

**ZONING RESOLUTION**  
**OF**  
**ANDERSON COUNTY, TENNESSEE**



**As Adopted March 21, 1977**

**Amended December 17, 2015**

## PREFACE

Applications for the Anderson County Board of Zoning Appeals and Regional Planning Commission may be obtained from the Anderson County Department of Engineering and Public Works, which is located in Suite 127 of the Anderson County Courthouse (100 N. Main Street, Clinton, TN 37716). You may also request an electronic version of the applications (in Microsoft Word format) via e-mail at [andersontn.org](mailto:andersontn.org).

The Anderson County Board of Zoning Appeals meets on the second Tuesday of each month at 5:30 PM. Applications must be received no later than 12:00 PM on the 14<sup>th</sup> day prior to the meeting. Copies of the agenda are available from the Anderson County Department of Engineering and Public Works (agendas are available 10 days prior to the meeting).

The Anderson County Regional Planning Commission meets on the second Tuesday of each month at 6:30 PM. Applications must be received no later than 12:00 PM on the 14<sup>th</sup> day prior to the meeting. Copies of the agenda are available from the Anderson County Department of Engineering and Public Works (agendas are available 10 days prior to the meeting).

Potential zoning violations or concerns should be reported to the Environmental Enforcement Officer.

## CONTACTS

Terry Frank, Mayor	(865) 457-6200
Anderson County Board of Commissioners (Mary Murphy, Executive Secretary)	(865) 463-6866
David Crowley, Director Of Public Works Building Commissioner	(865) 463-6870
Anderson County E-911 Board	(865) 463-8160
State of Tennessee Local Planning Assistance Office	(865) 594-6666
Jay Yeager, Anderson County Law Director	(865) 457-6290
Gary Long, Highway Superintendent	(865) 463-6835
Tennessee Department of Environment and Conservation, Groundwater Division (Septic Tank permitting and Subdivision Plat review)	(865) 425-8777
Planning Commission and Board of Zoning Appeals	(865) 457-6244

The following table shows the results of the regression analysis. The dependent variable is the natural logarithm of the number of employees. The independent variables are the natural logarithm of the number of sales, the natural logarithm of the number of assets, and the natural logarithm of the number of liabilities. The regression coefficients are shown in the table below.

Variable	Coefficient
ln(Sales)	0.85
ln(Assets)	0.15
ln(Liabilities)	0.05
Constant	2.50

The regression results indicate that the number of employees is positively related to the number of sales, assets, and liabilities. The coefficient on the sales variable is the largest, suggesting that sales are the most important determinant of employee numbers. The coefficient on the assets variable is also positive, but smaller than the sales coefficient. The coefficient on the liabilities variable is positive and smaller than the assets coefficient. The constant term is positive and significant.

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## Article 1: General Provisions

### Division 05: General Provisions

#### Sec. 010-010. Title.

This resolution shall be known as The Zoning Resolution of Anderson County, Tennessee, adopted 1977 (Zoning Resolution). The zoning map shall be referred to as The Zoning Map of Anderson County, Tennessee (Zoning Map), and all explanatory matter thereon is hereby adopted and made a part of this resolution.

#### Sec. 05-020. General Purpose.

The zoning regulations and districts as herein set forth have been made in accordance with a comprehensive plan for the purpose of promoting the public health, safety, morals, convenience, order, prosperity, and general welfare of Anderson County. They have been designed to lessen congestion in the streets; to secure safety from fires, flood, panic and other danger; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population, sewerage, schools, parks, and other public requirements. They have been made with reasonable consideration among other things, as to the character of each district and its particular suitability for particular uses, and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout Anderson County.

#### Sec. 05-030. Authority.

A resolution, in pursuance of the authority granted by Tennessee Code Annotated (TCA) §§13-7-101 – 13-7-117, to regulate, in the portions of Anderson County, Tennessee which lie outside of municipal corporations, the location, heights, and size of buildings and other structures; the percentage of lot which may be occupied; the sizes of yard, courts, and other open spaces; the density and distribution of population; the uses of buildings and structures for trade, industry, residence, recreation or other purposes; and the uses of land for trade, industry, residence, recreation, agriculture, forestry, soil conservation, water supply conservation or other purposes.

#### Sec. 05-040. Interpretation.

Where the conditions imposed by a provision of this resolution are less restrictive than comparable conditions imposed by any other provision of this resolution or any other resolution or regulation, the provisions which are more restrictive shall govern.

#### Sec. 05-050. Severability.

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

#### Sec. 05-060. Amendments to the Resolution.

The regulations and the number of boundaries of districts established by this resolution may be amended, supplemented, changed, modified or repealed by the Anderson County Board of Commissioners (Board of Commissioners), in accordance with the Tennessee Enabling Legislation. No amendment shall become effective unless it is first submitted to and approved by the Planning Commission or, if disapproved, shall receive a majority vote of the entire membership of the Board of Commissioners. Before finally adopting any such amendment, the Board of Commissioners shall hold a Public Hearing



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thereon, providing at least 15<sup>1</sup> days notice of the time and place of which shall be given by at least one publication in a newspaper of general circulation in the county. <sup>2</sup>A complete summary of such amendment shall be published at least once in a newspaper of general circulation in the county. The summary shall include a statement that a complete copy of the amendment is available and where such copy may be obtained.

### **Sec. 05-070. General Lot Restrictions.**

The following general lot restrictions shall be applied within all districts.

- A. One Principal Structure for Each Lot: Only one principal building and its customary accessory buildings may be erected on any lot, unless otherwise provided in this code.
- B. <sup>3</sup>Building Lots Must Abut Public Road: No building shall be erected on a lot which does not abut one public road for at least 25 feet, unless: 1) a permanent access easement for one primary structure was granted by a recorded deed for an ingress and egress to a county, state, federal, or public road, before the Zoning Resolution was adopted in 1977 or 2) the requirements for Joint Permanent Easement are met as set forth in Article 3 Section 045-080 of this document.
- C. Reductions in Lot Area Prohibited:
  - 1. No lot, nor one or more adjacent lots of record, shall be reduced in area so that the requirements of this resolution are not maintained, unless a portion of a lot is acquired for a public purpose.
  - 2. No yard or other open space provided about any building for the purpose of complying with these regulations shall be considered as providing yard or other open space for any other building.
  - 3. <sup>4</sup>A lot may be reduced to 7,500 square feet only if public water and public sewer are provided to the residential building site.
- D. Rear Yard Abuts a Public Road: No structure shall be located within the 25 feet setback line for front or rear yards abutting a public road.

### **Sec. 05-080. 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 access, the following regulations shall apply:

- A. Point of vehicular access onto street: maximum 30 feet width. All points of access shall be constructed to provide proper drainage and ensure adequate provision is available so backing movements onto or off of a public thoroughfare is not necessary.
- B. There shall be no more than 2 points of access to any one public street for each 400 feet of lot frontage or fraction thereof. Lots less than 100 feet in width shall have no more than one point of access to any one public road.
- C. No point of access shall be allowed within 10 feet of any public intersection.
- D. No curbs on county roads or right-of-way shall be cut or altered without written approval of the Anderson County Highway Superintendent.
- E. Variance requests shall be heard and acted upon by the Board of Zoning Appeals, provided that the arrangement would not require vehicles back directly into a public street.

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<sup>1</sup>4/21/97

<sup>2</sup>3/20/00

<sup>3</sup>7/18/83

<sup>4</sup>4/20/87

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**Sec. 05-090. Agricultural Uses.**

Agricultural uses and structures are not restricted pursuant to TCA §13-7-114. Any agricultural use including accessory buildings such as barns, silos, feed troughs, irrigation systems and similar structures also are not restricted. Furthermore, building permits shall not be required as long as the structure and use is associated with an identifiable farm as delineated in the tax system.

**Sec. 05-100. Vision at Road Intersection**

On a corner lot in any district, within the area formed by the center lines of the intersecting or intercepting roads and a line adjoining points on such center lines at a distance of 75 feet from their intersection, there shall be no obstruction to vision between the height of 3½ feet and a height of 10 feet above the average grade of each road at the centerline thereof. The requirements of this section shall not be construed to prohibit any necessary retaining wall.

**Sec. 05-110. Accessory Use Regulations**

The use of land, buildings and other structures permitted in each of the districts established by this resolution are designated by listing the principal uses. In addition to such principal uses, accessory uses which are customarily incidental to the permitted uses are also permitted in each district. Each accessory use shall:

- A. Be customarily incidental to the principal use established on the same lot.
- B. Be subordinate to and serve each principal use.
- C. Be subordinate in area, intent and purpose to such principal use.
- D. Contribute to the comfort, convenience or necessity of such principal use.

**Sec. 05-120. Nonconforming Uses**

It is the intent of this resolution to recognize the elimination, as expeditiously as is reasonable, of the existing buildings and structures or uses that are not in conformity with the provisions of this resolution. It is also the intent of this resolution to so administer the elimination of nonconforming uses, buildings and structures as to avoid unreasonable invasion of established private property rights. Lawful nonconforming uses, buildings and structures existing at the time of the passage shall be allowed to remain, subject to the following provisions:

- A. An existing nonconforming use of a building may be changed to a conforming use or to another nonconforming use of the same or higher classification, provided, however, that establishment of another nonconforming use of the same or higher classification shall be subject to the written approval of the Board of Zoning Appeals and subject to such conditions as the Board may require in order to protect the area.
- B. <sup>5</sup>When a nonconforming use of any structure or land, excepting nonconforming mobile home parks, has been discontinued for a period of 6 months, it shall not be reestablished or changed to any use not in conformity with the provisions of this ordinance. Immediately upon the discontinuance of a nonconforming mobile home park, the nonconformity of such use of land shall lapse.
- C. Any nonconforming building or nonconforming use which is damaged by fire, flood, wind, or other act of God or man, may be reconstructed and used as before, if it be done within 6 months of such damage.

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<sup>5</sup> 5/17/82

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- D. A nonconforming building or building housing nonconforming use shall not be structurally altered except in conformance with the provisions of this resolution. These provisions shall not be construed to prevent normal maintenance and repairs or alterations required for structural safety.

**Division 10: Definitions.**

**Sec. 010-010. Scope.**

For the purpose of this resolution and in order to carry out the provisions and intentions as set forth herein, certain words, terms, and phrases are to be used and interpreted as defined hereinafter. Words used in the present tense shall include the future tense; words in the singular number shall include the plural and words in the plural number include the singular; the word "person" includes a firm, partnership or corporation as well as an individual; the term "shall" is always mandatory and not directory; the word "may" is permissive. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied."

**Sec. 010-020. Definitions**

The following words, terms, and phrases are hereby defined as follows and shall be interpreted as such throughout this resolution. Terms herein shall have the meaning customarily assigned to them.

**ACCESSORY BUILDING:** A subordinate building, the use of which is incidental to that of the main building and located on the same lot as the main building. <sup>6</sup>A mobile home may not be used as an accessory building.

**ACCESSORY USE:** A use customarily incidental, appropriate and subordinate to the principal use of land or buildings and located upon the same lot as the principal use.

<sup>7</sup>**ADULT ORIENTED BUSINESSES:** An adult oriented business is one in which:

- At least 80% of the floor stock merchandise, whether printed, video, or sexual aid devices, are oriented toward the adult population and appeals to prurient interests. Said merchandise generally depicts male or female genitalia and/or breasts and/or sexual acts;
- the business appeals to prurient interests by offering male or female dancers, models, waiters, waitresses, or bartenders either nude, seminude, and/or exposing directly by lack of covering or clothing or transparently by the use of materials such as falsies, g-string or similar items/articles which allows the direct or indirect viewing of human genitalia, or breasts as an attraction to the establishment.

**ALLEY:** A minor right-of-way, dedicated to public use, which affords a secondary means of vehicular access to the back or side properties otherwise abutting a street, and which may be used for public utility purposes.

**AREA, BUILDING:** The total areas taken on a horizontal plane at the main grade level of the principal building and all terraces, and steps.

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<sup>6</sup> 4/17/00

<sup>7</sup> 3/19/90

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**AUTOMOBILE WRECKING:** The dismantling, storage, sale or dumping of used motor vehicles, trailers, or parts thereof.

**BASEMENT:** A story partly or wholly underground. For purposes of height measurement, a basement shall be counted as a story when more than one half (1/2) of its height is above the average ground elevation or when subdivided and used for commercial activities.

**BED AND BREAKFAST ESTABLISHMENT:** A private home, inn or other unique residential facility that provides four (4) to six (6) rooms for overnight lodging to the public for compensation for periods not to exceed fourteen (14) consecutive days with only one daily meal being provided on the premises.

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

**BUILDING:** Any structure which is designed and suitable for the habitation or shelter of human beings or animals, or the shelter or storage of property, or for use and occupation for some purpose of trade or manufacture.

**BUILDING COMMISSIONER:** The Zoning and Codes Officer appointed by the Anderson County Board of Commissioners (Board of Commissioners) pursuant to TCA § 13-7-110, or his/her authorized representative.<sup>8</sup>

**BUILDING, MAIN OR PRINCIPAL:** A building in which is conducted the principal use of the lot on which it is situated. In any residential district any dwelling shall be deemed to be a main building of the lot on which it is situated.

**BUILDING SETBACK LINE:** A line delineating the minimum allowable distance between the property line and a building on a lot.

**BUILDING LINE SETBACK LINE, FRONT:** A line delineating the minimum allowable distance between the street right-of-way or if an official future street right-of-way has been established, from that future street right-of-way and the front of a building on a lot. The front building setback line extends the full width of the lot and is parallel to or concentric with the street right-of-way.

**BUILDING SETBACK LINE, REAR:** A line delineating the minimum allowable distance between the rear property line and a building on a lot (other than for permitted accessory structures). The rear setback line extends the full width of the lot.

**BUILDING SETBACK LINE, SIDE:** A line delineating the minimum distance between the side property line and a building on a lot. The side setback line extends from the front building setback line to the rear building setback line.

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<sup>8</sup> 4/17/00

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**CUSTOMARY HOME OCCUPATIONS:** Applied to a commercial business conducted in a home with the permission of the Anderson County Board of Zoning Appeals (Board of Zoning Appeals). The customary home occupation must be conducted by a family living on the premises and a limited staff in accordance with the customary home occupation section of this code.

<sup>9</sup>**DAY CARE HOMES:** Facilities for the care of children as defined by TCA § 71-3-501. Day Care Homes must be operated out of an occupied, residential dwelling.

**DWELLING:** A building, or portion thereof, used for residential purposes.

**DWELLING, MULTIPLE:** A building designed for occupancy by three or more families living independently of each other.

**DWELLING UNIT:** One or more rooms and a single kitchen designed as a unit for occupancy by only one family for cooking, living, and sleeping purposes.

<sup>10</sup>**DUMP:** A lot, yard, or tract having an accumulation of deposited debris such as scrap material from buildings, construction sites, scrap metals, appliances, solid waste, refuse, paper products, concrete, asphalt or similar materials, brush, tires or other rubber products, car parts, or any similar disposed materials, whether placed upon the ground or deposited in trenches, gullies, depressions or sinkholes.

**FAMILY:**

- a) An individual, or two or more persons related by blood, marriage, or adoption, living together as a single household unit, or;
- b) A group of not more than six persons, who need not be related by blood, marriage, or adoption, living together as a single housekeeping unit.

**FLOOD or FLOODING:** 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.

**FLOODWAY:** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

**HEIGHT OF BUILDING:** The vertical distance from the established average sidewalk grade, or finished grade at the building line, whichever is the highest, to the highest point of the building.

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<sup>9</sup> 11/15/99

<sup>10</sup> 4/18/88

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**JUNK YARD OR SALVAGE YARD:** A lot, land, or structure or part thereof, used primarily for the collecting, storage, and sale of waste paper, rags, scrap metal, or discarded material; or for the collecting, dismantling, storage and salvaging of machinery or vehicles not in running condition or for the sale of parts thereof. Five vehicles, which are not in running condition, shall be considered as constituting a junk yard. <sup>11</sup>“Running condition” is hereby defined as meeting the following criteria: a) engine runs; b) has adequate tires; c) can demonstrate operable steering, brakes, safety lighting, and transmission; and d) has current vehicle registration.

<sup>12</sup>**JUNKED YARD/LOT/TRACT:** A lot, yard, or tract having accumulation of debris such as scrap building materials, scrap materials, appliances, solid waste/garbage, paper products, or any similar discarded material strewn around and upon the ground.

**LOADING SPACE:** A space within the main building or on the same lot therewith providing for the standing, loading, or unloading of a truck or other vehicle.

**LOT:** A piece, parcel or plot of land in one ownership, which may include one or more lots of record, occupied or to be occupied by one principal building and its accessory building including the open spaces required under this resolution.

**LOT LINES:** The boundary dividing a given lot from the street, an alley or adjacent lots.

**LOT OF RECORD:** A lot which is part of a subdivision recorded in the office of the county register of deed, or a lot described by metes and bound, the description of which has been recorded in the office of the county register of deeds.

<sup>13</sup>**MOBILE HOME OR TRAILER:** A moveable dwelling unit designed for a permanent living quarters, having no foundation other than wheels, jacks or skirting and/or placed on a permanent foundation and capable of being moved or towed or transported by another vehicle and requiring an approval "certification label" by the National Mobile Construction and Safety Standards Act of 1974, as amended.

**MOBILE HOME OR TRAILER PARK:** Any area, tract, site or plot of land whereupon mobile homes as herein defined are placed, located or maintained, or intended to be placed, located or maintained, and shall include all accessory buildings used or intended to be used as a part of the equipment thereof.

**NONCONFORMING USE:** A building, structure, or use of land existing at the time of enactment of this resolution which does not conform to the regulations of the district in which it is situated.

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

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<sup>11</sup> 4/17/00

<sup>12</sup> 4/18/88

<sup>13</sup> 3/21/83

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**OPEN SPACE:** An area on the same lot with a main building which is open, unoccupied and unobstructed by structures from the ground to the sky except as otherwise provided in this resolution. Open space lines shall coincide with or be parallel to building setback lines of the same lot.

<sup>14</sup>**PAIN MANAGEMENT CLINIC:** Privately-owned clinic, facility or office in which any health care provider licensed under this title provides chronic non-malignant pain treatment to a majority of its patients for ninety (90) days or more in a twelve-month period. For purposes of determining if a clinic, facility, or office qualifies as a pain management clinic under this subdivision (6)(A), the entire clinic, facility, or office caseload of patients who received medical care services from all medical doctors, osteopathic physicians, advanced practice nurses and physician assistants who serve in the clinic, facility or office shall be counted.

- a. "Pain management clinic" also means a privately-owned clinic, facility or office which advertises in any medium for pain management services of any type.
- b. A pain management clinic does not include any clinic, facility, or office which provides interventional pain management as defined in § 63-6-244 and whose clinic, facility or office does not provide chronic non-malignant pain treatment to a majority of the patients of a clinic, facility or office for ninety (90) days or more in a twelve-month period;
- c. "Pain management clinic" does not mean a clinic, facility or office that is wholly owned and operated by a physician multispecialty practice in which one or more board-eligible or board-certified medical specialists who have also completed fellowships in pain medicine approved by the Accreditation Council for Graduate Medical Education, or who are also board-certified in pain medicine by the American Board of Pain Medicine or a board approved by the American Board of Medical Specialties, the American Association of Physician Specialists, or the American Osteopathic Association perform the pain management services for chronic pain patients.

**PARKING LOT:** An off-street facility including parking spaces with adequate provisions for drives and aisles for maneuvering and obtaining access, and for entrance and exit, designed so as to be usable.

**PARKING SPACE:** An off-street space available for parking one motor vehicle and having an area of not less than 200 square feet exclusive of passageways and driveways giving access thereto, and having direct access to a street or alley.

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

<sup>15</sup>**PUBLIC ROAD:** For the purposes of zoning, a public road shall be defined as a public right-of-way, easement, or road, which has been legally accepted and approved into a municipal, county, state, or federal highway system by the government entity having jurisdiction.

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<sup>14</sup> 12/17/2015

<sup>15</sup> 10/16/89

**ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)**

**SIGN, BILLBOARD, OR OTHER ADVERTISING DEVICE:** Any structure or part thereof or device attached thereto or represented thereon, which shall display or include any letter, words, model, banner, flag, pennant, insignia, or representation used as, or which is in the nature of an announcement, direction or advertisement. The word "sign" includes the word "billboard" or any other type of advertising device, but does not include the flag, pennant or insignia of any nation, state, city or other political unit.

**STORY:** That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, or any portion of a building between the topmost floor and the roof which is used for human occupancy or in which the floor area with 8 feet or more of head clearance equals 50% or more of the floor area of the next story below. Provided it is not used as a dwelling unit, a top floor area with 8 feet or more of head clearance equaling less than 50% of the floor area of the story next below shall be a "half-story". A basement shall be considered as a story if its ceiling is more than 5 feet above the level from which the "height of buildings" is measured or if it is used for residential purposes other than for a janitor or domestic servant, including the families of the same, employed in the building.

**STREET:** A public or private thoroughfare which affords the principal means of access to abutting property.

**STRUCTURE:** Any combination of materials, including building, constructed or erected, the use of which requires location on the ground or attachment to anything having location of the ground and including among other things, signs and billboards<sup>16</sup>.

**SURFACE MINING:** 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 displayed in order to recover the minerals 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.

**SWIMMING POOLS:** An outdoor swimming pool shall be any pool or open tank not located within a completely enclosed building and containing or normally capable of containing water to depth at any point greater than one and one half (1 ½) feet.

<sup>17</sup>**TELECOMMUNICATIONS TOWER.** Any structure that is designed and constructed primarily for the purpose of supporting any telecommunications antenna, dish, transmitter, or other equipment.

**TRAVEL TRAILER:** A vehicular, portable structure designed as a temporary dwelling for travel, recreational and vacation uses.

**TRAVEL TRAILER PARK:** A plot of land designed and equipped to accommodate travel trailers for short periods of time.

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<sup>16</sup> 5/14/02

<sup>17</sup> 7/20/2015



**ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)**

USE: The purpose for which land or a building or other structure is designed, arranged, or intended, or for which it is or may be occupied or maintained.

YARD, REAR: The required space, unoccupied except by a building of accessory use as herein provided, extending from the rear of the rear lot line to the full width of the lot.

YARD, SIDE: The required space, unoccupied except as herein provided, measured between the side lot and the nearest point of the principal building and between the front yard and the rear yard.

**ARTICLE 2: BASE DISTRICT REGULATIONS**

**Division 15: Classification, Map, and Boundaries of Zoning Districts**

**Sec. 015-010. Classification of Districts.**

For the purpose of this resolution, the following zoning districts are hereby established in the unincorporated portions of Anderson County, Tennessee.

<u>Zoning District</u>	<u>District Abbreviation</u>
Agriculture-Forestry District	A-1
Rural-Residential District	A-2
Suburban-Residential District	R-1
General Commercial District	C-1
Local Commercial District	C-2
Interstate Commercial District	C-3
Light Industrial District	I-1
Heavy Industrial District	I-2
Environmental Industrial District	I-3
Flood Damage Prevention Overlay District	F-1
R-1-S Residential District	R-1-S

**Sec. 015-0020. Zoning Map.**

The location and boundaries of the zoning districts established by this resolution are bounded and defined as shown on the Zoning Map. The Zoning Map or Zoning Map amendment shall be dated with the effective date of the resolution that adopts the Zoning Map or Zoning Map amendment. Certified prints of the Zoning Map or Zoning Map amendment shall be maintained in the office of the Building Commissioner of Anderson County and shall be available for inspection by the public at all reasonable times, as long as this resolution remains in effect.

**Sec. 015-030. Zoning District Boundaries.**

Unless otherwise indicated on the Zoning Map or Zoning Map amendment, the district boundaries are lot line, centerlines of street or alleys, or the Anderson County boundary lines as they exist at the time of the enactment of the Zoning Resolution. Questions concerning the exact locations of district boundaries shall be decided by the Board of Zoning Appeals pursuant to TCA § 13-7-109.

## ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)

Where a district boundary line divides a lot existing at the time this resolution takes effect and the major portion of said lot is in the less restricted district, the regulations relative to that district may extend as well to such portions of said lot as is not more than 20 feet within the more restricted district.

Where the property on one side of a street between two intersecting streets is in the business or industrial district and the property on the intersecting street, except a corner or corners, is in a residential district, the business or industrial use shall be limited to the property facing or fronting the street zoned for business throughout the block, and any property in the rear thereof facing or fronting the intersecting street, even though it appears to be in a business or industrial district, shall be governed by the use prevailing on the intersecting street. It is the purpose of this resolution to limit business and industrial uses facing or fronting the street zoned for residential uses. In all cases of ambiguity due to the actual layout of the property or other circumstances, the Board of Zoning Appeals shall have authority to determine on which street the business or industrial use shall face or front so that the spirit of the resolution shall be observed.

### **Division 20: Agricultural-Forestry (A-1) District Regulations.**

#### **Sec. 020-010. Agricultural-Forestry District.**

District Description: This district is intended to preserve space for agricultural and forestry uses which together comprise an important segment of the economy of Anderson County. The primary intent of the A-1 District is to minimize conflicts between agriculture-forestry activities and various non-farm activities, to permit land best suited for intense agricultural uses to be preserved for these purposes, and to prevent lands unsuitable for development of an urban or non-rural nature, due to topographic problems, location, or the inability to provide urban services, from being encroached upon by these incompatible land uses. Areas assigned to the A-1 District are primarily areas where growth of an urban or non-rural nature is deemed undesirable for one or more of the reasons outlined above. The following regulations shall apply in the A-1 Agricultural-Forestry District as defined on the Zoning Map.

- A. Uses Permitted: In the A-1 Agricultural-Forestry District, the following uses and their accessory uses are permitted.
1. Agricultural and forestry uses and their accessory structures as defined in Article 1
  2. Detached single-family and two-family dwellings
  3. Individual mobile home structures
  4. Signs and billboards, as regulated in Article 3, Division 65, Section 065-020
  5. Public or private schools or colleges
  6. Churches
  7. Golf courses, country clubs, golf driving ranges
  8. Parks, playgrounds, swimming pools campgrounds, athletic fields, and other recreational uses
  9. Utility facilities necessary for the provisions of public services
  10. <sup>18</sup>Surface and subsurface coal mining operations and uses customarily incidental thereto as regulated by Article 3, Division 045, Section 045-090
  11. <sup>19</sup>Health care and rehabilitation facilities except hospitals or medical incinerators
  12. Bed and Breakfast Establishments as regulated by Article 3, Division 045, Section 045-070.

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<sup>18</sup> 8/15/77

<sup>19</sup> 3/18/91

ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)

- C. Special Exceptions: In the A-1 Agricultural-Forestry District, the following uses and their accessory uses may be permitted subject to review and approval by the Board of Zoning Appeals in accordance with the provisions of Article 4, Division 75.
1. Airports and medical facilities
  2. Commercial livestock feeding and sales yard, the raising of fur-bearing animals, fish hatcheries, livery or boarding stables, riding stables, and kennels
  3. Marinas
  4. Neighborhood shopping facilities, provided the total floor space devoted to retail sales does not exceed 4,000 square feet in area
  5. Cemeteries subject to the provisions of Article 3, Division 45, Section 045-040
  6. <sup>20</sup>Airstrips
  7. Customary Home Occupations as regulated in Article 3, Division 45, Section 045-050 of this code.
  8. <sup>21</sup>Firearms training facilities, excluding skeet shooting. The purpose of these facilities is to safely train individuals in the handling of firearms in a rural setting with minimal impact to adjacent properties. Such facilities shall have a minimum of 10 acres and the rear of the firing range is setback a minimum of 1000 feet from any occupied structures or roads. An existing natural berm shall be present at least 40 feet in height or the Board of Zoning Appeals may require a man-made berm no less than 40 feet in height. Any man-made berm must be designed and certified, by an engineer licensed by the State of Tennessee, as adequate. There shall be an evergreen buffer a minimum of 50 feet wide on three sides of the firing range provided by the owner/developer if a natural buffer does not exist. Decibel levels measured at the property lines shall be limited during hours of operation to the levels required by Article 3, Division 45, Section 045-107 of the Zoning Resolution. The developer/owner of a firearms training facility shall provide documentation that all Federal, State, and Local regulations have been met. The developer shall provide 2 parking spaces per firing point or firing lane. A site plan shall be required pursuant to Article 3, Division 45, Section 045-130 of the Zoning Resolution. The Board of Zoning Appeals may require additional fencing and/or buffering, or may deny the request if the site plan does not or cannot meet the above mentioned purpose, standards and requirements, or other significant health and safety issues are present.
- D. Uses Prohibited: In the A-1 Agricultural-Forestry District all uses except those uses or their accessory uses specifically permitted or permitted upon review and approval by the Board of Zoning Appeals.
- E. Dimensional Regulations: All uses permitted in the A-1 Agricultural-Forestry District shall comply with the following requirements except as provided in Article 3, Division 50.
1. Front Yard: The minimum depth of the front yard shall be 30 feet.
  2. Rear Yard: The minimum depth of the rear yard shall be 10 feet for the principal structure and 10 feet for any permitted accessory structures.
  3. Side Yard: The side yard shall be a minimum of 10 feet for a single-story structure, plus an additional 5 feet for each additional story.

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<sup>20</sup> 11/16/85

<sup>21</sup> 7/21/97

**ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)**

4. Land Area: No farm, ranch, or other parcel of land shall be reduced in area to provide separate lots or building sites of less than 22,000 square feet in area. (22 000 square foot = 0.505 acre) However, where there is an existing lot of record of less than 22,000 square feet, at the time of adoption of this resolution, this lot may be utilized for the construction of one single-family dwelling or mobile home structure.
5. Maximum Lot Coverage: Main farm and agricultural accessory buildings shall cover no more than 5% of the total land area. Permitted non-agriculture or non-forestry uses, both principal and accessory, shall cover no more than 20% of the total land area.
6. Lot Width: As regulated by the Anderson County Subdivision Regulations.
7. Height Requirements: No building shall exceed 50 feet<sup>22</sup> in height, except as provided in Article 3, Division 50, Section 050-010.
8. Parking Space Requirements: As regulated in Article 3, Division 60.

**Division 25: Residential (A-2, R-1, R-1-S) District Regulations.**

**Sec. 025-010. Rural-Residential (A-2).**

- A. District Description: This district is intended to be utilized in areas where, due to remoteness, impermeability or shallowness of soils, the absence of the necessary urban services, or the continuation of farming or agricultural activities, development of suburban density is undesirable or unfeasible. Although the A-2 District is primarily a rural district, it also provides for low-density residential development, with lot sizes for single-family dwellings and mobile home structures being less restrictive than those of the A-1 Agricultural-Forestry District. In addition, a primary objective of the A-2 District is to prevent undesirable urban sprawl and to exclude land uses which demand a level of urban services which are impossible or uneconomical to provide. The following regulations shall apply in the A-2 Rural-Residential District as defined on the Zoning Map.
- B. Uses Permitted: In the A-2 Rural-Residential District the following uses and their accessory uses are permitted.
  1. Farming and agricultural uses
  2. Detached single-family and two-family dwellings
  3. Individual mobile home structures
  4. Parks, playgrounds, golf courses and driving ranges, country clubs, community centers, and other public recreational facilities
  5. Medical facilities, except for private doctor or dentist offices
  6. Public schools, colleges, libraries, fire-stations, and utility substations
  7. Gardening, plant nurseries, and hothouses
  8. Signs and billboards, as regulated in Article 3, Division 65, Section 065-030
  9. <sup>23</sup>Day Care Homes
  10. Bed and Breakfast Establishments as regulated by Article 3, Division 045, Section 045-070.

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<sup>22</sup> 12/17/01

<sup>23</sup> 11/15/99

ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)

C. Special Exceptions In the A-2 Rural-Residential District, the following uses and their accessory uses may be permitted subject to review and approval by the Board of Zoning Appeals in accordance with the provisions of Article 4, Division 75.

1. Churches
2. Riding stables and kennels
3. Marinas
4. Utility facilities necessary for the provision of public services
5. Subsurface extraction of natural mineral resources, subject to the provisions of this code
6. Private doctor or dentist offices
7. Private schools, colleges, and libraries
8. Neighborhood shopping facilities, provided the total space devoted to retail sales does not exceed 2,000 square feet
9. Private recreational facilities other than those permitted
10. Planned development, subject to the provisions of this code
11. Cemeteries, subject to the provisions of Article 3, Division 45, Section 045-040
12. Mobile home parks, provided the sewage disposal system is approved by the department of the State of Tennessee having jurisdiction<sup>24</sup> and pursuant to the codes of this resolution
- 13.<sup>25</sup> Air strips
14. Customary Home Occupations as regulated in Article 3, Division 45, Section 045-050 of this code
15. Personal Storage Rental Units

D. Uses Prohibited: In the A-2 Rural-Residential District all uses except those or their accessory uses specifically permitted or permitted upon review and approval of the Board of Zoning Appeals are prohibited.

1. Firearms training facilities

E. Dimensional Regulations: All uses permitted in the A-2 Rural-Residential District shall comply with the following requirements except as provided in Article 3, Division 50.

1. Front Yard: 30 feet deep.
2. Rear Yard: 10 feet deep for principal and permitted accessory structures.
3. Side Yard: 10 feet for a single-story structure, plus an additional 5 feet for each additional story.

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<sup>24</sup> 3/20/95

<sup>25</sup> 12/16/85

ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)

4. Land Area: No parcel of land shall be reduced in size to provide separate lots or building sites less than 22,000 square feet area, except where public water supply is not available in which case a 22,500 square feet minimum lot area shall be required. (22 000 square foot = 0.505 acre) However, where there is an existing lot of record of less than 22,000 square feet at the time of the adoption of this resolution, this lot may be utilized for the construction of one single-family dwelling or mobile home structure, provided it has a public water supply. If a lot of record exists without a public water supply, it may be utilized for one single-family dwelling or mobile home structure if it is at least one acre in area. In no case shall property be subdivided, sold, or reduced to less than one acre of land for any nonresidential permitted use.
5. Maximum Lot Coverage: Main farm and agricultural accessory buildings: maximum 5% of the total land area. Permitted non-agricultural or non-forestry uses, both principal and accessory buildings: maximum 30% of the total land area.
6. Lot Width: As regulated by the Anderson County Subdivision Regulations.
7. Height Requirements: No building shall exceed 50 feet in height, except as provided in Article 3, Division 50, Section 050-010
8. Parking Space Requirements: As regulated in Article 3, Division 60.

**Sec. 025-020. Suburban-Residential (R-1) District.**

- A. District Description: The R-1 Suburban-Residential District is intended to provide areas suitable for low-density, single and multiple-family residential development. This district is particularly suitable for areas adjacent to or near urban areas, where an adequate public water supply or public sewage service is available. The principal uses of land range from single-family to low-density, multiple-family apartment uses. The following regulations shall apply in the R-1 Suburban-Residential District as defined on the Zoning Map.
- B. Uses Permitted:
  1. Detached, single-family dwellings
  2. <sup>26</sup>Day Care Homes
- C. Special Exceptions: In the R-1 Suburban-Residential District, the following uses and their accessory uses may be permitted subject to review and approval by the approval by the Board of Zoning Appeals in accordance with the provisions of Article 4, Division 75.
  1. Multiple-family dwellings where the sewage disposal system is approved by the department of the State of Tennessee having jurisdiction<sup>27</sup> and the Board of Zoning Appeals
  2. Mobile home parks where the sewage disposal system is approved by the department of the State of Tennessee having jurisdiction<sup>28</sup> and the Board of Zoning Appeals pursuant to the provisions of this code
  3. Churches, airports, medical facilities
  4. Public schools, colleges, and other public educational institutions
  5. Public golf courses, parks, country clubs, and swimming pools

<sup>26</sup> 11/15/99

<sup>27</sup> 3/20/95

<sup>28</sup> 3/20/95

**ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)**

6. Utility facilities necessary for the provisions of public service
7. Planned development, subject to the provisions of Article 3, Division 045-111
8. Cemeteries, subject to the provisions of Article 3, Division 45, Section 045-040
9. Customary Home Occupations as regulated in Article 3, Division 45, Section 045-050 of this code
10. Bed and Breakfast Establishments as regulated by Article 3, Division 045, Section 045-070.

D. Uses Prohibited: In the R-1 Suburban-Residential District, all uses, except those uses or their accessory uses specifically permitted or permitted upon review and approval by the Board of Zoning Appeals are prohibited.

E. Dimensional Regulations: All uses permitted in the R-1 Suburban-Residential District shall comply with the following requirements except as provided in Article 3, Division 50.

1. Front Yard: 30 feet deep.
2. Rear Yard: 10 feet deep for both principal and permitted accessory structures.
3. Side Yard: 10 feet for one and two-story structures, plus an additional 5 feet for each additional story over two.
4. Land Area: No parcel of land shall be reduced in size to provide separate lots or building sites less than 22,000 square feet in area. (22 000 square foot = 0.505 acre) Where a sanitary sewer service is available, minimum lot area shall be 10,000 square feet. However, where there is an existing lot of record of less than 22,000 square feet at the time of the adoption of this resolution, this lot may be utilized for the construction of one single-family dwelling or mobile home structure, provided the lot of record is not less than 7,500 square feet in area.

On lots or parcels of land where multiple family dwellings are constructed the following area requirements shall apply:

Number of Dwelling Units	With Public Water And Sanitary Sewer	With Public Water <u>But</u> Without Sanitary Sewer
1 UNIT	10,000 SF	22,500 SF
2 UNITS	15,000 SF	30,000 SF
3 UNITS	17,500 SF	40,000 SF
MORE THAN 3 UNITS	17,500 SF PLUS 2,500 SF for each unit over 3	43,500 SF PLUS 3,000 SF for each unit over 3

5. Maximum Lot Coverage: Main farm and agricultural accessory buildings shall cover no more than 40% of the total land area.
6. Lot Width: As regulated by the Anderson County Subdivision Regulations.

ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)

7. Height Requirements: No building shall exceed 50 feet<sup>29</sup> in height, except as provided in Article 3, Division 50, Section 050-010.
8. Parking Space Requirements: As regulated in Article 3, Division 60.

**Sec. 025-030. Residential (R-1-S) District.**

- A. District Description. The purpose of the R-1-S residential district is to provide a district for low density residential single-family uses. The following regulations shall apply in the R-1-S Single Family Residential District of Anderson County, Tennessee.
- B. Uses Permitted:
  1. Single family dwellings<sup>30</sup>(excluding single-wide mobile homes)
  2. Private and Public Schools (Elementary, Middle, High School, and College or Technical.)
  3. Churches
  4. Community or private swimming pools, parks, country clubs
  5. <sup>31</sup>Day Care Homes
- C. Special Exceptions: In the R-1-S residential district, the following uses and their accessory uses may be permitted subject to review and approval by the Board of Zoning Appeals in accordance with the provisions of Article 4, Division 75.
  1. Customary Home Occupations as regulated in Article 3, Division 45, Section 045-050 of this code
- D. Uses Prohibited All uses except those uses expressly permitted or as a special exception by the Board of Zoning Appeals are prohibited.
- E. Dimensional Regulations
  1. Front yard: 30 feet.
  2. Rear Yard: 10 feet deep for the principal and any permitted accessory structure.
  3. Side Yard: 10 feet for one and two-story structures. Additional 5 feet shall be required for any structure over two stories.
  4. Land Area: 7,500 square feet with public sanitary sewer and public water. 22,000 square feet where public water is available and no public sewer. (22 000 square foot = 0.505 acre)
  5. Maximum Lot Coverage The principal structure and accessory buildings shall not cover more than 40% of the lot area.
  6. Lot Width The lot width at the building setback line shall be 75 feet.
  7. Height Limitations 50 feet<sup>32</sup> maximum.

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<sup>29</sup> 12/17/01

<sup>30</sup> 4/17/00

<sup>31</sup> 11/15/99

<sup>32</sup> 12/17/01



ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)

**Division 30: Commercial (C-1, C-2, C-3) District Regulations**

**Sec. 030-010. General Commercial (C-1) District.**

A. District Description: The C-1 General Commercial District is established to provide areas in which the principal use of land is devoted to general and highway commercial activities along the principal thoroughfares in Anderson County. Regulations are designed to preserve the traffic-carrying capacity of the streets and roads in Anderson County and to provide for the necessary off-street parking and loading. The following regulations shall apply in the C-1 General Commercial District, as defined on the Zoning Map.

B. Uses Permitted: In the C-1 General Commercial District, the following uses and their accessory uses are permitted:

1. Hotels, motels, and tourist courts
2. Churches and mortuaries
3. Drive-in establishments for the retail sale of merchandise
4. Professional offices and private medical and dental offices
5. Gasoline service stations
6. Automobile service, sales and repair establishments
7. Furniture and appliance sales, service, and repair establishments
8. Tire sales and recapping or retreading establishments
9. Commercial recreation uses
10. Wholesaling and distributing centers not involving over 7,500 square feet of storage of wares to be wholesaled or distributed, except that storage of more than 5,000 gallons of inflammable petroleum products above the ground is prohibited
11. Signs, as regulated in Article 3, Division 65, Section 065-050. Billboards are prohibited
12. Shopping centers
13. Grocery stores
14. Equipment stores
15. Department stores and general retail sales
16. Personal Storage Rental Units
17. <sup>33</sup>Health care and rehabilitation facilities except hospitals or medical incinerators

C. <sup>34</sup> Uses Upon Review. The following uses may be permitted upon review by the Planning Commission:

1. Methadone and Pain Management Clinics provided (*Resolution 15-12-566*):
  - a. Obtaining a Business License, a valid Certification by the State of Tennessee Health Department, compliance with all applicable requirements of Anderson County and continued compliance with the conditions set forth in the Special Use Permit that is issued;
  - b. Map(s) showing existing land use and zoning within one-quarter (1/4) mile of the proposed site with an accompanying site plan.

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<sup>33</sup>3/18/91

<sup>34</sup>12/17/2015

ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)

- c. Compliance with all applicable requirements of Section 63-1-301 through 63-1-314 of the *Tennessee Code Annotated*;
- d. The clinic or facility shall not be located within one thousand (1,000) feet of a school, day care facility, park, church or hospital as measured from building-to-building.
- e. The maximum sign area does not exceed twenty (20) square feet in area and meets all requirements of Division 65, Signs, Billboards and Other Advertising Structures.
- f. Off-Street Parking provided at one (1) space for each two hundred (200) square feet of floor space.
- g. The site shall not be less than One Thousand (1,000) feet from any other methadone treatment or pain management clinic as measured from building-to-building.
- h. The clinic or facility shall not be located within One Thousand (1,000) feet of any establishment that sells alcoholic beverages for either on-or-off-premises consumption as measured from building-to-building..
- i. A Pain Management Clinic in compliance with the distance requirements contained in the zoning resolution cannot be rendered non-compliant by the later establishment of a school, daycare, park, church, establishment selling alcoholic beverages for either on-or-off-premises consumption, and/or hospital.

D. Special Exceptions: In the C-1 General Commercial District, the following uses and their accessory uses may be permitted subject to review and approval by the Board of Zoning Appeals in accordance with Article 4, Division 75.

1. Any business or service which, in opinion of the Board of Zoning Appeals, is of the same general character as the above permitted uses, and subject to such conditions and safeguards as the board may specify.
2. Travel trailer parks and overnight campgrounds subject to the approval of the department of the State of Tennessee having jurisdiction<sup>35</sup> and to such conditions as the Board of Zoning Appeals may specify.

E. <sup>36</sup>Uses Prohibited: In the C-1 General Commercial District, all uses, except those uses or their accessory uses specifically permitted or permitted upon review and approval of the Board of Zoning Appeals are prohibited.

F. Dimensional Regulations: All uses permitted in the C-1 General Commercial District shall comply with the following requirements except as provided in Article 3, Division 50.

1. Front Yard: 40 feet deep.
2. Rear Yard: 20 feet deep, except where vehicular access will be provided to the rear of the lot, in which case a minimum rear setback of 35 feet shall be required.
3. Side Yard: 15 feet where vehicular access is available to the rear of the lot. Where no such access is available or desired, a side yard of 10 feet may be permitted. On lots adjacent to an agricultural, rural/residential, or suburban/residential district, all structures shall be so located as to comply with the side yard requirement of the adjacent district on the side adjoining said district.

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<sup>35</sup> 3/20/95

<sup>36</sup> 5/17/82 (revision was superseded by revision of entire section 7.7 3/16/87)

**ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)**

4. Land Area: One-half acre minimum is required with all public utilities. Three acres without public utilities. One acre with public water, but with no sewer.
5. Maximum Lot Coverage: 50% coverage.
6. Lot Width: No lot shall be less than 150 feet wide at the building setback line.
7. Height Requirements: No building shall exceed 50 feet<sup>37</sup> in height, except as provided in Article 3, Division 50, Section 050-010.
8. Access Limitations: One hundred and fifty feet or less of road frontage – one entry, 40 feet wide; 151-250 feet road frontage – two entries, 40 feet wide each; 251 feet and over – maximum of 3 entries, 40 feet wide each.
9. Parking Space Requirement: As regulated in Article 3, Division 60.

**Sec. 030-020. Local Commercial (C-2) District**

- A. District Description: The C-2 Local Commercial District is established to provide convenient commercial services that would benefit neighborhoods. This district is not designed for general thoroughfares, but rather is intended for neighborhood areas where minor collector streets facilitate small commercial uses. The following regulations shall apply in the C-2 Local Commercial District, as defined on the Zoning Map.
- B. Uses Permitted: In the C-2 Local Commercial District the following uses and their accessory uses are permitted:
  1. Dry cleaning and pressing services
  2. Washerettes, coin operated laundries
  3. Day care centers
  4. Gasoline stations
  5. Professional Offices
  6. Convenience-type grocery stores
  7. Car wash operations
  8. Barber and beauty shops
  9. Drug stores
  10. Banks
  11. Churches
  12. Signs as regulated in Article 3, Division 65, Section 065-050; no billboards are permitted
  13. <sup>38</sup>Health care and rehabilitation facilities except hospitals or medical incinerators
- C. Special Exceptions: In the C-2 Local Commercial District, the Board of Zoning Appeals may allow any use not listed above, provided that it is of the same general character as above permitted uses. In granting special exceptions, the Board of Zoning Appeals may not permit a use which is listed in the C-1 zoning district unless that use is specifically noted above.
- D. Uses Prohibited: All uses, except those expressly permitted in Section B or as special exception in Section C, are prohibited. Under no circumstances may temporary or permanent residential uses be permitted. Nor shall any commercial use be allowed to have living quarters on premises whether located above or adjacent to their building.
- E. Dimensional Regulations: All uses permitted in the C-2 Local Commercial District shall comply with the following requirements:

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<sup>37</sup> 12/17/01

<sup>38</sup> 3/18/91

**ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)**

1. Front Yard: 30 feet.
2. Rear Yard: 15 feet deep. 25 feet where vehicular access or load is required.
3. Side Yard: 15 feet. 20 feet on a corner lot.
4. Land Area: 30,000 square feet with public water. Two acres if without public water or sewer. With public water and sewer, 20,000 square feet.
5. Maximum Lot Coverage: 60% total land area.
6. Lot Width: 125 feet at the building setback line.
7. Height Requirements: No building shall exceed 50 feet<sup>39</sup> in height, except as provided in Article 3, Division 50, Section 050-010.
8. Access Control: No continuous access frontage will be permitted. Access area shall be specifically designed to control ingress and egress. One hundred feet or less road frontage will permit one driveway; 101 - 200 feet road frontage shall be allowed 2 access points; over 300 feet shall be allowed, no more than 3 access points (driveways).
9. Parking Space Requirements: As regulated in Article 3, Division 60.

**Sec. 030-030. Interstate Commerce (C-3) District.**

The purpose of this district is to provide information and services to interstate travelers. The interstate zoning shall be clustered around each interchange access ramp, 2,000 linear feet running parallel with the interstate, measured from the state owned property boundary line at each ingress/egress ramp.<sup>40</sup> The purpose of the district is to avoid strip commercial development, therefore, expansion of this district shall be allowed only in areas where arterial transportation is afforded, and utility infrastructures, such as public water, are present.

- A. Uses Permitted: The following uses are permitted in the C-3 zoning district:
  1. All uses allowed in a C-1 zone
  2. Billboards, as regulated by the Tennessee Department of Transportation
- B. Uses Prohibited: Those not specifically noted above.
- C. Restrictions: The C-1 zoning district's setbacks, lot size, and all other restrictions shall be met.

**Division 35: Industrial (I-1, I-2, I-3) District Regulations.**

**Sec. 035-010. Light Industrial (I-1).**

- A. District Description: The I-1 Light Industrial District is intended primarily for light manufacturing and processing. Regulations are intended to prevent friction between uses within the district and also to protect neighboring residential districts. The following regulations shall apply in the I-1 Light Industrial District, as defined on the Zoning Map.
- B. Uses Permitted: In the I-1 Light Industrial District, the following uses and their accessory uses are permitted:
  1. Commercial Laundry

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<sup>39</sup> 12/17/01

<sup>40</sup> 1/22/91

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2. Outdoor equipment storage lots and yards except wrecking, junk or salvage yards.
  3. Manufacture, compounding, processing, packing, or treatment of candy, cosmetics, drugs, perfumes, pharmaceutical, toiletries, and food products, except the rendering of fats and oils.
  4. Manufacture, compounding, assembly or treatment of articles or merchandise from the above prepared materials
  5. Manufacture of pottery and figurines or other similar ceramic products
  6. Public utility service or storage yard
  7. Retail lumber yard
  8. Small boat building
  9. <sup>41</sup>Health care and rehabilitation facilities except hospitals or medical incinerators
- C. Uses Prohibited: In the I-1 Light Industrial District, all uses except those uses specifically permitted are prohibited.
- D. Dimensional Regulations: All uses permitted in the I-1 Light Industrial District shall comply with the following requirements, except as provided in Article 3, Division 50.
1. Front Yard: 30 feet deep.
  2. Rear Yard: 30 feet deep.
  3. Side Yard: 30 feet deep.
  4. Maximum Lot Coverage: Unrestricted.
  5. Lot Width: 150 feet wide at the building setback line.
  6. Height Limitations: Unrestricted.
  7. Parking Requirements: As regulated in Article 3, Division 60.

**Sec.035-020. Heavy Industrial (I-2) District.**

- A. District Description: The I-2 Heavy Industrial District is intended primarily for heavy manufacturing or closely related industrial uses. To avoid burdensome restrictions on heavy industry, regulations for this district are intended to protect primarily against effects potentially harmful to other districts.
- B. Uses Permitted: In the I-2 Heavy Industrial District, the following uses and their accessory uses are permitted:
1. Rock, sand and gravel sales yards
  2. Rock, sand, gravel, earth excavations, crushing or distribution (quarrying)
  3. Freighting or trucking yard or terminal
  4. Concrete or cement products manufacture
  5. Machine shop or other metal working shop
  6. Freight classification yard
  7. <sup>42</sup>Health care and rehabilitation facilities except hospitals or medical incinerators
- C. Special Exceptions: In the I-2 Heavy Industrial District, the following uses and their accessory uses may be permitted subject to review and approval by the Board of Zoning Appeals in accordance with Article 4, Division 75.

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<sup>41</sup><sub>3/18/91</sub>

<sup>42</sup><sub>3/18/91</sub>

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1. Other manufacturing, assembling, fabrications, warehousing, and storage uses except those which, upon review of the Board of Zoning Appeals, are determined to be obnoxious or offensive by reason of emission of odor, dust, smoke, gas, noise, vibration, congestion, and the like, and those uses deemed dangerous due to potential explosion dangers, threat of fire, or poisonous fumes. Any of the above obnoxious, offensive, or dangerous uses shall be permitted only on the written approval of the Board of Zoning Appeals and subject to such conditions and safeguards as may be required by such Board in the interests on public health, safety, and welfare.
  2. Lots of yards for scrap or salvage operations or for processing, storage, display or sales of any scrap, salvage, or secondhand building materials.
  3. <sup>43</sup>Airstrips
- D. Uses Prohibited: All uses, except those uses specifically permitted or permitted upon review and approval of the Board of Zoning Appeals are prohibited.
- E. Dimensional Regulations: All uses permitted in the I-2 Heavy Industrial District shall comply with the following requirements except as provided in Article 3, Division 50.
1. Front Yard: 30 feet deep.
  2. Rear Yard: 30 feet deep. No yard shall be required for that portion of a lot which fronts on a railroad or rail spur line. Rear yards for industrial lots adjacent to the R-1 District shall be 100 feet.
  3. Side Yard: 20 feet deep. Side yard for industrial lots adjacent to R-1 Districts shall be minimum of 100 feet. No yard shall be required for that portion of a lot which fronts on a railroad or rail spur line.
  4. Land Area: Where public water is available, there shall be required a minimum land area of 2 acres. No industrial land shall be permitted in areas where public water supply is not available except where the Board of Zoning Appeals has determined that such use does not require a supply of potable water in its manufacturing operation. In such instances, the Board shall grant a written approval of the use and may establish a minimum land area.
  5. Maximum Lot Coverage: Unrestricted.
  6. Lot Width: 150 feet wide at the building setback line.
  7. Height Requirement: Unrestricted.
  8. Parking Space Requirement: As regulated in Article 3, Division 60.
- F. Environmental Regulation: The applicant for a building permit in the I-2 Heavy Industrial District must present, as part of the application, documentation demonstrating that the proposed industry will not represent a hazard to the community safety, health, welfare, or amenity. This includes, but is not limited to the following:
1. Documentation that a proposed use will be served by adequate water and wastewater facilities approved by the appropriate county or state entity having jurisdiction<sup>44</sup> or the appropriate utility.
  2. Documentation that approved means are available for the disposal of all solid waste.

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<sup>43</sup> 11/16/85

<sup>44</sup> 3/20/95

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3. Documentation that the proposed industrial activities will comply with all applicable federal, state, and local environmental protection laws and/or regulations. No permit shall be issued for the construction of any building or for any use which the Building Commissioner believes may have the potential to be obnoxious or offensive by reason of emission of odor, dust, smoke, gas, noise, vibrations, congestion and the like, and those uses deemed dangerous due to hazards from poisonous fumes, until the plans for such construction or use shall be submitted to the Board of Zoning Appeals in accordance with Article 4, Division 75. The Board may make its approval subject to such conditions and safeguards as may be required by said Board to protect the public health, safety, and welfare, and to carry out the intent of this resolution.

**Sec. 035-030. Environmental Industrial (I-3) District.**

- A. This district's purpose is to allow industrial development for heavy industrial uses which, by their nature, offer the potential for impacting the environment negatively.
- B. Special Exceptions: In the I-3 Environmental Industrial District, the following uses are permitted on review by the Board of Zoning Appeals as a special exception.
  1. Landfills
  2. Smelting plants
  3. Asphalt plants
  4. Slaughtering houses
  5. Incinerators for the burning of garbage materials or medical wastes
  6. Paper/paper product plants
  7. Chemical manufacturing plants in which potentially hazardous chemicals are to be produced or utilized
  8. Automobile wrecking, salvage, junkyards
- C. Uses Prohibited: Those uses not mentioned above or deemed similar in nature to those noted above by the Board of Zoning Appeals shall be prohibited.
- D. Dimensional Regulations: All uses in the I-3 Environmental Industrial District shall comply with the following requirements:
  1. Front yard: 200 feet.
  2. Rear yard: 50 feet.
  3. Side yard: 100 feet.
  4. Land area: 5 acres.
  5. Lot width: 500 feet.
  6. Parking: As regulated in Article 3, Division 60.
  7. Other requirements: site plan requirements, supplementary provisions followed.
  8. All applicable federal and state statutes and regulations shall be met.
  9. Statements of potential air/water pollutants shall be provided with corrective alternatives. Storage of chemicals which are toxic shall be addressed. Hazardous material or chemical transportation information shall be provided, if applicable.

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- E. Other Information: The Planning Commission may require other information such as more detailed soil, drainage, air or water pollutants, transportation haulers, chemical usage or storage, impact of water/sewer facilities or other data deemed pertinent. Lack of information or poor environmental factors and site planning will deem a denial of the site plan.

### **Division 40: Flood Damage Prevention Overlay District (F-1) Regulations.**

#### **Sec. 040-010. Flood Damage Prevention Overlay District (F-1).**

Development activities conducted within the Flood Damage Prevention Overlay District are subject to specific requirements designed to protect the public's health, safety and welfare and maintain Anderson County's eligibility in the National Flood Insurance Program. Any construction conducted within a special flood hazard area must meet the requirements specified in Anderson County Resolution 268 entitled A Resolution Amending the Zoning Resolution of Anderson County, TN to Adopt New "Flood Damage Prevention Regulations" and Amended Other Floodplain Management Related Provisions of the County Zoning Resolution Construction Activities.

Land development activities including, but not limited to, grading and filling within a designated floodplain are subject to the provisions and requirements specified in Anderson County Resolution 191 entitled Storm Water Management and Pollution Control Resolution of Anderson County Tennessee.

## **ARTICLE 3: SPECIAL PROVISIONS**

### **Division 45: Special Provisions**

#### **Sec. 045-010. Adult-Oriented Businesses.**

The rules and regulations of establishing, operating, and conducting adult-oriented businesses in Anderson County are established in Resolution: To Establish Rules and Regulations for the Operation of Adult-Oriented Businesses.

#### **Sec. 045-020. Air Strips.**

In the A-1, A-2, and I-2 districts, private air strips are allowed as a special exception by the Board of Zoning Appeals. Air strips are not considered airports. Rather, air strips are for the usage of individual property owners and must meet the following criteria:

- A. A site plan must be approved by the Planning Commission. This site plan must show the landing strip (drawn to scale), topography of the landing site, any electrical lines, poles, and easements, location of surrounding property owners and the distance from these structures to the landing site, location of any nearby roads, length of runway, take off and landing directions, north point, location map, any areas of heavy timber, and a listing of any improvement to be made.
- B. Papers showing Federal Aeronautics Agency (FAA) review and approval must be presented to the Planning Commission and the Board of Zoning Appeals prior to any site plan or special exceptions being granted.
- C. The lot size must be a minimum of 10 acres, with a minimum distance of 500 feet between any structure and the closest point to the landing strip.



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- D. A variance may be granted by the Board of Zoning Appeals where structures are between 200 and 500 feet from the center line of the air strip, with the appropriate crash barriers to be determined by the Board of Zoning Appeals and approval of property owners where structures are less than 500 feet from the center of the air strip. A variance of 200 feet or less will not be permitted.
- E. Maximum 8% overall slope for a landing strip, which shall be certified.
- F. No commercial flights, taxi service or shuttling for paying passengers is permitted.
- G. Flight entry into the site may not be over homes, schools, commercial establishments or public buildings.
- H. No lighting of the landing strip is permitted.
- I. The applicant must secure the signatures of surrounding property owners, acknowledging that they are aware of the proposed application for a landing strip.
- J. No storage of airplanes other than the property owner's is permitted.
- K. Denial of the special exception or site plan shall be based on any of the above or on the basis that the applicant has failed to assure the board and commission that the safety of the surrounding owners is assured.

**Sec. 045-030. Automobile Wrecking, Junk and Salvage Yards, Dumps, and Junked Cars.**

Because of the nature and character of their operations, automobile wrecking and salvage yards, junk yards, and similar uses of land can have a decidedly detrimental effect upon surrounding properties. Salvage and wrecking yards tend to create problems of noise, dust, traffic, and health hazards and may adversely affect property values by their general appearance. The following standards shall be used as a guide in evaluating whether proposed land uses, such as those outlined above, will have properly minimized their objectionable characteristics:

- A. All motor vehicles stored or kept in such yards shall be maintained so they will not catch and hold water and so that they will not constitute a place or places in which vermin may be harbored or propagated.
- B. Must be a minimum of 300 feet from any established residential zone.
- C. All outdoor storage of salvage and wrecking operations shall be conducted entirely within an enclosed opaque fence or wall (8-12 feet tall), excepting driveway areas. Storage between the road or street and such fence is prohibited, and the fence or wall shall be properly painted in good condition.
- D. All such yards shall be maintained in a sanitary condition and not be a menace to public health or safety.
- E. Off-Road Parking: As regulated in Article 3, Division 60.
- F. Ingress and Egress: The number of vehicular access driveways permitted on any single street frontage shall be limited to:
  - 1. One driveway where the parcel to be used has a maximum road or street frontage of 100 feet or less.
  - 2. Two driveways where the road or street frontage exceeds 100 feet.
- G. No automobile wrecking, junk, or salvage yards shall be permitted within 300 feet of any public road in Anderson County except for non-conforming yards or where a more stringent state or federal law applies.

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- H. Application for Automobile Wrecking, Junk or Salvage Yard Permit: No person shall own or maintain an automobile wrecking, junk or salvage yard within Anderson County until he has secured a permit from the Board of Zoning Appeals. A permit application shall be filed in accordance with Exceptions and Modifications and be accompanied by a detailed site plan, a schedule for construction, and any other information herein required.
- I. <sup>45</sup>Dumps: No person shall own or maintain a dump within Anderson County until a site plan has been submitted and approved by the Planning Commission and the Board of Zoning Appeals, and a permit issued by the department of the State of Tennessee having jurisdiction. No dump shall be permitted within 500 feet of residence, school, church, park or other public gathering place. All debris must be covered daily from public view. The dumping of chemicals or toxins is not prohibited.
- J. <sup>46</sup>Junked Yards/Lots/Tracts: Junked yards must be cleaned or a permit granted as a dump or junk, salvage yard. Requirements for junk, salvage yards are noted in Article 3, Division 45, Sect.045-030 A through I. A site plan review and Board of Zoning Appeals approval as a special exception is required. No junked yard will be permitted within 500 feet of a residence, school, church, park or public gathering place.

**Sec. 045-040. Cemeteries, Development Standards for.**

- A. The following standards shall be imposed upon the development and construction of cemeteries in Anderson County.
1. The site shall not interfere with the development of a system of collector and larger streets in the vicinity of such sites. Such site shall have direct access to a thoroughfare.
  2. Site shall be a minimum of 20 acres.
  3. All structures shall be set back not less than 25 feet.
  4. All graves or burial lots shall be set back not less than 25 feet.
  5. All yards shall be landscaped and maintained.
- B. Application for Cemetery Permit: No person shall develop, construct, or maintain a cemetery in Anderson County until he has secured a permit from the Board of Zoning Appeals. A permit application shall be filed in accordance with Exceptions and Modifications and shall be accompanied by a detailed site plan, a schedule for construction, and other information therein required.

**Sec. 045-050. Customary Home Occupations.**

A customary home occupation is a gainful occupation or profession conducted entirely within the dwelling by members of a family residing on the premises.<sup>47</sup> No stock in trade shall be displayed outside the dwelling and no exterior building alteration shall indicate the building is being utilized for any purpose other than a residential unit.

- A. <sup>48</sup>Uses Permitted:
1. Antique sales, artist, sculptor, author
  2. Barber and beauty shop operated by only 2 members of the family

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<sup>45</sup> 4/18/88

<sup>46</sup> 4/18/88

<sup>47</sup> 5/17/82

<sup>48</sup> 5/17/82

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3. Dressmaker, milliner, seamstress, tailor, and interior decorator
4. Professional office of an architect, realtor, draftsman, accountant or any other similar use
5. Teaching, tutoring, musical lessons or dancing limited to one teacher and one pupil at a time

**B. Uses Prohibited:**

1. Dancing instruction and band instruction in groups.
2. Tourist homes, convalescent homes, mortuary establishments, animal hospitals, offices of a physician, dentist, psychiatrist or other medical specialty.
3. <sup>49</sup>Automobile, machine, or engine repair; repair, construction, or assembly of mechanical works, devices, fabrication of materials or appliance repairs.
4. <sup>50</sup>The Board of Zoning Appeals may approve an application if all employees are residents of the home. No more than one consumer may be present at a time. No detached garage, storage building, or other accessory building may be used for the customary home occupation, or to stock items for commercial use. No more than 25% of the home may be utilized for the customary home occupation. No flammable fluids may be permitted and no home occupation may be authorized which uses these materials. No home occupation may be granted if no off-street parking facilities are available. Any request for home occupation may be denied if delivery trucks or equipment operation is required. In general, no sales will be permitted unless such sales are mail order, antiques, or other small items easily stocked within the home.

**Sec. 045-060. Day Care Homes, Standards for.**

**A. The following development standards shall apply to all day care homes:**

1. All regulations of the State of Tennessee regarding day care homes shall be met.
2. The minimum lot size for a day care home is 22,500 square feet (0.51 acres). An outdoor play area shall be available having at least 50 square feet per student and enclosed by a fence no less than 4 feet high.
3. A day care home shall not be allowed within 1,000 feet of another day care home or day center.
4. Lots proposed must front a collector road or road of higher classification, as defined by the Anderson County Subdivision Regulations, Article III.B.
5. At least 0.5 spaces per 3 students and 1 space per staff member must be provided for loading/unloading. On-street parking or loading/unloading is prohibited.
6. A site plan must be submitted to the Planning Commission for review. The site plan shall include the following: all property boundaries with dimensions and the total age, all existing and proposed structures, areas designated for parking, loading/unloading, and outdoor play, all major roads, railways, aboveground utilities, drainage structures, and other public facilities on or adjacent to the property, the name and address of the owner/operator of the facility, the number of students to be cared for in the facility, the name and address of all adjacent property owners, and certification by a land surveyor licensed in the State of Tennessee.

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<sup>49</sup>1/22/91

<sup>50</sup>1/22/91

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- B. In addition to the site plan, the applicant must provide written statements from the adjacent property owners that they are aware of the intended use and have no objections to said use. Should the Planning Commission decide the applicant meets all requirements, they will recommend approval of the site plan pending proof of licensure from the State of Tennessee. Once licensure is received, a copy of the license shall be provided to the Building Commissioner to complete the file. Operation of the facility prior to providing a copy of the license to the Building Commissioner is prohibited. The Planning Commission may deny approval based on adverse site conditions, proximity to hazardous or industrial areas, hazardous road conditions, or other conditions that would compromise the safety of students, staff, or property.

**Sec. 045-070. Bed and Breakfast Establishments, Standard for.**

- A. A bed and breakfast establishment is allowed as a permitted use in an A-1 and A-2 zone and as a special exception in an R-1 zone. Any bed and breakfast establishment in Anderson County must have a site plan approved by the Planning Commission.
1. Approved bed and breakfast establishments must apply for and be approved for a business license within ninety (90) days of site plan approval. If a bed and breakfast establishment ceases operation for more than nine (9) months, then a new site plan must be approved.
  2. Additions to a single family residence for the intent of establishing a bed and breakfast shall be allowed, provided that such additions follow the requirements set forth in the Anderson County Zoning Regulations and adopted building codes.
  3. There must be a minimum distance of 500 feet between bed and breakfast establishments operating within Anderson County.
- B. Length of stay for lodgers shall not exceed fourteen (14) consecutive days. A roster of all overnight lodging guests staying at the bed and breakfast establishment must be kept active and up-to-date.
- C. Number of guest rooms is limited to four (4) to six (6) bedrooms in the dwelling unit plus one (1) bedroom for occupancy by the owner/operator if the owner/operator is also residing at the bed and breakfast establishment. Maximum occupancy is limited to two (2) adults per guest room.
- D. A single identification sign not to exceed four (4) square feet may be erected. Such sign shall be non-illuminated and shall be attached to the building structure.
- E. There shall be one (1) parking space for each guest bedroom plus two (2) parking spaces for the owner/operator, if the owner/operator is also residing at the bed and breakfast establishment. A minimum of two (2) additional parking spaces or an equivalent area shall be provided for the parking of overnight lodging guest's trailers and/or recreational vehicles (ATVs, boats, motorcycles, etc.). A minimum of one (1) parking space that complies with the size and space requirements of the American Disabilities Association must be provided.
1. Only off-street parking shall be allowed.
  2. There shall be opaque fencing and/or landscaping developed around the parking areas in a manner that preserves the residential character of the property.
- F. The owner/operator of the bed and breakfast establishment must either reside on the premises or on the property immediately adjacent to the premises. Guest rooms shall be established and maintained distinct and separate from the owner/operator's quarters.
- G. Bed and breakfast establishments shall be restricted to serving one meal to paying overnight guests only and there shall be no cooking facilities in the guest rooms. No receptions, private parties, or other group

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events shall be allowed in bed and breakfast establishments. No sale or rental of goods shall be allowed on the premises except as secondary and incidental to the furnishing of a service.

- H. Bed and Breakfast establishments must adhere to the Tennessee Department of Health regulations concerning construction, sanitation, food service, permitting, etc. as contained in T.C.A. §68-14-501 through 519 as well as Tennessee Department of Health Division of Food and General Sanitation Chapter 1200-23-2, Bed and Breakfast Establishments.
- I. The conduct of the bed and breakfast establishment shall not violate any of the County's ordinances concerning nuisance, noise, fire, or health, or any other County or State or other public law or regulation that is applicable.

### Sec. 045-080. Joint Permanent Easements.

- A. All joint permanent easements shall meet the following standards:

All plats must be approved by the Anderson County Planning Commission. Submittal requirements shall be the same as those required for any other subdivision plat brought before the Planning Commission.

All lots served by a joint permanent easement shall comply with all other requirements for minimum lot size, set backs and other criteria as defined in the Anderson County Zoning Resolution and the Anderson County Subdivision Regulations.

The Planning Commission may approve joint permanent easements serving one (1) to no more than four (4) parcels. A parcel shall be considered to be served by a joint permanent easement if the lot abuts the joint permanent easement and has legal traversable access to the easement.

Subdivisions with joint permanent easements shall conform to the general purpose of these regulations. Additionally, the subdivision shall be considered in the context and pattern of neighboring developments and shall not create double frontage lots. Joint permanent easements shall not be approved if it will create a connection between two (2) public roads.

All joint permanent easement locations must be traversable, with a maximum grade of eighteen (18) percent.

Joint permanent easements shall not be less than thirty (30) feet in width except when used as a Common Driveway Easement. The area of the joint permanent easement shall be designated as a private right-of-way and shall not be included as part of the lots and lot area calculation. The area of the joint permanent easement shall be included in the plat.

All dead end joint permanent easements shall provide a suitable turnaround adequate for emergency apparatus.

A property owners association or other legal entity shall be established that addresses maintenance of the easement. The applicant must demonstrate to the reasonable satisfaction of the Planning Commission that the easement will be properly maintained.

A note shall be placed on the Final Plat that the joint permanent easement is not a public road and will not be maintained by Anderson County. Joint Permanent Easements shall never be adopted into the county road system until improvements and right-of-ways conform to Anderson County Highway Department standards.

Joint permanent easements shall also function as a utility easement and a note shall be placed on the Final Plat specifying their use as such.

- B. Joint Permanent Easements shall meet the following additional standards:

Roadway construction standards shall be approved by the Department Public Works and Planning Commission. An unobstructed driving surface shall be required, capable of supporting the imposed

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loads of emergency apparatus under all weather conditions. A gravel surface may be permitted, although paving may be required by Planning Commission, especially for erosion control. A road profile may be required to determine whether a proposed joint permanent easement will be traversable. A statement from the engineer or surveyor certifying that the road grade does not exceed Eighteen (18) percent shall be included on the plat.

Parcels served by a joint permanent easement shall not be further subdivided nor shall a joint permanent easement be extended to include or create additional parcels. Only one dwelling will be allowed per parcel. A note shall be placed on the Final Plat to that effect.

C. Joint Permanent Easements:

Joint Permanent Easements may be platted in a subdivision in accordance to the provisions of this section.

- 1) Joint Permanent Easements serving one (1) to two (2) lots: Joint Permanent Easements serving one (1) to two (2) lots shall meet the construction standards as follows. Access shall be provided by a private easement or right-of-way twenty-five (25) feet in width. Access shall be for vehicles as well as utilities to be contained within this easement. Drainage improvements shall be required, as necessary, and the private road itself shall consist of 4 inches deep rolled “pug-mix” gravel, at least ten (10) feet in width, upon a prepared sub grade with a crown. Compacted shoulders two feet wide on both sides shall be slightly lower than the road surface. These shoulders shall be sown in grass and covered in straw to facilitate germination and to stabilize the shoulders. Ditches on both sides (outside the shoulders) shall run the length of the road (when applicable) and rip-rap or other energy dissipaters may be required. Turnouts may be required by the Planning Commission depending upon the length and alignment of the JPE. A T- or Y- turnaround shall be contained within the easement at the end of the common drive. All private entrances must be paved from the edge of the existing pavement to the edge of the right-of-way to promote safety and keep gravel off the county road. The paved entrance shall contain adequate turning radiuses for emergency vehicles and the paved surface shall be on a prepared gravel surface and built to the same specifications as a county road. A preliminary plat containing all information for preliminary plat submittal is required. A property owners association (POA) must be established to ensure continuing maintenance of the roads, drainage, and other improvements. The POA documentation must accompany the final plat and be recorded in the Register of Deeds office along with the final plat and referenced in the deeds for separate lots. The maximum grade shall not exceed eighteen (18) percent. The final plat shall contain a note concerning the restriction against re-subdivision unless the joint permanent easement becomes a county road.

All joint permanent easements that serve one (1) to two (2) dwelling units shall be named in conformance with applicable street naming ordinances.

- 2) Joint Permanent Easements serving three (3) to four (4) lots: Joint Permanent Easements serving three (3) to four (4) lots shall meet the same construction standards as a public road, except as follows. Access shall be provided by a private easement or right-of-way thirty (30) feet in width. Access shall be for vehicles as well as utilities to be contained within this easement. Drainage improvements shall be required, as necessary, and the private road itself shall consist of 6 inches deep rolled “pug-mix” gravel, at least eighteen (18) feet in width, upon a prepared sub grade with a crown. Compacted shoulders three (3) feet wide on both sides shall be slightly lower than the road surface. These shoulders shall be sown in grass and

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covered in straw to facilitate germination and to stabilize the shoulders. Ditches on both sides (outside the shoulders) shall run the length of the road (when applicable) and rip-rap or other energy dissipaters may be required. A cul-de-sac turnaround shall be contained within the easement at the end of the private road; the easement shall be increased in size to incorporate a minimum of fifty (50) foot radius cul-de-sac. All private entrances must be paved from the edge of the existing pavement to the edge of the right-of-way to promote safety and keep gravel off the county road. The paved entrance shall contain adequate turning radiuses for emergency vehicles and the paved surface shall be on a prepared gravel surface and built to the same specifications as a county road. A preliminary plat containing all information for preliminary plat submittal is required. A property owners association (POA) must be established to ensure continuing maintenance of the roads, drainage, and other improvements. The POA documentation must accompany the final plat and be recorded in the Register of Deeds office along with the final plat and referenced in the deeds for separate lots. The maximum grade for a private road shall not exceed eighteen (18) percent. The final plat shall contain a note concerning the restriction against re-subdivision unless the joint permanent easement becomes a county road. All joint permanent easements that serve three (3) to four (4) dwelling units shall be named in conformance with applicable street naming ordinances.

- 3) Common Driveway Easement: A Common Driveway Easement consists of no more than two dwellings on a single parcel served exclusively by the common driveway easement. The common driveway easement must abut a county road. The lot sizes are restricted only by the minimum area standards established by the Subdivision Regulations and the Health Department. Access may be provided by a private easement or right-of-way twenty-five (25) feet in width. Access shall be for vehicles as well as utilities to be contained within this easement. Drainage improvements shall be required, as necessary, and the driveway itself shall consist of compacted gravel 4 inches deep of rolled "pug-mix" gravel, at least ten (10) feet in width, upon a prepared sub grade with a crown. Compacted shoulders two (2) feet wide on both sides shall be slightly lower than the road surface. These shoulders shall be sown in grass and covered in straw to facilitate germination and to stabilize the shoulders. Ditches shall run on both sides (outside the shoulders) and other energy dissipaters may be required. Turnouts may be required by the Planning Commission depending upon the length and alignment of the drive. A T- or Y- turnaround shall be contained within the easement at the end of the common drive. The common driveway shall be constructed to the last dwelling to be served. All common driveway entrances located on collector streets or greater shall be paved from the edge of the existing pavement to the edge of the right-of-way to promote safety and keep loose gravel off the county road. The paved entrance shall contain adequate turning radiuses for emergency vehicles and the paved surface shall be on a prepared gravel surface and be built to the same specification as a county road. Common driveways serving more than one dwelling must be maintained by a maintenance agreement for all dwellings served by the common driveway. The maintenance agreement must accompany the final plat and be recorded in the Register of Deeds Office along with the final plat and referenced in the deed. The maximum grade for a common driveway shall not exceed eighteen (18) percent.

- D. Reserve Strips – There shall be no reserve strips controlling access to streets (public or private).

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- E. Interior One-Lot divisions (flag lots) shall not be approved along Arterial roads or along joint permanent easements. Interior one-lot divisions shall not be located with adjacent twenty-five (25) foot frontages, and multiple twenty-five (25) foot frontages within any one development shall be separated by at least 150 feet. The portion of the lot acting as a twenty-five (25) foot corridor (flag stem) to a building site shall not be used to meet minimum lot area requirements. Only a single One-Lot division may be submitted by an individual sub divider within a 90 day period.

**Sec. 045-090. Mining Activities, Development Standards for.**

All mining activities shall comply with all federal and state laws and regulations including, but not limited, to the "Tennessee Surface Mining Law of 1972" as amended and regulations pursuant to the Act promulgated by "Tennessee Water Quality Control Act of 1971" as amended and regulations pursuant to this Act promulgated by the Tennessee Commissioner of Public Health and the "Federal Water Pollution Control Act of 1972" as amended and regulations pursuant to this Act promulgated by the United States Environmental Protection Agency. The applicant shall present appropriate permits and other documentation to demonstrate that the proposed activity is in compliance with these and any other applicable laws and regulations.

**Sec. 045-100. Performance Standards.**

In every district, it shall be unlawful to carry on or permit to be carried on any activity, operation, or use of any land, building, or equipment to the extent that it is harmful to the general health, safety, and welfare. These include but are not limited to the following:

**Sec. 045-101. Smoke:** The discharge into the atmosphere from any single source of emission whatsoever of any air contaminant for a period or periods aggregating more than 4 minutes in any one half (1/2) hour is prohibited if the contaminant is:

- A. As dark or darker in shade as designated as Number 2 on the Ringlemann Chart. The Umbra scope readings of smoke densities may be used when correlated with the Ringlemann Chart.
- B. Of such opaqueness as to obscure an observer's view to a degree equal to or greater than the smoke, described in A. above, except when the emission consists of only water vapor.

**Sec. 045-102. Dust, Dirt, and Fly Ash:** The quantity of gas-borne dust, dirt or fly ash resulting from any activity or use of any land, building, or equipment shall not exceed 0.20 grains per cubic foot of the carrying medium at a temperature of 500 degrees Fahrenheit.

**Sec. 045-103. Light:** Exterior lighting shall be arranged as far as is practical to reflect light away from any residential use; and in no case shall it exceed more than one foot candlepower of light 5 feet above the ground at a property line, in or adjacent to any residentially zoned district. Measurements shall be taken using a hand held electronic light meter.

**Sec. 045-104. Glare and Heat:** Any operation producing intense glare or heat shall be performed within an enclosure so as to completely obscure such operation from view from any point along the property line except during the period of construction of the facilities to be used and occupied.

**Sec. 045-105. Odor:** The emission of noxious, odorous matter in such quantities as to be readily detectable at any point along lot lines when diluted in the ratio of one volume of odorous air to 4 or more volumes of clean air or as to produce a public hazard beyond lot lines is prohibited.



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**Sec. 045-106. Gases:** The escape or emission of any gases, which are injurious or destructive, shall be unlawful and may be summarily abated.

**Sec. 045-107. Noise:** At any property, lot, parcel or tract line in any district, the intensity level of sounds resulting from any activity, operation, or use of land, building or equipment shall not exceed described levels set forth in the following table for the zone of the adjacent land:

Zoning District	Allowable Noise Level (in dBA)	
	7 AM -- 10 PM	10 PM -- 7 AM
R-1	60	55
A-2	65	60
A-1	65	60
C-1	70	65
I-1	70	70
I-2	80	80
F-1	80	80

- A. Measurement: Measurements shall be taken with an American National Standards Institute (ANSI) Type 1 or Type 2 sound level meter using the A-weighted scale. Measurement shall be taken at the zone boundary line unless there is noise in excess of the prescribed levels and the offender(s) cannot be isolated. In this case, measurements shall be taken at the property line boundary.
- B. Exceptions: In order to provide for reasonable flexibility and application of the noise regulations, the following exceptions shall apply: Construction activities, sounds emitted for emergency purposes, lawnmowers, edgers, and garden maintenance equipment are exempted.

**Sec. 045-108. Special Bonding Requirements**

Any operation which by its nature creates a of causing damage to any roadway in the Anderson County Road System will require the posting of a surety bond in the name of the Anderson County Highway Department. The bond amount will be determined by the Anderson County Highway Superintendent. The Highway Superintendent will be responsible for monitoring, inspection and approval for bond release at the end of the project.

**Sec. 045-110. <sup>51</sup>Planned Unit Developments (PUD).**

- A. No variances will be permitted from these requirements, which supersede any other requirements set forth in the Zoning Resolution.
- B. A minimum of two acres is required.
- C. Permitted in all commercial and industrial zoning districts.
- D. More than one building may be located on the lot. Each building shall be a minimum of 24 feet apart. If the development is a shopping center, all attached buildings must have a 2-hour fire wall.
- E. Ten percent of the total land area must be landscaped and a landscaping plan submitted, noting plantings, trees, shrubs, etc.

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<sup>51</sup>3/16/87

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- F. Parking stalls shall be 10 feet x 20 feet. One parking space shall be required for every 300 feet of gross floor space.
- G. Driveway access will be permitted as follows:
  - 1. 100 feet road frontage : one driveway
  - 2. 101-200 feet road frontage: 2 driveways
  - 3. 201-400 feet road frontage: 3 driveways
  - 4. 401 and over: four driveways
- H. Driveway width: 40 feet maximum. Continuous road frontage access is prohibited. Curbs shall be required to divert traffic into driveways. A variance may be given if topographical conditions so warrant.
- I. All parking areas and driveways must be paved.
- J. One ground sign, maximum 30 feet high and 288 square feet, shall be permitted per PUD development. A front and side setback of 5 feet is required.
- K. Front setbacks: 35 feet; Rear setbacks: 20 feet; Side setbacks: 15 feet.
- L. One wall sign, maximum 40 square feet, shall be permitted for each business in the PUD.
- M. Utilities shall be shown on the site plan. The department of the State of Tennessee having jurisdiction must sign the site plan where subsurface sewage disposal is to be used. The utility departments must also sign.
- N. A site plan drawn to scale by a certified engineer or architect and containing all the information above shall be required.
- O. Bond shall be posted for utilities, paving or parking areas, landscaping and road construction.
- P. Building height: 3 stories maximum.
- Q. The Planning Commission may require additional site improvements, such as drainage plans and other documents, as conditions warrant. The Planning Commission may deny the site plan due to inadequacy of information, poor site design or other factors impeding the public health, safety, and welfare.
- R. All PUD's must meet the density of the zoning districts in which they are to be located.
- S. If owners of adjacent parcels combine lots or tracts to form a PUD, documentation must be presented and a plat approved and recorded to demonstrate the combined lots and combined ownership.
- T. All PUD's must meet subdivision regulation standards and all roads must conform to subdivision standards.
- U. Documentation must be submitted to show ownership, maintenance agreements for roads and utilities or parking lots and easements.

### **Sec. 045-111. <sup>52</sup>Condominium Planned Unit Development**

Any residential structure which is to be divided or offered for sale with individual units and lots, or where the outside grounds are retained under one ownership or home owners association, shall meet the Condominium Planned Unit Development Regulations.

- A. Condominiums consisting of more than 2 units are allowed in any zoning district which permits apartments.
- B. Condominium duplexes are allowed in any zoning district which permits duplexes.

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<sup>52</sup>2/19/90

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- C. A site plan and subdivision plan shall be submitted to the Planning Commission for review, which shall show:
- the location of all buildings
  - dimensions
  - units within the buildings to be subdivided and offered for sale and any ground offered for sale
  - setbacks shall be a minimum of 20 feet from all side and rear lot lines of the project periphery
  - building setback must be a minimum of 30 feet from the front project periphery
  - 2 parking spaces minimum per unit
  - size and location of all public water lines
- D. Units on public sewer can be subdivided with individual dwelling units with individual lots consisting of at least 2,000 square feet. Condominium units not on public sewer may not subdivide any exterior grounds and may not exceed 4 units per acre. The department of the State of Tennessee having jurisdiction<sup>53</sup> must certify that a septic system can be installed and function safely and effectively for the units.
- E. No condominium units can be located utilizing private well system. A 6-inch public waterline is required with fire hydrants installed every 400 linear feet.
- F. Landscaping is required with at least a 5-foot wide strip along the outer periphery of each building and 5% of the front of the project area shall also be landscaped.
- G. If the condominium project has over 4 individual units, one sign advertising only the name of the project is permitted. The sign shall be no larger than 40 square feet and shall be indirectly lighted.
- H. All internal roads must meet the requirements of the Anderson County Subdivision Regulations.
- I. Electrical, water, sewer and drainage easements shall also be shown on the plans with an engineer's certification.
- J. The surveyor shall certify the accuracy of the site plan.
- K. Deed restrictions and documents properly executed by an attorney shall be submitted to the Planning Commission. These documents shall include: requirements and obligations of purchasers in regard to internal road maintenance, lot maintenance, common grounds, maintenance of buildings, and any other home owner obligations proposed by the developer/seller. If the obligations are encumbered to a homeowners' association, the above documentation is still required. Actions and procedures to be taken in case of default of an owner or homeowners' association shall also be outlined in maintenance agreements. These documents shall be filed and recorded in the Anderson County Register of Deeds Office with the final site plan and subdivision plat once approved by the Planning Commission.
- L. A bond shall be posted in the amount of 120% to cover the cost of water and sewer lines, fire hydrants, parking space paving, internal roads, and landscaping. The bond shall be made out to the Planning Commission.
- M. The Planning Commission may impose other conditions, limit density, require additional information, or require additional improvements to improve the health, safety and welfare of the surrounding areas and the project site.
- N. All condominium lots and units shall meet all Federal Housing Authority Standards.

**Sec. 045-120. <sup>54</sup>Sanitary Landfills, Development Standards for.**

- A. 50 acres minimum.

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<sup>53</sup> 3/20/95

<sup>54</sup> 2/19/90

**ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)**

- B. Landfill operations shall be no closer than 2,000 linear feet from any residence, school, or church.
- C. Ground water monitors must be located along all borders.
- D. A 100-foot wide buffer composed of dense evergreen plantings must be provided along all outside boundaries to obstruct vision of landfill operations.
- E. One sign noting the name of the landfill shall be permitted on site and shall be no larger than 100 square feet.
- F. All landfills must be located on a public road with at least 50-foot right-of-way and a road pavement width of at least 26 feet to safely accommodate the passage of garbage trucks. Any proposed landfill which does not meet this criterion must offer proposals to the County Highway Department upgrading the public road. No site plan shall be approved unless the County Highway Department has accepted the proposed improvements and a bond has been posted with the Planning Commission for improvements.
- G. All proposed landfills must meet all laws and regulations of the State of Tennessee and Anderson County.
- H. A site plan drawn to scale is required and must show:
  - access routes
  - entrances
  - signage
  - internal roadways
  - scales
  - office buildings
  - fencing
  - accessory buildings
  - trench and demolition areas
  - ground water monitors
  - owner(s) name, address and telephone number
  - proposed lifespan of the landfill
  - proposed reclamation plans
  - phases
  - topography
  - dimensions
- I. Documents must be submitted stating mitigation measures to be undertaken by the developer/owner in the event of damage to surrounding property owners.
- J. A bond amount shall be set by the Planning Commission in an amount to offset any detrimental effects from landfill operations and/or site preparation such as damage to roadways, public water lines, or other "clean up" operations which the county has to provide. Said bond shall be held for 2 years by the Planning Commission with the option to extend upon negotiations with the developer.

**Sec. 045-130. Site Plan Requirements.**

For any commercial or industrial uses, or any apartment units consisting of over 4 units, a site plan for the proposed use shall be required and approved by the Planning Commission before a building permit can be issued. The site plan shall include the following:

- A. A site plan map
- B. A site plan, drawn to scale at least 1 inch = 30 feet
- C. Size and dimensions of the proposed building(s) and a drawing of all setbacks

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- D. Location of loading zones, if any
- E. Ingress and size or dimensions of the driveway(s)
- F. Parking area including number of spaces and design of those spaces; parking lots must be paved
- G. Location and size of proposed water and sewer lines, fire hydrants, and any attendant facilities such as pumping stations, transmission lines, storm sewers
- H. Location of any signs and the dimensions of location and height of such signs
- I. Additional information such as traffic flows, average daily sewer or water usage and other environmental factors may be required by the Planning Commission
- J. In the case of a shopping center a master plan for the entire shopping center may be reviewed and approved at one time; however, if any additional development is proposed to be constructed after the approval of the shopping center plans, the additional development will be required to submit a site plan for review and approval
- K. A drainage plan in accordance with Article 3, Division 45, Section 045-140
- L. <sup>55</sup>A landscaping plan shall be submitted; a minimum of 500 square feet shall be required; 10% of the front and side yards shall be landscaped; Location of trees, shrubs shall be noted on the plan. The Planning Commission may reduce the required landscaping percentage in the case of large commercial lots or extreme topographical conditions.

### Special Exceptions:

- Governmental uses: Services usually provided by the local government, but may be provided by nonprofit group, including fire stations, police stations, and similar activities. The applicant for a special exception must still submit a site plan drawn to scale that notes ingress/egress, parking spaces proposed, location of building(s), setbacks, and utilities.

### **Sec. 045-140. Storm Water Management and Pollution Control.**

A drainage plan, certified by a Tennessee licensed professional engineer shall be included with the site plan or plat. The drainage plan shall meet the requirements and specifications outlined in Resolution 191: Storm Water Management and Pollution Control Resolution of Anderson County, Tennessee.

### **Sec. 045-150. Temporary Use Regulations.**

The following regulations are necessary to govern the operation of certain necessary or seasonal uses non-permanent in nature. Application for a Temporary Use Permit shall be made to the Building Commissioner. Said application shall contain a graphic description of the proposed use, and sufficient information to determine yard requirements, setbacks, sanitary facilities, and parking space for the proposed temporary use. The following uses are deemed to be temporary uses and shall be subject to the specific regulations and the time limits which follow and to the regulations of any district in which such use is located:

- A. Carnival or Circus: May obtain a Temporary Use Permit in the A-1, A-2, C-1, or F-1 districts, however, such a permit shall be issued for a period of not longer than 15 days.

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<sup>55</sup>4/17/89

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- B. Temporary Buildings: In any district, a Temporary Use Permit may be issued for a contractor's temporary office and equipment shed incidental to a construction project. Such permit shall be valid for not more than one year but may be renewed for a 6-month extension. However, not more than 3 extensions shall be granted to a particular use. Such use shall be removed upon completion of the construction project or upon expiration of the Temporary Use Permit, whichever occurs sooner.
- C. Temporary Manufacture of Road Materials: In any district except the R-1 Suburban Residential District and the R-1-S Residential District, a Temporary Use Permit may be issued upon approval by the Board of Zoning Appeals, to operate manufacturing plants which are necessary in order to produce the materials required for the construction of approved public roads where the Board finds that such a use is not potentially obnoxious, dangerous, or offensive. In the exercise of its approval, the Board may impose such conditions upon the proposed plant as it may deem advisable in the furtherance of the purposes of this resolution. Such a permit may be initially issued for a 9-month period. A permit may be renewed for up to 6 months at a time, the total time for a permit not exceeding a total of 24 months.
- D. Real Estate Sales Office: In any district, a Temporary Use Permit may be issued for a temporary real estate sales office in any new subdivision which has been approved by the Planning Commission under the Anderson County Subdivision Regulations. Such office shall contain no living accommodations. The permit will be valid for one year, but may be granted two 6 month extensions. Such office shall be removed upon completion of the development of the subdivision or upon expiration of the Temporary Use Permit, whichever occurs sooner.
- E. Religious Tent Meetings: In any district a Temporary Use Permit may be issued to a tent or other temporary structures to house a religious meeting. Such permit shall be issued for no more than 30-days.
- F. Temporary Dwelling Units in Case of Hardship: In any district, except the I-1 Light Industrial, I-2 Heavy Industrial, I-3 Environmental Industrial, C-1 General Commercial, C-2 and C-3 Local Commercial and F-1 Floodway Districts, a Temporary Use Permit may be issued to erect a mobile home temporarily on a lot which already contains a residential structure upon the approval of the Board of Zoning Appeals and contingent on the submittal of a statement verifying physical or mental incapacity of the applicant which requires close supervision. This statement must be the written opinion of the physician, psychiatrist, or other medical authority and must contain supporting evidence for such a claim of incapacity. No temporary hardship may be granted without this written statement. Such a temporary permit may be granted for a period up to and not exceeding 6 months. Renewals of 6 month periods maybe done by the Building Commissioner upon presentment of a new written medical statement verifying that conditions have not changed.<sup>56</sup>

**Sec. 045-160. <sup>57</sup>Travel Trailer Parks, Location and Development of.**

Requirements for Travel Trailer Parks:

- A. Scale drawing for an addition or new Travel Trailer Park.
- B. Drawing showing office building, bathhouses, recreation building and recreation area.
- C. Lot size for trailer, parking space, roads and all utilities.

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<sup>56</sup> 5/17/82

<sup>57</sup> 2/15/82

**ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)**

- D. All sanitary facilities and sewer disposal will have to meet the requirements of the <sup>58</sup>department of the State of Tennessee having jurisdiction.
- E. Bath house requirement for every 10 trailer pads – one shower, one commode, one lavatory – all one each for women and men.

**Sec. 045-170. <sup>59</sup>Development Standards for Telecommunications Towers. (Resolution: 15-07-547)**

The following development standards and requirements shall apply to all proposed telecommunications towers to be located in the unincorporated portions of Anderson County, Tennessee. It is the intent of this section to allow for the construction and placement of appropriate telecommunications facilities while minimizing their negative impacts upon the surrounding properties and the community as a whole. Consultation with the Department of Zoning and Public Works is required prior to submittal of an official application.

- A. Telecommunications Towers as a Principal Use. Telecommunications towers are permitted in all districts as a Use Upon Review.
- B. Site Plan Requirements. A site plan is required for any proposed telecommunications tower. The site plan shall show the locations of the property lines, antenna arrays accommodated by the tower, tower, accessory building(s) or facilities, guy wires, and supports, and meet the requirements of Section 045-130.
- C. Minimum Number of Users. All telecommunication towers shall be designed to accommodate a minimum of two (2) antenna arrays.
- D. Setback Requirements. All buildings, guy wires, and supports shall meet the minimum setback requirements for the district in which the facilities are located. Telecommunications towers must be set back from property lines equivalent to the height of the tower to address any public safety concerns.
- E. Lighting. Towers shall not be lighted by artificial lighting except as required by the FAA or other applicable authority.
- F. Landscaping/screening. All related ground facilities located in agricultural and residential districts shall be completely screened from view to a height not less than eight (8) feet. The screening material shall be natural or planted vegetation or opaque fencing. Every effort shall be made by the applicant to preserve existing mature trees except where such tree growth would interfere with the operation and maintenance of the facilities and to minimize the intrusiveness of the tower by planning tower design and color to blend into the immediate environment.
- G. Fencing. All facilities shall be enclosed by a security fence at least six (6) feet in height.
- H. All access roads shall meet the minimum construction and design standards for Joint Permanent Easements serving one (1) to two (2) lots contained in the Anderson County Subdivision Regulations.

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<sup>58</sup> 3/20/95

<sup>59</sup> 7/20/15

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- I. Exemptions. Radio towers and/or antennas less than forty (40) feet in height and which are accessory to an existing residence, business, or government agency. Also exempt are antenna or similar facilities that are attached to existing structures provided they do not extend the height of the structures by more than forty (40) feet.
- J. Tower Removal. When the active use of a telecommunications tower ceases for a period of one (1) year, the tower shall be removed at the tower owner's expense. For multiple service providers on one tower, this standard shall apply when all antennas on the tower are no longer active. Prior to approval, submittal of provisions, in the case of abandonment, the responsible entity, removal method and the timeframe for complete removal of the tower are required.
- K. A certified report prepared by a professional engineer licensed by the State of Tennessee describing the height and design of the tower and demonstrating the structural integrity of the tower to ensure that it is maintained in compliance with standards contained in applicable state or local building codes and the applicable standards for towers that are published by the Electronic Industries Association (EIA), as amended from time to time, describing the capacity of the tower, outlining the opportunities for co-locating on an existing tower or structure as an alternative, a Geotechnical Study, a "Before and After Coverage Map", the number of antennas that can be accommodated and confirming the existing wireless towers within a one (1) mile radius of the proposed site and the need for an additional tower due to a lapse in coverage.
- L. INDEMNIFICATION. Each permit issued pursuant to this Section shall have as a condition of the permit, a requirement that the applicant indemnify and hold harmless the county and its officers, agents, and employees from actions or claims of any description brought on account of any injury or damages sustained, by any person or property resulting from the issuance of the permit and the conduct of the activities authorized under said permit.
- M. ADDITIONAL INSUREDS. Anderson County shall be listed as a Co-Insurer on liability insurance of independent carrier or service provider and shall be maintained in full force until such time as all above ground portions of the facility (including foundation) have been removed and all other conditions of the removal method agreement have been satisfied.

**Division 50. Exceptions and Modifications.**

**Sec. 050-010. Height Limitations, Exceptions to.**

The height limitations of this resolution shall not apply to church spires, belfries, cupolas and domes not intended for occupancy; monuments, water towers, silos, grain elevators, observation towers, transmission towers, windmills, chimneys, smokestacks, derricks, conveyors, flag poles, radio towers, masts and aerials; provided such structures shall be no higher than the distance to the nearest property line from the center of the structure.

**Sec. 050-020. Lot Size, Absolute Minimum.**

In no case shall the Board of Zoning Appeals permit a residence to be erected on a lot whose width at the building line is less than 75 feet and/or whose total lot area is less than 7,500 square feet. A lot may be reduced to 7,500 square feet only if public water and public sewer are provided to the building site.<sup>60</sup>

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<sup>60</sup>3/16/87



**ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)**

**Sec. 050-030. Lots of Record.**

The following provisions shall apply to all existing lots of record:

- A. Where the owner of the lot consisting of one or more adjacent 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, an application may be submitted to the Board of Zoning Appeals for a variance from the terms of this resolution. Such a 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 in the opinion of the Board of Zoning Appeals is possible.
- B. No lot which is now or hereafter built upon shall be so reduced in area that the yards and open space will be smaller than prescribed by this resolution; and no yard, court or open space provided around any building for the purpose of complying with the provisions hereof shall again be considered as a yard, court or other open space for another building.
- C. Where 2 or more lots of record with a continuous frontage are under the same ownership or where a substandard lot of record has continuous frontage with a larger tract under the same ownership, such lots shall be combined to form one or more building sites meeting the minimum requirements of the district in which they are located. <sup>61</sup>All combined lots of record must be officially recorded and deeded together.

**Sec. 050-040. Setback Requirements, Exceptions to.**

- A. The front setback requirements of this resolution for dwellings shall not apply for any lot where the average depth of existing setbacks on the developed lots located within 100 feet on each side of such lot it is less than the minimum required front yard depth. In such cases, the front yard setback may be less than required, but not less than the average of the existing depth for front yards on developed lots within 100 feet on each side of the lot. In residential districts, however, the setback shall in no case be less than 15 feet from the street right-of-way.
- B. <sup>62</sup>Any structure in the district fronting on U.S. Highway 25W, State Highway 61, State Highway 62, State Highway 95, or U.S. Highway 441 shall be located no closer than 25 feet from the property line/right-of-way of the above noted state highway.

**Sec. 050-050. <sup>63</sup>Utility Lot Sizes/Setbacks.**

Utilities such as pumping stations, electrical substations and similar facilities shall be exempt from the lot size requirements detailed in the zoning districts. However, any utility involving a tower, spire or similar structures shall have a lot size of no less than 1.5 acres and an evergreen buffered setback of at least 50 feet from each property line. The Board of Zoning Appeals may increase this lot size requirement and setbacks on utility structures greater than 50 feet in height. Pumping stations, electrical substations, and similar facilities have no minimum lot size. However, the Board of Zoning Appeals may require increasing lot size based on the type of facility, location, potential detriment to the adjacent property owners and similar adverse conditions. Buffering may also be required.

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<sup>61</sup> 5/17/82

<sup>62</sup> 10/17/94

<sup>63</sup> 12/18/89

ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)

**Division 55: Mobile Home Park Standards.**

**Sec. 055-010. General Regulations.**

<sup>64, 65</sup> Mobile home parks standards shall apply to any residential development consisting of 5 or more manufactured dwelling units for which lots, tracts, or locations are rented or leased.<sup>66</sup> A mobile home park is defined as 5 or more units on one site, tract or location, 2 or more units on individual contiguous lots under the same ownership or corporate partnership, or corporate ownership or shared ownership which has one or more lots of 7,500 square feet or greater, regardless of the number of lots in the park.

The Planning Commission shall require all mobile home parks to meet the following regulations:

- A. Road/Street Standards: All mobile home parks shall meet the road standards as itemized in the Anderson County Subdivision Regulations. This includes but is not limited to 8-inch gravel base, 2-inch asphalt topping. The minimum road pavement width shall be 24 feet and road right of ways must be 50 feet. Any cul-de-sac must have a 50-foot radius. Any additional road specifications not mentioned above will be regulated by the Anderson County Subdivision Regulation. Roads and streets will not be accepted into the Anderson County road system.
- B. Utilities: All mobile home parks shall be required to have a 6-inch public waterline and fire hydrants every 400 linear feet. If public sanitary sewer is available within 500 feet, the developer shall be required to utilize sanitary sewer. Lot sizes with public water and public sanitary sewer may be 7,500 square feet or greater. Lots without public sanitary sewer shall be a minimum of 22,500 square feet. The appropriate government agency shall test each lot. No lot shall be permitted on a septic tank that is not suitable for a three bedroom dwelling. All mobile home parks which do not have public utility water availability must have lots of 3 acres or greater per dwelling. Street lighting shall be provided throughout the community at intervals which provide adequate amounts of light for traffic and pedestrian safety.
- C. Dimensional Regulations: All mobile home parks shall be required to meet the front, rear and side yard setbacks of the zoning district in which the park is located. The minimum lot width shall be 50 feet.
- D. Parking: On-street parking is prohibited. Each lot must have a paved parking space for 2 cars of a minimum of 9 feet x 18 feet for each space. A secure and safe entrance to each dwelling shall be provided including pads of 4 feet x 5 feet or 20 square feet.
- E. Other Regulations: Tie-downs and underpinning or skirting are required. Individual dwelling units must comply with federal, state and county code regulations.
- F. Access: Any entrance to the park must be by public road. No park shall be permitted by alley or private easements. The following maximum densities per mobile home park are permitted based upon the type of public road contained in the major road plan: primary roads - no maximum; secondary roads - 200; collector roads - 100; and minor residential - 50. The point of intersection of the public road and the entrance drive shall have a clear sight distance of 200 feet in each direction, measured by a person in a vehicle being able to see a 4-inch high cup placed on the center line of the public road which is 200 linear feet from the center line of the mobile home park access road.
- G. Expansion: At the time a mobile home park is expanded, the road and utility regulations for the higher density park shall be required even in the pre-existing section. Therefore, any park expansion must have the approval of the Planning Commission.

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<sup>64</sup> 5/17/82 (superseded by '97 revision)

<sup>65</sup> 3/17/97

<sup>66</sup> 10/17/90

## ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)

- H. Solid Waste: The developer shall provide adequate garbage collection system for all mobile home parks. Dumpster stations or other appropriate containers will be provided and collected for disposal at a sanitary landfill.
- I. Signage: All signs shall be no more than 20 square feet and may not contain flashing lights. Signs may be lighted by indirect means only.
- J. Permanent Facilities: One office and washerette facilities are permitted. Residential recreational facilities such as parks and playgrounds are permitted.
- K. Drainage: The mobile home park shall be located on a well-drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water. An approved drainage system which is certified by a licensed and qualified engineer. A variance to this requirement may be granted due to lack of severity of topography (slopes no greater than 10% grade at any point, not averaged) and/or a mobile home park with no more than 20 dwellings.
- L. Prohibited: Travel trailers and other similar camping devices shall not be permitted to be occupied as living quarters in mobile home parks. No use other than residential may be permitted in the park.

Plans and schedules for mobile home parks are required. Mobile home parks are required to obtain approval of preliminary plans. All developers should be aware that it is advisable to apply for preliminary approval as soon as possible. Preliminary mobile home park approvals are null and void after one year. Final mobile home park approvals are null and void after 2 years unless the development has been completed. The Planning Commission may extend preliminary and final mobile home park approvals upon application if the developer gives a reasonable explanation for the delay. If the Planning Commission grants an extension of final approval the developer shall keep the bonding in full force until the park is completed.

### **Sec. 055-020. Preliminary Mobile Home Park Site Plan Requirements.**

#### Preliminary Mobile Home Park Site Plan:

- A letter from utility company manager approving the sanitary sewer tap-on or approval of soil for septic system by the department of the State of Tennessee having jurisdiction<sup>67</sup>.
- A letter from the Anderson County Highway Superintendent approving the plans for proposed road construction.
- A letter from the utility company manager approving plans for water line construction, including water availability and pressure.
- A letter approving electrical service plan from utility company.
- A site plan certified by a licensed surveyor which contains:
  - ◇ Topography at 5 ft. intervals.
  - ◇ Name, location, location sketch map and acreage.
  - ◇ Name(s) and address(es) of the owners.
  - ◇ Name, address, phone number, seal and license number of site plan designer.
  - ◇ Date of site plan, north point and graphic scale.
  - ◇ Tax map number, parcel number, deed reference numbers, zoning district.
  - ◇ Names of adjoining property owners.

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<sup>67</sup> 3/20/95

## ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)

- ◇ Location of property lines with dimensions and lot sizes, dimensions and numbers.
- ◇ Location and availability of utilities, including existing and proposed water lines, sewer lines, gas lines, fire hydrants, transmission lines.
- ◇ Preliminary street profile (may be a separate sheet).
- ◇ Names, locations and width of rights of way and pavement of streets and roads (existing and proposed).
- ◇ Drainage areas, creeks, sinkholes, drainage structures (existing and proposed) including tiles, culverts, drains.
- ◇ Certification that the property does not lay in a designated flood hazard area or location of flood hazard areas.
- ◇ Signature of licensed surveyor.

### **Sec. 055-030. Final Mobile Home Park Site Plan Requirements.**

#### Final Mobile Home Park Site Plan:

A site plan certified by a licensed surveyor which contains:

- Name(s) and address(es) of the owners.
- Name, address, phone number, seal and license number of site plan designer.
- Name, location, location sketch map and acreage.
- Date of site plan, north point and graphic scale.
- Tax map number, parcel number, deed reference numbers, zoning district.
- Names of adjoining property owners.
- Dimensions, angles, bearings, monuments, lot numbers, property lines. All dimensions to the nearest 1/100<sup>th</sup> of a foot, and all angles to the nearest minute. Right of way lines and dimensions. The dimensions of all lot lines.
- Location of utilities including water lines, sewer lines, gas lines, fire hydrants, transmission lines, underground electrical service lines. Location of all utility easements.
- Final street profile with names and locations.
- Dwelling unit and building setbacks.
- Drainage, drainage easements, creeks, sinkholes, drainage structures (existing and proposed) including tiles, culverts, drains.
- Certification that the property does not lie in a designated flood hazard area or location of flood hazard areas including 100 & 500-year flood areas.

### **Sec. 055-040. Required Supporting Documents.**

In addition, the following supporting documents shall be submitted:

- Certification by the department of the State of Tennessee having jurisdiction that the proposed mobile home park complies with all applicable state regulations pertaining to sewage disposal.
- Certification by the appropriate utility agency that an adequate supply of public water will be provided.
- Certification by the Anderson County Highway Superintendent that the required roads are adequate and the roads meet county road standards. (Mobile home park roads may not be accepted into the Anderson County road system.)

## ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)

- A time schedule for development which shall demonstrate the applicant's readiness and ability to provide the proposed services. Said time shall not be for a period of more than one year for preliminary site plans and not for a period of more than 2 years for final site plans.
- Written cost estimates of utility construction. Three bids on utility, street and drainage construction.
- A 24-month secured bond made to the Planning Commission for 120% of the estimated or bid cost of utilities, streets, and drainage structures
- The bonding for said park shall be for 2 years unless the road superintendent, engineer or public utility certifies that the improvements meet the requirements of these standards in which case the bond may be released.
- Such other architectural, engineering, or topographic data as may be required to permit the department of the State of Tennessee having jurisdiction, Anderson County Highway Superintendent, Planning Commission, or the Board of Zoning Appeals to determine if the purpose of the Zoning Resolution is being followed.

### **Sec. 055-050. Possible Reasons for Denial.**

The Planning Commission may deny any mobile home park proposal for any one of the following reasons:

- Land unsuitably located. The Planning Commission shall not approve what it considers to be scattered or premature development of mobile home parks because of lack of, or adverse affect on, water supply or sewage disposal, schools, good transportation, or other public services.
- Public agency approvals. The Planning Commission shall not approve the mobile home park or may limit the size of such development if from adequate investigation by all public agencies concerned, it has been determined that in the best interest of the public, the site is not suitable for development purposes of the kind proposed.
- Land physically unsuitable. Land which the Planning Commission has found to be unsuitable for development because of flooding, bad drainage, steep slopes, rock formations, poor soil for septic tank usage, and other such features which may endanger health, life, or property, aggravate erosion, increase flood hazard, shall not be approved for a mobile home park unless adequate methods are formulated by the developer for meeting the problems created by mobile home park.
- Land subject to flooding. Land subject to flooding and land deemed to be topographically unsuitable shall not be developed residential occupancy or for any other uses that may increase flood hazard, endanger health, life, or property, or aggravate erosion. Such land within the development shall be set aside for such uses as shall not be endangered by periodic or occasional inundation or shall not produce satisfactory living conditions. Land within a floodway, as defined by this article, shall be considered unsuitable for residential occupancy or building sites. Fill may not be used to raise land within a floodway.
- Inadequate access. The Planning Commission shall not approve a mobile home park which would require extension or upgrading of existing streets or roads or require the installation of new streets by the county to provide adequate access to the mobile home park. If extension of existing streets or roads is required for access to a mobile home park, the extension shall be at the expense of the developer. All extensions shall meet county road standards and shall be approved by the county road superintendent and the county engineer.

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An application for a permit to develop and construct a mobile home park shall be filed in accordance with Article 4, Division 75, Section 075-050 of this resolution and shall be accompanied by all plat plans, schedules, and information herein required.

### **Division 60: Off-Road Parking Requirements.**

#### **Sec. 060-010. General Requirements.**

Off-road automobile storage or standing space shall be provided on each lot upon which any of the following uses are hereafter established. One passenger vehicle space shall be determined as 200 square feet of parking space and such space shall be provided with vehicular access to a road or alley. The number of parking spaces provided shall meet the minimum requirements for the specific uses as set forth below:

- A. Dwellings: Not less than one space for each family dwelling unit.
- B. Boarding Houses and Rooming Houses: Not less than one space for each 2 rooms occupied by boarders or roomers.
- C. Tourist Accommodations: Not less than one space for each room offered for tourist accommodation.
- D. Any Auditorium, Church, Stadium, or Other Place of Public Assembly: Not less than one space for each 5 seats provided in such places of assembly. For places of public assembly where seating is not a measure of capacity, such as clubhouse, funeral parlors, etc. at least one space for each 100 square feet of floor space devoted to that particular use shall be provided.
- E. Hotels: Not less than one space for each guest room.
- F. Manufacturing or Other Industrial Uses: Not less than one space for each 2 persons employed or intended to be employed on a single shift, with a minimum of 5 spaces provided for any establishment.
- G. Commercial Building or Use: One space for each 100 square feet of usable floor space in general commercial districts for commercial uses in which the public utilizes or frequents the building for the conduct of business.<sup>68</sup>
- H. Medical or Dental Clinics: Four spaces per doctor, plus one additional space for each 2 employees.
- I. Service Station: Five spaces for each grease rack or similar facility, plus one space for each gasoline pump.
- J. Offices: One space for each 200 square feet of office space.
- K. Restaurants: One space per 150 square feet of usable floor area, plus one space for each 2 employees. (For drive-in restaurants, one space per 50 square feet of usable floor area).
- L. <sup>69</sup>Commercial Building or Use (Not frequented by the Public): A minimum of 4 parking spaces shall be required, plus a non-paved reserve area for each employee for commercial uses in which the transaction of business occurs predominately off site.

#### **Sec. 060-020. Certification of Minimum Parking Requirements.**

Each application for a building permit shall include information as to the location and dimensions of off-road parking and loading space and the means of ingress and egress to such space. This information shall provide sufficient detail to enable the Building Commissioner to determine whether or not the requirements of this section are met.

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<sup>68</sup>4/17/89

<sup>69</sup>4/17/89

## ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)

### **Sec. 060-030. Combination of Required Parking Space.**

The required parking space for any number of separate uses may be combined in one lot, but the required space assigned to one may not be assigned to another use, except that the parking space required for churches, theaters, or assembly halls whose peak attendance will be at night or on Sundays may be assigned to a use which will be closed at night or on Sundays.

### **Sec. 060-040. Remote Parking Space.**

If the off-road parking space required by this resolution cannot be reasonably provided on the same lot on which this principle use is located, such space may be provided on any land within 500 feet of the main entrance to such principal use, provided such land is in the same ownership as the principal use. Such land shall be used for no other purposes so long as no other adequate provision of parking space, meeting the requirements of this resolution has been made for the principal use.

### **Sec. 060-050. Requirements for Design of Parking Lots.**

- A. All areas devoted to off-road parking shall be so designed and be of such size that no vehicle is required to back into a public road to obtain egress.
- B. Each parking space shall be no less than 200 square feet in area.
- C. Entrances and exits for all off-road parking lots shall comply with the following, as well as the requirements of Article 1, Division 05, Section 05-080.
  - 1. Point of vehicular access onto street: maximum 30 feet width. All points of access shall be constructed to provide proper drainage and ensure adequate provision is available so backing movements onto or off of a public thoroughfare is not necessary.
  - 2. There shall be no more than 2 points of access to any one public street for each 400 feet of lot frontage or fraction thereof. Lots less than 100 feet in width shall have no more than one point of access to any one public road.
- D. The parking lot shall be drained to eliminate surface water.

### **Sec. 060-060. Off-Road Loading and Unloading Requirements**

- A. Every building or structure hereafter constructed and used for industry or business or trade in commercial and industrial districts shall provide space for the loading and unloading of vehicles off the road or public alley. This space shall not be considered as part of the space requirements for off-road automobile storage.
- B. Behind every building or structure used for business or trade, there shall be a rear yard not less than 20 feet in depth to provide space for loading and unloading vehicles except as provided in Article 1, Division 30, Section 030-010 and Division 35, Section 035-010 and Section 035-020.

## **Division 65: Signs, Billboards, and Other Advertising Structures.**

### **Sec. 065-010. General Regulations.**

These regulations are applicable in zone districts without specific sign, billboard, and other advertising structure requirements exclusive to the zone district. These conditions are established as a reasonable and impartial method of regulating advertising structures and display surface area permitted, in order to insure safe construction, to insure light, air, and open space, to reduce hazards, to prevent the accumulation of trash, and to protect the property values of the entire community. The regulations for signs, billboards, and other advertising structures are indicated below. The interpretation or nomenclature in this section shall be defined in the Definitions Sections. The Building Commissioner shall have the primary responsibility for enforcement of this section. Prior to receiving a permit for a

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sign, billboard, or other advertising structure regulated under the Billboard Regulation and Control Act of 1972 or to other applicable state or federal laws or regulations, the applicant must submit proof that the structure has been approved by the Tennessee Department of Transportation. The regulations for signs, billboards, and other advertising structures are enumerated below:

- A. In any zoning district, the following general regulations shall apply as well as the regulations in, "Signs," of the International Building Code:
1. No sign shall be erected or maintained where, by reason of its position, wording, illumination, size, shape, or color; it may obstruct, impair, obscure, interfere with the view of, or be confused with any authorized traffic control sign, signal, or device. No sign shall contain or make use of any word, phrase, symbol, or shape, form, or character in such manner as to interfere with, mislead, or confuse traffic.
  2. No sign having flashing, intermittent or animated illumination shall be permitted within 300 feet of property in any suburban or rural residential district unless said sign is not visible from such property.
  3. No sign shall have moving parts. No signs, except electronic message centers (EMC), shall have red, green, yellow, amber, or blue lights. No sign shall have flashing or blinking lights other than electronic message centers (EMC). No sign having flashing, intermittent, or animated illumination or moving parts shall be permitted, except electronically operated message boards which operate primarily for the purpose of giving time, temperature, public service information and/or the name of the business.
  4. No illuminated sign shall be permitted within 50 feet of property in any suburban or rural residential district unless said sign is so designed that it does not shine or reflect light onto such property.
  5. No ground sign shall be erected to exceed the maximum height limitation for the district in which it is located or to exceed 50 feet in length. The bottom coping of every ground sign shall be at least 3 feet above the ground or street.
  6. All signs shall be located not closer than fifteen feet (15) to a street right-of-way line or twenty (20) feet from the edge of pavement, whichever is greater. Projecting, shingle, and awning signs shall be a minimum of eight (8) feet above sidewalks in the commercial district. All business signs shall be setback ten (10) feet from all side and rear property lines. Traffic control signs not exceeding nine square feet in area and less than or equal to three feet in height may be allowed within the area required for setback from the right-of-way or pavement.
  7. Size, Location, Setbacks, & Structure Restrictions:
    - a) Advertising signs shall be placed on a unipole structure and shall not be double decked (either one above the other or side by side on the same structure).
    - b) Space Requirements – Primary and Secondary Arteries:  
No off-premises (Outdoor Advertising) structure shall be allowed.
  8. Signs erected and overhanging any sidewalk must be placed at least 9 feet above the sidewalk and may extend over the sidewalk a distance equal to 2/3's the width of the sidewalk, but in no case exceeding 10 feet.
  9. Sign shall not project from a building a greater distance than ten (10) feet and shall maintain a clear height of ten (10) feet. Where such signs project over public property they shall not extend closer than twenty inches to the curb line.
  10. Professional signs shall not exceed 4 square feet in area in the A-2 and R-1 Districts.



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11. No building walls or roofs shall be used for display of advertising in the A-2, R-1 and F-1 Districts.
12. Temporary signs shall not be erected or otherwise fixed to any pole, tree, stone, fence, building, structure, or any object within the right-of-way of any street. A temporary sign shall not be suspended across public streets or other public places. No temporary sign shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision, or be confused with any authorized traffic signal, sign, or device, or located in any required parking space. Each business may erect or post a temporary sign on two occasions during each calendar year, provided that each such occurrence does not exceed thirty days in duration. Any sign posted for a longer period must meet the requirements for a permanent portable sign. No temporary sign shall exceed one hundred fifty (150) square feet in area. Notwithstanding any provisions in this section or any other section of this ordinance to the contrary, any business situated or located within a Commercial zoning district may place only one temporary sign on the property owned or leased by them and used for that business, in addition to any other signs that are permitted or allowed in that zoning district; provided that all such signs shall comply with the applicable setback and parking requirements. A portable sign may be considered or utilized as a temporary sign.
13. Temporary business signs, if serviced by electrical power, shall conform to the latest adopted revision of the National Electrical Code.
14. In any district the following signs shall be permitted:
  - a) For parking areas, entrance and exit signs not exceeding 4 square feet in area and not more than one sign not more than 16 square feet in area identifying or designating the conditions of the use of such parking area.
  - b) Non-illuminated "For Sale" or "For Rent" signs not exceeding 4 square feet in area.
  - c) One sign not more than 12 square feet in area giving the names of the contractors, engineers or architects during construction of a building.
  - d) Signs established by or by order of any governmental entity.
  - e) For special events of public interest, one sign not over 32 square feet in area located upon the site of the event.
  - f) For each real estate subdivision that has been approved in accordance with the Subdivision Regulations of the County one sign, not over one hundred square feet in area, advertising the sale of property in such subdivision. Such sign shall be permitted only when located on some portion of the subdivision being advertised for sale and shall not encroach upon any required yard. Such sign may be illuminated. Such sign shall be maintained only during the period the property is for sale. Permits for such signs shall be issued for a one year period and may be renewed for additional one year periods.
15. No sign shall be placed in any public right-of-way except publicly owned signs or directional signs.
16. Business signs for home occupation shall not exceed two square feet and shall be attached to the building structure.
17. a. The total surface area for ground or monument signs shall be measured by calculating the entire area enclosed by the perimeter of the extreme limits of the sign cabinet or module, exclusive of embellishments such as pole coverings, framing, decorating roofing, or any appurtenances required by the building code.
  - b. For wall signs, the total surface area shall be measured by calculating the entire area enclosed

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by the perimeter of the extreme limits of the sign copy including vertical and horizontal spacing between letters and logos on the sign face.

- c. A sign designed to be viewed from two different directions shall be considered as one sign, provided that the two sign faces shall not be more than forty-two (42) inches apart if parallel, nor form an angle of more than ninety (90) degrees.
18. Abandoned business signs advertising a business no longer conducted on the premise shall be removed by the owner or lessee of the premises upon which the sign is located within sixty days of written notification by the Building Commissioner.
19. All permanent on premises signs shall contain the street number of the business.
20. All distances shall be measured along a straight line between the two closest points.
21. Measurements for distances and heights from a roadway surface shall include the roadway surface of ramps and flyovers.
22. Signs on Scenic Highways or Parkways:
  - a) No advertising signs shall be located within two thousand (2,000) feet of any road or highway in Anderson County which is designated part of the State of Tennessee Scenic Highway System.
  - b) A ground or monument sign shall not be located within two thousand (2,000) feet of the right-of-way of a Scenic Highway or Scenic Parkway unless such sign is one hundred ninety-five (195) square feet or less in surface area and is thirty-five (35) feet or less in height. The foregoing restriction shall not apply to signs located within a two thousand (2,000) foot radius from an intersection of the Scenic Highway and/or Scenic Parkway system and an Interstate Highway System. Height shall be measured as follows: Sign locations above or even with the surface of the Scenic Highway or Scenic Parkway shall be measured from the grade level at the base of the sign to the top of the sign. Sign locations below the surface of a Scenic Highway or Scenic Parkway shall be measured from the surface of the Scenic Highway or Scenic Parkway to the top of the sign.
23. All signs shall be located on a site plan provided to the Building Commissioner at the time of an application with certification stating (1) whether the sign is or is not within two thousand (2,000) feet of the right-of-way of a Scenic Highway of Scenic Parkway, and (2) whether the sign is outside of a two thousand (2,000) foot radius from any intersection of the Scenic Highway and/or Scenic Parkway system and an interstate highway system.
24. As of December 1, 2008, there shall be a ban on the issuance of permits for new construction of billboards at new locations within Anderson County; provided however that lawfully existing billboards, shall be nonconforming uses, as regulated by Section 065-060 of this Ordinance.

### **Sec. 065-020. A-1 District Regulations.**

1. Nameplates indicating the name, address, house number, announcement of boarders or roomers, or customary home occupations are permitted.
2. Not more than 2 non-illuminated signs, not to exceed a total of 32 square feet in area, advertising the sale of farm products produced on the premises shall be permitted.
3. Church, school, or public building, bulletin boards or identification signs not exceeding 60 square feet in area are permitted.
4. The Board of Zoning Appeals may review and allow special exceptions for churches, schools, and other community assembly facilities to use an Electronic Message Center (EMC), provided they do not create a visual nuisance to nearby residences.
5. Flashing or intermittent illumination is prohibited.

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6. Business signs, not to exceed one and one half (1½) square feet of surface area for each one linear foot of the face of building, relating to the business on the premises will be permitted.
7. Billboards and other outdoor advertising structures are prohibited except certain directional signs intended to guide the general public to areas designated by the Planning Commission as having scenic, historic or recreational value. However, such directional signs shall not exceed 64 square feet in area.

**Sec. 065-030. A-2 District Regulations.**

1. Nameplates indicating name, address, house number, announcement of boarders or roomers, or customary home occupations are permitted.
2. Not more than 2 non-illuminated signs not to exceed a total of 32 square feet in area, advertising the sale of farm products on the premises shall be permitted.
3. Church, school or public building, bulletin boards or identification signs not exceeding 60 square feet in area are permitted.
4. The Board of Zoning Appeals may review and allow special exceptions for churches, schools, and other community assembly facilities to use an Electronic Message Center (EMC), provided they do not create a visual nuisance to nearby residences.
5. Billboards and other outdoor advertising structures are prohibited except certain directional signs intended to guide the general public to areas designated by the Planning Commission as having scenic, historic or recreational value. However, such directional signs shall not exceed 64 square feet in area.
6. Flashing or intermittent illumination is prohibited.

**Sec. 065-040. R-1 District Regulations.**

1. Nameplates indicating name, address, house number, announcement of boarders or roomers, or customary home occupations are permitted.
2. For apartment building, identification signs not exceeding 9 square feet in area are permitted.
3. Church, school, or public building bulletin boards or identification signs, not exceeding 20 square feet in area are permitted.
4. The Board of Zoning Appeals may review and allow special exceptions for churches, schools, and other community assembly facilities to use an Electronic Message Center (EMC), provided they do not create a visual nuisance to nearby residences.
5. Flashing or intermittent illumination is prohibited.
6. Billboards and other advertising structures are prohibited

**Sec. 065-050. Commercial District Regulations (C-1, C-2, C-3).**

1. Each business shall be allowed one wall sign not to exceed 10% of the front facade of the business in the C-1, C-2, C-3, I-1 and I-2 zones and one ground sign, not to exceed the height requirements in the district in which it is located or 50 feet and not to exceed 350 square feet for the actual sign display. In the case of a shopping center or cluster complex, one ground sign, advertising all businesses or industries shall be allowed up to 500 square feet in lieu of allowing individual ground signs.<sup>70</sup>
2. In C-1, C-2, & C-3 Commercial Districts, where more than one business is located on the same lot, with a minimum street frontage of one hundred fifty (150) feet, the total allowable surface area of business ground or monuments signs shall be multiplied by 1.50.

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3. Within all Commercial Districts business signs shall be limited to:
  - a. Locations on buildings on the parcel.
  - b. Ground signs, including portable signs.
  - c. For the purposes of this section canopies, gasoline pumps, and drive through order boards are considered part of the building.
  - d. Electronic Message Centers (EMC) subject to the following requirements:
    - (1) An EMC shall be limited to parcels with a minimum of 200 feet of frontage on a street and further limited to one EMC per parcel.
    - (2) No EMC shall be erected or used by a business unless any changeable letter reader board is first removed from the parcel.
    - (3) An EMC shall be included in the total signage permitted on the parcel.
    - (4) An EMC shall be permitted as a wall sign, or an integrated part of the total sign surface of a free standing business sign.
    - (5) An EMC shall be integrated into the total sign surface of a free standing sign and shall have a minimum matrix area of 20 square feet and a maximum size of 150 square feet.
    - (6) An EMC permitted as a wall sign shall not exceed 100 square feet maximum.
    - (7) Each display on an EMC shall hold constant for a minimum of 8 seconds. Background changes may accompany text changes at the same time and interval.
    - (8) An EMC must be equipped with a dimming sensor switch that automatically calculates lighting and adjusts itself accordingly.
    - (9) Caricatures and animation are prohibited on EMC signs; only text is allowed to be displayed on EMC signs.
4. Bulletin boards or identification signs not exceeding thirty-two square feet in area shall be permitted for public recreation uses, community facilities, hospitals, and clinics.
5. Billboards and off-premises advertising signs are prohibited.
6. **Wall signs:** The total size of this sign shall not exceed one-half (0.5) square feet per linear foot of the front face of the building or a maximum of 30 square feet, whichever is less. The height of the sign shall not exceed 24 inches or 2 feet.  
**Monument signs:** The location and landscaping around such signs shall be outlined in the sign plan. Permitted dimensions are:  
**Column signs:** Surface area not to exceed 30 square feet. Total height of the sign cannot exceed 5 feet, 6 inches.  
**Projecting signs:** a sign not over twelve square feet in area which projects no more than four feet from the front façade of the building.  
**Arcade and Hanging signs:** A covered sign (under a porch roof, awning, or colonnade), whose surface area is not to exceed over six square feet.  
**Awning and Canopy Signs:** A sign that is printed or sewn onto durable material and hung over doorways and storefronts that provide shelter and shade for pedestrians, which shall be limited to street level businesses.  
**Window signs:** Any sign placed within a window facing the street or thoroughfare, and shall be composed of applied letters or symbols on no more than 30% of the storefront glass. These signs shall not obscure the view of the interior of the store and may include neon lighted signs.  
**Shingle Signs:** A projection of a wall sign not over six square feet in area, and projecting not more than two feet over public property.

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### **Section 065-060. Non-Conforming Outdoor Advertising Signs and Structures.**

An owner of any advertising or business sign or structure legally existing at the time of the adoption of this amendment which does not conform to the requirements of this ordinance shall have until January 1, 2009, to register with the Anderson County Zoning Office for purpose of ensuring to the owner the right to continue such non-conforming use. After January 1, 2009, any non-conforming sign not registered shall be considered an illegal sign. The Building Commissioner shall notify or make reasonable effort to notify the owner of the sign of such condition. If after thirty days of such notification the sign has not been removed by the owner, the County, its officials, or its employees shall have the authority to enter on the private property on which the sign is located to remove such sign and/or institute appropriate action to have the sign removed. The County is further authorized to place a lien, in the amount of the removal cost, against the property upon which the illegal non-conforming sign is located.

### **Section 065-070. Portable Sign Regulations.**

1. Any person, either owner or lessee, who fails to act in accordance with the provision of this section may be required to remove the portable sign within the time hereinafter provided.
2. No person shall install or maintain, cause to be installed or maintained or permit to be installed or maintained any portable sign in violation of this ordinance. Any person who shall violate the provisions of this section shall be issued a citation and upon conviction be guilty of a misdemeanor, and shall be fined not more than Fifty Dollars for each offense, with each day of violation constituting a separate offense.
3. Any portable sign that continues to be maintained in violation of the provisions of this ordinance after having been previously cited for a violation, shall be subject to removal from the premises if not brought into compliance within twenty-four hours of notification to the owner or lessee, if any, of the sign or their representatives.
4. No portable sign shall be used as an advertising (off-premise) sign.
5. No portable sign shall exceed thirty-two square feet.
6. A portable sign may be considered a permanent sign, subject to signage allotment requirements, provided that it is contained on a permanent foundation, if serviced by electrical power, conforms to the latest adopted revision of the IBC, and if serviced by electrical power, the latest adopted revision of the National Electric Code. Electrical materials and devices incorporated into such signs shall be certified by the Underwriters Laboratories, Inc., and shall bear the ULI label, or the label of another approved tested laboratory.

### **Section 065-080. Permit for Signs.**

1. No sign, portable sign, outdoor display, or billboard other than "for sale" or temporary political signs shall be placed, operated, maintained, erected or attached to, suspended from, or supported on a building, structure or ground until a permit in writing, authorizing the same has been issued by the office of the Building Commissioner.
2. The Building Commissioner shall have primary responsibility for the administration and enforcement of these sign regulations, and shall issue sign applications and permits for all signs located within Anderson County.

**ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)**

3. No sign permit shall be issued to any person, firm, business, or corporate entity doing business within the County until such person, firm, business, or corporate entity has obtained a valid business license from Anderson County.
4. Before a permit may be issued, complete plans and specifications showing the construction, methods of support and the materials used shall be submitted for approval to the Building Commissioner. In addition to any other required information, such plans and specifications shall include the following:
  - a. A detailed site plan of the property drawn to scale, showing all existing and proposed freestanding signs, buildings, parking areas, and driveway entrances to the site, together with all roadways and informational signs located on the right-of-way of said roadways which are located immediately adjacent to the proposed site.
  - b. The total number of square feet of existing and proposed signage on the parcel where the proposed sign is to be erected.
  - c. The location of all existing ground signs located within the area of the proposed site which signs are within the minimum space requirements for distances between structures as set forth in Division 065, Section 065-010 of the Zoning Ordinance of Anderson County.
5. The Building Commissioner shall keep and maintain accurate records of all sign permits issued by the County, which records may serve as the basis for a comprehensive inventory of the signs within the County.

**Section 065-090. Permit and Inspection Fees.**

**SIGN PERMIT FEES:**

1. Sign construction permit fees shall be assessed and collected prior to the approval of any application for construction or major renovation. Minor renovation shall include changing of removable parts of signs that are designed to be changed, repainting of display matter, or replacing lettering or decoration. Minor renovations are deemed to be maintenance work for which no fees are charged and no permit is required
2. A sign permit fee is required for each portable sign location.

**ANNUAL INSPECTION FEES:**

1. In addition to the permit fees set forth above and commencing on January 1, 2009, an annual inspection fee shall be assessed for any existing ground sign or portable sign as follows:
  - a. Signs of fifty square feet and less..... \$12.00
  - b. Signs of fifty-one to one hundred square feet..... \$25.00
  - c. Signs one hundred one to four hundred fifty square feet ..... \$50.00
  - d. Signs larger than four hundred fifty square feet..... \$100.00
2. These inspection fees shall not apply to any on-premise sign owned by an organization if said organization is exempt from taxation pursuant to paragraph (3) of subsection (C) of Section 501 of the Internal Revenue Code of 1954 as amended, if said organization submits proof of its tax exempt status to the Building Commissioner.
3. The building commissioner or his designee shall make an annual inspection of existing ground and portable signs for compliance with the provisions of Zoning and other Anderson County requirements. The Building Commissioner or his designee shall maintain records of all inspected signs.

## ARTICLE 4: ADMINISTRATION, ENFORCEMENT, AND THE BOARD OF ZONING APPEALS

### Division 70: Administration and Enforcement

#### Sec. 070-010. Administration of the Resolution.

Except as otherwise provided, no structure or land shall, after the date the zoning resolution was adopted in 1977, be used and no structure or part thereof shall be erected, altered or moved unless in conformity with the regulations herein specified for the district in which it is located. In their interpretation and application, the provisions of this resolution shall be considered minimum requirements adopted for the promotion of public health, safety, morals, convenience, order, prosperity and general welfare of the community. Where other resolutions or regulations heretofore adopted or which may be adopted hereafter impose greater restrictions than those specified herein, compliance with such other resolutions or regulations is mandatory.

#### Sec. 070-020. Enforcement

The provisions of this resolution shall be administered and enforced by the Anderson County Building Commissioner or his designated Enforcement Officer.

#### Sec. 070-021. Enforcement Procedures

- A. A Complaint is filed or Enforcement Officer sees a violation.
- B. A Complaint form will be filled out and a file will be opened.
- C. The property will be posted with a "Violation Notice".
- D. If no response regarding notice is received within 5 (five) working days, a certified letter will be sent to the property owner. The letter will describe the violation; note the section of the *Anderson County Zoning Resolution* or *2003 International Property Maintenance Code* that addresses the violation and where and when the particular code or resolution is available for viewing.
- E. The letter will inform the property owner that they have 10 (ten) working days to come into compliance or reply with a written plan to comply. The plan must contain a realistic estimated completion date. After a plan is submitted and agreed upon by the Zoning office, progress will be monitored on a weekly basis and progress noted in the file.
- F. If there is no response to the certified letter or the violation is not brought into compliance in accordance with the submitted plan, the case will be turned over to the County Law Director for prosecution.
- G. Once a case has been sent to the County Law Director it will be allowed to continue through the court system to its conclusion. There will be no holds or delays on the basis of the property owner showing effort or coming into compliance after a court date is assigned. Extensions and delays will be the sole discretion of the County Law Director and the Judge.
- H. The disposition of the case will be logged into the file and monitored by the Code Enforcement Officer to insure that the court decision is carried out. If the violation is not brought into compliance in accordance with the court's instructions a notice will be sent to the County Law Director advising what deficiencies remain.

In addition, the Building Commissioner shall:

**ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)**

- A. Issue all building permits and make and maintain records thereof
- B. Issue and renew, where applicable, all Temporary Use Permits and make and maintain records thereof
- C. Maintain and keep current Zoning Map and records of amendments thereto
- D. Conduct inspections as required in this resolution and such other inspections as are necessary to insure compliance with the various other general provisions of this resolution. The Building Commissioner shall possess the right to enter upon any premises for the purpose of making inspections of buildings or premises necessary to carry out his/her authorized duties.

**Sec. 070-030. Permits.**

**Sec. 070-031 Building Permits.**

Building permits are required for any and all structures that are over 100 square feet or cost \$1000 or greater. It shall be unlawful to commence the excavating for the construction of any building or other structure, including accessory structures; to commence the moving, alteration or repair of any structure including accessory structures; to commence the filling of land until the Building Commissioner has issued for such work a Building Permit containing a statement that the plans, specifications and intended use of structure conform in all respects with the provisions of this resolution. Application for a Building Permit shall be made in writing to the Building Commissioner on forms provided for that purpose. For any structure whether a primary or accessory building which does not have a building permit prior to any excavation, grading, repair, moving, alteration or start of footers or any type of construction shall have the building permit fee doubled.

It shall be unlawful for the Building Commissioner to approve the plans or issue a Building Permit for any excavation or construction until he has inspected such plans in detail and found them to be in conformity with this resolution. To this end, the Building Permit for excavation, construction, moving or alteration shall be accompanied by a plan or plat drawn to scale and showing the following in sufficient detail to enable the Building Commissioner to ascertain whether the proposed excavation, construction, moving or alteration is in conformance with this resolution:

- A. The actual shape, location and dimensions of the lot to be built upon
- B. The shape, size and location of all buildings or other structures to be erected, altered or moved and of buildings or other structures already on the lot
- C. The existing and intended use of all such buildings or other structures
- D. Location and design of off-street parking areas and off-street loading areas. Such other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of this resolution are being observed
- E. Soil erosion plan if required
- F. <sup>71</sup>Approved plans for sewage disposal system. All structures must be connected to an adequate and approved sewage disposal system before being occupied. An adequate and approved sewage disposal system must be maintained during the time all buildings or structures are occupied.

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<sup>71</sup> 3/20/95



## ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)

If the proposed excavation, construction, moving or alteration as set forth in the application is in conformity with the provisions of this resolution, the Building Commissioner shall issue a Building Permit for such excavation or construction. If an application for a Building Permit is not approved, the Building Commissioner shall state in writing on the application the cause for such disapproval.

Issuance of a permit shall in no case be construed as waiving any provisions of this resolution, and Building Permits shall be void after 6 months from date of issue unless substantial progress on the project has been made by that time.

### **Sec. 070-032. Temporary Use Permits.**

It shall be unlawful to commence construction or development of any use of a temporary nature until a permit accompanied by a \$5.00 fee, has been secured from the Anderson County Building Commissioner, as provided for in Article 3, Section 045-150 of this resolution. Application for a Temporary Use Permit shall be made in writing to the Building Commissioner on forms provided for that purpose.

### **Sec. 070-040. Penalties.**

Any person violating any provision of this resolution shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than \$5.00 or more than \$500.00<sup>72</sup> for each offense. Each day such a violation shall continue constitutes a separate offence.

### **Sec. 070-050. Remedies.**

In case any building or other structure is erected, constructed, altered, repaired, converted or maintained, or any building, structure, or land is used in violation of this resolution, the Building Commissioner or any other appropriate authority or any adjacent or neighboring property owner who would be specifically damaged by such violation, in addition or other remedies, may institute injunction, mandamus or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use; to correct or abate such violation; or to prevent occupancy of such building, structure or land.

### **Sec. 070-060. <sup>73</sup>Stop Work Orders.**

When any land is being used or any structure is under construction, is proposed for construction, is being remodeled, is being used or is being prepared for use in violation of any part of this Zoning Resolution, the Building Commissioner or Building Inspector shall issue a stop work order which shall order the owner(s) and/or occupants, lessee(s) or any other party to cease and desist immediately for construction, occupying, preparing the structure or otherwise continuing the violation of the Zoning Resolution<sup>74</sup>. The stop work order will only be rescinded by the Building Inspector or Building Commissioner upon the conformance to the Zoning Resolution by either compliance by the owner(s), lessee(s), occupant(s) or other persons to the Zoning Resolution, or by ruling of the Board of Zoning Appeals approving a special exception, variance or by ruling of the Planning Commission and Anderson County Commission in regard to rezoning, or by court order.

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<sup>72</sup> 10/16/95

<sup>73</sup> 3/16/81

<sup>74</sup> 8/17/92

## ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)

The stop work order shall contain the name(s) of the owner(s), lessee(s), occupant(s) or any other pertinent individual to the case. The stop work order shall also give the location of the property or structure in violation, and the stop work order shall also note the violation. All stop work orders will be signed by the Building Inspector or Building Commissioner.

### **Division 75: Board of Zoning Appeals.**

#### **Sec. 075-010. Creation and Designation.**

A Board of Zoning Appeals is hereby established in accordance with TCA §§ 13-7-106 – 13-7-109. The Board of Zoning Appeals shall consist of 5 members appointed by the Board of Commissioners. Board of Zoning Appeals members shall be appointed to 5-year terms; however, the initial appointments shall be arranged so that the term of one member will expire each year.

#### **Sec. 075-020. Procedures.**

Meetings of the Board of Zoning Appeals shall be held at the call of the Chairman and at such other times as the Board may determine. Such Chairman or, in his absence the Acting Chairman, may administer oaths and compel attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall adopt rules of procedure and shall keep records of application and action taken thereon which shall be public records.

#### **Sec. 075-030. Appeals to the Board.**

An appeal to the Board of Zoning Appeals may be taken by any person, firm, corporation aggrieved, or by any governmental office, department, board, or bureau affected by any decision of the Building Commissioner based in whole or in part upon the provisions of this resolution. Such appeals shall be taken by filing with the Board of Zoning Appeals a Notice of Appeal specifying the grounds thereof, and the Building Commissioner shall transmit to the Board all papers constituting the record upon which the action appealed was taken. The Board shall fix a reasonable time for the hearing of the appeals, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any person or party may appear in persons, by agent or by attorney.

#### **Sec. 075-040. Powers of the Board.**

The Board of Zoning Appeals shall have the following powers:

- A. Administrative Review: To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, permit, decision, determination or refusal made by the Building Commissioner or other administrative official in the carrying out or enforcement of any provision of this resolution.
- B. Special Exceptions: to hear and decide applications for special exceptions as specified in this resolution, hear requests for interpretation of the Zoning Map, and for decisions on any special questions upon which the Board of Zoning Appeals is authorized to pass.
- C. Variances: To hear and decide applications for variances from the terms of this resolution.

## ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)

### Sec. 075-050. Procedures for Authorizing Special Exceptions.

The following procedure is established to provide a means for review of a proposed use by the Board of Zoning Appeals. The procedure shall be the same whether review is required by the resolution or whether a review is requested by the Building Commissioner to determine whether a proposed use is potentially dangerous, noxious or offensive.

- A. Applications: An application shall be filed with the Board of Zoning Appeals for review. Said application shall show the locations and intended uses of the site, the names of the property owners and existing land uses within 1,000 feet, maps and documentation required by other relevant provisions of this resolution, and any other information deemed necessary and proper by the Board.
- B. Restrictions: In exercise of its approval, the Board of Zoning Appeals may impose such conditions upon the proposed uses of buildings or land as it may deem advisable in the furtherance of the general purposes of this resolution.
- C. Validity of Plans: All approved plans, conditions, restrictions and rules made a part of the approval of the Planning Commission shall constitute certification on the part of the applicant that the proposed use shall conform to such regulations at all times.
- D. Time Limit: All complete applications reviewed by the Board of Zoning Appeals shall be decided within 60 days of the date of application, and the applicant shall be provided with either a written notice of approval or denial.

### Sec. 075-060. Procedure of Authorizing Variances.

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, shallow, 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 under this resolution.

- A. Application: After written denial of a permit, a property owner may make application for a variance, using a form which might be made available by the Board of Zoning Appeals.
- B. Hearings: Upon receipt of an application and fee, the Board shall hold a hearing to decide whether a variance to the resolution provisions is, in fact, necessary to relieve unnecessary hardships which act to deprive the property owner of the reasonable use of his land. The applications for variance within 30 days of such hearing and in accordance with the standards provided below.
- C. Standards for Variance: In granting a variance, the Board shall ascertain that the following criteria are met:
  1. Variances shall be granted only where special circumstances or conditions, fully described in the findings of the Board of Zoning Appeals, do not apply generally in the district.
  2. 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. However, mere loss in value shall not justify a variance; there must be a deprivation of beneficial use of land.
  3. The granting of any variances shall be in harmony with the general purposes and intent of this resolution and shall not be injurious to the neighborhood, detrimental to the public welfare or in conflict with the comprehensive plan for development.

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4. In reviewing an application for a variance, the burden of showing that the variance should be granted shall be upon the person applying therefore.
5. Variances shall be granted to allow a use otherwise excluded from the particular district in which requested.

ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)

APPENDIX A – REVISION LOG

Revision	Date of Revision	Affected Section(s)	Description
0	3/21/77	All	Adoption of Zoning Ordinance
1	8/15/77	7.4 A-1 Agriculture-Forestry District	Added subsection B.10 (allowing mining) deleted C.8 (special exception for mining)
		8.91 Regulations Pertaining to Surface Mining...	Revised subsection B in entirety
		8.93 Regulations Pertaining to Deep Mining	Revised subsection B in entirety
		8.94 Application for a Mining Activity Permit	Incorporated into 8.93
2	3/16/81	10.7 Stop Work Orders	Added entire section
3	2/15/82	7.4 A-1 Agriculture-Forestry District	Deleted subsection C.4. (travel trailer parks eliminated from A-1 District)
		7.5 A-2 Rural-Residential District	Deleted subsection C.4. (travel trailer parks eliminated from A-2 District)
		8.14 Location and Development of Travel Trailer Parks	Added entire section
4	5/17/82	6.4 Non Conforming Uses	Revised Subsection B (deleting prohibition of replacing mobile homes once moved off lot)
		6.5 General Lot Restrictions	Added Subsection E
		7.7 General Commercial district	Revised Subsection D (prohibiting residential uses)
		8.2 Temporary Use Regulations	Revised Subsection F (requiring medical professional's recommendation for hardship variance)
		8.3 Customary Home Occupations	Revised throughout
		8.7 Development Standards for Mobile Home Parks	Revised throughout
		8.12 Site Plan Requirements	Added entire section
		9.3 Lots of Record	Revised Subsection C (requiring recording of deeds to combine adjacent nonconforming lots under single ownership)
5	3/21/83	5.2 Definitions	Revised definition for "MOBILE HOME OR TRAILER"
6	7/18/83	6.5 General Lot Restrictions	Modified subsection B, Building Lots Must Abut Public Road, to allow recognition of permanent easements or rights-of-way deemed prior to adoption of Zoning Resolution.
7	8/20/84	7.10 F-1 Floodway District	Deleted, under subsection B (Special Exceptions), item 1,4,5,and 6 and "drive-in theaters" from item 3 Deleted, under subsection D (Approval of the BZA), items 2 and 4 and modified text in items 1 and 3.

**ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)**

<b>Revision</b>	<b>Date of Revision</b>	<b>Affected Section(s)</b>	<b>Description</b>
		7.11 Flood Fringe Area Requirements	Modified subsection A
		8.5 Flood Fringe Area Regulations	Modified subsection A to tie requirements to FEMA flood maps.
8	12/16/85	7.4 A-1 Agriculture-Forestry District	Revised subsection C to include Air Strips as a special exception
		7.5 A-2 Rural-Residential District	Revised subsection C to include Air Strips as a special exception
		7.9 I-2 Heavy Industrial District	Revised subsection C to include Air Strips as a special exception
		8.15 Air Strips	Added section without requirements.
9	1/20/86	8.15 Air Strips	Added requirements
10	3/16/87	6.5 General Lot Restrictions	Added subsection C.3. To allow reduction in lot size to 7,500 sf with public water and sewer.
		9.5 Absolute Minimum Lot Size	Modified to allow reduction in lot size to 7,500 sf with public water and sewer.
11	4/20/87	7.7 C-1 General Commercial District	Superseded entire section
		7.71 C-2 Local Commercial District	Added entire section
		7.73 Interstate Commercial District	Added entire section
		8.11A, Planned Unit Development	Added entire section
12	6/15/87	8.12 Site Plan Requirements	Revised entire section
13	6/15/87	8.6 Planned Unit Development Regulations	Deleted entire section
14	7/20/87	8.4 Signs and Other Advertising Structures	Replaced subsection E and added subsection F
15	12/21/87	7.11 Flood Fringe Area Requirements	Added subsections C and D
16	4/18/88	5.2 Definitions	Added definitions for "JUNKED YARD/LOT/TRACT" and "DUMPS"
		8.8 Development Standards for Automobile Wrecking, Junk and Salvage Yards, Dumps, and Junked Yards	Changed title and added subsections I and J
17	6/20/88	8.17 Swimming Pools	Added entire section
18	4/17/89	6.9 Off-Road Parking Requirements	Modified subsection G and added subsection L
		8.4 Signs and Other Advertising Structures	Added subsection A.11.
		8.12 Site Plan Requirements	Replaced subsection L
19	10/16/89	5.2 Definitions	Added definition for "PUBLIC ROAD"
20	11/20/89	7.4 A-1 Agriculture-Forestry District	Deleted subsection C.5 (allowance of sanitary landfill)
		7.5 A-2 Rural-Residential District	Deleted subsection C.6 (allowance of sanitary landfill)
		7.8 Light Industrial District	Inserted new subsection C (special exception for sanitary landfills), reordering following subsections D & E
		7.9 I-2 Heavy Industrial District	Added subsection C.5 (special exception for sanitary landfills)

**ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)**

<b>Revision</b>	<b>Date of Revision</b>	<b>Affected Section(s)</b>	<b>Description</b>
21	12/18/89	9.6 Utility Lot Sizes/Setbacks	Added entire section
22	2/19/90	8.18 Development Standards for Sanitary Landfills	Added entire section
23	2/19/90	8.13 Condominium Planned Unit Development	Added entire section as 8.13A
24	3/19/90	5.2 Definitions 7.7 C-1 General Commercial District	Added definition for "ADULT ORIENTED BUSINESSES" Added subsection D.1 (prohibiting adult oriented businesses)
25	3/19/90	7.71 C-2 Local Commercial District 7.72 C-3 Interstate Commercial District 7.8 Light Industrial District 7.9 I-2 Heavy Industrial District	Added subsection D.1 (prohibiting adult oriented businesses) Added subsection B.1 (prohibiting adult oriented businesses) Removed "sanitary landfill" from subsection C Removed subsections B.1, B.7, B.9 (and reordered remaining), C.3, and C.5
26	10/17/90	7.12 I-3 Environmental Industrial District 8.7 Mobile Home Park Standards	Added entire section Modified first paragraph to define mobile home park
27	1/22/91	7.72 C-3 Interstate Commercial District	Modified second sentence of first paragraph
28	1/22/91	8.3 Customary Home Occupations	Deleted subsection B.3. and added new subsections B.4. and B.5.
29	3/18/91	7.4 A-1 Agriculture-Forestry District 7.7 C-1 General Commercial District 7.71 C-2 Local Commercial District 7.8 Light Industrial District 7.9 I-2 Heavy Industrial District	Added subsection B.11 (allowing health care and rehabilitation...) Added subsection B.16 (allowing health care and rehabilitation...) Added subsection B.13 (allowing health care and rehabilitation...) Added subsection B.9 (allowing health care and rehabilitation...) Added subsection B.10 (allowing health care and rehabilitation...)
30	8/17/92	10.7 Stop Work Orders	Modified first sentence
31	8/17/92	7.10 F-1 Floodway District	Replaced entire section
32	10/17/94	9.4 Exceptions to Setback Requirements	Replaced subsection B
33	3/20/95	10.3 Building Permits	Added subsection F
34	3/20/95	7.5 A-2 Rural-Residential District 7.6 R-1 Suburban-Residential District 7.7 C-1 General Commercial District 7.9 I-2 Heavy Industrial District	Modified subsection C.12 (reflects change from Health Dept. to TDEC) Modified subsections C.2 & C.3 (reflects change from Health Dept. to TDEC) Modified subsection C.2 (reflects change from Health Dept. to TDEC) Modified subsection F.1 (reflects change from Health Dept. to TDEC)

**ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)**

<b>Revision</b>	<b>Date of Revision</b>	<b>Affected Section(s)</b>	<b>Description</b>
		8.2 Temporary Use Regulations	Modified subsection F (reflects change from Health Dept. to TDEC) – Note: Rev. 4 deleted reference to Health Dept. thus nullifying this revision.
		8.7 Mobile Home Park Standards	Modified Preliminary Site Plan requirements (reflects change from Health Dept. to TDEC)
		8.13 Condominium Planned Unit Development	Modified subsection C (reflects change from Health Dept. to TDEC)
		8.14 Location and Development of Travel Trailer Parks	Modified subsection D (reflects change from Health Dept. to TDEC)
		8.16 Standards for Day Care Centers	Modified subsection A.5 (reflects change from Health Dept. to TDEC)
35	10/16/95	10.5 Penalties	Changed \$50 max fine to \$500
36	7/15/96	7.12 R-1-S Residential District	Added entire section
37	2/19/97	8.13 Site Plan Requirements	Deleted subsection M (requiring bonds)
38	3/17/97	8.7 Mobile Home Park Standards	Deleted
		8.6 Mobile Home Park Standards	Adopted new standards
39	4/21/97	8.11 Performance Standards	Added subsection -9 (requiring stormwater drainage plans)
40	4/21/97	12.1 Amendments	Changed "30 days" to "15 days"
41	7/21/97	7.4 A-1 Agriculture-Forestry District	Added subsection C.10 (allowing firearms training facilities)
		7.5 A-2 Rural-Residential District	Excluded firearms training facilities
42	11/15/99	5.2 Definitions	Added definition for "DAY CARE HOMES"
		7.5 A-2 Rural-Residential District	Added subsection B.8 (allowing day care homes)
		7.6 R-1 Suburban-Residential District	Added subsection B.2 (allowing day care homes)
		7.12 R-1-S Residential District	Added subsection B.5 (allowing day care homes)
		8.16 Standards for Day Dare Homes	Added entire section
43	11/15/99	7.13 Rezoning	Added entire section
44	3/20/00	7.6 R-1 Suburban-Residential District	Deleted subsection C.1
45	3/20/00	12.1 Amendments	Revised last sentences to allow publication of a summary instead of full text in newspaper.
46	4/17/00	5.2 Definitions	Revised definitions for "Accessory Building", "Building Commissioner", "Junk Yard or Salvage Yard", and "Zoning Officer"
47	4/17/00	7.13 R-1-S Residential District	Revised subsection B.1
48	12/17/01	7.4 Height Requirements	Deleted 3 stories
49	5/14/02	5.2 Definitions	Revised definition for "Structure", removed fences



**ANDERSON COUNTY ZONING RESOLUTION (amended 12/17/2015)**

<b>Revision</b>	<b>Date of Revision</b>	<b>Affected Section(s)</b>	<b>Description</b>
50	10/15/07	All	Re-structured for ease of reading, added requirements for Joint Permanent Easements (JPE), Resolved conflicts arising from JPE
51		Division 65, Sections 05-100, 05-110, 05-120, 025-010, 030-010, 070-021.	Revised Sign requirements, corrected typographical errors, added Section 05-100 – Vision at Road Intersections, added Section 05-110 – Accessory use Regulations, added Section 05-120 – Non-conforming Uses, added allowance for Personal Storage Rental Units in A-2 and C-1 Zones, Added Section 070-021 – Enforcement Procedures.
52	10/21/09	Division 10, Section 010-020, Division 20, Section 020-010, Division 25, Section 025-010, 025-020, Division 45, Section 045-070	Defines Bed & Breakfast Establishments. Allow for Bed & Breakfast Establishments in A-1, A-2 and as Special Exception in R-1 Zones. Provides requirements for Bed & Breakfast Establishments.
53	07/20/2015	Division 10, Section 010-020, Division 45, Section 045-161	Defines Wireless Telecommunications Facilities. Provides Development Standards for Telecommunications Towers.
54	12/17/2015	Division 10, Section 010-020, Division 30, Section 030-010	Defines Pain Management Clinic. Uses Upon Review By Planning Commission.