

ARTICLE IV
ZONING DISTRICTS

SECTION

- 4.010 Classification of districts
- 4.020 Zoning Map
- 4.030 Zoning district boundaries
- 4.040 Specific district regulations

4.010. Classification of districts. The following zoning districts are hereby established in Hickman County, Tennessee:

<u>Zoning District</u>	<u>District Abbreviation</u>
Agriculture-Forestry District	A-1
Suburban Residential District	A-2
General Commercial District	C-1
General Industrial District	I-1
Heavy Industrial District	I-2
Floodplain Overlay Zoning District	(Reference to County Resolution #9417)

4.020. Zoning Atlas. The location and boundaries of the zoning districts are bounded and defined as shown on the Atlas entitled Zoning Atlas of Hickman County, Tennessee. The Zoning Atlas and any amendment thereto shall be dated with the effective date that adopts the same. Certified prints of the adopted Zoning Atlas and Zoning Atlas amendments shall be maintained in the office of the Building Commissioner and shall be available for inspection by the public at all reasonable times.

4.030. Zoning district boundaries.

- (a) Unless otherwise indicated on the Zoning Atlas the district boundaries are lot lines, center lines of streets or alleys, or the Hickman County boundary lines as they exist at the time of the enactment. Questions concerning the exact locations of district boundaries shall be determined by the Hickman County Board of Zoning Appeals.
- (b) Where a district boundary line divides a lot which was in single ownership at the time of passage of this resolution, the regulations for either portion of the lot shall not exceed five hundred (500) feet beyond the district line into the remaining portion of the lot.
- (c) Where the property on one side of a street between two intersecting streets is in a business or industrial district and the property on the intersecting street, except the corner or corners, is in a residential district, the business or industrial use shall be limited to the property facing or fronting the street zoned for business or industry throughout the block, and any property in the rear thereof facing or fronting the intersecting street, even though it appears to be in a business or industrial district, shall be governed by the use prevailing on the intersecting street. It is the purpose to limit business and industrial uses to the property facing or fronting the street zoned for business or industry and to prohibit business or industrial uses facing or fronting the street zoned for residential uses. In all cases of ambiguity due to the actual layout

of the property or other circumstances, the Board of Zoning Appeals shall have authority to determine on which street the business or industrial use shall face or front so that the intent of this resolution shall be observed.

4.040. Specific district regulations. The following regulations shall apply in all zoning districts established in SECTION 4.010.

4.041. A-1, Agriculture-Forestry District.

A. District Description.

This district is intended to preserve space for agricultural and forestry uses which together comprise an important segment of the economy of Hickman County. The primary intent of the A-1 District is to minimize conflicts between agricultural and forestry activities and various non-agricultural activities; to permit lands best suited for intense agricultural uses to be preserved for these suited purposes; and to prevent lands unsuitable for development of an urban or nonrural nature, due to topographic problems, location, or the inability to provide necessary urban services, from being encroached upon by these incompatible land uses. Areas assigned to the A-1 District are primarily areas where growth of an urban or nonrural nature is deemed undesirable for one or more of the reasons outlined above. The following regulations shall apply in the A-1, Agriculture-Forestry District, as defined on the Zoning Atlas of Hickman County, Tennessee. **AGRICULTURAL USES OF LAND - THIS RESOLUTION SHALL NOT BE CONSTRUED AS LIMITING OR AFFECTING IN ANY WAY OR CONTROLLING THE AGRICULTURAL USES OF LAND. REFER TO ARTICLE V, EXCEPTIONS AND MODIFICATIONS, SECTION 5.070. (TN CODE ANNOTATED 13-7-114)**

B. Uses Permitted.

In the A-1, Agriculture-Forestry District, the following uses and their accessory uses are permitted:

1. Agricultural and forestry uses and their accessory structures, as defined in ARTICLE VI.
2. Detached single-family and two-family dwellings.
3. Private residential garages, barns, sheds, stables, farm buildings and other accessory structures and uses customarily incidental to permitted uses.
4. Agricultural processing including ginning and compressing, shelling, baling and threshing services.
5. Animal husbandry services including veterinarian services, animal hospital services and poultry hatchery services.
6. Forestry activities and related services.
7. Utility facilities necessary for the provision of public services.

8. Feed lots and egg production houses.
 9. Roadside stands for the sale of agriculture or forestry products provided that such stand does not exceed an area of three hundred (300) square feet and that it is located off the public right of way.
 10. Customary home occupations as regulated in Article III, Section 3.040.
 11. Signs as regulated by the Tennessee Department of Transportation. Local permits are not required.
 12. Fisheries and related services.
 13. Community Facilities-- including all government buildings such as fire departments, post offices, libraries, police and civil defense.
 14. Private recreational facilities as an integral part of a proposed development.
 15. Hunting leases with cabins
 16. Catfish Farming, trout farming, aquatic farms-“Do it yourself” or retail related farm uses.
 17. Fishing lakes, hiking and biking trails
 18. Educational farm activities—farm tours, classes, school group activities
 19. Wineries
 20. Pick it yourself fruits, produce, etc.
 21. Home made furniture and crafts made and sold from a farm.
 22. Mazes.
 23. Bed and Breakfast Inns
 24. Agri-Tourism
 25. All other activities defined as Agriculture by the State of Tennessee.
- C. Uses Permitted as Special Exceptions.

In the A-1, Agriculture-Forestry Districts, the following uses and their accessory uses may be permitted as special exceptions after review and approval in accordance with ARTICLE VII, SECTION 7.060.

1. Public or private educational institutions.

2. Religious Facilities and other places of assembly, including civic, social, fraternal associations and private clubs, lodges, meeting halls, community centers, etc.
3. Airports and medical facilities.
4. Marinas.
5. Community shopping facilities, providing the total floor space devoted to retail sales does not exceed 4,000 square feet in area.
6. Mobile Home Parks. Refer to Section 3.080.
7. Cemeteries.
8. Public or private recreational facilities.
9. Professional offices.
10. Art galleries, museums, zoological gardens, aquariums, etc.
11. Rooming and Boarding houses, bed and breakfast establishments.
12. Mobile homes provided they are used as accessory uses on lots used for agricultural purposes which exceed 15 acres. Two mobile homes may be placed on these tracts provided the principle residential unit on the tract is a single detached permanent dwelling. These mobile homes are intended for farm help or family members of the property owner.

D. Uses Prohibited.

In the A-1, Agriculture-Forestry District, all uses except those uses or their accessory uses specifically permitted or permitted upon approval as a special exception by the Board are prohibited.

E. Dimensional Regulations.

All uses permitted in the A-1, Agriculture-Forestry District shall comply with the following requirements except as provided in Article V.

1. Front yard setback requirement is 35 ft.
2. Rear yard setback requirement is 25 ft.
3. Side yard setback requirement is 20 ft.
4. Land Area: No farm, ranch or other parcel of land shall be reduced in area to provide separate lots or building sites of less than **one (1) acre** in area. However, where there is an existing lot of record of less than one (1) acre at the time of the adoption of this resolution, this lot may be utilized for the construction of one single-family dwelling. In the event that the property proposed to be subdivided is less than five (5) acres in area, then a soil analysis of the property must be conducted and the results of such an analysis shall be transmitted to the Health

Officer. If the results of the soils analysis indicate compliance with the required standards of the Tennessee Department of Environment and Conservation, the Health Officer shall submit a written statement certifying same to the Building Commissioner. Upon receipt of such a certification from the Health Officer, the Building Commissioner shall issue a building permit to the applicant, providing all other provisions of this Resolution are met. In the event that the results of the soils analysis or other required tests do not meet the required standards of the Tennessee Department of Environment and Conservation, then the Health Officer shall submit to the Building Commissioner, prior to the issuance of a building permit, a written opinion, in lieu of a certification, which shall define what lot size or configuration, or both, shall be necessary to meet the required standards. In the event that an opinion is submitted in lieu of a certification by the Health Officer to the Building Commissioner, the Building Commissioner shall notify the applicant of the necessary lot size or configuration or both, based upon the Health Officer's written opinion. The Building Commissioner shall not issue a building permit until the necessary changes have been made and the Health Officer submits to the Building Commissioner a certification that with these changes the standards of the Tennessee Department of Environment and Conservation have been met.

5. Maximum Lot Coverage. Non-Agricultural structures shall cover no more that fifteen (15) percent of the total land area.
6. Lot Width shall be 100 ft. at the front building setback line.
7. Height Requirement. No building shall exceed three (3) stories or thirty-five (35) feet in height, except as provided in ARTICLE V, SECTION 5.030.
8. Parking Space Requirements. As regulated in Article III, Section 3.010.

4.042. A-2, Suburban Residential District.

A. District Description.

This district is intended to be utilized in areas where the continuation of farming or agricultural activities is undesirable or unfeasible. Although the A-2 District is primarily a suburban district, it also provides for medium to high density residential development with lot sizes for single-family dwellings being less restrictive than those of the A-1, Agriculture-Forestry District. In addition, a primary objective of the A-2 District is to include land uses which demand a higher level of governmental services which are available or will be provided upon development. The following regulations shall apply in the A-2, Suburban Residential District, as established on the Zoning Atlas of Hickman County, Tennessee.

B. Use Permitted.

In the A-2, Suburban Residential District, the following uses and their accessory uses are permitted.

1. Detached single-family and two-family dwellings.
2. Private residential garages and other accessory structures and uses customarily incidental to permitted uses.
3. Signs as regulated by the Tennessee Department of Transportation. Local permits are not required.
4. Utility facilities necessary for the provision of public services.
5. Private recreational facilities as an integral part of a proposed development.
6. Community Facilities as specified in the A-1 district.
7. Customary home occupations as regulated in Article III, Section 3.040.
8. Roadside stands for the sale of agriculture or forestry products provided that such stand does not exceed an area of three hundred (300) square feet and that it is located off the public right of way.

C. Uses Permitted as Special Exceptions.

In the A-2, Suburban Residential District, the following uses and their accessory uses may be permitted as special exceptions after review and approval in accordance with Article VII, Section 7.060.

1. Religious Facilities.
2. Townhouses, apartment dwellings and the like as regulated in E. Dimensional Regulations, #4.

D. Uses Prohibited.

In the A-2, Suburban Residential District, all uses except those uses or their accessory uses specifically permitted or permitted upon approval as a special exception by the Board are prohibited.

E. Dimensional Regulations.

All uses permitted in the A-2, Suburban Residential District shall comply with the following requirements except as provided in Article V.

1. Front Yard. The minimum depth of the front yard shall be thirty (30) feet.

2. Rear Yard. The minimum depth of the rear yard shall be twenty-five (25) feet for the principal structure and fifteen (15) feet for any permitted accessory structures.
3. Side Yard. The side yards shall be a minimum of fifteen (15) feet for a single-story structure, plus an additional five (5) feet for each additional story.
4. Land Area. No farm, ranch or other parcel of land shall be reduced in area to provide separate lots or building sites of less than **30,000 square feet** in area. However, where there is an existing lot of record of less than 30,000 square feet this lot may be utilized for the construction of one single-family dwelling. In the event that the property proposed to be subdivided is less than five (5) acres in area, then a soils analysis of the property must be conducted and the results of such an analysis shall be transmitted to the Health Officer. If the results of the soils analysis indicate compliance with the required standards of the Tennessee Department of Environment and Conservation, then the Health Officer shall submit to the Building Commissioner, prior to the issuance of a building permit, a written opinion, in lieu of a certification which shall define what lot size or configuration, or both, shall be necessary to meet the required standards. In the event that an opinion is submitted in lieu of a certification by the Health Officer to the Building Commissioner, the Building Commissioner shall notify the applicant of the necessary lot size or configuration, or both, based upon the aforementioned Health Officer written opinion. The Building Commissioner shall not issue a building permit until the necessary changes have been made and the Health Officer submits to the Building Commissioner a certification that with these changes the standards of the Tennessee Department of Environment and Conservation have been met.

Whenever public sewer is available, the lot area for single family detached dwellings may be reduced to 15,000 sq. ft.

On lots or parcels of land where multiple-family dwellings are constructed, the minimum lot size must be increased five thousand square feet for each additional dwelling unit. More than four units must be on public sewer.

*The size requirements shall be increased to accommodate the minimum lot size requirements mandated by the Health Officer whenever local or state health department requirements as determined through the use of percolation tests, soils tests, etc., area shown to be more restrictive.

5. Maximum Lot Coverage. Main farm or agricultural accessory buildings shall cover no more than fifteen (15) percent of the total land area. Permitted nonagricultural uses, both principal and accessory, shall cover no more than thirty-five (35) percent of the total land area.
6. Lot Width. No lot shall be less than one hundred (100) feet wide at the front building setback line.

7. Height Requirement. No building shall exceed three (3) stories or thirty-five (35) feet in height, except as provided in Article V, Section 5.030.
8. Parking Space Requirements. As regulated in Article III, Section 3.010.

4.043. C-1, General Commercial District.

A. District Description.

The C-1, General Commercial District, is established to provide areas in which the principal use of land is devoted to general and highway commercial activities along the principal thoroughfares in Hickman County. Regulations are designed to preserve the traffic-carrying capacity of the streets and roads in Hickman County and to provide for necessary off-street parking and loading. The following regulations shall apply in the C-1, General Commercial District, as established in the Zoning Atlas of Hickman County, Tennessee.

B. Uses Permitted.

In the C-1, General Commercial District, the following uses and their accessory uses are permitted.

- (1) Wholesale Trade.
 - (a) Motor vehicles and automotive equipment;
 - (b) Drugs, chemicals and allied products;
 - (c) Dry goods and apparel;
 - (d) Groceries and related products;
 - (e) Farm products;
 - (f) Electrical goods;
 - (g) Hardware, plumbing, heating equipment and supplies;
 - (h) Machinery, equipment, and supplies.
2. Retail Trade.
 - (a) Building materials, hardware, and farm equipment;
 - (b) General merchandise;
 - (c) Food;
 - (d) Automotive, marine craft, and accessories;
 - (e) Apparel and accessories;
 - (f) Furniture, home furnishings, and equipment;

- (g) Eating and drinking;
 - (h) Drug, antiques, books, sporting goods, garden supplies, jewelry, fuel and ice.
 - (i) Agricultural products.
3. Hotels, motels, and tourist courts.
 4. Religious Facilities.
 5. Professional services.
 6. Medical Facilities.
 7. Gasoline service stations.
 8. Commercial recreation uses.
 9. Finance, insurance and real estate services.
 10. Personal services.
 11. Business services.
 12. Repair services.
 13. Contract construction services.
 14. Warehouses or storage facilities, except those used for storing hazardous materials.
 15. Kennels or animal hospitals.
 16. Funeral parlors.
 17. Governmental services, including fire stations.
 18. Educational services.
 19. Transportation, communication and utility services except solid waste disposal.
 20. Signs as regulated by the Tennessee Department of Transportation. No local permits are required.
 21. Agricultural uses.
 22. Roadside stands for the sale of agriculture or forestry products provided that such stand does not exceed an area of three hundred (300) square feet and that it is located off the public right of way

C. Uses Permitted as Special Exceptions.

In the C-1, General Commercial District, the following uses and their accessory uses may be permitted as special exceptions after review and approval in accordance with Article VII, Section 7.060.

1. Any business or service which, in the opinion of the Board of Zoning Appeals, is of the same general character as the above permitted uses, and subject to such conditions and safeguards as the Board may specify to preserve the character of the district.
2. Travel trailer parks and overnight campgrounds.
3. Livestock sales or feeding yards.

D. Uses Prohibited.

In the C-1, General Commercial District, all uses, except uses or their accessory uses specifically permitted or permitted upon approval as a special exception by the Board are prohibited.

E. Dimensional Regulations.

All uses in the C-1, General Commercial District shall comply with the following requirements except as provided in Article V.

1. Front Yard. The minimum depth of the front yard shall be thirty (30) feet.
2. Rear Yard. The minimum depth of the rear yard shall be fifteen (15) feet, except where vehicular access will be provided to the rear of the lot, in which case a minimum rear setback of thirty (30) feet shall be required.
3. Side Yard. The minimum side yard requirement shall be twenty (20) feet where vehicular access is available to the rear of the lot. Where no such access is available or desired, a side yard of fifteen (15) feet shall be permitted. On lots adjacent to an agricultural or residential district, all structures shall be so located as to comply with the side yard requirement of the adjacent district on the side adjoining said district. Commercial buildings may be built on a common lot line provided that there is mutual written consent of the owners of the buildings and land directly involved and the adjacent walls of the buildings have a fire resistant rating of two (2) hours.
4. Land Area. No minimum land area shall be required in the C-1, General Commercial District, where public water and sanitary sewer service is available. Where only public water is available, there shall be a minimum land area of 22,000 square feet, except that lots of record smaller than the required minimum, at the time of the adoption of this resolution, may be utilized, provided that said lot of record is not smaller than 15,000 square feet. Where no public water or sewer service is available, there shall be a minimum land area of three (3) acres.

All attached buildings must meet applicable area and space requirements and share a common fire resistant wall.

5. Maximum Lot Coverage. No maximum lot coverage shall be imposed in the C-1, General Commercial District.
6. Lot Width. No lot shall be less than one hundred (100) feet wide at the front building setback line.
7. Height Requirement. No building shall exceed four (4) stories or fifty (50) feet in height, except as provided in Article V, Section 5.030.
8. Parking Space Requirement. As regulated in Article III, Section 3.010.

4.044. I-1, General Industrial District.

A. District Description.

The I-1, General Industrial District is intended to provide areas in which the principal use of land is for manufacturing, processing, assembling, fabrication of materials, and warehousing or storage. These land uses generally do not depend primarily on frequent personal visits by clients or customers, but generally require good accessibility to major rail, water, or highway transportation routes. The following regulations shall apply in the I-1, General Industrial District, as established in the Zoning Atlas of Hickman County, Tennessee.

B. Uses Permitted.

In the I-1, General Industrial District, the following uses and their accessory uses are permitted.

1. Food and kindred products manufacturing, except meat products.
2. Textile mill products manufacturing, except dyeing and finishing of textiles.
3. Apparel and other finished products made from fabrics, leather, and similar materials manufacturing.
4. Lumber and wood products manufacturing.
5. Furniture and fixtures manufacturing.
6. Printing, publishing and allied industries.
7. Stone, clay, and glass products manufacturing.
8. Fabricated metal products manufacturing except resolution and accessories.

9. Professional, scientific, and controlling instruments; photographic and optical goods, watches and clocks manufacturing.
10. Miscellaneous manufacturing including jewelry, silverware and plated ware, musical instruments and parts, toys, amusement and sporting goods manufacturing, pens, pencils, and other office materials, costume jewelry, novelties and miscellaneous notions; tobacco, liquor, and gasohol manufacturing.
11. Transportation, communication and utilities, excluding airports and solid waste disposal.
12. All types of wholesale trade.
13. Other Light Industrial uses as defined and with no greater impacts than these listed above.
14. Office functions only where it is directly related to or housed within the industrial establishment in which it is located.
15. Signs as regulated by the Tennessee Department of Transportation. Local permits are not required.
16. Fire stations and other governmental uses.
17. Utility Facilities.
18. Agricultural Uses.
19. Roadside stands for the sale of agriculture or forestry products provided that such stand does not exceed an area of three hundred (300) square feet and that it is located off the public right of way
20. Educational Institutions.

C. Uses Permitted as Special Exceptions.

No uses are permitted as Special Exceptions in the I-1, General Industrial District.

D. Uses Prohibited.

In the I-1, General Industrial District, all uses, except those uses or their accessory uses specifically permitted or permitted upon approval as a special exception by the Board are prohibited.

E. Dimensional Regulations.

All uses permitted in the I-1, General Industrial Districts, shall comply with the following requirements except as provided in Article V.

1. Front Yard. The minimum depth of the front yard shall be forty (40) feet.

2. Rear Yard. The minimum depth of the rear yard shall be thirty (30) feet.

No yard shall be required for that portion of a lot which fronts on a railroad or rail spur line.
3. Side Yard. The minimum depth of the side yard shall be thirty (30) feet, except the side yards for industrial lots adjacent to agricultural or residential districts shall be a minimum of fifty (50) feet. No yard shall be required for that portion of a lot which fronts on a railroad or rail spur line.
4. Land Area. Where public water and sewer service is available, there shall be required a minimum land area of two (2) acres. In areas where only public water is available, there shall be a minimum of five (5) acres. No industrial land uses shall be permitted in areas where a public water supply is not available, except where the Board of Zoning Appeals has determined that such use does not require a supply of potable water in its manufacturing operation. In such instances, the Board may grant written approval for the use and shall not be less than five (5) acres.
5. Maximum Lot Coverage. No maximum lot coverage shall be imposed in the I-1 District.
6. Lot Width. No lot shall be less than one hundred fifty (150) feet wide at the front building setback line.
7. Height Requirements. No height limitations shall be imposed in the I-1, General Industrial District, except as provided in Article V, Section 5.030.
8. Parking Space Requirement. As regulated in Article III, Section 3.010.
9. Loading and Unloading Requirements. As regulated in Article III, Section 3.020.

4.045. I-2, Heavy Industrial District

A. District Description.

The I-2, Heavy Industrial District is intended to provide areas for the types of industrial activities which by reason of volume of raw materials or freight, scale of operations, type of structures required, or other similar characteristics require locations relatively isolated from non-industrial uses. These land uses generally do not depend primarily on frequent personal visits by clients or customers, but generally require good accessibility to major rail, water, or highway transportation routes. The following regulations shall apply in the I-2, Heavy Industrial District, as established in the Zoning Atlas of Hickman County, Tennessee.

B. Uses Permitted.

In the I-2, Heavy Industrial District, the following uses and their accessory uses are permitted.

1. Meat products manufacturing.
2. Dyeing and finishing of textiles.
3. Airports.
4. Signs as regulated by the Tennessee Department of Transportation. Local permits are not required.
5. Agricultural Uses.
6. Roadside stands for the sale of agriculture or forest products provided that such stand does not exceed an area of three hundred (300) square feet and that it is located off the public right of way.

C. Uses Permitted as Special Exceptions.

In the I-2, Heavy Industrial Districts, the following uses and their accessory uses may be permitted as special exceptions after review and approval in accordance with Article VII, Section 7.060.

1. Lots or yards for scrap or salvage operations or for processing, storage, display, or sales of any scrap, salvage, or second hand building materials.
2. Automobile wrecking, salvage, and junk yards, subject to the provisions of Article III, Section 3.090.
3. Paper and allied products manufacturing.
4. Chemicals and allied products manufacturing.
5. Petroleum refining and related industries.
6. Rubber and miscellaneous plastic products manufacturing.
7. Primary metal industries.
8. Ordnance and accessories manufacturing.
9. Surface and subsurface mining activities and related services.
10. Solid and hazardous waste landfills and incinerators. These uses shall meet all performance standards as listed in Subsection 4.045, F.
11. Atomic reactors.
12. Arsenals.

13. Explosives manufacturing and storage.
14. Fireworks manufacturing.
15. Electricity Generating Facilities.
16. Radioactive waste.
17. Adult-oriented (Entertainment) Establishment. These uses shall meet all special conditions as listed and defined in subsection 4.045, G.

D. Uses Prohibited.

In the I-2, Heavy Industrial District, all uses, except those uses or their accessory uses specifically permitted or permitted upon approval as a special exception by the Board are prohibited.

E. Dimensional Regulations.

All uses permitted in the I-2, Heavy Industrial Districts, shall comply with the following requirements except as provided in Article V.

1. Front Yard. The minimum depth of the front yard shall be forty (40) feet.
2. Rear Yard. The minimum depth of the rear yard shall be thirty (30) feet.

No yard shall be required for that portion of a lot which fronts on a railroad or rail spur line.

3. Side Yard. The minimum depth of the side yard shall be thirty (30) feet, except the side yards for industrial lots adjacent to agricultural or residential districts shall be a minimum of fifty (50) feet. No yard shall be required for that portion of a lot which fronts on a railroad or rail spur line.
4. Land Area. Where public water and sewer service is available, there shall be required a minimum land area of two (2) acres. In areas where only public water is available, there shall be a minimum of five (5) acres. No industrial land uses shall be permitted in areas where a public water supply is not available, except where the Board of Zoning Appeals has determined that such use does not require a supply of potable water in its manufacturing operation. In such instances, the Board may grant written approval for the use and shall not be less than five (5) acres.
5. Maximum Lot Coverage. No maximum lot coverage shall be imposed in the I-2 District.
6. Lot Width. No lot shall be less than one hundred fifty (150) feet wide at the front building setback line.

7. Height Requirements. No height limitations shall be imposed in the I-2, Heavy Industrial District, except as provided in Article V, Section 5.030.
8. Parking Space Requirement. As regulated in Article III, Section 3.010.
9. Loading and Unloading Requirements. As regulated in Article III, Section 3.020.

F. Performance Standards for Solid and Hazardous Waste Landfills and Incinerators.

No person shall own or maintain a solid or hazardous waste landfill or incinerator within Hickman County until a permit has been secured from the Hickman County Board of Zoning Appeals and Tennessee Department of Environment and Conservation. This Board shall base their decision on the following criteria.

1. The type of waste suitable for Class 1 landfills as defined by the Solid Waste Management Act of 1991. No special waste exception.
2. The method of disposal.
3. The impact of the noise and odor that the landfill may create.
4. The impact on local property values.
5. The economic impact of the project.
6. The compatibility with existing development.
7. The Hickman County Highway Department must certify that existing and proposed access roads to a proposed sanitary landfill site are capable of supporting the size and volume of traffic generated by the operation of the landfill and will have no adverse impact on the traveling public using these access roads.
8. No sanitary landfill shall be located on property where sinkholes, caves, or caverns exist on or near the proposed landfill site.
9. No sanitary landfill shall be located on property where a spring or springs emanate from or under the proposed landfill site.
10. No sanitary landfill shall be located on property with limestone bedrock and fissures, cracks, and openings in the ground.
11. No sanitary landfill shall be located in the proximity of either natural gas transmission pipelines or hazardous chemical pipelines.
12. No sanitary landfill shall be located in the drainage shed or water shed of a known tributary of a stream of water which supplies water to any water authority or water district.

13. Any other factors which may affect the public health, safety or welfare.

G. Special Conditions and Definitions for Adult-Oriented (Entertainment) Establishments

Special Conditions:

1. No establishment shall be located within two thousand (2,000) feet (measured property line to property line) of any residence, religious facility, school ground, college campus or park.
2. All establishments shall be located at least two thousand (2,000) feet measured property line to property line) of any other adult entertainment business.
3. No establishment shall be located within two thousand (2,000) feet (measured property line to property line) from any residential zoned property.
4. Be in compliance with all provisions of the Tennessee Code, Sections 7-51-1101 through 7-51-1122 and 7-51-1401 through 7-51-1406, and any applicable regulations of Hickman County.
5. All other zoning regulations shall apply.

Definitions:

6. ADULT-ORIENTED ESTABLISHMENT: Any adult bookstore, motion picture theater, or commercial establishment which for a fee or incidentally to another service, such as the serving of beer or other alcoholic beverages, sells or presents material or exhibition distinguished or characterized by a predominant emphasis on matter depicting explicit sexual activities or partially or completely uncovered human genitals or mammary glands. Adult oriented establishments include, but are not limited to:

Adult Book Stores: which means any corporation, partnership or business of any kind which has as its principal or predominant stock in trade books, magazines or other periodicals and which offers, sells or rents for a fee:

- (a) Any sexually-oriented material which is available for viewing by patrons on the premises by means of the operation of movie machines or slide projectors; or
- (b) Any sexually-oriented material which has a substantial portion of its contents devoted to the pictorial depiction of sadism, masochism or bestiality; or

- (c) Any sexually-oriented material which has as its principal theme the depiction of sexual activity by, or lascivious exhibition of, the uncovered genitals, pubic region or buttocks of children who are or appear to be under eighteen (18) years of age;

Adult Motion Picture Theaters: which means an enclosed building used for presenting films which are distinguished by an emphasis on matter depicting, describing or relating to specified sexual activities for observation by patrons therein; and

Adult Shows or Adult Peep Shows: which includes all adult shows, exhibitions, performances or presentations which contain acts or depictions of specified sexual activities.

This term also includes adult arcades, adult cabarets and massage parlors.

7. SEXUALLY ORIENTED MATERIAL: Means any book, article, magazine, publication or written matter of any kind, drawing, etching, painting, photograph, motion picture film or sound recording that depicts sexual activity, actual or simulated, involving human beings or animals, or which exhibits uncovered human genitals or pubic region in a lewd or lascivious manner or which exhibits male genitals in a discernibly turgid state if completely uncovered.
8. SPECIFIED ANATOMICAL AREAS: Means any of the following:
- a. Less than completely and opaquely covered human genitals, pubic region, buttocks, anus or female breasts below a point immediately above the top of the areola; or
 - b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.
9. SPECIFIED SEXUAL ACTIVITY: Means any of the following:
- a. Human genitals in a state of sexual stimulation or arousal;
 - b. Acts of human masturbation, sexual intercourse or sodomy;
 - c. Fondling or other erotic touching of human genitals, pubic regions, buttocks or female breasts;
 - d. Flagellation or torture in the context of a sexual relationship;
 - e. Masochism, erotic or sexually oriented torture, beating or the infliction of pain;
 - f. Erotic touching, fondling or other such contact with an animal by a human being;

- g. Human excretion, urination, menstruation, vaginal or an irrigation as part of or in connection with any of the activities set forth in "A" through "F", above.

4.046. Floodplain Zoning. The regulations of the "Floodplain Zoning Resolution No. 9417" are hereby made a part of this zoning resolution by reference and as such stated.