ARTICLE VIII

SPECIAL EXCEPTION REGULATIONS

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8-1 ORGANIZATION

8-1.1 Principal Uses and Activities - An activity which fulfills a primary function of an establishment, institution, household, or other entity.

8-1.2 Accessory Uses - A structure or use that: *(1)* is subordinate in area, extent and purpose to the principal use; *(2)* contributes to the comfort, convenience or necessity of the principal use; and *(3)* is located on the same lot and in the same zoning district as the principal use, except as provided for under the provisions of accessory off-street parking.

8-1.3 Temporary Uses - Those land uses and/or structures that are needed or are in place for only short periods of time.

8-2 DEVELOPMENT STANDARDS FOR CONDITIONAL USES AND ACTIVITIES

8-2.1 Agricultural Uses

A. Agricultural Chemicals, Pesticides, and Fertilizers (Wholesale)

1. Setback: All structures, buildings, mechanical equipment, or enclosed areas used for the operation shall be a minimum of one hundred *(100)* feet from all property lines.

2. Noise: Equipment producing noise or sound in excess of seventy *(70)* decibels shall be located no closer than one hundred *(100)* feet to the nearest residence.

3. Dust: All unpaved storage areas shall be maintained in a manner that prevents dust from adversely impacting adjacent properties.

4. Security Fencing: Security fencing, a minimum of six *(6)* feet in height, shall be provided around all outside storage areas.

B. Agricultural Production (livestock)

1. Types of Livestock Permitted: Horses, cows, sheep, goats, and other livestock *(with the exception of hogs)*; poultry; and bees.

2. Setback: Fencing and shelters for such animals shall be not less than fifty *(50)* feet from any property line.

3. Minimum Area: The minimum lot size shall be five (5) acres.

C. Animal Feeder/Breeder

1. Setback: All structures, buildings, or enclosed areas used for housing poultry, hogs, cattle or other livestock shall be a minimum of one hundred *(100)* feet from all property lines.

2. Operation: Any violation of County Health Department regulations concerning the operation of the feeder/breeder shall be considered a violation of this Resolution.

3. Noise: Mechanical equipment producing noise or sound in excess of seventy *(70)* decibels shall be located no closer than one hundred *(100)* feet to the nearest residence.

D. Riding Academies and Commercial Stables

1. Minimum Area: The minimum area required for a riding stable shall be fifteen *(15)* acres.

2. Setback: There shall be a minimum one hundred *(100)* foot distance between manure storage areas, barns, or stables and any adjacent residentially zoned property.

3. Dust: All unpaved areas shall be maintained in a manner that prevents dust from adversely impacting adjacent properties.

8-2.2 Residential Uses

A. Bed and Breakfast Home:

1. Bed and breakfast residences shall be established only within preexisting single family residences.

2. Bed and breakfast residences shall continuously maintain current licenses and permits as required by local and state agencies.

3. Bed and breakfast residences shall be solely operated by members of the family residing in the residence.

4. The only meal to be provided to guests shall be breakfast, and it shall only be served to guests taking lodging in the facility.

5. No food preparation or cooking for guests shall be conducted within any bedroom made available for rent.

6. Rooms used for sleeping shall be part of the primary residential structure and shall not have been specifically constructed or remodeled for rental purposes.

7. Bed and breakfast residences shall be limited to a single on-premises sign which shall be no greater than eight *(8)* square feet in size, and shall be located no closer to the street, right-of-way line than fifteen *(15)* feet.

8. One off-street parking space shall be provided for each rental room in addition to the required two *(2)* spaces required for the single-family residence. All such spaces shall be screened from view from adjoining property and shall not be located within any required front yard.

9. If food is prepared or cooked, a menu made available, and a price is charged therefore, a food server's license must be obtained from the Tennessee Department of Health.

10. A smoke detector shall be installed in each sleeping room, and a fire extinguisher *(ABC)* ten *(10)* pounds in size or larger shall be installed and made easily accessible on the floor or story.

11. An evacuation plan must be approved by the county's building/fire official prior to the issuance of a use and occupancy permit for a bed and breakfast residence.

12. Minimal outward modification of the structure or grounds may be made only if such changes are compatible with the character of the area or neighborhood, and the intent of the zoning district in which it is located.

13. Prior to the issuance of a certificate of occupancy for the establishment of any bed and breakfast residence not connected to a public sewerage system, certification shall be provided by the county health department approving the subsurface disposal system as being adequate to serve the total number of bedrooms occupied.

B. Child Care Homes, Child and Child Care Centers, Child

1. Child Care Homes, Child *(Home Occupation)*:

   a. Maximum Number of Attendees: A child day care home with fifteen *(15)* or fewer attendees may be operated as a home occupation subject to the development standards for a home occupation.

   b. Open Space and Recreation: Play space and open space requirements shall be provided in accordance with the regulations of the Tennessee Department of Human Services.

   c. Security Fencing: Outdoor activity area*(s)* for children shall be enclosed as required by the Tennessee Department of Human Services.

2. Child Care Centers, Child: A child day care center with sixteen *(16)* or more attendees shall be operated as a principal use and subject to the following development standards:

   a. Where Required: In all residential and all nonresidential districts.

   b. Minimum Area: An indoor activity area shall be provided equivalent to at least twenty-five *(25)* square feet per attendee.

   c. Open Space and Recreation: Play space and open space requirements shall be provided in accordance with the regulations of the Tennessee Department of Human Services.

   d. Security Fencing: Outdoor activity area*(s)* for children shall be enclosed as required by the Tennessee Department of Human Services.

   e. Location: Centers on a site greater than three *(3)* acres shall have frontage on a collector or thoroughfare street.

C. Day Care Centers, Adult

1. As a Home Occupation:

   a. Where Required: Residential districts.

   b. Maximum Number of Attendees: An adult day care center with five *(5)* or fewer attendees may be operated as a home occupation subject to the development standards for a home occupation.

2. As a Principal Use: An adult day care center with six *(6)* or more attendees shall be operated as a principal use and subject to the following development standards.

   a. Where Required: All residential, ***C-2*** and ***C-3*** districts

   b. Minimum Area: An indoor activity area shall be provided equivalent to at least twenty-five *(25)* square feet per attendee.

c. Location: Centers on a site greater than three *(3)* acres shall have frontage on a collector or thoroughfare street.

D. <u>Group Care Facilities</u>

1. <u>Property Separation:</u> No such facility shall be located within one-quarter *(1/4)* mile of an existing group care facility or a shelter for the homeless.

2. <u>Operation:</u> The facility shall be limited to not more than thirty *(30)* persons in an ***R-40, R-3***0 and ***R-20*** District and not more than forty *(40)* persons in an ***AG-1, AG-2*** and ***RP-80*** District.

E. <u>Manufactured Dwelling *(Mobile Home)* Parks and Recreational Vehicle Parks or Campsites</u>

1. <u>General Requirements:</u> The following requirements apply to both Manufactured Dwelling Parks and Recreational Vehicle Parks.

   a. Site Plan Required: It shall be unlawful for any person to construct a new park or to make an additional or alteration to an existing park, unless a site plan for the park has been approved by the Zoning Administrator.

   b. Compliance with Subdivision Regulations: A Manufactured Dwelling Park *(but not a Recreational Vehicle Park)* shall be considered a group development and shall be subject to all procedures and standards of Robertson County Subdivision Regulations.

   c. Minimum Tract Area: The minimum park size shall be five *(5)* acres.

   d. Number of Spaces: There shall be a minimum of fifteen *(15)* spaces and a maximum of three hundred *(300)* spaces.

   e. Setback: All spaces shall be located a minimum of fifty *(50)* feet from all public streets and property lines.

   f. Number of Dwellings and Vehicles per Space: No more than one manufactured dwelling or recreational vehicle may be parked or set up on any space.

   g. Access:

      i. No space shall have direct vehicular access to a public street.

      ii. All spaces shall directly abut a private street constructed to the standards of Robertson County Subdivision Regulations with a minimum width of twenty *(20)* feet, unless more is deemed necessary because of topographical conditions or street curvature.

h. Recreational Areas and Facilities: Recreational areas and facilities to serve the needs of the anticipated population of the park shall be provided and shall consist of at least the following:

i. A play lot for pre-school children, containing a minimum size of twelve hundred *(1200)* square feet, shall be located within five hundred (500) feet of every space.

ii. One or more playgrounds for school-age children and adults, containing a minimum size of one acre per one hundred *(100)* spaces, shall be provided.

These recreation areas shall not be in an area utilized for septic tank fields.

i Manufactured Dwelling and Recreational Vehicle Sales: The sales of manufactured dwellings or recreational vehicles on a commercial basis shall not be permitted in any park.

j. Drainage and Grading of Spaces:

i. All spaces shall be located on ground above the one-hundred-year flood elevation and graded to prevent water from ponding.

ii. Each space shall be graded and grassed to prevent erosion and provide adequate storm drainage away from the manufactured dwelling or recreational vehicle pad.

iii. The slope of the surface of the stand or pad shall not exceed three percent *(3%)*.

k. Garbage and Refuse Disposal:

i. Containers: All refuse shall be stored in conveniently located, leak proof containers with tight-fitting lids. Containers shall be provided in sufficient number and capacity for proper storage of all refuse.

ii. Collection: All refuse shall be collected at least twice weekly or more often if the need is indicated.

l. Registration: It shall be the duty of the operator of the park to keep an accurate register containing a record of all occupants. The register shall contain the following information:

i. Name, address, and space number of each occupant.

ii. The date the manufactured dwelling or recreational vehicle entered the park; and

iii. The license number of each recreational vehicle and/or car, truck, etc. with state of issuance, make and type of vehicle.

The operator shall keep the register available at all times for inspection by the Enforcement Officer, law enforcement officials, public health officials, and other officials whose duties necessitate acquisition of the information contained in the register.

m. Park Manager Residence: A single family detached dwelling may be constructed for the manager of the park.

n. Pre-existing Dwellings: Pre-existing dwellings on the site may remain provided that they occupy approved spaces.

2. Manufactured Dwelling Park Requirements: The following design requirements apply only to Manufactured Dwelling Parks:

a. Minimum Manufactured Dwelling Space Size: A manufactured dwelling space shall consist of a minimum of five thousand *(5,000)* square feet and shall have a width of at least forty-five *(45)* feet at the location of the manufactured dwelling stand. Every manufactured dwelling space shall be clearly established on the ground by permanent monuments or markers.

b. Each manufactured dwelling space shall meet the following minimum requirements:

i. Provision of a manufactured dwelling stand consisting of a properly graded and compacted surface no less than thirteen *(13)* feet by sixty *(60)* feet.

ii. Provision of a patio space constructed of concrete, brick, flagstone, or other hard surface material a minimum of two hundred and forty *(240)* square feet in area.

iii. Provision of a minimum two *(2)* foot wide walkway of a dustless, all-weather surface leading from the patio to the parking spaces.

c. Building Location:

i. The manufactured dwelling shall be set back a minimum of twenty *(20)* feet from the edge of private street pavement.

ii. A minimum thirty *(30)* foot separation shall be maintained between stands. For purposes of measuring separation and setbacks, a foundation shall be deemed equivalent to a stand.

iii. No manufactured dwelling shall be placed closer than five *(5)* feet to another manufactured dwelling or closer than three *(3)* feet to the boundary of the designated space.

d. Manufactured Dwelling Additions: Prefabricated structures specifically designed by the manufacturer as extensions and any other additions meeting the Robertson County Building Code may be added to any manufactured dwelling, provided that the setback

within the space and the thirty *(30)* foot separation between stands can be met and a building permit is obtained from the County.

e. Construction and Design of Private Streets: Private streets shall meet the minimum design standards of Robertson County Subdivision Regulations.

f. Park Access Points: If a park has more than one direct access to a public street, such access points shall be no less than two hundred *(200)* feet apart and no closer than three hundred *(300)* feet to a public street intersection.

g. Parking:

   i. Two *(2)* parking spaces shall be provided within each manufactured dwelling space.

   ii. All parking spaces shall be paved or covered with four *(4)* inches of crushed stone.

   iii. No parking will be allowed on private streets less than twenty-six *(26)* feet in pavement width.

h. Landscaping: Landscaping shall be provided throughout the park with ample trees and shrubs to provide shade and break up open areas. All banks and open areas shall be grassed.

i. Dwelling Setup: Each manufactured dwelling shall be set up in accordance with the standards established by the TN Department of Insurance and a Certificate of Compliance shall be obtained.

j. Utilities:

   i. All utilities shall be installed underground except where extreme physical conditions make this requirement unreasonable.

   ii. Installation of water and sewer services for each manufactured dwelling stand shall comply with the Building Code for Plumbing.

   iii. Minimum electric service of two hundred *(200)* ampere, one hundred and twenty *(120)*-two hundred and forty *(240)* volt single phase shall be provided to each manufactured dwelling stand. The service panel and its location, as well as all wiring shall be in accordance with the National Electrical Code.

   iv. Each manufactured dwelling shall be required to connect to the utilities provided at each space.

   v. Each park shall obtain water from a public water supply when available, and when unavailable, from a source approved by the County Health Department. The water supply and pressure shall be adequate for the park requirements. Water for drinking, cooking, laundry, and general sanitary uses for

each individual manufactured dwelling shall be obtained only from faucets or other plumbing connections located within each manufactured dwelling.

vi. Each park shall be provided with an adequate sewage disposal system, either by connection to a public sewer or a septic tank constructed in compliance with the regulations of the County Board of Health. All sewage wastes from toilets, showers, bathtubs, lavatories, wash basins, refrigerator drains, sinks, faucets, and water-using appliances not herein mentioned shall be piped into the park sewage disposal system.

k. Fuel Oil Drum: Each manufactured dwelling that requires the use of fuel oil shall be furnished with an oil drum (minimum capacity of one hundred fifty *(150)* gallons) set upon a painted, prefabricated metal stand.

l. Recreational Vehicles: No recreational vehicles is permitted on manufactured dwelling spaces in a Manufactured Dwelling Park.

3. Recreational Vehicle Park Regulations: The following design requirements apply only to Recreational Vehicle Parks:

a. Minimum Space Requirements:

i. Each space shall consist of a minimum of two thousand *(2,000)* square feet.

ii. Each space shall be designated on the ground by permanent markers or monuments.

b. Setbacks: All structures, buildings, and sewage facilities shall meet the setback requirements for the district in which they are located.

c. Driveways: The park shall have all-weather driveways that directly abut all spaces and meet the minimum design standards of Robertson County Subdivision Regulations.

d. Parking: An all-weather surface area with sufficient dimensions to accommodate at least one automobile and camping vehicle shall be constructed within each space.

e. Utilities:

i. The installation, alteration, or use of all utilities including, but not limited to, electrical service, plumbing fixtures, and sewage disposal systems shall conform to all applicable codes.

ii. Water Supply:

- Each park shall obtain water from a municipal water supply when available and, when unavailable, from a source approved by the Robertson County Health

Department. The water supply and pressure shall be adequate for the park requirements.

- Areas around faucets or drinking fountains shall be properly drained.

iii. Sanitary Facilities:

- Each park shall have a central structure or structures that will provide separate toilet and bathing facilities for both sexes.

- The minimum number of facilities per sex to be provided shall follow the schedule below:

  Toilets: 1 per 15 spaces
  Urinals: 1 per 30 spaces
  (male facilities only)
  Lavatories: 1 per 15 spaces
  Showers: 1 per 15 spaces

- All toilet, shower, lavatory, and laundry facilities shall be provided and maintained in a clean, sanitary condition and kept in good repair at all times. They shall be safely and adequately lighted. Facilities shall be easily accessible to all persons and conveniently located.

iv. Sewage Disposal: Each park shall be provided with an adequate sewage disposal system, either by connection to a public sewer or a septic tank constructed in compliance with the regulations of the Department of Environment and Conservation. All sewage wastes from the park, including waste from toilets, showers, bathtubs, lavatories, wash basins, refrigerator drains, sinks, faucets, and water-using appliances not herein mentioned, shall be piped into the park's sewage disposal system.

f. Insect and Rodent Control Measures: Insect and rodent control measures to safeguard the public health shall be used in the park

g. Retail Sales: The park may contain a retail sales counter or coin operated machines for the park residents' use only, provided they are enclosed within a structure and there is no exterior advertising.

h. Permanent Sleeping Quarters: Permanent sleeping quarters for guests shall not be permitted within the park.

i. Manufactured Dwelling in Recreational Vehicle Parks: It shall be unlawful for a person to park or store a manufactured dwelling in a Recreational Vehicle Park, except that one manufactured dwelling may be located within the park for exclusive use by the park manager or operator. This manufactured dwelling shall be located in an area designated on the site plan and approved by the Zoning Administrator.

F. Migrant Labor Housing

1. Minimum Area: Each site shall contain a minimum of two *(2)* acres of land. An additional two thousand *(2,000)* square feet of land shall be required for each worker in excess of twenty *(20)* people.

2. Setback:

   a. The minimum street setback shall be one hundred *(100)* feet.

   b. The minimum interior setback shall be fifty *(50)* feet.

3. Operation:

   a. Not more than ten *(10)* people shall be housed in any one room or compartment for sleeping purposes. Rooms or compartments for sleeping shall contain a minimum of thirty-nine *(39)* square feet of floor space for each person.

   b. Separate toilet and shower facilities shall be provided for male and female workers. A minimum of one toilet and one shower shall be provided for each ten *(10)* workers.

   c. A laundry room shall be required with one wash sink of at least ten *(10)* gallons capacity for each ten *(10)* workers. Adequate clotheslines shall be provided.

   d. Dining and food service facilities shall be provided and shall contain at least twelve *(12)* square feet of floor space per worker and shall be approved by the County Health Department.

   e. All water, sewer, and sanitary facilities shall be approved by the County Health Department.

   f. All garbage and refuse shall be stored in water-tight and fly-tight receptacles. It shall be the responsibility of the title holder of the property to insure that all garbage and refuse is regularly disposed of in a sanitary manner acceptable to the County Health Department.

G. Accessory Apartments and Buildings *(Amended by Resolution 061812045 June 18,2012)*

1. Minimum Area: Each site shall meet the minimum lot size for the district it is located in plus an additional 20,000 square feet for Level IV Accessory Apartments.

2. Size of apartment: Each accessory dwelling shall have a minimum of 650 square feet and shall not exceed 1,000 square feet or fifty *(50)* percent of the first floor of the primary dwelling, whichever is greater; the structure may be dwelling only or may combine dwelling with garage, workshop, studio, or similar use.

3. Setback:

   a. The accessory dwelling shall be located in a required rear yard behind the primary dwelling.

   b. The accessory dwelling shall meet the required side and rear setbacks for the district that it is located in.

   c. The accessory dwelling shall be separated by no more than thirty-five *(35)* feet from the primary dwelling. If the structure is attached to the dwelling, it shall be connected by roof line that conforms to architectural features of the dwelling and meet all residential building codes for attached or semi-attached dwellings.

4. Sanitary Facilities:

   a. The accessory dwelling will be served by a public water supply and meet all requirements for two-family dwelling established for water utility.

   b. The accessory dwelling may be connected to the existing subsurface sewage disposal system provided the system is adequate for the total number of bedrooms in both structures. This shall be verified in writing from the Tennessee Department of Environment and Conservation.

5. Access: The accessory dwelling shall not be served by a driveway separate from that serving the principal dwelling.

6. Ownership: The accessory dwelling shall be owned by the same person as the principal dwelling.

7. Lot Coverage: The primary structure and all accessory structures shall not exceed the maximum lot coverage established for the district.

8. Code Compliance: The accessory apartment shall be constructed in compliance with all applicable building codes adopted by Robertson County, including the conversion of existing accessory buildings.

9. Fees: The property owner is responsible for the payment of all fees associated with the construction of a new residential housing unit.

10. Number of Accessory Apartments: No more than one accessory apartment shall be permitted on a single deeded lot or parcel in conjunction with the principal dwelling unit.

8-2.3 Recreational Uses

A Athletic Fields

1. All public athletic fields shall have primary access to collector or thoroughfare streets.

2. Outdoor lighting associated with the use shall not shine directly into yards of a residential use nor into the windows of a residential structure.

3. All service areas will be separated by an opaque screen from the view from any street and from abutting properties; chain link and similar fencing materials, if used, shall be planted on the exterior side.

B. Country Clubs or Golf Courses

1. Minimum Area: The minimum area shall be two *(2)* acres in addition to the golf course(s).

2. Setback: There shall be a one hundred *(100)* foot minimum setback between clubhouses, swimming pools, lighted tennis courts or athletic fields and adjacent residentially zoned property.

3. Security Fencing: Outdoor swimming pools shall be protected by a fence, or equal enclosure, a minimum of four *(4)* feet in height, and equipped with a self-closing and positive self-latching gate provided with hardware for permanent locking.

C. Golf Driving Ranges

1. Minimum Area: The minimum distance from the tees to the end of any open-air driving area shall be one thousand *(1,000)* feet. The minimum distance may be reduced if the end of the driving area is controlled with netting or other measures to prevent golf balls from leaving the driving area.

2. Security Fencing: Fencing, netting, trees, berms or other control measures shall be provided around the perimeter of the driving area to prevent golf balls from leaving.

D. Swim and Tennis Clubs

1. Minimum Area: The minimum area shall be two *(2)* acres; it shall be one acre if in an ***R-30*** or ***R-20*** District or located on common area within a development.

2. Setback: There shall be a fifty *(50)* foot minimum setback between clubhouses, swimming pools, lighted tennis courts or athletic fields and adjacent residentially zoned property.

3. Security Fencing: Outdoor swimming pools shall be protected by a fence, or equal enclosure, a minimum four *(4)* feet in height, and equipped with a self-closing and positive self-latching gate provided with hardware for permanent locking.

4. Parking: In the ***R-30*** and ***R-20*** Districts, parking shall not occur within a front street setback or side street setback.

E. Swimming Pools

1. Setback: Pools shall be located to comply with the minimum setback requirements for accessory buildings, and structures Permitted in Required Setbacks).

2. Use Separation: Pools which are not an integral part of the principal building shall be located a minimum of ten *(10)* feet from the principal building.

3. Security Fencing: Swimming pools shall be protected by a fence or equal enclosure, a minimum of four *(4)* feet in height, and equipped with a self-closing and positive self-latching gate provided with hardware for permanent locking.

F. Special Conditions for Entertainment and Group Assembly

1. No such facility shall be permitted on a zone lot, unless it contains sixty thousand *(60,000)* square feet.

2. The location, size and design of such facility shall be situated so that it will be compatible with the development within the surrounding area, thus reducing the impact upon such area.

3. No facility shall have a capacity for over one hundred *(100)* persons.

4. Each facility shall maintain a twenty *(20)* foot buffer strip between any residential area.

5. Any site lighting shall be indirect that will not illuminate the surrounding property.

6. Any proposed sign shall be limited to a monument sign no more than five *(5)* feet in height and twenty-five *(25)* square feet in surface area.

7. All off-street parking requirements of this resolution shall apply.

8. Any such facility may be considered an appropriate accessory use and structure to an existing residence so long as the existing residence serves as living quarters for persons regularly employed to provide catering and management services to the facility. The facility may be located in a separate building.

8-2.4 Governmental, Educational and Institutional Uses

A. Administrative Services

1. There must be a demonstrated need for such activities to serve the neighborhood or the total community.

2. All lot, yard, and bulk regulations of the zone district shall apply.

3. Appropriate off-street parking requirements shall apply.

4. Fencing, screening, and landscaping shall be provided as appropriate to protect surrounding properties and reduce any potential adverse impact.

5. The site and architectural plans shall be approved by the planning commission.

B. Development Standards for Cemeteries

1. The following standards shall be imposed upon the development and construction of cemeteries in Robertson County:

2. The site proposed for a cemetery shall not interfere with the development of a system of collector and larger streets in the vicinity of such site. In addition, such site shall have direct access to a thoroughfare.

3. Any new commercial cemetery shall be located on a site containing not less than twenty *(20)* acres.

4. All structures including but not limited to mausoleums, permanent monuments, or maintenance buildings shall be setback not less than twenty-five *(25)* feet from any property line or street right-of-way.

5. All graves or burial lots shall be setback not less than twenty-five *(25)* feet from any property line or street right-of-way line.

6. All required yards shall be landscaped and maintained in good order in accordance with state and local regulations.

C. Clubs or Lodges

1. Access: Except in the ***AG-1, AG-2*** and ***RP-80*** District, clubs or lodges shall have primary access to a collector or thoroughfare street.

2. Operations: Clubs or lodges shall not be open after 12:00 midnight when located adjacent to residentially zoned property.

D. Recycling Processing Centers

1. Use Separation: No such facility shall locate within a five hundred *(500)* foot radius of any residentially or public-institutionally zoned property.

2. Outside Storage: No outside storage of materials shall be permitted.

3. Operation: The facility shall be operated in a wholly enclosed building except that loading to a flatbed railcar may take place outside the building provided no materials remain on the loading area for more than twenty-four *(24)* hours.

4. Dust: All unpaved areas shall be maintained in a manner that prevents dust from adversely impacting adjacent properties.

E. Religious Facilities

1. No such facilities shall be permitted on a zone lot unless it contains double the minimum lot size except in the ***AG-1*** and ***AG-2*** Districts.

2. Location: The size and design of such facilities shall be situated on the lot so that the proposed facility will be compatible with the development within the surrounding area thus reducing the impact upon such area.

3. Setbacks: All required setbacks of the district shall be met and, in some instances, additional setbacks may be required to protect the integrity of the district.

4. Parking: Parking shall not occur within a required front yard setback. All off-street parking requirements of this resolution shall be met.

5. Accessory Use: Only one accessory building shall be allowed and it shall be set back a minimum of twenty *(20)* feet from any property line.

6. Access: Churches seating five hundred *(500)* or more persons shall have primary access to a collector or arterial street; however, churches in existence prior to the adoption of this provision are exempt from this requirement.

8-2.5 Business, Professional and Personal Services

A. Adult Entertainment Business

1. No establishment shall be located within one thousand *(1,000)* feet (measured property line to property line) of any church, school ground, college campus or park.

2. All establishments shall be located at least five hundred *(500)* feet measured property line to property line) of any other adult entertainment business.

3. No establishment shall be located within one thousand *(1,000)* feet (measured property line to property line) from any residential zoned property.

4. Prohibition of Sleeping Quarters: Except for an adult motel, no sexually oriented business may have sleeping quarters.

5. Restriction of Uses on the Same Property or in the Same Building: There shall not be more than one sexually oriented business in the same building, structure, or portion thereof. No other principal or accessory use may occupy the same building, structure, property, or portion thereof with any sexually oriented business.

6. Be in compliance with all provisions of the ***Tennessee Code, Sections 7-51-1101 through 7-51-1121***.

B. Amusement Facilities Outdoor

1. Minimum Area: Minimum lot size shall be five *(5)* acres.

2. Setback: No principal buildings or structures shall be located within fifty *(50)* feet of any property line.

3. Security Fencing: Security fencing, a minimum of six *(6)* feet in height, shall be provided along the entire boundary of the park activities.

4. Use Separation: No amusement equipment, machinery, or mechanical device of any kind may be operated within two hundred *(200)* feet of any developed residentially or public and institutionally zoned property.

C. Automobile Towing and Storage Services

1. Maximum Automotive Storage:

   a. In the ***C-3*** Restrictive Commercial District no more than twenty *(20)* motor vehicles shall be stored on the premises at any one time.

   b. In the ***C-4*** Highway Service District no more than one hundred *(100)* motor vehicles shall be stored on the premises at any one time.

2. Screening: The automotive storage area shall be surrounded by a minimum six *(6)* foot high opaque fence.

3. Operation: No outdoor disassembly or salvaging shall be permitted.

D. Banks, Savings and Loans, or Credit Unions

1. Maximum Floor Area: The gross floor area shall not exceed three thousand *(3,000)* square feet in the ***C-2*** Neighborhood Commercial District. The total direct customer service floor space shall not exceed four thousand *(4,000)* square feet in the ***C-3*** Restrictive Commercial District.

2. Drive-Thru Teller Services: Drive-thru teller services shall be prohibited in the ***C-2*** Neighborhood Commercial District. In the all other commercial districts, the point of service for window tellers, remote tellers, or automated teller machines *(ATMs)* shall be located no closer than seventy-five *(75)* feet to residentially zoned property.

E. Bars

1. Property Separation: No such establishment shall be located within one thousand *(1,000)* feet of a church, elementary or secondary school, public park, or residentially zoned property.

2. Frontage: The main entrance of the building shall be toward a street zoned predominantly for nonresidential uses.

3. Screening: A minimum six *(6)* foot high opaque fence shall be erected adjacent to the property line of abutting residences.

4. Parking: Parking areas related to the establishment shall be located no closer than thirty *(30)* feet to the property line of abutting residences.

F. Car Washes

1. Setback: Building(s) shall be not less than one hundred *(100)* feet from any interior side or rear property line which adjoins residentially zoned property.

2. Screening: A minimum six *(6)* foot high opaque fence shall be provided adjacent to all residentially zoned property.

3. Operation:

   a. All washing operations shall be contained in a building.

   b. Specific areas shall be provided for the manual drying, waxing, polishing, and vacuuming of automobiles and other motor vehicles when these services are offered on the site. These areas shall not conflict with on-site circulation patterns.

   c. Hours of operation shall be between 7:00 a.m. and 10:00 p.m. when the property adjoins developed residentially zoned property.

   d. Adequate provisions shall be made for the safe and efficient disposal of waste products.

G. Group Assembly Activities

1. The location, size, and design of such facilities shall be situated so that the proposed development shall be compatible with the development within the surrounding area thus reducing the impact upon the surrounding area.

2. The traffic generated by such facility shall be safely accommodated along major streets without traversing local minor streets.

3. The off-street parking requirements shall be based on the type of use and the needs of the use to adequately accommodate the expected groups of people.

4. The site plan for such facilities shall be approved by the planning commission taking into account the above conditions as well as any other pertinent factors related to the use and operation of such facilities.

5. When an application for a group assembly permit includes amusement parks, sports arenas, fairgrounds, racetracks, and similar recreational pursuits, the following requirements shall be observed.

   a. The minimum size site shall be twenty-five *(25)* acres.

   b. The minimum setbacks of all structures from all public roads shall be one hundred *(100)* feet.

   c. Such facility shall be situated so that no residential use is located closer than five hundred *(500)* feet from building entrance of the principal use at the time of approval.

   d. Access to such facility shall be by a paved road and such road shall be either a major arterial or major collector. Traffic shall not be directed through residential subdivisions or on minor residential streets.

e. Off-street parking shall be provided at a minimum of one 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.

f. Any lighting provided at such facilities shall be designed so that no direct light falls on adjacent residential property.

g. 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.

h. Accessory structures may be permitted which are incidental and subordinate to the principal structure. Such structure may not be located within any required setback or buffer area.

H. Shooting Ranges, Outdoor

1. Setback: No portion of the range shall be closer than three hundred *(300)* feet to any exterior property line.

2. Access: Access shall be controlled to prevent unregulated entrance to the firing area.

3. Security Fencing: Security fencing, a minimum of six (6) feet in height, shall be provided around the perimeter of the range.

4. Berms: Berms shall be of sufficient height and thickness to stop all rounds fired downrange. Elevation control is required along the shooting stands to prevent rounds from being fired over the berm.

8-2.6 Retail Trade

A. Automobile Wrecking, Junk and Salvage yards

1. All motor vehicles stored or kept in such yards shall be so kept that they will not catch and hold water in which mosquitoes may breed and so that they will not constitute a place or places in which rats, mice, or other vermin may be harbored, reared, or propagated.

2. Because of the tendency for salvage yards to promote the breeding of vermin, no such operation shall be permitted closer than one thousand *(1,000)* feet from any established residential zone.

3. All outdoor storage of salvage and wrecking operations shall be conducted entirely within an enclosed opaque fence, screen, or wall, excepting driveway areas, from eight *(8)* to twelve *(12)* feet in height. Storage between the road or street and such fence, screen, or wall is expressly prohibited. Any fence, screen, or wall for concealment shall be maintained in good condition.

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.

5. Off-Street Parking: As regulated in ***Article V.***

6. Ingress and Egress: The number of vehicular access driveways permitted on any single street frontage shall be limited to:

   a. One driveway where the parcel to be used has a maximum road or street frontage of one hundred *(100)* feet or less.

   b. Two *(2)* driveways where the road or street frontage exceeds one hundred *(100)* feet. Driveways used for ingress and egress shall be limited to twenty-five *(25)* feet in width maximum, exclusive of curb returns.

7. No automobile wrecking, junk, or salvage yard shall be permitted within three hundred *(300)* feet of any public road in Robertson County, except where a more stringent state or Federal law applies.

B. Convenience Stores *(with fuel pumps)*

1. Maximum Area: A maximum of three thousand *(3,000)* square feet of gross floor area shall be permitted per establishment.

2. Outside Storage: No outside storage of materials shall be permitted.

3. Fuel Service Islands/Pumps: There shall be no more than one fuel service island containing no more than four (4) fuel pumps.

4. Property Separation: In the ***C-2*** Neighborhood Commercial District, no such use shall be located within three-quarters *(¾)* mile of another such use.

C. Convenience Stores *(without fuel pumps)*

1. Maximum Area: A maximum of three thousand *(3,000)* square feet of gross floor area shall be permitted per establishment.

2. Outside Storage: No outside storage of materials shall be permitted.

D. Flea Markets, Outdoor

1. Setback: No building, structure or sales area shall be located in any required setback.

2. Operation:

   a. Off-street parking shall be provided as required in ***Article V***, (Parking Requirements) for retail sales.

   b. No more than twenty-five percent *(25%)* of the stalls or sales areas shall be used for the sale of goods at retail by businesses or individuals who are generally or traditionally engaged in retail trade.

8-2.7 Wholesale Trade

A. Petroleum and Petroleum Products (wholesale)

1. Setback:

   a. Storage tanks protected by either an attached extinguishing system approved by the Fire Marshal, or an approved floating roof, shall not be located closer to an exterior property line than a distance equal to the greater dimension of either the diameter or height of the tank, except that such distance need not exceed one hundred and twenty *(120)* feet.

   b. Storage tanks not equipped as indicated in 1) above shall not be located closer to an exterior property line than a distance equal to one and one-half *(1 ½)* times the greater dimension of either the diameter or height of the tank, except that such distance need not exceed one hundred and seventy-five *(175)* feet.

2. Use Separation: Storage tanks and loading facilities shall be located a minimum of five hundred *(500)* feet from any existing residence or residentially zoned property.

3. Access: Gravel or paved roadways shall be provided to all storage tanks.

4. Security Fencing: Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of such facilities.

5. Dikes:

   a. Tanks or groups of tanks shall be diked to prevent the spread of liquid onto other property, waterways, or drainage ways. The volumetric capacity of the diked area shall not be less than the capacity of the largest tank within the diked area.

   b. Dikes or retaining walls shall be of earth, steel, concrete, or solid masonry designed and constructed to be liquid-tight and to withstand a full hydraulic head. Earthen dikes three *(3)* feet or more in height shall have a flat section at the top not less than two *(2)* feet in width. The slopes shall be consistent with the angles or repose of the material of which the dikes are constructed. Dikes shall be restricted to an average height of not more than six *(6)* feet above the exterior grade unless means are available for extinguishing a fire in any tank. Dikes enclosing such tanks shall be provided at the top with a flareback section designed to turn back a boil-over wave. A flareback section shall not be required for dikes and walls enclosing approved floating roof tanks. No loose combustible material, drums, or barrels shall be permitted within the diked area.

   c. Where provision is made for draining rainwater from diked areas, such drains shall normally be kept closed and shall be designed so that when in use they will not permit flammable liquids to enter

natural watercourses, public sewers or public drains. Where pumps control drainage from the diked area, they shall not be self-starting.

6. Tank Maintenance:

   a. All storage tanks shall be maintained in a leak-proof condition with an adequately painted, rust-free exterior surface.

   b. A firm substrate shall be constructed under each storage area to eliminate differential subsidence and to prevent the product from seeping.

7. Operation: The product shall be sold in the same form as received and shall not be altered, except that two *(2)* or more products may be blended. Any other alteration of the product shall be deemed a manufacturing use, requiring approval of a Special Use Permit.

8. Storage: All storage facilities shall comply with the latest edition of the "Flammable and Combustible Liquids Code, NEPA 30" of the National Fire Protection Association.

8-2.8 Transportation, Warehousing and Utilities

A. Airports

1. Minimum Area: Fifty *(50)* acres for Basic Utility Stage 1 airport with two thousand *(2,000)* foot runway. More area is required for larger airports. Airport size and layout shall conform to current *FAA* requirements.

2. Use Separation: There shall be a minimum one hundred *(100)* foot distance between any airport building and the nearest property line.

3. Security Fencing: Security fencing shall be provided sufficient to control access to runways and taxiways. The fencing shall be a minimum six *(6)* feet in height.

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

5. There shall be sufficient distance between the end of each usable landing strip and the airport boundary to satisfy the requirements of the Federal Aviation Agency. If air rights or easements have been acquired from the owners of abutting properties in which approach zones fall, proof thereof shall be submitted with the application.

6. Off-street parking required: one space for every plane space within the hangars, plus one space for every tie-down space, plus one for every two *(2)* employees. Any airport in existence at the time of enactment of this provision shall be exempt from this provision.

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

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

B. Transmission and Communication Towers and Stations

1. All towers with a height of one hundred fifty *(150)* feet *(from base to top)* or more shall be constructed in accordance with Electronic Industries Association *("EIA")* Standard 222E-1991, utilizing a wind rating of eighty *(80)* miles per hour plus ice loading for Robertson County, Tennessee. Each application for a building permit shall be accompanied by a certification by a professional engineer licensed in the State of Tennessee and competent in such design.

2. A site plan in compliance with ***Article XI, Sections 11-3.3***, shall be approved by the Planning Commission prior to the issuance of a building permit.

3. All towers shall be set back from all property lines by a distance that is equal to:

   a. for a guyed tower, twenty *(20)* percent of the height, and

   b. for a self-supporting tower, fifty *(50)* percent of the height.

4. All applications for permits to build towers in Robertson County must be accompanied with a "Determination of No Hazard" from the Federal Aviation Administration, as well as all required Federal Communications Commission permit information.

5. The entire tract containing the tower and equipment shall be enclosed with a fence no shorter than six *(6)* feet in height. Access gates will be locked at all times when the site is not occupied.

6. Where the tower site abuts or is contiguous to any residential district, there shall be provided a continuous, solid screening, and it shall be of such plant material as will provide a year-round evergreen screening. Screening, as required herein, shall not be less than four *(4)* feet in height at the time of planting, and shall be permanently maintained.

7. All towers that require marking or lighting shall be done incompliance with Federal Aviation Administration regulations, but no tower shall be lighted from dusk to dawn by any form of white flashing light unless required by the Federal Aviation Administration.

C. Solar Energy Systems (Major) *(Amended by Resolution 122021139, December 20, 2021)*

1. Minimum Lot Area**:** Solar Energy System shall be located on sites that contain a minimum of ten (10) acres in either one tract or combination of sites.

2. Setbacks: No portion of a solar energy system shall be located closer than **150** feet from adjoining property lines that are not part of the site.

3. Buffering: Each site shall provide a landscape buffer strip as defined in *Section 2-2 of this Resolution* adjacent to all residential land uses. The buffer strip shall be shown on all site plans presented to the Planning Commission and Board of Zoning Appeals. Any alternative screening plan will need approval from the Planning Commission and Board of Appeals.

4. Light Reflection**:** It is recommended that all photovoltaic *(PV)* systems use nonreflective glass that are designed to absorb rather than reflect light. All plans for *(SES)* must include a *Visual Impact Analysis* of the site on the surrounding area.

5. Site Vegetation: All site plans shall include vegetation plan for the entire site detailing the type of ground cover to be used on the site. Large scale removal of existing mature trees on the site is discouraged, and any plans for this type of removal shall include a mitigation plan approved by the Planning commission. It is recommended that any vegetation not used for crop production or pasturing be planted with native perennial vegetation.

6. Fencing**:** All sites are required to have a minimum eight *(8)* foot fence surrounding the solar panels and all other equipment associated with the facility. Signage marking the facility must be clearly visible on all sides of the fence.

7. Power and Communication Lines: All power and communication lines on the site shall be located underground. Alternative plans may be approved by the Planning Commission where topography, geological conditions or other elements make compliance not feasible. In approving an alternative plans site aesthetics shall be considered.

8. Stormwater Management: Each site shall provide a stormwater management plan as part of the required site plan approval process. For the purpose of this provision the solar panel collector surface shall not be considered as an impervious surface providing that the area under the panels is planted with vegetation.

9. Height Requirements: Solar panels shall not exceed twenty *(20)* feet in height when oriented at maximum tilt.

10. Lighting: All lighting on the *(SES)* shall be for security and safety purposes only.

11. Code Compliance: All *(SES)* shall comply with all state and local adopted building codes and well as the National Electrical Code.

12. Decommissioning Plan: a decommissioning plan shall be filled with the County that ensures the facilities are properly removed after their useful life. Decommissioning of solar panels must occur in the event they are not used for twelve *(12)* consecutive months. The plan shall include provisions for the removal of all structures, foundations electrical equipment and internal or perimeter access roads to a depth of four (4) feet, restoration of soil and vegetation and a plan ensuring financial resources will be available to fully decommission the site. The applicant

shall submit a financial guarantee in the form of a **non-cancelable bond** in favor of the County equal to one hundred twenty-five *(125)* percent of the cost to meet the requirements of the decommissioning plan.

D. Solar Energy Systems (Accessory) ***(Amended by Resolution 122021139, December 20, 2021)***

1. Limit: No lot or tract shall contain more than one Solar Energy System *(SES)*.

2. Height**:** Building or roof mounted *(SES)* shall not exceed the maximum allowed height for the district it is located in. Ground or pole mounted SES shall not exceed twenty-five *(25)* feet in height.

3. Location: No *(SES)* shall be located in a front yard and comply with Accessory Building requirements for side and rear yards.

4. Code Compliance: All *(SES)* shall comply with all local adopted building codes and well as the National Electrical Code.

5. Approved Solar Components: Electric solar system components must have documentation that the products have been independently tested for compliance to a Nationally Recognized Electric Code.

6. Utility Notification: No grid-intertie photovoltaic system shall be installed until evidence has been given to the Department that the owned has notified the utility company of the customer's intent to install an interconnected customer-owned generator.

E. Small Wind Energy Systems (SWES): ***(Amended by Resolution 122021139, December 20, 2021)***

SWES shall be a permitted use by right in all zoning districts, subject to the requirements set forth in this Section. Small energy systems include both pole and roof mounted systems.

1**.** Wind Turbine Height**:** Height shall be limited to a maximum height 0f 100 feet for tower mounted turbines. Roof mounted turbines are allowed a maximum height of fifteen (*15)* feet above the maximum height allowed in the zoning district.

2. Setback: No wind turbine shall be located closer than 1,000 feet from adjoining property lines and setback one hundred fifty *(150)* feet from any public maintained road.

3. Permit Requirements: A zoning compliance permit and building permit is required for all *(SWES)*. Applications shall be accompanied by standard drawings of the wind turbine structure, including the tower, base and footings. All drawings shall be stamped by a licensed Tennessee professional engineer .

4. Compliance with FAA Regulations: All *(SWES)* shall comply with all appliable FAA regulations and the provisions established in *Section 7-3 Airport Zoning Provisions* of this Resolutions.

5. Utility Notification**:** No *(SWES)* shall be permitted until evidence is provided that local utility provider has been informed of the owner's intent and approved such plans. Systems that will not be connected to the grid are exempt from this requirement.

6. Visual Appearance: Towers shall not be painted in colors that would draw attention or stand out from the surrounding environment. No wind tower shall have any signage, writing, drawings or pictures on the tower at any time. In addition, no flags, streamers or decorative items may be attached to the tower or turbine at any time.

7. Removal of Defective or Abandoned Systems**:** Any wind energy system that is not functional shall be repaired or removed by the owner. A system is considered abandoned if it is not functional or operated for a period of six *(6)* months.

F. Large Wind Energy Systems (WES): *(Amended by Resolution 122021139, December 20, 2021)*

Large wind energy systems may be permitted in the ***AG-1***, ***AG-2***, ***I-1***, ***I-2*** and ***I-3*** zoning districts as a *"Special Exception"*. All proposed systems shall receive approval from the Board of Appeals prior to presenting a Site Plan in compliance with *Section 11-3.3* for approval by the Planning Commission.

1. Total Height: Total height of the WES is measured at the highest point, above ground level, reached by a rotor tip or any other part of the system. All *(WES)* must be less than 200 feet in total height unless a variance is granted by the Board of Zoning Appeals. The rotor blades must maintain a twenty-five *(25)* foot clearance between the lowest point and the ground.

2. Setback: No wind turbine shall be located closer than 1,000 feet from adjoining property lines and setback from any public maintained road a minimum of the height of the *(WES)* plus fifty *(50)* feet.

3. All parts of the system meet accepted design

   a. All *(WES)* must be designed by an accepted Tennessee licensed engineer that shall certify that certifies that the system meets all accepted professional standards.

   b. All structures using a tower as the support structure must be designed against unauthorized climbing. The first twelve *(12)* feet shall be unclimbable by design and enclosed by an eight *(8)* foot high fence with secured access.

4. Compliance with FAA Regulations**:** All *(WES)* shall comply with all appliable FAA regulations and the provisions established in *Section 7-3 Airport Zoning Provisions* of this Resolutions.

5. Noise: The *(WES)* shall provide a Noise Impact statement detailing the noise generated at the property line of the facility. In cases where the system is located near developed residential and commercial areas noise abatement may be required by the Planning Commission.

6. Feeder Lines: All feeder lines used to collet power from individual turbines and associated communication lines shall be buried underground.

7. Visual Appearance: Towers shall not be painted in colors that would draw attention or stand out from the surrounding environment. No wind tower shall have any signage, writing, drawings or pictures on the tower at any time. In addition, no flags, streamers or decorative items may be attached to the tower or turbine at any time.

8. Decommissioning: All applications for approval of a *(WES)* shall be accompanied by a decommissioning plan to ensure that the facilities are properly removed after their useful life or should the facility be phased out or closed. A *(WES)* shall be considered a discontinued use after one *(1)* year without energy production, unless a plan is developed and submitted to the County outlining the steps and schedule for returning the *(WES)* to service. The decommissioning plan shall be completed within one hundred twenty *(120)* days and include provisions for removal of all structures, foundations and the restoration of soil and vegetation. A cost estimate prepared by a competent party acceptable to the county shall be filled prior to the start of any construction. At the time the *(WES)* is approved by the Planning Commission it may require that the posting of a bond, letter of credit or the establishment of an escrow account to ensure that adequate funds are available to ensure proper decommissioning.

9. Compliance with State and Local Regulations: In addition to the provisions established above all (WES) shall comply with T*ennessee Code Annotated, Title 65 Public Utilities and Carriers, Chapter 17 Wind Energy Facility Siting.*

8-2.9 Manufacturing and Industrial Uses

A. Ammunition, Small Arms

1. Use Separation: No such facility shall locate within a five hundred *(500)* foot radius of any residentially or public and institutionally zoned property.

2. Security Fencing: Security fencing shall be provided along the entire boundary of such a facility.

3. Operation: The facility and its operation shall observe all Fire Prevention and Protection requirements.

B. Asphalt Plants

1. Setback: Any asphalt plant operations shall be located at least fifty *(50)* feet from any property line.

2. Security Fencing: Security fencing, a minimum of six (6) feet in heights, shall be provided around the perimeter of the operation.

3. Rehabilitation:

a. Within one year after the cessation of production, all equipment and stock piles incidental to such operation shall be dismantled and removed by and at the expense of the owner.

b. The site shall be drained to prevent the accumulation of standing water, and channelization of the drainage shall be designed and controlled so as not to cause erosion or silting of neighboring properties or public drainage ways, not to appreciably increase the turbidity of any natural water course, or to occlude any existing drainage course.

4. Dust: All unpaved storage areas shall be maintained in a manner that prevents dust from adversely impacting adjacent properties.

5. Access:

a. Access roads leading to any part of the operation shall be constructed with a gravel or asphalt stone surface and maintained in a dust-free manner.

b. Access roads shall be located no closer than fifteen *(15)* feet to any property line other than a railroad right-of-way line.

c. A plan shall be submitted showing truck routes to and from the site. Such routes shall be designed to minimize impacts on residential areas, schools, or other uses negatively affected by truck traffic. Such routes shall be adhered to.

C. Mining and Quarrying Activities

1 The location of such an activity shall be in an area sparsely developed .during the length of time the mining or quarrying activity is anticipated:

2. Any permit issued hereunder shall be based on a site plan or other documents submitted with an application which shall provide for 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)* foot intervals.

b. Location of the area in which the proposed quarrying activity is to be conducted.

c. Location of all proposed buildings, crusher and screening equipment, roadways and other facilities proposed on the site.

d. Proposed method of drainage of the quarry area.

e. Proposed fencing of the quarry area. Fencing shall be provided around all open excavations.

f. Methods proposed for blasting. Open blasting commonly referred to as "pop shots" shall be prohibited.

g. Methods proposed to control noise, vibration and other particulate matter.

h. Finished contours of the site after the quarrying operation have been terminated. The site shall be graded and/or filled so as to be in substantial conformity with the topography of the surrounding lands. All fill material shall be nontoxic, nonflammable, and noncombustible solids. All areas that are backed-filled shall be left so that adequate drainage is provided.

3. Approval for mining and quarrying activity may also include accessory concrete batching plants, asphalt cement mixing plants and/or rock crushing activities on the same zone lot or adjoining zone lots which may have directly opposing frontages on the same public street. If such accessory activities are included on the quarry site, the total site must meet all the special condition requirements for mining and quarrying activities; however, in conditions of multiple zone lots, the outer perimeter of the site shall be considered the lot line.

4. Before issuing a permit the Board shall require the owner of the quarry facility to execute a bond in an amount to be determined by the planning commission per acre of active quarry throughout a five *(5)* year period to restore the lands in the manner prescribed herein, including the removal of all structures and machinery.

5. Any permit issued hereunder shall not be for a period exceeding five *(5)* years. After the expiration date of such special permit, the Board may review and grant an extension of time in the manner and procedure as prescribed for an original application.

6. The site plan is first approved by the planning commission taking into account the above conditions as well as any other factors related to the use and operation of such facilities.

8-2.10 Temporary Uses

A. Asphalt Plants

1. Setback: Any asphalt plant operations shall be located at least fifty *(50)* feet from any property line.

2. Security Fencing: Security fencing, a minimum of six *(6)* feet in heights, shall be provided around the perimeter of the operation.

3. Rehabilitation:

a. Within one year after the cessation of production, all equipment and stock piles incidental to such operation shall be dismantled and removed by and at the expense of the owner.

b. The site shall be drained to prevent the accumulation of standing water, and channelization of the drainage shall be designed and controlled so as not to cause erosion or silting of neighboring properties or public drainage ways, not to appreciably increase the

turbidity of any natural water course, or to occlude any existing drainage course.

4. Dust: All unpaved storage areas shall be maintained in a manner that prevents dust from adversely impacting adjacent properties.

5. Access:

   a. Access roads leading to any part of the operation shall be constructed with a gravel or asphalt stone surface and maintained in a dust-free manner.

   b. Access roads shall be located no closer than fifteen *(15)* feet to any property line other than a railroad right-of-way line.

   c. A plan shall be submitted showing truck routes to and from the site. Such routes shall be designed to minimize impacts on residential areas, schools, or other uses negatively affected by truck traffic. Such routes shall be adhered to.

B. Temporary Dwelling Unit in Cases of Special Hardship

1. In any residential district, a temporary use permit may be issued to place a mobile home temporarily on a lot where the principal structure was destroyed by fire, explosion or natural phenomena. The purpose of such temporary placement shall be to provide shelter for only the residents of the principal structure during the period of reconstruction and to prevent an exceptional hardship on the same. Placement of such temporary structure must not represent a hazard to the safety, health, or welfare of the community.

2. An applicant for a temporary use permit as provided under this subsection must produce a written statement from the appropriate regulatory authority approving the water supply and sewage disposal systems of the temporary structure. Such a permit may be initially issued for nine *(9)* months. A permit may be renewed for up to six *(6)* months at a time, the total time for all permits not exceeding a total of twenty-four *(24)* months.

8-2.11 Accessory Uses

A. Accessory-Agricultural Occupations

1. Property must be located in an Agricultural District and meet minimum lot size and dimensional requirements for the district.

2. No proposed use shall occupy more than one accessory building with a total square footage not to exceed three thousand *(3,000)* square feet.

3. Accessory buildings may not be altered so that the character of agricultural function is not maintained.

4. Any site within one hundred *(100)* feet of any residential structure on any adjoining lot shall maintain a twenty-five *(25)* foot buffer between the residential structures.

5. Provide an adequate parking area in compliance with ***Article V***, of this resolution.

6. Any proposed sign shall be limited to one ground graphic no more than five *(5)* feet in height and twenty *(20)* square feet in setback, a minimum of eight *(8)* feet from the right-of-way.

7. No outside storage of goods or materials shall be visible from any public road. Uses involving the storage, transfer or disposal of hazardous materials shall not be permitted.

8. All automobiles or trucks parked on the site are required to have a current registration and license plates.

B. <u>Group Assembly Activities</u>

1. The location, size, and design of such facilities shall be situated so that the proposed development shall be compatible with the development within the surrounding area thus reducing the impact upon the surrounding area.

2. The traffic generated by such facility shall be safely accommodated along major streets without traversing local minor streets.

3. The off-street parking requirements shall be based on the type of use and the needs of the use to adequately accommodate the expected groups of people.

4. The site plan for such facilities shall be approved by the planning commission taking into account the above conditions as well as any other pertinent factors related to the use and operation of such facilities.

5. When an application for a group assembly permit includes amusement parks, sports arenas, fairgrounds, racetracks, and similar recreational pursuits, the following requirements shall be observed.

    a. The minimum size site shall be twenty-five *(25)* acres.

        i. The minimum setbacks of all structures from all public roads shall be one hundred *(100)* feet.

        ii. Such facility shall be situated so that no residential use is located closer than five hundred *(500)* feet from building entrance of the principal use at the time of approval.

        iii. Access to such facility shall be by a paved road and such road shall be either a major arterial or major collector. Traffic shall not be directed through residential subdivisions or on minor residential streets.

iv. Off-street parking shall be provided at a minimum of one 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.

v. Any lighting provided at such facilities shall be designed so that no direct light falls on adjacent residential property.

vi. 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.

vii. Accessory structures may be permitted which are incidental and subordinate to the principal structure. Such structure may not be located within any required setback or buffer area.

C. <u>Home Occupation.</u>

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

1. The home occupation shall be conducted only inside the dwelling and one accessory building or garage on the site.

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

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

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

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

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

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

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

D. Special Conditions for Small Animal Boarding and Housing

a. No facility shall be permitted in Agricultural district that does not meet minimum lot size or in a Residential district that contains less than 60,000 square feet.

b. No building for housing or boarding animals shall be located no closer than three hundred *(300)* feet from any adjacent residential structures.

c. The location, size and design of such facility shall be situated so that it will be compatible with the development within the surrounding area, thus reducing the impact upon such area. The Board shall have the authority to require that any building used for these purposes be soundproofed to building code requirements.

d. All kennel buildings shall be connected to some type of sanitary sewage disposal system which shall include all outdoor runs.

e. All outdoor runs shall have a minimum six *(6)* foot fence with a cover or netting that prohibits escape or entrance. These runs shall have a hard surface that will allow for easy cleaning.

f. Each facility shall maintain a thirty *(30)* foot buffer strip between any developed residential lot and when deemed appropriate by the board provide a tight evergreen buffer.

g. Any site lighting shall be indirect that will not illuminate the surrounding property.

h. Any proposed sign shall be limited to a monument sign no more than five *(5)* feet in height and ten *(10)* square feet in surface area.

i. All off-street parking requirements of this resolution shall apply and the parking areas shall be constructed to meet ADA requirements.

j. Any such facility may be considered an appropriate accessory use and structure to an existing residence so long as the existing residence serves as living quarters for persons regularly employed to provide catering and management services to the facility. The facility may be located in a separate building.