

ZONING RESOLUTION

OF

BRADLEY COUNTY, TENNESSEE

(Revised November 2016)

TITLE OF RESOLUTION

A resolution establishing zoning districts within the unincorporated territory of Bradley County, regulating the uses of property therein, adopting a map of said districts, requiring zoning compliance permits for the construction and use of buildings and premises within said districts, adding additional responsibilities to the Building Inspector establishing a Board of Zoning Appeals and fixing the powers and duties thereof, and providing for the adjustment, enforcement, and penalties for violation of this resolution.

This resolution shall be known as the "Zoning Resolution of Bradley County, Tennessee." The map herein referred to which is identified by the title Zoning Map of Bradley County, Tennessee," dated October 1998, and all explanatory matter thereon are hereby adopted and made a part of this Resolution. The Zoning Map is only a summary of the tax assessment records (amended 5/3/99) located in the Bradley County Planning Office. The tax parcel map will be known as an addendum to the Zoning Map of Bradley County (amended 12/21/98).

AUTHORITY FOR RESOLUTION

WHEREAS, authority has been conferred by the State Legislature in Section 13-7-101 through Section 13-7-115, *Tennessee Code Annotated*, to provide for the establishment of districts or zones in portions of Bradley County which lie outside the limits of municipal corporations, and for the location, height, and size of buildings and structures, the percentage of lot occupancy, the required open spaces, the density and distribution of population, and the uses of lands, buildings, and structures, and

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

NOW THEREFORE, BE IT RESOLVED by the Bradley County Board of Commissioners as follows:

ARTICLE I

GENERAL PURPOSE

For the purpose of promoting the public health, safety, morals, convenience, order, prosperity, or general welfare of Bradley County, Tennessee, and to lessen congestion in the roads, to secure safety from fire, flood, panic and other dangers, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provisions of transportation, water, sewerage, schools, parks, and other public requirements; to promote desirable living conditions and the sustained stability of neighborhoods, protecting property against blight and depreciation, securing economy in governmental expenditure, concerning the value of building and encouraging the most appropriate use of lands, buildings, and other structures throughout the county, all in accordance with a comprehensive plan, the Board of Commissioners of Bradley County, Tennessee, does hereby ordain and enact into law the following articles and sections (TCA 13-7-103):

ARTICLE II
DEFINITIONS OF TERMS

Except as specifically defined herein, all words used in the Resolution have their customary dictionary definition. For the purpose of this Resolution, certain words or terms used herein shall be defined as follows: words used in the present tense include the future tense. Words used in the singular number include the plural, and words used in the plural include the singular. The word "person" includes a firm, co-partnership, company, organization, trust, association, corporation, as well as an individual. The word "lot" includes the word "plot" or "parcel." The word building includes the word "structure."

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

1. **ACCESS.** The right to cross between public and private property allowing pedestrians and vehicles to enter and leave property.
2. **ACCESSORY USE OR ACCESSORY STRUCTURE, AGRICULTURAL** (*added 4/6/09*) A use or structure incidental and subordinate to the main use of the property and located on the same lot as the main use. The storage of private property or goods for non commercial uses shall be deemed a customary use, however, screening guidelines may be imposed as outlined in Article III, Section 13 C.
3. **ACCESSORY USE OR ACCESSORY STRUCTURE, RESIDENTIAL.** (*amended 4/6/09*) A use or structure incidental and subordinate to the main use of the property and located on the same lot as the main use.
4. **ADULT CARE FACILITIES.** (*added 3/1/2004*) Adult Care Facilities shall include homes for the aged, assisted-care living facilities and nursing homes as defined in Article II.
5. **ADULT ORIENTED ESTABLISHMENTS.** (*added 12/1/2003*) Adult oriented establishments shall be those as defined as adult oriented establishments in Tennessee Code Annotated Section 7-51-1102, as amended from time to time.
6. **AGRICULTURAL USE** This includes all forms of farming, agriculture and aquaculture, the growing of crops in the open, dairying, grazing, the raising and maintaining of poultry and other livestock, horticulture, forests, and woods. The feeding or disposal of community garbage shall not be deemed a farming use.
7. **AMUSEMENT PARK.** (*added 8/21/06*) A commercial establishment or area offering 3 or more amusement mechanisms, including but not limited to, coin-operated games, shooting galleries, table games, merry-go-rounds and other rides approved by the reviewing board.
8. **ANIMAL KENNEL.** (*added 8/21/06*) Any location where any combination of dogs, cats, or other domesticated animals are kept in excess of five (5) shall be deemed a kennel. This includes, but is not limited to, boarding, breeding, buying, grooming, letting for hire, training for fee or selling. This definition includes more than one (1) litter of dogs or cats over four (4) months of age.
9. **ANIMAL SHELTER.** (*added 8/21/06*) A fully enclosed building, owned or operated by governmental or private organizations, that provides temporary homes for stray, surrendered, or abandoned animals.
10. **APARTMENT.** A multi-family residential building designed or used for three or more dwelling units.
11. **APARTMENT UNIT.** (*added 8/21/06*) A part of a building containing cooking and housekeeping facilities, consisting of a room or suite of rooms intended, designed and used as a residence by an individual or a single family.
12. **AQUACULTURE.** Land devoted to the hatching, raising, and breeding of fish or other aquatic plants or animals for sale or personal use.
13. **ASSISTED-CARE LIVING FACILITY.** (*added 3/1/2004*) Assisted-care living facility shall mean a building, establishment, complex or distinct part thereof which is defined as provided by Tennessee Code Annotated Section 68-11-201, as amended from time to time, and as licensed by the board for licensing health care facilities pursuant to Tennessee Code Annotated Section 68-11-209 or as further

defined by Chapter 1200-8-25 of Rules of the Tennessee Department of Human Services Division of Community and Field Services.

14. **AUTOMOBILE REPAIR.** *(added 11/1/2004)* The repair and maintenance of automobiles, motorcycles, trucks, or similar vehicles, including but not limited to body and fender work, oil change and lubrication, painting, tire service, and installation of car alarms and/or stereo equipment.
15. **AUTO WRECKING YARD.** *(added 4/6/09)* Any place where ten or more junk vehicles, or the parts thereof, are stored in the open or in view of the public.
16. **BED AND BREAKFAST.** *(added 11/1/2004)* A private residence that offers short-term sleeping accommodations to lodgers in 10 or fewer guest rooms in the owner/operator's principle residence, and serves breakfast at no extra cost to the lodger.
17. **BERM.** *(added 8/7/2000)* A mound or embankment of earth that screens undesirable views and reduces noise.
18. **BOARDING HOUSE.** *(added 8/21/06)* A residential dwelling containing a single dwelling unit and not more than 10 guestrooms or suites of rooms, where lodging is provided with or without meals, for compensation for more than 1 week, and that does not meet criteria for adult care facility, group home, or hotel/motel.
19. **BUFFER.** *(added 8/7/2000)* An area of land, including landscaping, berms, walls, and fences that is located between land uses of different character and is intended to mitigate negative impacts of the more intense use on residential area.
20. **BUILDING.** *(added 11/1/2004)* Any structure used or intended for supporting or sheltering any use or occupancy.
21. **BUILDING, PRINCIPAL.** A building in which is conducted the main or principal use of a lot on which said building is located.
22. **BUILDING SETBACK LINE.** *(amended 11/1/2004)* A line delineating the minimum allowable distance between the property line and a building on a lot, within which no building or other structure shall be placed except as otherwise provided. For this description building means the perimeter of the building, excluding open steps, cornices, and terraces, but including porches, decks, and attached carports.
23. **CHURCH.** *(added 12/7/98)* A use, place, structure or group of structures whose primary use is the furtherance of a religious purpose. A religious purpose is one that pertains to practicing, teaching, and setting forth a religion. Although worship is the most common religious purpose, the term encompasses other activities that demonstrate and further the beliefs and objectives of a given church, synagogue or religious body.
24. **CIVIC, PHILANTHROPIC, or FRATERNAL LODGE, CLUB, POST, Ect.** A membership organization which holds regular meetings and may engage in professional entertainment for the enjoyment of dues paying members and their guests. This establishment would not include commercial sleeping or dining facilities.
25. **COMMERICAL EDUCATIONAL FACILITY.** *(added 8/21/06)* Special training and/or schooling offered by private individuals for profit (e.g. beauty , massage therapy, modeling schools)
26. **DAY CARE CENTERS.** *(added 3/1/2004)* Day care centers shall be those facilities providing child care as defined in Tennessee Code Annotated Section 49-1-1103, as amended from time to time, and shall include adult day care centers as defined in Tennessee Code Annotated Section 71-2-401, as amended from time to time, and in Chapter 1240-7-10 in Rules of the Tennessee Department of Human Services Division of Community and Field Services.
27. **DWELLING, MULTI-FAMILY.** A building or portion thereof, designed for occupancy by three or more families living independently of each other.
28. **DWELLING, SINGLE-FAMILY.** A detached building containing one dwelling unit and designed for occupancy by one family only.

29. **DWELLING, TWO-FAMILY.** A detached building containing two families living independently of each other.
30. **DWELLING UNIT.** One or more rooms in a building designed for occupancy by one family and having not more than one principle cooking facility.
31. **ENTERTAINMENT, INDOOR.** Predominantly spectator uses conducted within an enclosed building. Typical uses include motion picture theaters, and concert or music halls.
32. **EQUIPMENT RENTAL AND LEASING.** *(added 8/21/06)* Commercial business for the leasing of medium and large-sized machinery and/or implements including, but not limited to, construction, land-clearing, and industrial equipment (e.g. chainsaws, compressors, excavators, lifts, pressure washers, skid steers, and steam cleaners)
33. **FARM EQUIPMENT.** *(added 8/21/2006)* Machinery and/or implements used on a farm to aid in farming activities such as tilling soil, raising crops, and horticulture. Includes, but is not limited to, tractors, cultivators, ploughs, seeders, transplanters, sprayers, harvesters, and balers.
34. **FARM EQUIPMENT SERVICES.** *(added 8/21/2006)* The maintenance and/or minor repair of farm equipment for the purpose of insuring relatively uninterrupted day-to-day farming activities. Includes brake, muffler and tire repair, lubrication, tune ups, and minor part repair.
35. **FLEA MARKET.** *(amended 9.2007)* The sale or offering for sale of personal goods and items brought to the site for sale from an off premise location.
36. **GARAGE APARTMENT.** *(added 11/1/2004)* A structure above a private garage in which provision is made for one dwelling unit.
37. **GROUP HOME.** *(added 3/1/2004)* Group homes shall be those in which eight or fewer unrelated mentally retarded, mentally handicapped or physically handicapped persons reside, and may include three additional persons acting as houseparents or guardians, who need not be related to each other or to any of those for which they are providing services (TCA 13-24-102), and shall be subject to licensure as indicated in Tennessee Code Annotated Section 33-5-105, as amended from time to time.
38. **HOME FOR THE AGED.** *(added 3/1/2004)* Home for the aged means a home as defined in Tennessee Code Annotated Section 68-11-201, as amended from time to time, and as licensed by the board for licensing health care facilities pursuant to Tennessee Code Annotated Section 68-11-209 and Chapter 1200-8-11 of Rules of the Tennessee Department of Human Services Division of Community and Field Services.
39. **HOME OCCUPATION.** A lawful occupation carried on by a resident of a dwelling as an accessory use within the same dwelling or as an accessory structure provided that the space used is incidental to residential use.
40. **HOTELS, MOTELS.** *(added 8/21/2006)* Any commercial building containing six or more guest rooms intended or designed to be used, or which are used or rented out to be occupied for sleeping purposes by guests.
41. **JUNK VEHICLE.** *(added 4/6/09)* A vehicle that does not display a current license plate lawfully upon the vehicle; is partially dismantled, wrecked or extensively damaged or deteriorated; and is not capable of lawful operation on public roads.
42. **LANDFILL.** Any lot or tract which collects salvage, scrap or any type of discarded materials. Any lot or tract which permits the dumping or salvage of materials on the property or disposes of such materials into sinkholes or trenches shall be deemed a landfill.
43. **LOT AREA.** The total horizontal area within the lot lines of a lot exclusive of roads, and easements of access to other property.
44. **LOT, CORNER.** A lot abutting on two or more roads at their intersection.

45. **LOT LINE, REAR.** The lot line which is opposite and most distant from the front lot line. In the case of an irregular, triangular, or other shaped lot, a line 10 feet in length within the lot parallel to and at a maximum distance from the front lot line.
46. **MANUFACTURED HOME.** A structure, transportable in one (1) or more sections, which, in the traveling mode, is eight (8) body feet or more in width, or forty (40) body feet or more in length, or when erected on site, is three hundred (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundations when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein.
47. **MANUFACTURING.** *(added 8/21/2006)* The manufacturing, compounding, processing, assembling, packaging, or testing of goods or equipment, including research activities, conducted within an enclosed structure or open yard that is capable of being screened from neighboring properties, but does not include paper and/or pulp plants.
48. **MICROBREWERY.** *(added 11/21/2016)* A small facility for the brewing of beer that produces less than 15,000 barrels per year, with a barrel containing thirty-one U.S. liquid gallons, regardless of the percentage of alcohol by volume (ABV). The facility may include a tasting room and retail space to sell the beer to patrons on the site.
49. **MOBILE HOME.** A trailer house on a single chassis designed for long term occupancy and containing a flush toilet, a tub or shower bath, and kitchen facilities with water supply, electrical supply and sewage disposal connected to outside systems. A mobile home for the purpose of this Resolution does not include a mobile unit to be used in conjunction with a commercial or industrial activity. Also see Bradley County Mobile Home Park Resolution.
50. **MOBILE HOME PARK.** See Bradley County Mobile Home Park Resolution.
51. **MODULAR UNIT.** (sectional or relocatable home) A structural unit, or preassembled component unit including the necessary electrical, plumbing, heating, ventilating and other service systems, manufactured off-site and transported to the point of use for installation or erection, with or without other specified components, as a finished building and not designed for ready removal to another site.
52. **NEIGHBORHOOD CONVIENANT COMMERCIAL.** *(amended 9.2007)* Establishments no greater than 2,500 square feet of customer area which are primarily engaged in the provision of frequently or recurrently needed goods for household consumption, such as prepackaged food and beverages and limited household supplies and hardware.
53. **NONCONFORMING STRUCTURE OR USE.** A lawful existing structure or use at the time this Resolution or any amendment thereto becomes effective, which does not conform to the requirements of the zone in which it is located.
54. **NURSING HOME.** *(added 3/1/2004)* Nursing home shall mean an institution, place, building or agency as defined in Tennessee Code Annotated Section 68-11-201, as amended from time to time, and as licensed by the board for licensing health care facilities pursuant to Tennessee Code Annotated Section 68-11-209 and Chapter 1200-8-6 of Rules of the Tennessee Department of Human Services Division of Community and Field Services.
55. **OUTDOOR RECREATION.** *(added 8/21/2006)* An area providing outdoor recreational activities including gardens, native animal game preserves, hunting and trapping, riding stables, paddle-boating, sports courts and fields, playgrounds.
56. **RECREATION, INDOOR.** A commercial recreation land use conducted entirely within a building, including arcade, arena, art gallery and studio, art center, assembly hall, athletic and health clubs, auditorium, bowling alley, community center, exhibit hall, gymnasium, pool or billiard hall, skating rink, swimming pool, tennis court, or the like.
57. **RECYCLING COLLECTION CENTERS.** *(amended 11/21/16)* An establishment, place of business, facility or building that is maintained, operated, or used for the storing, keeping, buying or selling of computers or computer parts, newspaper or used food or beverage containers for the purpose of converting those items into a usable product.

58. **RESTAURANT.** *(added 11/21/2016)* An establishment whose principal business is the sale of food and/or beverages to customers in a ready-to-consume state, and includes brewpubs which have at least sixty percent of sales attributed to food and/or non alcoholic beverages.
59. **RETAIL SALES, INDOOR.** A business having its primary function the supply of merchandise or wares to the end consumer.
60. **SCHOOL.** *(added 8/21/2006)* A public, parochial, or private institution for the instruction of students, including pre-schools, kindergartens, primary and secondary schools (K-12), colleges and universities.
61. **SCREENING.** *(added 8/7/2000)* A method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms, or densely planted vegetation.
62. **SIGN.** *(added 7/1/2001)* A structure or device designed or intended to convey information to the public in written or pictorial form.
63. **SIGN, BILLBOARD.** *(added 7/1/2001)* A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.
64. **SIGN, FREE STANDING.** *(added 7/1/2001)* A sign supported by one or more upright poles, columns, or braces placed in or on the ground and not attached to any building or structure.
65. **SIGN, WALL SIGN.** *(added 12/16/2002)* A sign attached to or painted on the exterior wall of a building. Also, a sign erected on a roof or a sign that is wholly dependent upon a building for support or signs that project above the highest point of the roof line.
66. **SITE PLAN.** A surveyed and engineered graphic representation of a proposed development of a parcel of land describing with reasonable certainty the type and intensity of use thereon. (Applies only to Commercial, Industrial and Mobile Home Parks).
67. **TEMPORARY FESTIVAL.** *(added 1/3/2006)* Any recreational, musical, cultural, or social event open to the public or a designated part of the public, which is conducted at an indoor or outdoor site or facility.
68. **TOWER.** *(added 8/7/2000)* Any outdoor structure designed and constructed to support one (1) or more transmitting or receiving devices for telephone, radio or any similar wireless communication facilities. The following exceptions shall apply:
- Any citizens band or amateur radio station antenna;
 - A ground or building mounted citizen band radio antenna less than forty (40) feet in height or an amateur radio antenna not more than seventy-five (75) feet in height, provided there is adequate clearance with adjacent structures;
 - Satellite dish type antenna or a conventional type television antenna for the exclusive use of a residential occupancy;
 - Mobile news or public information service antennas;
 - Hand-held communication devices such as walkie-talkies, cell phones and similar type devices;
 - Antenna owned by a public agency or its members used for emergency services public utilities, operations or maintenance services.
69. **USE PERMITTED ON REVIEW.** *(added 4/1/2002)* A use that, because of special requirements or characteristics, may be allowed in a particular zoning district only after review by the Planning Commission. The Planning Commission may impose special conditions to make the use compatible with other uses permitted in the zoning district.

70. **WAREHOUSING.** *(added 8/21/2006)* A building or premises in which goods, merchandise or equipment are stored for eventual or immediate distribution.
71. **WINERY.** *(added 7/5/2005)* Means and includes any place or premises wherein wines are manufactured from any fruit or brandies distilled as the by-product of wine or other fruit or cordials compounded, and also includes a winery for the manufacture of wine.
72. **YARD, FRONT.** A yard between side lot lines and measured horizontally at right angles to the centerline of the road from the nearest point of a building. Any yard meeting this definition and abutting on a road shall be considered a front yard.
73. **YARD, REAR.** A yard between side lot lines and measured horizontally at right angles to the rear lot line from the rear lot line to the nearest point of a building.
74. **YARD, SIDE.** A yard between the front and rear yard measured horizontally at right angles from the side lot line to the nearest point of a building.
75. **YARDS FOR SALVAGE, JUNK, OR WRECKING OPERATIONS.** *(added 3/1/2004- amended 4/6/09)* The area of any property used for the storage, sorting, dismantling, processing, and/or sales of large discarded metallic materials, including but not limited to major appliances, scrap metals, machinery and vehicles. This includes Auto Wrecking Yards, but does not include any non-commercial uses established entirely within enclosed buildings.
76. **ZONING COMPLIANCE PERMIT.** For the purpose of this resolution, the permit required for commercial or industrial structure construction or expansion to assure compliance with those regulations established herein.
77. **ZONING RECLASSIFICATION APPLICATION.** *(added 5/3/99)* For the purpose of this resolution, the application required for a change in zoning district. The zoning reclassification application is the first step in the REZONING PROCEDURES outlined in Article VII

ARTICLE III
GENERAL PROVISIONS

1. **USE.** No building, structure or land shall hereafter be used and no building or part thereof shall be erected, moved, or altered unless for a use expressly permitted by and in conformity with the regulations herein specified for the district in which it is located. (Agricultural uses excluded TCA 13-7-114)

2. **DEED RESTRICTIONS.** Deed restrictions shall not be construed to be superseded nor abrogated by this Zoning Resolution. Where the provisions of this Resolution are less restrictive in nature than the restrictions in the deed, the deed restrictions shall apply; nor shall deed restrictions be construed to override, annul, abrogate, or supersede any provision of this Resolution where said deed restrictions are less restrictive in nature than the provisions of this Resolution.

3. **CONTINUANCE OF NONCONFORMING USES.** Any lawful use of any building or land existing at the time of the enactment of this Resolution or whenever a district is changed by an amendment thereafter, may be continued although such use does not conform with the provisions of this Resolution with the following limitations:
 - a. No building or land containing a nonconforming use shall hereafter be extended unless such extensions shall conform with the provisions of this Resolution for the district in which it is located; provided, however, that a nonconforming use may be extended throughout those parts of a building which were manifestly arranged for such use prior to the enactment of this Resolution.
 - b. Any nonconforming building, which has been damaged by fire, explosion, act of God, the public enemy or other causes, may be reconstructed and used as before on the condition a permit is applied for within two (2) years of said event. In no case shall the reconstruction exceed the previous footprint without the approval of the Bradley County Regional Planning Commission. (*amended 6/7/10*)
 - c. When a nonconforming use of any building, structure or land has ceased for a period of two years, it shall not be reestablished or changed to any use not in conformity with the provisions of this Resolution. This does not apply to agricultural uses of land.
 - d. Any building containing a nonconforming use shall not be changed to another nonconforming use unless it is determined by the Board of Zoning Appeals that such use is less offensive than the previous use.
 - e. A nonconforming commercial or industrial use may be expanded provided that said expansion is approved by the Bradley County Regional Planning Commission. A nonconforming use by its nature is not in character with its surrounding neighborhood; therefore, an effort shall be made in this expansion, to maintain the characteristics of the neighborhood in order to protect the safety and welfare of citizens and to protect property values.

4. **OFF-ROAD AUTOMOBILE PARKING.** Off-road automobile parking space shall be provided at the time of erection of any building or structure or at the time any main building or structure is enlarged or increased in capacity.

The number of automobile parking spaces provided shall be at least as great as the number specified for the various uses below:

- a. Banks, Business or Professional Offices: One Space for each three hundred square feet of usable floor space plus one space for each two employees.
- b. Hotels, Motels, and Tourist Courts: One space per guest bedroom, plus one for each two employees.

- c. Industry: One space for each two employees computed on the basis of the greatest number of persons employed at any period during day or night, plus adequate parking space for customer and visitor vehicles as determined by the planning commission.
 - d. Places of Public Assembly: One space for each five seats in the building or structure based on the maximum seating capacity.
 - e. Residential: Two spaces per dwelling unit in single and two family structures, and one and one-half spaces per dwelling unit in multiple family dwellings. Residential parking shall consist of a parking lot, driveway, garage, or combination thereof.
 - f. Retail stores, supermarkets, department stores, and personal service establishments except as otherwise specified herein: One space for each two hundred square feet of retail floor space.
 - g. For uses not specifically mentioned herein, off-road parking requirements shall be determined by the planning commission.
5. **OFF-ROAD LOADING AND UNLOADING SPACE.** On every lot on which a business, trade, or industry use is hereafter established, space with access to a public road shall be provided as indicated below for the loading and unloading of vehicles off the public road.
- a. Retail Business: One space of at least twelve by twenty-five feet for each three thousand square feet of floor area of part thereof.
 - b. Wholesale and Industrial: One space of at least twelve by fifty feet for each ten thousand square feet of floor area or part thereof.
6. **VISION CLEARANCE.** No fence, wall, shrubbery, sign, or other obstruction to vision between the height of three feet and fifteen feet shall be permitted within twenty feet of the intersection of the rights-of-way lines of roads and railroads.
7. **ACCESS CONTROL.** In order to promote the safety of the motorist and pedestrian and to minimize traffic congestion and conflict by reducing the points of contact, the following regulations shall apply.
- a. No point of access shall be allowed within ten (10) feet of the right-of-way of any public road intersection.
 - b. Access control on property abutting state or federal highways shall be governed by official regulations of the Tennessee Department of Transportation, Division of Highways or the provisions of this resolution, whichever is higher.
8. **ACCESSORY USE REGULATIONS.** The uses of land, buildings and other structures permitted in each of the districts 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 such principal use.
 - c. Be subordinate in area, intent and purpose to such principal use.
 - d. Contribute to the comfort, convenience or necessity of uses of such principal use.

9. **YARDS FOR SALVAGE, JUNK, OR WRECKING OPERATIONS (Including Automobile).** As defined in Chapter II, is a permitted use on appeal in the I (Industrial) District, subject to appropriate conditions and safeguards, and provided that the following standards shall apply:
- a. The minimum acreage necessary for establishment of a salvage, junk, or wrecking operation shall be 25 acres.
 - b. All outdoor storage of salvage, junk, or wrecking operations shall be conducted entirely within an enclosed opaque fence or wall, excepting driveway access. The fence shall be a minimum eight (8) feet in height, and shall be maintained in good condition by the owner. Storage between the road or street and such fence or wall is prohibited. Such enclosed storage area shall be located no closer than three hundred (300) feet from any road or street right-of-way.
 - c. Because of the tendency for such yards to promote the breeding of mosquitoes, rats, mice, and other vermin, no such operation shall be permitted closer than three hundred (300) feet from any area established for residential uses and shall meet all public health requirements to prevent such problems.
 - d. All outdoor storage of salvage, junk, or wrecking operations shall be so maintained as to be in a sanitary condition and so as not to become a menace to public health or safety.
 - e. The operation shall not be established along any road or street that does not have a minimum fifty (50) feet of right-of-way, and a minimum paved roadway of eighteen (18) feet. The minimum road frontage required is one hundred (100) feet. If the operation has frontage along an arterial or collector route, as shown on the Major Road Plan of Bradley County, access to the operation shall be restricted to such frontage.
 - f. A greenbelt-planting strip, a minimum of ten (10) feet in depth, shall be located within the development area and abutting any public street right-of-way. Such landscape strip shall be placed and maintained by the owner or occupant of the development, and may be included within the required yard. The landscape strip shall be composed of two (2) or more rows of evergreen trees with an initial height of 3 feet, and an expected height of 10 feet in 4-5 growing seasons (such as loblolly pines). The remainder of the landscape strip shall be planted in grass, ground cover, or other suitable decorative material, including sand, gravel, stone, or mulch.
 - g. If a public water line is available within 100 feet of the proposed site, the owner or occupant of the development shall extend the water line for use on the site.
10. **NUMBER OF BUILDINGS ON EACH LOT.** In any district more than one structure housing a permitted use may be erected on a single lot, provided that yard and other requirements of this Resolution shall be met for each structure as though it were on an individual lot. A site plan or accurate sketch shall be submitted to the Bradley County Building Inspector when an additional structure is added to a parcel with issuance of building permit contingent on meeting area regulations.

11. **SANITARY LANDFILL OR HAZARDOUS FACILITY-PUBLIC OR COMMERCIAL** (Disposal, Treatment, Storage) The nature and operation of a sanitary landfill or hazardous waste facility (Disposal, treatment, storage) may, subject to appropriate conditions and safeguards, be permitted as a use on review within the I-2 districts provided that the following standards shall apply:
- a. The total tract contains a minimum of one hundred (100) acres with no more than 50 percent of said site being utilized for disposal. The remainder shall be utilized as a buffer.
 - b. No proposed use for a private or commercial sanitary landfill or hazardous waste facility (disposal, treatment, and storage) shall be located:
 - (1) Within six (6) miles upstream of an existing public water supply source.
 - (2) In the proximity of either natural gas transmission pipelines or hazardous chemical pipelines.
 - (3) On property where a spring or springs emanate from under the proposed site.
 - (4) In the drainage shed or water shed of a known tributary of a stream of water which supplies water to any water authority or water district within Bradley County, or which supplies water to any local, state, or federally established wildlife reservation area within Bradley County. For the purpose of this Resolution, a known tributary of a stream of water shall be any depression having a bed and well-defined banks, where the drainage area above the same is fifty (50) acres or more in extent, and the flow of water need not be on a continuous basis, but may be intermittent resulting from the surface runoff of precipitation.
 - c. The Bradley County Highway Department must certify that existing access roads, bridges, etc., are capable of supporting the size and volume of traffic to be generated and that it will not have an adverse impact on the traveling public utilizing the same roads. Beyond other considerations, a paved access road shall be considered a minimum requirement.
 - d. The proposed use shall not generate undue odors, nor fumes, smoke, land erosion, water or air pollution, nor create a public or private nuisance of any kind that would tend to endanger, contaminate, or cause harmful exposure.
 - e. Before any proposal for the location of private or commercial sanitary landfill or hazardous waste facility is considered by the Planning Commission, all required Federal, State and Local permits must have previously obtained for the proposed operation.
 - f. Before the Board of Appeals may advertise for a public hearing on the location of the landfill or facility, a site plan must first be submitted and approved in accordance with Article IX of this Resolution.
 - g. The site is approved by the Tennessee Department of Public Health.
12. **SITE PLAN REQUIREMENT.** (amended 5/3/1999) In accordance with Article VII, anyone requesting a commercial or industrial zoning compliance permit, a site plan shall be required. The site plan shall be submitted to the Building Inspector at the time when application is made for the above stated permit. (amended 6/7/1999) If an applicant for a zoning reclassification has a specific use, the applicant should declare this use on the zoning reclassification application. The applicant may also have the option to declare that the rezoning request is speculative in nature. The following information shall be included on the site plan:
- a. Name, address and phone number of owner and applicant.

- b. Property address.
- c. Present zoning classification of the property and adjacent property.
- d. Approximate property boundary lines.
- e. Total land area of the site.
- f. Tax Map Number and Parcel identification number.
- g. Adjacent property owners.
- h. Existing and proposed structure location.
- i. Nearby roads.
- j. Existing and proposed parking area(s).
- k. Existing and proposed ingress and egress.
- l. A drainage plan, culvert/tile size and proposed improvements.

13. SCREENING AREA. (created 8/7/2000, amended 11/6/2006) Screening areas shall be provided for the purpose of minimizing the friction between incompatible land uses and improving the aesthetic and functional quality of new development. The requirements of this section shall apply to adjoining property lines of all new public/private developments as shown in figure 1. These guidelines are not necessarily required for properties across road right-of-ways, with the exception of proposed Industrial developments. The Planning Commission may impose Screening Regulations on other situations if they so choose.

A. Screening areas shall be designed, provided, and maintained according to the following guidelines:

Screening **Type A:** Provide a ten (10) feet deep (as measured towards the interior of the property) landscape yard along the shared property line planted with:

- (a) Evergreen trees spaced a maximum of fifteen (15) feet apart in two (2) offset rows.
- (b) All plantings shall meet installation and planting size requirements specified in the Plant Installation Specifications Section.

Screening **Type B:** Provide a twenty (20) feet deep (as measured towards the interior of the property) landscape yard along the shared property line planted with:

- (a) Evergreen trees spaced a maximum of fifteen (15) feet apart in two (2) offset rows.
- (b) All plantings shall meet installation and planting size requirements specified in the Plant Installation Specifications Section.

Section Screening **Type C:** Provide a thirty (30) feet deep (as measured towards the interior of the property) landscape yard along the shared property line planted with:

- (a) Evergreen trees spaced a maximum of fifteen (15) feet apart in two (2) offset rows.
- (b) All plantings shall meet installation and planting size requirements specified in the Plant Installation Specifications Section.

Section Screening **Type D:** Provide a thirty-five (35) feet deep (as measured towards the interior of the property) landscape yard along the shared property line planted with:

- (a) Evergreen trees spaced a maximum of fifteen (15) feet apart in two (2) offset rows.
- (b) A chain link fence with slats or fabric or opaque fenced which is a minimum of ten (10) feet in height.
- (c) All plantings shall meet installation and planting size requirements specified in the Plant Installation Specifications Section.

B. Plant Installation Specifications

All trees shall be a minimum of eight (8) feet in height when planted, unless otherwise required according to a site plan. All landscaped areas must present a healthy, neat and orderly appearance and shall be kept free of refuse and weeds. If at any time after the original planting, any plant material becomes dead or diseased it shall be replaced by the property owner with new plantings that meet the requirements of this Article.

All trees, shrubs, or other planting materials shall be living plants (not artificial) and shall be suitable to the East Tennessee area and the specific conditions of the site in question, such as but not limited to, soil conditions, slope and necessary maintenance.

- C. Due to topography or other variables, the Planning Commission holds the right to impose further restriction as they deem necessary. Further restrictions may also include the requiring of screening areas on incompatible uses within the same zoning district, such as a commercial use adjoining a residential use within Forestry/Agricultural/Residential (FAR) zoning.

Figure 1.

		Existing							
		FAR	R-1	R-2	P-1	C-1	C-2	C-3	I-1/I-2
Proposed	R-2	X	A	A	X	X	X	X	X
	P-1	A	A	A	X	X	X	X	X
	C-1	A	B	B	X	X	X	X	X
	C-2	A	B	B	X	X	X	X	X
	C-3	A	C	C	A	X	X	X	X
	I-1/I-2	A	D	D	A	A	A	A	X

** X indicates no screening is required.

14. CELLULAR TOWERS (added 8/7/2000)

- A. Permit Application Requirements. The applicant for a permit to locate a tower is responsible for providing the following information to the Bradley County Building Inspector:
1. A site plan drawn to scale that shows the property lines of the site, the location of the tower in relation to the property lines, adjoining property located within 600 feet of the site by owner and use, distances from the base of the tower to adjoining property lines and the nearest habitable structure, proposed easement (s) by location and type and, the location of any accessory buildings proposed to be located on the site to include building setbacks from the property lines.
 2. Proof of ownership or legal interest in the property.
 3. Drawings by a registered engineer that describe the design and structural integrity of the tower, its supports and attachments. A certification that the tower has sufficient structural integrity to support more than one user.
 4. A statement describing the general capability of the tower to serve more than one (1) user and indicating the owner's intent to allow shared use of the tower.
- B. Co-Location. Towers shall be required to accommodate the maximum number of transmitting facilities subject to the design capacity of the tower for the purpose of reducing the number of potential tower locations. Applicants for a tower permit are required to provide a statement that documents that no suitable existing facilities within the coverage area are available to the applicant. Documentation may include maps, letters from adjacent tower owners or calculations. Facilities include other towers or other buildings or structures.
- C. Permitted Locations by Zoning District. Towers shall be permitted in Professional (P-1), Commercial (C-1 and C-2), Industrial (I-1 and I-2) or Forestry, Agricultural and Residential (FAR). A tower, without exception, is not permitted in a Residential (R-1 and R-2) zoning district.
- D. Separation of Tower to Residential Uses. Tower separations shall be measured in straight line distance from the base of the tower structure to nearest Residential District (R-1 and R-2) or any single family, duplex or mobile home. The tower location shall, without exception, maintain a setback of at least the height of the tower plus ten (10) feet from any adjacent residentially zoned property (R-1 and R-2) or any single family, duplex or mobile home located within other zoning districts. Accessory uses shall maintain building setbacks as prescribed by the applicable zoning district. If there are no Residential Districts or any single family, duplex or mobile home within 300 feet, the building setbacks applicable to the zoning district wherein the tower is located shall apply.
- E. Security Fencing. The area surrounding the tower location, but not necessarily the entire lot, shall be enclosed with fencing adequate to secure the tower under normal circumstances.
- F. Landscaping and Aesthetics. Screening shall be provided to conform to the provisions of Article III.
- G. Abandoned Tower Policy. In the event a tower becomes obsolete or is out of service for any reason for six (6) consecutive months, the owner of record shall cause the tower to be dismantled and removed from the site and disposed of in the manner appropriate for disposal or re-use of the tower materials. A time period of one (1) year shall be provided from the time the tower is deemed to be out of service for the owner to either activate the tower or remove it from the site.

15. **DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW.** *(added 4/1/2002)* The Planning Commission may approve a use permitted on review where it can be shown that the proposed plan or use is in harmony with the general purpose and intent of the Zoning Resolution. The Planning Commission may deny a use permitted on review where the above cannot be shown or where it can be shown that approval would have an adverse impact on the character of the neighborhood in which the site is located. The considerations in reviewing a Use Permitted on Review include the following:

- a. The use is consistent with adopted plans and policies, including the Comprehensive Plan.
- b. The use is in harmony with the general purpose and intent of these zoning regulations.
- c. The use is compatible with the character of the neighborhood where it is proposed, and with the size and locations of buildings in the vicinity.
- d. The use will not significantly injure the value of adjacent property by noise, lights, fumes, odors, vibration, traffic congestion or other impacts that may detract from the immediate environment.
- e. The use is not of a nature or so located as to draw substantial additional traffic through residential streets.

16. **SIGN REGULATIONS.** *(created 5/20/2002; amended 11/1/04, 4/2/07, 4/6/09)* It is the intent of this section to establish reasonable and impartial regulations for the location of signs within the zoning districts of Bradley County. All signs erected, replaced, constructed, expanded or relocated (except as described in Item E below) on any property in Bradley County shall conform to the following guidelines. All signs shall also be subject to the construction requirements of the applicable building codes adopted by Bradley County.

A. **SIGN DEFINITIONS**

SIGN. A structure of device designed or intended to convey information to the public in written or pictorial form.

SIGN, BILLBOARD. A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

SIGN, CANOPY. A sign affixed to the visible surface(s) of an attached or free-standing canopy.

SIGN, FREE STANDING. A sign supported by one or more upright poles, columns, or braces placed in or on the ground and not attached to any building or structure.

SIGN, INTERSTATE ADVERTISING HIGHRISE. A free standing on premise sign no greater than 135 feet in height and having no more than four (4) individual signs faces totaling no more than 1300 square feet.

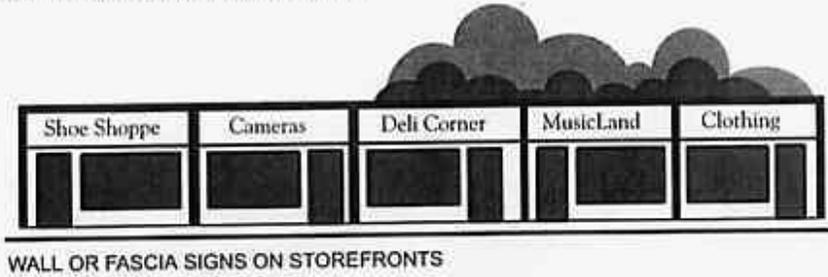
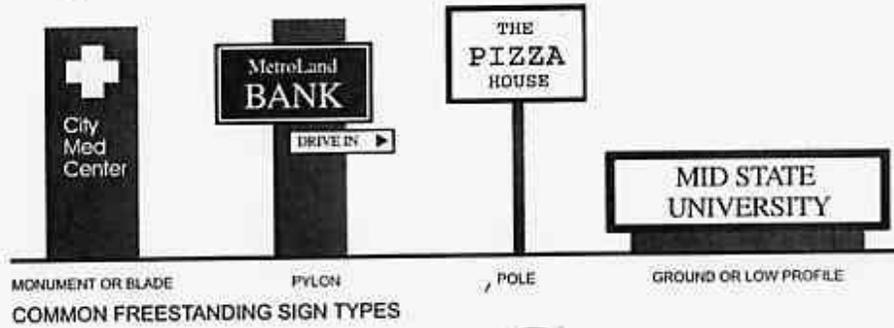
SIGN, PROJECTING. A sign other than a wall sign that is attached to or projects more than 18 inches from a building face or wall or from a structure whose primary purpose is other than the support of a sign.

SIGN, ROOF. A sign mounted on, and supported by the main roof portion of a building, or above the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such a building.

SIGN, WALL OR FACIA. A sign attached to or painted on the exterior wall of a building.

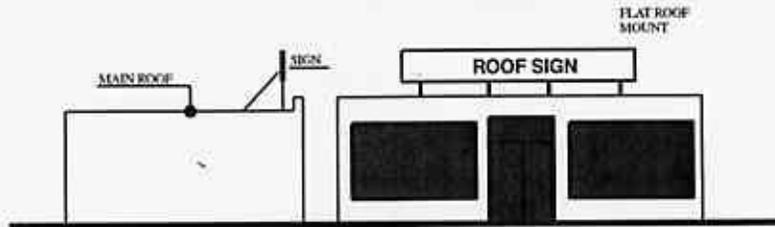
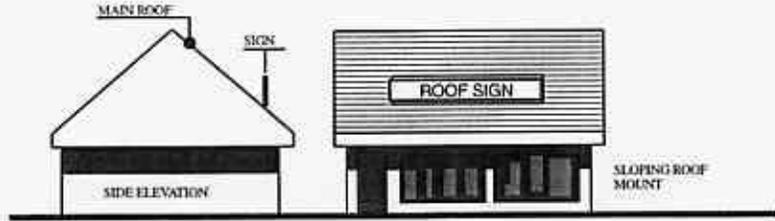
For a visual reference and a comparison of signs please refer to the following pages:

SIGN REGULATIONS

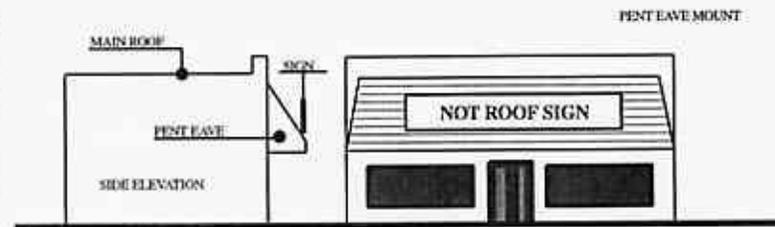
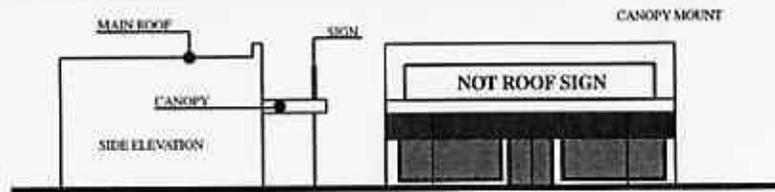


GENERAL SIGN TYPES

ROOF SIGNS



FASCIA SIGNS ON ROOF-LIKE PROJECTIONS



COMPARISON—ROOF AND WALL OR FASCIA SIGNS

B. Permit Application Requirements.

The following signs are exempt from the following permits and regulations, but are subject to review by Planning or Engineering Staff so that no sign shall obstruct the view of oncoming traffic or create a public safety hazard :

- Un-illuminated signs of not more than six (6) square feet for purposes of promoting civic, charitable, educational, or religious institutions.
- Address signs or other signs required by law
- Flags of all nations, states and political jurisdictions
- Nameplates
- Real Estate Signs
- Any un-illuminated/non-reflective sign of a temporary nature and/or not fixed onto a permanent structure

For signs requiring a permit the applicant is responsible for providing the following information to the Bradley County Building Inspector:

1. A site sketch drawn to scale that shows :
 - a) The property lines of the site
 - b) All existing and proposed freestanding signs on site as well as any buildings, parking areas, and driveway entrances to the site.
 - c) The location and size of all existing off-premise signs within 1000 feet distance on the same side of the road as the proposed sign and a 150-foot radius distance around the proposed sign.
 - d) The total number of square feet of the proposed sign.
 - e) The location/distance of residential structures immediately adjacent to the site of the proposed off-premise sign.
2. Proof of ownership or legal interest in the property.
3. The proposed configuration of the sign including type of supporting structure, top height from the ground, height from the bottom of the sign to the ground, dimensions of the sign, the number of sign faces and setback from any public right-of-way.
4. Drawings by a registered engineer that describe the design and structural integrity of the sign, its supports and attachments.
5. (added 7/5/2005) If located on a Tennessee State Highway and /or Designated Scenic Highway/Parkway, approval from the Tennessee Department of Transportation (TDOT) must be obtained, and proof of such approval presented with the Bradley County permit application. Of the two entities (TDOT/Bradley County), the more restrictive shall apply.

C. On-Premise Signs.

1. The maximum height shall be thirty-five (35) feet above road grade.
2. The maximum surface of the sign shall be three hundred (300) square feet.
3. (amended 10/21/2002) The maximum size of wall signs shall be the sign area permitted for ground signage; however, in no instance shall the signage exceed forty (40) percent of the wall area.
4. All business ground signs shall contain the street number of the business.
5. No part of any sign shall be placed within ten (10) feet of any right-of-way.
6. On-Premise signs are prohibited in Rural Residential (R-1) and High Density Residential (R-2) zoning districts.
7. (amended 10/21/2002) All of the above apply, except one Interstate High Rise Advertising Sign shall be permitted within 750 feet of inter-change right-of-way along interstate 75.

- D. Off-Premise Signs.
1. Off-Premise signs are prohibited in Rural Residential (R-1) and High Density Residential (R-2) zoning districts.
 2. Off-premise signs shall be spaced a minimum of one-thousand (1,000) feet apart measured in a straight line distance on the same side of the street and a minimum of one hundred and one hundred fifty (150) feet apart measured from a radius of each billboard location.
 3. Off-premise signs shall be located a minimum of one hundred and fifty (150) feet from a residence.
 4. Setback shall be ten (10) feet including sign face and support from right-of-way, except on Interstate 75 where there is no setback requirement from interstate fencing.
 5. The maximum surface of each billboard shall be seven hundred and seventy-five (775) square feet, except where permitted within 660 feet of I-75 the surface shall be the same as those set forth in the State of Tennessee Department of Transportation Rules and Regulations for the Control of Outdoor Advertising.
 6. The maximum height shall be fifty (50) feet above road grade, except where permitted within 660 feet of I-75 the height shall be the same as those set forth in the State of Tennessee Department of Transportation Rules and Regulations for the Control of Outdoor Advertising.
 7. Structural requirements shall meet Southern Building Codes except wood structures are prohibited.
- E. Electronic Display Screens are prohibited within FAR or within 200 feet of R-1 or R-2 zoning districts and must adhere to the following standards:
1. Each image displayed must be static or depicted for a minimum of six (6) seconds.
 2. Animated images and images which move or give the appearance of movement are prohibited. This restriction shall not prohibit the dissolving or replacing of one image with another image or reader boards (scrolling messages).
 3. No Freestanding electronic display screen shall exceed twenty-five (25) percent of the total allowable sign face area for any on-premise or off-premise sign. (added 9.2007)
- F. State of Tennessee designated Scenic Highway/Parkway System. Billboards shall be spaced a minimum of two thousand five hundred (2,500) feet apart measured in a straight line distance on the same side of the road and one hundred fifty (150) feet apart measured from a radius of each billboard location on any road or highway in Bradley County that is designated part of the State of Tennessee Scenic Highway System or Scenic Parkway System.
- G. Non-Conforming Outdoor Advertising Signs and Structures. Any sign that exists legally prior to the adoption of these Regulations, but does not conform to the provisions of these Regulations, are declared legal, nonconforming signs.

Any legal non-conforming sign may be continued in operation and maintenance after the effective date of this regulation. If for any reason the legal non-conforming sign is removed, a replacement sign may be constructed within six (6) months. The replacement sign shall be constructed on the same parcel as the original off-premise sign and will conform to current standards with regard to size, height and setback, except as required under the State of Tennessee Department of Transportation Rules and Regulations for the Control of Outdoor Advertising.

- 17. ADULT ORIENTED ESTABLISHMENTS.** (added 12/1/2003) It is the intent of this section to establish reasonable and impartial regulations for adult oriented establishments within the zoning districts of Bradley County. Studies have shown that adult oriented establishments have detrimental impacts on public safety, public health, property values and the reasonable use and enjoyment of private and public property in various communities. It is not the intent of Bradley County to enact a

resolution that suppresses any speech activities that are protected by the First Amendment, but neither is there an intention to condone or legitimize obscene or unlawful materials or activities.

- A. Adult oriented establishments are permitted in the General Commercial (C-2) zoning district.
- B. Adult oriented establishments that are not in compliance with any other applicable law, including any permit or licensing requirement are not allowed in any zone.
- C. No adult oriented establishments shall be located within 2500 feet of any of the following protected uses: any church or house of worship or religious institution such as a seminary or denominational agency; public or private licensed daycare or child care center, pre-school, kindergarten, elementary school, middle school or junior high school, or high school; residence or residential zoning district (Rural Residential R-1 and High Density Residential R-2) public park, playground, greenway, recreation center, community center, or public library; private or semi-private recreational facility such as a YMCA, miniature golf course, video arcade, or movie theatre. No proposed adult oriented establishments of any type shall be located within 1500 feet of an existing adult oriented establishment; however, this restriction is not intended to prohibit the co-location of more than one type of adult oriented establishments within a common interior space where the requirements of this resolution are otherwise met.
- D. When applying the specified distance rules from protected uses or another adult oriented establishment, it shall be the shortest straight line distance from the tract, parcel or lot that would contain the proposed adult oriented establishments to the nearest tract, parcel or lot containing an existing adult oriented establishments or protected use.

18. ADULT CARE FACILITIES INCLUDING HOMES FOR THE AGED, ASSISTED-CARE LIVING FACILITIES, AND NURSING HOMES. (added 3/1/2004; amended 5/3/2004) It is the intent of this section to establish reasonable and impartial regulations for adult care facilities within the zoning districts of Bradley County.

- A. Adult Care Facilities are permitted on review in the Rural Commercial (C-1) zoning district.
- B. Adult Care Facilities that are not in compliance with any other applicable law, including any permit or licensing requirement are not allowed in any zone.
- C. Those applying for review of an adult care facility must submit a valid license as granted by the Tennessee Department of Human Services to provide such services.
- D. Homes for the Aged as a use permitted on review in FAR will be allowed 5 or less residents receiving care.

19. CAMPGROUNDS FOR TENT CAMPING. (added 6/7/2004) It is the intent of this section to establish reasonable and impartial regulations for campgrounds for tent camping within the zoning districts of Bradley County.

- A. Campgrounds for tent camping are permitted in the Forestry, Agricultural, and Residential (FAR) zone.
- B. Campgrounds for tent camping are subject to the rules of the Tennessee Department of Health, Bureau of Health Services Administration, Division of General Environmental Health in Chapter 1200-1-5 "Organized Camps." Campgrounds that are not in compliance with any other applicable law, including any permit or licensing requirement are not allowed in any zone.

20. **WINERY.** *(added 7/5/2005)* It is the intent of this section to establish reasonable and impartial regulations for Wineries within the zoning districts of Bradley County
- A. Wineries are permitted on review in the General Commercial (C-2) zoning district.
 - B. The Planning Commission shall consider distances from schools, churches, other places of public gathering or residential dwellings.
21. **TEMPORARY FESTIVAL.** *(1/3/2006)* It is the intent of this section to establish reasonable and impartial regulations for temporary festivals within the zoning districts of Bradley County.
- A. Temporary festivals are permitted as a Use Permitted on Review in the Forestry/Agricultural/ Residential (FAR) and General Commercial (C-2) zoning districts.
 - B. The festival organizers shall allow no public parking within the Bradley County right of way.
 - C. A letter of approval must be received from the Bradley County Fire Inspectors Office stating that all fire codes have been met.
 - D. If festival includes overnight camping, it shall meet all requirements set forth by Bradley County zoning under Article III number 19 for “Campgrounds for Tent Camping”.
 - E. The festival organizers shall provide adequate facilities for the disposal of human waste. Toilets must be provided on site at a rate of one (1) toilet for two hundred (200) females and at least one (1) for every three hundred (300) males, with an efficient, sanitary means of disposing of waste matter, which is in compliance with all state and local laws and regulations. This includes but not limited to, any codes or regulations enforced by the Bradley County Health Department.
 - F. A permit from the Bradley County Beer Board is required for consumption of beer during the festival. All other state and local laws must be complied with pertaining to the consumption of alcohol.
22. **ANIMAL KENNEL.** *(added 8/21/2006)* It is the intent of this section to establish reasonable and impartial regulations for animal kennels within the zoning districts of Bradley County.
- A. A kennel is a use permitted on review in the Forestry/ Agricultural and Residential (FAR) zoning district, and may be permitted on review as an accessory use to a veterinary clinic in commercial districts (C-1, C-2, C-3).
 - B. Kennels are prohibited at veterinary clinics in the Professional District (P-1).
 - C. All areas housing animals shall meet a minimum setback of 75 feet from all properties lines in animal kennels without a veterinary clinic and 40 feet with a veterinary clinic.
 - D. All kennel facilities must be located a minimum of 500 feet from neighboring residential (R-1, R-2) zoned properties.
 - E. All kennels shall meet the requirements of a “screening area” outlined in Article III, section 13.
 - F. The reviewing board may limit the number maximum number of animals depending on the size of the property and the use of adjoining properties.
 - G. Fully enclosed kennels shall be permitted in FAR, C-1, C-2, C-3, and as accessory structures to veterinary clinics in P-1.
 - H. Proposed kennels must further adhere to all pertinent regulations of the State of Tennessee governing such uses.
23. **HOME OCCUPATION.** *(added 8/21/2006)* An occupation conducted in a dwelling unit or accessory building, provided that:
- A. No more than one (1) person not residing on the premise shall be engaged in such occupation.
 - B. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants and shall not utilize more than twenty-five (25) percent of the usable floor area of all buildings.

- C. There shall be no change in the outside appearance of the building or premise, new construction or other visible evidence of the conduct of such home occupation, except that one non-illuminated sign which shall not exceed 2'x2' in area and shall not be located closer than twenty-five (25) feet or one-half (1/2) the required front setback (whichever is greater) to the street rights-of-way.
- D. There shall be no sales in connection with such home occupation other than sales of services or sales of products produced on the premises.
- E. No traffic shall be generated by such home occupation in greater volumes than would normally be projected in a residential neighborhood.
- F. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses. In the case of electrical interference, no equipment or process shall be used which created visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in the line voltage off the premises.
- G. There shall be no outdoor equipment or material storage on the premises, except such as is customary in residential areas. An accessory structure for enclosed storage may be constructed in FAR of no more than 1000 sq ft.
- H. Vehicle parking shall correspond with the character of the neighborhood in which the site is located—employee or customer parking shall not visibly indicate the commercial activity of the home occupation.
- I. Operations conducted that cannot abide by here said regulations shall not be permitted as a home occupation and such operations must locate in the appropriate professional, commercial, or industrial zone.

24. RECYCLING COLLECTION CENTERS. (*added 4/61/09*) It is the intent of this section to establish reasonable and impartial regulations for recycling collection centers with the zoning districts of Bradley County.

- A. Recycling Collection Centers are a permitted use in Highway Commercial (C-3) and a Use Permitted on Review in General Commercial (C-2).
- B. The storage of all recyclable materials shall be within an enclosed container or trailer that is not more than 45 feet in length.
- C. Mechanical processing of recyclable materials is prohibited on site.

25. OUTDOOR SHOOTING RANGE. (*added 9/21/09*) It is the intent of this section to establish reasonable and impartial regulations for outdoor shooting ranges within the zoning districts of Bradley County.

- A. An outdoor shooting range is a use permitted on review in the Forestry/ Agricultural and Residential (FAR), General Industrial (I-1) & Special Impact Industrial (I-2) zoning districts.
- B. The point of discharge of any firearm shall be a minimum of 1000' from any occupied structure, and a minimum of 250' from all property lines.
- C. Pistol and/or rifle ranges are must provide an earthen berm as a backstop to aid the control of firearm discharge. All projectile and shot shall fall within the property of the sport shooting range.
- D. The Planning Commission may impose greater restrictions given the unique characteristics of the topography or surrounding uses.

ARTICLE IV
ESTABLISHMENT OF DISTRICTS

For the purpose of this Resolution, Bradley County, Tennessee is hereby divided into ten (10) classes of districts, with one overlay district for flood hazard protection, as follows:

- FAR** - Forestry, Agricultural Residential District
- R-1** -Rural Residential
- R-2** - High Density Residential District
- P-1** - Professional District
- C-1** - Rural Commercial District
- C-2** - General Commercial District
- C-3** - Specialized Commercial District
- I-1** - General Industrial District
- I-2** - Special Impact Industrial District
- PUD** -Planned Unit Development

The boundaries of these districts are hereby established as shown on the map entitled "Zoning Map of Bradley County, Tennessee," dated October, 1998 which accompanies this Resolution and which is on file in the Office of the County Registrar. Unless otherwise specifically indicated on the map, the boundaries of districts are lot lines or centerlines of roads or such lines extended, the boundary lines with cities, or a line midway between the main track of a railroad or the centerlines of streams or other water bodies.

ARTICLE V
DISTRICT DESCRIPTIONS

SECTION 5.01. FORESTRY AGRICULTURAL RESIDENTIAL DISTRICT (FAR)

1. **INTENT.** It is the intent of this district to provide space for forestry, agriculture and agriculturally oriented uses and structures which provide an important part in the economy of Bradley County, and at the same time provide space for residential development for an ever expanding population. It is the intent here to protect the physical and economic well being of agriculture operations and to prevent the encroachment of urban and other incompatible land uses on farmlands.

2. **USES PERMITTED.** In order to achieve the intent of the FAR District, as shown on the Zoning Map of Bradley County, Tennessee, the following uses are permitted (TCA 13-7-114):
 - a. Farming uses, and farming's accessory structures and related uses including roadside stands for the sale of farm produce.
 - b. Aquiculture.
 - c. Detached single-family dwelling residential dwellings.
 - d. Two-family dwellings, duplexes.
 - e. Mobile homes.
 - f. Churches, cemeteries, and schools.
 - g. Golf courses, marinas, and publicly owned outdoor recreational uses (including public parks).
 - h. Public utility facilities necessary for public service, including fire stations.
 - i. Customary home occupations.
 - j. Commercial nurseries.
 - k. Customary accessory buildings or structures.
 - l. Neighborhood Convenient Commercial: Grocery, Laundromat, Car Wash, Drug Store, Barber/Beauty Shop.
 - m. Day Care Centers (*added 5/3/99*)
 - n. Farm equipment sales & service facilities (*amended 4/2/2001*)
 - o. Antique Stores (*amended 9/8/03*)
 - p. Group Homes (*added 3/1/2004*)
 - q. Campgrounds for tent camping (see Article III. 19.) (*added 6/7/2004*)
 - r. Garage apartment (*added 11/1/2004*)
 - s. Bed & breakfast (*added 11/1/2004*)
 - t. Travel Trailer (*added 9/2007*)
 - u. Civic, Philanthropic or Fraternal Lodge, Club, Post, Etc. (*added 9/21/2009*)

3. **USES PROHIBITED.** Any use not mentioned above shall be prohibited.

4. **USES PERMITTED ON REVIEW.**

- a. Outdoor Shooting ranges (*added 4/1/2002*) (*amended 9/21/09*)
- b. Homes for the Aged (See Article III General Provisions Number 18 Section D) (*added 5/3/2004*)
- c. Temporary Festivals (*added 1/3/2006*)
- d. Horse race tracks with allotted race meets, including accessory simulcast facilities, accessory food service (i.e. concessions including permanent stands and portable trailers for the serving of foodstuffs and non-alcoholic beverages) and horse training facilities (*added 8/21/2006*)
- e. Animal hospitals, clinics, shelters and kennels (*added 8/21/2006*)
- f. Amusement park and private and/or commercial indoor/outdoor recreational facilities (aside from those listed as permitted uses in FAR). This use does not permit accessory retail sales of merchandise, restaurants or food service, and the like unless deemed compatible with surrounding uses by the reviewing board. Owner shall be required to submit a site plan of proposed activities (*added 8/21/2006*)

5. **AREA REGULATIONS.** All buildings shall be set back from road right-of-way line and lot lines to comply with the following yard requirements.

- a. Lot area -
 - Minimum required lot area with public water and sewer 7,500 sq. ft.*
 - Minimum required lot area with public water 15,000 sq. ft.
 - Minimum required lot area without public water and sewer.....25,000 sq. ft.

(Or more if required by the Tennessee Department of Environment and Conservation

- b. Lot width at Building Setback Line, except farm buildings-
 - Minimum width with public water and sewer.....75 ft.*
 - Minimum width with public water.....75 ft.
 - Minimum width without public water and sewer.....125 ft.
- c. Building Setback Lines from property line, except farm buildings-
 - Front Yard.....25 feet
 - Side Yard.....10 feet*
 - Rear Yard.....15 feet(In the case of corner lots, the side road setback shall be the same as front setback (amended 12/21/1998))

*EXCEPTION: See Bradley County Cluster Development Guidelines and the Bradley County Mobile Home Resolution (*amended 11/15/99*)

SECTION 5.02. RURAL RESIDENTIAL DISTRICT (R-1)

1. **INTENT.** It is the intent of this district to provide for residential development in areas. One of the important purposes of this district is to create adequate standards for less dense residential development.

2. **USES PERMITTED.** Within the R-1 District, as shown on the Zoning Map of Bradley County, Tennessee, the following uses are permitted.
 - a. Detached single-family residential dwellings.
 - b. Two-family dwellings, duplexes.
 - c. Churches, cemeteries and schools.
 - d. Publicly-owned recreation facilities and grounds.
 - e. Public buildings and public utility stations, fire stations.
 - f. Customary accessory buildings or structures, provided they are located in the side or rear yard.
 - g. Incidental home occupations.
 - h. Day Care Centers.
 - i. Group Homes (*added 3/1/2004*)
 - j. Garage Apartment (*amended 11/1/2004*)

3. **USES PROHIBITED.** Any use not mentioned above shall be prohibited.

4. **USES PERMITTED ON REVIEW.**
 - a. Grocery Stores or Drug Stores, not greater than five thousand (5,000) square feet.

5. **AREA REGULATIONS.**

- a. Lot area -
Minimum required lot area with public water and sewer7,500 sq. ft.*
Minimum required lot area with public water 15,000 sq. ft.
Minimum required lot area without public water and sewer.....25,000 sq. ft.

(Or more if required by the Tennessee Department of Environment and Conservation.)

- b. Lot width at Building Setback Line-
Minimum width with public water and sewer..... 75 ft. *
Minimum width with public water..... 75 ft.
Minimum width without public water and sewer.....125 ft.

- c. Building Setback Lines from property line-
Front Yard.....25 ft
Side Yard.....10 ft*
Rear Yard.....15 ft
(In the case of corner lots, the side road setback shall be the same as front setbacks.)

* EXCEPTION: See Bradley County Cluster Development Guidelines and the Bradley County Mobile Home Resolution.

SECTION 5.03. HIGH DENSITY RESIDENTIAL DISTRICT (R-2)

1. **INTENT.** It is the intent of this district to provide for areas of higher density residential use. It is necessary to provide for higher density residential dwellings without changing the character of the rural environment. It is also the intent of this district to protect and enhance the welfare of the citizens within the community. This district shall develop in order to prevent overcrowding conditions. Intensities of development have been established which will not cause traffic congestion and densities are limited in order to provide adequate sunlight, air, and usable open space for dwellings and adequate space for all related facilities.

2. **USES PERMITTED.** In order to achieve the intent of the R-2 District, as shown on the Zoning Map of Bradley County, Tennessee, The following uses are permitted:

- a. Detached single-family residential dwellings.
- b. Two-family dwellings, duplexes.
- c. Multi-family dwellings, apartments, town homes.
- d. Mobile Homes.
- e. Mobile Home Parks.
- f. Churches, cemeteries and schools,
- g. Publicly-owned recreation facilities and grounds.
- h. Public buildings and public utility stations, fire stations.
- i. Customary accessory buildings or structures, provided they are located in the side or rear yard.
- j. Incidental home occupations.
- k. Day Care Centers
- l. Group Homes (*added 3/1/2004*)
- m. Garage Apartment (*added 11/1/2004*)
- n. Boarding House (*added 8/21/2006*)
- o. Travel Trailer Parks (*9/2007*)

3. **USES PROHIBITED.** Any use not mentioned above shall be prohibited.

4. **AREA REGULATIONS.**

- a. Lot area -
Minimum required lot area with public water and sewer7,500 sq. ft.*
Minimum required lot area with public water 15,000 sq. ft.
Minimum required lot area without public water and sewer.....25,000 sq. ft.
(Or more if required by the Tennessee Department Environment and Conservation.)
- b. Lot width at Building Setback Line-
Minimum width with public water and sewer.....75 ft.*
Minimum width with public water..... 75 ft.
Minimum width without public water and sewer.....125 ft.

- c. Building Setback Lines from property line-
 - Front Yard.....25 ft
 - Side Yard.....10 ft*
 - Rear Yard.....15 ft(In the case of corner lots, the side road setback shall be the same as front setbacks.)

*EXCEPTION: See Bradley County Cluster Development Guidelines and the Bradley County Mobile Home Resolution.

SECTION 5.04. PROFESSIONAL DISTRICT (P-1)

1. **INTENT.** *(created 5/3/1999)* This district is intended to provide areas for professional and business offices and related activities that require separate buildings and building groups. The intent is to provide centralized, compact locations for business, offices and professional offices near residential areas.

2. **USES PERMITTED.** In order to achieve the intent of the P-1 District, as shown on the Zoning Map of Bradley County, Tennessee, the following uses are permitted (TCA 13-7-114):
 - a. Professional & Business Offices which shall include but not limited to, offices for lawyers, architects, engineers, insurance, real estate, beauty and barber shops, financial institutions.
 - b. Medical & Dental offices not equipped for over-night care of patients.
 - c. Veterinary offices and clinics, without outside kennels or runs.
 - d. Public libraries.
 - e. Public buildings and public utility stations fire stations.
 - f. Semi-public buildings such as churches and schools.
 - g. Residential occupancy required as part of the business.
 - h. Commercial educational facilities
 - i. Civic, Philanthropic or Fraternal Lodge, Club, Post, Etc. *(added 9/21/09)*
 - j. Accessory buildings and structures related to the above uses.

3. **USES PROHIBITED.** Any use not mentioned above shall be prohibited.

4. **USES PERMITTED ON REVIEW.** *(amended 10/4/10)*
 - a. Any use permitted in the Rural Commercial District (C-1) provided minimum lot regulations of the C-1 zoning classification are met.

5. **AREA REGULATIONS.** All buildings shall be set back from road right-of-way line and lot lines to comply with the following yard requirements.
 - a. Lot area -
Minimum required lot area..... 1/2 acre
(Or more if required by the Tennessee Department Environment and Conservation)

 - b. Lot width at Building Setback Line 100 ft.

 - c. Building Setback Lines from Property Line -
Front yard depth.....50 ft.
Rear yard.....20 ft.
Side yards.....20 ft.
(In the case of corner lots, the side road setback shall be the same as front setbacks.)

SECTION 5.05. RURAL COMMERCIAL DISTRICT (C-1)

1. **INTENT.** It is the intent of this district to establish areas of light commercial activity adjacent to or near residential areas. The Rural Commercial District is composed of those uses determined to be necessary for the needs of the residents. The areas of Rural Commercial will be compact and possibly adjacent to residential areas. This district is intended as a complement to residential areas, including rural areas, while leaving heavier commercial activities at more appropriate locations.
2. **USES PERMITTED.** In order to achieve the intent of the C-1 District, as shown on the Zoning Map of Bradley County, Tennessee, the following uses are permitted:
 - a. Any use permitted in P-1 Professional District (*amended 5/3/1999*)
 - b. Stores and shops conducting general indoor retail sales and services unless otherwise described.
 - c. Public and semi-public buildings such as, churches, schools, fire stations etc.
 - d. Farm equipment sales and service facilities (*amended 5/3/1999*)
 - e. Residential occupancy required as part of the business.
 - f. Day Care Center (*added 5/3/1999*)
 - g. Dry-cleaning or Laundromat (*added 5/3/1999*)
 - h. Accessory buildings and structures related to the above uses
 - i. Pet Grooming (*added 10/21/2002*)
 - j. Animal Shelter (*added 8/21/2006*)
 - k. Detached Single-Family Residential Dwellings (*added 5/7/2007*)
 - l. Two-family dwellings, Duplexes (*added 5/7/2007*)
 - m. Mobile Homes (*added 5/7/2007*)
 - n. Multi-Family Dwellings (*added 12/2/2013*)
 - o. Apartments (*added 12/2/2013*)
5. **USES PROHIBITED.** Any use not mentioned above shall be prohibited.

6. USES PERMITTED ON REVIEW.

- a. Grocery Stores or Drug Stores, not greater than five thousand (5,000) square feet. *(Amended 5/3/1999)*
- b. Flea Markets.
- c. Adult Care Facilities (See Article III General Provisions Number 18) *(added 3/1/2004)*
- d. Recreation including go-kart racing and miniature golf course. *(added 10/4/10)*
- e. Indoor Shooting Range *(added 9/21/09)*
- f. Any use permitted in the General Commercial District (C-2) provided minimum lot regulations of the C-2 zoning classification are met. *(added 10/4/10)*

5. AREA REGULATIONS.

- a. Lot area -
Minimum required lot area..... 1/2 acre
(Or more if required by the Tennessee Department of Health and Environment)
- b. Lot width at Building Setback Line 100 ft.
- c. Building Setback Lines from Property Line -
Front yard depth (amended 12/2/2002)30 ft.*
Rear yard.....20 ft.
Side yards.....20 ft.
(In the case of corner lots, the side road setback shall be the same as front setbacks.)

SECTION 5.06. GENERAL COMMERCIAL DISTRICT (C-2)

1. **INTENT.** It is the intent of this district to establish areas in which the principal use of land is devoted to general and highway commercial activities along the principal thoroughfares in Bradley County. Regulations are designed to preserve the traffic carrying capacity of the roads and highways and to provide for necessary off-street parking and loading.

2. **USES PERMITTED.**
 - a. Any use permitted in the Professional District (P-1) and the Rural Commercial District (C-1).
 - b. Hotels, motels.
 - c. Shopping Centers, retail outlets.
 - d. Farm Equipment Sales.
 - e. Automobile Sales.
 - f. Mobile Home Sales
 - g. Boat Sales.
 - h. Furniture, appliances, home equipment, home furnishings and garden supplies.
 - i. Mini-warehouses (*added 5/3/1999*)
 - j. Restaurant (*added 5/3/1999*)
 - k. Service & Gasoline Sales (*added 5/3/1999*)
 - l. Adult oriented establishments (see Article III General Provisions Number 17) (*added 12/1/2003*)
 - m. Indoor Recreation and/or Entertainment (*added 6/6/11*)
 - n. Microbrewery (*added 11/21/2016*)

3. **USES PROHIBITED.** Any use not mentioned above shall be prohibited.

4. **USES PERMITTED ON REVIEW.**
 - a. Outdoor Recreation including go-kart racing and miniature golf courses (*amended 6/6/11*)
 - b. Winery (*added 7/5/2005*)
 - c. Temporary Festivals (*added 1/3/2006*)
 - d. Any use permitted in the Highway Commercial (C-3) District provided minimum lot regulations of the C-3 classification zoning are met. (*added 10/4/10*)

5. **AREA REGULATIONS.**

- a. Lot area -
Minimum required lot area..... 1/2 acre
(Or more if required by the Tennessee Department Environment and Conservation)
- b. Lot width at Building Setback Line 100 ft.
- c. Building Setback Lines from Property Line -
Front yard depth.....50 ft.*
Rear yard.....20 ft.
Side yards.....20 ft.
(In the case of corner lots, the side road setback shall be the same as front setbacks)
- d. Screening adjacent to Residential Districts.
When a General Commercial district is adjacent to a residential district, the commercial property shall be completely screened according to requirements in Article III (*added 8/7/2000*).

SECTION 5.07. HIGHWAY COMMERCIAL (C-3)

1. **INTENT.** *(created 11/1/2004)* It is the intent of this district to establish specialized commercial areas along with open areas which will likely develop in a similar manner. It is the intent that permitted uses be conducted so that the noise, odor, dust, and glare of each operation are kept to a minimum. The specialized commercial district is established to provide areas in which the principal use of land is for mechanical repair and other specialized services and also catering to the needs of the motoring public. Highway Commercial uses shall be located along arterial and collector streets.
2. **USES PERMITTED.** Within the C-3 District, as shown on the Zoning Map of Bradley County, Tennessee, the following uses are permitted:
 - a. Any use permitted in P-1, C-1, and C-2 districts.
 - b. Automobile Repair *(removed from I-1, added to C-3 11/1/2004)*
 - c. Fabrication of custom-made items.
 - d. Equipment rental, leasing, and storage services, Contractor’s Yard
 - e. Truck stop.
 - f. Recycling Collection Centers *(added 4/6/09)*
3. **USES PROHIBITED.** Any use not mentioned above shall be prohibited.
4. **AREA REGULATIONS.**
 - a. Lot area -
Minimum required lot area (greater lot requirements may be required by the Tennessee Dept. of Environment and Conservation). 1 acre
 - b. Lot Width at Building Setback Line 150 ft.
 - c. Building Setback Lines from Property Line -
Front yard depth.....50 ft.
Rear yard.....30 ft.
Side yards.....20 ft.

(In the case of corner lots, the side road line shall be the same as front.)
 - d. Screening adjacent to Residential Districts - When a commercial district is adjacent to R-1 and/or R-2 residential districts or a residential subdivision in FAR, the commercial property shall be completely screened according to requirements in Article III.
5. **PARKING SPACE REQUIREMENTS.** As regulated in **Article III, Section 4.**
6. **OFF-ROAD LOADING AND UNLOADING.** As regulated in **Article III, Section 5.**
7. **VISION CLEARANCE.** As regulated in **Article III, Section 6.**
8. **ACCESS CONTROL.** As regulated in **Article III, Section 7.**
9. **ACCESSORY USES.** As regulated in **Article III, Section 8.**

SECTION 5.08. GENERAL INDUSTRIAL DISTRICT (I-1)

1. **INTENT.** It is the intent of this district to establish industrial areas along with open areas which will likely develop in a similar manner. It is the intent that permitted uses be conducted so that the noise, odor, dust, and glare of each operation are kept to a minimum. The industrial district is established to provide areas in which the principal use of land is for manufacturing and assembly plants, processing, storage, warehousing, wholesaling and distribution.

2. **USES PERMITTED.** Within the I-1 District, as shown on the Zoning Map of Bradley County, Tennessee, the following uses are permitted:
 - a. Manufacturing.
 - b. Warehousing and Distribution Centers.
 - c. Dying and finishing of textiles.
 - d. Equipment Rental, Leasing, and Storage Services.
 - e. Asphalt refining or mixing plant (*added 8/21/2006*)
 - f. Recycling Collection Centers (*added 4/6/09*)

3. **USES PROHIBITED.** Any use not mentioned above shall be prohibited.

4. **USES PERMITTED ON REVIEW.**
 - a. Outdoor Shooting Range (*added 9/21/09*)

5. **AREA REGULATIONS.**
 - a. Lot area -
Minimum required lot area for all lots other than a non-hazardous
solid waste disposal facility.....2 acres

 - b. Lot Width at Building Setback Line 250 ft.

 - c. Building Setback Lines from Property Line -
Front yard depth.....75 ft.
Rear yard.....50 ft.
Side yards.....50 ft.

(In the case of corner lots, the side road line shall be the same as front.)

- d. Screening adjacent to Residential Districts -
When an industrial district is adjacent to a residential district, the commercial property shall be completely screened according to requirements in Article III (*added 8/7/2000*)

6. **PARKING SPACE REQUIREMENTS.** As regulated in **Article III, Section 4.**
7. **OFF-ROAD LOADING AND UNLOADING.** As regulated in **Article III, Section 5.**
8. **VISION CLEARANCE.** As regulated in **Article III, Section 6.**
9. **ACCESS CONTROL.** As regulated in **Article III, Section 7.**
10. **ACCESSORY USES.** As regulated in **Article III, Section 8.**

SECTION 5.09. SPECIAL IMPACT INDUSTRIAL DISTRICT (I-2)

1. **INTENT.** It is the intent of this district to provide for industrial development for heavy uses, which, by their nature, offer the potential for impacting the environment negatively. It is the intent that permitted uses be conducted so that noise, odor, dust and glare of each operation are kept to a minimum.

2. **USES PERMITTED.** In order to achieve the intent of the I-2 District, as shown on the Zoning Map of Bradley County, Tennessee, the following uses are permitted:

- a. Yards for Salvage, Junk, or Wrecking Operations (Including Automobile) according to the general provisions in Article III, Section 9.
- b. Airports.
- c. Rock quarry (*added 4/2/2001*)
- d. Recycling Collection Centers (*added 4/6/09*)
- e. Outdoor Shooting Range (*added 9/21/09*)

3. **USES PERMITTED ON REVIEW.**

- a. Sanitary Landfill or Hazardous Facility-Public or Commercial (Disposal, Treatment, Storage) according to the general provisions in **Article IV, Section 11.9**
- b. Paper/Pulp Plants
- c. Outdoor Shooting Ranges

4. **USES PROHIBITED.** Any use not mentioned above shall be prohibited.

5. **AREA REGULATIONS.**

- a. Lot area -
Minimum required lot area for all lots other than a non-hazardous solid waste disposal facility.....5 acres
- b. Lot Width at Building Setback Line 500 ft.
- c. Building Setback Lines from Property Line -
Front yard depth.....150 ft.
Rear yard.....100 ft.
Side yards.....100 ft.

(In the case of corner lots, the side road line shall be the same as front.)

- d. Screening adjacent to Residential Districts -
When an industrial district is adjacent to a residential district, the commercial property shall be completely screened according to requirements in Article III. In the case of automobile wrecking or salvage yards abutting a state or federal highway, fencing shall be in compliance with the requirements of the Tennessee Department of Transportation (TDOT) (*amended 8/7/2000*).

6. **PARKING SPACE REQUIREMENTS.** As regulated in **Article III, Section 4.**

7. **OFF-ROAD LOADING AND UNLOADING.** As regulated in **Article III, Section 5.**

8. **VISION CLEARANCE.** As regulated in **Article III, Section 6.**
9. **ACCESS CONTROL.** As regulated in **Article III, Section 7.**
10. **ACCESSORY USES.** As regulated in **Article III, Section 8.**

SECTION 5.10. Planned Unit Development (PUD)

1. **INTENT.** It is the purpose of the PUD planned unit development district to provide flexible land use and design regulations and to permit planned diversification and integration of uses and structures, while retaining in the Commission the absolute authority to establish limitations and regulations thereon for the benefit of the public health, welfare and safety. These provisions are designed to:

1. Promote more efficient and economic uses of land.
2. Lower development and building costs by permitting smaller networks of utilities and streets and the use of more economical building types and shared facilities.
3. Provide for open spaces and common areas and provide usable and suitably located recreational facilities within the development.
4. Allow the controlled development of land uses most suitable to the proposed site and surrounding neighborhoods.
5. Provide design and location criteria to encourage innovative development.
6. Encourage small area planning, beneficial coordination in private and public investment, and site assembly for planned development.

The PUD District designation is a two-step process consisting of a PUD Conceptual Plan and a PUD Development Plan. The PUD Conceptual Plan is intended to communicate a proposed development concept for a project area greater than three (3) acres that may or may not be under unified ownership and/or control, however a PUD with only residential uses may be as small as 1 acre. PUD Conceptual Plan approval would not constitute a change in the zoning map or otherwise alter the existing development rights of property in the affected area. The PUD Conceptual Plan approval process would identify desirable parameters for future development pursuant to a PUD Development Plan. The PUD Conceptual Plan and the PUD Development Plan may be approved concurrently if all necessary conditions of the PUD Development Plan are met. Approval of a PUD Development Plan shall be through the rezoning process, requiring a recommendation from the Planning Commission and approval by the County Commission. PUD Development Plan approval shall be done by resolution specifying uses, development standards, conditions, limitations, and other provisions; and amending the official zoning map designating the area affected as a distinctly numbered PUD District.

2. PUD PROCESS

2.1 PUD Conceptual Plan Process

The PUD Conceptual Plan process consists of the completion of an application and a conceptual plan by the applicant, a review and recommendation regarding the proposed conceptual plan by staff, and approval or denial by the Planning Commission .

- (1) PUD Conceptual Plan Application—Bradley County with the consent of the property owner or a property owner within an area where the PUD is proposed to be applied may make application for the PUD Conceptual Plan approval. The area to which the PUD Conceptual Plan is to be applied shall be at least three (3) acres in size, however a PUD which is explicitly residential in nature may be a minimum of one (1) acre in size. The application must show the boundaries of the proposed PUD area on a Tax Map. The application must also identify for each parcel to be included: the property owner(s); current zoning; current use of the property. The application must include any existing deed restrictions or covenants affecting the proposed PUD area. The application must contain a PUD Conceptual Plan drawn at a legible scale by a professional engineer, architect, or surveyor licensed in the State of Tennessee. The application must identify the proposed uses and locations of those uses; the uses may be a range of possible uses and they should be identified according to the classifications contained in the Bradley County Zoning Resolution.
- (2) PUD Conceptual Plan Content--- The conceptual plan must show proposed property lines, proposed rights of way, proposed easements, proposed utilities and other infrastructure including the

approximate size and location of anticipated site features such as stormwater treatment facilities, decorative outdoor plazas or entranceways, parking lots, landscape buffer areas, etc. The conceptual plan must contain the most recent Bradley County Property Appraiser's aerial photograph with the boundaries of the proposed PUD area drawn in. Existing topography of the site must be provided. Any floodway or floodplain areas within the proposed PUD area must be shown in the conceptual plan with reference to the appropriate Flood Insurance Rate Map panel. Existing right-of-way improvements, traffic control devices, driveway connections, utilities, fire hydrants, and drainage systems on-site and within 200 feet of the proposed PUD area are to be shown in the conceptual plan. At a minimum the conceptual plan must identify general appearance standards that would be adhered to in the development for building facades, exterior lighting, landscaping, etc. The conceptual plan must show building areas and locations, building heights, and parking lots and other impervious area features. The conceptual plan must show all internal traffic circulation, including pedestrian, and connections to the existing street and sidewalk systems. The conceptual plan must indicate all buffering at the project boundaries to include landscaping, walls, fences, berms, water features, etc. (where site constraints limit the width of such buffering, parking lots and minor accessory structures may be located so as to lessen impacts on adjoining property). The conceptual plan must show the proposed setbacks from internal and external property lines and building separation. It is understood that the foregoing conceptual plan contents describing future improvements are illustrative and that these may change as the project design advances, but the representations made in the conceptual plan should fairly depict the proposed project in terms of location, type, scale, orientation, quality, and performance. Additional information may be required by the Planning Commission for the conceptual plan review if warranted by the circumstances of the proposed development: if the project is located on an arterial street and exceeds five acres or if the project is located on other than an arterial street and it generates more than 200 vehicle trips in the peak hour a traffic impact study is to be provided; if the project site contains or is adjacent to any documented historical or archaeological resources, protected species or habitats, or wetlands such resources are to be described along with the potential project impacts, proposed mitigation, and compliance with any applicable laws; and if the proposed project involves heavy industrial or other processes that could be anticipated to have off-site impacts in terms of noise, vibrations, odors, or hazards (thermal, explosive, chemical), those impacts and their mitigation are to be described in accordance with professional standards. At the applicant's option, the conceptual plan may also include supplementary information such as architectural elevations, perspective drawings, proposed improvements in public spaces such as streetscapes, etc.

- (3) PUD Conceptual Plan Approval--- The conceptual plan is to be submitted to the Planning Director for review. The Planning Director will have the conceptual plan reviewed by the Building Inspection, Engineering and Stormwater Departments. After staff review, the Planning Director shall schedule the conceptual development plan for review by the Planning Commission. The Planning Commission will hear public comment and make a determination regarding the approval of the PUD Conceptual Plan. The Planning Commission may deny approval to the PUD Conceptual Plan, approve it subject to conditions, or approve it as submitted. Approval by the Planning Commission shall be specific as to the required content of the PUD Conceptual Plan including the area of the proposed PUD, the land uses allowed, the setbacks required, building height limitations, buffering and landscaping requirements, and any required performance standards deemed necessary (e.g. noise, light, odors, truck traffic restrictions, hours or operation, outdoor storage restrictions, etc.).

(4) Effect of Approving PUD Conceptual Plan---In no way would such approval by the Planning Commission exempt any eventual development from compliance with site plan, building permit, soil erosion, and flood protection requirements nor would it obligate Bradley County to construct any public improvements in support of the proposed development. Such approval does not change the existing zoning of the property affected or otherwise place additional development rights or restrictions on the property. Such approval does not alter the rights of any owners or tenants of affected property as these may pertain to the use, sale, or subdivision of the property. Such approval does not authorize the eminent domain purchase of property by Bradley County. Such approval does not obligate Bradley

County to approve a PUD Development Plan without any further stipulations or changes beyond those established in the PUD Conceptual Plan approval. Such approval does not constitute a reservation of capacity in public facilities or infrastructure. Such approval does authorize the property owners in the affected area, or a developer acting on their behalf, to pursue approval of a PUD Final Plan through the Planning Commission and the County Commission. Approval of the PUD Conceptual Plan does result in an informational resource that may be used by County Commission in planning, budgeting, and constructing public improvements, or in carrying out other planning activities. The PUD Conceptual Plan approval shall be in effect for a period of five (5) years after Planning Commission approval after which time it shall automatically sunset unless continued by the Planning Commission.

2.2. PUD Development Plan Process

- (1) Content and Effect of the PUD Development Plan--The PUD Development Plan is the means by which new zoning and other land development controls are enacted for an area where a PUD Conceptual Plan has been approved. The resolution implementing the PUD will constitute the zoning classification of the area affected by the PUD. The PUD Development Plan may also encompass a subdivision of land and commitments by the owner(s) and developer(s) to construct various public infrastructure improvements. The PUD Development Plan is to be a recorded legal instrument, adopted by resolution of the County Commission, and binding upon the property owner(s), developer(s), heirs, and assigns. The PUD Development Plan will consist, in part, of a written development order describing the permitted uses, buffering and screening requirements, building setbacks, any necessary performance related standards (noise, lighting, hours of operation, etc.), any necessary monitoring and reporting requirements (e.g. traffic counts), any necessary maintenance requirements (landscape maintenance, litter control, stormwater treatment maintenance, etc.), any necessary phasing schedule, any necessary public improvements to be installed by the developer, an acknowledgement that the owner is responsible to obtain and comply with all applicable Federal, State, and local permits, and an expiration date after which the PUD Development Plan may expire. The PUD Development Plan would also include a master site plan, and subdivision plan if applicable, with all of the normal requirements for site plans and plats except as altered by the PUD. An approved PUD Development Plan does not constitute a reservation of public facility or infrastructure capacity.

- (2) PUD Expiration, Phasing, Deviations, and Amendments---A PUD Development Plan may be allowed to expire after the expiration date if the County Commission determines that substantial progress has not been made, or is unlikely to be made, and that the public interest would be better served by reverting to the previous zoning. Prior to a County Commission determination regarding such expiration, the matter is to be reviewed by the Planning Commission following the procedures for a rezoning. An existing PUD would not expire without a resolution to that effect and County Commission may extend the stated expiration date of a PUD by amending the resolution. The PUD Development Plan may be structured in one or more phases with appropriate engineering, architectural, and other drawings and documents to be submitted at the appropriate time before the construction of each phase. However, the PUD Development Plan shall control future phases and any substantial deviations will require amending the PUD Development Plan resolution. Proposed changes in permitted uses, proposed decreases in approved setbacks by more than 10%, proposed increases in approved building heights by more than 10%, significant relocation or redesign of proposed public rights-of-way, significant stormwater management changes, and similar changes deemed to be substantial deviations by the Planning Director will require an amendment to the PUD Development Plan. The PUD Development Plan shall be advertised, posted, and heard by the Planning Commission and the County Commission in the same manner, as a rezoning, and any amendment to an approved CD Final Plan shall be processed in the same manner.

ARTICLE VI

EXCEPTIONS AND MODIFICATIONS

1. **LOT OF RECORD.** Where the owner of a lot consisting of one or more lots of official record, at the time of the adoption of this Resolution, does not own sufficient land to enable him to conform to the yard or other requirements of this Resolution, such lot may be used as a building site, provided, however, that the yard and other requirements of the district are complied with as closely as is possible.
2. **SCOPE.** This article is devoted to providing for necessary exceptions and modifications to the specific zoning district and the supplementary provisions for in Article 4 and Article 5.
3. **CHURCH.** All organizations coming under the Bradley County Zoning Resolution's definition of "church" are fully exempted from compliance with this resolution, except setback requirements.

ARTICLE VII

ENFORCEMENT

1. **ENFORCING OFFICER.** The provisions of this Resolution shall be administered and enforced by the Bradley County Building Inspector. This official shall have the right to enter upon any premises necessary to carry out his duties in the enforcement of this Resolution, and in addition (TCA 13-3-104):
 - a. Issue all zoning compliance permits and make and maintain records thereof.
 - b. Maintain and keep current zoning maps, and records of amendments thereto.
 - c. Conduct inspections as prescribed by this Resolution, and such other inspections as are necessary to insure compliance with the various provisions of this Resolution generally.
2. **ZONING COMPLIANCE PERMIT REQUIRED.** It shall be unlawful to commence the excavation for or the construction of any commercial or industrial building or structure, including accessory buildings, or to commence the moving or alteration of any commercial or industrial building or structure, including accessory buildings, until the Building Inspector has issued for such work a zoning compliance permit including a statement that the plans, specifications, and intended use of such building or structure in all respects conform with the provisions of this Resolution. Application for a zoning compliance permit shall be made to the Building Inspector. However, no zoning compliance permit shall be required and there shall be no regulation of the erection, construction, or reconstruction of any building or other structure devoted to agricultural uses or which may hereafter be used for agriculture purposes. **NOR SHALL THIS RESOLUTION BE CONSTRUED AS LIMITING OR AFFECTING IN ANY WAY OF CONTROLLING THE AGRICULTURE USES OF LAND (TCA 13-7-114).**
3. **ISSUANCE OF ZONING COMPLIANCE PERMIT.** In applying to the Building Inspector for a zoning compliance permit, the applicant shall state the existing and intended use of all such buildings and supply such other information as may be required by the Building Inspector for determining whether the provisions of this Resolution are being observed. If the proposed excavation or construction as set forth in the application are in conformity with the provisions of this Resolution, the Building Inspector shall issue a zoning compliance permit for such excavation or construction. If a zoning compliance permit is refused, the Building Inspector shall state such refusal in writing with cause. The zoning compliance permit must be renewed if not exercised within one year.
4. **PENALTIES.** Any person violating any provision of this Resolution shall be guilty of a misdemeanor, and upon conviction shall be fined not less than two dollars (\$2.00) nor more than fifty dollars (\$50.00) for each offense. Each day such violation shall continue shall constitute a separate offense.
5. **REMEDIES.** In case any building or structure is erected, constructed, reconstructed, repaired, converted or maintained, or any building, structure or land is used in violation of this Resolution, the Building Inspector or any other appropriate authority or any adjacent or neighboring property owner who would be damaged by such violation, in addition to other remedies may institute injunction, mandamus or other appropriate action in proceeding to prevent the occupancy or use of such building.
6. **REZONING PROCEDURES.** Unless otherwise provided by this Resolution for Planned Unit Developments. The following procedure shall apply to all rezonings. All rezoning fees and notifications are the same for every zoning district.
 - a. Upon initial request for rezoning, the application will be completed by the owner/agent for placement on the agenda for the next meeting of the Bradley County Regional Planning Commission. (amended 11/6/2006) In addition to the application, a \$50 application fee as well as a \$50 sign deposit shall be collected. The Planning Commission may initiate a rezoning, with the consent of the property owner, if there is a reasonable expectation of an imminent community need for the proposed rezoning. No fee shall be collected from the property owner for a rezoning initiated by the Planning Commission. (amended 6/6/11)
 - b. A rezoning sign with the pertinent information will be posted on the property requesting rezoning upon completion of the above mentioned application.

- c. The abutting property owners, including directly across the road, will be notified by letter, once a rezoning request is filed in the Bradley County Planning Office.
- d. Only the initial request will be considered by the Planning Commission. If it is determined that any surrounding properties should be considered, this will be dealt with at a later meeting, after proper notification of the property owners involved. *(amended 11/6/2006)* If the entire parcel is not being rezoned, the Planning Commission reserves the right to require a survey showing boundaries of the designated zonings.
- e. Once action has been taken by the Planning Commission, the issue will be presented to the Bradley County Commission for final approval or denial of the request. The Planning Commission Staff shall publish a public notice pursuant to TCA 13-7-203 prior to the vote by the Bradley County Commission. *(added 11/6/2006)*
- f. The sign deposit shall be returned to the applicant if the rezoning sign is returned to the Bradley County Planning Office within seven (7) days after action is taken by the Bradley County Commission. *(added 11/6/2006)*

7. **PROCEDURES FOR AUTHORIZING USES PERMITTED ON REVIEW.**

- a. Application. An application shall be filed with the Planning Commission for review. The application shall include a site plan and other pertinent information the Planning Commission may require. *(amended 4/1/2002)*
- b. Public Hearing. Upon application, the Planning Commission shall give a seven (7) day notification of a public hearing. The notice shall be published in a daily paper of general circulation.
- c. Notification. A sign will be posted on the property requesting Use Permitted on Review upon completion of the above mentioned application. The abutting property owners, including directly across the road, will be notified by letter, once a use permitted by review request is filed in the Bradley County Planning Office.
- d. Restriction. In the exercise of its approval, the Planning Commission may impose such conditions regarding the location, character, or other features of the proposed use of land or buildings as it may deem advisable.

Any person, firm or corporation aggrieved by any decision of the Planning Commission relative to Uses Permitted on Review may petition the Board of Zoning Appeals for consideration. The petition shall be filed with the Planning Office not more than 30 days from the date of the action of the Planning Commission. The Board of Zoning Appeals may affirm, modify, impose restrictions, or overrule the action of the Planning Commission.

ARTICLE VIII
BOARD OF ZONING APPEALS

1. **CREATION AND APPOINTMENT.** A Board of Zoning Appeals is hereby established in accordance with Section 13-7-106, *Tennessee Code Annotated*. Such Board of Zoning Appeals shall consist five members appointed by the County Executive, subject to confirmation by the Bradley County Commission, to serve terms of one, two, three, four and five years respectively; thereafter, terms to be for five years and vacancies filled for the unexpired term only.

The Board of Commissioners shall have power to remove any member of the board for cause, after public hearing.

2. **PROCEDURE.** Meetings of the Board of Zoning Appeals shall be held at the call of the chairman or by a majority of the membership and at such other times as the board may determine. Such chairman, or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact; shall take all evidence necessary to justify or explain its action, and shall keep records of its examinations and of other official action, all of which shall be immediately filed in the office of the board and shall be a public record.

2. **APPEALS: HOW TAKEN.** An appeal to the Board of Zoning Appeals may be taken by any person, firm or corporation aggrieved or by any governmental officer, department, board or bureau affected by any decision of the Building Inspector based in the whole or part on provisions of this Resolution. Such appeal shall be taken within a reasonable time, as provided by the rules of the board, by filing with the Building Inspector and with the Board of Zoning Appeals a notice of appeal, specifying the grounds thereof. The Building Inspector shall transmit forthwith 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 appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon hearing, any party may appear in person or by agent or attorney.

3. **POWERS.** The Board of Zoning Appeals shall have the following powers:

- a. **Administrative Review.** To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, permit, decision, determination or refusal made by the Building Inspector or other administrative official in the carrying out or enforcement of any provision of this Resolution.

- b. **Interpretations.** To hear and decide requests for interpretations of the zoning map. (*added 3/1/10*)

- c. **Variance.** To hear and decide applications for variance from the terms of this Resolution, but only where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property which at the time of the adoption of this Resolution was a lot of record; or where by reason of exceptional topographical conditions or other extraordinary or exceptional situations or conditions of a piece of property, the strict application of the provisions of this Resolution would result in exceptional practical difficulties to or exceptional and undue hardship upon the owner of such property, provided that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this Resolution. In granting a variance the board may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable in furtherance of the purpose of this Resolution. Before any variance is granted it shall be shown that special circumstances are attached to the property, which do not generally apply to other property in the neighborhood.

4. **ACTION OF THE BOARD OF ZONING APPEALS.** In exercising the aforementioned powers, the Board of Zoning Appeals may, in conformity with the provisions of this Resolution, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and to that end shall have all powers of the Building Inspector. The concurring vote of a majority of the board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under this Resolution, or to authorize any variance from the terms of this Resolution.

ARTICLE IX
AMENDMENT

1. **PROCEDURE.** The Bradley County Board of Commissioners may amend the regulations, restrictions, boundaries, or any provision of this Resolution. Any member of the Board of Commissioners may introduce such amendment, or any official, board or any other person may present a petition to the Bradley County Board of Commissioners requesting an amendment or amendments to this Resolution. All changes and amendments shall be effective only after official notice and public hearing. (TCA 13-7-105)

2. **APPROVAL BY PLANNING COMMISSION.** No such amendment shall become effective unless it is first submitted to the Bradley County Planning Commission for approval, disapproval, or suggestions. If such amendment is disapproved by the Bradley County Planning Commission, it shall require the favorable vote of a majority of the entire membership of the Bradley County Board of Commissioners to become effective. (TCA 13-7-105)

3. **INITIATION OF AMENDMENTS.** An amendment of this Resolution may be initiated by any one of the following three methods: a verified petition of one or more persons interested in the proposed amendment, a resolution of the Bradley County Planning Commission; and a resolution of the Bradley County Board of Commissioners.

ARTICLE X
LEGAL STATUS PROVISIONS

1. **CONFLICT WITH OTHER RESOLUTIONS.** In case of conflict between this Resolution or any part thereof, and the whole or part of any existing or future Resolution of Bradley County, Tennessee, the most restrictive shall in all cases apply.
2. **VALIDITY.** If any section, clause, provision, or portion of this Resolution shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this Resolution which is not of itself invalid or unconstitutional.
3. **EFFECTIVE DATE.** Be it ordained by the Bradley County Board of Commissioners that this Resolution shall take effect immediately from and after its passage, the welfare of the county requiring it.

CERTIFIED BY TH BRADLEY COUNTY REGIONAL PLANNING COMMISSION:

**This Zoning Resolution, text and map, was certified by the
Bradley County Planning Commission on October 15, 1998**

Chairman-Planning Commission

Secretary-Planning Commission

APPROVED AND ADOPTED BY THE BRADLEY COUNTY COMMISSION:

DATE: _____
BRADLEY COUNTY EXECUTIVE

ATTESTED BY:

DATE: _____
BRADLEY COUNTY CLERK