- Type 2 trees are those that have a mature height of less than thirty (30) feet.

## SIZE, SPACING, AND LOCATION REQUIREMENTS:

At the time of planting, the plants shall meet the following requirements:

- Type 1 shade trees shall have a minimum trunk diameter of one and one half (1 ½) inches measured at six (6) inches above ground level.
- Type 2 shade trees shall have a minimum trunk diameter of one (1) inches measured at six (6) inches above ground level.
- Type 1 transitional yard trees shall have a minimum height of five (5) feet.
- Type 2 transitional yard trees shall have a minimum height of four (4) feet.
- The minimum size for required shrubs in transitional yards shall be three (3) gallon container or twenty-four (24) inches tall balled and burlapped when planted and able to achieve a minimum mature height of six (6) feet.
- The minimum size of shrubs used outside of transitional yards shall be two (2) gallon container or eighteen (18) inches tall balled and burlapped when planted and able to achieve a minimum mature height of two (2) feet.
- All required evergreen transitional yard trees shall have a minimum center to center horizontal separation from other required evergreen transitional yard trees of ten (10) feet. Transitional yard shrubs shall have a minimum spacing of four (4) feet.
- All required type 1 shade trees shall have a minimum center to center horizontal separation from other required type 1 shade trees of twenty-five (25) feet.
- All required type 2 shade trees shall have a minimum center to center horizontal separation from other required type 2 shade trees of fifteen (15) feet.
- All trees shall be placed no closer than four (4) feet from any curb or sidewalk. All newly planted trees shall have a minimum radius of three (3) feet located around the base of the trunk containing mulch.
- The type and location of trees and shrubs planted shall take into account the exposure requirements and hardiness of the plants, their ultimate size, structures on both the subject site and the adjoining property, and other structures such as walkways and utilities so that appropriate plants are installed for long term survivability and health.

## REQUIRED TREE CALCULATIONS:

The number of trees required shall be calculated per the requirements in this Landscape Manual. Any fraction of trees required shall be rounded the nearest whole number as follows:

1. From 0.01 to 0.49, the number of trees shall be rounded down.
2. From 0.5 and higher, the number of trees shall be rounded up.

*Example: The tree calculation requires 6.4 trees, then the trees required is 6. If the tree calculation requires 6.5 trees, then the trees required is 7.*

#### PLANT QUALITY STANDARDS:

Plant material installed to satisfy the requirements of this Landscape Manual shall conform to the plant quality standards of the most recent edition of the American Standard for Nursery Stock (ANSI Z60.1), published by the American Association of Nurserymen. Trees with co-dominant stems shall not count toward meeting the requirements of this landscape manual.

#### MAINTENANCE:

1. Failure to maintain landscaped areas as required shall be considered a violation of this Landscape Manual. The property owner shall be responsible for the routine maintenance of all required plant material. Maintenance activities include but are not limited to watering, pruning, mulching, mowing, weeding, and fertilizing. All landscaped areas must present a healthy, neat and orderly appearance and shall be kept free from refuse and weeds. Trees or shrubs that are dead, diseased, or otherwise deemed by Zoning Administrator to be in an unsafe condition shall be removed by the property owner and replaced with new plantings provided that the new plantings are in compliance with this Landscape Manual.
2. Walls and fences used as screening structures shall be repaired or replaced so that they remain in a structurally sound condition.
3. Shrubs used in transitional yards shall not be pruned to a height less than five (5) feet.
4. Tree topping of any required tree is prohibited and may, at the determination of the Zoning Administrator, negate a tree from being used to satisfy the requirements of this Landscape Manual. Tree topping is the practice of removing whole tops of trees or large branches and/or trunks from the tops of trees, leaving stubs or lateral branches that are too small to assume the role of a terminal leader. The selective pruning of existing trees by utility companies to protect overhead utility lines is exempt from this requirement.

#### REMOVAL OF REQUIRED PLANT MATERIAL:

A property owner shall notify and receive approval from the County Zoning Administrator or designee before any healthy tree or shrub planted per this Landscape Manual is removed. Notification is not required for the removal of dead or diseased plant material. All plant material must be replaced in accordance with the requirements of Landscape Manual.

Removal of required plant material without approval of the County Zoning Administrator is a violation of this Manual and the Zoning Resolution.

#### MODIFICATIONS:

The Zoning Administrator or their designee shall have the authority to grant a request for modification of any requirements in this Landscape Manual upon receipt of a written request, which outlines the rationale for the modification. The Zoning Administrator or their designee shall review each request and grant a modification only under unusual circumstances such as extreme topography or geology, which cause an unreasonable hardship; or, when an innovative or alternative approach can be made which still meets the intent and purpose of this Landscape Manual.

## APPEALS:

Any person aggrieved by the administration, interpretation, or enforcement of this Landscape Manual may appeal to the Board of Zoning Appeals within 30 days of a decision of the Zoning Administrator or their designee.

## VIOLATIONS:

Any violation of the terms of this Landscape Manual shall be a violation of the Zoning Resolution, and shall be subject to the penalties for violations established in the Zoning Resolution.

## FRONTAGE LANDSCAPE YARDS

### APPLICABILITY:

Frontage landscape Yards are required in all zones, excluding single-family and two-family detached dwelling units, unless specifically required by the Zoning Resolution.

### PLANTING REQUIREMENTS:

A frontage landscape yard shall be established on the subject property along all abutting public streets in accordance with the following:

1. Minimum width shall be ten (10) feet, excluding those zones where the front yard setback is less than ten (10) feet, in which case landscape yard width shall equal the front yard setback or ten (10) feet, whichever is less.
2. One (1) Type 1 shade tree or two (2) Type 2 shade trees shall be provided per fifty (50) linear feet of property line along public street frontage. Trees may be spaced or grouped at the discretion of the developer in the landscape yard. Required trees shall not be placed in street rights-of-way.
3. When the landscape yard occurs under or within 30' of overhead utility lines, Type 2 shade trees, specified for use near power lines, shall be planted at a rate of one (1) tree for each fifty (50) feet of property line along public street frontage.

### Alternative #1:

In lieu of planting all of the required trees, a combination of trees and shrubs may be planted in accordance with the following:

1. The trees may be reduced by up to 50% but shrubs must be substituted for the trees not planted.
2. Shrub planting rate is eight (8) shrubs per required tree not being planted.
3. Shrubs must meet the minimum size requirements of the Landscape Manual. Groundcover and perennials do not count as a shrub.
4. The shrubs shall be planted in a mulched planting bed.

*Example: Landscape Manual requires five (5) trees along the public street frontage. Two (2) trees may be replaced with sixteen (16) shrubs. Planting requirement is three (3) trees and sixteen (16) shrubs.*

Alternative #2:

When parking spaces in a parking lot abut a street right-of-way must encroach into the 10' landscape yard, the landscape yard may be replaced by a parking lot screen, which is a minimum of four (4) feet in width with tire stops in the parking lot to prevent vehicles from overhanging the curb and damaging the landscaping.

1. The screen shall include one (1) Type 1 shade tree for every one hundred (100) feet of frontage. The trees may be situated in a landscape island which is connected to the landscape yard and has a minimum area of 144 square feet. If these trees are planted within landscape islands as mentioned above, the trees shall not count towards any required parking area tree.
2. Parking lot screens shall be provided in one of the following configurations:
  - a. A brick, stone, or masonry wall which, measured from the edge of the parking lot, is a minimum of three (3) feet in height; or
  - b. A row of evergreen shrubs, capable of reaching a minimum ultimate height of 3', spaced a maximum of five (5) feet on center. The entire landscape yard containing the shrubs used as a parking lot screen shall be mulched and shall not have a slope exceeding a ratio of 2:1.

## **PARKING AREA LANDSCAPING**

### **APPLICABILITY:**

All off-street parking or vehicular storage or display areas shall be landscaped if either of the following occurs:

1. Parking lot with ten (10) spaces or more, excluding parking garages; or
2. Areas used for parking, vehicular storage or display, or access total at least 2,700 square feet.

### **PLANTING REQUIREMENTS:**

1. One (1) Type 1 shade tree shall be provided for every 4000 square feet of parking, vehicular storage or display, and access drive areas.
2. A maximum of thirty-three (33) percent of the required Type 1 shade trees may be replaced by Type 2 shade trees at a ratio of one and one-half (1 1/2) Type 2 trees for each Type 1 tree replaced.
3. Provide minimum 5% of the parking, vehicular storage or display, and access drive areas as green space.
4. Any green space planted with a tree shall meet these requirements:
  - a. Minimum of one hundred forty (140) square feet in area.
  - b. The minimum dimension of any portion of a landscaped area shall be eight (8) feet. All measurements for landscape islands shall be made from the back of the curb.
  - c. All landscaped areas shall be surrounded with a raised curb or other means to protect the trees from impact from vehicles.
  - d. Small curb breaks are allowed for drainage into or out of a planted area.
  - e. If asphalt, concrete, or sub-base exists where the landscaped area is to be located, it shall be removed down to uncompacted soil prior to planting.
5. In lieu of providing numerous minimum size landscaped areas within the parking lot or vehicular storage or display area perimeter, the landscaped areas may be grouped together to form fewer but larger areas for landscaping.

#### Alternative #1:

If the developer cannot place all of the required trees required within the green space of the parking lot or vehicular storage or display areas due to sight visibility, delivery truck access, or other concerns, the following is allowed if all conditions are met:

1. The trees not planted within the green space of the parking lot or vehicular storage or display areas shall be planted along the perimeter of these areas but at a rate of two (2) trees for every tree not planted within the perimeter. The priority areas for planting along the perimeter are the south, southwest, and west edges to provide maximum shading during the hottest times of the day.
2. No more than 50% of the trees required within the green space may be relocated as described in Item 1 above.
3. The entire required green space should be provided with the above or the following is also allowed:
  - a. The required green space can be reduced by up to 25% if needed for delivery truck access or if there is limited site area to meet parking requirements. However, an additional shade tree, above the requirements mentioned above, for every 144 square feet reduction in green space area shall be planted along the perimeter.

*Example: Seven (7) trees total are required for the required green space. The developer is able to show that three (3) of the required trees cannot be planted within the green space because of truck access and the building signage will be blocked. Final design is four (4) trees planted within the green space and six (6) trees (2x3=6) planted along the perimeter for a total of ten (10) trees.*

## **TRANSITIONAL YARDS**

### **APPLICABILITY:**

Transitional yards are required where the development of a higher impact use abuts a lower impact use.

### **IMPACT CLASSIFICATION:**

The impact classification is based on actual use and not zoning classification unless the adjoining property is vacant. In that scenario, the impact classification shall be based on the zoning.

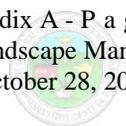
#### **No impact (N):**

All permitted uses in the following zones are considered to have no impact, unless a specific use is listed elsewhere; A-1, A-2, R-1, R-1A, and R-1B The following uses shall be considered to have no impact, regardless of zoning classification; cemeteries, golf courses without night lighting, parks, single-family and two-family residential.

#### **Low impact (L):**

All permitted uses in the following zones are considered to have a low impact, unless a specific use is listed elsewhere; R-2, R-2A, and B-1, the following uses shall be considered to have a low impact, regardless of zoning classification; churches, day-care centers, community recreational facilities, neighborhood recreational facilities, public buildings, and schools.

#### **Medium impact (M):**



All permitted uses in the following zones are considered to have a medium impact; A-3, R-3, R-3A, B-2, PRD, PR-BD, and PBD-1. The following uses shall be considered to have a medium impact, regardless of zoning classification; gasoline service stations, neighborhood convenience stores and centers, parking garages (without first floor retail or office), and self-storage or mini-warehouses.

High impact (H):

All permitted uses in the following zone are considered to have a high impact, unless a specific use is listed elsewhere; B-3, B-4, M-1, M-2, M-E, MS, PBD-2, and PMD. The following uses shall be considered to have a high impact, regardless of zoning classification; junk yards, outdoor storage yards, any property with parking for more than four-hundred fifty (450) cars, and off-site parking areas located in residential zones.

TRANSITIONAL YARD TYPE:

Required transitional yard types are determined according to the following chart:

		<u>Proposed Use Classification</u>			
		<b>N</b>	<b>L</b>	<b>M</b>	<b>H</b>
<u>Adjoining Use Classification</u>	<b>N</b>	none	<b>1</b>	<b>2</b>	<b>3</b>
	<b>L</b>	none	none	<b>1</b>	<b>2</b>
	<b>M</b>	none	none	none	<b>1</b>
	<b>H</b>	none	none	none	none

*Example: A new strip shopping center is considered a medium impact use. Directly behind the shopping center is a residential neighborhood zoned R-1, a no impact use. The shopping center is required to provide a type 2 transitional yard.*

LOCATION REQUIREMENTS:

A transitional yard shall be provided by the Proposed Use along the rear and side property lines abutting a lesser impact Adjoining Use.

Where a development occurs on only a portion of the property, or the adjoining property is very large and the existing improvements are a significant distance away, or there are significant topographic differences between the properties, the Zoning Administrator or their designee may approve modifications to the placement and extent of the transitional yard. These modifications may be lesser or greater than the general transitional yard standards depending on the situation.

Transitional yards shall not exceed a 2:1 slope. Plants shall be located within the transitional yard to maximize their buffering impact and shall not be located on a slope steeper than 3:1.

The type and location of transitional yard trees planted shall take into account structures on both the subject site and the adjoining property so that the trees do not become a hazard or nuisance.

PLANTING REQUIREMENTS:

Plant material shall be chosen and spaced so that a more natural buffer is provided instead of a green screen. All wood fences shall have the finished side facing outward.

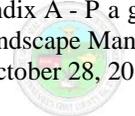
The following chart describes the planting requirements for every 100 feet, or fraction thereof, of transitional yard:

MINIMUM REQUIREMENTS <u>FOR EVERY 100' OF TRANSITIONAL YARD</u>		
Transitional Yard Type	Transitional Yard Width (ft.)	Plant Material Options
TYPE 1	10	a) 7 Type 1 Evergreen and 3 Type 1 Shade Trees
	8	b) 6 ft. Wood Fence or Masonry Wall and 5 Type 1 Evergreen trees
TYPE 2	15	a) 10 Type 1 Evergreen Trees and 5 Type 1 Shade Trees
	10	b) 6 ft. Wood Fence or Masonry Wall and 5 Type 1 Evergreen Trees and 3 Type 1 Shade Trees
TYPE 3	20	a) 14 Type 1 Evergreen Trees and 6 Type 1 Shade Trees
	15	b) 8 ft. Wood Fence or Masonry Wall and 7 Type 1 Evergreen Trees and 3 Type 1 Shade Trees
TYPE 4	30	a) 8 ft. Wood Fence or Masonry Wall and 14 Type 1 Evergreen Trees and 6 Type 1 Shade Trees

**TRANSITIONAL YARD TREE SUBSTITUTIONS:**

Plants may be substituted as follows:

- Type 2 evergreen trees and evergreen shrubs may be used to substitute a maximum of fifty percent (50%) of the required number of Type 1 evergreen trees as follows:
  - One and a half (1 ½) Type 2 evergreen trees or three (3) evergreen shrubs for each Type 1 evergreen tree.
- There can be no more than 2 new deciduous trees planted adjacent to each other in the transitional yard. There must be at least one evergreen tree between single or double groups of deciduous trees.
- Type 2 shade trees may replace Type 1 shade trees in areas where there is limited space such as along buildings or near utility lines.



**MIXTURE OF TRANSITIONAL YARD TREES:**

Sites with required transitional yard trees of ten (10) or more shall provide the following variety:

Number of Required Transitional Yard Trees	Minimum Required Variety of Transitional Yard Trees	Maximum Percent of Any Variety
10-20	2	65%
21-40	3	50%
40+	4	35%

**TRANSITIONAL YARD CONFIGURATION:**

A transitional yard planting plan can be configured in many ways. Plant selection and spacing should be based on each plant's growing habit, site characteristics, drainage, exposure, and location of adjoining use(s).

**NATURAL VEGETATION:**

The Zoning Administrator or their designee may approve the use of existing vegetation to satisfy the transitional yard requirements. The vegetation shall be in healthy condition and consist of native, non-invasive species. The existing vegetative transitional yard shall be of substantial depth as to provide a natural buffer. The Zoning Administrator or their designee may require additional plantings to areas of the natural transitional yard where the buffering effect is deficient.

**PROTECTIVE SCREENING**

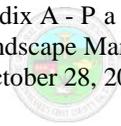
**APPLICABILITY:**

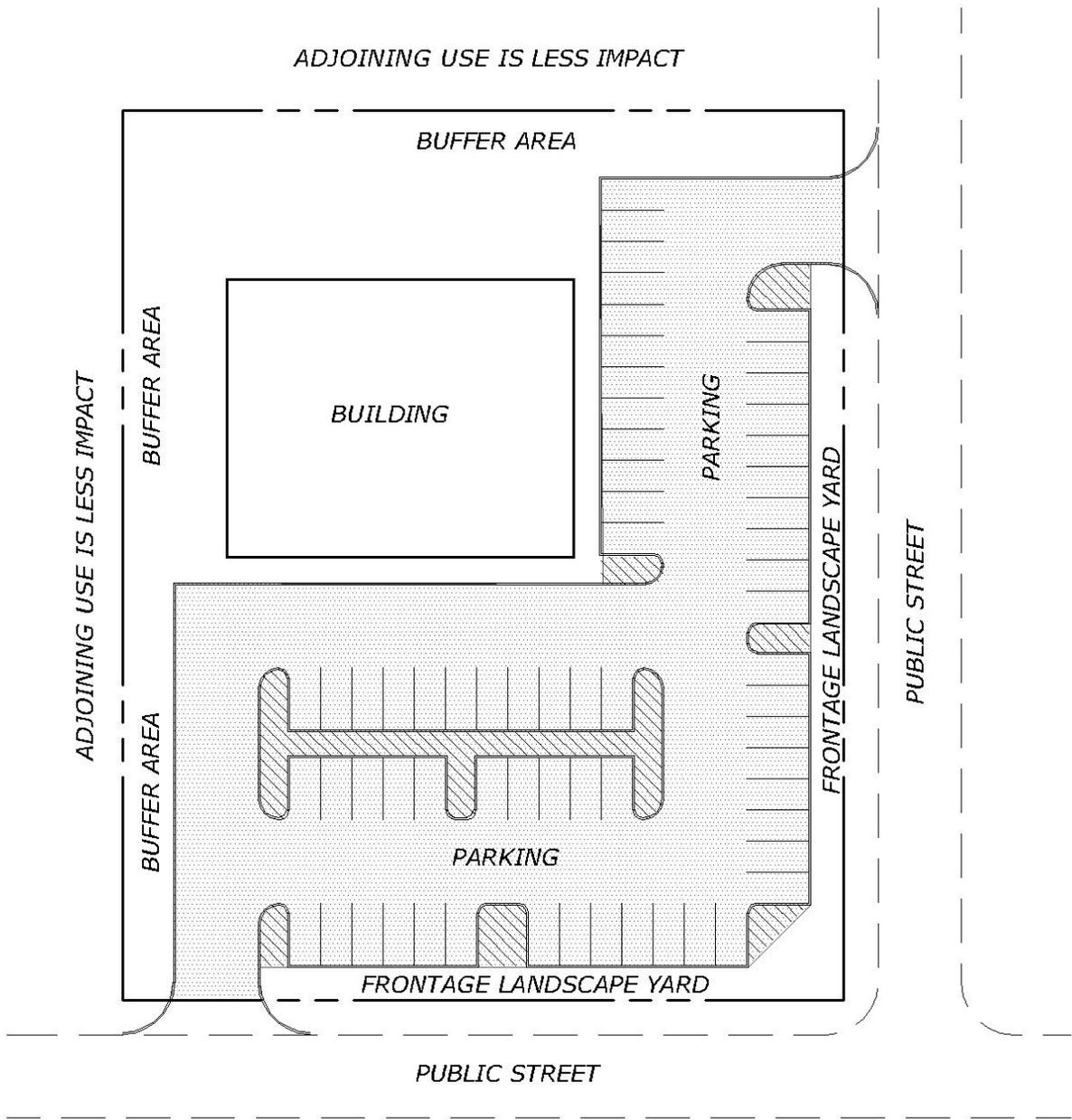
Excluding the development of individual single-family or two-family detached dwelling units, protective screening shall be provided in all zones.

**SCREENING REQUIREMENTS:**

A protective screen in the form of a masonry wall, wood fence, opaque fence or gate, or opaque landscaping to prevent view from any public right-of-way (excluding alleys) or adjoining property shall be provided for the following:

- Dumpsters.
  - An opaque gate(s) shall also be provided if the access to the dumpster(s) faces a public right of way or an adjoining residential use.
- Mechanical equipment larger than five (5) feet by five (5) feet by four (4) feet high





-  PARKING/DRIVE AREA
-  GREEN SPACE AREA

## APPENDIX B

# WASHINGTON COUNTY, TENNESSEE BOARD OF COUNTY COMMISSIONERS

## RESOLUTION NO. 12-02-02

### COUNTY FLOOD DAMAGE PREVENTION RESOLUTION

A RESOLUTION ADOPTED FOR THE PURPOSE OF AMENDING THE WASHINGTON COUNTY, TENNESSEE ZONING RESOLUTION REGULATING DEVELOPMENT WITHIN THE JURISDICTION OF WASHINGTON COUNTY, TENNESSEE, TO MINIMIZE DANGER TO LIFE AND PROPERTY DUE TO FLOODING, AND TO MAINTAIN ELIGIBILITY FOR PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM.

#### ARTICLE I. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES

##### Section A. Statutory Authorization

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

##### Section B. Findings of Fact

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

### Section C. Statement of Purpose

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

1. Restrict or prohibit uses which are vulnerable to flooding or erosion hazards, or which result in damaging increases in erosion, flood heights, or velocities;
2. Require that uses vulnerable to floods, including community facilities, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;
4. Control filling, grading, dredging and other development which may increase flood damage or erosion;
5. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

### Section D. Objectives

The objectives of this Resolution are:

1. To protect human life, health, safety and property;
2. To minimize expenditure of public funds for costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in 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;
8. To maintain eligibility for participation in the NFIP.

## **ARTICLE II. DEFINITIONS**

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

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

1. Accessory structures shall only be used for parking of vehicles and storage.
2. Accessory structures shall be designed to have low flood damage potential.
3. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.
4. Accessory structures shall be firmly anchored to prevent flotation, collapse, and lateral movement, which otherwise may result in damage to other structures.
5. Utilities and service facilities such as electrical and heating equipment shall be elevated or otherwise protected from intrusion of floodwaters.

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

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

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

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

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

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

"Base Flood Elevation (BFE)" means the elevation of surface water resulting from a flood that has a 1 percent chance of equaling or exceeding that level in any given year. The BFE is shown on the Flood Insurance Rate Map (FIRM) for zones AE, AH, A1-A30, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO, V1-V30, and VE.

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

"Building" see "Structure".

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

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

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

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

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

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

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

"Existing Structures" see "Existing Construction".

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

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

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

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

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

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

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

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

"Floodplain" or "Floodprone Area" means any land area susceptible to being inundated by water from any source (see definition of "flooding").

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

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

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

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

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

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

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

"Freeboard" means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, blockage of bridge or culvert openings, and the hydrological effect of urbanization of the watershed.

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

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

"Historic Structure" means any structure that is:

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

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

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

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

"Manufactured Home" means a structure, transportable in one or more sections, which is built on a permanent chassis and designed for use with or without a permanent foundation when attached to the required utilities. The term "Manufactured Home" does not include a "Recreational Vehicle".

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

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

"Mean Sea Level" means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For the purposes of this Resolution, the term is synonymous with the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

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

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

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

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

"100-year Flood" see "Base Flood".

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

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

"Recreational Vehicle" means a vehicle which is:

1. Built on a single chassis;

2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck;
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

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

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

"Special Flood Hazard Area" is the land in the floodplain within a community subject to a one 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" means 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.

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

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

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

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

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

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

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

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

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

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

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

### **ARTICLE III. GENERAL PROVISIONS**

#### **Section A. Application**

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

#### **Section B. Basis for Establishing the Areas of Special Flood Hazard**

The Areas of Special Flood Hazard identified on the Washington County, Tennessee, as identified by FEMA, and in its Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM), Community Panel Numbers 47170C0020D, 47179C0040D, 47179C0045D, 47179C0055D, 47179C0060D, 47179C0061D, 47179C0062D, 47179C0063D, 47179C0064D, 47179C0066D, 47179C0067D, 47179C0068D, 47179C0069D, 47179C0086D, 47179C0088D, 47179C0089D, 47179C0093D, 47179C0130D, 47179C0135D, 47179C0140D, 47179C0145D, 47179C0151D, 47179C0152D, 47179C0153D, 47179C0154D, 47179C0156D, 47179C0157D, 47179C0158D, 47179C0159D, 47179C0161D, 47179C0162D, 47179C0163D, 47179C0167D, 47179C0169D, 47179C0176D, 47179C0177D, 47179C0178D, 47179C0179D, 47179C0181D, 47179C0186D, 47179C0187D, 47179C0188D, 47179C0225D, 47179C0230D, 47179C0235D, 47179C0240D, 47179C0245D, 47179C0275D, 47179C0010D<sup>1</sup>, 47179C0015D<sup>1</sup>, 47179C0110D<sup>1</sup>, 47179C0120D<sup>1</sup>, 47179C0164D<sup>1</sup>, 47179C0166D<sup>1</sup>, 47179C0168D<sup>1</sup>, 47179C183D<sup>1</sup>, 47179C0189D<sup>1</sup>, 47179C0300D<sup>1</sup>, 47179C0325D<sup>1</sup>, dated September 29, 2006, along with all supporting technical data, are adopted by reference and declared to be a part of this Resolution. These regulations also include the the Dry Creek Local Designated Special Flood Hazard Area

#### **Section C. Requirement for Development Permit**

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

#### **Section D. Compliance**

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

#### **Section E. Abrogation and Greater Restrictions**

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

#### **Section F. Interpretation**

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<sup>1</sup> Panel not printed – no special flood hazard areas.

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

Section G. Warning and Disclaimer of Liability

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

Section H. Penalties for Violation

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

## **ARTICLE IV.        ADMINISTRATION**

### **Section A.        Designation of Resolution Administrator**

The Washington County Zoning Administrator or his/her designee is hereby appointed as the Administrator to implement the provisions of this Resolution.

### **Section B.        Permit Procedures**

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

#### **1.        Application stage**

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

#### **2.        Construction Stage**

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

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

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

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

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

### Section C. Duties and Responsibilities of the Administrator

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

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

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

## **ARTICLE V. PROVISIONS FOR FLOOD HAZARD REDUCTION**

### **Section A. General Standards**

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

1. New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure;
2. Manufactured homes shall be installed using methods and practices that minimize flood damage. They must be elevated and anchored to prevent flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State of Tennessee and local anchoring requirements for resisting wind forces.
3. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
4. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
5. All electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
6. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
7. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
9. Any alteration, repair, reconstruction or improvements to a building that is in compliance with the provisions of this Resolution, shall meet the requirements of "new construction" as contained in this Resolution;
10. Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provision of this Resolution, shall be undertaken only if said non-conformity is not further extended or replaced;
11. All new construction and substantial improvement proposals shall provide copies of all necessary Federal and State permits, including Section 404 of the Federal Water Pollution Control Act amendments of 1972, 33 U.S.C. 1334;

12. All subdivision proposals and other proposed new development proposals shall meet the standards of Article V, Section B;
13. When proposed new construction and substantial improvements are partially located in an area of special flood hazard, the entire structure shall meet the standards for new construction;
14. When proposed new construction and substantial improvements are located in multiple flood hazard risk zones or in a flood hazard risk zone with multiple Base Flood Elevations, the entire structure shall meet the standards for the most hazardous flood hazard risk zone and the highest Base Flood Elevation.

Section B. Specific Standards

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

1. Residential Structures

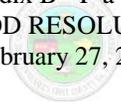
In AE Zones where Base Flood Elevation data is available, new construction and substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement, elevated to no lower than one (1) foot above the Base Flood Elevation. Should solid foundation perimeter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

Within approximate A Zones where Base Flood Elevations have not been established and where alternative data is not available, the administrator shall require the lowest floor of a building to be elevated to a level of at least three (3) feet above the highest adjacent grade (as defined in Article II). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

2. Non-Residential Structures

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

In approximate A Zones, where Base Flood Elevations have not been established and where alternative data is not available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than three (3) feet above the highest adjacent grade (as defined in Article II). Should solid foundation perimeter walls be used to elevate a structure, openings



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

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

3. Enclosures

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

- a. Designs for complying with this requirement must either be certified by a Tennessee professional engineer or architect or meet or exceed the following minimum criteria.
  - 1) 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;
  - 2) The bottom of all openings shall be no higher than one (1) foot above the finished grade;
  - 3) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
- b. The enclosed area shall be the minimum necessary to allow for parking of vehicles, storage or building access.
- c. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms in such a way as to impede the movement of floodwaters and all such partitions shall comply with the provisions of Article V, Section B.

4. Standards for Manufactured Homes and Recreational Vehicles

- a. All manufactured homes placed, or substantially improved, on: (1) individual lots or parcels, (2) in expansions to existing manufactured home parks or subdivisions, or (3) in new or substantially improved manufactured home parks or subdivisions, must meet all the requirements of new construction.

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

5. Standards for Subdivisions and Other Proposed New Development Proposals

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

- a. All subdivision and other proposed new development proposals shall be consistent with the need to minimize flood damage.
- b. All subdivision and other proposed new development proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
- c. All subdivision and other proposed new development proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- d. In all approximate A Zones require that all new subdivision proposals and other proposed developments (including proposals for manufactured home

parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation data (See Article V, Section E).

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

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

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

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

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

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

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

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

1. The Administrator shall obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from any Federal, State, or other sources, including data developed as a result of these regulations (see 2 below), as criteria for requiring that new construction, substantial improvements, or other development in approximate A Zones meet the requirements of Article V, Sections A and B.
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 approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, require the lowest floor of a building to be elevated or floodproofed to a level of at least three (3) feet above the highest adjacent grade (as defined in Article II). All applicable data including elevations or floodproofing certifications shall be recorded as set forth in Article IV, Section B. Openings sufficient to facilitate automatic equalization of hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Article V, Section B.
4. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, no encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty feet (20), whichever is greater, measured from the top of the stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within Washington County, Tennessee. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.
5. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Article V, Sections A and B. Within approximate A Zones, require that those subsections of Article V Section B dealing with the alteration or relocation of a watercourse, assuring watercourse carrying capacities are maintained and manufactured homes provisions are complied with as required.

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

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one (1) to three (3) 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 Article V, Sections A and B, apply:

1. All new construction and substantial improvements of residential and non-residential buildings shall have the lowest floor, including basement, elevated to at least one (1) foot above as many feet as the depth number specified on the FIRM's, in feet, above the highest adjacent grade. If no flood depth number is specified on the FIRM, the lowest floor, including basement, shall be elevated to at least three (3) feet above the highest adjacent grade. Openings sufficient to facilitate automatic equalization of hydrostatic flood forces on exterior walls shall be provided in accordance with standards of Article V, Section B.
2. All new construction and substantial improvements of non-residential buildings may be floodproofed in lieu of elevation. The structure together with attendant utility and sanitary facilities must be floodproofed and designed watertight to be completely floodproofed to at least one (1) foot above the flood depth number specified on the FIRM, with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. If no depth number is specified on the FIRM, the structure shall be floodproofed to at least three (3) feet above the highest adjacent grade. A Tennessee registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this Resolution and shall provide such certification to the Administrator as set forth above and as required in accordance with Article IV, Section B.
3. Adequate drainage paths shall be provided around slopes to guide floodwaters around and away from proposed structures.

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

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

Section H. Standards for Unmapped Streams

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

1. No encroachments including fill material or other development including structures shall be located within an area of at least equal to twice the width of the stream, measured from the top of each stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the locality.

2. When a new flood hazard risk zone, and Base Flood Elevation and floodway data is available, new construction and substantial improvements shall meet the standards established in accordance with Articles IV and V.

## **ARTICLE VI. VARIANCE PROCEDURES**

### **Section A. Board of Zoning Appeals**

#### **1. Authority**

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

#### **2. Procedure**

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

#### **3. Appeals: How Taken**

An appeal to the Board of Zoning Appeals may be taken by any person, firm or corporation aggrieved or by any governmental officer, department, or bureau affected by any decision of the Administrator based in whole or in part upon the provisions of this Resolution. Such appeal shall be taken by filing with the Board of Zoning Appeals a notice of appeal, specifying the grounds thereof. In all cases where an appeal is made by a property owner or other interested party, a fee of \$300.00 dollars for the cost of publishing a notice of such hearings shall be paid by the appellant. The Administrator shall transmit to the Board of Zoning Appeals all papers constituting the record upon which the appeal action was taken. The Board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to parties in interest and decide the same within a reasonable time which shall not be more than fourteen (14) days from the date of the hearing. At the hearing, any person or party may appear and be heard in person or by agent or by attorney.

#### **4. Powers**

The Board of Zoning Appeals shall have the following powers:

##### **a. Administrative Review**

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

##### **b. Variance Procedures**

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

- 1) The Washington County, Tennessee Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Resolution.
- 2) Variances may be issued for the repair or rehabilitation of historic structures as defined, herein, upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary deviation from the requirements of this Resolution to preserve the historic character and design of the structure.
- 3) In passing upon such applications, the Board of Zoning Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Resolution, and:
  - a) The danger that materials may be swept onto other property to the injury of others;
  - b) The danger to life and property due to flooding or erosion;
  - c) The susceptibility of the proposed facility and its contents to flood damage;
  - d) The importance of the services provided by the proposed facility to the community;
  - e) The necessity of the facility to a waterfront location, in the case of a functionally dependent use;
  - f) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
  - g) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
  - h) The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - i) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
  - j) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, water systems, and streets and bridges.
- 4) Upon consideration of the factors listed above, and the purposes of this Resolution, the Board of Zoning Appeals may attach such

conditions to the granting of variances, as it deems necessary to effectuate the purposes of this Resolution.

- 5) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

Section B. Conditions for Variances

1. Variances shall be issued upon a determination that the variance is the minimum relief necessary, considering the flood hazard and the factors listed in Article VI, Section A.
2. Variances shall only be issued upon: a showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship; or a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or Resolutions.
3. Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the Base Flood Elevation will result in increased premium rates for flood insurance (as high as \$25 for \$100) coverage, and that such construction below the Base Flood Elevation increases risks to life and property.
4. The Administrator shall maintain the records of all appeal actions and report any variances to FEMA upon request.

ARTICLE VII. LEGAL STATUS PROVISIONS

Section A. Conflict with Other Resolutions

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

Section B. Severability

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

Section C. Effective Date

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

Approved and adopted by the Washington County, Tennessee, Board of County Commissioners.

Introduced by Commissioner: *Speropulous*

Seconded by Commissioner: *Bridger*

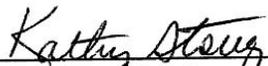
Commissioners Voting FOR Resolution: *Upon a voice vote, a majority of the entire membership voted to adopt the Resolution.*

Commissioners Voting AGAINST Resolution: *None*

Commissioners NOT VOTING: *None*

Commissioners ABSENT: *Oldham, Jarrett, Wolfe.*

ADOPTED BY THE COUNTY LEGISLATIVE BODY, in session duly assembled, on this the 27<sup>th</sup> day of February 2012.

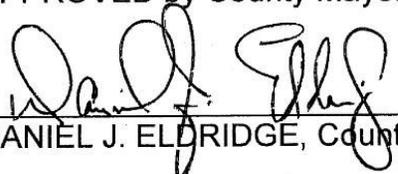
  
\_\_\_\_\_  
KATHY STOREY, County Clerk

  
\_\_\_\_\_  
GREG MATHERLY, Chair of the Board

REFERRED to the County Mayor on the 7 day of March 2012

  
\_\_\_\_\_  
KATHY STOREY, County Clerk

APPROVED by County Mayor on this the 8 day of March 2012.

  
\_\_\_\_\_  
DANIEL J. ELDRIDGE, County Mayor

SETBACK REGULATIONS BY DISTRICTS

<u>Zoning Districts</u>	<u>Lot Area</u>	<u>Minimum Lot Width at Building Line</u>	<u>Minimum Front Yard at Building Line</u>	<u>Minimum Rear Yard</u>	<u>Minimum Side Yard</u>
<b>A-1 General Agricultural District</b>	Anything but single family is 43,560 sq. ft. Single family with public sewer is 15,000 sq. ft. Single family with water is 21,780 sq. ft. Single family with no public water or sewer is 43,560 sq. ft. Multifamily with one unit of public water is 43,560 sq. ft. Multifamily with two or more units with public water is 15,000 sq. ft. Multifamily with two or more units with public water & sewer is 8,700 sq. ft.	Anything but single family is 150 ft. Single family is 100 ft.	Anything but single family is 50 ft. Single family is 30 ft. Accessory Structures as a principal use is 30 ft.	Anything but single family is 50 ft. For single family is 30 ft. Accessory Structures as a principal use is 12 ft.	Side yard for all except single family is 50 ft. Side yard for single family is 12 ft. Accessory Structures as a principal use is 12 ft.
<b>A-2 Agricultural-Residential District</b>	Anything but single family and public utilities is 3 acres. Single family is 1 acre.	125 ft.	30 ft.	30 ft.	20 ft.
<b>A-3 Agricultural-Business District</b>	5 acres.		30 ft.	50 ft.	50 ft.
<b>R-1 Low Density Residential District</b>	Single family units are 15,000 sq. ft.	80 ft.	30 ft. if fronting an Arterial Road 25 ft. if fronting any other type of street	30 ft.	12 ft. Additional for all buildings over 2 stories is 6 ft. per story.
<b>R-1A Low Density Residential District</b>	Single family residences on sewer is 12,000 sq. ft.	80 ft.	30 ft. if fronting an Arterial Road 25 ft. if fronting any other type of street	25 ft.	10 ft.
<b>R-1B Low Density Residential District</b>	Single family residences on sewer are 10,000 sq. ft.	80 ft.	30 ft. if fronting an Arterial Road 25 ft. if fronting any other type of street	25 ft.	10 ft.
<b>R-2 Medium Density Residential District</b>	Single family units are 10,000 sq. ft. Two family & multi-family units, first unit is 10,000 sq. ft. Each additional unit if connected to sewer is 6,000 sq. ft.	60 ft.	30 ft. if fronting an Arterial Road 25 ft. if fronting any other type of street	25 ft. When parcel abuts any A-1, A-2, or R-1 district it is 30 ft.	10 ft. When parcel abuts any A-1, A-2, R-1 district it is 20 ft. Additional for all buildings over 2 stories is 6 ft. per story.
<b>R-2A Medium Density Residential District</b>	Single family units are 10,000 sq. ft. Two family & multi-family units, first unit is 10,000 sq. ft. Each additional unit if connected to sewer is 6,000 sq. ft.	60 ft.	30 ft. if fronting an Arterial Road 25 ft. if fronting any other type of street	25 ft. When parcel abuts any A-1, A-2, or R-1 district it is 30 ft.	10 ft. When parcel abuts any A-1, A-2, R-1 district it is 20 ft. Additional for all buildings over 2 stories is 6 ft. per story.
<b>R-3 High Density Residential District</b>	Single family units are 7,500 sq. ft. Two family & multi-family units, if approved by TDEC is 7,500 sq. ft. Two family & multi-family units if connected to sewer is 3,200 sq. ft.	50 ft.	30 ft. if fronting an Arterial Road 25 ft. if fronting any other type of street	20 ft. When parcel abuts any A-1, A-2, or R-1 district it is 30 ft.	10 ft. When parcel abuts any A-1, A-2, R-1 district it is 20 ft. Additional for all buildings over 2 stories is 6 ft. per story.
<b>R-3A High Density Residential District</b>	Single family units are 7,500 sq. ft. Two family & multi-family units, if approved by TDEC is 7,500 sq. ft. Two family & multi-family units if connected to sewer is 2,400 sq. ft.	50 ft.	30 ft. if fronting an Arterial Road 25 ft. if fronting any other type of street	20 ft. When parcel abuts any A-1, A-2, or R-1 district it is 30 ft.	10 ft. When parcel abuts any A-1, A-2, R-1 district it is 20 ft. Additional for all buildings over 2 stories is 6 ft. per story.
<b>B-1 Neighborhood Business District</b>	No Requirement	No Requirement	30 ft.	30 ft.	On the side of a lot adjoining a residential district there shall be a side yard of not less than 30 ft. Side yard from an intersection street of not less than 30 ft. All other cases, setbacks shall be 7-1/2 ft.
<b>B-2 Retail Business District</b>	No Requirement	No Requirement	30 ft.	30 ft.	On the side of a lot adjoining a residential district there shall be a side yard of not less than 30 ft. Side yard from an intersection street of not less than 30 ft. All other cases, setbacks shall be 7-1/2 ft.
<b>B-3 General Business District</b>	No Requirement	No Requirement	30 ft.	30 ft.	On the side of a lot adjoining a residential district there shall be a side yard of not less than 30 ft. Side yard from an intersection street of not less than 30 ft. All other cases, setbacks shall be 7-1/2 ft.
<b>B-4 Arterial Business District</b>	No Requirement	No Requirement	50 ft.	25 ft.	Side yard which abuts a residential district shall be not less than 30 ft. In all other cases, side yard shall not be less than 20 ft.

<b>MS-Medical Service District</b>	No Requirement	No Requirement	50 ft.	25 ft.	Side yard which abuts a residential district shall not be less than 30 ft. In all other cases, side yard shall not be less than 20 ft.
<b>M1-Industrial District</b>	No Requirement	No Requirement	50 ft.	30 ft.	20 ft.
<b>M2-High Impact Use District</b>	No Requirement	No Requirement	50 ft.	30 ft.	20 ft.
<b>ME-Mining and Mineral Extraction</b>	No Requirement	No Requirement	1,500 ft. to the property line of any public or semi-public land use activity, residentially zoned property or existing residential dwellings. 1,000 ft. from any MS zoned properties or commercial districts. 500 ft. from any Manufacturing zoned properties, public roads or rights-of-way. Nothing to be stored within 200 ft. of any property line.	1,500 ft. to the property line of any public or semi-public land use activity, residentially zoned property or existing residential dwellings. 1,000 ft. from any MS zoned properties or commercial districts. 500 ft. from any Manufacturing zoned properties, public roads or rights-of-way. Nothing to be stored within 200 ft. of any property line.	1,500 ft. to the property line of any public or semi-public land use activity, residentially zoned property or existing residential dwellings. 1,000 ft. from any MS zoned properties or commercial districts. 500 ft. from any Manufacturing zoned properties, public roads or rights-of-way. Nothing to be stored within 200 ft. of any property line.
<b>PRD-1 Low-Density Planned Residential District</b>	Open spaces between boundary of tract and proposed buildings or structures shall not be less than 25ft.		No Requirement	No Requirement	No Requirement
<b>PRD-2 Medium-Density Planned Residential District</b>	Open spaces between boundary of tract and proposed buildings or structures shall not be less than 25ft.		No Requirement	No Requirement	No Requirement
<b>PRD-3 High-Density Planned Residential District</b>	Open spaces between boundary of tract and proposed buildings or structures shall not be less than 25ft.		No Requirement	No Requirement	No Requirement
<b>PBD-1 Planned Business District</b>	Open spaces between boundary of tract and proposed buildings or structures shall not be less than 25ft.		No Requirement	No Requirement	No Requirement
<b>PBD-2 Planned Business District</b>	Open spaces between boundary of tract and proposed buildings or structures shall not be less than 25ft.		No Requirement	No Requirement	No Requirement
<b>PMD- Planned Manufacturing District</b>	Open spaces between boundary of tract and proposed buildings or structures shall not be less than 25ft.		No Requirement	No Requirement	No Requirement
<b>PR-BD Planned Residential-Business District</b>	Open spaces between boundary of tract and proposed buildings or structures shall not be less than 25ft.		No Requirement	No Requirement	No Requirement

Use Requirements by Districts

Zoning Districts	General Uses	Customary Home Occupations	Uses Permitted Upon Review
A-1 General Agriculture District	Farming, farming related, produce stands, general stores, restaurants, feed mills, farm supply stores, green houses, commercial nurseries, service stations, detached single family dwellings, multifamily dwellings, mobile homes, churches, cemeteries, public & private schools, parks, playgrounds, marinas, recreational, public utility facilities, bed & breakfast	Beauty shops, farm wineries, customary accessory buildings, animal hospital, veterinary offices, medical offices, shooting ranges, personal landing strip, family day-care center, small day-care center, agritourism activities	Small Agriculture-Based Food Processing Facilities
A-2 Agriculture-Residential District	Single family residences, public utilities, customary general farming, public & private schools, churches, funeral homes, cemeteries, medical clinic, general offices for (doctors, dentists, architects, or lawyers), nursing homes, hospitals	Same as the A-1 District	None
A-3 Agriculture-Business District	Any use permitted in the A-1 Agricultural District plus, animal hospitals, veterinarian offices, shooting ranges, commercial livestock markets, slaughterhouses, sawmills, recreational vehicle parks, airports, dog kennels, outdoor recreation facilities (amusement parks, sports arenas, racetracks), paint ball fields, campgrounds, Commercial Boarding Stables and Riding Rings, Adult Day Care and day care centers as per 603.1.8, Traumatic Brain Injury Residential Homes		Feedlots (concentrated animal feeding operations, CAFOs), animal feeding operations (AFOs), dairy farms, egg production operations
R-1 Low Density Residential District	Single family residence, customary general farming, public utility stations, customary accessory buildings, publicly owned recreation facilities & grounds, cemeteries, churches, public & private schools, family day-care center	Beauty shops	Medical clinics, office buildings for (doctors, dentists, architects, or lawyers), general offices, nursing homes, hospitals
R-1A Low Density Residential District	Same uses as the R-1 District		
R-1B Low Density Residential District	Same uses as the R-1 District		
R-2 Medium Density Residential District	Any use permitted in the R-1 Residential District plus, multi-family dwellings, boarding & rooming houses, bed & breakfast, mobile home parks		
R-2A Medium Density Residential District	Any use permitted in the R-1 Residential District plus, multi-family dwellings		Any Use permitted Upon review in the R-1 low density residential district
R-3 High Density Residential District	Any use permitted in the R-2 Residential District plus, mobile homes on single lots		Any Use Permitted Upon Review in the R-1 and R-2 Residential Districts
R-3A High Density Residential District	Any use permitted in the R-2A District		Any Use Permitted Upon Review in the R-1 and R-2A Residential District
B-1 Neighborhood Business District	Drug stores, funeral homes, barber & beauty shops, laundry & dry cleaning stations, Laundromats, gift shops, shoe repair shops, hardware stores, daycare centers, professional services, flower shops, restaurants, retail bakeries, financial institutions, service stations		
B-2 Retail Business District	Any use permitted in the B-1 Business District plus, stores & shops conducting retail business, sales & display rooms, offices, grocery stores, restaurants, personal and professional services, public & semi-public buildings, retail printing operations, financial institutions, places of amusement and assembly, animal hospital, veterinary offices, shooting ranges		
B-3 General Business District	Any uses permitted in the B-1 & B-2 districts, wholesale business, warehouses, storage yards & buildings, truck terminals, automobile sales (new & used), mobile home sales (new & used), automobile service & repair, automobile body shops, farm equipment repair, automotive restoration & customization, automobile & truck tire stores, service station, bottling operations, retail bakeries, funeral homes, animal hospitals, veterinarian offices, shooting ranges, public & private non-profit clubs		
B-4 Arterial Business District	Any uses permitted in the B-3 General Business District, hotel & motels		
MS – Medical Service District	Apothecaries, drug stores, pharmacies, artificial limb & brace businesses, therapeutic establishments, medical clinics, dental clinics, chiropractic clinics, optical clinics, osteopathic clinics, hospitals, laboratories, medical/surgical/dental supply businesses, Municipal/County/State/Federal Buildings or land uses, retail sales & service, nursing homes and assisted living facilities, Adult Day Care and day care centers, Traumatic Brain Injury Residential Homes		Heliports, mortuary establishments, crematories, methadone treatment clinic or substance abuse treatment facility
M1 – Industrial District	Any use permitted in the B-3 District, industry that does not cause injurious or obnoxious noise, vibrations, smoke, gas, fumes, odors, dust, fire hazard or other objectionable conditions, trucking terminals, railroad yards, wholesale business, warehouses, storage yards & buildings, bottling & packaging operations, wholesale bakeries, adult oriented establishments		
M2 – High Impact Use District	Any use permitted in the M-1 District, lots or yards for scrap or salvage operations, meat products manufacturing, dyeing and finishing of textiles, paper & allied products manufacturing, chemicals & allied products manufacturing, rubber & miscellaneous plastic products manufacturing, automobile wrecking/salvage/& junk yards, non-hazardous solid waste disposal, storage of hazardous substances & explosive materials, adult oriented establishments		
ME- Mineral Extraction District	Mining, mineral extraction, mining processes.		
PRD-1 Low-Density Planned Residential District	Single family residence, multi-family dwellings, customary accessory structures		
PRD-2 Medium-Density Planned Residential District	Same use as the PRD-1 district		
PRD-3 High-Density Planned Residential District	Same use as the PRD-2 district		

PBD-1 Planned Business District	Any use permitted in the B-1 and B-2 zoning districts
PBD-2 Planned Business District	Any use permitted in the B-3 and B-4 zoning districts
PMD- Planned Manufacturing District	Any use permitted in any manufacturing district except automobile wrecking, salvage, and junkyards; hazardous and non-hazardous waste disposal
PR-BD Planned Residential-Business District	Any use permitted in the R-3A residential district and any use permitted in the B-1 business districts, B-2 business districts, and golf courses

Type of Campground	Temporary Campground/Special Event/Day-Parking Facilities	Community Recreational Facilities operated by a non-profit agency, such as Federal, State, Local governments, church/religious and youth camps	Commercial Campground Facilities	Commercial Resort Development
<b>Purpose and Needs</b>	To provide for the safe and temporary housing accommodations to tourists and guests during a special event open to the public. To provide a designated area for guests to stay in close proximity to the event. Campground designed for temporary use only not to exceed a 10-day period for any public special event and limited to a maximum of 4 events per calendar year.	To provide safe and enjoyable recreational facilities and accommodations for tourists, youth campers and others for a temporary, recreational basis, not to exceed 14-days at a time, unless part of an organized religious or cultural event or camp program.	To provide temporary seasonal accommodations for tourists and citizens, not designed for long-term lease or stay. Accessory activities, such as playground facilities, picnic shelters, boating facilities and special events may be permitted throughout the year.	To provide temporary living accommodations for tourists and owners for recreational purposes and not designed for long-term permanent housing nor principal residence. Commercial resort developments are exclusive by design and structure.
<b>Zoning Districts Permitted In</b>	All. Temporary Event Campgrounds shall obtain temporary use permits for each event.	All except manufacturing and mining districts.	A-3, B-3, B-4, PBD	B-3, B-4, PRD-1, PRD-2, PRD-3, PBD, R-3, R-3A
<b>Types of Camping Accommodations Permitted</b>	Tents, campers, all types of recreational vehicles only – no permanent accommodation structures permitted.	Designated tent areas, all types of RVs, Campers, Motor Homes, cabins, lodges, and park manager's dwelling only, excluding any type of RV park trailer, singlewide manufactured housing.	Any type of camping unit defined as a seasonal and recreational camping facility such as a tent, cabin for rent, RV, motor home, camper, RV pop-up, 5th wheel, etc. but does not include permanent housing or manufactured housing defined by TCA and zoning definitions.	RV Park Model Trailers, Class A Recreational Vehicles, Motor Homes or permanent cabins designed as a 2nd dwelling for recreational and seasonal use only, excluding condominiums, single-family dwellings, or any other type of manufactured housing defined by TCA and zoning definitions.
<b>Types of Amenities and Facilities Permitted</b>	Per site plan approval, the owner may construct and maintain any needed restroom facilities, bath houses, picnic pavilions, play ground equipment, walking trails, fishing piers, swimming areas, shelters, grounds-keeping/maintenance/storage buildings, check-in huts/offices and other customary and accessory structures in order to accommodate guests.	Per site plan approval, the owner may construct and maintain any needed restroom facilities, bath houses, picnic pavilions, play ground equipment, walking trails, fishing piers, swimming areas, shelters, grounds-keeping/maintenance/storage buildings, check-in huts/offices and other customary and accessory structures in order to accommodate guests.	Per site plan approval, the owner may construct and maintain any needed restroom facilities, bath houses, picnic pavilions, play ground equipment, walking trails, fishing piers, swimming areas, shelters, grounds-keeping/maintenance/storage buildings, check-in huts/offices and other customary and accessory structures in order to accommodate guests.	Per site plan approval, the owner may construct and maintain any needed restroom facilities, bath houses, picnic pavilions, play ground equipment, walking trails, fishing piers, swimming areas, shelters, grounds-keeping/maintenance/storage buildings, check-in huts/offices and other customary and accessory structures in order to accommodate guests.
<b>Site Plan Approval by Planning Commission or Staff Required</b>	No site plan required for day-parking only. Site plan is required if there will be grading, bathhouses and other permanent site improvements made. Approved by staff.	Site Plan approval by staff only.	Site Plan Approval by Planning Commission.	Site Plan Approval by Planning Commission.
<b>Full-time Residence Permitted for Owner, Manager, Dock Master, Park Superintendent/Maintenance</b>	One residence to manage temporary campground.	Yes, as necessary upon review by Board of Zoning Appeals.	Yes.	Yes.
<b>Minimum Lot size Per Facility</b>	NA	NA	20,000 square feet.	20,000 square feet.
<b>Permanent Free-Standing Signage Permitted</b>	No – temporary signs only.	Yes – depending on zoning district.	Yes – depending on zoning district.	Yes – depending on zoning district.
<b>Open Burning Permitted</b>	Per local guidelines with burn permit from State.	Per local guidelines with burn permit from State.	Per local guidelines with burn permit from State.	Per local guidelines with burn permit from State.
<b>Water Required</b>	Yes. Safe Drinking Water with frost-proof spigots required for 5 or more camping sites and one spigot for every 5 sites, as approved by the local utility provider or TDEC if well water.	Yes. Safe Drinking Water with frost-proof spigots required for 5 or more camping sites and one spigot for every 5 sites, as approved by the local utility provider or TDEC if well water.	Yes. Safe Drinking Water with frost-proof spigots required for 5 or more camping sites and one spigot for every 5 sites, as approved by the local utility provider or TDEC if well water.	Yes. Safe Drinking Water with frost-proof spigots required for 5 or more camping sites and one spigot for every 5 sites, as approved by the local utility provider or TDEC if well water.
<b>Sanitary Sewer or Other On-site Sewerage Disposal System Required</b>	Yes. At a minimum one port-a-let sanitary portable bathroom facility shall be provided when 5 or more sites are permitted. All permanent restroom and bathhouse facilities if proposed shall have approval from the municipal engineer or the local TDEC office regarding sewerage treatment.	Yes. At a minimum one port-a-let sanitary portable bathroom facility shall be provided when 5 or more sites are permitted. All permanent restroom and bathhouse facilities if proposed shall have approval from the municipal engineer or the local TDEC office regarding sewerage treatment.	Yes. All permanent restroom and bathhouse facilities if proposed shall have approval from the municipal engineer or the local TDEC office regarding sewerage treatment. Underground sewage holding tanks and clean-out stations provided shall also be installed per state regulations and shown on the site plan.	Yes. All permanent restroom and bathhouse facilities if proposed shall have approval from the municipal engineer or the local TDEC office regarding sewerage treatment. Underground sewage holding tanks and clean-out stations provided shall also be installed per state regulations and shown on the site plan.
<b>Individual Mail Receptacle Permitted</b>	Only for owner/manager.	Only for owner/manager	Only for owner/manager.	Only for owner/manager.
<b>Individual Connections to Other Utilities and Services Permitted (telephone, cable, satellite, or other connections)</b>	Only for owner/manager.	Individual connections to water, sewer/septic, electric, gas, cable, phone, satellite or other utilities and amenities may be permitted as part of the services provided by park owner, which shall be included in their fee schedule. Individual accounts set up by the tenants/guests shall not be permitted.	Individual connections to water, sewer/septic, electric, gas, cable, phone, satellite or other utilities and amenities may be permitted as part of the services provided by park owner, which shall be included in their fee schedule. Individual accounts set up by the tenants/guests shall not be permitted.	All utilities and services may be individually established per unit similar to single-family housing or it may be provided by the landowner as part of the rental fee.
<b>Paving and Parking Requirements</b>	A paved or graveled entrance is required to connect to any access point off of a public road from the existing paved public road to the first 30 feet within the property line at a minimum. All other internal roads may be paved, graveled or grassed.	Pavement is required to connect to any access point off of a public road from the existing paved public road to the first 30 feet within the property line at a minimum. All other internal roads may be paved or graveled. All roads shall be maintained free of debris, potholes and mud. At least one parking space is required for every camping unit site.	Pavement is required to connect to any access point off of a public road from the existing paved public road to the first 30 feet within the property line at a minimum. All other internal roads may be paved or graveled. All roads shall be maintained free of debris, potholes and mud. At least one parking space is required for every camping unit site.	Pavement is required to connect to any access point off of a public road from the existing paved public road to the first 30 feet within the property line at a minimum. All other internal roads may be paved or graveled. All roads shall be maintained free of debris, potholes and mud. At least one parking space is required for every camping unit site.
<b>Private Ownership of Individual Sites Permitted</b>	No	No	No	Yes, with restrictions
<b>Homeowners Association Required</b>	No	No	No	Yes- mandatory
<b>Central Garbage Designated Areas</b>	Yes, as needed	Yes	Yes	Yes
<b>Individual Garbage Pick-up</b>	No	No	No	No

Type of Campground	Temporary Campground/Special Event/Day-Parking Facilities	Community Recreational Facilities operated by a non-profit agency, such as Federal, State, Local governments, church/religious and youth camps	Commercial Campground Facilities	Commercial Resort Development
Accessory Structures Permitted	No. Permanent	Yes – No greater than 200 square feet in total per camping unit. Accessory structures limited to decks, covered decks, screened-in covered decks, patios or out-buildings/yard barns but exclude any enclosed additions to campers. Shall be reviewed and approved by the Zoning Office and illustrated on a site plan requirements. Existing structures shall be allowed to remain, may be replaced or removed. Article V shall govern the legal status of non-complying structures.	Yes – No greater than 200 square feet in total per camping unit. Accessory structures limited to decks, covered decks, screened-in covered decks, patios or out-buildings/yard barns but exclude any enclosed additions to campers. Shall be reviewed and approved by the Zoning Office and illustrated on a site plan requirements. Existing structures shall be allowed to remain, may be replaced or removed. Article V shall govern the legal status of non-complying structures.	Yes – No greater than 200 square feet in total per camping unit. Accessory structures limited to decks, covered decks, screened-in covered decks, patios or out-buildings/yard barns but exclude any enclosed additions to campers. Shall be reviewed and approved by the Zoning Office and illustrated on a site plan requirements. Existing structures shall be allowed to remain, may be replaced or removed. Article V shall govern the legal status of non-complying structures.
Separation of Camping Sites Required	Not regulated but recommended to prevent the spread of fires, offer some privacy, and mobility of camping units.	Yes, a ten-foot separation between all accessory structures and the next adjacent camper/RV/travel trailer shall be required. Each camping site shall be a minimum of thirty (30) feet wide.	Yes, a ten-foot separation between all accessory structures and the next adjacent camper/RV/travel trailer shall be required. Each camping site shall be a minimum of thirty (30) feet wide.	Yes, a ten-foot separation between all accessory structures and the next adjacent camper/RV/travel trailer shall be required. Each camping site shall be a minimum of fifty (50) feet wide.
Underground Utilities Required	No	No	No	Yes, unless topography poses undue hardship as determined by Planning Commission
Buffering/Screening/Landscaping	Not Required	Yes, per Appendix A, Landscape Manual	Yes, per Appendix A, Landscape Manual	Yes, per Appendix A, Landscape Manual
Long-Term Storage of RVs, Campers, Boats During Off-Season	Prohibited unless in a commercial zone with site plan approval.	Permitted if needed per site plan approval, in designated areas that are fenced in and secured.	Permitted if needed per site plan approval, in designated areas that are fenced in and secured.	Yes, per plan approval. Permitted for owners of site only- not for the general public.
All Other Bulk Regulations Apply per Zoning District and Site Plan Requirements	Yes	Yes	Yes	Yes
Building Permits Required	If applicable	Yes, unless governmental entity	Yes	Yes
Customary Residential Uses (home-occupations)	No	No	No	Yes
Open Long-term Storage of Vehicles and Other Personal Effects	No	No	No	No
Cafeteria, Galley, Snack Shops, Etc. Permitted	No	Yes	Yes	Yes
Marinas, Boat Houses, and Other Boating Services	No	No unless government-owned	Depends on zoning district	Depends on zoning district
Other Outdoor Recreational Facilities Permitted	No	Yes-limited by zoning district	Yes-limited by zoning district	Yes-limited by zoning district
Maximum Number Camping Units per Gross Acre (may be further limited by soil suitability and septic system approval)	N/a	N/a	Maximum 15 per acre (averages 1 per 2,904 square feet of land)	Maximum 12 per acre (averages 1 per 3,600 square feet of land)
Building Setback Requirements	All permanent structures shall comply with the district in which they are located.	The perimeter setbacks shall be 30' front, 12' sides, and 30' rear. These shall be free and clear of all permanent structures, campsites, and parking areas. Required buffering shall be included within the required setback yards.	The perimeter setbacks shall be 30' front, 12' sides, and 30' rear. These shall be free and clear of all permanent structures, campsites, and parking areas. Required buffering shall be included within the required setback yards.	The perimeter setbacks shall be 30' front, 12' sides, and 30' rear. These shall be free and clear of all permanent structures, campsites, and parking areas. Required buffering shall be included within the required setback yards.

APPENDIX E. TABLE OF ZONING RESOLUTION AMENDMENTS

Resolution Number	Effective Date	Resolution Name & Brief Description
	October 28, 2013	Zoning Resolution Fully Re-Adopted as amended
15-02-06	February 23, 2015	Resolution further defining and regulating campgrounds. Expanded the campground regulations to allow for more allowable zones and types.
15-07-06	July 27, 2015	Resolution Reducing Front Yard Setbacks in Residential Zoning Districts. Reduces the Front Yard Setback in all R zones to 25' if not fronting an arterial street as per the Major Thoroughfare Plan.
15-07-07	July 27, 2015	Resolution Removing the time limit to obtain a building permit after a variance is granted. Removes the time limit for obtaining a building permit after a variance has been granted.
16-06-14	June 27, 2016	Resolution Amending the Washington County Zoning Resolution regarding Freestanding Solar Panels.
16-06-15	June 27, 2016	Resolution Amending the Washington County Zoning Resolution regarding Adult Day Cares and Traumatic Brain Injury Residential Facilities.
16-08-18	August 22, 2016	Resolution Amending the Washington County Zoning Resolution RE: Principal Structures Per Lot.
16-08-19	August 22, 2016	Resolution Amending the Washington County Zoning Resolution RE: Definition of Front Yard.
16-08-20	August 22, 2016	Resolution Amending the Washington County Zoning Resolution RE: Site Plan Requirements for Additions to Existing Buildings.
16-09-07	September 26, 2016	Resolution Amending the Washington County Zoning Resolution RE: Boones Creek Corridor Overlay District
17-05-17	May 22, 2017	Resolution Amending Washington County Zoning Resolution RE: Accessory structures in the side yard in General Agriculture Districts and Low, Medium and High Density Residential Districts
17-05-18	May 22, 2017	Resolution Amending Washington County Zoning Resolution RE: Wireless Transmission Facilities.
18-03-02	March 26, 2018	Resolution Amending the Washington County Zoning Resolution Re: 'Accessory Structures' Definition and the Requirements for These Buildings in the A-1 General Agriculture District.