

CHAPTER 3
DEFINITIONS

SECTION

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14-301 SCOPE

For the purpose of this ordinance and in order to carry out the provisions and intentions as set forth herein, certain words, terms, and phrases are to be used and interpreted as follows:

- A. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
- B. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
- C. The word "shall" is mandatory.
- D. The word "may" is permissive.
- E. The words "used" or "occupied" includes the words "intended", "designed", or "arranged to be used" or "occupied".
- F. The word "lot" includes the words "plot" or "parcel".

14-302 DEFINITIONS

Except where definitions are specifically included in various articles and sections, words in the text or tables of this ordinance shall be interpreted in accordance with the provisions set forth in this section. Where words have not been defined, the standard dictionary definition shall prevail.

ABANDONMENT: To cease or discontinue a use or activity without intent to resume, but excluding temporary or short-term interruptions to a use or activity during periods of remodeling, maintaining, or otherwise improvement or rearranging facility, or during normal periods of vacation or seasonal closure.

ABUTTING: Having a common border with, or being separated from such a common border by a right-of-way, alley, or easement.

ACCESS: The right to cross between public and private property, thereby permitting pedestrians and vehicles to enter and leave property.

ACCESSORY: An activity or structure that is customarily associated with and is appropriately incidental and subordinate to a principal activity and/or structure and located on the same zone lot, except as provided for under the provisions of accessory off-street parking.

ACCESSORY APARTMENT: A second dwelling unit either within or added to an existing single-family detached dwelling, or in a separate accessory structure on the same lot as the main dwelling, for use as a complete, independent living facility with provision within the accessory apartment for cooking, eating, sanitation, and sleeping. Such dwelling is an accessory use to the main dwelling.

ACCESSORY STRUCTURE: A subordinate structure detached from, but located on the same lot as the principal structure, the use of which is incidental and accessory to that of the principal structure.

ACCESSORY USE: A structure or use that: (a) is clearly incidental to and customarily found in connection with a principal building or use; (b) is subordinate to and serves a principal building or a principal use; (c) is subordinate in area, extent, or purpose to the principal building or principal use served; (d) contributes to the comfort, convenience, or necessity of occupants, business, or industry in the principal building or principal use served; and (e) is located on the same lot as the principal building or use served.

ACTIVITY: The performance of a function or operation which constitutes the use of land.

ACTUAL CONSTRUCTION: The excavation of a site and/or the systematic placement of building materials in conjunction with the construction of a building or other structure.

AGRICULTURE USE: This includes all forms of agriculture, growing of crops in the open, dairying, grazing, the raising and maintaining of poultry and other livestock, horticulture, viticulture, floriculture, forests, and wood, provided, however, all health codes shall be complied with.

The feeding or disposal of community or collected garbage to animals shall not be deemed an agricultural use nor shall the raising of furbearing animals, fish or minnow hatcheries. (See FARM OR FARMLAND.)

AGRICULTURAL ACCESSORY USE: Those structures or equipment which are normally required in the operation of agricultural uses.

AIRPORT: Any area of land or water designed and set aside for the landing and take-off of aircraft, including all necessary facilities for the housing and maintenance of aircraft.

AIR RIGHTS: The ownership or control of all land, property, and that area of space at and above a horizontal plane over the ground surface of land used for railroad or expressway purposes. The horizontal plane shall be at a height that is reasonably necessary or legally required for the full and free use of the ground surface.

ALLEY: A public or private way permanently served as a secondary means of access to abutting property.

ALTERATION: Any change, addition, or modification in construction or occupancy of an existing structure.

ALTERATION, STRUCTURAL: Any change in the supporting members of a building or structure, such as bearing walls, columns, beams, or girders; provided, however, that the application of any exterior siding to an existing building for the purpose of beautifying and modernizing shall not be considered as a structural alteration.

ANTENNA: (See SATELLITE DISH ANTENNA AND TOWER.) Any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic waves external to or attached to the exterior of any building.

AQUACULTURE: Land devoted to the hatching, raising, and breeding of fish or other aquatic plants or animals for sale or personal use.

AQUIFER: A geological unit in which porous and permeable conditions exist and thus are capable of yielding usable amounts of water.

AQUIFER RECHARGE AREA: An area that has soils and geological features that are conducive to allowing significant amounts of surface water to percolate into groundwater.

ATTACHED: An enclosure having continuing walls, roof, and floor.

AUTOMOBILE WRECKING YARD: (See JUNKYARD.) The dismantling or wrecking of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled or wrecked vehicles or their parts. The presence on any lot or parcel of land of two (2) or more motor vehicles, which, for a period exceeding thirty (30) days, have not been capable of operating under their own power and from which parts have been or are to be removed for reuse or sale, shall constitute prima-facie evidence of an automobile wrecking yard.

AWNING SIGN: (See SIGN, AWNING.)

BASEMENT: That portion of a building that is partly or completely below grade.

BED AND BREAKFAST INN: A residential unit in which more than one (1), but not more than four (4) guest rooms are used to provide or offer overnight accommodations and breakfast for transient guests for compensation.

BEDROOM: A room in a dwelling unit planned and intended for sleeping, separable from other rooms by a door.

BILLBOARD: (See SIGN, BILLBOARD.)

BOARD: (See BOARD OF ZONING APPEALS)

BOARD OF ZONING APPEALS: The Board of Zoning Appeals for the City of Fayetteville, Tennessee.

BOARDING HOUSE: (See ROOMING HOUSE.) An establishment with lodging for five (5) or more persons where meals are regularly prepared and served for compensation and where food is placed upon the table family style, without service or ordering of individual portions from a menu.

BORROW PIT: Any place or premises where dirt, soil, sand, gravel, or other material is removed below the grade of surrounding land for any purpose other than incidental site grading or building construction.

BUFFER STRIP: A greenbelt planted strip not less than ten (10) feet in width. Such a greenbelt shall be composed of one (1) row of evergreen trees no less than five (5) feet in height at the time of planting which are spaced not more than fifteen (15) feet apart; and, not less than two (2) rows of shrubs or hedges spaced not more than five (5) feet apart, which will grow to a height of five (5) feet or more after one (1) full growing season, and which shrubs will eventually grow to a height of not less than ten (10) feet.

BUILDING: Any structure which:

- (A) Is permanently affixed to the land, and
- (B) Has a roof supported by columns or walls, and
- (C) Is intended for the shelter or enclosure of goods or persons, and
- (D) Is bounded by either open area or the lot lines of a zone lot.

BUILDING COVERAGE: (See LOT COVERAGE.)

BUILDING HEIGHT: (See HEIGHT.)

BUILDING INSPECTOR: The Building Inspector for the City of Fayetteville, Tennessee.

BUILDING LINE: The line, parallel to the street line, that passes through the point of the principal building nearest the front lot line.

BUILDING, PRINCIPAL: (See PRINCIPAL BUILDING.)

BULK: Describes the size of buildings or other structures and their relationship to each other and to open areas and lot lines.

CAMPGROUND: An area or tract of land on which accommodations for temporary occupancy are located or may be placed, including cabins, tents, and major recreational equipment, and which is primarily used for recreational purposes and retains an open air or natural character.

CANOPY: A permanent covering with unenclosed sides that is traditionally used to protect service islands at a petroleum retail or wholesale establishment from inclement weather.

CAR WASH: An area of land and/or a structure with machine- or hand-operated facilities used principally for the cleaning, washing, polishing, or waxing of motor vehicles.

CARRY-OUT RESTAURANT: (See RESTAURANT, FAST-FOOD.)

CEMETERY: Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery.

CHILD CARE FACILITY: (See DAY CARE - INDIVIDUAL, FAMILY, GROUP AND CENTERS)

CHURCH OR PLACE OF RELIGIOUS WORSHIP: An institution that people regularly attend to participate in or hold religious services, meetings, and other activities. The term "church" shall not carry a secular connotation and shall not include buildings in which the religious services of any denomination are held.

CLEAR-CUTTING: The indiscriminate removal of trees, shrubs, or undergrowth with the intention of preparing real property for nonagricultural development purposes. This definition shall not include the selective removal of non-native tree and shrub species when the soil is left relatively undisturbed; removal of dead trees; or normal mowing operations.

CLINIC: A building designed and used for the diagnosis and treatment of human patients that does not include overnight care facilities.

CLUB: An organization of persons for special purposes or for the promulgation of sports, arts, literature, politics, or the like, but not operated for profit, excluding churches, synagogues, or other houses of worship.

CLUSTER DEVELOPMENT: A development design technique that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive areas.

COMMERCIAL COMPLEX: A commercial complex shall mean a building or group of buildings constructed or to be constructed upon a zone lot and used or designed to be used for two (2) or more occupancies or businesses. The buildings may or may not use shared parking.

COMMERCIAL USE: An occupation, employment, or enterprise that is carried on for profit by the owner, lessee, or licensee.

COMMUNITY CENTER: A place, structure, area, or other facility used for and providing religious, fraternal, social, and/or recreational programs generally open to the public and designed to accommodate and serve significant segments of the community.

CONDITIONAL USE: (See SPECIAL EXCEPTIONS.)

CONDOMINIUM: An estate in real property consisting of an undivided interest in common with other purchasers in a portion of a parcel of real property, together with a separate interest in space in a residential building, such as an apartment. A condominium may include, in addition, a separate interest in other portions of such real property.

CONGREGATE HOUSING: (See HOUSING FOR THE ELDERLY/SENIOR APARTMENTS.) A residential facility for four (4) or more elderly persons (age sixty (60) or older) or for person(s) deemed medically necessary within which may be provided living and sleeping facilities, meal preparation, laundry services, and room cleaning. Such facilities may also provide services, such as transportation for routine social and medical appointments, and counseling.

CUL-DE-SAC: A local street, one end of which is closed and consists of a circular turn around.

DAY CARE - INDIVIDUAL, FAMILY, GROUP, AND CENTER: (See CHILD CARE FACILITY.)

DAY CARE, CENTER, (13 OR MORE CHILDREN): Any facility (defined as "day care center", in the law) operated by a person, society, agency, corporation, institution, or religious organization or any other group which receives thirteen (13) or more children under seventeen (17) years of age for less than twenty-four (24) hours per day, without transfer of custody. To operate a "day care center facility", all required licensing regulations, as administered by the Tennessee Department of Human Services, must be met.

DAY CARE, FAMILY (5 TO 7 CHILDREN): Any facility operated by a person who receives therein for pay five (5) to seven (7) children, under seventeen (17) years of age, five (5) to six (6) days per week, who are not related to such person and whose parents or guardians are not residents in the same house, less than twenty-four (24) hours per day for care, without transfer of custody. To operate a "family day care facility", all required licensing regulations, as administered by the Tennessee Department of Human Services, must be met.

DAY CARE, GROUP (8 TO 12 CHILDREN): Any facility operated by a person which receives a minimum of eight (8) and a maximum of twelve (12) children (and up to three (3) additional school age children who will only be present before and after school, on school holidays, on school snow days, and during summer vacation) for less than twenty-four (24) hours per day for care outside their homes, without a transfer of legal custody. To operate a "group day care facility", all required licensing regulations, as administered by the Tennessee Department of Human Services, must be met.

DAY CARE, INDIVIDUAL (1 TO 5 CHILDREN): A private residence where care, protection, and supervision are provided, for a fee, at least twice a week to no more than five (5) children, including children of the adult provider all of whom are under seventeen (17) years of age.

DENSITY: The number of dwelling units permitted per net acre of land.

DEVELOPMENT: Division of land into two (2) or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill, or land disturbance; and any use or extension of the use of land.

DISTRICT: (See ZONE.)

DOMESTIC ANIMALS: (See HOUSEHOLD PET.)

DRIVE-IN FACILITY: Any portion of a building or structure from which business is transacted, or is capable of being transacted, directly with customers located in a motor vehicle during such business transaction.

DRIVE-IN RESTAURANT: (See RESTAURANT, DRIVE-IN, AND RESTAURANT, FAST-FOOD.)

DWELLING: A building or portion thereof that provides living facilities for one (1) or more families.

A building or portion thereof used exclusively for residential purposes, including single-family: attached and detached, duplex, and multi-family dwellings, but not including hotels and boarding and lodging houses.

DWELLING, DUPLEX: A residential building containing two (2) dwelling units, each of which has separate living quarters. At points of attachment, such dwelling units shall be separated from each other by fire walls, as required by local building codes, which would prevent the spread of fire from one building to another.

DWELLING, MULTI-FAMILY: A residential building containing four (4) or more dwelling units, each of which has separate living quarters.

DWELLING, MANUFACTURED OR MODULAR: (See MANUFACTURED OR MODULAR HOUSING.)

DWELLING, SINGLE-FAMILY ATTACHED: A building containing one (1) dwelling unit, attached at the side or sides in a series of three (3) or more principal buildings each containing one (1) dwelling unit. At points of attachment, such dwelling units shall be separated from each other by fire walls, as required by local building codes, which would prevent the spread of fire from one building to another. Such buildings shall have a separate lot with dimensions meeting regulations for the district, or be so located on land in the same ownership that individual lots meeting district requirements could be provided, in which case, dimensions of such land shall not be reduced below those required for provisions of separate lots. The term single-family attached dwelling is intended to apply to townhouses, patio or atrium houses, or any other form however termed which conforms to this definition. Not more than four (4) contiguous single-family attached dwelling units shall be built in a row with the same or approximately the same front line, and not more than twelve (12) single-family attached dwelling units shall be contiguous.

DWELLING, SINGLE-FAMILY DETACHED: A residential building containing not more than one (1) dwelling unit entirely surrounded by open space on the same lot.

DWELLING UNIT: One (1) or more rooms physically arranged so as to create an independent housekeeping establishment for occupancy by one (1) family with separate toilets and facilities for cooking and sleeping.

DWELLING, UPPER STORY RESIDENTIAL: The area of a building above the ground floor, which is principally used, designed, or adapted for use by one or more households, each of which has separate living quarters. **(Added by Ordinance No. 2001-8, July 10, 2001)**

EASEMENT: The right given by the owner of land to another party (either public or private) for a specific limited use of that land.

EASEMENT, UTILITY: The right granted by the owner of land to allow utility facilities to be constructed, maintained, or preserved. Utility easement shall include, but is not limited to, easement for storm drainage, water lines, sewer lines, electric power lines, and pipe lines.

EASEMENT, VEHICULAR: The right granted by the owner of land to another party by deed or prescription, to allow vehicular access across one (1) parcel of land to another.

ELDERLY HOUSING: (See HOUSING FOR THE ELDERLY.)

EMERGENCY SHELTER: A facility providing temporary housing for one (1) or more individuals who are otherwise homeless.

ENTERTAINMENT: (See FESTIVAL.)

FAMILY: One of the following:

- (A) An individual, or two (2) or more persons occupying a dwelling unit and living as a single independent, nonprofit housekeeping unit, together with incidental domestic servants and temporary nonpaying guests;
- (B) A group of not more than six (6) unrelated persons living together as a single nonprofit housekeeping unit; or
- (C) Four (4) or more persons occupying a dwelling unit and living as a single, nonprofit housekeeping unit, if said occupants are handicapped persons as defined by Title VIII, of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988. Such unrelated individuals shall have the right to occupy a dwelling unit in the same manner and to the same extent as any family unit as defined herein. (See GROUP HOME FOR THE HANDICAPPED.)

FARM OR FARM LAND: A parcel of land used for growing or raising agricultural products, including related structures thereon. (See AGRICULTURE USE.)

FAST-FOOD RESTAURANT: (See RESTAURANT, FAST-FOOD, AND RESTAURANT, DRIVE-IN.)

FENCE: Any artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

FESTIVAL: A nonprofit temporary celebration marked by special observances or entertainment.

FLAG LOT: (See LOT, FLAG.)

FLEA MARKET: An occasional or periodic sales activity held within a building, structure, or open area where groups of individual sellers offer goods, new and used, for sale to the public, not to include private garage sales.

FLOOR AREA, GROSS: The sum of the areas of the several floors of a building, including areas used for human occupancy in basements, attics, and penthouses, as measured from the exterior faces of the walls. It does not include cellars, unenclosed porches, or attics not used for human occupancy, or any floor space in accessory buildings or in the main building intended and designed for the parking of motor vehicles in order to meet the parking requirements of this by-law, or any such floor space intended and designed for accessory heating and ventilating equipment. It shall include the horizontal area at each floor level devoted to stairwells and elevator shafts.

FLOOR AREA RATIO: Determined by dividing the gross floor area of all buildings on a lot by the area of that lot.

FRONTAGE: The length of any one property line of a premises, which property line abuts a legally accessible street right-of-way.

FRONT YARD: (See YARD, FRONT.)

FUNERAL HOME: A building or part thereof used for human funeral services. Such building may contain space and facilities for:

- (A) Embalming and the performance of other services used in preparation of the dead for burial;
- (B) The performance of autopsies and other surgical procedures;
- (C) The storage of caskets, funeral urns, and other related funeral supplies; and
- (D) The storage of funeral vehicles, but shall not include facilities for cremation. Where a funeral home is permitted, a funeral chapel shall also be permitted.

GARAGE, PRIVATE: A building for the private use of the owner or occupant of a principal building situated on the same lot of the principal building for the storage of motor vehicles with no facilities for mechanical service or repair of a commercial or public nature.

GARAGE, PUBLIC: A building designed and used for the storage of automotive vehicles operated as a business enterprise with a service charge or fee being paid to the owner or operator for the parking or storage of privately owned vehicles. (See PARKING LOT.)

GARAGE, REPAIR: (See SERVICE STATION.) A building designed and used for the storage, care, repair, or refinishing of motor vehicles including both minor and major mechanical overhauling, paint, and body work.

GAS-STATION: (See SERVICE STATION.)

GLARE: A sensation of brightness within the visual field that causes annoyance, discomfort, or loss in visual performance and visibility.

GRADE: The lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line, or when the property line is more than five (5) feet from the building, between the building and a line five (5) feet from the building.

GROSS LEASABLE AREA: The total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines, and upper floors, if any, expressed in square feet and measured from the center line of joint partitions and from outside wall faces.

GROUND COVERAGE: (See LOT COVERAGE.)

GROUP HOME FOR THE HANDICAPPED, MAJOR: (See FAMILY.) A dwelling shared by nine (9) or more handicapped persons, plus resident staff persons, who live together as a single housekeeping unit and in a long-term, family-like environment in which staff persons provide care, education, and participation in community activities for the residents with the primary goal of enabling the residents to live as independently as possible in order to reach their maximum potential.

As used herein, the term "handicapped" shall mean having:

- (A) A physical or mental impairment that substantially limits one (1) or more of such person's major life activities so that such person is incapable of living independently;
- (B) A record of having such an impairment; or
- (C) Being regarded as having such an impairment.

However, "handicapped" shall not include current illegal use of or addiction to a controlled substance, nor shall it include any person whose residency in the home would constitute a direct threat to the health and safety of other individuals. The term "group home for the handicapped" shall not include alcoholism or drug treatment centers, work release facilities for convicts or exconvicts, or other housing facilities serving as an alternative to incarceration.

GROUP HOME FOR THE HANDICAPPED, MINOR: (See FAMILY.) A dwelling shared by eight (8) or less handicapped persons, plus two (2) resident staff persons, who live together as a single housekeeping unit and in a long-term, family-like environment in which staff persons provide care, education, and participation in community activities for the residents with the primary goal of enabling the residents to live as independently as possible in order to reach their maximum potential.

As used herein, the term "handicapped" shall mean having:

- (A) A physical or mental impairment that substantially limits one (1) or more of such person's major life activities so that such person is incapable of living independently;

- (B) A record of having such an impairment; or
- (C) Being regarded as having such an impairment.

However, "handicapped" shall not include current illegal use of or addiction to a controlled substance, nor shall it include any person whose residency in the home would constitute a direct threat to the health and safety of other individuals. The term "group home for the handicapped" shall not include alcoholism or drug treatment centers, work release facilities for convicts or exconvicts, or other housing facilities serving as an alternative to incarceration.

HAZARDOUS SUBSTANCES: Any substances or materials that, by reason of their toxic, caustic, corrosive, abrasive, or otherwise injurious properties, may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such material or substance.

HEALTH/RECREATION FACILITY: An indoor facility including uses such as game courts, exercise equipment, locker rooms, jacuzzi, and/or sauna and pro shop.

HEIGHT: The vertical distance to the highest point of the roof for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and the ridge for gable, hip, and gambrel roofs, measured from the curb level if the building is not more than ten (10) feet from the front lot line or from the grade in all other cases.

HELIPORT: (The Federal Aviation Administration distinguishes between types of heliports in its definition.)

HELIPORT--LIMITED USE: Any landing area used for the landing and taking off of helicopters, including all necessary passenger and cargo facilities, fueling, and emergency service facilities.

HELIPORT--UNLIMITED USE: Any landing area used by helicopters which, in addition, includes all necessary passenger and cargo facilities, maintenance and overhaul, fueling, service, storage, tie-down areas, hangars, and other necessary buildings and open spaces.

HELISTOP--LIMITED USE: Any landing areas used for the taking off or landing of private helicopters for the purpose of picking up and discharging of passengers or cargo. This facility is not open to use by any helicopter without prior permission having been obtained.

HELISTOP--UNLIMITED USE: Any landing area used for the landing and taking off of helicopters for the purpose of picking up or discharging of passengers or cargo. No fueling, refueling, or service facilities are present.

HISTORIC DISTRICT: An area containing buildings or places in which historic events occurred or having special public value because of notable architectural or other features relating to the cultural or artistic heritage of the community, of such significance as to warrant conservation and preservation.

HOME OCCUPATION: An accessory use of a dwelling unit for gainful employment which:

- (A) Is clearly incidental and subordinate to the use of the dwelling unit as a residence;
- (B) Is carried on solely within the main dwelling and does not alter or change the exterior character or appearances of the dwelling;
- (C) Is located in a residential district; and
- (D) Is created and operated as a sole proprietorship.

HOMEOWNERS' ASSOCIATION: A formally constituted nonprofit association or corporation made up of the property owners and/or residents of a fixed area; and which may take permanent responsibility for costs and upkeep of semi-private community facilities.

HOSPITAL: An institution specializing in giving clinical, temporary and emergency services of a medical or surgical nature to human patients and injured persons, and licensed by state law to provide facilities and services in surgery, obstetrics, and general medical practice.

HOTEL: (See MOTEL.) A facility offering transient lodging accommodations on a daily rate to the general public and providing additional services, such as restaurants, meeting rooms, and recreational facilities.

HOUSEHOLD: All persons occupying the premises and living as a single nonprofit housekeeping unit regardless of marital status or relationship as distinguished from a group occupying a lodging house or dormitory or similar for group use. **(Added by Ordinance No. 2001-8, July 10, 2001)**

HOUSEHOLD PET: Small animals including fish or fowl permitted in the house or yard and kept for company or pleasure, such as dogs, cats, rabbits, canaries, parrots, parakeets, or goldfish.

HOUSING FOR THE ELDERLY/SENIOR APARTMENTS: (See CONGREGATE HOUSING AND LIFE CARE FACILITY.) A building or group of buildings containing dwellings where the occupancy of the dwellings is restricted to persons sixty (60) years of age or older or couples where either the husband or wife is sixty (60) years of age or older. This does not include a development that contains convalescent or nursing facilities.

IMPERVIOUS SURFACE: A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. It includes surfaces such as compacted sand, limerock, or clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots, and other similar structures.

INDUSTRIAL PARK: A planned, coordinated development of a tract of land with two (2) or more separate industrial buildings. Such development is planned, designed, constructed, and managed on an integrated and coordinated basis with special attention given to on-site vehicular circulation, parking, utility needs, building design and orientation, and open space.

INDUSTRIAL, HEAVY: A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but including basic industrial processing.

INDUSTRIAL, LIGHT: A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products, but excluding basic industrial processing.

INTERMEDIATE CARE FACILITY: (See GROUP HOME FOR THE HANDICAPPED.)

JUNK: Old, dilapidated, scrap or abandoned metal, paper, building material and equipment, bottles, glass, appliances, furniture, beds and bedding, rags, rubber, motor vehicles, and parts thereof.

Used machinery, scrap, iron, steel, other ferrous and nonferrous metals, tools, implements or portions thereof glass, plastic, cordage, building materials, or other waste that has been abandoned from its original use and may be used again in its present or in a new form.

JUNKYARD: (See AUTOMOBILE WRECKING YARD.) A parcel of land on which waste material or inoperative vehicles and other machinery are collected, stored, salvaged, or sold.

An open area where wastes or used or secondhand materials are bought, sold, exchanged, stored, processed, or handled. Materials shall include but not limited to scrap iron and other metals, paper, rags, rubber tires, and bottles. An automobile wrecking yard is also considered a junkyard.

KENNEL: An establishment licensed to operate a facility housing dogs, cats, or other household pets and where grooming, breeding, boarding, training, or sale of animals is conducted as a business.

KENNEL, PRIVATE: Any building or buildings or land designed or arranged for the care of dogs and cats belonging to the owner of the principal use, kept for purposes of showing, hunting, or as pets.

LANDFILL: A disposal site employing an engineering method of disposing of solid wastes in a manner that minimizes environmental hazards by spreading, compacting to the smallest volume, and applying cover material over all exposed waste at the end of each operating day.

LANDSCAPING: The planting and maintenance of trees, shrubs, lawns, and other ground cover or materials, provided that terraces, fountains, retaining walls, street furniture, sculptures, or other art objects, and similar accessory features may be considered as landscaping if integrally designed.

LANDSCAPING BUFFER STRIP: (See BUFFER STRIP.)

LAUNDRY, SELF-SERVICE: A business that provides home-type washing, drying, and/or ironing machines for hire to be used by customers on the premises.

LIFE CARE FACILITY: (See CONGREGATE HOUSING AND HOUSING FOR THE ELDERLY/SENIOR APARTMENTS.) A facility for the transitional residency of elderly and/or disabled persons, progressing from independent living in single-family units to congregate apartment living where residents share common meals and culminating in a full health and continuing care nursing home facility.

LOT: (See LOT OF RECORD.) A piece, plot or parcel of land in one ownership, which may include one (1) or more lots of record, occupied or intended to be occupied by a building and its accessory buildings, or by a group of dwellings and their accessory buildings and its accessory buildings, together with such open space required, having at least the minimum area required for a lot in the zone in which such lot is located and having its principal frontage on a public way or street.

LOT AREA: The area of horizontal plane bounded by the vertical planes through front, side, and rear lot lines.

LOT, CORNER: A lot abutting on and at the intersection of two (2) or more streets.

LOT COVERAGE: Determined by dividing that area of a lot which is occupied or covered by the total horizontal projected surface of all buildings, including covered porches and accessory buildings, by the gross area of that lot.

LOT DEPTH: The horizontal distance from the midpoint of the front lot line to the midpoint of the rear lot line, or to the most distant point on any other lot line where there is no rear lot line.

LOT, FLAG: A single lot with access provided to the bulk of that lot by means of a narrow corridor.

LOT, INTERIOR: An interior lot is any lot other than a corner lot.

LOT LINE, FRONT: (See YARD, FRONT.) The line separating the front of the lot from the street. When a lot or building site is bounded by a public street and one (1) or more alleys or private street easements or private streets, the front lot line shall be the nearest right-of-way line of the public street.

LOT LINE, REAR: The lot line not intersecting a front lot line that is most distant from and most closely parallel to the front lot line. A lot bounded by only three (3) lot lines will not have a rear lot line.

LOT LINE, SIDE: Any boundary of a lot that is not a front or rear lot line. On a corner lot, a side lot line may be a street lot line.

LOT OF RECORD: (See LOT.) A lot whose existence, location, and dimensions have been legally recorded or registered in a deed or on a plat.

LOT, SUBSTANDARD: A lot or parcel of land that has less than the required minimum area or width as established by the zone in which it is located and provided that such lot or parcel was of record as a legally created lot on the effective date of the ordinance codified in this title.

LOT, THROUGH: A lot having its front and rear yards each abutting on a street. Such lot shall observe the same setback required on each street frontage.

LOT WIDTH: If the side property lines are parallel, the shortest distance between these side lines; or if the side property lines are not parallel, the width of the lot shall be the length of a line at right angles to the axis of the lot at a distance equal to the front setback required for the district in which the lot is located. The axis of a lot shall be a line joining the midpoints of the front and rear property lines.

MAINTENANCE GUARANTEE: A guarantee of facilities or work to ensure the correction of any failures of any improvements required pursuant to this ordinance and regulation, or to maintain same. (See PERFORMANCE GUARANTEE.)

MANUFACTURED HOME: Manufactured home means a structure, transportable in one (1) or more sections, which, in the **travelling mode**, is eight (8) body feet or more in width, or forty (40) body feet or more in length, or, when two (2) sections erected on site, is six hundred forty (640) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditions, and electrical systems contained therein.

Manufactured residential dwellings shall have the same general appearance as required for a site built home. (Tennessee Code, 13-24-202)

MANUFACTURE OR MODULAR HOUSING PARK: A parcel of land under single ownership that has been planned and improved for the placement of manufactured or modular housing for dwelling purposes.

MINI-WAREHOUSE: (See SELF-SERVICE STORAGE FACILITY.)

MOBILE HOME: Mobile home means a vehicular portable structure built on a chassis, designed for year-round occupancy and designed to have no foundation other than wheels, jacks, or skirtings, and which is capable of being moved, towed, or transported by another vehicle.

MOBILE HOME PARK: Any area, tract, site or plot of land of three (3) acres or more whereupon two (2) or more mobile homes as herein defined are placed, located or maintained, and shall include all accessory buildings used or intended to be used as part of the mobile home park development.

MODULAR: Building unit means 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. This term does not apply to temporary structures used exclusively for construction purposes or nonresidential farm buildings.

MOTEL: A building or group of buildings containing apartments and/or rooming units, each of which maintains a separate outside entrance. Such building or group of buildings is designed, intended, or used primarily for the accommodation of automobile travelers and provides automobile parking conveniently located on the premises.

NONCONFORMING BUILDING: Any building that does not meet the limitations on building size and location on a lot, for the district in which such building is located, for the use to which such building is being put.

NONCONFORMING LOT: A use or activity which lawfully existed prior to the adoption, revision, or amendment of this ordinance, but which fails by reason of such adoption, revision, or amendment to conform to the use district in which it is located.

NONCONFORMING USE: A lawful use of land that does not comply with the use regulations for its zoning district, but which complied with applicable regulations at the time the use was established.

OFFICE: A building or portion of a building wherein services are performed involving predominantly administrative, professional, or clerical operations.

OFFICE PARK: A large tract of land that has been planned, developed, and operated as an integrated facility for a number of separate office buildings and supporting ancillary uses with special attention given to circulation, parking, utility needs, aesthetics, and compatibility.

OPEN SPACE: An area that is intended to provide light and air, and is designed for either environmental, scenic, or recreational purposes. Open space may include, but is not limited to, lawns, decorative planting, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, wooded areas, and watercourses. Open space shall not be deemed to include driveways, parking lots, or other surfaces designed or intended for vehicular travel.

OPEN SPACE, COMMON: Open space within or related to a development, not in individually owned lots or dedicated for public use, but which is designed and intended for the common use or enjoyment of the residents of the development.

OUTDOOR STORAGE: The keeping, in an unroofed area, of any goods, junk, material, merchandise, or vehicles in the same place for more than twenty-four (24) hours.

PARCEL: A continuous quantity of land in the possession of or owned by, or recorded as the property of, the same person or persons.

PARK: Any public or private land available for recreational, educational, cultural, or aesthetic use.

PARKING LOT: (See GARAGE, PUBLIC.) An area not within a building where motor vehicles may be stored for the purposes of temporary, daily, or overnight off-street parking.

PARKING, SHARED: The development and use of parking areas on two (2) or more separate properties for joint use by the business on those properties.

PARKING SPACE: An area on a lot and/or within a building intended for the use of temporary parking of a personal vehicle. This term is used interchangeably with parking stall. Each parking space must have a means of access to a public street. Tandem parking stalls shall be considered to have a means of access to a public street.

PERFORMANCE GUARANTEE: (See MAINTENANCE GUARANTEE.) A financial guarantee to ensure that all improvements, facilities, or work required by this ordinance will be completed in compliance with the ordinance, regulations, and the approved plans and specifications of a development.

PET: (See HOUSEHOLD PET.)

PHOTOCOPY SERVICE: A business that reproduces drawings, plans, maps, or other copy by means of blueprinting or photocopying.

PLACE OF WORSHIP: (See CHURCH.)

PLANNED DEVELOPMENT: Land under unified control to be planned and developed as a whole in a single development operation or a definitely programmed series of development operations or phases. A planned development includes principal and accessory structures and uses substantially related to the character and purposes of the planned development. A planned development is built according to general and detailed plans that include not only streets, utilities, lots and buildings as are intended to be located, constructed, used, and related to each other, and plans for other uses and improvements on the land as related to the buildings. A planned development includes a program for the provisions, operations, and maintenance of such areas, facilities, and improvements as will be for common use by some or all of the occupants of the planned development district, but which will not be provided, operated, or maintained at general public expense.

PLANT NURSERY: Any land used to raise trees, shrubs, flowers, and other plants for sale or for transplanting.

PREFABRICATED: Dwelling means a single detached dwelling constructed primarily off-site, designed to be transported on a flat-bed truck or trailer, provided that it is installed on a permanently enclosed concrete or masonry foundation, with sewer and water connections designed for permanent connection to municipal or on-site systems, and permanently connected to such systems. Such structures are distinguished from mobile homes as described elsewhere in this ordinance when they have a minimum gross floor area of forty (40) square feet and have no horizontal exterior dimensions of less than fifteen (15) feet, not including porches or carports. When such a structure meets the above-stated requirements, it shall qualify as a single, detached dwelling.

PRINCIPAL BUILDING: A building in which the primary use of the lot on which the building is located is conducted.

PRINCIPAL USE: The main use of land or structures, as distinguished from a secondary or accessory use.

PRINT SHOP: A retail establishment that provides duplicating services using photocopy, blueprint, and offset printing equipment, including collating of booklets and reports.

PRIVATE CLUB: (See CLUB.)

PRIVATE STREET: A private vehicular access way shared by and serving six or more lots, which is not dedicated to the public and is not publicly maintained. The term “private street” shall be inclusive of alleys. **(Added by Ordinance 2008-13, August 11, 2008)**

REAR YARD: (See YARD, REAR.)

RECREATIONAL VEHICLE: A vehicular type unit primarily designed as a temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. The basic entities classified as “recreational vehicles”, are: travel trailers, camping trailers, truck campers, and motor homes.

RECREATIONAL VEHICLE (RV) PARK: Any lot of land upon which two (2) or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.

RECYCLING CENTER: A building in which used material is separated and processed prior to shipment to others who will use those materials to manufacture new products.

RECYCLING COLLECTION POINT: An incidental use that serves as a neighborhood drop-off point for temporary storage of recoverable resources. No processing of such items would be allowed. This facility would generally be located in a shopping center parking lot or in other public/quasi-public areas, such as in churches and schools.

RECYCLING PLANT: A facility that is not a junkyard and in which recoverable resources, such as newspapers, magazines, books, and other paper products; glass; metal cans; and other products, are recycled, reprocessed, and treated to return such products to a condition in which they may again be used for production.

RESIDENTS ASSOCIATION: (See HOMEOWNER’S ASSOCIATION.)

RESTAURANT: A business establishment whose principal business is the selling of unpackaged food to the customer in a ready-to-consume state, in individual servings, or in nondisposable containers, and where the customer consumes these foods while seated at tables or counters located within the building.

RESTAURANT, DRIVE-IN: An establishment that delivers prepared food and/or beverages to customers in motor vehicles, regardless of whether or not it also serves prepared food and/or beverages to customers who are not in motor vehicles, for consumption either on or off the premises.

RESTAURANT, FAST-FOOD: An establishment that offers quick food service, which is accomplished through a limited menu of items already prepared and held for service, or prepared, fried, or griddled quickly, or heated in a device such as a microwave oven. Orders are not generally taken to a table, and food is generally served in disposable wrapping or containers.

RIGHT-OF-WAY: A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or other special use.

ROAD, PUBLIC: (See RIGHT-OF-WAY AND STREET.) All public property reserved or dedicated for street traffic.

ROAD, PRIVATE: (See EASEMENT.) A way open to vehicular ingress and egress established as a separate tract for the benefit of certain, adjacent properties. This definition shall not apply to driveways.

ROOMING HOUSE: (See BOARDING HOUSE.) A building that is the primary residence of the owner and in which rooms are provided by the owner, for compensation, to three (3) or more adult persons not related by blood, marriage, or adoption to the owner.

A residential structure that provides lodging with or without meals, is available for permanent occupancy only, and which makes no provision for cooking in any of the rooms occupied by paying guests.

SATELLITE DISH ANTENNA: A round, parabolic antenna intended to receive signals from orbiting satellites and other sources. Noncommercial dish antennas are defined as being less than four (4) meters in diameter, while commercial dish antennas are usually those larger than four (4) meters and typically used by broadcasting stations.

SCHOOL: A facility that provides a curriculum of elementary and secondary academic instruction, including kindergartens, elementary schools, junior high schools, and high schools.

SCENIC EASEMENT: An easement, the purpose of which is to limit development in order to preserve a view or scenic area.

SCREENING: The method by which a view of one site from another adjacent site is shielded, concealed, or hidden. Screening techniques include fences, walls, hedges, berms, or other features. (See, also, BUFFER STRIP.)

SEATING CAPACITY: The actual seating capacity of an area based upon the number of seats or one (1) seat per eighteen (18) inches of bench or pew length. For other areas where seats are not fixed, the seating capacity shall be determined as indicated by the Uniform Building Code.

SELF-SERVICE STORAGE FACILITY: A building consisting of individual, small, self-contained units that are leased for the storage of business and household goods or contractors supplies, excluding hazardous or flammable materials, but which shall not be used as habitable space or for commercial activity. Also, defined as a mini-warehouse storage facility.

SERVICE STATION: (See GARAGE, REPAIR AND GAS STATION.) Any premises where gasoline and other petroleum products are sold and/or light maintenance activities such as engine tune-ups, lubrication, minor repairs, and carburetor cleaning are conducted. Service stations shall not include premises where heavy automobile maintenance activities such as engine overhauls, automobile painting, and body fender work are conducted.

SELF-SERVICE STATION: An establishment where liquids used as motor fuels are stored and dispersed into the fuel tanks of motor vehicles by persons other than the service station attendant and may include facilities available for the sale of other retail products.

SETBACK: (See SECTION 14-706.) The required minimum horizontal distance between the building line and the related front, side, or rear property line.

The minimum horizontal distance between the lot or property line and the nearest front, side, or rear line of the building (as the case may be), including terraces or any covered projection thereof, excluding steps.

SHELTER: (See EMERGENCY SHELTER.)

SHOPPING CENTER: a grouping of retail business and service uses on a single site with common parking facilities.

SIDE YARD: (See YARD, SIDE.)

SIGN: Any writing (including letter, word or numeral), pictorial representation (including illustration or decoration); emblem (including device, symbol, or trademark); flag (including banner, streamer, or pennant); inflatable devices; or any other figure of similar character, which:

- (A) Is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a building or other structure;
- (B) Is used to announce, direct attention to, or advertise; and
- (C) Is visible from outside a building.

SIGN, ABANDONED: Any sign in which the functions of direction and/or identification of a bona fide business, lessor, owner, product or activity conducted or product available are obsolete.

SIGN, ACCESSORY: Any sign that directs attention to a person, activity, or commodity on the same zone lot.

SIGN, ADVERTISING: A sign which directs attention to a business, profession, commodity, service or entertainment conducted, sold or offered elsewhere than upon the same zone lot, including any expressive sign larger than fifteen (15) square feet; or directs attention to any brand name or trade name product that may be incidentally available on the same zone lot as the sign provided the establishment offering the product is not associated with the brand or trade name of the product being advertised.

SIGN, ANIMATED: A sign that is animated, moving, rotating or appears to be animated, moving or rotating.

SIGN, AREA: The entire area within a continuous perimeter, enclosing the extreme limits of sign display, including any frame or border. Curved, spherical, or any other shaped sign face shall be computed on the basis of actual surface area. The copy of signs composed of individual letters, numerals, or other devices shall be the sum of the

area of the smallest rectangle or other geometric figure encompassing each of said letter or devices. The calculation for a double-faced sign shall be the area of one face only. Double-faced signs shall be so constructed that the perimeter of both faces coincide and are parallel and not more than twenty-four (24) inches apart.

SIGN, AWNING: A sign painted, stamped, perforated, or stitched on the surface of an awning. The awning made of material that is supported by a frame that is attached to an exterior wall of a building.

SIGN, BANNER: A sign having the copy applied to cloth, paper, canvas, or other light weight material without any backing. "Banner" shall include animated and/or fluttering devices designed to attract attention. Banner signs are intended for events such as grand openings, going-out-of-business sales, large sales, etc. Such events shall be limited to twice per year. Banners on-site shall not exceed fifty (50) square feet and shall be temporary signs, not to exceed sixty (60) days, and shall be limited to one (1) per business. **(Amended by Ordinance No. 2000-6, June 14, 2000)**

SIGN, BILLBOARD: A sign that identifies or communicates a commercial or noncommercial message related to an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located. (See SIGN, OFF-PREMISE.)

SIGN, BUILDING-FRONTAGE: The length of a building that faces a street, parking area, or private drive.

SIGN, BUILDING-MOUNTED: Any sign attached to or supported by any building or other structure that has a purpose other than solely to support a sign, except a sign attached to any upright pole or support when the sign is wider than said pole or support, which shall be considered a freestanding sign.

SIGN, BULLETIN BOARD: A particular type of changeable copy sign that displays copy in a casement made of glass or plexiglas.

SIGN, CANOPY: A sign attached to an extension of the roof of a building or a freestanding structure that has a roof with support, but not walls.

SIGN, CHANGEABLE COPY: A sign designed so the copy can be changed while the display surface remains unchanged; includes such signs as manually or electronically changed readerboards and fuel price displays.

SIGN, CIVIC: A type of accessory sign that identifies or provides related information about community facility activity types.

SIGN, COPY: The characters, letters, or illustrations displayed on a sign face.

SIGN, DEVELOPMENT: A type of incidental sign that denotes the future facility, the architect, the engineer, the contractor, the lending agency and/or the developer on a construction site.

SIGN, DIRECTIONAL: Any sign which provides information relative to safely identifying vehicular entrances and exits to parking lots or traffic circulation areas for activities. Directional signs may include logo, symbols or a business name and shall not exceed three (3) square feet in size nor thirty (30) inches in height. Such signs shall be located on the subject property. Directional signs may be attached to fences, walls, a building or placed in ground. **(Amended by Ordinance No. 2000-6, June 14, 2000)**

SIGN, DIRECTORY: A sign which lists the names of individuals, businesses, or products available at a single site.

SIGN, ELECTRONIC MESSAGE BOARD: Any sign that uses changing lights to form a sign message or messages wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes.

SIGN, EXPRESSIVE: Any sign that express an opinion, feeling or point of view, such as political, ideological, religious, campaign, and good will signs. Depending on its size, any expressive sign may be an incidental, temporary, or permanent advertising sign.

SIGN, FLASHING: Any sign, which, by method or manner of illumination, flashes on or off, winks, or blinks with varying light intensity, shows motion, or creates the illusion of motion or revolves in a manner to create the illusion of being on or off.

SIGN, FREESTANDING: A sign supported by one (1) or more upright poles, columns, or braces placed in or on the ground and not attached to any building or structure.

SIGN, GROUND: A sign permanently affixed to the ground by a pole, uprights, or braces, foundation pedestal, or other structure. Such sign may not exceed four (4) feet in height. Ground signs that are integrated into an attractive brick, stone, or wood architectural feature or an earth berm, all of which shall be permanently landscaped, may exceed four (4) feet in height to a maximum of six (6) feet in height.

SIGN, HANDTACKED: A temporary advertising sign commonly attached, tacked, hung, or suspended from any available structure, usually intended to announce an upcoming event such as a music performance, garage sale, or church bazaar.

SIGN, ILLUMINATED: A sign illuminated in any manner by an artificial light source.

SIGN, ILLUMINATION DIRECT: All illuminated direct signs not included in the definition of "Sign, Luminous Background" or "Sign, Illumination Indirect".

SIGN, ILLUMINATION INDIRECT: Is any illuminated indirect sign which is either a sign illuminated entirely from an external artificial source or an illuminated sign which all attached or internal artificial sources of illumination are not directly visible or are shielded by an opaque material.

SIGN, ILLEGAL: A sign that was constructed in violation of regulations that existed at the time it was built.

SIGN, INCIDENTAL: An accessory sign intended primarily for the convenience or direction of the public including: accessory residential signs smaller than four (4) square feet that indicate name, address or home occupation; signs that indicate the types of credit available at a business; realty signs; commercial and industrial signs

smaller than five (5) square feet identifying a building number, such as Building No. 1, Plant No. 1, etc., signs reflecting "customer parking" or "loading area", signs with information that is warning in nature, such as "danger", "no trespassing" or "beware of dog"; signs indicating temporary events such as a garage sale or open house; political yard signs; and expressive signs smaller than three (3) square feet. Such signs may be placed on a fence, wall, building or placed in ground. **(Amended by Ordinance No. 2000-6, June 14, 2000)**

SIGN, LUMINOUS BACKGROUND: A sign created by transilluminating or backlighting of a translucent plastic or glass panel, or panels of similar material, which may be integrally pigmented, painted, or opaqued.

SIGN, MARQUEE: A sign attached to and made part of a marquee or any other similar projection from a building.

SIGN, MONUMENT: A freestanding sign with a base affixed to the ground which measures at least two-thirds (2/3) the horizontal length of the sign.

SIGN, NONCONFORMING: A sign that met all legal requirements when constructed, but that is not in compliance with these regulations. An illegal sign is not a nonconforming sign.

SIGN, OFF-PREMISES: A sign relating to a product, service, or establishment that is not on the premises on which the sign is located.

SIGN, PERMANENT: Any permitted sign which is not restricted as to the duration of time it can be displayed.

SIGN, POLE: A sign supported by one (1) or more upright, poles, columns, or braces placed in or on the ground and not attached to any building or structure. Such sign shall not exceed twenty-five (25) feet in height.

SIGN, POLE BANNER: A sign, typically composed of lightweight material, that is intended to be hung from a pole. Such signs are restricted to one (1) per pole and are not to exceed twenty-five (25) square feet. These signs traditionally designate a municipality, county government, civic organization, community event, season, or holiday.

SIGN, PORTABLE: Any sign not permanently affixed to the ground or to a building. These signs shall not exceed six (6) feet in height. This includes any sign attached to or displayed on a vehicle that is used for the expressed purpose of advertising a business establishment, product, service, or entertainment, when that vehicle is so parked as to attract the attention of the motoring or pedestrian traffic.

SIGN, PROJECTING: Any sign that: (a) is attached to a wall and projects outward from the wall more than twelve (12) inches or (b) is suspended from any structure that constitutes a covering or shelter such as a canopy, portico, or marquee. Usually, though not always, the face of a projecting sign will be perpendicular to or from a wide angle with the surface to which it is attached.

SIGN, REALTY: A type of incidental sign that temporarily provides information regarding the sale, lease or rent of the premises or any improvements thereon which is no larger than nine (9) square feet.

SIGN, RESIDENTIAL LARGE: A type of accessory sign larger than four (4) square feet that indicates the name and/or address of a residential activity type that contains four (4) or more dwelling or rooming units; and shall include a sign at the principal entrance to any subdivision or residential planned development that contains more than twelve (12) dwelling units.

SIGN, ROOF: Any sign erected upon, against, or directly above a roof or roof eaves, or on top or above the parapet, or on a functional architectural appendage above the roof or roof eaves.

SIGN, STRUCTURE: A structure, including uprights, supports, frames, display surfaces, and other appurtenances, intended to support and display one (1) or more signs.

SIGN, TEMPORARY: A display, informational sign, banner, or other advertising device constructed of cloth, canvas, fabric, wood, or other temporary material, with or without a structural frame, and intended for a limited period of display, including decorative displays for holidays or public demonstrations. Such signs may be altered to reflect new products, sales, etc., but shall be limited to three (3) signs per business at any given time. **(Amended by Ordinance No. 2000-6, June 14, 2000)**

SIGN, WALL: A type of building mounted sign: (a) that is attached to a wall (including parapet wall) or other structure that supports a roof, including any sign that is part of or attached to a canopy or awning and any sign attached to any side face of a marquee; (b) that does not project outward more than twelve (12) inches from the surface to which it is attached; and (c) in which the sign face is parallel to the plane of the surface to which it is attached.

SIGN, WINDOW: A sign painted, stenciled, or affixed on a window, which is visible from a right-of-way.

SITE PLAN: A document or group of documents containing sketches, text, drawings, maps, photographs, and other material intended to present and explain certain elements of a proposed development, including physical design, placement of buildings and structures, interior vehicular and pedestrian access, the provision of improvements, and the interrelationship of these elements.

SLOPE: (See GRADE.)

SPECIAL EXCEPTIONS USE: A use that would not be appropriate generally or without restriction throughout the zoning district, but which if controlled as to number, area, location, or relation to the neighborhood, would not be detrimental to public health, safety, or general welfare.

STORY: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, the space between such floor and the ceiling above it. A basement shall be counted as a story if its ceiling is over six (6) feet above the average level of the finished ground surface adjoining the exterior walls of such story, or if it is used for business or dwelling purposes.

STREET: A public road, highway, or thoroughfare which constitutes, or is designed to constitute, the main access to more than one (1) lot and which has been legally dedicated and accepted for public use. Streets are further classified by the functions they perform.

- (A) **Residential Collectors**: Are access streets that provide frontage for residential lots and may carry a small amount of residential through traffic collected only from tributary residential access streets.
- (B) **Residential Collectors (Secondary)**: Are streets that conduct and distribute traffic between other residential streets of lower order in the streets hierarchy and higher order streets or major activity centers. This is the highest order of street appropriate to a residential neighborhood and residential frontage along it should be prohibited or severely restricted.

Higher order streets exist, but do not belong within a residential area and should be excluded. These include:

- (A) **Arterials (Primary)**: Which are inter-regional roads conveying traffic between towns, boroughs, and other urban centers. Efficient movement is the primary function of arterial roads, hence, private access and frontage should be controlled and engineered for free-flowing movement.

SUBDIVISION: The division of a tract or parcel of land into two (2) or more lots, sites, or other divisions requiring new street or utility construction, or any division of less than five (5) acres for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and when appropriate to the context, relates to the process of resubdividing or to the land or area subdivided. (See Sections 13-3-401 and 13-4-301, Tennessee Code.)

TAVERN: An establishment serving alcoholic beverages in which the principal business is the sale of such beverages at retail for consumption on the premises and where sandwiches and snacks are available for consumption on the premises.

TECHNOLOGY/RESEARCH PARK: A planned employment development within a park-like atmosphere which is heavily oriented toward research, development, and high technology manufacturing operations or similar uses that are characterized by a high degree of scientific and technical activities.

TEMPORARY SALE: (See FLEA MARKET.)

TEMPORARY USE: A prospective use, intended for limited duration, to be located in a zoning district not permitting such use, and not continuing a nonconforming use or building.

THROUGH LOT: (See LOT, THROUGH.)

TOWER: (See ANTENNA.) A structure situated on a nonresidential site that is intended for transmitting or receiving television, radio, or telephone communications, excluding those used exclusively for dispatch communications.

TOWNHOUSE: (See DWELLING, SINGLE-FAMILY, ATTACHED.)

TRANSFER OF DEVELOPMENT RIGHTS: The conveyance of development rights by deed, easement, or other legal instrument authorized by local law to another parcel of land and the recording of that conveyance.

TRANSITIONAL USE: A permitted use or structure that by nature or level and scale of activity acts as a transition or buffer between two (2) or more incompatible uses.

TRAVEL TRAILER: A vehicular, portable structure (truck, piggy-back, or motorized camper, converted bus, tent-trailer, or trailer designated as a travel trailer by the manufacturer) designed as a temporary dwelling for travel, recreation, and vacation uses.

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

TRUCK CAMPER: A portable unit constructed to provide temporary living quarters for recreational, travel, or camping use, consisting of a roof, floor and sides, designed to be loaded onto and unloaded from the bed of a pick-up truck.

TRUCK TERMINAL: A building or area in which freight brought by truck is assembled and/or stored for routing or reshipment, or in which semi-trailers, including tractor and/or trailer units and other trucks, are parked or stored.

UTILITIES COMMITTEE: The Fayetteville-Lincoln County Utilities Committee.

VARIANCE: A dispensation permitted on individual parcels of property as a method of alleviating unnecessary hardship by allowing a reasonable use of the building, structure, or property, which, because of unusual or unique circumstances, is denied by the terms of the zoning code.

WAREHOUSE: A building used primarily for the storage of goods and materials.

WAREHOUSING AND DISTRIBUTION: A use engaged in storage, wholesale, and distribution of manufactured products, supplies, and equipment, but excluding bulk storage of materials that are inflammable or explosive or that create hazardous or commonly recognized offensive conditions.

WETLAND: An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that, under normal circumstances, does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

YARD: Any open space located on the same lot with a building, unoccupied and unobstructed from the ground up, except for accessory buildings, or such projections as are expressly permitted in these regulations. The minimum depth or width of a yard shall consist of the horizontal distance between the lot line and the nearest point of the foundation wall of the main building.

YARD, FRONT: (See LOT LINE, FRONT.) A yard extending along the full width of a front lot line between side lot lines and from the front lot line to the front building line in depth.

YARD, REAR: A yard extending across the full width of the lot and lying between the rear lot line and the nearest line of the building. Rear-yard depth shall be measured at right angles to the rear line of the lot.

YARD, SIDE: A yard lying between the side line of the lot and the nearest line of the building and extending from the front yard to the rear yard, or in the absence of either of such front or rear yards, to the front or rear lot lines. Side-yard width shall be measured at right angles to side lines of the lot.

ZERO LOT LINE: Zero lot line dwelling means a building or structure containing two (2) units (duplex), each unit being located on its own zoned lot in separate ownership.

ZONE: A portion of the territory of the city, exclusive of streets, alleys, and other public ways, within which certain uses of land, premises, and buildings are not permitted and within which certain yards and open spaces are required and certain height limits are established for buildings.

ZONING ADMINISTRATOR: The Building Inspector and/or City Planner for the City of Fayetteville, Tennessee.

14-303 USE CLASSIFICATION SYSTEM

The provisions of this section shall be known as the use classifications. The purpose of these provisions is to classify land uses into a number of specifically defined types on the basis of common functional characteristics and similar compatibility with other uses, thereby with criteria which are directly relevant to the public interest. These provisions shall apply throughout the zoning regulations. Where there is a question concerning the appropriate activity classification for any use not listed herein, the Board of Zoning Appeals shall make the determination based upon the characteristics of the unlisted use.

A. Listing of Activity Classifications

All activities are hereby classified into the following activity types:

1. Residential Activities

a. Permanent

**Dwelling, Single-Family Detached
Dwelling, Duplex
Dwelling, Single-Family Attached
Dwelling, Multi-Family
Mobile Home Park**

b. Semi-Permanent

**Boarding House
Rooming House**

2. Community Facility Activities

Administrative Service
Community Assembly
Community Education
Cultural and Recreation Services
Essential Service
Extensive Impact
Health Care Facilities
Intermediate Impact
Personal and Group Care Facilities
Religious Facilities

3. Commercial Activities

Animal Care and Veterinarian Services
Automotive Parking
Automotive Service and Repair
Building Materials and Farm Equipment
Consumer Repair Services
Construction Sales and Services
Convenience Commercial
Entertainment and Amusement Services
Financial, Consulting, and Administrative
Food and Beverage Service
Food Service - Drive-In
General Business and Communication Services
General Personal Service
General Retail Trade
Group Assembly
Medical and Professional Services
Transient Habitation
Transportation and Warehousing
Undertaking Services
Vehicular, Craft, and Related Equipment Sales, Retail and Delivery
Wholesale Sales

4. Manufacturing Activities

Limited
Intermediate
Extensive

5. Agricultural, Resources Production, and Extractive Activities

Agricultural Services
Crop, Animal and Poultry Raising
Mining and Quarrying
Plant and Forest Nurseries
Stockyards

B. Accessory Uses

In addition to the principal activities expressed above, each activity type shall be deemed to include activities customarily associated with, and appropriate, incidental, and subordinate to the principal activity. The accessory uses permitted are presented with the regulation section of each district as set forth in this zoning ordinance.

C. Residential Activities

1. Permanent Residential

The occupancy of living accommodations on a monthly or longer basis with none of the living units under the same ownership or management on the same zone lot being occupied on a less-than-monthly basis. This shall not include institutional living arrangements involving the provision of any kind of special care or forced residence such as nursing homes, orphanages, asylums, half-way houses or prisons, except as provided by general law of the state. The following dwelling types as defined by this ordinance are permanent residential activities; however, only those dwelling types as indicated by individual district regulations may be permitted therein.

Dwelling, Single-Family Detached
Dwelling, Duplex
Dwelling, Single-Family Attached
Dwelling, Multi-Family
Mobile Home Park

2. Semi-Permanent Residential

The occupancy of living accommodations partly on a monthly or longer basis and partly for a shorter time period, but with less than thirty (30) percent of the living units under the same ownership or management on the same zone lot being occupied on a less-than-monthly basis. This shall not include institutional living arrangements involving the provision of a special kind of care or forced residence, such as nursing homes, orphanages, asylums, half-way houses, and prisons, except as provided by general law of the state. The following dwelling or rooming unit types as defined by this ordinance are considered as semi-permanent residential activities; however, only those dwelling or rooming unit types as indicated by individual district regulations may be permitted therein.

Boarding House
Rooming House

D. Community Facility Activities

1. Administrative Services

The activities typically performed by public, utility, and nonprofit private administrative offices. These activities would include:

City, County, State, and Federal Offices
Civil Defense Facilities
Court Buildings
Fire Department Facilities
Police Department Facilities
Post Offices

2. Community Assembly

The activities typically performed by or at institutions and installations for various social, athletic, and recreational purposes. These activities do not include facilities primarily utilized for profit. They would include:

Civic, Social, Fraternal, and Philanthropic Associations
Private (Nonprofit) Clubs, Lodges, Meeting Halls
Temporary Nonprofit Festivals

3. Community Education

The activities typically performed by the following institutions:

Kindergarten, Primary and Secondary Schools
Public and Private Nursery Schools

4. Cultural and Recreational Services

The activities of a cultural or recreational nature which are either owned by, or operated for the use and enjoyment of, the general public. This does not embrace such facilities which are privately owned and operated for profit. These activities would include:

Art Galleries
Botanical Gardens
Commercial Swimming Pools
Libraries
Museums
Parks, Playgrounds, and Playfields
Planetariums and Aquariums
Recreational Centers and Gymnasiums

5. Essential Services

Includes the maintenance and operations of the following installations:

Electrical and Gas Substations
**Electrical, Gas, Water, and Sewer Distribution and
Collection Lines**
Pumping Facilities for Water and Sewer Systems
Rights-of-Way for Transportation Modes
Telephone Switching Facilities

6. Extensive Impact Facilities

The activities that have a high degree of impact upon surrounding land uses due to their hazards or nuisance characteristics, as well as traffic generation, parking, and land requirements and typically performed by, or the maintenance and operation of, the following institutions and installations:

**Airports, Air Cargo Terminals, Heliports, or
Other Aeronautical Devices
Correction and Detention Institutions
Electricity Generating Facilities
Garbage Incineration Plants, Including
Cogeneration Facilities
Major Fuel Transmission Lines and Facilities
Major Mail Processing Centers
Military Installations
Public and Private Utility Corporations' Truck Yards and
Storage Yards
Railroad Yards and Other Transportation
Equipment Marshaling and Storage Yards**

7. Health Care Facilities

Includes the activities typically performed by the following institutions but not including the offices, clinics, etc., of private physicians or other health care professionals:

**Centers for Observation or Rehabilitation
Convalescent Homes
Hospitals
Medical Clinics**

8. Intermediate Impact Facilities

The activities that have a significant effect upon surrounding land uses due to their traffic generation characteristics, parking requirements, land requirements, or potential nuisances and typically performed by, or the maintenance and operation of the following institutions or installations.

**Cemeteries, Columbariums, and Mausoleums
Colleges, Junior Colleges, and Universities, but
Excluding Profit-Making Business Schools
Commercial Boat Docks, Marinas, and Yacht Clubs
Country Clubs
Golf Courses
Industrial Training Facility (Simulated Industrial
Environment with Classroom Instruction)
Radio and TV Transmission Facilities (Including
Towers and Antennas)
Water and Sewage Treatment Plants
Water Storage Facilities**

9. Personal and Group Care Facilities

The activities and facilities to provide for the care of preteenage children, disabled and handicapped persons needing special care or supervision, care for the elderly and other individuals requiring supervised care, but excluding facilities for delinquent, criminally dangerous, or psychotic people. These activities would include:

Associations for Physically or Mentally Handicapped Persons

Day Care Facilities

Day Care, Individual (1 to 5 children)

Day Care, Family (5 to 7 children)

Day Care, Group (8 to 12 children)

Day Care, Center (13 or more children)

Major Group Homes for Physically or Mentally Handicapped Persons

Minor Group Homes for Physically or Mentally Handicapped Persons

Nursing Homes

Orphanages

Retirement or Rest Homes

10. Religious Facilities

The activities or facilities utilized by various religious organizations for worship or community service functions but excluding any facility the primary functions of which is to produce products or printed matter for sale or general distribution. The activities include:

Chapels

Churches

Convents or Monasteries

Sanctuaries

Synagogues

Temples

E. Commercial Activities

1. Animal Care and Veterinarian Services

Includes the provision of animal care, treatment, and boarding services.

Veterinarian Clinics and Kennels

2. Automotive Parking

Includes the parking and/or storage of motor vehicles but excluding junk or scrap vehicles.

Auto Parking Lots

Parking Garages

3. Automotive Services and Repair

Includes the sale, from the premises, of goods and the provision of services which are generally required in the operation and maintenance of automotive vehicles and the fulfilling of motorist needs, as well as clean-up, painting and repair of automotive vehicles, including body work and installation of accessories.

Auto Cleaning and Repair Services
Auto Glass Repair and Replacement Shops
Auto Inspection and Diagnostic Services
Auto Paint Shops
Auto Towing Services
Car Washes
Gasoline, Fuel, and Oil Sales and Service
Radiator and Muffler Shops
Tire Retreading and Repair Shops
Wheel Alignment and Transmission Repair Shops

4. Building Materials and Farm Equipment

Includes the retail and wholesale sale and storage of materials used in the construction of buildings and other structures as well as the retail and wholesale sale and storage of implements, equipment, feed and seed used in agricultural pursuits.

Farm Equipment and Supplies
Farm Supplies
Feed Sales, Seed Storage, and Sales
Heating, Plumbing, and Electrical Supplies
Lumber and Other Building Material Dealers
Retail Nurseries, Lawn and Garden Supply Stores

5. Consumer Repair Services

Includes the servicing and repair of appliance, furniture, and equipment generally used or owned by individuals, not including the repair of any type of automobile.

Blacksmith Shops
Electrical Repair Shops
Gunsmith Shops
Instrument Repair Shops
Locksmith Shops
Office Equipment Cleaning and Repair
Reupholstery and Furniture Repair
Saddlery Repair Shops
Small Engine Repair Shop (No Outside Storage)
Watch, Clock, and Jewelry Repair

6. Construction Sales and Services

Includes the offices, buildings, and shops of various types of contractors as well as incidental on-site construction and storage.

Construction Related Contractor Offices (Office Only)
Construction Related Contractor Offices (With Incidental Storage and Construction)

7. Convenience Commercial

Includes the retail sale, from the premises, of groceries, drugs, and other frequently needed personal convenience items, as well as the provision of personal convenience services which are typically needed frequently or recurrently, provided that no establishment shall exceed five thousand (5,000) square feet of gross floor area.

Barber Shops
Beauty Shops
Laundry and Dry Cleaning Pick-Up Stations
News Stands
Self-Service Gasoline Pumps

8. Entertainment and Amusement Services

Includes the provisions of cultural, entertainment, educational, and athletic services, other than those classified as Community Facility Activities, to assembled groups of spectators or participants.

Art Galleries (Commercial)
Batting and Golf Driving Ranges
Billiard Parlors
Bowling Alleys
Coin Operated Amusement Arcades
Dance Halls
Exhibition Halls and Auditoriums
Recording and TV Production Services
Skating Rinks
Theaters
Theatrical Producers, Bands, Orchestras, and Entertainers

9. Financial, Consulting, and Administrative Services

Includes the provision of financial, insurance, and real estate brokerage services, as well as advice, designs, information, or consultations of a professional nature (other than those classified as Community Facility Activities, Medical and Professional Service, or Business and Communication Services). These also include the executive, management, or administrative activities of private, profit oriented firms, but excluding the sale and/or storage of goods or chattel unless otherwise permitted by this ordinance.

**Agricultural Credit Institution
Banking and Bank-Related Functions
Credit Unions
Holding and Investment Organizations
Insurance Carriers, Agents, Brokers, and Service
Money Management and Investment Offices
Real Estate Brokers, Managers and Appraisers
Rediscount and Financing Institutions for
Credit Agencies Other than Banks
Savings and Loan Associations
Securities Commodities, Brokers, Dealers, and Exchanges
Title Offices**

10. Food and Beverage Service

Includes the retail sale of prepared food or beverages for primarily on-premises consumption within the principal structure on the zone lot.

**Restaurants
Taverns**

11. Food Service Drive-In

Includes the retail sale of prepared food or beverages for consumption on the premises within the principal structure, in a parked car on the same zone lot, or off the premises.

**Drive-In Restaurants
Fast Food Restaurants with Drive-Thru Service
Fast Food Restaurant (Carry Out only with No Seating)**

12. General Business and Communication Services

Includes the provision of services of a clerical, goods brokerage, and communications of a minor processing nature, copying and blueprinting services, custom printing (except books) but include the sale and/or storage of goods and chattel unless otherwise permitted by this ordinance.

**Advertising Agencies and Services
Commercial Cleaning Services
Commercial Testing Laboratories
Communications Services
Radio and Television Broadcasting Studios
Telegraph Offices and Message Centers
Telephone Exchanges and Relay Towers
Television and Recording Production Studios
Computer and Data Processing Services
Credit Reporting, Adjustment, and Collection Agencies
Customer Service Center (Including Call Centers)
Detective Agencies and Protective Services
Drafting Services**

Employment, Personnel, and Temporary Help Services
Exterminating Services
Interior Decorator and Consulting Services
Mailing, Reproduction, and Commercial Art Services
Management, Consulting, and Public Relations Services
Membership Organizations
 Automobile Clubs
 Better Business Bureaus
 Chamber of Commerce
 Labor Unions
 Political Organizations
 Professional Associations
News Syndicates
Research and Development Laboratories
Trading Stamp Services
Travel Agencies
Vehicular and Equipment Rental and Leasing Services

13. General Personal Service

Includes the provision to individuals of informational and instructional services as well as the provision of care and maintenance for personal items. These activities do not include the storage or sale of goods or chattel, unless, otherwise, permitted herein.

Catering Services
Laundry, Cleaning, and Garment Services
Miscellaneous Personal Services
Clothing Rental Agencies
Health Spas
Photographic Studios and Photofinishing Studios
Shoe Repair and Hat Cleaning Shops
Special Training and Schooling Services
 Art and Music Schools
 Barber and Beauty Schools
 Business Schools
 Dancing Schools/Exercise Studios
 Driving Schools

14. General Retail Trade

Includes the retail sales or rental from the premises, primarily for personal or household use, of goods and/or services but excluding goods and services listed in the other classifications herein.

Antique and Second Hand Merchandise Stores
Automotive Parts (No Outdoor Storage)
Book and Stationery Stores
Camera Stores
Candy, Nut and Confectionery Stores
Children's and Infant's Stores
Convenience Store

Dairy Products Stores
Department Stores
Drapery, Curtain, and Upholstery Stores
Drug Stores and Proprietary Stores
Family Clothing Stores
Floor Covering Stores
Florists
Fruit Stores and Vegetable Markets
Furniture Stores
Furriers and Fur shops
Gift Shops
Grocery Stores
Hardware Stores (Inside Storage)
Hardware Stores (Outdoor Storage)
Hobby, Toy, and Game Stores
Household Appliance Stores
Jewelry Stores
Liquor Stores
Luggage Shops
Meat and Seafood Markets
Men's and Boy's Clothing and Furnishing Stores
Miscellaneous Apparel and Accessory Stores
 Bathing Suit Stores
 Custom Tailors
 Sports Apparel Stores
 Uniform Stores
Miscellaneous General Merchandise Stores
 Direct Selling Organizations
 Mail Order Houses
Miscellaneous Home Furnishings Stores
 Bedding and Linen Stores
 Cookware Stores
 Cutlery Stores
 Glassware and China Shops
 Lamp and Shade Shops
 Paint and Wallpaper Stores
Music Stores
Radio and Television Stores
Retail Bakeries
Sewing and Piece Goods Stores
Shoe Stores
Sporting Goods Stores
Tobacco Shops
Variety Stores
Women's Accessory and Specialty Stores
Women's Ready-to-Wear Store

15. Group Assembly

Includes the provision of cultural, entertainment, educational, and athletic services, other than those classified as Community Facilities, to large groups of assembled spectators and/or participants (five hundred (500) or more) or that have a substantial potential impact upon adjoining property.

**Amusement Parks
Commercial Camp Grounds
Commercial Resorts
Commercial Sports Arenas and Playing Fields
Race Tracks (Auto, Motorcycle, Dog, and Horse)**

16. Medical and Professional Services

Includes the provision of therapeutic, preventive, or corrective personal treatment services by physicians, dentists, and other practitioners, as well as testing and analysis, and the offices of various other professionals, the service of which is provided in an office environment.

**Accounting, Auditing, and Bookkeeping Services
Artist Studios (Including All Commercial Artists,
Except Tattoo Shops)
Attorneys and Law Offices
Chiropractor Offices
Consulting Scientists
Dental Offices and Laboratories
Educational and Scientific Research Services
Engineering and Architectural Services
Optometrists
Physicians' Offices and Clinics (Out Patient Services)
Physiologists and Psychotherapists
Songwriters and Music Arrangers
Urban Planning Services
Writers and Lecturers**

17. Transient Habitation

Includes the provision of lodging services to transient guests, having at least seventy (70) percent of its accommodations available on a less-than-weekly basis, other than those classified as residential activities.

**Hotels
Motels
Bed and Breakfasts**

18. Transportation and Warehousing

Includes the provision of warehousing, storage, freight handling, shipping, and trucking services.

**Bus and Truck Maintenance and Repair
Food Lockers
General Warehousing
Packing and Creating Services
Railroad, Bus and Transit Terminals
Refrigerated Warehousing**

**Self-Service Storage Facilities (Household Goods Only);
Excludes Retail Sales, Garage Sales, and the Bulk Storage
of Hazardous or Flammable Materials
Truck Terminals Freight Handling Services**

19. Undertaking Services

Includes the provision of undertaking and funeral services involving the care and preparation of the human deceased prior to burial.

Funeral and Crematory Services

20. Vehicular, Craft, and Related Equipment

Includes the retail or wholesale sale or rental from the premises of vehicular and related equipment with incidental maintenance.

**Boat and Motor Dealers
Mobile Home Dealers
Motor Vehicle Dealers
Motorcycle Dealers
Recreational Vehicle and Utility Trailer Dealers**

21. Wholesale Sales

Includes the storage and sale from the premises of goods to other firms for resale, as well as the storage of goods and their transfer to retail outlets; but excludes the sale or storage of motor vehicles, except for parts and accessories. These would include such uses as:

**Apparel, Piece Goods, and Notions
Beer, Wine and Distilled Alcoholic Beverages
Chemicals and Allied Products
Drugs, Drug Proprieties, and Sundries
Electrical Goods and Appliances
Farm Products Raw Materials
Farm Supplies
Furniture and Home Furnishings
Groceries and Related Products
Hardware, Plumbing, and Heating Equipment and Supplies
Lumber and Other Construction Materials
Machinery, Equipment, and Supplies
Metals and Minerals
Motor Vehicles and Automotive Parts and Supplies
Paper and Paper Products
Petroleum and Petroleum Products
Sporting, Recreational, Photographic, and Hobby Goods
Tobacco and Tobacco Products
Toys and Supplies**

F. Manufacturing Activities

Manufacturing activities include the on-site production of goods by methods other than agricultural or extractive in nature.

1. Limited Manufacturing Activities

Includes the following operations:

- a. The manufacture, compounding, processing, assembling, packaging, treatment, or fabrication of the following products:

Apparel and Accessories
Art Objects
Athletic, Sporting Equipment, or Recreational
Automobiles, Airplanes, Boats, or Other Motor Vehicles
Bakery Goods (Mass Production)
Beverages (Nonalcoholic or Alcoholic)
Commercial or Industrial Machinery
Computer Hardware/Software
Dairy Products
Electrical Goods and Appliances
Electronic Media Equipment
Food Service Machinery
Furniture and Home Furnishings
Instruments for Scientific, Medical, Dental, Engineering,
and Other Professional Purposes
Limited Manufacturing Activities Other Than Those Listed
and Not Strictly Prohibited by This Ordinance
Motor Vehicles and Automotive Parts and Supplies
Office Supplies (Excluding Paper Milling)
Optical Instruments and Lens
Part Manufacturing (Other Than Those Listed)
Printed Matter
Signs
Toys

- b. Activities and operations which include the following:

Book Binding
Data Processing Service
Food Processing
Photocopying
Photoengraving
Precision Machining of Dies, Jigs, and Fixtures
Printing
Publishing
Record Pressing
Upholstering
Welding

2. Intermediate Manufacturing Activities

a. Includes the following:

The manufacture, compounding, processing, assembling, packaging, treatment or fabrication of products which include the following:

**Asphaltic Cement Plants
Cement and/or Concrete Plants
Chemical Manufacturing in Excess of One (1) Ton per Day
Foundries
Grain Milling
Petroleum Refining
Rolling and Finishing of Ferrous Materials
Smelting and Refining of Metals and Alloys
Steel Works (Other Than Those Listed)**

b. Excludes the following:

The manufacture, compounding, processing, assembling, packing, treatment or fabrication of the following is **set apart because of the need for increased regulation:**

**Abrasive, Asbestos, and Nonmetallic Mineral Processing
Atomic Reactors
Automobile Wrecking Yards, Scrap and Waste Materials
Cotton Ginning
Cotton Seed Oil
Explosives
Fat Rendering
Fireworks
Offal Processing
Ore Reduction
Organic Fertilizers
Paper Mills
Pulp Manufacturing
Slaughtering of Animals
Tanning**

3. Extensive Manufacturing Activities

Includes the following activities which are set apart because of the need for increased regulation:

**Arsenals
Atomic Reactors
Explosives Manufacturing and Storage
Fireworks Manufacturing
Hazardous Wastes Storage and/or Transfer
Radioactive Waste Handling**

**Solid Waste Processing and Recycling
Solid Waste/Sanitary Landfills
Waste Incinerators, Including Hospital and Medical Waste**

G. Agricultural, Resources Production, and Extractive Activities

1. Agricultural Services

Includes various activities designed to provide needed services for agricultural uses and are appropriately located in close proximity thereto.

**Crop Drying, Storage, and Processing
Crop Planting, Cultivating, and Protection Services
Horticultural Services
Soil Preparation Services
Riding Stables
Livery Stables**

2. Stockyards

Includes facilities and operations involved in the storage of animals for resale.

3. Crop and Animal Raising

Includes the raising of tree, vine, field, forage, and other plant crops intended to provide food or fiber, as well as keeping, grazing, or feeding animals for animal products, animal increase, or value increase, but specifically excluding facilities for the processing, packaging, or treatment of agricultural products.

**Dairies
Farms
Raising of Plants, Animals, and Fish
Truck Gardens**

4. Mining, Drilling and Quarrying

Includes drilling operations and facilities either utilized by, or in support of the extraction of minerals, ores, petroleum, and natural gas or in the quarrying and collection of stone, gravel, sand, clay, and other nonmetallic minerals.

**Chemical Fertilizer and Nonmetallic Mineral Mining
Clay, Ceramic, and Refractory Minerals
Crude Petroleum and Natural Gas Production
Metal Ore and Mineral Mining
Sand and Gravel Quarrying
Stone Quarrying**

5. Plant and Forest Nurseries

Includes the cultivation for sale of horticultural specialties, such as flowers, shrubs, and trees, intended for ornamental, landscaping, or tree planting purposes.

Forest Nursery
Plant Nursery