

CONTRACT NO. TV-60000A

ATTACHMENT B

THE DEVELOPMENT STANDARDS
FOR THE TELLICO PROJECT

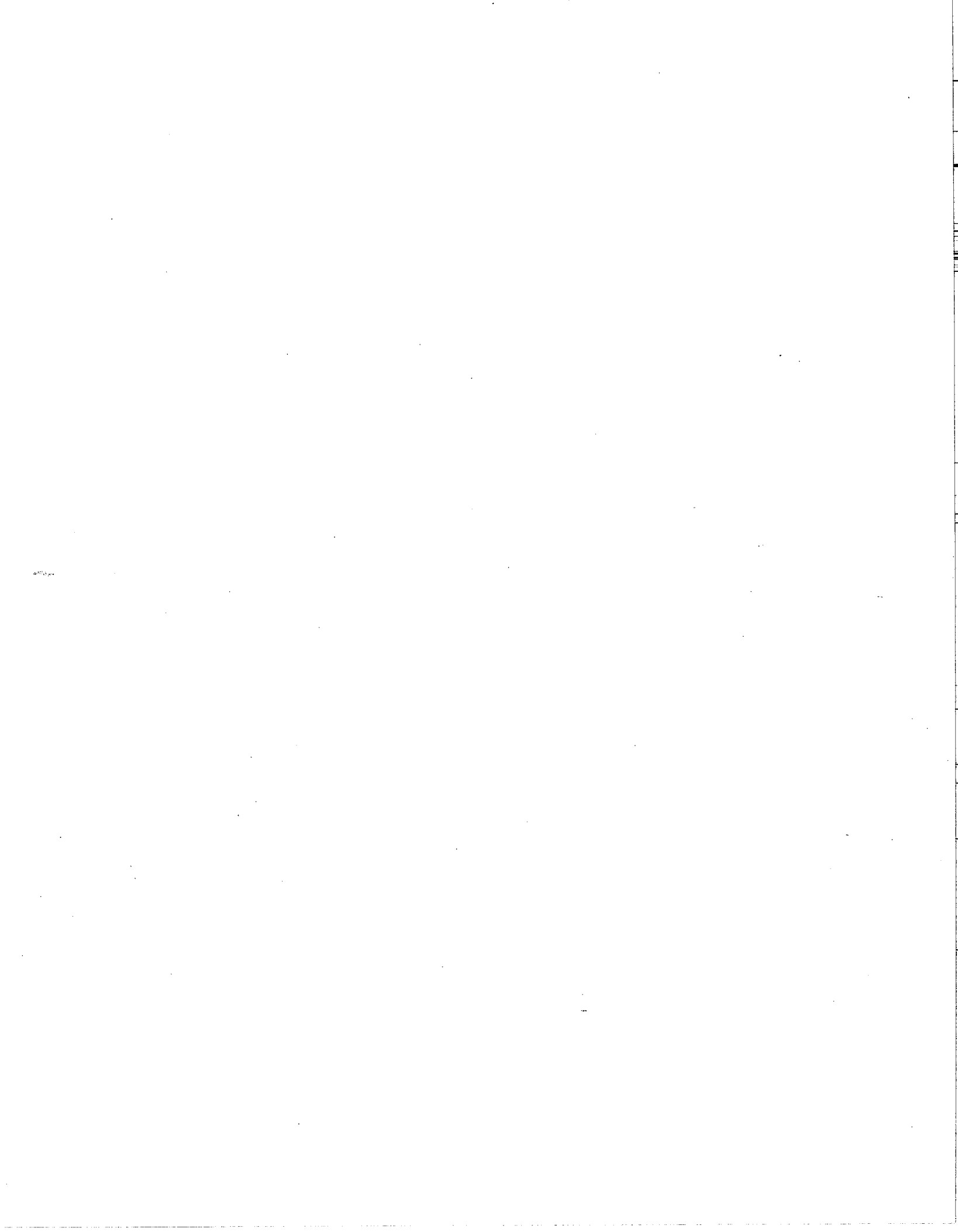


TABLE OF CONTENTS

		<u>Page</u>
ARTICLE 1	GENERAL PURPOSE	
Section 1.010.	Purpose	1
Section 1.020.	Authority	1
Section 1.030.	Applicability	2
Section 1.040.	Title	2
ARTICLE 2	LAND USE DISTRICTS	
Section 2.010.	Classification	3
Section 2.020.	Development plan	3
Section 2.030.	Interim use district	3
Section 2.040.	Residential development district	4
Section 2.050.	Commercial recreation planned unit development district	5
Section 2.060.	Industrial development district	6
Section 2.070.	Public use recreation areas	7
Section 2.080.	Cultural/public use/open space district	7
ARTICLE 3	GENERAL PROVISIONS	
Section 3.010.	Scope	9
Section 3.020.	Only one principal building on any lot	9
Section 3.030.	Lot must abut a public street	9
Section 3.040.	Reductions in lot area prohibited	9
Section 3.050.	Obstruction to vision at street intersection prohibited	9
Section 3.060.	Access control standards	9
Section 3.070.	Accessory use standards	10
Section 3.080.	Grading, soil erosion, and sedimentation control standards	10
Section 3.090.	Air and water quality, solid waste, and noise standards	13
Section 3.100.	Roads, streets, and trails standards	15
Section 3.110.	Flood hazard reduction standards	16
Section 3.120.	Archaeological resources	20



		<u>Page</u>
ARTICLE 4	SUPPLEMENTARY PROVISIONS APPLYING TO SPECIFIC DISTRICTS	
Section 4.010.	Scope	21
Section 4.020.	Offstreet loading and unloading standards	21
Section 4.030.	Temporary use standards	22
Section 4.040.	Customary home occupations	22
Section 4.050.	Fallout shelter standards	22
Section 4.060.	Gasoline service station standards	23
Section 4.070.	Swimming pool standards	23
Section 4.080.	Residential subdivision development standards	23
Section 4.090.	Standards for planned unit developments in the residential district	40
Section 4.100.	Standards for signs, billboards, and other advertising structures	49
Section 4.110.	Mobile homes prohibited	52
Section 4.120.	Automobile wrecking, junk, and salvage yards prohibited	52
Section 4.130.	Development standards for cemeteries	52
Section 4.140.	Commercial recreation planned unit development standards	53
Section 4.150.	Energy efficiency standards for residential buildings	54
Section 4.160.	Public use recreation areas	54
Section 4.170.	Industrial development standards	55
Section 4.180.	Interim use district standards	69
Section 4.190.	Reservoir access procedures and private water use facility standards	70
Section 4.200.	Offstreet parking standards	71
ARTICLE 5	DEFINITIONS	
Section 5.010.	Scope	74
Section 5.020.	Definitions of general terms	74
ARTICLE 6	ADMINISTRATION AND ENFORCEMENT	
Section 6.010.	Administration of development standards	89
Section 6.020.	Building permits	89
Section 6.030.	Temporary use permits	90
Section 6.040.	Certificate of occupancy	90

ARTICLE 6 (cont.)

Page

Section 6.050.	Remedies	90
Section 6.060.	Validity	90
Section 6.070.	Interpretation	90
Section 6.080.	Design review	90
Section 6.090.	Covenants running with the land	91
Section 6.100.	Hold harmless	91
Section 6.110.	Construction of these standards	91
Section 6.120.	Correction of violations	92

ARTICLE 1

GENERAL PURPOSE

SECTION	
1.010.	Purpose
1.020.	Authority
1.030.	Applicability
1.040.	Title

1.010. Purpose. The purpose of these development standards is to promote the public health, safety, convenience, and general welfare; to ensure development based upon all applicable environmental requirements and sound land use practices; and to foster the orderly development of the Tellico Reservoir project through the proper development, maintenance, management, and sale of land acquired by the Tennessee Valley Authority (TVA) for the project by:

- A. Encouraging the most appropriate and environmentally sound use of land.
- B. Preventing overcrowding of land.
- C. Conserving the value of land and buildings.
- D. Reducing traffic hazards and congestion.
- E. Preventing the undue concentration of population.
- F. Providing for adequate light, air, privacy, and solar access.
- G. Reducing hazards from fire, flood, and other dangers.
- H. Assisting in the economic provision, utilization, and expansion of all services needed by the public, including, but not limited to, roads, water and sewer service, recreation, schools, and emergency services.
- I. Enhancing the natural, manmade, and historical entities of the project area.

1.020. Authority. These development standards are promulgated pursuant to the authority of The Tellico Reservoir Development Agency Act of 1982 and Contract No. TV-60000A between TVA and The Tellico Reservoir Development Agency (Agency). They are an integral part of the agreement, being subject to its terms and conditions, and are subject to change or modification only as provided therein.



1.030. Applicability. These development standards and the land uses set out herein are applicable to all land and interests in land conveyed by TVA, on behalf of the United States, to Agency pursuant to the provisions of Contract No. TV-60000A. The districts are based on The Tellico Land Use Plan, as approved by the Tellico Area Planning Council.

1.040. Title. These standards shall be known as The Development Standards for the Tellico Project. They apply to the land use districts as discussed in Article V.

ARTICLE 2

LAND USE DISTRICTS

SECTION	
2.010.	Classification
2.020.	Development plan
2.030.	Interim use district
2.040.	Residential development district
2.050.	Commercial recreation planned unit development district
2.060.	Industrial development district
2.070.	Public use recreation areas
2.080.	Cultural/public use/open space district

2.010. Classification. For the purpose of these standards, the following land use development districts are hereby established:

- A. Interim Use District
- B. Residential Development District
- C. Commercial Recreation Planned Unit Development District
- D. Industrial Development District
- E. Public Use Recreation Areas
- F. Cultural/Public Use/Open Space District

2.020. Development plan. The location and boundaries of the development districts established by these standards are as shown on Attachment A to Contract No. TV-60000A, as it may be modified in accordance with the provisions of Contract No. TV-60000A and as more specifically defined by the metes and bounds descriptions contained in the deeds of conveyances from TVA, on behalf of the United States, to Agency.

2.030. Interim use district

- A. District description

All undeveloped transferred land is assigned to e interim use district.

- B. Uses permitted

In the interim use district the following uses their accessory uses are permitted.

- 1. The growing and harvesting of crops.
- 2. Grazing of livestock.

3. Forestry activities and related services.
4. Fisheries and related services.
5. Utility facilities necessary for the provision of public services.
6. Wildlife management, including habitat management, wildlife observation, primitive camping, seasonal hunting subject to State and Federal regulations, and related activities.

C. Uses prohibited

In the interim use district, all uses except those uses specifically permitted are prohibited.

2.040. Residential development district

A. District description

The residential development district provides areas which are suitable for residential subdivision development and planned unit development. Residential subdivision development in this district shall follow the standards set forth in section 4.080. If a planned unit development is proposed, the standards set forth in section 4.090 shall apply.

B. Uses permitted

In the residential development district, the following uses are permitted:

1. Detached single-family dwellings and duplex dwellings as part of an approved subdivision developed according to standards as set out in section 4.080.
2. Home gardening.
3. Public and private recreation facilities.
4. Utility facilities necessary for the provision of public services.
5. Planned unit developments as defined in section 4.090.
6. Cemeteries subject to the provisions of section 4.130.
7. Public buildings and community centers.
8. Customary home occupations as defined in section 4.040.

C. Uses prohibited

In the residential development district, all uses except those uses or their accessory uses specifically permitted are prohibited.

2.050. Commercial recreation planned unit development district

A. District description

The commercial recreation planned unit development district provides large areas which are suitable for development of varied facilities for intensive commercial recreation. The uses of land may range from undeveloped open space to developed resort areas depending on the market demand and compatibility with adjacent land uses.

B. Uses permitted

In the commercial recreation planned unit development district, the following uses and their accessory uses are permitted:

1. Undeveloped open space.
2. Undeveloped and developed campgrounds.
3. Golf courses.
4. Cabins.
5. Lodges and resorts.
6. Marinas, subject to the provisions of section 4.140 C.
7. Restaurants.
8. Stores.
9. Indoor and outdoor recreation centers, including gymnasiums and swimming pools.
10. Time-sharing resort developments.
11. Utility facilities necessary for the provision of public services.

C. Uses prohibited

In the commercial recreation planned unit development district, all uses except those uses or their accessory uses specifically permitted are prohibited.

2.060. Industrial development district

A. District description

The industrial development district provides areas which are suitable for industrial development. Development in this district must follow the standards set forth in section 4.170.

B. Uses permitted

In the industrial development district, the following uses are permitted:

1. Manufacturing, assembling, and warehousing for distribution purposes.
2. Transportation, utility, and service facilities may be permitted subject to the review and approval of the Committee which is defined in section 6.080.
3. Retail sale of products manufactured or handled at wholesale by the owner or lessee.
4. Recreation and training facilities providing service to the users of the property.
5. Retail sale of food, beverage, and other such convenience items to persons employed on the property, as long as these items are not offered for sale to the general public.
6. Temporary structures.
7. Utility facilities necessary for the provision of public services.
8. Other industrial uses not listed above, including all industrial development on tracts of more than 20 acres, will be subject to TVA's prior review and approval.

C. Uses prohibited

In the industrial development district, the following uses are expressly prohibited:

1. Temporary or permanent residential use.
2. Retail sale of products not manufactured or handled at wholesale by the owner or lessee.
3. Wreck, junk, or salvage yards and similar activities.

2.070. Public use recreation areas

A. District description

The public use recreation areas are suitable for outdoor recreational use and to give boat access to the reservoir.

B. Uses permitted

In the public use recreation areas, the following uses and their accessory uses are permitted, subject to the standards in section 4.160:

1. Boat launching.
2. Picnicking.
3. Day use.
4. Fishing.
5. Camping.
6. Lake swimming.
7. Utility facilities necessary for the provision of public services.

C. Uses prohibited

In the public use recreation areas, all uses except those uses or their accessory uses specifically permitted are prohibited.

2.080. Cultural/public use/open space district

A. District description

The cultural/public use/open space district is comprised of transferred land to be managed so as to protect and enhance the cultural resources and scenic amenities of the project area; provide a buffer between incompatible or contrasting land uses; provide areas for passive or informal recreational purposes such as primitive camping, picnicking, hiking, fishing, and hunting; and permit complementary agricultural, forestry, and wildlife utilization of this land. Where cultural or scenic resources exist, appropriate activities may also be conducted to ensure that these resources are developed, interpreted, and protected and public access is accordingly limited or controlled.

B. Uses permitted

In the cultural/public use/open space district, the following uses are permitted:

1. Hiking.
2. Picnicking.
3. Parking in designated areas adjacent to existing roadways.
4. Utility facilities necessary for the provision of public services.
5. Use of motor vehicles for agricultural use, forestry, emergency purposes, and construction and maintenance of utilities and trails.
6. Agricultural and forestry activities as prescribed in section 4.180.
7. Cultural resource development, interpretation, and protection.

C. Uses prohibited

In the cultural/public use/open space district, all uses except those uses specifically permitted are prohibited.

ARTICLE 3

GENERAL PROVISIONS

SECTION	
3.010.	Scope
3.020.	Only one principal building on any lot
3.030.	Lot must abut a public street
3.040.	Reductions in lot area prohibited
3.050.	Obstruction to vision at street intersection prohibited
3.060.	Access control standards
3.070.	Accessory use standards
3.080.	Grading, soil erosion, and sedimentation control standards
3.090.	Air and water quality, solid waste, and noise standards
3.100.	Roads, streets, and trails standards
3.110.	Flood hazard reduction standards
3.120.	Archaeological resources

3.010. Scope. These provisions shall apply to all land conveyed to Agency pursuant to Contract No. TV-60000A.

3.020. Only one principal building on any lot. Only one principal building and its customary accessory buildings may be erected on any lot.

3.030. Lot must abut a public street. No building shall be erected on a lot which does not abut at least one publicly approved and accepted street as provided for in section 4.080 C.3.b.

3.040. Reductions in lot area prohibited. No lot, even though it may consist of one or more adjacent lots of record, shall be reduced in area so that yards, lot area per family, lot width, building area, or other requirements of these development standards or Contract No. TV-60000A are not maintained. This section shall not apply when a portion of a lot is acquired for a public purpose.

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

3.060. Access control standards. In order to promote the safety of motorists and pedestrians and to reduce traffic congestion and conflict, the following regulations shall apply:

- A. A point of access for vehicles onto a street shall not exceed 30 feet in width. All points of access shall be so constructed as to provide for proper drainage.
- B. There shall be no more than two points of access to any one public street for each 400 feet of lot frontage or fraction thereof; provided, however, that lots less than 100 feet in width shall have no more than one point of access to any one public street.
- C. No point of access shall be allowed within 20 feet of the right of way line of any public intersection.
- D. No curbs on county streets or rights of way shall be cut or altered without written approval of appropriate government authority.
- E. Where two driveways are provided for one lot frontage, the clear distance between driveways shall not be less than 25 feet.
- F. Cases requiring variances relative to the above provisions due to topographic limitations shall be considered as provided in section 6.010; provided, however, that no curb cuts for offstreet automobile storage or parking space shall be permitted where the arrangement would require that vehicles back directly into a public street.
- G. Access to the Tellico Parkway shall be from public streets only.

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

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

3.080. Grading, soil erosion, and sedimentation control standards.

- A. Any person engaged in any land-disturbing activity, including cutting, filling, borrowing, stockpiling, or other

activity where material or ground cover is removed, shall employ such reasonable measures as are needed to protect all public and private property from injury by such activities and to avoid causing by such activities any contamination, building up of sedimentation, reduction of drainage capacities, or flooding. Such person shall conform to the following practices:

1. Identify critical areas - Onsite areas which are subject to severe erosion and offsite areas which are especially vulnerable to damage from erosion and/or sedimentation are to be identified and receive special attention.
 2. Limit time of exposure - All land-disturbing activities are to be planned and conducted to limit exposure to the shortest feasible time.
 3. Limit exposure areas - All land-disturbing activities are to be planned and conducted to minimize the size of the area to be exposed at any one time.
 4. Control upgrade surface water - Surface water runoff originating upgrade of exposed areas should be controlled to reduce downgrade erosion and sediment loss during the period of exposure.
 5. Control sedimentation - All land-disturbing activities are to be planned and conducted so as to minimize offsite sedimentation damage.
- B. Any land-disturbing activity conducted on property developed, maintained, managed, or sold by Agency shall be in accordance with the following requirements:
1. Existing natural vegetation shall be retained to the maximum extent feasible, consistent with the purpose of such activity.
 2. No land-disturbing activity shall be permitted in proximity to the 820 msl contour above Tellico Reservoir, the 750 msl contour above Watts Bar Reservoir, or any other watercourse unless a buffer zone is provided along the margin of the watercourse of sufficient width to confine visible siltation or sediment deposit within the 50 feet of the buffer zone nearest the land-disturbing activity provided that this subsection shall not apply to a land-disturbing activity in connection with the construction of facilities to be located on, over, or under the Tellico Reservoir or natural watercourse requiring separate TVA approval.

3. The angle for graded slopes and fills shall be no greater than the angle which can be retained by vegetative cover or other adequate erosion control devices or structures. In any event, slopes left exposed will, within 30 working days of completion of any phase of grading, be planted or otherwise provided with a ground cover, devices, or structures sufficient to restrain erosion.
4. Whenever land-disturbing activity is undertaken on a tract comprising more than one acre, if more than one contiguous acre is uncovered, a ground cover sufficient to restrain erosion must be planted or otherwise provided within 30 working days on that portion of the tract upon which further active construction is not being undertaken, including the watershed and drainage basin of a functioning sediment control basin.
5. A vegetative cover bond will be required whenever land-disturbing activity is undertaken on a tract comprising more than one acre. The bond shall accompany the erosion and sedimentation control plan and shall be of sufficient amount to ensure that the work items set forth in the plan can be implemented should the developer fail to do so.

C. Erosion control plans required

1. Any site which may have exposed or disturbed more than one acre of earth shall have a valid erosion and sedimentation control plan, approved by the Executive Director, for that particular site before commencement of work or grading. In the review and approval process the Executive Director will follow the requirements outlined in "Best Management Practices" of section 208 of the Non-Point Source Water Pollution Act as a guide. The erosion and sedimentation control plan may be submitted as part of the preliminary plat or as part of a separate drainage plan.
2. Exclusions. No soil erosion or sedimentation control plans shall be required for:
 - a. Nursery operations, such as the removal and/or transplanting of cultivated sod, shrubs, and trees.
 - b. Garden plots, lawn preparation, or landscaping activities on existing lots or parcels unless the possibility for erosion and sedimentation or alteration of drainage is such to necessitate soil erosion or sedimentation control plans.
 - c. Agricultural land management practices such as plowing or cultivation.

- d. Sanitary landfills operated and conducted in accordance with the requirements, rules, and ordinances adopted by Agency and the State of Tennessee.
 - e. Single lots of one acre or less or single one-lot subdivisions upon which no more than one acre of land will be graded.
 - f. Offsite borrow or disposal areas when the person conducting the permitted grading is not the person obtaining the borrow and/or disposal of the waste.
3. Notification of grading. Prior to commencing any site grading on a tract exceeding one acre, its developer shall give suitable notification to the Executive Director of the anticipated starting date. If, after such notification, all land-disturbing activity is interrupted for 60 days or more, suitable renotification must be given before said grading work continues.
- 3.090. Air and water quality, solid waste, and noise standards.
The following air and water quality, solid waste, and noise standards shall apply:

A. Air quality

All applicable State and Federal air quality standards and permitting requirements will be met for actions affecting property developed, maintained, managed, or sold by Agency.

B. Water quality

All applicable State and Federal water quality standards and permitting requirements will be met for actions affecting property developed, maintained, managed, or sold by Agency.

- 1. Provisions, principles, and guidelines outlined in the "TVA Water Quality Management Plan for Tellico Reservoir" will be followed by Agency in evaluation of water quality matters. Application of these provisions, principles, and guidelines shall be made by Agency in consultation with TVA on a case-by-case basis.
- 2. Use of conventional septic tank soil absorptive systems shall not be permitted on property developed, maintained, managed, or sold by Agency. Disposal methods utilizing innovative, alternative TVA-approved onsite disposal technology and package treatment plants will be permitted. Use and management of innovative, alternative disposal technology will require case-by-case review and approval by Agency, TVA, and appropriate State officials.

C. Solid waste

The Resource Conservation and Recovery Act of 1976, the Solid Waste Disposal Act Amendments of 1980, and other applicable Federal, State, and local laws and regulations promulgated to implement solid waste management shall apply to property developed, maintained, managed, or sold by Agency. Reuse, recycling, and disposal of waste generated on transferred land shall be confined to the industrial development district.

D. Noise

The following noise standards shall be applicable to the industrial development district:

1. Acceptable Industrial Noise Levels (measured at property boundary).

<u>Descriptor</u>	<u>Industrial</u>
L_n	65 dB
L_d	70 dB
L_{dn}	75 dB
L_{10}	75 dB
L_1	80 dB
$L_{0.1}$	85 dB

2. Three adjustments should be applied to the above levels.

- a. Incremental change - Complaints tend to increase proportionally to the difference between the baseline community noise level and the new level due to added industrial activity. Where calculated projections or actual measurements indicate a new level which is within the above values but which is more than 6 dB above the original background level, the project should be reevaluated to determine if the noise level can be reduced.
- b. Pure tones - Pure tones are more annoying than broad-band noise. The levels given above assume broad-band noise. Where pure tones are generated, the above levels should be reduced by 5 dB.

- c. Noise quality - Community noise tends to vary in level, particularly during the daytime hours. The less variation, the less annoying the noise is for a given average level. Thus, intermittent noises such as pile drivers, shift sirens, paging whistles, etc., are most likely to cause complaints and should be controlled as much as possible. The most restrictive standards will apply in cases where deed provisions or covenants are in conflict.

3.100. Roads, streets, and trails standards

A. Construction standards and inspections

1. Residential development district and commercial recreation planned unit development district. The construction standards for streets and roads, including curbs and gutters in these districts, shall be equal to or greater than those standards and specifications set forth in the current Loudon County Subdivision Regulations or required by the American Association of State Highway and Transportation Officials (AASHTO) or Tennessee Department of Transportation (TDOT) standards.
2. Industrial development district. Streets and roads in this district shall be designed in accordance with acceptable engineering practice and specifications and standards of AASHTO and constructed in accordance with TDOT Standard Specifications for Bridges and Highways.
3. Tellico Parkway. The Tellico Parkway shall be a controlled access road requiring approval of TVA for location of access point and maintained in accordance with applicable county maintenance specifications. Intersections of public access roads shall be designed and built according to AASHTO and TDOT standards.
4. Bicycle trails, paths, and lanes. Bicycle trails, paths, and lanes shall be designed and built according to the 1981 AASHTO guidelines in Guide for Development of New Bicycle Facilities.

B. Minimum width impracticable

In cases where topography or other physical conditions make a street, road, or trail of the required minimum width impracticable, Agency may modify the above requirements. Through proposed neighborhood or local business areas, the street right of way width shall be increased 10 feet on each side to provide for movement of vehicles into and out of necessary offstreet parking areas without interference to traffic.

C. Inspections

During the construction of any subdivision roads, where such roads will be public roads to be maintained by a county, the developer and/or the developer's contractor shall be required to keep the particular county road engineer advised as to the progress being made. Such roads shall meet the standards required by these subdivision regulations or any regulations adopted by the county, whichever is higher. In addition, the following inspections and/or approvals shall be required:

1. After clearing and stripping.
2. Approval of the drainage plan.
3. After grading and drainage are completed.
4. After the stone base is in place.
5. During and after application of all asphaltic materials.

D. Inspection responsibility

The developer or its representative will be responsible for notifying the particular county road engineer of each inspection. When the plat is submitted to Agency for final approval, the county road engineer shall be requested to make a final inspection. The engineer's findings and recommendations as to approval of the roads shall be reported in writing to Agency. In lieu of road improvements being completed upon request for final approval of the plat, Agency shall ask the advice of the county road engineer in regard to the amount of the bond, certified check, or other means to be accepted by Agency to guarantee such road improvements. The bond, check, or other means of guarantee shall not be released by Agency until the county road engineer has recommended approval as to the acceptability of the roads upon completion of construction.

3.110. Flood hazard reduction standards

A. Purpose of section

This section establishes standards for the use of those portions of transferred land located within floodways and flood fringe areas, preventing encroachments which will increase floodheights and thereby protecting persons and property from the dangers of periodic flooding. The standards shall apply to the lands below the elevation of the TVA Structure Profile on the Little Tennessee River and the lands below the elevation of the 100-year flood where the Structure Profile is at a lower elevation or is not defined.

B. Use of floodways

In floodways, the following uses may be permitted subject to review and approval of Agency in accordance with section 3.110 E:

1. Private and public water use facilities (e.g., fixed or floating boat docks, fixed or floating boathouses, floats, fixed piers, rafts, floating ski jumps and slalom courses, and bouy lines for swimming areas).
2. Commercial recreation boat dock and water use facilities (e.g., docks, fixed piers, floats, fixed or floating boat slips, fixed or water-related dock buildings but not including habitable structures, fuel-handling facilities, floodproof buildings for dry boat storage, and minor dredging for boat channels and harbors).
3. Picnic tables, benches, grills, and fences.
4. Underground, overhead, or anchored utility and related lines and support structures (e.g., cable TV, electric, pipeline, sewer, telephone, and water).
5. Water intake structures.
6. Outfalls.
7. Mooring and loading facilities for barge terminals.
8. Agricultural use.
9. Minor grading and fills (e.g., slopes for boat launching ramps, public highways, railroad crossings, pedestrian walkways and crossings, private driveways, retaining walls and riprap for bank stabilization, and parking lots).
10. Bridges and culverts for pedestrian, highway, and railroad crossings.

C. Uses prohibited

In floodways, all uses, except those uses or their accessory uses permitted by Agency, are prohibited. All dwelling units are specifically prohibited in floodways.

D. Use of flood fringe areas

In flood fringe areas the following uses are permitted:

1. No building or structure shall be erected, and no existing building or structure shall be extended or moved, unless the main floor of said building or structure is placed at least one foot above the elevation of the TVA Structure Profile on the Tellico Reservoir or the 100-year flood, as appropriate. No basement floor shall be constructed below or at a lower elevation than the main floor.
2. Foundations of all structures shall be designed to withstand flood conditions.
3. Land may be filled within these flood fringe areas provided such fill extends 25 feet beyond the limits of any structures erected thereon.

E. Approval of Agency

1. No permit shall be issued for the construction of any building or for any use within the floodways or flood fringe areas until Agency gives its approval in writing for such construction and use. Such construction and/or use may also require approval from TVA pursuant to Section 26a of the TVA Act. Any proposed development below the elevation of the Structure Profile shall also be subject to TVA approval under Section 26a of the TVA Act.
2. Any proposed development or structure above the elevation of the Structure Profile or where the Structure Profile is not defined shall be analyzed by the developer to determine whether it is in the floodway or flood fringe area of the 100-year flood. The developer shall submit its determination to TVA for review. TVA shall submit all proposals meeting TVA's standards to Agency. Based on the developer's analysis, TVA comments, and its own assessment, Agency shall review each development proposal for which there is no practicable alternative to siting in the floodplain. In its review, Agency shall apply the following standards, keeping in mind that the purpose of these regulations is to prevent encroachment into the floodway that will unduly increase floodheights and endanger life and property and to ensure that any development in the remainder of the floodplain is reasonably protected from flood damage:
 - a. All facilities permitted within the floodway or flood fringe areas should be designed and constructed to withstand flooding with minimum damage.
 - b. All development will adhere to the minimum standards of the National Flood Insurance Program published at 44 C.F.R., §§ 60.1-60.8 (1981), any

future amendments thereto, and Executive Order Nos. 11988 and 11990 and comply with local floodplain management regulations. In accordance with these minimum standards, proposed actions will be evaluated to ensure that development will not significantly increase 100-year flood elevations and will not involve placement of fill elsewhere flow obstructions in the floodway portion of the floodplain unless compensatory adjustments are also included.

- c. Construction and maintenance will be scheduled during dry periods to the extent practicable.
- d. Existing vegetation (ground cover and canopy) will be left in place and undisturbed to the maximum extent practicable.
- e. Best management practices will be used as a minimum to control surface water runoff and erosion. These practices are described in Guidelines for Erosion and Sediment Control Planning and Implementation (EPA Environmental Protection Technology Series Report No. EPS-R2-72-015, August 1972). Disturbed areas will be reseeded as soon as possible with species adapted to existing conditions.
- f. Dredge spoil will be disposed of properly in accordance with local, State, and Federal regulations at an inland site outside identified floodways.
- g. Riprap, as opposed to soil, when permitted by TVA, will be utilized as fill material below the maximum normal pool elevation.
- h. Prior to crossing areas harboring threatened or endangered species, or areas specifically identified as "sensitive," biologists will be contacted and will assist in the determination of mitigative measures necessary to negate or minimize impacts to these areas.
- i. In areas where overhead structures are constructed, streambanks will not be disturbed and equipment will not be driven in streams; selective cutting will be used to remove intruding vegetation; tumps will be left at a height that will encourage resprouting, retain soil, and reduce channel waterflow; and no areas will be stripped of vegetation.
- j. The granting of approval of any structure or use shall not constitute a representation, guarantee, or warranty of any kind or nature by Agency, TVA,

or by an officer or employee of either of the practicality or safety of any structure or use proposed and shall create no liability upon or cause action against such public body, officer, or employee for any damage that may result thereto.

F. Compliance with other regulations

All development within the floodways and flood fringe areas shall comply with the minimum requirements of the National Flood Insurance Program and Executive Order Nos. 11988 and 11990.

3.120. Archaeological resources

A. Preservation of archaeological resources

In order to preserve the archaeological resources of the Tellico project area, no portions of the transferred land shall be excavated, disturbed, or the physical character thereof altered without the initial concurrence of TVA, which shall not be unreasonably withheld, for the purpose of identifying archaeological or historical resources in or on that land and ensuring that the proposed development plans are compatible with preservation objectives required by applicable laws, regulations, and Executive orders, as determined by TVA.

B. Bowman House

Agency shall not take any action to alter the property known as the Bowman House that would affect its significance in American history, architecture, and culture to such an extent, as determined by TVA, that it would no longer qualify for inclusion in the National Register of Historic Places.

ARTICLE 4

SUPPLEMENTARY PROVISIONS
APPLYING TO SPECIFIC DISTRICTS

SECTION	
4.010.	Scope
4.020.	Offstreet loading and unloading standards
4.030.	Temporary use standards
4.040.	Customary home occupations
4.050.	Fallout shelter standards
4.060.	Gasoline service station standards
4.070.	Swimming pool standards
4.080.	Residential subdivision development standards
4.090.	Standards for planned unit developments in the residential district
4.100.	Standards for signs, billboards, and other advertising structures
4.110.	Mobile homes prohibited
4.120.	Automobile wrecking, junk, and salvage yards prohibited
4.130.	Development standards for cemeteries
4.140.	Commercial recreation planned unit development standards
4.150.	Energy efficiency standards for residential buildings
4.160.	Public use recreation areas
4.170.	Industrial development standards
4.180.	Interim use district standards
4.190.	Reservoir access procedures and private water use facility standards
4.200.	Offstreet parking standards

4.010. Scope. The development standards contained in this article are applicable to specific land use districts.

4.020. Offstreet loading and unloading standards. Every building or structure used for industry, business, or trade involving the receiving or distribution of vehicles, materials, or merchandise shall provide space for the loading and unloading of vehicles off the street or public alley. Such space shall have access to a public or private alley or, if there is no alley, to a public street. The minimum required spaces for this provision shall be based on the total usable floor area of each principal building according to the following:

<u>Total Usable Floor Area For Principal Building</u>	<u>Space Required</u>
0 to 4,999 square feet	One space
5,000 to 9,999 square feet	Two spaces
10,000 to 14,999 square feet	Three spaces
15,000 to 19,999 square feet	Four spaces
Over 20,000 square feet	Four spaces, plus one space for each additional 20,000 square feet

These standards may be reduced or increased in the interest of safety where unusual or special conditions warrant consideration. In addition, Agency may waive these requirements when the spaces are not needed.

4.030. Temporary use standards. Application for a Temporary Use Permit shall be made to Agency when the proposed use is seasonal or nonpermanent in nature. The application shall contain a description of the property to be utilized, a site plan, a description of the proposed use, and sufficient information to determine yard requirements, setbacks, sanitary facilities, and parking space for the proposed temporary use. The following uses are deemed to be temporary uses:

A. Temporary buildings

In any district, a Temporary Use Permit may be issued for a temporary real estate office or security building which has been approved by Agency or for a contractor's temporary office and equipment sheds incidental to a construction project. Such permit shall be valid for one year and may be renewed for six-month extensions. Such use shall be removed immediately upon completion of the construction project, or upon expiration of the Temporary Use Permit, whichever occurs sooner.

B. Other temporary uses

Temporary use permits may be provided by Agency for whatever use is deemed appropriate by Agency. These permits shall be valid for not more than 30 days.

4.040. Customary home occupations. No stock in trade shall be displayed outside a dwelling, and no alteration to any building including permitted accessory buildings shall indicate from the exterior that the building is being utilized in whole or in part for any purpose other than a residential unit. The following activities are specifically prohibited: dancing instruction, tea rooms, tourist homes, real estate offices, convalescent homes, beauty shops, mortuaries, animal clinics, dog kennels, and retail sales businesses. In addition, any other activity deemed by Agency to be incompatible with the district or a potential nuisance to the surrounding area shall not constitute an acceptable home occupation.

4.050. Fallout shelter standards. Fallout shelters are permitted as principal or accessory uses and structures in any district, subject to the yard and lot coverage standards of the district. Areas of underground fallout shelters extending not more than 30 inches above the general ground level of the graded lots shall not be included in computations of lot coverage by all buildings. Agency may waive side and rear yard setback requirements to permit construction of joint shelters by two or more property owners; provided, however, that side and rear yard setback requirements shall be met where property involved in the joint proposal abuts or adjoins property not included in the proposal. No fallout shelters shall protrude into any required front yard.

4.060. Gasoline service station standards. The following standards shall apply to all gasoline service stations:

- A. There shall be a building setback from all street rights of way lines of a distance of not less than 40 feet, except for canopies designed to cover the gasoline pump islands.
- B. Gasoline pumps shall not be located closer than 15 feet to any street right of way line.
- C. Sign standards as established in section 4.100 shall be met.

4.070. Swimming pool standards. The following standards shall apply to all swimming pools:

- A. No swimming pool or part thereof, excluding aprons and walks, shall protrude into any required front yard.
- B. The swimming pool area shall be walled or fenced so as to prevent uncontrolled access by children and pets from the street or adjacent properties. The fence or wall shall not be less than four feet in height and shall be maintained in good condition.
- C. The swimming pool shall drain into the public wastewater system.

4.080. Residential subdivision development standards.

A. General provisions

- 1. This subsection applies to residential subdivision development which occurs on transferred land designated for that purpose.
- 2. Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, or other menace, and land shall not be subdivided until proper provision has been made for drainage, water, roads, sewage, and capital improvements such as schools, parks, and recreation and transportation facilities as determined by Agency.
- 3. Any owner of land within this area proposing to subdivide land shall submit to Agency a plat of the subdivision according to the procedures outlined in section 4.080 B, which plat shall conform to the minimum requirements set forth in section 4.080 C. Improvements shall be installed as required by section 4.080 D of these standards.

4. Wherever a parcel of land is subdivided and the subdivision plat shows one or more lots containing more than one acre of land and there are indications that such lots will eventually be resubdivided into small building sites, Agency may require that such parcel of land allow for the future opening of streets, trails, and utility corridors and the ultimate extension of adjacent streets. Easements providing for the future opening and extension of such streets, trails, and utility corridors may be made a requirement of the plat.
5. Any plat or any part of any plat may be vacated by the owner of the premises, at any time before the sale of any lot therein, by a written instrument, to which a copy of such plat shall be attached, declaring the same to be vacated. Such an instrument shall be approved by Agency in like manner as plats of subdivisions. Agency may reject any such instrument which abridges or destroys any public rights in any of its public uses, improvements, streets, or alleys. Such an instrument shall be executed, acknowledged, or approved, and recorded or filed in like manner as plats of subdivisions; and being duly recorded or filed shall operate to destroy the force and effect of the recording of the plat so vacated, and to divert all public rights in the streets, alleys, and public grounds, and all dedications laid out or described in such plat. When lots have been sold, the plat may be vacated in the manner herein provided by all the owners of lots in such plat joining in the execution of such writing.

B. Procedure for plat approval

1. General

- a. Any developer which wishes to divide land into two or more lots, sites, or divisions for the purpose, whether immediate or future, of resale or building development, or which wishes to resubdivide for this purpose, shall submit a plat of such proposed subdivision to Agency for approval and shall obtain such approval prior to the filing of the subdivision plat for record. Any such plat of subdivision shall conform to the minimum standards of design for the subdivision of land as set forth in section 4.080 C.
- b. In order to secure review and approval by Agency of a proposed subdivision plat, the prospective developer shall, prior to the making of any street improvements or installations of utilities, submit to Agency a preliminary plat. On approval of the

preliminary plat, the developer may proceed with the preparation of the final plat and other documents required in connection therewith upon approval by Agency of the final plat. It shall then be recorded with the appropriate county register of deeds.

2. Preliminary plat

- a. The prospective developer shall submit to agency six copies of a preliminary plat of the proposed subdivision drawn to a scale of not less than one inch equals 100 feet. A preliminary plat shall not be acceptable for submission unless it meets all the required standards of design and unless it contains all required information.
- b. The preliminary plat which shall meet the minimum standards of design as set forth in section 4.080 C and the general requirements for the construction of public improvements as set forth in section 4.080 D shall give the following information insofar as possible:
 - (1) The proposed subdivision name and location, and the name, address, and telephone number of the designer of the plat, who shall be an engineer or registered surveyor. Agency shall have the right to approve subdivision names or designate names appropriate to subdivision development.
 - (2) Date, approximate north point, and graphic scale.
 - (3) The location of existing and platted property lines, existing streets, buildings, watercourses, railroads, sewers, bridges, culverts, drainpipes, water mains, and any public utility easements or lines, and the names of adjoining property owners or subdivisions.
 - (4) Plans of proposed utility layouts (sewers, water, gas, and electricity) showing feasible connections to the existing or any proposed utility systems.
 - (5) The proposed street names and the locations and dimensions of proposed streets, easements, parks, and other open spaces, reservations, lot lines, building setback lines, and utilities.

- (6) Contours at vertical intervals of not more than five feet except when specifically not required by Agency; such request must be made prior to the submission of a preliminary sketch plat.
 - (7) The acreage of the land to be subdivided.
 - (8) Location sketch map showing relationship of subdivision site to area.
 - (9) If any portion of the land being subdivided is subject to flooding, the area subject to flood shall be shown.
 - (10) Dominant ground cover.
- c. Within 60 days after submission of the preliminary sketch plat, Agency will review it and indicate approval, disapproval, or approval subject to modification as a basis for the preparation of the final plat. If a plat is disapproved, reasons for such disapproval shall be stated in writing. If approved subject to modifications, the nature of the required modifications shall be indicated.
 - d. One copy of the preliminary sketch plat shall be returned to the developer at the time of approval or disapproval with any notations as to required changes, if any.
 - e. The approval of the preliminary plat by Agency will not constitute acceptance of the final plat and a statement to this effect will be included on the preliminary plat.
 - f. The approval of the preliminary plat shall lapse unless a final plat based thereon is submitted within 12 months from the date of such approval unless an extension of time is applied for and granted by Agency.
3. Final plat
- a. The final plat shall conform substantially to the preliminary plat as approved and, if desired by the developer, it may constitute only that portion of the approved preliminary plat which the developer proposes to record and develop at that time; provided, however, that such portion conforms to all requirements of these standards. A final plat shall not be acceptable for submission unless it contains all of the required information.

- b. To allow sufficient time for review and processing by Agency, the developer shall submit six copies of the final plat, together with street profiles or other plans required by Agency at least 15 days prior to the meeting at which it is to be considered. The plat shall be drawn to a scale of 1 inch equals 100 feet on sheets 18 x 24 inches in size. When more than one sheet is required, an index sheet of the same size shall be filed showing the entire subdivision with the streets lettered in alphabetical order as a key. When the plat has been approved by Agency, one copy shall be returned to the developer with the approval of Agency indicated thereon for filing with the appropriate county register as the official plat of record. One copy shall be retained in the records of Agency; one copy shall be provided any utilities department or utility district, as applicable.
- c. Agency shall approve or disapprove the final plat within 30 days after its submission. If the plat is disapproved, the grounds for disapproval shall be stated in the records of Agency.
- d. Approval of the final plat by Agency shall not constitute the acceptance by the appropriate governing body of the dedication of any street or other public way or ground.
- e. The final plat shall show:
- (1) The lines of all streets and roads, alley lines, building setback lines, lots numbered in numerical order, reservations for easements, and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.
 - (2) Sufficient data to determine readily and reproduce on the ground the location, bearing, and length of every street line, lot line, boundary line, block line, and building line, whether straight or curved, and including the true north point, radius, central angle, and tangent distance for the centerline or curved streets and curve property lines that are not the boundary of curved streets.
 - (3) All dimensions to the nearest one hundredth of a foot and angles to the nearest minute.

- (4) Square footage of individual lots.
 - (5) Location and description of monuments.
 - (6) The names and locations of adjoining subdivisions and streets and the location and ownership of adjoining unsubdivided property.
 - (7) Date, title, name, and location of subdivision, graphic scale, and true north point.
 - (8) Location sketch map showing the site in relation to the area.
 - (9) The area subject to flood if any portion of the land being subdivided is subject to flood, as provided in section 3.110.
 - (10) All boundary traverses including lot and block traverses to an accuracy of at least 1 part for 5,000.
- f. The following certificates shall be presented with the final plat:
- (1) Certification showing the dedication of streets, rights of way, and other applicable sites for public use.
 - (2) Certification by registered surveyor to accuracy of survey and plat and placement of monuments.
 - (3) Certification that all materials and construction comply with these standards.
 - (4) Certification that all improvements have been installed in accord with the requirements of applicable regulations and these standards or certification that a security bond has been posted in sufficient amount to assure such completion of all required improvements. Such security bond is to be in a form and amount acceptable to Agency. The certification of approval is to be signed by the Executive Director of Agency.
 - (5) Certificate of approval for recording is to be signed by the Executive Director of Agency.
 - (6) Certification shall be in such forms as required by Agency and applicable law.

C. General requirements and minimum standards of design

1. Streets - standards for street design are contained in section 3.100.

2. Blocks

a. Length - blocks shall not be less than 400 feet nor more than 1200 feet in length, except as Agency considers necessary to secure efficient use of land or desired features of street pattern. In blocks over 800 feet in length, Agency may require one or more public crosswalks of not less than 10 feet in width to extend entirely across the block at the locations deemed necessary.

b. Width - blocks shall be wide enough to allow two rows of lots, except where reverse frontage on major streets and roads is provided or where prevented by topographical conditions or size of the property; in which case Agency may approve a single row of lots of minimum depth.

3. Lots

a. Adequate building sites - Each lot shall contain a building site not subject to flood as defined in section 3.110 of these standards and outside the limits of any existing easement or building setback lines required in section 4.080 C.3.d. Land within a floodway, as defined in section 3.110 shall not be platted for building purposes. Said land may be counted as part of the lot in computing lot sizes. Land within a floodway, as defined in section 3.110, shall not be platted for building purposes.

b. Arrangement - Of the lots proposed, at least 70 percent must be so oriented that building construction can effectively take advantage of solar energy collection techniques. This criteria is fulfilled if at least 70 percent of the proposed lots are oriented such that a straight line drawn from a point midway between the side lot lines at the required front yard set back to a point midway between the side lot lines at the required rear yard setbacks is oriented to within 23 degrees of true north. Exceptions to this may be granted whenever it is infeasible to comply due to:

(1) The configuration or orientation of the property;

(2) The nature of the surrounding development;

- (3) Circulation patterns;
- (4) Improvement design; or
- (5) Existing physical features of the site such as topography or vegetation.

Each lot must front for a minimum 75 feet upon a public street or road except in special instances, such as cul-de-sacs, in which case each lot must have frontage of at least 60 feet.

c. Minimum size - The size, shape, and orientation of lots shall be such as Agency deems appropriate for the type of development and use contemplated.

d. Building setback lines

- (1) The minimum depth of building setback lines from the street right of way line shall not be less than 30 feet from new minor residential streets and minor collector streets, cul-de-sac streets, and marginal access streets; 40 feet from major collector streets; and 50 feet from arterial streets and highways unless a greater distance is deemed to be necessary by Agency for the protection of the contemplated development on the property.
- (2) In the case of electric transmission lines where easement and rights of way are not definitely established, there shall be a minimum building setback line from the nearest of the transmission lines as follows:

<u>Voltage of Line</u>	<u>Minimum Building Setback</u>
46 KV	38 feet
69 KV	50 feet
161 KV & over	75 feet

- (3) In areas subject to flood where no fill is proposed, the building setback lines shall be located no closer to the stream than the edge of the area subject to flood as defined in section 3.110; in areas subject to flood where fill is proposed to raise the land for a building site, no fill shall be placed in the floodway and the building setback line shall be located not less than 15 feet landward from the outer edge of the fill.

- e. Corner lots - Corner lots shall have width sufficient to permit the additional side yard requirements of the building setback lines required by these standards.
- f. Fencing - The use of chain link fencing, open wire mesh, chicken wire, barbed wire, or other similar fencing materials is prohibited in any side or front yard.

4. Common areas

a. Common space - general requirements

- (1) In order to protect and preserve the physical amenities of the area, Agency shall require the dedication of common space within a development up to and including a total of five percent of the gross area of the development for parking lots and public facilities and 10 percent for recreational, natural, and historic areas.

Such common space area shall not include that area platted for water basins, water storage, or other permanent structures used for the storage or direction of watercourses.

- (2) The location, shape, size, and character of the common space shall be approved by Agency.
- (3) The uses authorized for the common space must be appropriate to the scale and character of the subdivision considering its size, density, expected population, topography, and the number and type of dwellings to be provided.
- (4) Common space may be suitably improved for its intended use but common space containing features worthy of preservation may be left unimproved. The buildings, structures, and improvements which are permitted in the common space must be appropriate to the uses which are authorized for the common open space and must conserve and enhance the amenities of the common open space with regard to its topography and improved condition.
- (5) The use and improvements of the common space must be planned in relation to a. existing

or proposed public or semipublic common space which adjoins or which is within close proximity to the perimeter of the subdivision.

- (6) All land shown on the final subdivision plat as common space shall be conveyed to a trustee, homeowners' association, or all affected landowners in common.
 - (7) No common space may be put to any use not specified in the final plat unless that plat has been amended to permit that use and approved by Agency.
 - (8) Any organization established for the ownership, operation, and maintenance of any common space shall not dispose of any common space by sale or otherwise (except to any organization established to own and maintain the common space) without first offering to dedicate the same to Agency or any other governmental body for public purposes and without Agency's approval.
 - (9) The developers will establish means to ensure adequate operation and maintenance of reserved common space. In the event that the organization established to own, operate, and maintain common space, or any successor organization, shall at any time after the establishment of the subdivision fail to maintain the common space in reasonable order and condition in accordance with the final subdivision plat, Agency may serve written notice upon such organization or upon owners or residents of the subdivision. If deficiencies or maintenance are not corrected after 30 days, Agency shall have the right to reenter and retake the common space.
- b. Common shoreline acreage - For subdivisions that have lots abutting the 820-foot boundary contour, common shoreline acreage shall be dedicated by the developer to ensure access to the water for all residents of the subdivision. The requirement for common space dedication set forth in this section may be fully or partially met by this shoreline acreage requirement. Community docks may be constructed on this common acreage, according to the standards set forth in section 4.140 D. This acreage shall be used for amenity or recreation purposes only and any proposed development of the acreage after the final plat is accepted must be approved by Agency.

The amount of common shoreline acreage and frontage on the 820 msl contour dedicated, shall be based on the following ratios of shoreline acres (defined in section 5.020) to dwelling units:

1-20 units	0.5 shoreline acre
21-30 units	1 shoreline acre
31-50 units	2 shoreline acres
51-70 units	3 shoreline acres
71-100 units	4 shoreline acres
over 100 units	acreage as required by Agency but not less than 5 shoreline acres

Limited vehicular access to the common shoreline acreage shall be provided. If the acreage is developed for a permitted use, a homeowners' organization shall be formed according to Agency procedures to operate and maintain the acreage.

c. Easements for utilities - Drainage and utility easements shall be provided on each side and rear lot lines or where deemed necessary by Agency. ~~The interior lot lines shall have no less than five foot easements and rights of way on each side of a lot and front and rear easements shall be no less than ten feet on each side of the lot line.~~ The easements shall be designed to adequately provide utilities and drainage for all lots in the proposed subdivision. Where drainage is proposed to cross any lot at any point other than the side or corner of the lot, the plat shall indicate the size of the pipe necessary to carry the proposed runoff. Each cul-de-sac shall have provisions for a 20-foot utility easement extending therefrom to prevent dead-end water mains. Easements of the same dimensions or greater width may be required by Agency along the lines of or across lots where necessary for the extension of existing or planned utilities.

d. Storm sewers - Where in the opinion of Agency the flow of water cannot be accommodated with surface drainage, storm sewers will be required. Agency shall determine, on the basis of the watershed and the probable runoff, the size of the storm sewers. In ascertaining the size of the storm sewers, Agency may call upon its technical staff or any public or private agency to assist it in its determinations.

- e. Water supply and sewerage connections - All lots shall be serviced by both public or private water and sewer facilities.
 - f. Community assets - In all subdivisions, due regard shall be shown for all natural features such as scenic vistas, large trees, watercourses, historical sites, and similar community assets which, if preserved, will add attractiveness and value to the property.
5. Suitability of the land
- a. Land which Agency has found to be unsuitable for subdivisions due to flooding, bad drainage, steep slopes, rock formations, or other features likely to be harmful to the safety, health, and general welfare of the future residents shall not be subdivided unless adequate methods approved by Agency are formulated by the developer for meeting the problems created by the subdivision of such land.
 - b. Land subject to flooding and land deemed to be topographically unsuitable shall not be platted for residential occupancy nor for such other uses as may increase danger to health, life, or property or aggravate erosion or flood hazard. Such land within the plat shall be set aside for uses that will not be endangered by periodical or occasional inundation or these topographic conditions.
 - c. Land within a floodway shall be considered unsuitable for residential occupancy or building sites. Special approval by Agency is required for construction of streets and roads in areas subject to flood. Fill may not be used to raise land within areas subject to flooding unless the plans for fill proposed have been approved by TVA in writing pursuant to Section 26a of the TVA Act.
 - d. Agency shall require the developer to obtain an opinion from a licensed professional engineer as to safety and adequacy of any fill to be placed on land subject to flood.
6. Large tracts or parcels
- When land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow for the opening of streets in the future and for logical further resubdivision.

7. Group housing developments

The following additional standards shall apply to group housing developments:

- a. Although the developer will be allowed to deviate from the lot area requirements for the individual lots on which residential structures are located, the subdivision itself must meet the overall minimum low density requirements. This may be accomplished through the provision of open spaces, open type recreational areas, and consolidated parking areas.
 - b. No parcel of land without an adequate public water supply shall be approved for subdivision use.
 - c. No group housing development will be approved unless an adequate sanitary sewerage system or innovative alternative onsite disposal is included in the plans and approved in accordance with applicable laws and regulations as outlined in section 3.090.
 - d. The exterior yards of the subdivision must meet the minimum setback standards.
 - e. All roads must be constructed to standards as set forth in section 3.100.
8. The following additional plans and schedules shall be submitted to Agency:
- a. The location and legal description of the proposed development.
 - b. Site plan showing location of all buildings, lot lines, yard sizes, setbacks, recreation and open space areas, utilities, parking, and common use facilities.
 - c. The location and dimensions of all points of entry and exit for cars, pedestrians, and complete interior circulation pattern.
 - d. Such other architectural, engineering, and geographical data as may be required to permit Agency to determine if the above standards are being complied with.
 - e. A time schedule for development.

9. Solar access protection

- a. When an active solar energy collection system is installed on a lot, accessory structures or vegetation on an abutting lot shall not be located so as to block the solar collector's access to solar energy. The portion of a solar collector that is protected is that portion which:
 - (1) Is located so as not to be shaded between the hours of 10 a.m. and 3 p.m.; and
 - (2) Has an area not greater than three-quarters of the heated floor area of the structure.
- b. This subsection does not apply to structures or vegetation existing in an abutting lot at the time of installation of the solar energy collection system. This subsection controls any structure erected on, or vegetation planted in, abutting lots after the installation of the solar energy collection system.
- c. A statement that a solar energy collection system is installed on the lot shall be filed and recorded with Agency, and that date of installation shall be the date of recordation.

D. Development prerequisite to final approval - required improvements

Every subdivision developer shall be required to grade and improve streets and to install curbs, sidewalks, monuments, sewers, storm water inlets, and water mains in accordance with these standards. The following standards shall govern:

a. Monuments or corner markers

- (1) Numbered concrete monuments four inches in diameter or four inches square, three feet long, with a flat top, shall be set at all street corners of street right of way lines, at all points where the street lines intersect the exterior boundaries of the subdivision, and at all corners of the plat. The top of the monument shall have an indented cross to identify properly the location and shall be set flush with the finished grade.
- (2) All other lot corners shall be marked with iron pipe or solid steel rod not less than one-half inch in diameter and 24 inches long and driven so as to be flush with the finished grade.

- b. Grading - Standards for grading all streets, roads, and alleys are included in section 3.100.
- c. Storm drainage - An adequate drainage system, including storm sewers, necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, etc., shall be provided for the proper drainage of all surface water.

(1) All pipe shall be either reinforced concrete or corrugated metal as specified below. Reinforced concrete pipe shall conform to AASHTO designation M-170 for the specified diameters and strength classes. Corrugated metal pipe shall conform to AASHTO designation M-36 for the specified diameters and gauges.

<u>Pipe Size</u>	<u>Corrugated Metal</u>	<u>Concrete</u>
15" - 24"	16 Gauge	Class III
30" - 36"	14 Gauge	Class III
42" - 48"	12 Gauge or 14 Gauge 3" x 1" corrugations	Class III

(2) All culverts over 24 inches in diameter shall be constructed with suitable concrete headwalls, and culverts less than 24 inches in diameter shall be constructed with tapered ends or endwalls.

Castings shall conform to AASHTO Designation M-105, Class 30B, for curb inlets and catch basins. All castings shall be true to pattern and dimension, free from faults or cracks, and cleaned of sand to provide a clean surface and uniform bearing.

Bricks shall conform to AASHTO designation M-91, grade SM. Eight-inch unreinforced concrete walls, six-inch reinforced concrete walls, or double brick walls shall be used.

- d. Roadway improvements - Standards for roadway improvements shall be as provided in section 3.100.
- e. Curbs and gutters - Standards for curbs and gutters are included in section 3.100.

f. Installation of utilities

- (1) All utilities, including electricity, telephone, cable television, and other utility facilities shall be installed underground by the developer. Where practical, all utilities shall be located on back lot lines.
- (2) In cases where it is not practical to locate utilities on back lot lines or road rights of way, then after grading is completed and approved and before any base is applied, all of the underground work including sewers, water mains, gas mains, electrical wiring, and telephone lines shall be installed completely and thoroughly throughout the length of the road.

g. Water supply system

- (1) Water shall be provided by a State-approved public or private water supply system.
- (2) Water mains properly connected with the public water supply system shall be constructed in such a manner as to adequately serve all lots shown on the subdivision plat for both domestic use and fire protection.
- (3) The size of water mains, the location and type of valves and fire hydrants, the amount of soil cover, the pipes, and other features of the installation shall be approved by Agency upon the recommendation of an applicable inspection agency or individual, and shall conform with accepted standards of good practice for municipal water systems and of the State Fire Marshal.

h. Sanitary sewers

- (1) All lots shall be connected to the sewerage system and shall meet the standards set forth in section 3.090. They shall meet all requirements of the Tennessee State Department of Health and be approved in accordance with applicable laws and regulations.
- (2) Innovative alternative onsite disposal - All lots not connected to a sewerage system shall be served by an approved innovative alternative onsite disposal system and shall meet the standards set forth in section 3.090 and the requirements of the Tennessee State Department of Health and other applicable laws and regulations.

- i. Erosion control - All development shall be in conformance with the grading, soil erosion, and sedimentation control standards required by section 3.080.
- j. Street and traffic signs - Street name signs shall be placed appropriately by the developer in new subdivisions and shall conform to the standards required by section 4.100. The developer shall provide and install traffic control signs where required by applicable laws and regulations. Traffic signs and their location and design shall conform to appropriate State and county regulations.
- k. Sidewalks
 - (1) Sidewalks on one or both sides of the streets or trails away from streets will be required if the development is in close proximity to schools, churches, recreational areas, community centers, etc.
 - (2) Sidewalks, if required, shall be located not less than one foot from the property line to prevent interference or encroachment by fencing, walks, hedges, or other planting or structure placed on the property line at a later date. In single-family residential areas, sidewalks shall be four feet wide and four inches thick. In commercial areas of any planned unit developments, sidewalks shall be ten feet wide and four inches thick.

4.090. Standards for planned unit developments in the residential district.

A. General provisions

The following general provisions apply to all planned unit developments in the residential district.

1. Ownership and division of land - No tract of land may be developed as a planned unit development unless the tract is initially under single ownership. The holder of a written option to purchase, any governmental agency, or a developer under contract shall be considered landowners for purposes of this section. Unless otherwise provided as a condition of approval of a planned unit development, the landowner of an approved planned unit development may divide and transfer parts of such development. The transferee shall complete each such unit and use and maintain it in strict conformance with the adopted final master development plan.
2. Relationship to the subdivision standards - The uniqueness of each proposal for a planned unit development may require that there be modification from the specifications established in the subdivision standards in section 4.080. Modifications may be incorporated only with the approval of Agency.
3. Common space - Common space shall be developed as provided in section 4.080.
4. Trails - A neighborhood trail system shall be developed in all planned unit developments according to the standards set forth in section 3.100.
5. Minimum size - The minimum size of a planned unit development is five acres.

B. Permitted activities and uses

The following activities may be permitted as part of a planned unit development except where expressly prohibited by these standards.

1. Residential: Single-family attached, semidetached, detached, duplex, and multifamily dwellings, not including mobile homes.
2. Community facilities: Churches and other religious institutions, not-for-profit clubs, and public or private educational facilities.

3. Recreational facilities: A community center, golf course, swimming pool, or park, playground or other recreational facility.
 4. Commercial activities: Convenience sales and services, including the retail sale from the premises of food items, drugs and other frequently needed small personal convenience items, such as toiletries, tobacco, and magazines, as well as the provision of personal convenience services which are typically needed frequently or recurrently, such as barber and beauty care; and including shoe shining and the operation of self-service laundromats and laundry or dry cleaning pickup stations but excluding other apparel cleaning and repair services.
 5. Financial, consulting, and administrative activities: Includes the provision of financial, insurance, legal, and real estate brokerage services, as well as the provision of advice, designs, information, or consultations of a learned professional nature. Also includes the executive, management, and administrative activities of private, profit-oriented firms, other than public utility firms. These activities do not include the storage of goods and chattels for the purpose of sale unless otherwise permitted by other provisions of these standards.
 6. Food service activities: Includes the retail sale of prepared foods or beverages primarily for onpremises consumption on the same lot but not to be consumed within a parked car.
 7. Medical services: Includes the provision of therapeutic, preventive, or corrective personal treatment services by physicians, dentists, and other practitioners as well as provision for medical testing and analysis services.
 8. Other limitations on commercial activities in planned unit developments are contained in 4.090 D.4.
- C. Obstructions, height regulations, accessory structures, customary home occupations, offstreet parking and sign control

All residential structures and community facilities within a planned unit development shall conform to the requirements governing these items as specified in these standards.

D. Densities allowed

1. Single-family residential areas may be developed at a density of up to 14 units per acre.
2. The amount of land set aside for common space and recreational use shall not be less than 15 percent of the gross development area for a planned unit development occupying 20 or more acres or 10 percent for a planned unit development occupying more than 5 acres but less than 20 acres.
3. Multifamily development sites may be developed at a density of up to 24 units per acre.
4. Commercial activities are permitted in planned unit developments occupying 20 or more acres. One acre of commercial uses may be permitted for each 100 units in the project provided that 25 percent of the total units proposed shall be ready for occupancy prior to any commercial building permit being issued.
5. The merits, potential impact, and space needs or use of any public or semipublic recreation or community facilities shall be considered in determining maximum site size.

E. Area regulations

1. Setback requirements

All buildings and structures shall be set back from street or road right of way lines and from the periphery of the planned unit development to comply with the following standards:

- a. Front yard - There shall be a minimum front yard setback as follows:
 - (1) Single-family detached, 20 feet.
 - (2) All others as determined by Agency with the setback being increased in proportion to structure height, but not less than 20 feet from a street or road right of way.
- b. Periphery boundary - All buildings or structures shall be set back from the periphery boundary not less than 35 feet.
- c. Side yard - Side yards shall be provided where buildings or structures are provided on individual lots as follows:

- (1) As determined by Agency but not greater than 15 feet unless this setback is also the periphery boundary.
 - (2) Where side yards are reduced to zero, the development site plans and restrictive covenants which provide for the privacy of such units and the right of maintenance of exterior walls facing adjacent properties shall be submitted to Agency.
- d. Rear yard - As determined by Agency but not greater than 35 feet.
- e. Lot area and size
- (1) Developments which subdivide and transfer property with the sale of individual units but which do not provide common space controlled and maintained by a duly established homeowners' association shall provide lot areas which are not less than 3,000 square feet in size.
 - (2) Developments which subdivide and transfer property with the sale of individual units and which provide common open space controlled and maintained by a duly established homeowners' association in accordance with Tennessee State law shall be permitted to create lots less than 3,000 square feet in size subject to Agency approval of a site plan, consistent with the intent as stated in the general description of this section.
- f. Maximum site coverage - The maximum area which may be covered by buildings shall be 50 percent of the gross acreage of the site.
- g. Maximum building height
- (1) Single-family attached or detached and duplex dwellings shall not exceed three stories.
 - (2) Height of all other buildings shall be as determined by Agency.
- h. Fencing - The use of chain link fencing in planned unit developments is prohibited. Swimming pools and utility installations are exempt from this restriction.

F. Common shoreline acreage

1. For planned unit developments that abut the 820-foot boundary contour, a certain amount of common shoreline acreage shall be dedicated by the developer to ensure access to the water for all residents of the development. The requirement for common open space dedication set forth herein may be fully or partially met by this shoreline acreage requirement. It is on this common acreage that community docks may be constructed, according to these standards. This acreage shall be used for amenity or recreation purposes only, and any proposed development of the acreage after the final development plan is accepted must be approved by Agency.
2. A planned unit development must have at least 20 dwelling units to require dedication of common shoreline acreage. The amount of common shoreline acreage dedicated shall be based on the ratios of shoreline acres given in section 4.080 C.4.b.
3. Limited vehicular access to the common shoreline acreage shall be provided. If the acreage is developed for a permitted use, a homeowners' organization shall be formed according to Agency procedures to operate and maintain the acreage.

G. Administrative procedure - Prospective developers of planned unit developments on transferred land shall submit written proposals for such development as provided in this section.

1. Outline development plan

- a. The prospective developer shall first submit an outline development plan consisting of both maps and a written proposal.
 - (1) The maps may be in a general schematic form but must contain the following information:
 - (a) The existing topographic character of the land.
 - (b) Existing and proposed land uses and the approximate density of the existing dwellings.
 - (c) The approximate location of any road shown on the major thoroughfare map.
 - (d) Public uses, including schools, parks, play areas, and other open spaces, both existing and proposed.

- (2) The written statement to accompany the outline development plan must contain a general indication of the expected schedule of the development.
- b. Within 30 days after the filing of the outline plan, Agency will decide whether the plan shall be approved, approved with modifications, or disapproved, and give reasons for its decision.
2. Preliminary development plan

- a. If an outline development plan has been submitted and approved, developer shall submit and Agency shall review the submission of a preliminary development plan in stages or as a whole. If a preliminary development plan has not been submitted within three months following the approval of the outline development plan, Agency may withdraw its approval of the planned development. In its discretion and for good cause, Agency may extend for three months the period for the filing of the preliminary development plan.

The preliminary development plan must include all of the following information:

- (1) A map showing street systems, lot lines, lot designs, and existing topographic characteristics.
- (2) Areas proposed to be conveyed, dedicated, or reserved for parks, playgrounds, swimming pools, recreation buildings, supporting commercial areas, trails, and similar public and semipublic uses.
- (3) A site plan for each building site and common area, showing the approximate location and dimensions of all buildings, structures, and improvements and indicating the open spaces around buildings and structures.
- (4) Elevation and perspective drawings of all proposed structures and improvements. The drawings need not be the results of final architectural decisions and need not be in detail.
- (5) A development schedule indicating: (1) the approximate date when construction of the project can be expected to begin; (2) the stages in which the project will be built and the approximate date when construction of

- each stage can be expected to begin; (3) the anticipated rate of development; (4) the approximate dates when the development of each of the stages in the development will be completed; and (5) the area and location of common open space that will be provided at each stage.
- (6) An offstreet parking and loading plan.
 - (7) An estimate of population and density and extent of activities to be allocated to parts of the project.
 - (8) The general means of the disposition of sanitary waste and storm water into State-approved utility systems.
 - (9) A tabulation of the land area to be devoted to various uses and activities and overall densities.
 - (10) Agreements, provisions, or covenants which will also govern the use, maintenance, and continued protection of the planned development and any of its common areas.
 - (11) If Agency finds that the planned development creates special problems of traffic, parking, landscaping, or economic feasibility, the following plans and diagrams shall be provided:
 - (a) A circulation diagram indicating the proposed movement of vehicles, goods, and pedestrians within the planned development and to and from existing and proposed thoroughfares. Any special engineering features and traffic regulation devices needed to facilitate or insure the safety of this circulation pattern must be shown.
 - (b) A landscaping and tree planting plan.
 - (c) An economic feasibility report or market analysis.
 - (12) If no outline development plan has been filed, the preliminary plan must contain the information required by subsection 4.090 G.1.a(1) and (2) and must include

enough of the area surrounding the proposed planned development to show the relationship of the planned unit development to adjacent districts.

Agency shall review the preliminary development plan and recommend its approval if it complies with these standards.

3. Final development plan

- a. Within three months following the approval of the preliminary development plan, the developer shall file with Agency a final plan containing in final form the information previously required in granting preliminary approval and the necessary signatures as required by section 4.080. In its discretion, and for good cause, Agency may extend for three months the period for the filing of the final development plan.
- b. Agency shall review the final development plan, and if it is in substantial compliance with the preliminary development plan, shall recommend approval.
- c. In accordance with applicable laws and regulations, building permits for buildings and structures in the area covered by the approved final development plan will be issued by Agency if the permits are in conformity with the approved final development plan and with all other applicable regulations. Agency shall issue a certificate of occupancy for any completed building or structure located in an area covered by the approved final development plan if the complete building or structure conforms to the requirements of the approved final development plan and all other applicable regulations.

4. Changes to final development plan

- a. No changes may be made in the approved final plan during the construction of the planned unit development except as specified.
 - (1) Minor changes in the location, siting, and height of buildings and structures may be authorized by Agency if required by engineering or other circumstances not foreseen at the time the final plan was approved. No change authorized by this section may change the size of any building or structure by more than 10 percent.

- (2) All other changes in use, rearrangement of lots, blocks, or building tracts, provisions for open spaces, or any other desired changes in the approved final plan must be submitted to Agency which will approve or disapprove them. No amendments may be made in the approved final plan unless they are shown to be required by changes in conditions that have occurred since the final plan was approved or by changes in the development policy of Agency.
 - b. Any changes which are approved for the final plan must be recorded as amendments to the recorded copy of the final plan.
 - c. If no construction has begun or no use is established in the development within one year after approval of the final development plan, the final development plan will lapse and be of no further effect.
5. Control of planned unit development following completion
- a. Upon completion of all the work within the planned unit development, Agency shall issue a certificate of completion which shall be noted on the recorded final planned unit development plan.
 - b. After the certificate of completion has been issued, no changes may be made in the approved final planned unit development plan except upon application to Agency under the following procedures:
 - (1) Any minor extensions, alterations, or modifications of existing buildings or structures may be authorized by Agency if they are consistent with the purposes and intent of the final plan. No change authorized by this section may change the size of any building or structure by more than 10 percent.
 - (2) A building or structure that is totally or substantially destroyed may be reconstructed only in compliance with the final development plan unless an amendment to the final planned unit development plan is approved under one of the two procedures specified above.

- (3) Changes in the use of common space may be authorized by an amendment to the final planned unit development plan under one of the two procedures specified above.
 - (4) All other changes in the final planned unit development plan must be made by Agency under the procedures authorized by these standards. No changes may be made in the final planned unit development plan unless they are required for the continued successful functioning of the planned development, or unless they are required by changes in the development policy of Agency.
- c. No changes in the final planned unit development plan which are approved under this section are to be considered as a waiver of the standards limiting the use of land, buildings, structures, and improvements within the area of the planned development, and all rights to enforce these standards against any changes permitted by this section are expressly reserved.
6. Subdivision and resale of the planned unit development
- a. A planned unit development may be subdivided or resubdivided for purposes of sale or lease after the certificate of completion has been issued.
 - b. If the subdivision or resubdivision of a planned unit development will create a new lot line, the applicant shall make a request to Agency for the approval of the subdivision or resubdivision. Agency shall approve the subdivision or resubdivision if each section of the subdivided or resubdivided planned unit development meets the provisions of these standards governing density, common space, and dimensional requirements.
 - c. All sections of a subdivided or resubdivided planned unit development are to be controlled by the final planned unit development plan.

4.100. Standards for signs, billboards, and other advertising structures. The following standards for signs, billboards, and other advertising structures shall apply:

- A. In any land use district, the following general standards shall apply as well as the regulations for signs and outdoor displays in the most current edition of the Southern Standard Building Code:

1. No sign shall be erected or maintained where by reason of its position, wording, illumination, size, shape, or color it may obstruct, impair, obscure, interfere with the view of, or be confused with, any authorized traffic control sign, signal, or device.
2. No sign having flashing, intermittent, or animated illumination shall be permitted.
3. No illuminated sign shall be permitted within 50 feet of property in any residential district unless the illumination of such sign is so designed that it does not shine or reflect light onto such property.
4. No billboards or portable signs shall be permitted.
5. Signs erected and overhanging any sidewalk must be placed at least eight feet above the sidewalk and may not exceed 200 square inches on one side or have more than two faces.
6. Signs for home occupations shall not exceed three square feet in area and shall be attached to the principal residential building.
7. No building walls or roofs shall be used for display of advertising in any district.
8. No sign shall be located so as to block or obscure vehicle or pedestrian sight lines creating dangerous conditions to either.
9. Temporary signs and posters are subject to the following requirements:
 - a. Each sign shall not exceed three square feet in area or extend more than four feet above ground level in height.
 - b. The signs shall not be located closer together than every 500 feet.
 - c. Such signs shall not be nailed to trees, fence posts, or public utility poles and shall not be located in the public right of way.
 - d. All signs advertising events shall be removed within 10 days after the event date.
10. In any district, the following signs shall be permitted:

- a. For parking areas, entrance and exit signs not exceeding two square feet in area and four feet in height. Such areas may also have not more than one sign not more than four square feet in area identifying or designating the conditions of the use of such parking area.
 - b. Nonilluminated "For Sale" or "For Rent" signs not exceeding two square feet in area, either affixed to the building or no more than four feet above ground in height.
 - c. One sign not more than 12 square feet in area or 6 feet in height giving the names of the contractors, engineers, architects, or other professional consultants during construction of a building.
 - d. Signs established by, or by order of, any governmental agency.
 - e. For special events of public interest, one sign not over 12 square feet in area or 6 feet in height located upon the site of the event.
- B. In a residential district, excepting a planned unit development, the following standards shall also apply:
1. Two informational signs are allowed per dwelling unit: (a) one sign of no more than one square foot in area affixed to the dwelling unit indicating the number and street address of the unit; and (b) a second sign of no more than one-half square foot in area affixed to a mailbox.
 2. Each subdivision and planned unit development is allowed one sign at its major entrance. The sign shall be ground mounted, no more than 6 feet in height, no more than 25 square feet in area per face with no more than 2 faces, and include only the name of the project and, if desired, a logo.
- C. In a residential planned unit development, residential units shall comply with the standards for signs in residential areas, and commercial properties shall comply with the standards for signs in commercial areas.
- D. In commercial areas, the following standards shall also apply:
1. One sign which identifies the owner and address of a building affixed to the building or window and no more than one square foot in size shall be allowed.

2. One permanent sign is allowed per business, not including signs which are part of a directory. The sign shall be permanently affixed to the building and not extend above the roofline of or below 8 feet above ground if it is a hanging sign above a pedestrian walkway or below 15 feet above ground if it is a hanging sign above a roadway or alley.
3. For isolated single establishments only, one ground mounted sign no more than 30 square feet in area per face with no more than 2 faces and no more than 6 feet in height shall be allowed.

E. In industrial districts, the following standards also apply:

1. For industrial parks, one ground-mounted directory sign no more than 75 square feet per face with no more than 2 faces and no more than 8 feet in height is allowed. The name of the industrial park and, if desired, its logo and the name of each industry and, if desired, the industry's logo is allowed.
2. For single industries, one ground-mounted sign no more than 50 square feet in area per face with no more than 2 faces and no more than 6 feet in height is allowed. The name of the industry and, if desired, its logo may be included.

4.110. Mobile homes prohibited. No mobile homes are permitted in any district except for the purpose of providing security at the Bowman House and a residence for resident managers at public use recreation areas as provided in section 4.160 A.6.b.

4.120. Automobile wrecking, junk, and salvage yards prohibited. No automobile wrecking, junk, and salvage yards are permitted in any district.

4.130. Development standards for cemeteries.

- A. The following standards shall apply to the development and construction of cemeteries:
1. Except for cemeteries in existence at the time the transferred land was acquired by Agency, cemeteries are restricted to the residential development district.
 2. The site proposed for a cemetery shall not interfere with the development of a system of collector and larger streets in the vicinity of such site. In addition, such site shall have direct access to a thoroughfare.

3. Any new cemetery shall be located on a site containing not less than 20 acres.
4. All structures, including, but not limited to, mausoleums, permanent monuments, or maintenance buildings shall be set back not less than 25 feet from any property line or street right of way line.
5. All graves or burial lots shall be set back not less than 25 feet from any property line or street right of way.
6. All cemeteries shall be landscaped and maintained in good order in accordance with State and other applicable regulations.

B. Application for cemetery permit

Except for cemeteries in existence at the time the transferred land was acquired by Agency, no person shall develop, construct, or maintain a cemetery in the area until securing a permit from Agency. An application for said permit shall be filed in accordance with section 6.020 of these standards, and shall be accompanied by a detailed site plan, a schedule for construction, financial plans for perpetual care, and other information herein required. Said application shall be considered by Agency and shall be approved or not approved within 60 days from the date of submission. Agency may require such additional information from the applicant as it feels is necessary to properly review the proposed development. All cemeteries must meet necessary State permitting requirements.

4.140. Commercial recreation planned unit development standards.

A. General

Due to the variety of facilities and levels of development found in commercial recreation enterprises, Agency shall identify specific guidelines and requirements relative to its intended level of development prior to marketing and advertising commercial recreation areas. Furthermore, Agency shall require all potential bidders to prepare and submit to Agency a detailed prospectus which Agency shall use as the basis for selection of a developer. The prospectus shall contain, at the minimum:

1. Conceptual site plans.
2. Specific facility plans.
3. Specific facility construction standards.
4. Specific facility operation and maintenance standards.

5. Schedule of investment.
6. Projections for at least a five-year period of income, expense, and cash flow.

B. Public health standards

Construction, maintenance, and operation of commercial recreation facilities shall be in accordance with applicable Tennessee Department of Public Health regulations.

C. Marinas

1. The installation, operation, and maintenance of marine fueling facilities shall be in compliance with all applicable laws and regulations.
2. All marina proposals are subject to TVA's Section 26a review procedure.
3. Marinas shall only be located in the commercial recreation planned unit development district.

4.150. Energy efficiency standards for residential buildings.

- A. All residential construction shall, as a minimum, fulfill the energy conservation efficiency standards stated in the TVA publication, Energy Saver Home Standards, October 1981, as it may be revised.
- B. New residential construction not specifically designed for active or passive collection of solar energy shall fulfill the standards set forth in Part A of the above publication.
- C. New residential construction not specifically designed for active or passive collection of solar energy may be constructed under Part B of the above publication if approval by Agency has been given prior to the beginning of any construction for tradeoffs in ceiling, wall, and floor insulation levels and window and door requirements to be used in construction under Part B.

4.160. Public use recreation areas.

- A. Public use recreation areas, including all facilities, shall be constructed, maintained, and operated by Agency according to the following standards:
 1. The construction, maintenance, and operation of areas shall be in accordance with applicable Tennessee Department of Public Health regulations.

2. Construction of additional recreation facilities beyond that provided by TVA and all facility reconstruction necessary due to vandalism or normal wear and tear shall be of the same quality in terms of materials and workmanship as that provided by initial TVA development.
3. The construction standards for streets and roads shall be equal to or greater than those standards and specifications set forth in section 3.100.
4. Areas shall be maintained in a condition which is attractive, free from litter and debris, evidence of vandalism, or hazardous obstructions.
5. Prior to the beginning of each recreation season, all areas shall be inspected to ensure that all facilities are in satisfactory condition. Facilities requiring repair or reconstruction shall receive immediate attention or be removed from public use. Areas characterized by extensive patches or bare or compacted soils or showing other signs of overuse shall be closed and rehabilitated.
6. In the operation of public use recreation areas, the following standards shall be applied:
 - a. At areas where boat launching ramps only are provided, no charge shall be assessed for their use. At other areas where charges are appropriate, recreation use fees will not exceed, and will be in accordance with, current Federal guidelines.
 - b. Resident managers shall be provided at all day-use areas and campgrounds to provide 24-hour security and onsite maintenance.
 - c. Length of stay at designated campgrounds shall be limited to 14 consecutive days. Campers will not be allowed to leave unattended camping equipment in campgrounds overnight.

4.170. Industrial development standards.

The standards set out in this section shall be applicable to all industrial development which occurs on the transferred land. These standards are generally applicable to small tracts of land of 20 acres or less. In those cases where these standards do not apply, such standards as TVA and Agency mutually agree to following appropriate review shall be applied.

A. Minimum lot

Lots shall have a minimum size of three acres and a minimum width at the front building setback line of 300 feet.

B. Maximum site coverage

Buildings and accessory facilities shall not cover more than 50 percent of the lot; and buildings, accessory facilities, parking, and materials handling and transfer facilities shall not cover more than 80 percent of the lot. No building or accessory facilities above ground shall extend beyond the building setback line(s) into the setback area.

C. Setbacks

1. The minimum distance structures shall be set back from the right of way line of streets or lot lines is:
 - a. Principal streets - 100 feet.
 - b. Secondary streets - 75 feet.
 - c. Side and rear setback requirements - 50 feet, provided if more than one lot shall be owned by one person or entity and in the improvement of such lot a building shall be erected on more than one lot, then the side setback requirement on the interior lot line or lot lines shall be waived. Provided, further, that if a part of a lot shall be sold before the approved principal building is erected, the line between the part sold and the part retained shall be the lot line to which the setback requirement shall apply.
2. Lots abutting upon a railroad lead track easement or right of way shall reserve a sufficient space to permit construction of a side track approximately parallel to the railroad easement or right of way.
3. Where easements or rights of way have been granted to Louisville & Nashville Railroad Company, its successors or assigns, no structures shall be constructed on said easement or right of way or any part thereof except with written consent of Agency, TVA, and the Louisville & Nashville Railroad Company, its successors, or assigns.
4. No structures shall be erected on the right of way of the Tellico Parkway.

✓
D. Building height

All buildings shall be limited to a height of 55 feet above finished grade, measured from the average elevation of the finished lot grade at the front of the building to the roofline; provided, however, that towers, tanks, fire or parapet walls, skylights, communication masts, flagpoles, chimneys, penthouses for elevator equipment, stairways, ventilating fans, or similar equipment or similar structures may exceed this height.

E. Construction and materials

Any industrial or accessory building shall be of masonry, concrete, or preengineered steel construction or its equivalent or better. Wooden frame construction is prohibited. The exterior of the front wall and the side walls shall be attractively finished and approved prior to construction by the Committee. Buildings located on corner lots must comply with this requirement on two sides. Simulated brick, brick of unnatural tones, and asbestos siding are prohibited. The exterior finish of the remainder of the side walls shall be common brick, concrete, concrete blocks, tile bricks, or enamel metal siding, their equivalent, or better. When the side or rear walls are constructed of concrete or concrete block, unless the exterior finish is stucco, gunite, or their equal, the joints shall be rubbed down and covered sufficiently with standard waterproofing paint. All other types of construction and use of materials not covered in the above shall be subject to and have the approval of the Committee.

F. Underground utilities, pipes, etc.

No outside pipe, conduit, cable, line, or the like for water, gas, sewage, drainage, or steam service shall be installed or maintained upon any lot above the surface of the ground, except for hoses and movable pipes used for irrigation or other purposes if approved by the Committee. All auxiliary machinery, equipment, or facilities used on any lot in connection with any such energies or services shall be located upon any lot only in such manner and upon such conditions as may be approved by the Committee.

G. Parking

1. For each building constructed, there shall be provided and constructed paved parking areas so as to provide dust-free, all-weather surfaces according to plans approved as specified herein and maintained thereafter in good condition. Each parking area shall be served by adequate driveways and space for the movement of

vehicles. The parking area shall be lined to identify individual spaces. Such parking shall be attractively landscaped by approved landscaping techniques and approved by the Committee and shall meet the minimum standards contained in section 4.200.

2. No parking areas shall be located on and no parking shall be permitted within 75 feet of the right of way of a principal street, within 25 feet of the right of way of a secondary street, or within 15 feet of nonstreet lot lines.
3. The number and the specific location of parking spaces required for each lot shall be as designated in plans submitted for each lot and approved in the manner described in this section.
4. Parking shall be partially screened from all streets in a manner approved by the Committee.

H. Loading

1. All provisions for vehicle loading shall be provided on the lot with no onstreet vehicle loading permitted.
2. All unloading and loading facilities, including truck and equipment parking and maneuvering space, shall be constructed entirely within the building setback lines.
3. Vehicle loading shall be confined to the rear and sides of buildings not adjacent to principal streets. Loading areas shall be visually screened from all streets and thoroughfares in a manner approved by the Committee.
4. All loading areas shall be paved.

I. Outdoor storage and service operations

Outdoor storage yards and service operations of any kind shall be visually screened from public view and all streets with suitable permanent-type fencing and/or landscaping in a manner approved by the Committee. No outside storage shall extend above the top of such screening. Said storage and service operations shall be confined to the rear two-thirds of the lot and within the required building setback lines. No fence, masonry wall, or similar fencing shall extend beyond the building setback lines in the setback area.

J. Environmental controls

1. Regulations - No use of the property shall be established, maintained, or permitted or any operation

thereon which violates these standards or any regulations of any public body having jurisdiction over such activities. Detailed plans for the management of operations may be required before approval by the Committee. Unless otherwise stated, all measurements to determine compliance with these controls shall be made at or beyond the boundaries of the lot.

2. Solid waste - All improvements on any lot shall be kept in a safe, clean, neat, and sanitary condition and shall comply in all respects with all Government health, fire, and police requirements. Each owner or lessee shall remove at its expense any solid waste of any character which may accumulate on said lot. During construction or improvement on any lot, the owner or lessee thereof shall keep the site free of unsightly accumulations of solid waste and construction materials; and trailers, shacks, and the like employed in connection with such construction shall be kept in a neat and orderly manner. The handling, storage, transport, and disposal of solid waste shall comply with regulations promulgated by the Tennessee Department of Public Health.
3. Liquid waste - No liquid waste shall be discharged into the public sewerage and treatment system which is dangerous to the public health and safety or is deemed unacceptable by the manager of any waste treatment plant. Any pretreatment that may be required or the use and disposal of hazardous wastes must be approved by the Committee. Storm drainage and surface runoff shall be segregated from industrial and sanitary waste. All apparent sources of contamination, such as operating areas, loading or unloading areas, product transfer pump areas, and equipment cleaning and maintenance areas shall not contaminate surface runoff. The volume, quality, and point of discharge of liquid wastes shall comply with regulations promulgated by the Water Quality Control Board of the Tennessee Department of Public Health and with the standards set forth in section 3.090.
4. Air pollution - No operation, or combination of operations, shall emit any solid, liquid, or gaseous matter that is at any point in concentrations or amounts that are noxious, toxic, or corrosive and which will have a tendency to cause injury or damage to property, business, or vegetation. Regulations promulgated by the Air Pollution Control Board of the Tennessee Department of Public Health shall govern air quality.
5. Fire - The manufacture, transportation, utilization, and storage of flammable materials shall be conducted

in accordance with accepted standards for safety and fire prevention. Such standards shall include the National Fire Codes and the appropriate standards of the American Petroleum Institute, the Manufacturing Chemists Association, and other organizations that promulgate standards of good practice. No flammable liquids shall be discharged into the public sewerage and treatment system.

6. Explosive materials - The manufacture of materials or products which decompose by detonation is prohibited (including, but not limited to, all primary, high, and blasting explosives, unstable organic compounds, and strong oxidizing agents in concentrations greater than 35 percent). The utilization of these materials or products in manufacturing processes is permitted only when authorized by Agency, and no storage is permitted except such accessory storage as may be authorized for use in the manufacturing process or other production. In any case, such storage shall be in accordance with the rules and regulations governing explosives promulgated by the State of Tennessee and other authorities having jurisdiction.
7. Radioactive materials - The manufacture, utilization, storage, and disposal of radioactive materials shall comply with the regulations established by the Nuclear Regulatory Commission and other authorities having jurisdiction.
8. Odorous matter - No operation shall release odorous matter in such quantities as to become a nuisance or source of unreasonable discomfort at any point beyond the lot line.
9. Noise - Noise continuously radiated from any operation shall not cause sound pressure levels greater than those listed in the following table, as adjusted, either at ground level or at a habitable elevation, whichever is more restrictive:

- a. Maximum permissible sound-pressure levels at specified points of measurement for noise

Octave Band in Cycles/Second	Sound Pressure Level in Decibels			
	Zone I	Zone II	Zone III	
Below	75	68	74	80
75 -	150	59	67	74
150 -	300	52	59	66
300 -	600	46	52	58
600 -	1,200	42	46	50
1,200 -	2,400	39	42	45
2,400 -	4,800	36	38	40
4,800 -	10,000	33	34	35
Above	10,000	30	30	30

- b. The sound pressure level shall be measured with a sound level meter and an octave analyzer. Sounds of short duration shall be measured with an impact noise analyzer. Instruments shall conform to specifications published by the American Standards Association.

- c. Adjustments (in decibels):

Minus 5: (a) Any time between 10 p.m. and 5 a.m., (b) at a property line abutting residential zones, and (c) noise of impulsive or periodic character (hammering, hum, screech, etc.).

Plus 5: At a property line abutting industrial zones.

Plus 5, 10, or 15: If noise is not smooth and continuous and source operates less than 20 percent, 5 percent, or 1 percent respectively of any one-hour period.

- d. The sound pressure level shall not exceed the maximum values in each column.

10. Vibration - No operation of any device shall create groundborne, steady-state vibrations discernible without the aid of measuring displacements as follows:

- a. Maximum permitted steady-state vibration displacements:

Frequency Cycles/Second	Displacement in Inches		
	Zone I	Zone II	Zone III
0 - 10	.0003	.0008	.0020
10 - 20	.0002	.0005	.0010
20 - 30	.0001	.0003	.0006
30 - 40	.0001	.0002	.0004
40 - 50	.0001	.0001	.0003
50 - 60	.0001	.0001	.0002
60 and over	.0001	.0001	.0001

- b. Measurements shall be made using measuring devices of a standard approved by the U.S. Bureau of Standards and mutually approved by the industry in question and the measuring authority.
11. Heat, movement of air, and humidity - No operations, or combination of operations, on any lot shall cause as a result of normal activities any undue or exaggerated effects on the temperature, motion, or humidity of the atmosphere.
 12. Glare - Operations or processes producing intense glare shall be performed so that direct or sky-reflected glare is not discernible beyond the lot line. This restriction shall not apply to signs otherwise permitted by these regulations or to floodlighting of the building for aesthetic purposes provided that the intensity and brilliance of such lighting does not annoy adjacent property owners or impair the visibility on public thoroughfares.
 13. Electromagnetic radiation and interference - No operation, or combination of operations, on any lot shall create a source of electromagnetic radiation which does not comply with the current regulations of the Federal Communications Commission regarding such sources. Further, said operations shall not cause abnormal degradation in performance of other electromagnetic radiators or receptors.
 14. Animals - No livestock, poultry, or other animals shall be kept on any lot except as required for research and development activities or activities related to the practice of veterinary medicine or the boarding and care of domestic animals; and in no event shall any stable, hutch, barn, coop, or other housing or shelter for animals or for the storage of materials be placed or maintained upon any lot, except as approved by the Committee.

15. Miscellaneous noxious
noxious or offensive tra
on or upon any lot or s
tion maintained thereo
annoyance or nuisance in
tion of that term to per
areas.

K. Plans and specifications

1. Submission - No site in
erected, placed, moved
any lot, nor shall any
be altered in any way
exterior appearance the
commenced on any lot su
plans and specifications
by the owner or lessee t

2. Information required

- a. Plans and specific
duplicate and shall
shall be in such fo
Committee but in an
tion described in th
plans and specificat
made in two phases,
- b. Information which s
preliminary design p
of the lot showing p
 - (1) Location and c
showing the kind
materials, exter.
tion with respe
 - (2) Location of drive
areas, and ease
ship to existi
lots.
 - (3) Location for ut
 - (4) Grading plan
both onsite a
proposed constr
 - (5) Site clearing p
 - (6) Conceptual land

- (7) Description of possible environmental situations which may not comply with section 4.170.
- c. Information which shall be furnished during the final design phase shall include detailed plans, working drawings, and specifications reflecting the approved preliminary site plan and including:
- (1) Detailed plans of structures with elevations showing exterior materials and exact finishes and colors.
 - (2) Details of site improvements, such as parking lots, loading areas, curbing, walks, fences, and special screening.
 - (3) Detailed grading and drainage plans.
 - (4) Detailed landscape plan indicating size and species of all plantings.
 - (5) Driveways, easements, and rights of way.
 - (6) Location and details for signs and lighting.
 - (7) Detailed plan for ensuring compliance with section 4.170; Environmental Controls (as may be requested by the Committee).
3. Approval - Upon approval by the Committee of any plans and specifications, a copy of such plans and specifications, as approved, shall be deposited for permanent record with the county register in the county where the development is to be located so as to provide notice to all future purchasers that such approvals have been obtained; and a copy of such plans and specifications bearing such approval shall be returned to the applicant. Approvals by the Committee shall be in writing.
4. Disapproval
- a. The Committee shall have the right to disapprove any plans and specifications submitted hereunder because of any of the following:
- (1) Failure to comply with any of the standards described herein.
 - (2) Failure to include information in such plans and specifications as may have been reasonably requested by the Committee.
 - (3) Objection to the exterior design, appearance, or materials of any proposed structure.

- (4) Objection on the ground of incompatibility of any proposed improvements or use with existing improvements or uses upon other lots in the vicinity.
 - (5) Objection to the location of any proposed structure upon any lot or with reference to other lots in the vicinity.
 - (6) Objection to the grading plan for any lot.
 - (7) Objection to the color scheme, finish, proportions, style of architecture, height, bulk, or appropriateness of any proposed structure.
 - (8) Objection to the number or size of parking spaces or to the design or location of parking areas proposed for any lot.
 - (9) Any other matter which, in the judgment of the Committee, would render the proposed improvements or use inharmonious with the general plan of improvement of the property located upon other lots or other properties in the vicinity.
- b. Where the Committee shall disapprove any plans and specifications submitted hereunder or shall approve the same only as modified or upon specified conditions, such disapproval or qualified approval shall be accompanied by a statement of the grounds upon which such action was based. In any such case, the Committee shall, if requested, make reasonable efforts to assist and advise the applicant in order that an acceptable proposal can be prepared and submitted for approval.
5. Rules and regulations - time for approval
- a. The Committee may promulgate rules, standards, or guidelines governing the form and content of plans and specifications to be submitted for approval and may issue statements of policy with respect to approval or disapproval of the architectural styles or details or other matters which may be presented for approval. Such rules and such statements of policy may be amended or revoked by the Committee to approve or disapprove any feature or matter subject to approval or to waive the exercise of the Committee's discretion as to any such matter.

- b. Approval for use on any lot of any plans and specifications shall not be deemed a waiver of the Committee's right, in its discretion, to disapprove such plans or specifications of any of the features or elements included therein if such plans, specifications, features, or elements are subsequently submitted for use on any other lot or lots.
- c. Approval of any such plans and specifications relating to any lot, however, shall be final as to that lot; and such approval may not be revoked or rescinded thereafter, provided: (a) the improvements or uses shown or described on or in such plans and specifications do not violate any specific prohibitions contained in these standards, and (b) that the plans and specifications, as approved, and any conditions attached to any such approval have been adhered to and complied with in regard to all improvements and uses on the lot in question.
- d. In the event that the Committee fails to approve or disapprove any plans and specifications as herein provided within 60 days after receipt, the same shall be deemed to have been approved as submitted; and no further action shall be required to evidence such approval, subject, however, to the standards contained herein.

L. Implementation of plans

- 1. Construction commencement - Construction of an approved principal building shall begin within two years from the date said lot is received by owner or lessee; provided, however, anything in this paragraph to the contrary notwithstanding, Agency may extend in writing the time in which such construction shall begin.
- 2. Lease agreements
 - a. If, at the expiration of two years from the date of execution of a lease agreement conveying any lot within said property, any lessee or assign has not in good faith complied with paragraph 1 of this section, with reasonably complete plans to carry through to prompt completion the construction of said building, Agency shall have the right and option to terminate the lease agreement. A provision to this effect shall be included in all such lease agreements.
 - b. In the event any lessee shall desire to terminate the lease agreement on all or any part of an unimproved lot within the property, Agency shall

have the right, at its option, to terminate the lease agreement and to refuse any refund to the lessee.

M. Easements and rights of way

1. Reservation

a. Nonexclusive easements and rights of way are hereby expressly reserved for Agency, its successors, and assigns in, on, over, and under (a) those areas on each lot with respect to which easements are shown on the recorded subdivision plat relating thereto; or (b) if no easements are shown on any such plat, to a strip of land within lot lines of each lot 20 feet in width in the front and rear of the lot and 10 feet in width on each side of the lot (not adjacent to a street), each said distance being measured in each case from the lot line toward the center of the lot.

b. Owners or lessees shall grant additional easements for future railroad tracks and sidings, gas, water, sewerage, telephone, entrance and access roads, and electrical lines and execute any and all instruments necessary and reasonable for further development of the property; provided that no such area or easement shall interfere with any building planned for, or constructed on, the said real estate by the owner or lessee.

2. Use - Easements and rights of way are reserved for the following purposes:

a. For the erection, installation, construction, and maintenance of (1) poles, wires, lines, and conduits, and the necessary or proper attachments in connection with the transmission of electricity, telephone, community antenna television cables, and other utilities and similar facilities; and (2) stormwater drains, land drains, public and private sewers, pipelines for supplying gas, water, and heat, and for any other public or quasi-public utility facility or function.

b. For slope control purposes, including the right to grade and plant slopes and prevent the doing of any activity which might interfere with slope ratios approved by the Committee for the property or which might create erosion or sliding problems or change, obstruct, or retard drainage flow.

c. For public pathways and open space corridors.

d. For roads, streets, highways, and railroads.

3. Access

- a. Agency and its respective agents, successors, and assigns shall have the right to enter upon all parts of the easement area of each lot for any of the purposes for which said easement and rights of way are reserved.
- b. Agency shall also have the right at the time of, or after, grading any street or any part thereof, to enter upon any abutting lot and grade the portion of such lot adjacent to such street.

Combination or subdivision of lots

1. Combination - Contiguous lots held in common ownership and designated for the same land use may for the purpose of these standards be treated as one entire lot; provided that the owner thereof shall file with Agency a written statement declaring its intention to treat such contiguous lots as one lot, and any severance of ownership of such contiguous lots shall thereafter be subject to the provisions of section 4.170 N.3.
2. Subdivision
 - a. No lot shall be subdivided without the approval of the Committee. In the event that any such subdivision is approved and a portion of a lot or two or more contiguous lots is severed in ownerships from the remainder of such lot or contiguous lots, such portion so severed, and the remaining portion of such lot or contiguous lots, shall each thereafter be treated for all purposes hereunder as separate lots.
 - b. Newly formed lots shall comply with the requirements of section 4.170 D.
 - c. No improvements may be placed or altered on any newly formed lots unless and until requirements of section 4.170 F shall have been complied with, and plans and specifications shall have been approved by the Committee. The Committee may withhold such approval if, in its sole discretion, it determines that any standard contained herein shall have been violated.
3. Lease agreements - The combination or subdivision of leased lots for the purposes of subleasing or renting by lessee shall not be permitted.

4.180. Interim use district standards.

- A. Land in the interim use district (undeveloped land) shall be available for the growing of crops on an interim basis under the following conditions:
1. To avoid serious erosion, the land to be row cropped shall not have a slope greater than 15 percent.
 2. To avoid siltation of water bodies and pollution of surface and ground water by fertilizer and pesticides, the land to be farmed shall not be within 50 feet of any body of surface water.
 3. To avoid conflicts with incompatible land uses, the land to be farmed shall not be within 50 feet of a residential or commercial or public use recreational development.
 4. A 100-foot-wide, undisturbed (uncultivated and unburned) buffer zone, which will be planted or managed to create riparian habitats to enhance wildlife populations, including waterfowl, will be left between the river or lake shoreline and all agricultural areas.
 5. A 100-foot-wide, undisturbed (uncultivated and unburned) buffer zone, which will be planted or managed to create riparian habitats to enhance wildlife populations, including waterfowl, will be left between all tributary streams and licensed areas.
 6. A 25-foot-wide buffer zone of undisturbed vegetation will be allowed to revert to native tree, shrub, or grass cover along the entire length of all existing fence rows (on both sides) and woodland borders.
- B. The grazing of livestock shall also be allowed on an interim basis under the following conditions:
1. Grazing rates will be regulated to protect and enhance soils, vegetation, and other land uses. Numbers of livestock and time periods within an individual tract will be determined by Agency-developed and -applied animal-use-month standards.
 2. To avoid conflict with incompatible land use, the land grazed shall not be within 50 feet of any residential or commercial and public use recreational development.
 3. All grazing areas shall be fenced.
- C. Land in the interim use district shall be available for firewood cutting and commercial forestry on an interim basis under the following conditions:

1. All harvesting operations shall satisfy the requirements of the Tennessee Division of Forestry's "Best Management Practices" issued pursuant to Section 208 of the Non-Point Source Water Pollution Act.
2. To avoid serious erosion and also protect visual amenities, there shall be no clearcuts of greater than five acres.
3. To protect visual amenities, desirable stands of trees of unique value shall be permanently protected.
4. To avoid conflicts with incompatible land uses, there shall be no commercial forestry within one-quarter mile of residential or commercial and public use recreation development, and Agency shall control firewood cutting thereon.
5. Commercial logging trades shall not use residential streets.
6. Proposed firewood cutting and commercial logging shall be approved by procedures developed by Agency.

4.190. Reservoir access procedures and private water use facility standards.

A. Reservoir access procedures - general

1. Access to the Tellico Reservoir shall be in accordance with Attachment C to Contract No. TV-60000A, Procedures For Approval of Private Recreational Water Use Facilities on Tellico Reservoir, Section 26a of the TVA Act and applicable TVA regulations, other applicable law, and these standards.
2. No private water use facilities shall be built along the shorelines of the Little Tennessee River or Tellico River channels.
3. No habitable structures will be allowed.

B. Community docks

1. Each residential subdivision or planned unit development shall be allowed one community dock to be located in an embayment adjacent to the development.
2. The size of community docks will be determined on the basis of not more than one slip per residential unit; provided, however, that no dock shall have fewer than 20 slips. However, the water surface area shall be kept to a minimum so as to limit encroachment and to provide only the minimum area required to accommodate the necessary facilities.

3. Commercial services, including, but not limited to, gasoline pumps, bait and tackle shops, refreshment stands, and repair shops, are not permitted at community docks.
4. All boat slips shall be permanently and securely anchored to the shoreline. Buoy mooring is not permitted.
5. All docks shall be kept in good repair.
6. Access roads and parking lots shall be designed so that automobiles hauling trailers need not be backed except down boat launching ramps.
7. Single- or double-wide concrete boat launch ramps may be provided.
 - a. Ramps' width and top and bottom elevations shall be provided by the applicant and shown on the plans.
 - b. Ramps shall be constructed on a 12- to 15-percent grade to provide optimum launching conditions.
 - c. Piers shall also be provided to gain safe access to boats.

4.200. Offstreet parking standards.

A. Minimum standards

Offstreet automobile storage or standing space shall be provided on each lot upon which any of the following uses are hereafter established. One vehicle space shall be 200 square feet in size (10 feet x 20 feet) and such space shall be provided with vehicular access to a street. The number of parking spaces provided shall meet the minimum standards for the specific uses as set forth below:

1. Single detached dwelling and duplex - not less than two spaces for each dwelling unit.
2. Apartment dwelling - not less than one and one-half spaces per dwelling unit.
3. Boarding houses and rooming houses - not less than one space for each one room to be rented.
4. Townhouse and condominium - not less than two spaces per dwelling unit.
5. Other dwelling units - not less than two spaces per dwelling unit.

6. Hotels, motels, and other tourist accommodations - not less than one space for each room to be rented plus one additional space for each three employees.
7. Auditoriums, churches, stadiums, or other places of public assembly - not less than one space for each five seats provided in such places of assembly. For places of public assembly where seating is not a measure of capacity, such as clubhouses, funeral parlors, etc., at least one space for each two hundred square feet of floor space devoted to that particular use shall be provided.
8. Manufacturing, industrial or wholesaling use - not less than one space for each five employees anticipated during maximum production, with a minimum of five spaces provided for any establishment. For establishments maintaining space for the sale of products at retail, there shall be provided one parking space for each 500 square feet of floor area devoted to retail sales.
9. Office and professional buildings - not less than one parking space for each 300 square feet of office space located on the first floor, plus one parking space for each 500 square feet of floor space, or fraction thereof, above or below the first or main floor; provided that office space constructed or arranged on the floors above or below the first floors of retail or other business establishments and not used in connection therewith, shall not fall within the meaning of this subsection.
10. Retail sales and service establishments - not less than one parking space for each 200 square feet, or fraction thereof, of commercial floor space.
11. Medical or dental clinic - not less than four spaces per doctor, plus one additional space for each two employees.
12. Service stations - not less than five spaces for each grease rack or service bay or one space for each 1,500 square feet of lot area, or fraction thereof, whichever is greater.
13. Restaurants - not less than one space per 150 square feet of floor area, plus one space for each two employees.
14. Other - for buildings and uses not listed, the off-street parking requirements shall be determined by Agency.

B. Compliance with minimum parking standards

Each development proposal submitted to Agency shall include information as to the location and dimensions of offstreet parking spaces and the means of ingress and egress for such spaces. This information shall be in sufficient detail to determine whether or not the standards of this section are met.

C. Combination of required parking space

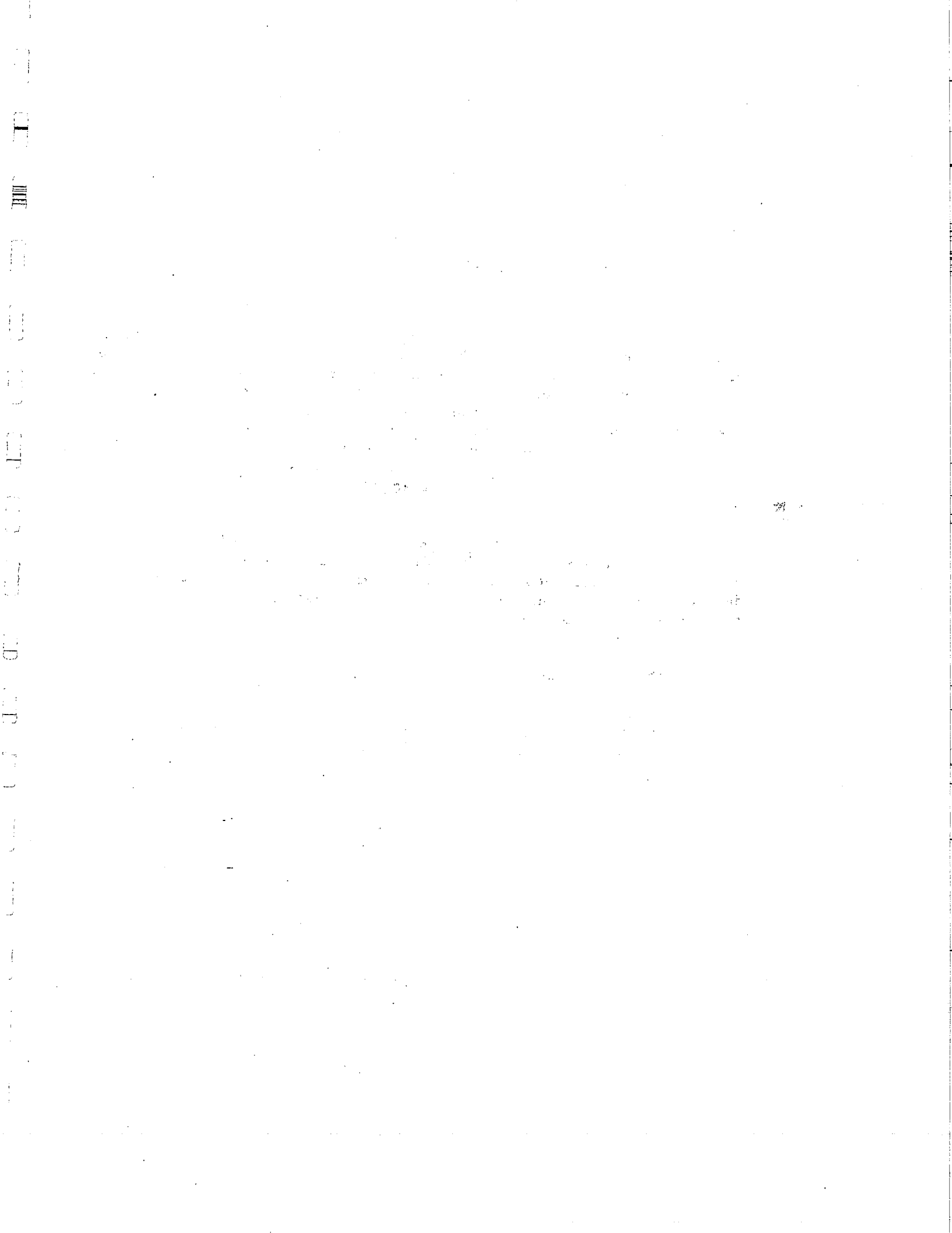
The required parking space for any number of separate uses may be combined in one lot, but the required space assigned to one use may not be assigned to another use, except that the parking space required for churches, theatres, or assembly halls whose peak attendance will be at night or on Sundays may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

D. Remote parking space

If the offstreet parking space required by these standards cannot be reasonably provided on the same lot on which the principal use is located, such space may be provided on any land within 200 feet of the main entrance to such principal use, provided such land is in the same ownership as the principal use. Such land shall be used for no other purpose so long as no other adequate provision of parking space, meeting these standards, has been made for the principal use.

E. Standards for design of parking lots

1. Except for parcels of land devoted to one- and two-family residential uses, all areas devoted to offstreet parking shall be so designed and be of such size that no vehicle is required to back into a public street to obtain egress.
2. Each parking space shall be no less than 200 square feet in area.
3. Entrances and exits for all offstreet parking lots shall comply with the standards of section 3.060.
4. The parking lot shall be designed in such a manner as to provide adequate drainage and to eliminate the possibility of stagnant pools of water.
5. Grading of offstreet parking lots shall comply with the standards in section 3.080.



ARTICLE 5

DEFINITIONS

SECTION

- 5.010. Scope
5.020. Definitions of general terms

5.010. Scope. For the purpose of these development standards, 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 hereinafter defined. Words used in the present tense shall include the future tense; words in the singular number include the plural, and the plural the singular; the term "shall" is always mandatory and not directory; and the word "may" is permissive. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied."

5.020. Definitions of general terms. The following words, terms, and phrases are hereby defined as follows and shall be interpreted as such throughout these development standards. Terms not herein defined shall have the meaning customarily assigned to them or such as the context may imply.

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

ACCESSORY BUILDING: A subordinate building, the use of which is incidental to that of a main building and located on the same lot therewith.

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

ADVERTISING: Includes any writing, printing, painting, display, emblem, drawing, sign, or other device designed, used, or intended for advertising, whether placed on the ground, rocks, trees, tree stumps, or other natural structures or on buildings, structures, milestones, signboards, wallboard, roofboard, frames, supports, fences, or other manmade structure. Any such advertising shall be considered a structure within the meaning of the word "structure" as utilized herein.

ADVERTISING SIGN OR STRUCTURE: See SIGN OR OTHER ADVERTISING DEVICE.

AGENCY: The Tellico Reservoir Development Agency, organized and existing pursuant to The Tellico Reservoir Development Agency Act of 1982, Pub. Ch. No. 679 (to be codified at 66 Tenn. Code Ann. Ch. 1 §§ 2-11).

AGRICULTURAL 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 and floriculture.

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

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

ALTERATION: As applied to a building or structure, a change or rearrangement in the structural parts or an enlargement, whether by extending a side or by increasing its height, or structural changes, other than repairs, that would affect safety. The term "alter," in its various modes and tenses and its practical forms, refers to the making of an alteration.

APPRAISED FAIR MARKET VALUE: The fair market value as established by an appraiser, selected from a panel of qualified appraisers mutually agreed to by TVA and Agency, familiar with the project area, and established through an appraisal conducted within the last six months.

AREA, BUILDING: The total area taken on a horizontal plane at the main grade level of the principal building and all necessary buildings exclusive of uncovered porches, terraces, and steps.

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

AUTOMOBILE WRECKING, JUNK, AND SALVAGE YARDS: Any lot or place which is exposed to weather and upon which more than three or more vehicles or parts thereof are located which would not be economically feasible to make operative.

AVERAGE GROUND ELEVATION: The elevation of the mean finished grade at the front of a structure.

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

BILLBOARD: Any sign, including its structure, which does not conform in height or size to the standards outlined in section 4.100.

BUFFER ZONE: A zone of vegetative cover sufficient to restrict significant movement of soil resulting from land-disturbing actions in the immediate vicinity of watercourses in the reservoir area, including manmade or natural drainageways.

BUILDING: Any structure having a roof supported by columns or by walls, including tents, lunch wagons, dining cars, mobile homes, and similar structures whether stationary or movable.

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

BUILDING CODE(S): The most recent edition of the Southern Standard Building Code, as revised, published by the Southern Building Code Congress International.

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

BUILDING SETBACK LINE: A line delineating the minimum allowable distance between the property lines 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 delineating the minimum allowable distance between the street right of way, or if an official future street right of way has been established, from that future street right of way 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 delineating the minimum allowable distance between the rear property line and a building on a lot (other than for permitted accessory structures). The rear setback line extends the full width of the lot.

BUILDING SETBACK LINE, SIDE: A line delineating the minimum allowable 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.

CLINIC: See MEDICAL FACILITY.

COMMERCIAL FEED LOT: Any parcel of land on which 10 or more cattle or hogs are being kept and fed for the purpose of slaughter and sale on the commercial food market.

COMMERCIAL RECREATION PLANNED UNIT DEVELOPMENT DISTRICT: Transferred land as shown on Attachment A to Contract No. TV-60000A designated for commercial recreation activities in accordance with these development standards.

COMMON SPACE: Land in a residential district that is held in common ownership by the landowners of that residential development district and used for amenity or recreational purposes.

COVERAGE: The lot area covered by all buildings located thereon, including the area covered by all overhanging roofs.

COUNTRY CLUB: A chartered, not-for-profit membership club with facilities catering primarily to its membership and may provide, but not be limited to, one or more of the following recreational or social amenities: golf, riding, clubhouse, pool, dining facilities, and lounge use.

CULTURAL/PUBLIC USE/OPEN SPACE DISTRICT: Transferred land as shown on Attachment A to Contract No. TV-60000A designated to be managed so as to protect and enhance the cultural resources and scenic amenities of the project area; provide a buffer between incompatible or contrasting land uses; provide areas for passive or informal recreational purposes; and permit complementary agricultural, forestry, and wildlife utilization.

CUSTOMARY HOME OCCUPATION: A gainful occupation or profession conducted by a family member residing on the premises and conducted entirely within the principal dwelling unit.

DAY AVERAGE SOUND LEVELS (L_d): The L_{eq} for the 15-hour time period from 7 a.m. to 10 p.m.

DAY NURSERY: Any place, home, or institution which receives six or more young children for exercise, play, observation, and instruction.

DAY-NIGHT AVERAGE SOUND LEVELS (L_{dn}): The L_{eq} for the 24-hour period from midnight to midnight obtained by summing L_d with the quantity (L_n plus 10 dB). By formula:

$$L_{dn} = 10 \log_{10} \left(\text{antilog} \frac{L_d}{10} + \text{antilog} \frac{L_n + 10}{10} \right)$$

DEVELOPER: Any individual, firm, corporation, association, partnership, or other entity involved in the development of land for itself, Agency, or others.

DEVELOPMENT LAND: Those portions of the transferred land that are designated as industrial, residential, and commercial recreational areas, or cultural/public use/open space areas to be transferred to Agency pursuant to Contract No. TV-60000A.

DISTRICT: Any section or sections of the area lying within the transferred land.

DOCK: Any structure extending from the land into the water intended primarily for the mooring of boats.

DWELLING: A building or part thereof used as a habitation under one of the following categories:

- A. Apartment dwelling. A building and accessories thereto principally used, designed, or adapted for use and occupancy by three or more households each of which has separate living quarters.
- B. Boarding house. A building and accessories thereto principally used, designed, or adapted to provide living accommodations for not more than six occupants and having common cooking and dining facilities.
- C. Condominium. An apartment building or townhouse containing three or more dwelling units being under or intended for separate ownership.
- D. Duplex dwelling. A building and accessories thereto principally used, designed, or adapted for use by two households, the living quarters of each of which are completely separate.
- E. Mobile home or trailer. A vehicular, portable structure built on a chassis, designed for year-round or temporary 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.
- F. Prefabricated dwelling. A single detached dwelling constructed primarily offsite, designed to be transported on a flatbed truck or trailer, installed on a permanently enclosed concrete or masonry foundation, with sewer and water connections designed for permanent connection to municipal or onsite systems and permanently connected to such systems. Such structures are distinguished from mobile homes as described elsewhere in these standards when they have a minimum gross floor area of 600 square feet and having no horizontal exterior dimensions of less than 15 feet not including porches or carports. When such a structure meets the above stated requirements, it shall qualify as a single detached dwelling.
- G. Rooming house. A building and accessories thereto principally used, designed, or adapted to provide living accommodations for not more than six occupants and without owner-provided cooking and dining facilities.
- H. Single attached dwelling. Two separate dwelling units principally used, designed, or adapted for use by two separate households that are attached to each other by an exterior side wall.

- I. Single detached dwelling. A building and accessories thereto principally used, designed, or adapted for use by a single household.
- J. Townhouse. A residential structure containing three or more single nondetached dwelling units each separated by a common vertical wall.

EASEMENT LAND: Those portions of the transferred land that are designated for public use recreational purposes pursuant to Contract No. TV-60000A.

EQUIVALENT CONTINUOUS SOUND LEVELS (L_{eq}): The calculated level of a steady sound which, during a stated time period and at a stated location, has the same A-weighted sound energy as the measured time-varying sound.

EXECUTIVE DIRECTOR: The duly appointed director of Agency or Agency's authorized representative.

EXECUTIVE ORDER NO. 11988: Presidential Executive Order entitled "Floodplain Management" and promulgated May 24, 1977.

EXECUTIVE ORDER NO. 11990: Presidential Executive Order entitled "Protection of Wetlands" and promulgated May 24, 1977.

FAIR MARKET VALUE: The price that unimproved land would bring when offered for sale by one who wants to sell but is not forced to sell and sought by one who would like to buy but is not required to buy, with the seller being allowed a reasonable time to find a purchaser.

FAMILY: One or more persons related by blood, marriage, or adoption, or a group of not to exceed five persons not all related by blood, marriage, or adoption, occupying the premises and living as a single housekeeping unit not operated on a for-profit basis, as distinguished from a group occupying a boarding or lodging house or similar dwelling for group use. A family shall not be deemed to include domestic servants employed by said family.

FLOOD: A temporary rise in water levels or an accumulation of water runoff, resulting in inundation of areas not ordinarily covered by water.

FLOOD, 100-YEAR: A flood having a 1 in 100 (1%) chance of being equaled or exceeded in any one-year period.

FLOOD, REGIONAL: A flood comparable to the largest floods known to have occurred on streams of similar physical characteristics in the same general geographical region. Ordinarily, the region considered is within a radius of 100 miles or less. Extraordinarily large and rare floods are not included in this determination.

- FLOOD FRINGE AREA:** The area within the floodplain which is outside of the floodway.
- FLOODWAY:** The natural channel and the portion of the adjacent floodplain along the channel that must be retained solely for the passage of floodwaters to prevent an undue increase in flood heights upstream.
- FLOOR AREA:** The sum of the gross floor area for each of the several stories under roof, measured from the exterior limits or faces of a building or structure.
- FORESTRY USE:** Land uses devoted to the extraction of forestry products, such as timber or timber products, but excluding any activity involving the rearing, trapping, or slaughter of animals.
- FRONTAGE:** All the property on one side of a street between two intersecting streets (crossing or terminating) measured along the line of the street, or if the street is dead ended, then all the property abutting on one side between an intersecting street and the dead end of the street.
- GASOLINE SERVICE STATION:** Any area of land, including structures thereon, that is utilized for the retail sale of gasoline, oil (but no butane or propane fuels), or automobile accessories, or incidental services including facilities for lubricating, hand car washing and cleaning, or otherwise servicing automobiles, but not including painting or major repair.
- GRADE, FINISHED:** The completed surfaces of lawns, walks, and roads brought to grades as shown on plans or designs.
- GROUNDBORNE VIBRATIONS:** A cyclic movement of the earth due to energy propagation.
- HEIGHT OF BUILDING OR STRUCTURE:** The vertical distance from the average ground elevation or finished grade at the building line, whichever is highest, to the highest point of the building or structure.
- HOME OCCUPATION:** See section 4.040.
- HOSPITAL:** See MEDICAL FACILITIES.
- IMPACT NOISE:** Noise of short duration or rapidly changing sound which causes fluctuation of the sound level meter needle in excess of plus or minus two decibels and is therefore incapable of being accurately measured on a sound level meter.
- INDUSTRY:** All manufacturing, storage, warehousing, ports, and shipping buildings and facilities, and other related activities which may serve to directly encourage the creation of jobs in the project area.

INDUSTRIAL DEVELOPMENT DISTRICT: Transferred land as shown on Attachment A to Contract No. TV-60000A designated for industrial development activities in accordance with these development standards.

INNOVATIVE ONSITE WASTEWATER SYSTEMS: Any subsurface wastewater disposal system which is an alternative to conventional rectangular trench, gravity-fed distribution design.

INTERIM USE DISTRICT: All undeveloped transferred land to be managed in accordance with these development standards.

JUNK YARD OR SALVAGE YARD: A lot, land, or structure, or part thereof, used for the collection, storage, processing, or sale of wastepaper, rags, scrap metal, or discarded material; or for the collection, dismantlement, storage, and salvage of machinery or vehicles not in running condition, or for the sale of parts thereof.

LAND-DISTURBING ACTIVITY: Any land-disturbing activity including cutting, filling, borrowing, stockpiling, or other activity where material or ground cover is removed or altered.

LIQUID WASTE: All liquid wastes which result from industrial processes and manufacturing operations which may result in the pollution of any surface or ground waters, including, but not limited to, industrial and sanitary sewage and ground, surface, storm, or other water as may be present.

LIVERY OR BOARDING STABLE: Any parcel of land which is utilized to board 10 or more horses which are owned by persons not residing on the premises.

LIVESTOCK: Domestic animals of types customarily raised or kept on farms.

LIVESTOCK FEEDING YARDS: An enclosure designed or used for holding livestock for purpose of sale or transfer by auction, consignment, or other means.

LOADING SPACE: An area 12 feet by 40 feet with a 14-foot high clearance providing for the standing, loading, or unloading of a truck or other vehicle.

LODGES AND RESORTS: Those dwellings and structures whose primary purpose is to provide temporary lodging and short-term recreational use for persons whose principal residence is elsewhere.

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

LOT, AREA: The total surface land area included within lot lines.

LOT, CORNER: A lot of which at least two adjoining sides abut their full lengths on a street, provided that the interior angle at the intersection of two such sides is less than 135 degrees.

LOT, DEPTH: The average distance from the street line of the lot to its rear line, measured in the general direction of the side lines of the lot.

LOT, FRONTAGE: That dimension of a lot or portion of a lot abutting on a street, excluding the side dimension of a corner lot.

LOT, INTERIOR: A lot other than a corner lot.

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

LOT, WIDTH: The width of a lot at the building setback line measured at right angles to its depth.

MARINA: A commercial facility for the docking and servicing of boats and which may include restaurants, shops, and other recreational facilities.

MEDICAL FACILITIES: Such facilities shall include:

- A. Convalescent, rest, or nursing home: A health facility where persons are housed and furnished with meals and continuing nursing care for compensation.
- B. Dental clinic or medical clinic: A facility for the examination and treatment of ill and afflicted human outpatients; provided, however, that patients are not kept overnight except under emergency conditions.
- C. Hospital: An institution providing health services primarily for human inpatient medical or psychiatric care and including related facilities such as laboratories, outpatient facilities, emergency medical services, and staff offices which are an integral part of the facility.
- D. Public health center: A facility utilized by a health unit for the provision of public health services.

MINIMUM FLOOR ELEVATION: The lowest elevation permissible for the construction, erection, or other placement of any floor, including a basement floor.

MINIMUM UPSET PRICE: The appraised fair market value of a tract of property established for purposes of an auction sale or other

transfer to be conducted under the terms of Contract No. TV-60000A, an amount below which will not be accepted for the sale or transfer of this property.

NIGHT AVERAGE SOUND LEVELS (L_n): The L_{eq} for the nine-hour time period from 10 p.m. to 7 a.m.

NONCONFORMING USE: Any building, structure, or use of land which does not conform to these development standards.

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

ODOROUS MATTER: Any material, gas, liquid, or solid that produces an objectionable response in the normal human nose.

OPEN SPACE: An area on the same lot with a main building which is open, unoccupied, and unobstructed by structures from the ground to the sky except as otherwise provided in these standards.

OWNER: The person in whom or which is vested the ownership, dominion, or title of property so far as the law permits.

PARKING LOT: An offstreet facility including parking spaces with adequate provisions for drives and aisles for maneuvering and obtaining access and for entrance and exit.

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

PERCENTILE EXCEEDED LEVELS (L_x): The fast A-weighted sound level equaled or exceeded by a fluctuating sound level X percent of the stated time period. For example, L_{10} is the level which would exceed 10 percent of the time period.

PERSON: "Person" includes a firm, partnership, corporation, joint venture, or Federal, State, or local agency, other than TVA, as well as an individual.

PLANNED UNIT DEVELOPMENT: A single planned area of land which has both individual building sites and common property such as a park, and is designed and organized to be capable of satisfactory use and operation as a separate entity without necessarily having the participation of other building sites or other common property. The ownership of the common property may be either public or private.

PLANS AND SPECIFICATIONS: Any site plan, design drawings, specifications, grading, access, landscaping plans and designs,

or any other document, drawing, or literature which illustrates, describes, or otherwise interprets the plan of development proposed for any structure, site, or subdivision designated for development.

PLAT: A map or representation on paper of a piece of land subdivided into lots with streets, alleys, etc., usually drawn to scale.

PORT: A facility for the on-and-off loading of commercial cargo from barges, railcars, or trucks, located only in industrial districts.

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

PRIVATE WASTEWATER TREATMENT: Individual subsurface sewerage disposal systems, package treatment plants, or individual aeration systems employed for the collection, treatment, and/or disposal of wastewater, as approved in accordance with applicable laws or regulations.

PROFESSIONAL OFFICE: The office of a physician, dentist, attorney, architect, engineer, planner, accountant, or one otherwise practicing a learned profession.

PUBLIC ROAD: A road or highway over which the public has the right of passage.

PUBLIC USE: Public parks, schools, and administrative, cultural, and service buildings, not including public land or buildings, devoted solely to storage and maintenance of equipment and materials.

PUBLIC USE RECREATION AREAS: Those tracts of the transferred land as shown on Attachment A to Contract No. TV-60000A which are designated for public use recreation activities in accordance with these development standards.

PUBLIC WASTEWATER SYSTEM: A municipal, community, or utility district sewerage treatment and disposal system of a type approved by the State Department of Public Health and the Public Service Commission.

PUBLIC WATER: A municipal, community, or utility district water treatment and distribution system of a type approved by the State Department of Public Health and the Public Service Commission.

RESIDENTIAL DEVELOPMENT: The comprehensive and orderly development of land designated for such purposes, either by subdivision or planned unit development.

RESIDENTIAL DISTRICT: Transferred land as shown on Attachment A to Contract No. TV-60000A which is designated for residential development activities in accordance with these standards.

RIDING STABLE: Land which is available for individuals to ride or train horses and on which 10 or more horses are boarded for these purposes.

RIGHT OF WAY: The right of passage imposed by law or convention through which one has the right to pass or drive through the estate of another.

ROADSIDE STAND: A structure used or intended to be used solely by the owner or tenants for the sale of only seasonal farm products of the farm on which it is located.

ROADWAY: The actual road surface, including necessary road shoulders and drainage facilities, ditches, curbs, and gutters, which is used to transport motor vehicles.

SANITARY LANDFILL: An area or site utilized by a public or private entity for disposal of solid waste or refuse in a manner which meets the regulations imposed upon the operation and maintenance of sanitary landfill sites by the State Department of Public Health.

SHELTER, FALLOUT: A structure or portion of a structure intended to provide protection to human life during periods of danger from nuclear fallout, air raids, storms, or other emergencies.

SHORELINE ACRE: A tract of land of which no less than 100 linear feet and no more than 200 linear feet must abut the 820-foot boundary contour.

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

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

SIGN, ON-PREMISE: A sign relating to a product, service, or establishment that is on the premises on which the sign is located.

SITE: Any tract, lot, or parcel of land or combination of tracts, lots, or parcels of land which is in one ownership or is

continuous and in diverse ownership where grading, construction, or development is to be performed as part of a unit, subdivision, or project.

SITE DEVELOPMENT ACTIVITIES: Activities conducted by Agency on development land intended to encourage the sale or other transfer of this property to a third party.

SOLID WASTE: All solid wastes which result from industrial processes and manufacturing operations, including, but not limited to, garbage, refuse, rubbish, trash, scrap materials, off-test and rejected solid materials, by-products, spent catalysts, waste sludges, rubble, and other such solid waste materials resulting from operations and activities taking place on a lot.

SPECIFICATIONS: See PLANS AND SPECIFICATIONS

STORY: That portion of a building included between the upper surface of any floor and the upper surface of the floor next above or any portion of a building between the topmost floor and the roof which is used for human occupancy in which the floor area with 8 feet or more head clearance equals 50 percent or more of floor area of the next story below. Provided it is not used as a dwelling unit, a top floor in which the floor area with 8 feet or more of head clearance equals less than 50 percent of the floor area of the story next below shall be a "half-story." A basement shall be considered as a story if more than half of its height is above the average ground level from which the "height of a building" is measured or if it is used for commercial purposes.

STREET: A public road, highway, or thoroughfare which constitutes, or is designed to constitute, the main access to more than one lot and which has been legally dedicated and accepted for public use.

STRUCTURE: Any combination of materials, including buildings, constructed or erected, the use of which requires location on the ground or attachment to anything having location on the ground and including, among other things, signs, billboards, and fences. Structure shall also mean any fill, diversion dam, or other manmade thing or device which affects or alters the natural flow of surface waters upon or across any natural or artificial stream, wash, or drainage channel.

STRUCTURE PROFILE: The contour established by TVA along the Tennessee River and tributary reservoirs which marks the elevations above which structures are permitted. In no instance are buildings for human habitation or any other form of development subject to significant damage permitted below this elevation. The profile is developed to avoid increasing the flood damage potential in areas affected by reservoir operations. Water use

facilities such as wharves and piers are necessarily built at lower elevations, subject to prior approval by TVA and in most instances by the United States Army Corps of Engineers.

SUBDIVISION: The division of a tract or parcel of land into two or more lots, plots, sites, or other division of land for the purpose of sale or building development, whether immediate or future, including the resubdivision of such tract or parcel.

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

TELLICO PARKWAY: A limited access, public use road, the portion of which to be conveyed to Agency under Contract No. TV-60000A is approximately 7.9 miles in length, beginning at Station 11+65, as shown on TVA drawing 1101H201 and ending at Station 431+00, as shown on TVA drawing 1101H215.

TOXIC MATERIALS: Materials (gaseous, liquid, solid, particulate) which are capable of causing injury to living organisms by chemical reaction even when present in relatively small amounts.

TRANSFERRED LAND: All land acquired by TVA in the name of the United States for the Tellico project lying above the 820 msl contour and designated as either development or easement land except for project land adjacent to Watts Bar Reservoir where the structure profile shall be 750 msl rather than 820 msl.

TRAVEL TRAILER: A vehicular, portable structure 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.

UNIMPROVED LAND VALUE: The fair market value of a tract of property established as though no onsite development activities had been conducted thereon by Agency, pursuant to Contract No. TV-60000A, but taking into account the enhancement in value to such property resulting from offsite improvement activities conducted by Agency or any third parties.

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

WATERCOURSE: Any natural or artificial stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, street, roadway, or wash in which water flows in a definite direction or course, either continuously or intermittently, and which has a definite channel, bed, or banks subject to inundation by reason of overflow of surface water.

YARD: An open space on the same lot with a principal building, open, unoccupied, and unobstructed by buildings from the ground to the sky except as otherwise provided in this resolution, provided that accessory buildings may be located in a rear yard.

YARD, FRONT: The yard extending across the entire width of the lot between the nearest part of the principal building, including porches, and the front lot line.

YARD, REAR: The yard extending across the entire width of the lot between the nearest part of the principal building, including porches, and the rear lot line.

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

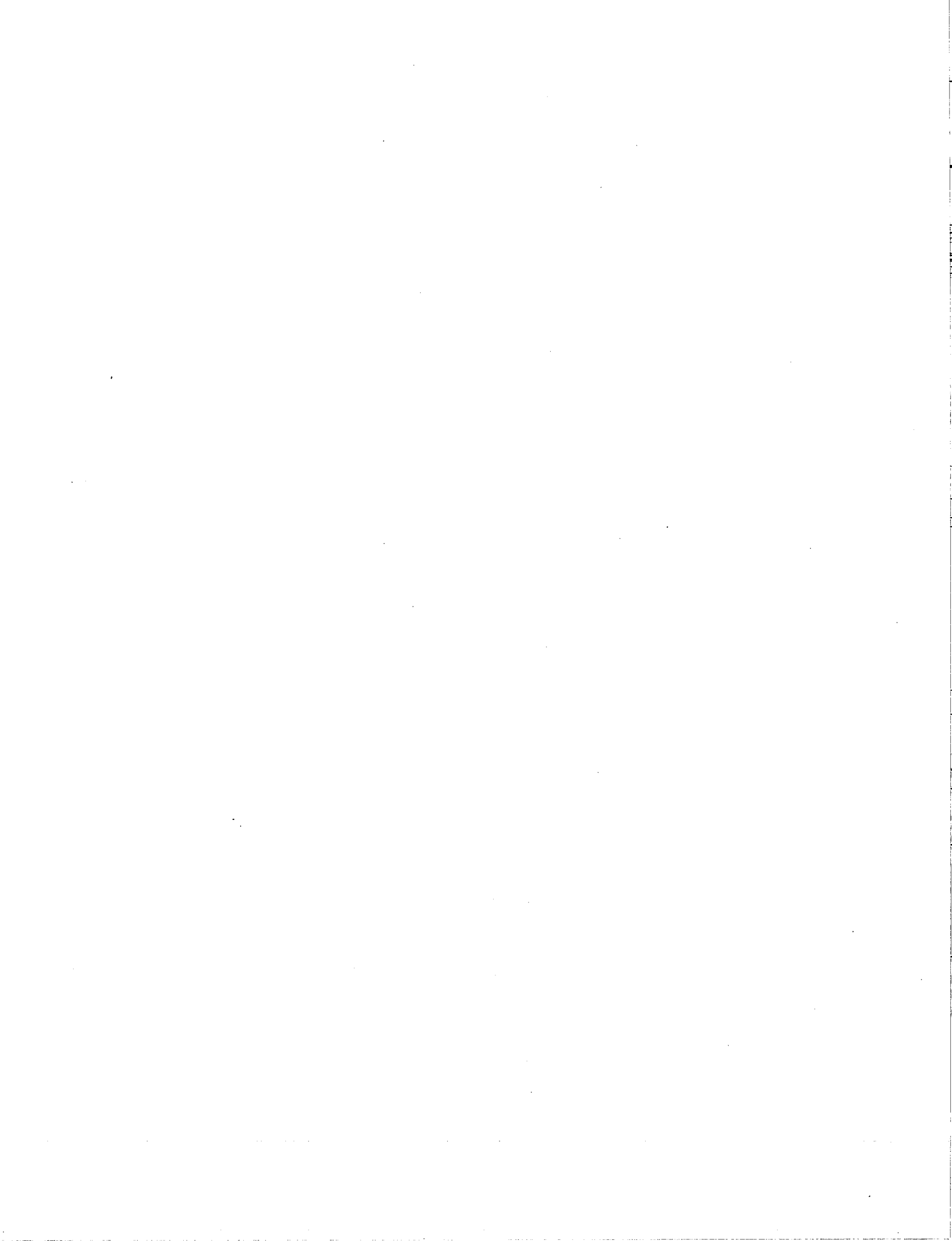
ARTICLE 6

ADMINISTRATION AND ENFORCEMENT

SECTION	
6.010.	Administration of development standards
6.020.	Building permits
6.030.	Temporary use permits
6.040.	Certificate of occupancy
6.050.	Remedies
6.060.	Validity
6.070.	Interpretation
6.080.	Design review
6.090.	Covenants running with the land
6.100.	Hold harmless
6.110.	Construction of these standards
6.120.	Correction of violations

6.010. Administration of development standards. These development standards shall be administered by Agency in accordance with the provisions of sections 5.1 and 5.8 of Contract No. TV-60000A which provide that development, maintenance, management, and sale of the transferred land be in conformity with these standards, permitted land uses, and applicable environmental laws and regulations. Variances which are in derogation of these standards and all development proposals involving large-tract industrial development on tracts of more than 20 acres must be approved by TVA in writing prior to being made; provided, however, TVA shall be deemed to have approved such a variance or proposal if it does not respond to such a request, except for proposals for large tract development, within 15 days of the receipt of a certified letter from Agency to TVA's project administrator, with a carbon copy to TVA's General Manager, requesting such a variance or approval of such a proposal. For this purpose, a response that a proposed variance or proposal requires further discussion between Agency and TVA before going into effect as provided herein shall be considered sufficient. This provision shall not limit Agency's ability, consistent with its enabling legislation, applicable law, and Contract No. TV-60000A, to adopt additional standards not in any way inconsistent with or in derogation of the provisions of Contract No. TV-60000A or these standards.

6.020. Building permits. No person shall be permitted to commence any excavation, construction of a building, residence, or other structure on any transferred land until Agency has issued a Building Permit containing a statement that the plans, specifications, and intended use of such improvement conform in all respects with the provisions of these standards and have been approved as provided in section 5.8. Application for a Building Permit shall be made in writing to Agency on forms provided for that purpose. Agency shall not approve the plans or issue a Building Permit for any such improvement until the plans and specifications have been inspected in detail and are found to be in conformity with these standards. The application for the Building



Permit shall provide sufficient detailed information to permit Agency's Executive Director and the reviewing third party to determine whether the proposed improvement is in conformance with these standards. No Building Permit shall be issued in less than 10 days of the application being submitted to Agency unless otherwise approved by TVA. All such permits shall be in addition to any other permits required by applicable law or regulations.

6.030. Temporary use permits. Construction or development of any use of a temporary nature shall not be commenced until a permit, accompanied by a fee set by Agency, has been secured from Agency, as provided for in section 4.030. Application for a Temporary Use Permit shall be made in writing to Agency on forms provided for that purpose.

6.040. Certificate of occupancy. No land or building or other structure or part thereof shall be used until Agency shall have issued a Certificate of Occupancy stating that such land, structure, or part thereof is found to be in conformity with the provisions of these standards. Within three days after notification that a building or premises or part thereof is ready for occupancy or use, it shall be the duty of Agency to make a final inspection thereof and to issue a Certificate of Occupancy, if the building or premises or part thereof is found to conform with the provisions of these standards, or, if such certificate is refused, to state the refusal in writing with the cause for such refusal.

6.050. Remedies. In case any building or other structure is erected, constructed, altered, repaired, converted, or maintained, or any building, structure, or land is developed, improved, or used in violation of these standards, Agency or TVA may, in accordance with applicable law, take action to remedy any violation of these standards. In accordance with section 5.7 of Contract No. TV-60000A, all standards applicable to a proposed use shall be included or referenced in the deeds of conveyance as a covenant running with the land and shall remain in effect for a period not to exceed 50 years.

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

6.070. Interpretation. Where the conditions imposed by a provision of these standards are less restrictive than comparable conditions imposed by any other provision of these standards or applicable law, the provisions which are more restrictive shall govern.

6.080. Design review. The parties hereby establish the Tellico Project Design Review Committee (herein called "Committee") for the purpose of maintaining sound architectural design, site planning, and environmental, energy, and structural design standards for development occurring on the transferred land consistent with the provisions of Contract No. TV-60000A and these standards. The Committee shall exercise the responsibilities provided for by these standards and shall



be comprised of the Executive Director of Agency, three additional representatives designated by Agency's Board of Directors from the three project-area counties, and one representative designated by TVA. An affirmative vote of a majority of the membership of the Committee shall be required in order to make any finding or determination pursuant to these standards.

6.090 Covenants running with the land. All subsequent conveyances of the transferred land by Agency shall, in accordance with section 5.7 of Contract No. TV-60000A, contain such covenants incorporating the provisions of these development standards for this purpose as the parties may determine to be appropriate, which covenants shall be real covenants and shall run with the land.

6.100. Hold harmless. Neither the Committee nor its successors or assigns shall be liable in damages to anyone submitting plans and specifications to them for approval nor to any owner or lessee of land affected by these standards by reason of mistake in judgment, negligence, or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve any such plans and specifications. Persons who submit plans and specifications to the Committee for approval agree by submission of such plans, and every owner or lessee of any of said property by acquiring title or grant thereto agrees, that they shall not bring any action or suit against the Committee to recover any such damages.

6.110. Construction of these standards

A. Conflict or ambiguity between Agency and third parties

If any discrepancy, conflict, or ambiguity is found to exist between Agency and third parties with regard to any matter set forth in these standards, such ambiguity, conflict, or discrepancy shall, subject to the provisions of section 5.8 of Contract No. TV-60000A, be resolved and determined by Agency in its sole discretion. Agency shall have the right to interpret the provisions of the standards, and in the absence of an adjudication by a court of competent jurisdiction to the contrary, its construction or interpretation shall be final and binding as to all persons purchasing project land from Agency. Any conflict to enforce any of the provisions hereof shall be resolved in favor of the construction or interpretation of Agency. This section shall not be applicable to conflicts between Agency and TVA, which will be determined in accordance with Contract No. TV-60000A.

B. Rules and regulations

Agency, to the extent specifically provided herein, may adopt reasonable rules and regulations regarding the administration, interpretation, and enforcement of the provisions of these standards. In so adopting such rules and regulations and in making any finding, determination, ruling, or

order or in carrying out any directive contained herein relating to the issuance of permits, authorizations, approvals, rules, or regulations, Agency and the Committee shall take into consideration the best interests of the owners and lessees of the property.

6.120. Correction of violations

A. Inspection

Agency, TVA, Committee, and their respective agents, successors, and assigns may from time to time at any reasonable hour or hours enter and inspect any property subject to these standards to ascertain compliance therewith.

B. Abatement

If the owner or lessee of any premises in violation or breach of these development standards shall not have taken reasonable steps toward the removal or termination of same within 15 days after written notice thereof by Agency, Committee, or its respective agents, successors, and assigns, Agency through its agents and employees, shall have the right to enter upon the offending premises and summarily correct, abate, remove, and extinguish any structure, thing, or condition that may be or exist thereon contrary to the provisions herein, all at the sole cost and expense of said owner or lessee. Agency or any such agent or employee shall not thereby be deemed to have trespassed upon such lot and shall be subject to no liability to the owner or lessee of such lot for such entry, abatement, or removal.

C. Enforceability after waiver

Waiver of any of these standards for any development, as provided herein, shall not be deemed a waiver as to any other development, nor with respect to the development in question a waiver of any subsequent violation, nor shall the violation of any of these standards upon any development affect the applicability or enforceability of these standards with respect to any other development.