

CHAPTER IV

SUPPLEMENTARY PROVISIONS APPLYING TO SPECIFIC DISTRICTS

Section 4-100. Off-Street Parking Requirements.

- A. General. There shall be provided, at the time of the erection of any building, or at the time any principal building is enlarged or increased in capacity by or before conversion from one zone, use, or occupancy to another, permanent off-street parking as specified in the Ordinance. Parking space maintained in connection with an existing and continuing principal building on the effective date of this Ordinance shall not be counted as serving a new building or addition; nor shall any parking space be substituted for a loading space, or vice versa.
- B. Location. Off-street parking shall be located on the same lot, which it serves. If the parking cannot be reasonably provided on the same lot on which the principal use is conducted, the Gilt Edge Board of Zoning Appeals may permit such space to be provided on other off-street property provided such space lies within three hundred (300) feet of the main entrance to such principal use.
- C. Size and Maneuvering Room - Each parking space shall be equal to an area of one hundred eighty (180) square feet. The width shall not be less than nine (9) feet and the length shall not be less than eighteen (18) feet. A minimum of four hundred square feet per parking space shall be used when computing parking area to include maneuvering space. Except for structures with one or two dwelling units, all off-street parking facilities shall be so arranged that no automobile shall have to back into any street.
- D. Access -Each parking space shall be directly assessable from a street or alley or form an adequate access aisle or driveway leading to or from a street or alley.
- E. May Serve As Yard Space - Parking space may be included as part of the required yard space associated with the permitted use.
- F. Number of Spaces of Specific Uses
1. Dwelling Units – not less than two (2) spaces for each dwelling unit.
 2. Rooming or Boarding House – not less than one (1) space for each room to be rented.
 3. Hotels, Motels and Other Tourist Accommodations - One (1) space for each unit to be rented, plus one (1) space for each three (3) employees.

4. Schools - One (1) space for each classroom, plus one space for each staff member and employee other than teachers plus (10) additional visitor spaces. If the school is a high school then one (1) additional space shall be required for each fifteen (15) students based on the capacity for which the building was designed. If an auditorium is provided, then see '5' below and the number of parking spaces shall be developed based on whichever is greater.
5. Any Auditorium, Church, Stadium or Other Place of Public Assembly – Not less than one (1) space for each five (5) seats provided in such places of assembly. For places of public assembly where seating is not a measure of capacity, such as club houses, funeral parlors, etc. at least one (1) space for each one hundred (100) square feet of floor space devoted to that particular use shall be provided.
6. Hospitals – Not less than one (1) space for each three (3) beds intended for patient use, exclusive of bassinets.
7. Public Utility Building, City Hall or Fire Department – Not less than one (1) space for each employee during maximum shift, plus two (2) visitor spaces.
8. Banks and Office Buildings – Not less than one (1) space for each one hundred fifty hundred (150) square feet of total floor space.
9. Medical or Dental Clinic – Not less than three (3) spaces for each doctor plus one (1) space for each two (2) employees.
10. Automobile Service Station – Five (5) spaces for each grease rack or service bay or one (1) space for each pump, whichever is greater.
11. Retail Sales and Service Establishments – Not less than one (1) space for each two hundred (200) square feet of sales area, plus one (1) space for each two (2) employees.
12. Industrial, Manufacturing or Wholesaling Use – Not less than one (1) space for each two (2) employees anticipated during maximum production, with a minimum of five (5) spaces provided for any establishment.

G. Off-Street Loading and Unloading Requirement.

1. On the same premises with every structure or part thereof, involving the receipt or distribution of vehicles or materials or merchandise, there shall be provided and maintained on the lot, adequate space for standing, loading and unloading in order to avoid undue interference with public use of dedicated rights-of-way.
2. All spaces shall be laid out in the dimensions of at least ten by fifty (10x50) feet or five hundred (500) square feet in area, with a clearance of at least fourteen (14) feet in height.

3. Where trailer trucks are involved, such loading and unloading space shall be an area twelve (12) feet by fifty (50) feet with a fourteen (14) foot height clearance and shall be designed with appropriate means of truck access to a street or alley as well as adequate maneuvering area.
4. The following ratio of spaces to floor area applies to all districts: One (1) space for loading and unloading for each 20,000 square feet of floor area.

Section 4-101. Standards for Signs, Billboards, and Other Advertising Structures

These conditions are established as a reasonable and impartial method of regulating advertising structures in order to insure light, air, and open space, to reduce hazards at intersections, and to protect property values of the entire community. The regulations for signs, billboards, and other advertising structures are enumerated below. All signs requiring a permit shall obtain a permit at a fee of \$1 per square foot.

A. In Any Zoning District, the Following General Regulations Shall Apply:

1. No sign shall be erected or maintained where by reason of its position, wording, illumination, size, shape, or color, it may obstruct, impair, obscure, interfere with the view of, or be confused with, any authorized traffic control sign, signal, device or, emergency vehicle.
2. No illuminated sign shall be permitted within two hundred (200) feet of property in any residential district unless the illumination of such sign is so designed that it does not shine or reflect light onto such property.
3. No billboard shall exceed fifty (50) feet in height nor shall any billboard exceed six hundred seventy two (672) square feet in sign area. In addition, no billboard shall be erected or placed closer than two thousand (2000) feet from any Residential District and shall be setback a distance equal to the height of the billboard from any property line. No ground sign shall exceed thirty (30) feet in height.
4. Ground signs of six (6) feet or less in height may be erected or placed up to the property line but no part of the sign structure may project or overhang past said property line.
5. Outdoor commercial signs, including flashing or illuminated signs, shall not intrude upon the public right-of-way.
6. Directional and Public Information signs intended to guide the general public and emergency services may intrude upon the public right-of-way with permission from the appropriate governmental agency and shall be no larger than sixty-four (64) square feet in size.
7. Signs erected and overhanging any sidewalk must be placed at least ten (10) feet above the sidewalk and may extend over the sidewalk a distance equal to two-thirds (2/3) the width of the sidewalk, but in no case exceeding ten (10) feet.
8. Only one sign shall be allowed on any residentially zoned parcel, not to include temporary signs or nameplates indicating name, address or house number for emergency purposes.

9. Temporary signs and posters are subject to the following regulations:
 - a. Each sign shall not exceed thirty-two (32) square feet in area.
 - b. No permit is required for temporary signs and posters.
 - c. Such signs shall not be nailed to public utility poles.
 - d. All such signs advertising events shall be placed/erected no sooner than sixty (60) days before the event date, and shall be removed within ten (10) days after the event date.
10. All signs greater than thirty (30) feet in height must be spaced at least two thousand (2000) feet apart in any direction.
11. A building permit is required for any sign that is greater than six (6) feet in height with the exception of temporary signs and posters.
12. Any sign that is deemed a nuisance as defined in *TCA 29-3-101(2)* is prohibited.
13. Changeable message signs with a digital display which meet all other requirements of this section are permissible subject to the following restrictions:
 - a. The message display time shall remain static for a minimum of eight (8) seconds with a maximum change time of two (2) seconds.
 - b. Video, continuous scrolling messages and animation are prohibited; and

B. In the R, Residential District, the Following Regulations Shall Apply:

1. Flashing or illuminated signs are prohibited.
2. Billboards are prohibited.
3. For single-family dwellings, no sign shall exceed six (6) square feet in area.
4. For multi-family dwelling, no sign shall exceed sixteen (16) square feet in area.
5. For agricultural uses, no sign shall exceed thirty-two (32) square feet in area.
6. Only one sign shall be allowed on any residentially zoned parcel, not to include temporary signs or nameplates indicating name, address or house number for emergency purposes.

C. In the C, Commercial District, the Following Regulations Shall Apply:

1. Billboards shall be permitted subject to the general restrictions set forth in Section 4-101. A.
2. Commercial signs shall be permitted. Such signs shall be setback a distance equal to the height of the sign from any property line.

Section 4-102. Cellular Communication Towers

- A. All cellular communication towers require site plan approval through the Planning Commission. The site plan shall show and include the location of all portions of the use of the property for the tower including the compound, concrete equipment pads, fencing, easements, fall zone and any other additional requirements otherwise required in the Gilt Edge Zoning Ordinance.
- B. All cellular communication towers require a fall zone, free and clear of any structures or property lines, ten (10) feet greater than the height of the tower.
- C. A continuous permanent easement shall be provided of no less than fifteen (15) feet in width at any point from a county approved street to the compound area. This easement shall be permanent in nature until such time that the tower and compound equipment have been completely removed from the property.
- D. A building permit shall be required before any construction of any tower begins. To obtain a building permit, applicant must obtain site plan approval, a copy of the FAA Letter of Approval and a copy of the lease agreement with the current landowner.

Section 4-103. Temporary Use Regulations

The following regulations are necessary to govern the operation of certain necessary or seasonal uses non-permanent in nature. Application for a Temporary Use Permit shall be made to the planning director. Said application shall contain a graphic description of the property to be utilized and a site plan, a description of the proposed use, and sufficient information to determine yard requirements, set-back, sanitary facilities and parking space for the proposed temporary use. The following uses are deemed to be temporary uses and shall be subject to the specific regulations and time limits that follow and to the regulations of any district in which such use is located. The Planning Director shall approve all temporary uses, unless otherwise noted.

- A. Carnival or Circus - May obtain a Temporary Use Permit, however, such permit shall be issued for a period of not longer than fifteen (15) days. Such use shall only be permitted on lots where adequate off-street parking can be provided. Such use shall be approved by the Planning Commission.
- B. Fireworks and Christmas Tree Sales - Shall obtain a thirty (30) day Temporary Use Permit for the retail sale of Fireworks or Christmas Trees transported to open lots.
- C. Temporary Buildings - In any district, a Temporary Use Permit may be issued for contractor's temporary office and equipment sheds incidental to a construction project. Such permit shall not be valid for more than one (1) year but may be renewed for six (6) month extensions; however, not more than two (2) extensions for a particular use shall be granted. Such use shall be removed immediately upon completion of the construction project, or upon expiration of the Temporary Use Permit, whichever occurs sooner.

- D. Religious Tent Meeting - In any district, a Temporary Use Permit may be issued, at no cost, for a tent or other temporary structures used to house a religious meeting. Such permits shall be issued for not more than a thirty (30) day period, and for a maximum of two (2) nonconsecutive periods in a one (1) year time span. Such activity shall be permitted only on lots where adequate off-street parking can be provided.
- E. Temporary Dwelling Unit in Cases of Special Hardships - In any residential district, a Temporary Use Permit may be issued to place a mobile home (double-wides excluded) temporarily on a lot in which the principal structure was destroyed by fire, explosion or natural phenomenon. The purpose of such temporary placement shall be to provide shelter for only the residents of the principal structure during the period of reconstruction and to prevent a hazard to the safety, health, or welfare of the community. An applicant for a Temporary Use Permit as provided under this subsection must produce a written statement from the Tipton County Health Department and/or the utility system approving the water supply and sewage disposal system for the temporary structure. Such a permit shall not be valid for more than six (6) months, and may be renewed for up to six (6) months at a time, the total time for all permits not exceeding a total of eighteen (18) months, unless otherwise approved by the Gilt Edge Board of Zoning Appeals.
- F. Historical Events, Presentation and Historical Related Activities - A Temporary Permit may be issued for historical events, presentations or historical related activities for not more than six (6) times per year. Such permit shall be in effect for a period not to exceed seven (7) consecutive days.
- G. Special Events - Special events, but not limited to, tractor pulls, music festivals or temporary activities that would take place in an open space setting of at least three-fourths (3/4) of an acre for not more than two (2) times per year. Such permit shall be in effect for a period not to exceed ten (10) consecutive days. Permits for Special Events will be issued to nonprofit, non-taxpaying entities at no cost. Such uses shall be approved by the Planning Commission.

Section 4-104. Customary Incidental Home Occupation

A customary incidental home occupation is a gainful occupation or profession (including the professional office of an architect, artist, dentist, engineer, lawyer, physician and the like, barber, beauty and tailor shops) conducted by members of a family residing on the premises. Only one (1) person other than members of the household shall be employed. In connection with a home occupation, no stock in trade shall be displayed outside the dwelling, and no alteration to any building shall indicate from the exterior that the building is being utilized in whole or in part for any purpose other than a residential unit, including permitted accessory buildings. An announcement sign of not more than six (6) square feet in area is permitted. No more than twenty-five (25) percent of the floor area of the dwelling unit is to be used to conduct the home occupation.

When questions arise regarding the legality of specific home occupations, the Gilt Edge Board of Zoning Appeals shall determine whether said home occupation is in compliance with the district in which it is located.

A. Accessory-Agricultural Occupations

These provisions are established to provide supplemental occupations for residents located in a rural environment. All applications requesting approval for this type of home occupation are required to meet the provisions set forth in Section 8-106.C, and any other safeguards the Gilt Edge Board of Zoning Appeals may deem necessary. All accessory-agricultural occupations require approval of a site plan by the Planning Commission and approval by the Gilt Edge Board of Zoning Appeals as a Special Exception. Uses permitted as accessory-agricultural occupations shall include, but not limited to auto, truck and farm equipment repair, welding shops, wood working and cabinet shops, manufacture or processing of garments, the sale of farm supplies and equipment (excluding privately owned) and other similar uses that in the opinion of the Gilt Edge Board of Zoning Appeals would meet the criteria of an accessory-agricultural occupation. A minimum of five (5) acres is needed to apply for this type of home occupation.

B. Minor Home Occupations

A minor home occupation is a limited activity conducted on premises not to differ from its residential character. Minor home occupations shall include offices for accountants, architects, artists, engineers and the like, and other uses that will not require an increased amount of traffic to and from the residence and are required to meet the provisions set forth in Section 8-106.D. Uses such as barber or beauty shops, auto repair or any similar use shall not be considered as minor home occupations. Due to the small scale of operation, minor home occupations are not required to obtain approval for a special exception from the Gilt Edge Board of Zoning Appeals.

C. Major Home Occupations

Uses classified as major home occupations are those conducted within home that may cause an increase in the amount of neighborhood traffic. This increase in traffic may be in the form of persons served by the home occupation or by deliveries or pick-ups from the premises. An increased area for parking will be allowed for uses that are classified as major home occupations. All major home occupations are required to have a site plan approval from the Tipton County Planning Commission and their use approved by the Gilt Edge Board of Zoning Appeals prior to engaging in the activity, and are required to meet the provisions set forth in Section 8-106.D. Major home occupations shall include barber and beauty shops, teaching of music and dance, small engine and appliance repair (excluding auto and other motorized vehicles), upholstery shops, dressmakers, real estate offices, and other similar uses that in the opinion of the Gilt Edge Board of Zoning Appeals would meet the criteria of a major home occupation.

Section 4-105. Fall-Out Shelter Restrictions

Fall-out shelters are permitted as principal or accessory uses and structures in any district, subject to the yard and lot coverage regulations of the District. Areas of underground fall-out shelters extending not more than thirty (30) inches above the general ground level of the graded lot shall not be included in computations of lot coverage by all buildings. The Gilt Edge Board of Zoning Appeals may waive side and rear yard setback requirements to permit construction of joint shelters by two or more property owners, provided, however, that side and rear yard setback requirements shall be met where property involved in the joint proposal abuts or adjoins property not included in the proposal.

Section 4-106. Gasoline Service Station Restrictions

The following regulations shall apply to all gasoline service stations.

- A. There shall be a building setback from all street right-of-way lines for a distance of not less than thirty (30) feet, except for canopies designed to cover the gasoline pump islands.
- B. Gasoline pumps shall not be located closer than thirty (30) feet to any street right-of-way line.
- C. Sign requirements as established in Section 4-101, shall be met.

Section 4-107. Development Standards for Mobile Home Parks

The following land development standards shall apply for all mobile home parks:

- A. The mobile home park shall be located on a well-drained site, properly graded to insure rapid drainage and to avoid the possibility of stagnant pools of water. Drainage plans shall be approved by the Director of Public Works.
- B. Dimensional Requirements for Parks
 - 1. Each mobile home park shall have a front yard setback of fifty (50) feet exclusive of any required yards for each mobile home space, extending for the full width of the parcel devoted to said use.
 - 2. Each mobile home park shall provide rear and side yards of not less than thirty and fifteen (30 - 15) feet respectively, exclusive of any required yards for each mobile home space, from the parcel boundary.
 - 3. In instances where a side or rear yard abuts a public street, said yard shall not be less than fifty (50) feet.
 - 4. No building or structure erected or stationed in a mobile home park shall have a height greater than two (2) stories or thirty (30) feet.

5. Each mobile home park shall be permitted to display, on each street frontage, one (1) identifying sign of a maximum size of twenty (20) square feet. Said sign(s) shall contain thereon only the name and address of a park and may be lighted by indirect lighting only.
6. The site for a mobile home park shall comprise of an area of not less than ten (10) acres.
7. Direct vehicular access to the site shall be provided by an abutting improved public street of at least a "Collector" status (as shown on the Gilt Edge Transportation Plan)

C. Dimensional Requirements for Mobile Home Spaces

Each mobile home space shall be of sufficient size that, in addition to the mobile home, the following space shall be provided:

1. Each mobile home space shall be at least thirty-six (36) feet wide and such space shall be clearly defined by permanent markers.
2. There shall be a front yard setback of ten (10) feet from all access streets within the mobile home park.
3. Mobile homes shall be harbored on each space so there shall be at least a twenty (20) foot clearance between mobile homes in all directions. No mobile home shall be located closer than twenty (20) feet from any building within the mobile home park.
4. There shall be at least two (2), off-street parking spaces for each mobile home space, which shall be on the same site as the mobile home served, and may be located in the rear or side yard of said mobile home space.
5. Each mobile home space shall be provided with a pad that shall be a minimum of twelve (12) feet by fifty (50) feet, which shall be constructed of four (4) inches of compacted gravel.
6. The mobile home park shall be developed to a density compatible with the district in which it is located; however, the minimum lot area per mobile home space with public water and sewer shall be three thousand six hundred (3,600) square feet. For double wide mobile homes, the minimum lot size shall be six thousand (6,000) square feet. In areas without public waste water service, the minimum lot area shall be seven thousand five hundred (7,500) square feet for single wide mobile homes and ten thousand (10,000) square feet for a double wide mobile home, unless a higher density is approved by the Tipton County Health Department and the Gilt Edge Board of Zoning Appeals after appropriate soil tests have been completed and analyzed as to the capability of the soil to accommodate a septic tank and drain field.

No mobile home park shall be permitted unless such park is served by a public water supply.

D. General Requirements

1. Streets within the mobile home park shall be paved to a width of not less than twenty-two (22) feet in accordance with the procedures and standards for minor residential streets as specified in the Gilt Edge Subdivision Regulations, and the right-of-way shall only be of sufficient width to include the street surface itself and necessary drainage facilities. All streets within the mobile home park shall be private streets and shall not be accepted as public streets.
2. All mobile home spaces within the park shall abut an access street.
3. Each mobile home space shall be provided with the connection to a sanitary sewer line or to a sewer system approved by the Tipton County Health Department and Gilt Edge Board of Zoning Appeals.
4. Mobile homes, with or without toilet facilities that cannot be connected to an approved sewer system shall not be permitted in a mobile home park.
5. Cabanas, travel trailers, and other similar enclosed structures are prohibited.
6. Mobile homes shall not be used for commercial, industrial, or other nonresidential uses including customary home occupations within the mobile home park, except that one (1) mobile home in the park may be used to house a rental office.
7. Ground anchors shall be installed at each mobile home space to permit tie-downs of mobile homes in accordance with the International Building Codes.
8. All mobile home parks shall be required to provide inground storm shelters at thirty-six (36) square feet per mobile home space. All storm shelters shall be located so that no mobile home space exceeds a distance of two hundred fifty (250) linear feet. There is no limit to the number of storm shelters required for any mobile home park.
9. At least ten (10%) percent of the total parcel of land being used for the mobile home park shall be designated for open space and recreation in a centralized location. This area shall not be used for the placement of mobile homes or parking.

E. Plans and Schedules Required

The following information shall be shown on the required site plan drawn to a scale of no smaller than one hundred (100) feet to one (1) inch:

1. The location and legal description of the proposed mobile home park, including the total acreage involved.
2. The location and size of all buildings, improvements, and facilities constructed or to be constructed within the mobile home park.
3. The proposed use of buildings shown on the site plan.

4. The location and size of all mobile home spaces.
5. The location of all points of entry and exit for motor vehicles and internal circulation pattern.
6. The location of all off-street parking facilities.
7. The location of park and recreation areas.
8. The name and address of the applicant, and name of the park.
9. North point, graphic scale, date, vicinity map, and names of the owners of record of all adjoining land.
10. Such other architectural, engineering, and topographic data as may be required to permit the Tipton County Health Department, the Planning Director, Director of Public Works, and the Gilt Edge Board of Zoning Appeals to determine if the provisions of these regulations are being complied with, shall be submitted with the site plan.
11. A time schedule for development shall be prepared, which shall demonstrate the applicant's readiness and ability to provide the proposed services. Said time shall be for a period of not more than one (1) year.
12. All mobile home parks existing at the date of the passage of this ordinance that do not conform to the provisions of the zoning ordinance shall be governed in accordance with the provision of Section 6-100 of this ordinance.

F. Application for Mobile Home Park Development

An application for a permit to develop and construct a mobile home park shall be filed in accordance with this ordinance, and shall be accompanied by all site plans, schedules, and other information herein required. Said application shall be processed in the following manner.

1. The written application, plans, and schedules, herein required, and a statement of approval of the proposed sewage disposal system from the Tipton County Health Department will be submitted to the Tipton County Planning Director, and the Tipton County Regional Planning Commission for site plan approval. The County Regional Planning Commission shall duly review these materials and shall co-ordinate the review with the appropriate utility districts.
2. The Tipton County Planning Director shall, after review, recommend approval or disapproval of the proposed mobile home park to the Gilt Edge Board of Zoning Appeals, which then may authorize the issuance of a permit for construction of the park as approved, or state the conditions under which approval for construction may be granted.

3. An annual fee to operate a mobile home park shall be based on the number of mobile home pads approved. A permit will be issued upon receipt of the annual fee, and shall be posted on the property. Any addition of mobile home pads shall require approval in the same fashion, as did the original plan. The annual fee shall be twenty-five (\$25) dollars, plus an additional five (\$5) dollars per space approved whether occupied or not.
4. Under no circumstance shall any portion of the mobile home park as a park be subdivided into individual lots, and when any ownership of the mobile home park changes, notification shall be presented to the Planning Department.
5. Any newly placed mobile home in the park shall be permitted as required in Section 8-102 of this ordinance.

Section 4-108. Development Standards for Automobile Wrecking, Junk and Salvage Yards

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

- A. All motor vehicles stored or kept in such yards shall be so kept that they will not catch and hold water in which mosquitoes may breed and so that they will not constitute a place or places in which rats, mice, or other vermin may be harbored, reared, or propagated.
- B. Because of the tendency for salvage yards to promote the breeding of vermin, no such operation shall be permitted closer than three hundred (300) feet from any established residential zone, and shall be located on a minimum of twenty-five (25) acres.
- C. All outdoor storage of salvage and wrecking operations shall be conducted entirely within an enclosed opaque fence, screen, or wall, excepting driveway areas, from eight (8) to twelve (12) feet in height. Storage between the street or street and such fence, screen, or wall is expressly prohibited. Any fence, screen, or wall for concealment shall be maintained in good condition. Such enclosed storage area shall be located no closer than three hundred (300) feet from any street or street right-of-way or property line. In addition, a buffer strip as regulated in Section 3-110 shall be required surrounding the enclosed storage area.
- D. All such yards shall be so maintained as to be in a sanitary condition and so as not to be a menace to public health or safety.
- E. Off-Street Parking - As regulated in Section 4-100.
- F. Ingress and Egress - The number of vehicular access driveways permitted on any single street frontage shall be limited to one (1) driveway where the parcel to be used, has a maximum street or street frontage of one hundred (100) feet or less.

- G. Application for Automobile Wrecking, Junk or Salvage Yard Permit - No person shall own or maintain an automobile wrecking, junk, or salvage yards within Gilt Edge, or enlarge or expand the existing land surface area beyond what was previously permitted upon application pursuant to these regulations, until said person has secured a permit from the Gilt Edge Board of Zoning Appeals. An application for said permit shall be filed in accordance with Section 8-106, of this ordinance, and shall be accompanied by a detailed site plan, indicating exact dimensions of area to be used, a schedule for construction, and any other information herein required. Said application shall be submitted along with any plans and schedules. The Board shall vote to approve or disapprove the application in accordance with Section 8-106.

4-109. Off Street, ATV Track or Trail Regulations

The following uses are subject to review and approval by both the Gilt Edge Board of Zoning Appeals for a special exception and the Planning Commission for a site plan, subject to the minimum conditions required herein are met.

- A. A site plan of the proposed track and all accessory structures, such as parking, garages, pit areas, storage areas, concession stands, camping and other areas incidental to the track operation shall be presented at the time of proposal.
- B. No racetrack site shall be less than 50 acres. The track or trail itself shall be appropriate for the size and type of vehicles involved. Layout and design of tracks or trails shall be consistent with the parcel size.
- C. Public water shall be available on-site in order to provide for public and participant safety or first aid.
- D. No racetrack shall be located closer than two thousand (2,000) feet from any residence (including the owner's residence), school, church, daycare, or cemetery. Nor shall any racetrack be located any closer than five hundred (500) feet of the property line
- E. All racetrack lighting shall be situated in such a manner that under no circumstances shall the lighting be directed toward a public street or reflected toward any residential property.
- F. Spectator and participant waiting areas shall be buffered from the racing course.
- G. Screening shall be required between the track and residential property. Such screening may be a strip of densely planted shrubs or trees which may be expected to form a year-round dense screen within three (3) years; may be a berm; or may be a wall, barrier or uniformly painted fence at least ten (10) feet in height as measured from the finished grade. Such wall, barrier or fence may be opaque or perforated, and all screening shall be maintained in good condition at all times.
- H. The site plan shall show all streets, drives, easements, residences, schools, churches, daycares or cemeteries bordering the site.

- I. All racetracks shall be required to provide a parking requirement of one (1) space for every four (4) seats, or one (1) space for every one hundred (100) square feet of spectator area, whichever is greater.
- J. Concessions incidental to the track operations shall operate only in conjunction with racing activities.
- K. Hours of operation shall be limited to 10:00 AM – 10:00 PM for noise producing activities and all lighting for the track shall be off by 11:00 PM.
- L. The noise level at the perimeter of the property shall be no more than an average of 70 dbA, measured at one (1) minute intervals over a fifteen (15) minute period during normal business hours.
- M. All racetracks in operation shall be reviewed for compliance every two (2) years by appearing before the Gilt Edge Board of Zoning Appeals.
- N. And any other requirements which, in the opinion of the Gilt Edge Board of Zoning Appeals or the Planning Commission, would be required to protect the safety and general welfare of the surrounding area.

Section 4-110. Subsurface Disposal of Toxic Materials

The subsurface disposal of toxic materials as defined herein is prohibited in all zoning areas.

Section 4-111. Development Standards for Sanitary Landfill or Hazardous Waste Facility (Disposal, Treatment, Storage)

The following land development standards shall apply to all sanitary landfills, "or hazardous waste water facility (disposal, treatment, storage)".

- A. No sanitary landfill, "or hazardous waste facility (disposal, treatment, storage)", shall be located within six (6) miles upstream of an existing public water supply source.
- B. The Tipton County Highway Department must certify that existing access streets to a proposed landfill, "or hazardous waste facility (disposal, treatment, storage)", site are capable of supporting the size and volume of traffic generated by the operation of the landfill and will have no adverse impact on the traveling public using these access streets. Beyond other considerations, a paved access street shall be considered a minimum requirement.
- C. No sanitary landfill, "or hazardous waste facility (disposal, treatment, storage)", shall generate undue odors, fumes, smoke, land erosion, water or air pollution, and shall not create a public or private nuisance of any kind which would tend to endanger, contaminate, or cause harmful exposure.

- D. No sanitary landfill, "or hazardous waste facility (disposal treatment, storage)", shall be located on property where a spring or springs emanate from under the proposed landfill site. For the purpose of this Ordinance, 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.
- E. No sanitary landfill, "or hazardous waste facility (disposal, treatment, storage)", shall be located on property with limestone, bedrock and fissures, cracks, and openings in the ground.
- F. No sanitary landfill, "or hazardous waste facility (disposal, treatment, storage)", shall be located in the proximity of either natural gas transmission pipelines or hazardous chemical pipelines.
- G. No sanitary landfill, "or hazardous waste facility (disposal, treatment, storage)", shall be located in an area where the General Plan of the Tipton County Regional Planning Commission provides for:
 - 1. residential development, or
 - 2. development for future traffic needs.
- H. No sanitary landfill, "or hazardous waste facility (disposal, treatment, storage)", shall be located 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, or which supplies water to any local, state, or federally established wildlife preservation area.
- I. Before any proposal for the location of a public or private sanitary landfill or hazardous waste facility is considered by the Planning Commission, a site plan shall be submitted, and all required Federal, State and Local permits shall have been previously obtained for the proposed operation.

Section 4-112. Restrictions for Adult-Oriented Business Establishments

Adult-oriented establishments are associated with a wide variety of adverse secondary effects including, but not limited to, personal and property crimes, prostitution, potential spread of disease, lewdness, public indecency, illicit drug use and drug trafficking, negative impacts on surrounding properties, urban blight, litter, and sexual assault and exploitation. Such businesses should be separated from sensitive land uses to minimize the impact of their secondary effects upon such uses.

Each of the foregoing negative secondary effects constitutes a harm which the state has a substantial government interest in preventing and/or abating. This interest, which is the state's regulatory rationale, exists independent of any comparative analysis between sexually-oriented and non-sexually-oriented businesses. Additionally, the state's interest in regulating sexually-oriented businesses extends to preventing future secondary effects of either current or future sexually-oriented businesses that may locate in the state. The cases and documentation relied on

in this act are reasonably believed to be relevant to said secondary effects. (*Tennessee Code Annotated, Section 7-51-1407*).

The following requirements are for the location and operation of adult-oriented businesses, as defined in Section 2-101, "Definitions".

- A. No adult-oriented establishment shall be operated or maintained in the Town within two thousand (2,000) feet, measured in a straight line in all directions, without regard to intervening structures or objects, from the nearest point on the property line of a parcel containing an adult-oriented establishment to the nearest point on the property line of a parcel containing a child care facility, any type of school, a public park, a residence, a place of worship, or another adult-oriented establishment.
- B. No adult-oriented establishment shall be operated or maintained in the Town within two thousand (2,000) feet, measured in a straight line in all directions, without regard to intervening structures or objects, from the nearest point on the property line of a parcel containing an adult-oriented establishment to the nearest point on the property line of a residentially zoned parcel with or without an existing residential structure.

Section 4-113. Swimming Pool Regulations

The following regulations shall apply to all swimming pools, except inflatable pools:

- A. No swimming pool or part thereof, excluding aprons, walks, shall protrude into any required front yard nor any closer to any street than the primary structure in the residential districts. Swimming pools shall be setback a minimum of ten (10) feet from any side or rear yard and from any other structure, primary or accessory, on the parcel.
- B. The swimming pool area shall be completely fenced or walled so as to prevent uncontrolled access by children and pets from the street or adjacent properties. Said fence or wall shall not be less than four (4) feet in height, and openings in the fence shall not permit the passage of a four (4) inch diameter sphere. The fence or wall shall be equipped with self-closing and self-latching gates. Fences shall forever be maintained in good condition so as that the openings shall not permit the passage of a four (4) inch diameter sphere at any time.
- C. Private swimming pools are permitted in residential and commercial districts provided that the pool is intended, and is to be used solely for the enjoyment of the occupants and their guests of the property on which it is located.
- D. A permit fee of \$50 shall be required for residential swimming pools, and a permit fee of \$100 shall be required for commercial swimming pools.

Section 4-114. Development Standards for Cemeteries

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

- A. The site proposed for a cemetery shall not interfere with the development of a system of collector streets and larger scale streets in the vicinity of such site. In addition, such site shall have direct access to a thoroughfare.
- B. Any new commercial cemetery shall be located on a site containing not less than five (5) acres.
- C. All structures, including monuments, mausoleums or maintenance buildings, shall be setback twenty-five (25) feet from any property line or street right-of-way.
- D. All graves or burial lots shall be setback twenty-five (25) feet from any property line or street right-of-way.
- E. All required yards shall be landscaped and maintained in good order in accordance with state and local regulations.

Section 4-115. Private Airstrip Regulations

The following use, private landing strips for fixed-wing single engine aircraft, is subject to review and approval by both the Gilt Edge Board of Zoning Appeals for a special exception and the site plan by the Planning Commission, subject to the minimum requirements listed herein:

- A. A site plan of the proposed landing strip shall be presented at the time of the proposal.
- B. The landing strip shall be appropriate for the size and type of aircraft involved, and shall be constructed according to the manufacture's specifications for the type of aircraft involved.
- C. Airstrip runways are to be located no closer than one thousand (1000) feet from the centerline of the runway to the closest dwelling unit, excluding the owner of the property, and that said centerline be located no less than two thousand (2000) feet from any church, school or places of public assembly.
- D. All landing strips shall be situated in such a manner that under no circumstances shall an approach or departure be over a residence, excluding the owners, unless the residence is located a minimum of 400 (four hundred) feet beyond either end or side of the required landing strip length.
- E. The site plan shall show all streets bordering the subject property, and the location and type of all adjacent utility lines.
- F. Any other requirements which in the opinion of the Planning Commission or Gilt Edge Board of Zoning Appeals would be required to protect the safety and welfare of the surrounding area.

Section 4-116. Development Standards for Mini-Storage Facilities

Mini-storage facilities as defined in Section 2-101 are groupings of structures divided into individual units which shall not exceed ten (10) feet by forty (40) feet in size and for the sole purpose of providing non-commercial, small area storage for the general public, and shall be subject to the following standards:

- A. Such use shall have direct access to an Arterial status street as shown on the Gilt Edge Transportation Plan.
- B. Off-Street parking requirements shall be of one (1) space for each employee during maximum shift, plus one (1) space for each 100 square feet of business office space.
- C. Interior driveways between storage facilities shall be a minimum of forty (40) feet in width.
- D. On any property line adjacent to a residential zoned property, the facility shall be required to construct a fence, screen, or wall, excepting driveway areas, from eight (8) to twelve (12) feet in height with a buffer strip as stated in Section 3-110.
- E. Signs are permitted as permitted in Section 4-101.

Section 4-117. Development Standards for Golf Courses

A site plan shall be approved by the Planning Commission prior to any permits for such use shall be issued, which shall include as a minimum, the following:

- A. A survey of the entire property drawn to a scale of not less than 1" = 200'.
- B. Topographic lines at 2' intervals.
- C. Show all drainage structures, drainage areas and water retention areas, and provide a stormwater drainage analysis showing less than a ten percent (10%) increase leaving the property, existing and proposed utilities, and all associated residential development.
- D. Show all structures and their proposed uses, including parking lots.

Approval of the site plan by the Planning Commission shall be based on the following standards and requirements:

- A. The minimum acreage required for development of a 9-hole course shall be 60 acres; the minimum acreage required for development of an 18-hole course shall be 100 acres.
- B. The minimum number of off-street parking spaces required for a 9-hole course shall be 50; the minimum number of off-street parking spaces for an 18-hole course shall be 100.
- C. Shall require access from a Collector or Arterial status street according to the Gilt Edge Transportation Plan, and shall have sufficient access to public water.

- D. Commercial uses developed as accessories to the operation of the golf facility, such as a clubhouse, restaurant or other similar use, may be allowed provided the use shall be subordinate to the operation of the facility and the use shall be housed internal to the development. Commercial facilities shall not be approved unless proven that they are necessary to the main golfing facility. The intent is to prohibit free-standing commercial development.

Section 4-118. Bed and Breakfast Regulations

A site plan shall be approved by the Gilt Edge Board of Zoning Appeals, along with any conditions attached by the Gilt Edge Board of Zoning Appeals in order to preserve and protect the character of the neighborhood, prior to any permits for such use shall be issued, which shall include as a minimum, the following:

- A. The bed and breakfast operation shall be located and conducted within the principal structure only.
- B. Employees shall be residents of the dwelling unit in which the proposed use is located, and shall employ no more than two (2) paid assistants.
- C. No more than five (5) beds shall be for rent at any one time at any one establishment.
- D. Off-street parking facilities shall be provided at a rate of one (1) space for each bed for rent, not including standard requirements as stated in Section 4-100.
- E. The residential character and appearance of the home shall not be changed by the establishment of the operation.

Section 4-119. Development Standards for Multi-Family Developments

A site plan shall be approved by the Planning Commission prior to any permits for such use shall be issued, which shall include as a minimum, the following:

- A. If the number of dwelling units does not exceed forty (40) units, the developer shall provide only one ingress/egress with a fifty (50) foot right-of-way. The ingress/egress shall be paved to a minimum of twenty-four (24) feet in width, and not to be accepted by the Town of Gilt Edge or the Tipton County Public Works Department.
- B. If the number of dwelling units exceeds forty (40) units, the developer shall provide a secondary ingress egress with a fifty (50) foot right-of-way.
- C. In either case above where the primary ingress/egress exceeds five hundred (500) feet in length the developer shall provide the following:
 - 1. Two (2) paved, twelve (12) foot wide lanes with a two (2) foot outside shoulder.
 - 2. A median dividing the two (2) lanes.

3. The median section shall be cut to provide a crossover every two hundred (200) feet.
4. Each crossover shall have a minimum distance of twenty (20) feet, and a maximum distance of fifty (50) feet between median sections.
5. Each median section shall be a minimum of three (3) feet in width.
6. The entire street width shall be a minimum of thirty-one (31) feet from outside shoulder to outside shoulder.
7. No ingress/egress to a multi-family development shall be accepted by the Town of Gilt Edge or the Tipton County Public Works Department.

Section 4-120. Development Standards for Fences

No fence shall be placed within any town street right-of-way or utility easement nor shall any fence be constructed so as to block or obstruct the view of traffic at any intersection or egress onto any street.

Section 4-121. Development Requirements for Flea Markets (Open Air Markets)

- A. The minimum lot size of a flea market shall be one (1) acre. All proposals for the location of a flea market shall require site plan approval.
- B. Flea market booth's shall be individually located, no greater than four hundred (400) square feet in area, shall be separated from each other and from other buildings by at least ten (10) feet of open space, and be located no closer than ten (10) feet from the property line.
- C. Off-street parking shall be furnished at the rate of five and one half (5-½) spaces per one thousand (1,000) square feet of gross sales area.
- D. Each booth shall be numbered as to assure that vendors within the flea market are registered.
- E. An accessible, adequate, safe and potable supply of water shall be provided in each flea market.
- F. There shall be a minimum of one (1) central restroom facility located on the premises. The central restroom shall contain separate facilities for men and women, and every sink shall be furnished with hot and cold water.
- G. Connection to public sewer or approval of a subsurface sewage system by the State of Tennessee Ground Water Protection Division.
- H. All electrical wiring systems shall be approved by the appropriate governing jurisdiction.

- I. The flea market operator shall provide each booth with a flytight, watertight, rodent-proof container or place a centrally located container (dumpster) of a minimum of four (4) cubic yards to store all refuse produced on the site; and all refuse shall be collected at least once a week.
- J. All flea markets shall be maintained free of accumulations of debris, which may provide rodent infestations or breeding places for flies, mosquitoes and other pests.
- K. Portable fire extinguishers shall be kept on premises, and shall be maintained in good operation condition.
- L. No overnight camping shall be allowed in any flea market site within one (1) mile of the nearest residential dwelling unit.

Section 4-122. Family Burial Grounds Protection Requirements

This section is intended to provide notice to buyers of property with known burial grounds and gravesites for the protection of these sites. It is highly recommended that family burial grounds be subdivided from the original tract of property and recorded in the Register of Deeds Office for protection. There is no minimum lot size requirements if property for family burial grounds were to be subdivided, however, there shall be a minimum of ten (10) feet of street frontage or a ten (10) foot permanent ingress/egress easement for access to the subdivided family burial grounds. The subdivided area shall not allow for any residential or commercial construction and shall be noted on the plat. Only structures associated with the maintenance of the family burial grounds shall be allowed. A gravesite or crypt may not be disturbed in the area of ten (10) feet surrounding the perimeter of the gravesite or crypt.