

**ZONING RESOLUTION
COCKE COUNTY, TENNESSEE**

RESOLUTION _____

A RESOLUTION PURSUANT TO THE AUTHORITY GRANTED BY SECTION 13-7-103 OF THE TENNESSEE CODE ANNOTATED TO ADOPT THE ZONING RESOLUTION OF COCKE COUNTY, TENNESSEE FOR THE PURPOSE OF PROMOTING THE PUBLIC HEALTH, SAFETY, MORALS, CONVENIENCE, ORDER, PROSPERITY, AND GENERAL WELFARE; TO PROVIDE FOR THE ESTABLISHMENT OF DISTRICTS WITHIN THE BOUNDARIES OF COCKE COUNTY, TENNESSEE OUTSIDE THE CORPORATE LIMITS OF ANY MUNICIPALITY; TO REGULATE, WITHIN SUCH DISTRICT, THE LOCATION, HEIGHT, NUMBER OF STORIES, THE PERCENTAGE OF LOT OCCUPANCY, THE REQUIRED OPEN SPACE, THE DENSITY OF POPULATION, AND THE USES OF LAND, BUILDINGS AND STRUCTURES; TO PROVIDE FOR REGULATING LAND SUBJECT TO SEASONAL OR PERIODIC FLOODING; PROVIDING FOR AMENDMENTS AND VARIANCES; AND TO PRESCRIBE PENALTIES FOR THE VIOLATION THEREOF.

WHEREAS, the Cocke County Board of Commissioners, in accordance with Tennessee Code Annotated, Sections 13-7-101 through 13-7-117, may adopt a Cocke County Zoning Resolution and zoning map; and,

WHEREAS, the Cocke County Regional Planning Commission has provided its certification of the Cocke County Zoning Resolution text and map; and,

WHEREAS, the necessary public hearing was called for and held;

NOW, THEREFORE, BE IT RESOLVED by the Cocke County Board of Commissioners that the Cocke County Zoning Resolution and map be adopted as follows:

ARTICLE I

TITLE

This resolution shall be known as the Zoning Resolution of Cocke County, Tennessee and the zoning map shall be referred to as the Zoning Map of Cocke County, Tennessee.

ARTICLE II

PURPOSE

The purpose of this zoning code is to promote the health, safety, convenience, order, prosperity, and welfare, of both the present and future county residents. To attain this purpose, the code contains regulations conducive to the following: a less congested and more efficient transportation system; safety from fire, adequate light and air for buildings, structures, and their inhabitants; rational or balanced distributions of population relative to land resources or capacities; and, the classification of land uses, land development or utilization to facilitate adequate arrangements for transportation, water supply, drainage, sanitation, educational opportunities, recreation, soil fertility, food supply, and the protection of both urban and non-urban development in the county.

ARTICLE III

AUTHORITY

The authority to adopt zoning is provided by the Tennessee Code Annotated, Sections 13-7-101 through 13-7-117.

ARTICLE IV

EXCEPTIONS AND MODIFICATIONS

1. Continuance of Nonconforming Uses. Any lawful use of any building or land existing at the time of the enactment thereafter may be continued although such use does not conform with the provisions of this resolution with the following limitations.
 - a. No building or land containing a nonconforming use shall hereafter be extended unless such extensions shall conform with the provisions of this resolution for the district in which it is located; provided, however, that a nonconforming use may be extended throughout those parts of land or buildings which were manifestly arranged for such use prior to the enactment of this resolution.
 - b. Any nonconforming building which has been damaged by fire or other causes may be reconstructed and used as before, unless it is determined that the building is damaged to the extent of more than fifty percent (50%) of the fair cash market value of the structured in which case any repair or reconstruction shall be in conformity with this resolution.

- c. When a nonconforming use of any building or land has ceased for a period of two years, it shall not be reestablished or changed to any use not in conformity with the provisions of this ordinance.
 - d. Any building containing a nonconforming use shall not be changed to another nonconforming use unless it is determined by the Board of Zoning Appeals that such use is less offensive than previous use.
 - e. Any nonconforming use that violates state law may not be continued.
2. Lots of Record. Where lots, platted or deeded, prior to the adoption of this zoning resolution and recorded in the Register of Deeds office exist and do not conform to the minimum lot size requirements, construction may be approved, if no adjacent properties can be purchased to meet minimum lot size requirements. After the adoption of this resolution, no lot may be subdivided which does not meet the minimum lot size requirements.

ARTICLE V

DEFINITIONS

Words and other terms used in this zoning resolution shall be interpreted with their commonly known definitions except for the following:

ACCESS. The right to cross between public and private property, thereby permitting pedestrians and vehicles to enter and leave property in addition to utility purposes.

ADULT ORIENTED BUSINESS. An adult oriented business is one in which: a) at least twenty-five (25) percent of the floor stock merchandise, whether printed, video, or sexual devices, are oriented toward the adult population and appeals to prurient interests. Said merchandise generally depicts male or female genitalia and/or breasts and/or sexual acts; b) the business appeals to prurient interests by offering male or female dancers, models, waiters, waitresses, or bartenders either nude, seminude, and/or exposing directly by lack of covering or clothing or transparently by the use of materials such as falsies, g-string or similar items/articles which allows the direct or indirect viewing of human genitalia, or breasts as an attraction to the establishment.

ARTERIAL. A street with access control, channelized intersections, restricted parking, and which collects and distributes traffic to and from major collectors.

BUFFER STRIP. A strip of land not less than ten (10) feet in width and on which plant material is planted that has such growth characteristics as will provide an obscuring screen not less than six (6) feet in height within two (2) years of planting.

BUILDING. A structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind.

BUILDING, ACCESSORY. A subordinate building, whose use is incidental to that of the main building and located on the same lot as the main building which does not contain residential quarters.

BUILDING, PRINCIPAL. A building in which is conducted the main or primary use of a lot, on which said building is located.

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

BUILDING SETBACK LINE. A line indicating the minimum allowable distance between the property line and a building on a lot, within which no building or other structure shall be placed except as otherwise provided.

BUILDING SETBACK LINE, FRONT. A line indicating the minimum allowable distance between the street right-of-way, or of an official future street right-of-way line, and the front of a building on a lot. The front building setback line extends the full width of the lot and is parallel to or concentric with the street right-of-way.

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

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

CUSTOMARY HOME OCCUPATION. A gainful occupation or profession conducted by one or more members of a family residing on the premises and conducted entirely within the principal dwelling unit.

DEVELOPMENT. Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

DRIVEWAY. A single curb cut allowing access to and/or from a parcel. A single driveway may be split by a median if the total width for entrance, exit, and median does not exceed forty (40) feet.

DWELLING UNIT. One or more rooms designed as a unit for occupancy as living quarters for sleeping and cooking purposes.

- a. Dwelling, Multi-Family. A building designed, constructed, or reconstructed and used for more than two dwelling units, with each dwelling unit having a common structural wall with any other dwelling on the same floor.

- b. Dwelling, Single Family. A building designed, constructed, and used for one dwelling unit.
- c. Dwelling, Two Family or Duplex. A building designed, constructed, or reconstructed and used for two dwelling units that are connected by a common structural wall.

FAMILY. One or more persons occupying a premise and living together as a single housekeeping unit.

HABITABLE SPACE aka HABITABLE ROOMS. A space in a building for living, sleeping, eating, or cooking. Bathrooms, toilet rooms, closets, halls, storage, or utility spaces and similar areas are not considered habitable space and do not contribute to minimum habitable space required.

HOME OCCUPATION. A home occupation is an activity conducted within a dwelling or accessory building and is clearly accessory, incidental, and subordinate to the principal residential use of the dwelling or property.

LOCAL COLLECTOR. A street which collects traffic from local streets and whose adjacent land use is primarily residential in nature.

LOT. A parcel of land which fronts on and has access to a public (governmentally owned and maintained) street and which is occupied or intended to be occupied by a building or buildings with customary accessories and open spaces.

LOT OF RECORD. A lot existing prior to this resolution, the boundaries of which are filed as legal record.

MAJOR COLLECTOR. A street which collects traffic from local collectors and connects with arterials.

MANUFACTURED RESIDENTIAL DWELLING. A factory built single family structure that is manufactured to the National Manufactured Housing Construction and Safety Act, is transportable in one of more sections and includes the following:

- a. Mobile Home, Single Chassis. A factory built single family residential structure having a single chassis, permanently attached axles with the ability to attach wheels for highway transportation, and without a permanent foundation when connected to the required utilities.
- b. Mobile Home, Multiple Chassis. A factory built single family residential structure constructed in two or more sections or chassis with permanently attached axles with the ability to attach wheels for highway transportation, and without a permanent foundation when connected to the required utilities.
- c. Modular Home. A factory built single family residential structure constructed in one or more section, is transportable but does not have permanent axles with the ability to attach wheels for transportation and is constructed on a permanent foundation when connected to the required utilities.

MANUFACTURED RESIDENTIAL DWELLING PARK (MOBILE HOME PARK). A five (5) acre or greater parcel of land under single ownership that has been planned and improved as a Planned Unit Development of a minimum of three (3) manufactured housing units for residential dwelling purposes.

NONCONFORMING USE. Any structure or land lawfully occupied by a use that does not conform to the regulations of the district in which it is situated.

PLANNED UNIT DEVELOPMENT. An integrated design for development of residential, commercial, or industrial uses or combination of uses which is professionally designed to allow flexibility and initiative in site and building design and location, in accordance with a plan approved by the planning commission.

PRIMITIVE CAMPING. Primitive camping is tent camping on unimproved property lacking potable water, sewer facilities, electricity, and parking.

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

RECREATIONAL VEHICLE (RV) aka TRAVEL TRAILER, CAMPER. A trailer that is towed behind a motor vehicle or a vehicle that is driven and designed and constructed for temporary human occupancy. RVs typically have a built-in kitchen, restroom, sleeping area, and lounging area.

RECREATIONAL VEHICLE (RV) PARK aka TRAVEL TRAILER PARK. A Recreational Vehicle Park is a tract of property containing three (3) or more RV sites and/or tent camping sites for the purpose of short-term rent or lease not to exceed twenty-nine (29) days on greater than a five (5) acre lot.

RETAIL TRADE AND SERVICES. Establishments engaged in selling goods and/or offering services to the general public for personal, small business or household use or consumption.

TINY HOME. A preassembled, permanent residential dwelling, which is less than 400 square feet in area, excluding lofts. A tiny home shall be built off site on a chassis and/or installed on a permanent foundation. Tiny homes shall be inspected through the SFMO's Modular Building Program regardless of where constructed or delivered in Tennessee. Tiny homes shall be located within a Tiny Home Park and shall have a permanently affixed Tennessee Modular Building Label to reflect compliance with adopted statewide building and electrical codes.

TINY HOME PARK. A Tiny Home Park is a tract of property containing three (3) or more Tiny Homes for the purpose of long-term rental or lease for not less than a period of 90 days, for residential purposes on greater than a five (5) acre lot.

USE. The purpose for which land or a structure is designed, arranged, or intended, or for which it is occupied or maintained.

ARTICLE VI
GENERAL PROVISIONS

1. Zoning Affects Every Building and Use. After this code is adopted, all new construction shall conform to the requirements in this code. This shall include new buildings or any additions to existing buildings.
2. Public Road Frontage Required. Subdivided property must meet the requirements of the Cocke County Subdivision Regulations.
3. Site Plan Requirements. The planning commission shall review and approve site plans for all new construction except agricultural and single- and two- family developments. Ten (10) copies of the site plan shall be provided to the zoning official ten (10) working days prior to the meeting at which it is to be reviewed. The approval of a site plan shall lapse six (6) months after the date of its approval unless a zoning permit has been issued. To allow for adequate review of the new developments, all site plans shall comply with the following:
 - a. Drawn at a scale of not less than 1' = 20'.
 - b. Prepared by a licensed surveyor unless the proposed development or building addition would require five or fewer parking spaces and be less than one thousand (1,000) feet in area.
 - c. Contain a location map and north arrow.
 - d. Depict the locations and dimensions of all property lines.
 - e. Depict the locations, dimensions, and uses of all existing and proposed buildings and remaining territory.
 - f. Depict the locations, dimensions, and uses of all existing and proposed utilities, including fire hydrants.
 - g. Depict the dimensions and design of proposed parking, travel aisles, driveways, and walkways.
 - h. Depict the locations and extent of all land subject to flooding.
 - i. Contain a drainage plan showing the locations, dimensions, and design of all existing and proposed drainage facilities.
 - j. Depict landscaping buffers when required.
4. Commercial/Industrial Access. No business or industrial use may have access through a residential area or utilize subdivision streets or private easements. All business or industrial uses must have direct access to a public thoroughfare road.
5. Off-Street Automobile Parking. Off-street automobile parking is required for all uses in all zoning districts.
 - a. Parking Space Requirements. The minimum number of parking spaces shall consist of the following requirements. Buildings or properties containing more than one use shall meet the minimum requirements for each use. Uses not specifically identified below shall be determined by the board of zoning appeals.
 - i. Automobile Service and Repair Facilities: One space for each employee plus one (1) space for each two hundred and fifty (250) square feet of floor space used for repair work.
 - ii. Bed and Breakfast Inns: One (1) space for each guest room and three (3) spaces for the home.

- iii. Boarding and Rooming Houses: One (1) space for each room designed for occupancy.
- iv. Bowling Alleys: Four (4) spaces for each lane.
 - v. Clubs and Lodges: One (1) space for each three hundred (300) square feet of floor space.
 - vi. Dwellings: Three (3) spaces for each unit.
 - vii. Eating and Drinking Establishments: One (1) space for each fifty (50) square feet of space devoted to patron use.
 - viii. Funeral Parlors: One (1) space for each four (4) seats in the chapel.
 - ix. Gasoline Service Stations: Four (4) spaces for each bay or similar facility plus one (1) space for each employee.
 - x. Hospitals and Nursing Homes: One (1) space for each four (4) patient beds plus one (1) space for each two (2) employees including doctors and nurses.
 - xi. Hotels and Motels: One (1) space for each guest room or accommodation plus one (1) space for each three (3) employees.
 - xii. Industrial: One (1) space for each employee during peak work shift plus five (5) additional spaces.
 - xiii. Movie Theatres: One (1) space for each three seats and one (1) space for each employee during peak work shift.
 - xiv. General Office: One (1) space for each four hundred (400) square of floor space.
 - xv. Medical Office: One (1) space for each three hundred (300) square feet of floor space.
 - xvi. Recreation Establishments (indoor or outdoor): One (1) space for each four (4) reasonably expected customers plus one (1) space for each employee. If maximum service capacity has been determined and is required, then one (1) space for each four (4) customers, based on maximum service capacity plus one (1) space for each employee.
 - xvii. Retail: One (1) space for each two hundred (200) square feet of total floor area.
 - xviii. Schools, Elementary and Junior High: One (1) space for each employee plus ten (10) additional spaces for visitors.
 - xix. Schools, High: One (1) space for each employee plus ten (1) additional spaces for visitors and five (5) spaces for each classroom.
 - xx. Wholesale: One (1) space for each employee during peak work shift.
- b. Parking Lot Design. The following design requirements shall apply to all parking facilities except those associated with single and two-family dwellings.
 - i. Stall Dimensions: 10 feet wide, 19 feet deep.
 - ii. Aisle Width:

| | | | | |
|---------|-----|-----|-----|-----|
| Aisle | 90° | 75° | 60° | 45° |
| One-way | NA | 18' | 16' | 14' |
| Two-way | 22' | 20' | 20' | 20' |
 - iii. All parking areas shall be designed so that no vehicle is required to back onto a public street or alley to obtain egress.

- iv. All parking areas shall be set back a minimum of five (5) feet from all public street rights-of-way.
- v. All parking lots shall be adequately designed then approved by the planning commission and must drain to eliminate surface water without contributing to drainage problems on adjacent properties.
- vi. Except for uses requiring fewer than five (5) parking spaces, all required off-street parking spaces, aisles, and driveways shall be paved with a minimum asphaltic concrete and have an adequate base.
- vii. All fixed items (such as utility poles, signs, fire hydrants, etc.) shall be contained within designated islands.
- viii. All islands shall be curbed or similarly delineated.
- ix. Vision Clearance. No plants or structures shall be placed that will obstruct the vision of vehicular or pedestrian traffic.
- c. Off-Street Loading and Unloading Space. Off-street loading and unloading space shall be provided for every commercial and industrial use. Retail, service, and similar uses shall have at least one (1) 12' x 25' space for each three thousand (3,000) square feet of floor space. Wholesale, industrial, and similar uses shall have at least one (1) 12' x 50' space for each ten thousand (10,000) square feet of floor space.
- d. Remote Parking. If the parking space requirements cannot be provided on the same lot as the principal building, off-street parking may be allowed provided that:
 - i. the lot is under the same ownership as the lot with the principal building;
 - ii. the lot is within three hundred (300) feet of the main entrance to the principal building; and
 - iii. on the same side of a major road or river as the lot containing the principal building.

ZONING DISTRICTS

1. Classification of Districts. For the purpose of this resolution, the following zoning districts are hereby established in the unincorporated sections of Cocke County and are shown on the map entitled Zoning Map of Cocke County, Tennessee.
 - A-1 Agricultural-Forestry.
 - R-1. Residential.
 - C-1. Neighborhood Commercial District.
 - C-2. General Commercial
 - I-1. Industrial.
 - P-1. National Parks.
2. Absolute Minimum Lot Size. The minimum lot size for lots in the various zoning districts is as designated below. However, where these requirements conflict with the Cocke County Subdivision Regulations or the Cocke County Health Department, the more restrictive requirements shall apply.
 - A-1: Agricultural-Forestry. Without public water and sewer - one (1) acre; with only public water - $\frac{3}{4}$ acre; and with both public water and sewer - 15,000 square feet in area.

R-1: Residential. Without public water and sewer - one (1) acre; with only public water - $\frac{3}{4}$ acre; and with both public water and sewer - 15,000 square feet in area.

C-1: Commercial. Without public water and sewer – one (1) acre; with public water only – $\frac{3}{4}$ acre; and or sewer only – $\frac{3}{4}$ acre; with public water and public sewer – 15,000 square feet in area.

C-2: General Commercial. Without public water and sewer –one (1) acre; with public water only– $\frac{3}{4}$ acre; with public water and public sewer – 15,000 square feet in area.

I-1: Industrial District. Without public water and sewer – one (1) square feet; with public water only – $\frac{3}{4}$ acre; with public water and public sewer – 15,000 square feet. Five (5) acres are required for specifically listed below.

3. Agricultural-Forestry District, A-1.

a. Permitted Uses. To achieve the intent of this district, the following uses are permitted:

- i. Agricultural and similar activities including: general crop farming, livestock, poultry, horticulture, aquaculture, and the processing and/or sales of agricultural products raised, grown, or cultivated on the premises.
- ii. Residential activities including: single-family dwellings, duplexes, and mobile homes or tiny homes on individual lots.
- iii. Customary home occupations.
- iv. Convenience commercial activities including: gasoline service stations, convenience markets, coin operated laundries, automobile repair, restaurants, drug stores, grocery stores, lounges/bars, and florists.
- v. Personal services including: barber shops, beauty shops, pedicure/manicure shops, massage therapists, and tanning salons.
- vi. Semi-public uses including: churches and cemeteries.
- vii. Public uses including: post offices, libraries, schools, and buildings and facilities for emergency and non-emergency services.
- viii. Indoor recreation uses including: video game arcades and billiards/pool rooms.
- ix. Outdoor recreation activities including: golf courses, driving ranges, parks, athletic fields, and playgrounds.
- x. Repair shops including: shops that repair watches, jewelry, clocks, shoes, guns, appliances, and small engines.
- xi. Micro distilleries, micro breweries, micro-wineries, and farm distilleries.
- xii. Other uses including: marinas, veterinarian offices, flea markets, bed and breakfast inns, and cadaver research centers.
- xiii. Solar energy systems and wind energy systems as principal or accessory uses for individual residents.
- xiv. Indoor firing ranges, outdoor firing ranges, skeet shooting, kennels, off-road vehicle facilities, outdoor festivals/concerts, flea markets, bed and breakfast inns, and airparks/air strips.
- xv. Cell phone towers.

- xvi. Accessory Buildings.
 - b. Uses Prohibited. Any item not specifically noted above, unless the Cocke County Board of Zoning Appeals deems a proposed use similar to a type listed above.
 - c. Setbacks from property line:
 - i. Principal Building/Structure: Front – 30 feet; rear – 10 feet; side – 10 feet
 - ii. Accessory Buildings (properties less than two acres in size): Rear – 5 feet; side – 5 feet.
 - iii. Accessory Buildings (properties two acres or greater in size): front – 30 feet; side – 5 feet; rear – 5 feet
- 4. R-1, Residential District. The intent of this district is to establish areas for residential uses that are adjacent to or convenient to municipalities and to prevent non-compatible commercial, industrial, and other uses that would interfere with the residential and aesthetic characteristics of the district. The requirements of this district are designed to promote the efficient development of the county.
 - a. Permitted Uses. To achieve the intent of this district, the following land uses are permitted.
 - i. Residential activities including: single-family dwellings, multi-family dwellings, duplexes, mobile home parks, and tiny home parks.
 - ii. Customary home occupations: see supplementary provisions on page 15.
 - iii. Daycare centers.
 - iv. Schools.
 - v. Churches.
 - vi. Cemeteries.
 - vii. Accessory Buildings.
 - b. Prohibited Uses. Any use not listed above unless the Cocke County Board of Zoning Appeals determines that a proposed use is similar to one listed above and is within the intent of the zoning district.
 - c. Setbacks from property lines:
 - i. Principal Building/Structure: Front- 30 feet; rear – 12 feet; side: 12 feet.
 - ii. Accessory Building: Must be located 7 feet from side and rear property lines.
- 5. C-1, Neighborhood Commercial District. The intent of this district is to establish areas for compatible business activities that serve local residents of the immediate area and that do not require high visibility and accessibility. The requirements of this district are designed to encourage the location of commercial establishments along collector streets or main intersections for maximum convenience for local residents.
 - a. Permitted Uses. To achieve the intent of this district, the following uses are permitted.
 - i. Convenience commercial activities including: gasoline service stations, convenience markets, automobile repair, coin operated laundries, restaurants, drug stores, grocery stores, lounges/bars, billiards/pool rooms, and florists.
 - ii. Personal services including: barber shops, beauty shops, pedicure/manicure shops, licensed massage therapists, and tanning salons.

- iii. Professional services including: surveyors' offices, insurance offices, real estate offices, financial services establishments, banks/lending institutions, attorney offices.
 - iv. Medical services including: offices for medical doctors, optometrists/ophthalmologists, dentists, psychologists, and chiropractors.
 - v. Semi-public uses including: churches, cemeteries, lodges, and clubs.
 - vi. Public uses including: post offices, libraries, schools, and buildings and facilities for emergency and non-emergency services.
 - vii. Indoor recreation uses including: video games arcades and billiards/pool rooms.
 - viii. Outdoor recreation including: golf courses, driving ranges, parks, athletic fields, and playgrounds.
 - ix. Repair shops including: shops that repair watches, jewelry, clocks, shoes, guns, appliances, and small engines.
 - x. Micro distilleries, micro breweries, micro-wineries, and farm distilleries.
 - xi. Solar energy systems and wind energy systems as accessory uses.
 - xii. Mining Operations.
 - xiii. Custom slaughterhouses.
 - xiv. Accessory buildings.
- b. Prohibited Uses. Any use not listed above unless the Cocke County Board of Zoning Appeals determines that a proposed use is similar to one listed above and is within the intent of the zoning district.
 - c. Minimum Building Setbacks from property lines:
 - i. Principal Building/Structure: Front – 30 feet; rear – 20 feet; side – 10 feet.
 - ii. Accessory Building: Must be located 10 feet from side and rear property lines.
6. C-2, General Commercial District. The intent of this district is to establish areas for compatible business activities that require high visibility and accessibility. The requirements of this district are designed to encourage the location of commercial establishments along major collector streets and high traffic areas for maximum convenience for both residents and regional travelers.
- a. Permitted Uses. To achieve the intent of this district, the following uses are permitted.
 - i. Convenience commercial activities including: gasoline service stations, convenience markets, coin operated laundries, restaurants, drug stores, grocery stores, lounges/bars, smoke/vape shops, liquor stores, and florists.
 - ii. General commercial activities including: automobile sales, truck sales, agricultural implement sales, hardware stores, bookstores, furniture stores, apparel stores, electronic stores, laundries, auto parts stores, shopping centers, rental stores, hotels/motels, daycare centers, bed and breakfast inns, antique stores, and mini-warehouses.
 - iii. Public uses including: post offices, libraries, schools, buildings and facilities for emergency and non-emergency services, and governmental offices.

- iv. Professional services including: surveyors' offices, insurance offices, real estate offices, financial services establishments, banks/lending institutions, attorney offices, and veterinarians.
 - v. Personal services including: barber shops, beauty shops, pedicure/manicure shops, massage therapists, and tanning salons.
 - vi. Medical services including: offices for medical doctors, optometrists/ophthalmologists, dentists, psychologists, and chiropractors.
 - vii. Semi-public uses including: churches, cemeteries, lodges, and clubs.
 - viii. Indoor recreation uses including: video games arcades and billiards/pool rooms.
 - ix. Outdoor recreation including: golf courses, driving ranges, parks, athletic fields, and playgrounds.
 - x. Repair shops including: shops that repair watches, jewelry, clocks, shoes, guns, appliances, small engines, and automobile repair.
 - xi. Outdoor storage of motor vehicles.
 - xii. Conditional uses including: airports, kennels, flea markets, and bed and breakfast inns.
 - xiii. Micro distilleries, micro breweries, micro-wineries, and farm distilleries.
 - xiv. Solar energy systems and wind energy systems as accessory uses.
 - xv. Custom slaughterhouses.
 - xvi. Accessory buildings.
- b. Prohibited Uses. Any use not listed above unless the Cocke County Board of Zoning Appeals determines that a proposed use is similar to one listed above and is within the intent of the zoning district.
- c. Minimum Building Setbacks from property lines:
- i. Principal Building/Structure: Front – 40 feet; rear – 20 feet; side – 20 feet.
 - ii. Accessory Building: Must be located 10 feet from side and rear property lines.
7. I-1, Industrial District. The intent of this district is to establish areas for industrial land uses that require good transportation facilities and utilities and that will not adversely affect neighboring properties. The requirements of this district are designed to promote industrial activities and prevent most other uses.
- a. Permitted Uses. To achieve the intent of this district the following uses are allowed.
- i. Manufacturing.
 - ii. Food Processing.
 - iii. Distilleries, breweries, and wineries.
 - iv. Mining.
 - v. Refinement of raw materials.
 - vi. Truck terminals.
 - vii. Warehousing/indoor storage.
 - viii. Wholesale trade.
 - ix. Outdoor storage yards.
 - x. Outdoor storage of motor vehicles.
 - xi. Lumber sales.
 - xii. Cell Phone towers.

- xiii. Adult oriented businesses, provided no portion of the building is located closer than one thousand (1,500) feet to any public or private school, daycare center, church, or residential district.
 - xiv. Payday and title loan businesses.
 - xv. Outdoor Shooting Ranges.
 - xvi. Solar energy systems and wind energy farms.
 - xvii. Slaughterhouses.
 - xviii. Landfills.
 - xix. Smelting plants.
 - xx. Asphalt plants.
 - xxi. Incinerators for burning of waste materials.
 - xxii. Chemical plants where potentially hazardous chemicals are used or made.
 - xxiii. Mining Operations.
 - xxiv. Accessory Buildings.
- b. Special Exceptions. Other uses may be permitted by the Board of Zoning Appeals which are similar in type to those uses permitted above.
- i. Methadone and Pain Management Clinics provided:
 1. Obtaining a Business License, a valid Certification by the State of Tennessee Health Department, compliance with all applicable requirements of Cocke County and continued compliance with the conditions set forth in the Special Use Permit that is issued.
 2. The clinic or facility shall be located on and have access to a street classified as a Major Collector or Arterial, as shown on the Cocke County Major Road Plan.
 3. Map(s) showing existing land use and zoning within one-quarter (1/4) mile of the proposed site with an accompanying site plan.
 4. Compliance with all applicable requirements of the Tennessee Code Annotate.
 5. The clinic or facility shall not be located within 500 feet of a residential zoning district, a school, daycare center, park, church, or hospital.
 6. Off-Street Parking provided at one (1) space for each 500 square feet of floor space.
 7. The site shall not be less than 1,000 feet from any other methadone treatment clinic or facility.
 8. The clinic or facility shall not be located within 1,000 feet of any establishment that sells alcoholic beverages for either on-or-off premises consumption.
- c. Prohibited Uses. Any uses not listed above unless the Cocke County Board of Zoning Appeals determines that a proposed use is similar to one listed above and is within the intent of the zoning district.
- d. Uses Requiring Minimum Lot Size of 5 Acres:
- i. Landfills.
 - ii. Smelting Plants.
 - iii. Asphalt Plants.
 - iv. Slaughterhouses.

- v. Incinerators for burning of waste materials.
- vi. Chemical plants where potentially hazardous chemicals are used or made.
- e. Minimum Building Setbacks from property lines
 - i. Principal Building/Structure: Front – 50 feet; rear – 25 feet; side – 25 feet.
 - ii. Principal Building/Structure of Uses Requiring Minimum Lot Size of 5 acres: Front – 100 feet; rear – 50 feet; side – 50 feet.
 - iii. Accessory Building: Must be located 10 feet from side and rear property lines.

SUPPLEMENTARY PROVISIONS

1. Home Occupation. Occupations permitted include, but are not limited to repair of watches, clocks, jewelry, guns, computers, small appliances, arts and crafts including ceramics, painting, photography, woodworking, and sculpture, tailoring and sewing, office uses including tax preparation, financial planning, writing, editing, professional counseling services, electronic commerce, tutoring, and arts instruction, and any use deemed by the board of zoning appeals to be similar to one listed above.
 - a. Home Occupations must comply with the following:
 - i. No more than twenty-five percent (25%) or 500 square feet of the dwelling may be used for the home occupation.
 - ii. On-site sales are limited to products or fabricated on the premises as a result of the home occupation.
2. Mining operations shall have a setback of 2,000 feet from all property lines and surrounding residences. In addition, mining operations must submit a remediation plan to be implemented upon completion of the mining operation.
3. Planned Unit Development (PUD) Regulations. The purpose of the Planned Unit Development regulations is to provide for diversification in the relationship of uses and structures to their sites and also provide flexibility which will create a more desirable living environment. A PUD shall mean an integrated, professionally prepared design for development of residential, commercial, or industrial uses, or as permitted, combinations of such uses, to all application of new techniques and technology of sit and building design and location; this for the purpose of achieving economies in land usage, maintenance, and street and utility systems while providing for attractive open areas, safe circulation, and general well-being of the inhabitants.
 - a. Must meet all applicable TCA codes.
 - b. Applicability of PUD Regulations. A PUD may be developed in any district provided that the uses permitted and density requirements of the district allow the development and the PUD plan elements are approved by the planning commission. Residential, commercial, public, semi-public, or industrial uses, or combinations of these uses where district or special regulations permit, may be developed under the PUD concept. Cluster type subdivisions and condominiums, townhouses, multi-dwelling units, rental developments, campgrounds, mobile home parks, tiny home parks, RV parks, multi-use parks, multi-use or ownership developments shall be considered as PUDs for the purpose of this resolution.
 - c. Relationships of PUD Regulations to District and Site Plan Regulations. Unless specifically altered by any provision of this section, the use and development

regulations or any other applicable provision of this ordinance shall apply to the development of a PUD.

- d. General Requirements. All PUD developments shall comply with the following requirements.
 - i. Minimum Site. No PUD shall have an area less than that required by the planning commission as adequate for the proposed project; however, the minimum site shall not be less than the minimum lot size required in the district in which the proposed project is to be located.
 - ii. Structures and Open Space. The planning commission shall require structures and open space to be arranged on the site in such a way that adjacent uses will not be adversely affected.
 1. Where feasible, the highest height and intensity of uses shall be toward the interior of the projects.
 2. No freestanding building shall be located closer than twenty (20) feet to any other freestanding building.
 3. Minimum setback, and lot width at setback requirements for lots as established may be altered upon approval of the planning commission; except that, in no case shall the setbacks from any exterior project site side or rear property line be less than twenty-five (25) feet.
 4. Landscaping/buffering requirements shall be applied to PUD developments and must be included in site drawings.
- b. Open Space Requirements. Preservation, maintenance, and ownership of open space area and facilities shall be accomplished by one or more of the following methods and shall be established in an appropriate legal manner.
 - i. Dedication to and acceptance by the public as part of a governmentally administered park and open space system.
 - ii. A property owners association.
 - iii. The developer or management authority of the PUD.
- c. Parking and Access Control Requirements. The provisions of this ordinance relating to vehicular access and parking shall be adhered to; except that, the planning commission may alter these requirements in instances in which a superior design alternative is presented which will not be detrimental to the public interest or in conflict with the intent of this resolution.
- d. Density Requirements for Residential PUD. The density (units per gross acre) of dwelling units in a PUD shall be no greater than that allowed in the zoning district within which a PUD is located. The open spaces around public structures, such as schools and churches may be included in the gross acreage of the site for the purpose of calculating the number of residential units that are allowed within a PUD.
- e. Street and Utility Construction Standards. Public and common ways for pedestrian and vehicular circulation shall be developed in relationship to other existing or planned streets and ways and with the Cocke County Major Road Plan. Whether or not the subdivision of property is proposed within a PUD, all project street and way improvements shall comply with the construction standards set out in the subdivision regulations. Due to the uniqueness of each PUD, the

owner/developer of a PUD may request slight adjustments from widths of streets, ways, utility easements, curbing, and similar standards set out in the subdivision regulations; and, upon a determination of good cause being shown for such adjustments, the planning commission may permit changes or alterations in standards, provided the spirit and intent of this section can be preserved.

f. Plan Preparation and Review Process.

i. PUDs Requiring the Subdivision of Property. In PUDs in which property is divided for the purpose of sale or rental, such as a subdivision, mobile home park, or tiny home park, the following requirements for PUD plan preparation shall apply:

1. Preliminary PUD Plan. Prior to submitting a preliminary subdivision plat for review, a preliminary PUD plan shall be submitted to the planning commission which shall include the following: the general location of buildings and uses, general circulation patterns, open space and recreation areas, parking areas, ingress/egress points, sketch elevations, and drainage, the boundary dimensions, overall density of development, public uses, landscaping concepts, zoning classification, and other information deemed pertinent by the planning commission. The approved preliminary PUD plan shall serve as the plan upon which the final PUD plan and preliminary subdivision plat are based. Approval of a preliminary PUD plan shall lapse twelve (12) months from the date it was approved.

2. Final PUD Plan/Preliminary Subdivision Plat. In addition to meeting the applicable provisions of the subdivision regulations regarding preparation of a preliminary plat, the final PUD plan shall include detailed architectural/engineering plans for: utilities, vehicular and pedestrian circulation systems, location of all structures, topographic intervals at no less than five (5) feet, minimum elevations, and grading, the physical relationship of uses, parking areas, open space and recreating areas, landscaped areas, buffer or screening materials and locations, areas proposed for dedication as parks, ways, or places, final drafts of legal documents, and other information deemed pertinent by the planning commission. Upon approval of the final PUD plan and the preliminary subdivision plat by the planning commission, development may commence with the installation of public improvements. No lots, however, shall be sold until final subdivision plat approval has been granted by the planning commission with all required improvements having either been installed or appropriate security posted for the installation of such improvements.

ii. PUDs Not Requiring the Subdivision of Property. In PUDs in which no individual parcel of property is owned or rented, such as condominium, apartment, commercial, or industrial PUDs, and similar uses, the following requirements for PUD plan preparation apply:

1. Preliminary PUD Plan. A concept plan prepared by an architect/engineer containing the following information shall be submitted to the planning commission for review: the general location of buildings and uses, general circulation patterns, open space and recreation areas, parking areas, ingress/egress points, sketch elevations and drainage, the boundary dimensions, overall density of development, public uses, landscaping concepts, zoning classification, and other information deemed pertinent by the planning commission. The approved preliminary PUD plan shall serve as the plan upon which the final PUD plan is based. Approval of a preliminary PUD plan shall lapse twelve (12) months from the date it was approved.
 2. Final PUD Plan. Following approval of a preliminary PUD plan, the developer may proceed to prepare a final PUD plan which shall include detailed architectural/engineering plans for: utilities, vehicular and pedestrian circulation systems, location of all structures, topographic intervals at no less than five (5) feet, minimum elevations, and grading, the physical relationship of uses, parking areas, open space and recreation areas, landscaped areas, buffer or screening materials and locations, areas proposed for dedication as parks, ways, or places, final drafts of legal documents, and other information deemed pertinent by the planning commission. Upon approval of the final PUD plan, a special conditions permit may be issued.
- g. Staging of Development. The PUD applicant may elect to develop the site in successive stages. The stages and expected development periods shall be shown on the preliminary PUD development plan. However, each stage given final PUD approval must be substantially complete within itself. The planning commission may also require the development of a PUD project in stages if public facilities are not adequate to handle the entire development initially.
 - h. Permits. The developer of a PUD shall be entitled to receive appropriate development permits following approval of the final PUD plan and the preliminary subdivision plat, where applicable. However, none of these permits shall be issued until the building official receives a PUD plan which bears the signed certificates of approval and of application and agreement.
 - i. Changes and Modifications. A PUD project may be changed or modified under conditions established for minor changes and major changes.
 - i. Minor Changes. The planning commission may approve changes in minor shifts of building locations, proposed streets and ways, utilities and easements, recreation and open space areas or other features on the approved plan. However, these changes shall not increase densities, change exterior boundary lines, change uses, materially change location or amount of land devoted to specific uses, or significantly change the exterior features or appearance of buildings and uses shown on the approved plans.

- ii. Major Changes. All changes other than those established as minor shall be considered as major changes to the PUD plan and shall require a new plan submission in accordance with the procedures requirements for approval of a PUD plan.
- 4. Tiny Home Park Development Regulations
 - a. A tiny home park must consist of three (3) or more tiny homes or tiny home sites on a lot or lots under the same ownership.
 - b. No tiny home park shall be within five hundred (500) feet of any residence except a residence owned by the tiny home park operator/owner.
 - c. Tiny home parks within 1,000 feet of any residence, except that of the park owner, shall have an evergreen buffer, composed of vegetation five (5) feet in width and at least eight (8) feet tall. The buffer shall be required on any perimeter facing such residences.
 - d. No tiny home park may be constructed in which the only access is by residential streets in a duly recorded subdivision. Tiny home parks must have thirty (30) feet wide access roads connected to a county, state, federal or city owned road.
 - e. Spacing.
 - i. Sites shall be located so there is at least fifteen (15) feet of open space between individual units; and,
 - ii. There must be a minimum of fifteen (15) feet spacing between tiny homes and any building or structure.
 - f. Internal roads must be built to county road standards.
 - g. Six-inch public water line must be provided to all sites, where available. A fire hydrant must be located every five hundred feet.
 - h. Parks having over fifteen (15) lots must be on public sewer.
 - i. Tiny home parks having less than fifteen units without access to public sewer must have individual sewerage disposal systems approved by the State Department of Health Environment.
 - j. A site plan must be approved by the planning commission prior to any construction. Such a site plan must include site area, topography, drainage plans, specific parking arrangements, locations of water or sewer lines, septic systems (where applicable), fire hydrants, buffering, accessory buildings, parks, and open space.
 - k. The planning commission may deny the site plan due to poor site design for traffic patterns, poor visibility at tiny home park entrance, poor drainage plans, inadequate soil percolation of 60 mpi or greater, lack of parking, etc.
 - l. All tiny home sites must have at least one off-road parking stall of 9 feet by 18 feet. No on-street parking is permitted.
 - m. All tiny home parks must provide and show on the site plan garbage disposal/dumpster units adequate to handle the refuse and dumped weekly.
 - n. Five acres shall be the required minimum lot area for a tiny home park.
- 5. Manufactured Residential Dwelling Parks Development Standards
 - a. A mobile home park must consist of three (3) or more mobile homes or mobile home sites on a lot or lots under the same ownership.
 - b. No mobile home park shall be within five hundred (500) feet of any residence except a residence owned by the mobile home park operator/owner.

- c. Mobile home parks within 1,000 feet of any residence, except that of the park owner, shall have an evergreen buffer, composed of vegetation five (5) feet in width and at least eight (8) feet tall. The buffer shall be required on any perimeter facing such residences.
 - d. No mobile home park may be constructed in which the only access is by residential streets in a duly recorded subdivision. Mobile home parks must have thirty (30) feet wide access roads connected to a county, state, federal or city owned road.
 - e. Spacing.
 - i. Sites shall be located so there is at least fifteen (15) feet of open space between individual units; and.
 - ii. There must be a minimum of fifteen (15) feet spacing between mobile homes and any building or structure.
 - f. Internal roads must be built to county road standards.
 - g. Six-inch public water line must be provided to all sites, where available. A fire hydrant must be located every five hundred feet.
 - h. Parks having over fifteen (15) lots must be on public sewer.
 - i. Mobile home parks having less than fifteen units without access to public sewer must have individual sewerage disposal systems approved by the State Department of Health Environment.
 - j. A site plan must be approved by the planning commission prior to any construction. Such a site plan must include site area, topography, drainage plans, specific parking arrangements, locations of water or sewer lines, septic systems (where applicable), fire hydrants, buffering, accessory buildings, parks, and open space.
 - k. The planning commission may deny the site plan due to poor site design for traffic patterns, poor visibility at mobile home park entrance, poor drainage plans, inadequate soil percolation of 60 mpi or greater, lack of parking, etc.
 - l. All mobile home sites must have two off-road parking stalls of 9 feet by 18 feet. No on-street parking is permitted.
 - m. All mobile home parks must provide and show on the site plan garbage disposal/dumpster units adequate to handle the refuse and dumped weekly.
 - n. Five acres shall be the required minimum lot area for mobile home park.
6. Recreational Vehicle Parks Development Standards
- a. Property used for primitive camping is exempt from these regulations.
 - b. No RV park shall be within five hundred (500) feet of any residence except a residence owned by the mobile home park operator/owner.
 - c. RV parks within 1,000 feet of any residence, except that of the park owner, shall have an evergreen buffer, composed of vegetation five (5) feet in width and at least eight (8) feet tall. The buffer shall be required on any perimeter facing such residences.
 - d. No RV park may be constructed in which the only access is by residential streets in a duly recorded subdivision. RV parks must have thirty (30) feet wide access roads connected to a county, state, federal or city owned road.
 - e. Camper sites are for rent only and are not to be sold or leased for a period longer than twenty-nine (29) days.

- f. An on-site 24-hour manager is required.
- g. The buildings and all RV sites shall be provided with water, sewer or approved septic and electric services. Utilities shall be provided by the RV Park and shall be underground. As built, plans shall be provided to the zoning office when all utilities are completed.
- h. Where available, a minimum six (6) inch water line and fire hydrants shall be installed along drives so that all buildings and RVs are within five hundred (500) feet of a hydrant.
- i. A garbage collection container to serve all RV Park occupants is required and must be emptied once each week.
- j. All RV Parks shall comply with licensing requirements of the State of Tennessee.
- k. Spacing.
 - i. Sites shall be located so there is at least fifteen (15) feet of open space between individual RVs; and.
 - ii. There must be a minimum of fifteen (15) feet spacing between RVs and any building or structure.
- l. RV sites shall be a minimum thirty-five (35) feet wide and sixty (60) feet deep.
- m. Permanent site improvements or structural additions to RVs such as decks and roofs are not allowed.
- n. All internal roads must be built to county standards.
- o. Parking.
 - i. One (1) 10'19' automobile visitor space is required for every two RV sites.
 - ii. Visitor parking spaces are to be separate from RV sites and may be provided at or near clubhouse and/or in interior of the park.
 - iii. Parking and drives shall be designed according to above.
- p. Tent Camping.
 - i. Tent camping is allowed in open space areas designated for the purpose.
 - ii. The number of tent camping sites is limited to the number of parking spaces designated for that purpose.
- q. Storage. On site storage is allowed for park occupants only.
 - i. Total storage buildings serving the occupants is not to exceed fifty (50) square feet per RV site.
 - ii. Outdoor storage of boats and vehicles is allowed for occupants only provided it is at least one hundred feet from outer property lines and does not exceed five (5) percent of the gross land area.
- r. Five acres shall be the required minimum lot area for a RV park.

ADMINISTRATION

- 1. Enforcement Officer. A zoning commissioner may be appointed to issue all permits, maintain records, and forward materials to the Board of Zoning Appeals and the planning commission. The zoning official shall attend meetings of these two public bodies. Current zoning maps and map amendments shall be maintained by the zoning official and he/she shall conduct inspections as prescribed by this resolution.

2. Permit Denial. A zoning compliance permit shall be denied when the proposed construction is a type of land use which is not allowed in the zoning district, when the setbacks cannot be met, or any other type of violation of the regulations in this zoning resolution. The applicant is required to submit relevant details of construction and certify on the permit that the details are correct.
3. Stop Work Orders. A stop work order may be issued on construction or land usage when a zoning violation is noticed. All work must therein desist until the problem is corrected.
4. Time Limits. The zoning compliance/building permit is valid for six (6) months after which time it is invalid if construction on the project site is not progressing.
5. Penalties. Any person found violating the provisions of this resolution may be found guilty of a misdemeanor, and upon conviction, shall be fined not less than five (5) dollars per day no more than fifty (50) dollars per day per infraction.

BOARD OF ZONING APPEALS

1. Creation. The Board of Zoning Appeals shall be created and appointed in accordance with Tennessee Code Annotated, Section 13-7-106 and 13-7-107.
2. Appeals. Any person, adjacent property owner, or governmental unit may appeal to the Board of Zoning Appeals for special exceptions, variances, and allegations that the building inspector has issued or failed to issue a permit.
3. Powers of the Board. The Board of Zoning Appeals can hear an aggrieved person who is requesting a special exception which is either listed under special exceptions in the existing zoning district or is a similar character permitted for interpretation as a special exception in the zoning district, or has a variance request, which can be approved under Tennessee Code Annotated, section 13-7-109.
4. Special Exception and Variance Hearing. Within thirty (30) days after a request for a hearing before the Board of Zoning Appeals, a public meeting should be held. The Board's decision on the issue must be contained in the minutes of the meeting.

AMENDMENTS AND INTERPRETATION

1. Amendments. This resolution may be amended by first submitting a proposed amendment to the text or map to the planning commission and then to the Cocke County Board of Commissioners. The amendment shall be effective upon the majority vote of approval by the county's Board of Commissioners. A public hearing must be held on any amendment by the county commission with notice of said hearing published at least fifteen (15) days prior to the hearing in a local newspaper of general circulation in the county.
2. Interpretation. Where other state or local laws are in conflict, the more stringent standards shall prevail.
3. Separability. Should a section, clause, or provision of this resolution be declared invalid by a court of competent jurisdiction, or unconstitutional, the judgment shall not affect the validity of this resolution as a whole or any part other than the part judged to be invalid.
4. Effective Date. This resolution shall take effect from and after the effective date of its passage and publication as required by law, the public welfare requiring it.

Date of Adoption: _____

APPROVED:

_____ Date: _____
Rob Mathis, County Mayor

APPROVED:

_____ Date: _____
Norman Smith, CLB Chairman

ATTEST:

_____ Date: _____
Shalee McClure, County Clerk

Certification of the Regional Planning Commission

The Zoning Resolution, text and map, was certified by the Cocke County Regional Planning Commission on August 22, 2023.

Chairman, Planning Commission

Secretary, Planning Commission