

CHAPTER 5: PROVISIONS FOR INDUSTRIAL DISTRICTS

5.01 STATEMENT OF PURPOSE

A. General Purposes of Industrial Districts

The industrial districts established in this ordinance are designed to promote and protect the health, safety, morals, convenience, order, prosperity and other aspects of the general welfare. These general goals include, among others, the following more specific purposes:

1. To provide sufficient space in appropriate locations to meet the needs for industrial expansion within Brownsville;
2. To encourage industrial development that is free from hazards to the public health and which is environmentally safe and non-polluting;
3. To protect industrial activities against congestion, encroachment from incompatible land uses and other adverse characteristics; and
4. To protect adjacent residential and commercial areas from offensive influences; and
5. To promote the most efficient and desirable land use.

5.02 RI - RESTRICTIVE INDUSTRIAL DISTRICT

A. Purpose and Intent

These districts are designed to provide space for a wide range of industrial and related uses that conform to a high level of performance standards and have the least objectionable characteristics. It is required that all operations of such establishments be carried on within completely enclosed buildings, thus preventing any adverse characteristics from affecting neighboring properties. These districts may provide a buffer between other districts and other industrial activities that have more objectionable influences. Residential uses are excluded from these districts.

B. Uses and Structures

(1) Principal Permitted Uses and Structures

INSTITUTIONAL - limited to -

- Parks, playgrounds and playfields
- Community centers
- Post Offices (excluding major mail processing centers)
- Police and fire stations

PUBLIC UTILITIES - limited to -

- Communication, installations or exchanges
- Electric or gas substations
- Electric, communication and telephone distribution lines, poles, transformers and splice boxes (but not including electric transmission lines)
- Water, storm drainage and sewer lines, and gas distribution lines with incidental appurtenances (but not including major fuel transmission lines)
- Private Streets
- Rights-of-way to all modes of transportation
- Small landscaped, scenically significant open areas, natural reserves

LUMBER, HARDWARE, BUILDING MATERIALS - except for -

- Lumber yards
- Building materials
- Heating and plumbing equipment
- Electrical supplies
- Welding supplies

BUSINESS SERVICES - limited to -

- Warehousing and storage
- Photofinishing
- Research services (private)
- Metal and wood fencing, ornamental grill work
- Disinfecting and exterminating
- Central laundry, dyeing and drying cleaning work
- Freight forwarding office
- Truck terminal
- Equipment rental and leasing

REPAIR SERVICES - except for -

Auto body repair and paint shops
 Armature rewinding
 Welding shop
 Reupholstery
 Tire recapping or retreading

CONTRACT CONSTRUCTION SERVICES

All uses

WHOLESALE TRADE - all - except for -

Manufacture, assembly, processing, storage, distribution of chemicals drugs, soap, fertilizers and abrasive products
 Scrape metal processors
 Stone, clay, glass, and related mineral products; mortar, plaster paving materials.
 Lumber and wood products
 UNDEVELOPED AND VACANT - except for -
 Circuses, carnivals and similar transient enterprises
 Open water including ponds, lakes and reservoirs, streams and water ways (all man made)

2. Permitted Accessory Uses and Structures

- a. Accessory off-street parking and loading facilities as required in Chapter 7 of this ordinance.
- b. Accessory facilities and buildings customarily incidental to a permitted use.

3. Conditional Uses

INSTITUTIONAL - limited to -

Cemetery - mausoleum
 Country Club
 Airports, air cargo terminals, heliports and any other aeronautical device
 Major mail-processing centers
 Military installations
 Colleges, junior colleges and universities, but excluding business schools operated as profit-making enterprises
 All golf courses
 Stadiums, sports arenas, auditoriums and bandstands
 Zoological gardens
 Temporary nonprofit festivals
 Places of Worship

PUBLIC UTILITIES - limited to -

Railroad, bus, and transit terminals
 Public and private utility corporations and truck yards
 Radio and television transmission stations
 Railroad yards and other transportation equipment marshalling and storage areas
 Reservoirs and water tanks
 Sewage disposal treatment plants

Electric transmission lines and major fuel transmission lines

Water production, treatment facility

Utilities limited to and provided that any uses allowed under this section shall be as follows:

1. Electric utilities (481); Shall include all power plants, accessory structures and functions. Exemptions: Any facility or easement solely owned, operated, managed, and maintained by any public or private utility or federal energy authority that provides services to the public and not subject to any state restrictions or requirements for operation or decommissioning.
 - a. All Power Plants (Electric Generation Plants-4812) shall meet all provisions for a “use permitted on appeal” of 5.02(a-o); All power plants generating 1MW of power or more (consistent with TCA 66-9-207 and requiring decommissioning) shall obtain and submit an environmental assessment consistent with all rules, regulations, NEPA boundaries, public participation and requirements as utilized by TVA for environmental assessments. Any 3rd party environmental assessment may be utilized provided the minimum requirements stated above are met. Exemption: solely owned and or operated public or private utilities or federal energy authority. Power Plants shall include:
 - (i) Geothermal, Hydroelectric, Peaker and Backup Power Plants: Includes all associated structures owned or leased, operated and maintained by a non-public utility, entity or person.
 1. Shall meet all state, federal and other governing authority requirements
 - (ii) Nuclear Power Plant: Includes all associated structures owned or leased, operated and maintained by a single entity or person.
 1. Shall meet all state, federal and other governing authority requirements
 - (iii) Private Power Plant-Wind: Includes wind turbines and support structures, accessory structures, wiring/conduit, fencing (includes all area of land within fencing), and other accessories owned or leased, operated and maintained by a non-public utility, entity or person.

(A) General provisions for Power Plants-Wind

1. Maximum height of any part of wind plants or accessory, or associated supporting structures shall not exceed 250' at maximum height. Exemption: utility poles or structures are exempt from height requirements.
2. All minimum setback requirements in 5.02 shall be measured from all required fenced facility areas and shall be strictly enforced.
3. Distance required from location of a wind turbine to the fenced protected area shall be at least 10' beyond the height from the center of the mounted structure.
4. Shall meet all requirements of current state adopted National Electric Code, including but not limited to disconnect requirements.
5. All buried wiring and conduit shall be a minimum of 36" deep.
6. Shall meet all state, federal and other governing authority requirements, provisions and certifications.
7. 5.02 et al shall apply to wind plants.
8. 5.02 et al shall apply to wind plants.

- (iv) Power Plant-Solar: (Includes "solar" as defined in Chapter 1) Includes collection panels and support structures, inverters, accessory structures, wiring/conduit, fencing (includes all area of land within fencing), and all other accessories, buildings and structures defined by state law and owned, operated and maintained by a non-public utility, entity or person.

State Law Definitions: Solar power facility is defined in TCA 66-9-207; Solar energy system is defined in TCA 66-9-203; both terms shall be synonymous with

“solar” and applied as a “utility” use for the purpose of this Resolution and as specified in the Standard land use code manual (48). “Solar” shall be deemed an Electric Generation Plant as stated in the Standard Land Use Code Manual (4812).

Power Plant- Solar shall in no way be construed a utility, commercial enterprise or facility if power produced has less than a 100KW nameplate rating, is utilized for personal use, to off-set a power costs to a single-family dwelling, to power household devices, rooftop power production or other non-commercial uses. Solar may be utilized for agriculture up to the power output needed to run an agriculture operation on the parcel of which the agriculture operation is located.

(A) General provisions for Power Plants-Solar

1. Maximum height of any part of an array, accessory, or associated supporting structure shall not exceed 15'-0" at maximum vertical tilt or free-standing height. Exemption: utility poles or structures are exempt from height requirements.
2. All minimum setback requirements in 5.02 shall be measured from all required fenced facility areas and shall be strictly enforced.
3. Any design, layout or site plan shall take into account the requirement to provide access to sunlight (TCA 66-9-202) and shall be the responsibility of the applicant to design the system as to not require or request any future variances to meet required state law.
4. Shall use anti-reflective coatings on all panels to mediate glare to prevent public hazard and nuisance.
5. Shall meet all requirements of current state adopted International Electric Code,

including but not limited to disconnect requirements.

6. All buried wiring and conduit shall be a minimum of 36" deep.
7. Shall meet all state mandated decommissioning requirements of TCA 66-9-207. Any commercial solar plant with a nameplate output rating between 101KW-10MW shall be decommissioned in accordance to the regulation specifications of TCA 66-9-207, however, no bond or financial assurance is required. Decommissioning shall be by developer, operator, lease, management or landowner and removed from the property as in the timeframe stated herein. Any solar plant that has been deemed "inactive" for one (1) year; shall immediately begin decommissioning. Decommissioning shall be complete within eighteen (18) months from date of inactivity. "inactive" shall be defined as: no longer in use or use has been reduced to less than 30% of original nameplate and permitted output rating or by any termination of any power purchase agreement (ppa) with any public utility.
8. Any accessory building utilized as office space, storage, control room or other function and which shall have bathrooms, kitchens or potable water supply shall be required to constructed to meet the state adopted building code and NEC electrical code. Public water shall be required; an approved septic system or public sewer shall be required.
9. Shall meet all state, federal and other governing authority requirements, provisions and certifications.

(B) General provision Power Plants-Substations

Electric Regulating Substations (4813) shall meet all requirements for a “use permitted on appeal”; Exemption: solely owned and or operated public or private utilities public or private utilities or federal energy authority that solely own, lease, operate, maintain and manage the substations.

1. Substations owned, leased, maintained or operated by any non-public utility, entity or person shall be meet all requirements of “use permitted on appeal”
 - a. Substations shall not exceed 40’ in height
 - b. Shall meet all state, federal and other governing authority requirements, provisions or certifications.

(C) General provisions Power Plants-Other (NEC)

Other (NEC) Electric Utilities (4819) shall meet all requirements for a “use permitted on appeal”; Exemption: solely owned and or operated public or private utilities public or private utilities or federal energy authority that solely own, lease, operate, maintain and manage the following devices:

1. Battery Storage units and facilities: Includes battery storage units and any other associated electrical utility functions utilized for the storage of generated energy.
 - a. Battery assemblies shall not exceed 15’ in height
 - b. All battery assemblies and units shall have a chemical fire suppressant system as a first response for explosion or electrical current runaway concerns
2. Inverters: Includes inverter and associated assemblies any other associated devices utilized for the conversion of electrically generated energy.

- a. Inverter assemblies shall not exceed 15' in height
 - b. All inverter assemblies and units shall have a chemical fire suppressant system as a first response for explosion or electrical current runaway concerns.
3. Any accessory building utilized as office space, storage, control room or other function and which shall have bathrooms, kitchens or potable water supply shall be required to be constructed to meet the state adopted building code and NEC electrical code. Public water shall be required; an approved septic system or public sewer shall be required.
 4. Any other electrical utility or function NEC (not elsewhere code)
- (v) Power Plant-Gas: (As defined in Chapter 2) Includes gas fired turbine engines, generator heads and support structures, inverters, accessory structures, wiring/conduit, fencing (includes all area of land within fencing), and all other accessories, buildings and structures defined by state law and owned, operated and maintained by a single entity or person.

(A) General provisions for Power Plants-Gas

1. Maximum height of any part of gas plant or accessory, or associated supporting structures shall not exceed 20'-0" at maximum height. Exemption: utility poles or structures are exempt from height requirements.
2. All minimum setback requirements in 5.02 shall be measured from all required fenced facility areas and shall be strictly enforced.
3. Shall meet all requirements of current state adopted National Electric Code, including but not limited to disconnect requirements.

4. All buried wiring and conduit shall be a minimum of 36" deep.
 5. Shall meet all state, federal and other governing authority requirements, provisions and certifications.
 6. 5.02 et al shall apply to gas plants.
 7. 5.02 et al shall apply to gas plants.
2. Gas Utilities (482); Exemptions: Any facility or easement owned, operated, managed, and maintained exclusively by any solely owned and or operated public or private utilities public or private utility or federal energy authority that provides services to the public and not subject to any state restrictions or requirements for operation.
- a. Gas Production Plants (4822) shall meet all requirements for a "use permitted on appeal"; Exemption: solely owned and or operated public or private utilities public or private utilities or federal energy authority that solely own, lease, operate, maintain and manage the plant.
 - (i) Gas plants: Includes all associated structures owned, leased, operated or maintained by a non-public utility, entity or person.
 1. Gas plants shall not exceed 40' in height
 2. Shall meet all state, federal and other governing authority requirements, provisions and certifications.

LUMBER, HARDWARE, BUILDING MATERIALS - except for -
Greenhouse and nursery products

FOOD, DRUG, BEVERAGE - limited to -
Bakery

AUTO DEALERS AND SERVICE STATIONS - limited to -
Auto parts (used)

EATING AND DRINKING PLACES - limited to -
Restaurants, cafes, cafeterias, microbreweries

PERSONAL SERVICES - limited to -
Shoe repair

WHOLESALE TRADE - limited to -
Transportation equipment including motor vehicles, aircraft and parts, boat building, railroad equipment, motorcycles, bicycles and parts.

UNDEVELOPED AND VACANT - limited to -

Circuses, carnivals and similar transient enterprises
Open water including ponds, lakes and reservoirs, streams and waterways
(man-made).

4. Prohibited Uses

Any use not allowed by right, by accessory use or by conditional use is prohibited in the RI District.

C. Bulk Regulations

1. Minimum Required Lot Area

Within the RI District, there is no minimum lot size.

2. Maximum Lot Coverage

Within the RI Districts, the maximum lot coverage for all structures, including accessory structures, shall not exceed fifty (50) percent of the total lot area.

3. Maximum Height

The maximum height of a front wall or other portion of a building or other structure at the street level shall be seventy-five (75) feet above the finished grade. However, this limitation shall not apply to those uses spelled out in 1.04 (D) Exception on Height Limits. Other exceptions may be made by the Planning Commission during the Site Plan Review process, so long as no fire hazard is created.

D. Yard Requirements

1. General Provisions

General provisions applicable to all industrial districts concerning visibility at intersections, permitted obstruction in required yards, obstructions prohibited at street intersections, exceptions to these provisions and other regulations are contained in Section 1.05 of this ordinance.

2. Basic Provisions

The basic yard regulations appearing below apply to all zone lots within the RI Districts.

a. Front Yards

In all RI Districts, front yards shall be a minimum of forty (40) feet. On double frontage and corner lots, there shall be a front yard on each street.

b. Side Yards^{xxi}

For all lots within the RI Districts the minimum side yard shall be twenty-five (25) feet.

c. Rear Yards^{xxii}

For all lots within the RI Districts, the minimum rear yard shall be twenty-five (25) feet.

E. Use of Required Area

The following uses may be made of yard areas in the RI Districts.

1. Landscaping
All yards not occupied by driveways and sidewalks shall be devoted to landscaping as defined in Section 2.02.
2. Driveways and Accessory Off-street Parking
No driveway or parking area shall occupy more than one-half of any required yard.
3. Sidewalks

F. Site Plan Review

1. Prior to issuance of a building permit, a Site Plan for the use and development of the entire tract shall be submitted to the Planning Commission. The Site Plan shall conform to the following requirements:
 - a. Be drawn on a scale of 1" = 100';
 - b. Include the following:
 - All existing and proposed roads and drainage ways;
 - Curb cuts, drives and parking areas;
 - Landscaping and planting screens;
 - Building lines enclosing the portion of the tract within which the buildings are to be erected;
 - The proposed use of the land and buildings;
 - The existing zoning
 - c. Show the building elevations for the front, rear and sides of all buildings and any proposed signs.
 - d. Include a vicinity map showing the relationship of the proposed development to Brownsville.
 - e. Show the relation of the proposed development to:
 - The street system;
 - The surrounding use district, and
 - Surrounding properties
 - f. Bear a certificate by a licensed surveyor, architect, contractor or civil engineer certifying that the plan as shown is true and correct;
 - g. Bear a form for certificate of approval by the Secretary of the Planning Commission
 - h. Provide a form for certification by the owner and trustee of the mortgage, if any, that they adopt the plan, and dedicate the streets as shown on the plan and agree to make any required improvements of adjacent streets as shown on the plan.

2. The Planning Commission shall review the Site Plan within thirty (30) days. Where conditions have been required of the applicant, such changes, as required by the Planning Commission, shall have been made.
3. The Planning Commission shall approve the Site Plan as submitted or reject the Site Plan as submitted. The reasons for rejection of the Site Plan shall be certified to the applicant in writing. The Planning Commission shall have the authority to give conditional approval to a Site Plan, subject to minor revisions being required of the applicant.
4. The certification required of the owner and trustee of the mortgage in 6.02 (F) (1) (h) of this ordinance shall serve as the commitment by the owner that the site will be developed as shown on the approved Site Plan. Upon such certification by the owner, the approved Site plan shall be recorded by the owner with the Haywood County Register's Office and shall regulate the development of the subject parcel. If, during the process of construction, the Building Inspector notes variations from the approved Site Plan, he shall promptly notify the owner in writing of these variations and shall direct that the variations be corrected within a specified period. If, after proper notice by the Building Inspector, the owner has not complied with the provisions of the approved Site Plan, the Building Inspector shall have the authority to cite the owner to Municipal Court for violation of this ordinance.
5. The Building Inspector shall have the authority to authorize minor revisions to the approved Site Plan during the process of construction, if, in his opinion, the revisions do not substantially alter the nature of the approved Site Plan, with the written concurrence of the Chairman of the Planning Commission.

G. Other Requirement

1. Enclosure Requirements

All uses shall be conducted within completely enclosed buildings except for parking and loading, exterior storage and other accessory uses that by nature must exist outside a building.

2. Exterior Storage

Exterior storage may be permitted in the side and rear yards of the principal building only, provided the location, extent, and screening of storage is approved as a part of the site plan by the Planning Commission; and further, provided that exterior storage shall be screened from public view by a suitable fence, wall or hedge not exceeding fifteen (15) feet in height with the stored materials to be kept at least two (2) feet below the top of such screen.

3. Surfacing of Storage Areas

All storage areas shall be surfaced to provide a durable and dust-free surfaced. All areas shall be graded and drained so as to dispose of all surface water in the area.

H. Certificate of Occupancy / Compliance Requirement

Prior to the installation of services provided by the Brownsville Energy Authority for uses within RI-Restrictive Industrial Districts, a Certificate of Occupancy / Compliance shall be obtained from the City of Brownsville Building and Codes Enforcement Department.

5.03 GI - GENERAL INDUSTRIAL DISTRICT

A. Purpose and Intent

These districts are designed to provide space for a wide range of industrial and related uses which by reasons of volume of raw materials or freight, scale of operation, type of structures required, or other similar characteristics require locations relatively well segregated from non-industrial uses. Residential uses are excluded from these districts.

B. Uses and Structures

1. Principal Permitted Uses and Structures

INSTITUTIONAL - limited to -

- Parks, playgrounds and playfields
- Community centers
- Post Offices (excluding major mail processing centers)
- Police and fire stations

PUBLIC UTILITIES - limited to -

- Communications, installations or exchanges
- Electric or gas substations
- Electric, communication and telephone distribution lines, poles, transformers and splice boxes (but not including electric transmission lines)
- Water, storm drainage and sewer lines, and gas distribution lines with incidental appurtenances (but not including major fuel transmission lines)
- Private Streets
- Rights-of-way to all modes of transportation
- Small landscaped, scenically significant open areas, natural reserves
- Utilities limited to and provided that any uses allowed under this section shall be as follows:

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requirements as utilized by TVA for environmental assessments. Any 3rd party environmental assessment may be utilized provided the minimum requirements stated above are met. Exemption: solely owned and or operated public or private utilities or federal energy authority. Power Plants shall include:

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- 1. Shall meet all state, federal and other governing authority requirements

- (ii) Nuclear Power Plant: Includes all associated structures owned or leased, operated and maintained by a single entity or person.

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- (A) General provisions for Power Plants-Wind

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- 2. All minimum setback requirements in 5.03 shall be measured from all required fenced facility areas and shall be strictly enforced.
- 3. Distance required from location of a wind turbine to the fenced protected area shall be at least 10' beyond the height from the center of the mounted structure.

4. Shall meet all requirements of current state adopted National Electric Code, including but not limited to disconnect requirements.
5. All buried wiring and conduit shall be a minimum of 36" deep.
6. Shall meet all state, federal and other governing authority requirements, provisions and certifications.
7. 5.03 et al shall apply to wind plants.
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- (iv) Power Plant-Solar: (Includes "solar" as defined in Chapter 1) Includes collection panels and support structures, inverters, accessory structures, wiring/conduit, fencing (includes all area of land within fencing), and all other accessories, buildings and structures defined by state law and owned, operated and maintained by a non-public utility, entity or person.

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3. Any design, layout or site plan shall take into account the requirement to provide access to sunlight (TCA 66-9-202) and shall be the responsibility of the applicant to design the system as to not require or request any future variances to meet required state law.
4. Shall use anti-reflective coatings on all panels to mediate glare to prevent public hazard and nuisance.
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year; shall immediately begin decommissioning. Decommissioning shall be complete within eighteen (18) months from date of inactivity. "inactive" shall be defined as: no longer in use or use has been reduced to less than 30% of original nameplate and permitted output rating or by any termination of any power purchase agreement (ppa) with any public utility.

8. Any accessory building utilized as office space, storage, control room or other function and which shall have bathrooms, kitchens or potable water supply shall be required to constructed to meet the state adopted building code and NEC electrical code. Public water shall be required; an approved septic system or public sewer shall be required.
9. Shall meet all state, federal and other governing authority requirements, provisions and certifications.

(B) General provision Power Plants-Substations

Electric Regulating Substations (4813) shall meet all requirements for a "use permitted on appeal"; Exemption: solely owned and operated public or private utilities public or private utilities or federal energy authority that solely own, lease, operate, maintain and manage the substations.

1. Substations owned, leased, maintained or operated by any non-public utility, entity or person shall be meet all requirements of "use permitted on appeal"
 - a. Substations shall not exceed 40' in height
 - b. Shall meet all state, federal and other governing authority requirements, provisions or certifications.

(C) General provisions Power Plants-Other (NEC)

Other (NEC) Electric Utilities (4819) shall meet all requirements for a “use permitted on appeal”; Exemption: solely owned and or operated public or private utilities public or private utilities or federal energy authority that solely own, lease, operate, maintain and manage the following devices:

1. Battery Storage units and facilities:
Includes battery storage units and any other associated electrical utility functions utilized for the storage of generated energy.
 - a. Battery assemblies shall not exceed 15’ in height
 - b. All battery assemblies and units shall have a chemical fire suppressant system as a first response for explosion or electrical current runaway concerns
2. Inverters: Includes inverter and associated assemblies any other associated devices utilized for the conversion of electrically generated energy.
 - a. Inverter assemblies shall not exceed 15’ in height
 - b. All inverter assemblies and units shall have a chemical fire suppressant system as a first response for explosion or electrical current runaway concerns.
3. Any accessory building utilized as office space, storage, control room or other function and which shall have bathrooms, kitchens or potable water supply shall be required to be constructed to meet the state adopted building code and NEC electrical code. Public water shall be required; an approved septic system or public sewer shall be required.
4. Any other electrical utility or function NEC (not elsewhere code)

- (v) Power Plant-Gas: (As defined in Chapter 2) Includes gas fired turbine engines, generator heads and support structures, inverters, accessory structures, wiring/conduit, fencing (includes all area of land within fencing), and all other accessories, buildings and structures defined by state law and owned, operated and maintained by a single entity or person.

(A) General provisions for Power Plants-Gas

1. Maximum height of any part of gas plant or accessory, or associated supporting structures shall not exceed 20'-0" at maximum height. Exemption: utility poles or structures are exempt from height requirements.
 2. All minimum setback requirements in 5.03 shall be measured from all required fenced facility areas and shall be strictly enforced.
 3. Shall meet all requirements of current state adopted International Electric Code, including but not limited to disconnect requirements.
 4. All buried wiring and conduit shall be a minimum of 36" deep.
 5. Shall meet all state, federal and other governing authority requirements, provisions and certifications.
 6. 5.03 et al shall apply to gas plants.
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2. Gas Utilities (482); Exemptions: Any facility or easement owned, operated, managed, and maintained exclusively by any solely owned and or operated public or private utilities public or private utility or federal energy authority that provides services to the public and not subject to any state restrictions or requirements for operation.
- a. Gas Production Plants (4822) shall meet all requirements for a "use permitted on appeal"; Exemption: solely owned and or

operated public or private utilities public or private utilities or federal energy authority that solely own, lease, operate, maintain and manage the plant.

- (i) Gas plants: Includes all associated structures owned, leased, operated or maintained by a non-public utility, entity or person.

1. Gas plants shall not exceed 40' in height
2. Shall meet all state, federal and other governing authority requirements, provisions and certifications.

LUMBER, HARDWARE, BUILDING MATERIALS

All uses

MANUFACTURING – limited to –

Manufacturing processing or fabrication:

- Canned or preserved fruits or vegetables
- Bakery products
- Bottling plants
- Candy and confectioneries
- Apparel and leather gloves and mittens
- Luggage, handbags and other personal leather goods
- Glass products made of purchased glass
- Communication equipment
- Electronic components and accessories
- Professional scientific and controlling instruments
- Photographic and optical goods
- Watches and clocks and jewelry
- Silverware and plated ware
- Furniture and Fixtures
- Primary metal industries
- Automotive parts
- Paper processing – not to include paper mills
- Fabricated Metal Products
- Casting industries

BUSINESS SERVICES - limited to -

- Warehousing and storage
- Photofinishing
- Research services (private)
- Metal and wood fencing, ornamental grill work
- Central laundry, dyeing and dry cleaning work
- Freight forwarding office
- Truck terminal
- Equipment rental and leasing

REPAIR SERVICES

All uses

CONTRACT CONSTRUCTION SERVICES

All uses

WHOLESALE TRADE - all - except for -

Manufacture, assembly, processing, storage, distribution of chemicals, drugs, soap, fertilizers and abrasive products

Scrape metal processors

Stone, clay, glass, and related mineral products; mortar, plaster paving materials.

UNDEVELOPED AND VACANT - except for -

Circuses, carnivals and similar transient enterprises

Open water including ponds, lakes and reservoirs, streams and water ways (all man made)

2. Permitted Accessory Uses and Structures

a. Accessory off-street parking and loading facilities as required in Chapter 7 of this ordinance.

b. Accessory facilities and buildings customarily incidental to a permitted use

3. Conditional Uses

INSTITUTIONAL - limited to -

Country Club

Airports, air cargo terminals, heliports and any other aeronautical device

Major mail-processing centers

Military installations

Colleges, junior colleges and universities, but excluding business schools operated as profit-making enterprises

All golf courses

Stadiums, sports arenas, auditoriums and bandstands

Zoological gardens

Temporary nonprofit festivals

Places of Worship

PUBLIC UTILITIES - limited to -

Railroad, bus, and transit terminals

Public and private utility corporations and truck yards

Radio and television transmission stations

Reservoirs and water tanks

Electric transmission lines and major fuel transmission lines

Gas, electric production and treatment facilities

Water production, treatment facility

Sewage disposal treatment plants

LUMBER, HARDWARE, BUILDING MATERIALS - except for -

Greenhouse and nursery products

FOOD, DRUG, BEVERAGE - limited to -

Bakery

AUTO DEALERS AND SERVICE STATIONS - limited to -
Auto parts (used)

EATING AND DRINKING PLACES - limited to -
Restaurants, cafes, cafeterias

PERSONAL SERVICES - limited to -
Shoe repair

WHOLESALE TRADE - limited to -
Manufacture, assembly processing, storage of, or distribution of chemicals,
drugs, soap, fertilizers and abrasive products
Scrape metal processors
Stone, clay, glass and related mineral products, mortar, and plastic paving
materials

UNDEVELOPED AND VACANT - limited to -
Circuses, carnivals and similar transient enterprises
Open water including ponds, lakes and reservoirs, streams and waterways
(man-made).

4. Prohibited Uses

Any use not allowed by right, by accessory use or by conditional use is prohibited in the GI District.

C. Bulk Regulations

1. Minimum Required Lot Area

Within the GI District, the minimum lot size shall be two (2) acres.

2. Maximum Lot Coverage

Within the GI Districts, the maximum lot coverage for all structures, including accessory structures, shall not exceed fifty (50) percent of the total lot area.

3. Maximum Height

The maximum height of a front wall or other portion of a building or other structure at the street level shall be seventy-five (75) feet above the finished grade. However, this limitation shall not apply to those uses spelled out in 1.04 (D) Exception on Height Limits. Other exceptions may be made by the Planning Commission during the Site Plan Review process, so long as no fire hazard is created.

D. Yard Requirements

1. General Provisions

General provisions applicable to all industrial districts concerning visibility at intersections, permitted obstruction in required yards, obstructions prohibited at street intersections, exceptions to these provisions and other regulations are contained in Section 1.05 of this ordinance.

2. Basic Provisions

The basic yard regulations appearing below apply to all zone lots within the GI Districts.

a. Front Yards

In all GI Districts, front yards shall be a minimum of forty (40) feet. On double frontage and corner lots, there shall be a front yard on each street.

b. Side Yards ^{xxiii}

For all lots within the GI Districts the minimum side yard shall be twenty-five (25) feet.

c. Rear Yards ^{xxiv}

For all lots within the GI Districts the minimum rear yard shall be twenty-five (25) feet.

E. Use of Required Area

The following uses may be made of yard areas in the GI Districts.

1. Landscaping

All yards not occupied by driveways and sidewalks shall be devoted to landscaping as defined in Section 2.02.

2. Driveways and Accessory Off-street Parking

No driveway or parking area shall occupy more than one-half of any required yard.

3. Sidewalks

F. Site Plan Review

1. Prior to issuance of a building permit, a Site Plan for the use and development of the entire tract shall be submitted to the Planning Commission. The Site Plan shall conform to the following requirements:

a. Be drawn on a scale of 1" = 100';

b. Include the following:

-All existing and proposed roads and drainage ways;

-Curb cuts, drives and parking areas;

-Landscaping and planting screens;

-Building lines enclosing the portion of the tract within which the buildings are to be erected;

-The proposed use of the land and buildings;

-The existing zoning

c. Show the building elevations for the front, rear and sides of all buildings and any proposed signs.

d. Include a vicinity map showing the relationship of the proposed development to Brownsville.

e. Show the relation of the proposed development to:

-The street system;

-The surrounding use district, and

-Surrounding properties

f. Bear a certificate by a licensed surveyor, architect, contractor or civil engineer certifying that the plan as shown is true and correct;

- g. Bear a form for certificate of approval by the Secretary of the Planning Commission
 - h. Provide a form for certification by the owner and trustee of the mortgage, if any, that they adopt the plan, and dedicate the streets as shown on the plan and agree to make any required improvements of adjacent streets as shown on the plan.
2. The Planning Commission shall review the Site Plan within thirty (30) days. Where conditions have been required of the applicant, such changes, as required by the Planning Commission, shall have been made.
 3. The Planning Commission shall approve the Site Plan as submitted or reject the Site Plan as submitted. The reasons for rejection of the Site Plan shall be certified to the applicant in writing. The Planning Commission shall have the authority to give conditional approval to a Site Plan, subject to minor revisions being required of the applicant.
 4. The certification required of the owner and trustee of the mortgage in 6.02 (F) (1) (h) of this ordinance shall serve as the commitment by the owner that the site will be developed as shown on the approved Site Plan. Upon such certification by the owner, the approved Site plan shall be recorded by the owner with the Haywood County Register's Office and shall regulate the development of the subject parcel. If, during the process of construction, the Building Inspector notes variations from the approved Site Plan, he shall direct that the variations be corrected within a specified period. If, after proper notice by the Building Inspector, the owner has not complied with the provisions of the approved Site Plan, the Building Inspector shall have the authority to cite the owner to Municipal Court for violation of this ordinance.
 5. The Building Inspector shall have the authority to authorize minor revisions to the approved Site Plan during the process of construction, if, in his opinion, the revisions do not substantially alter the nature of the approved Site Plan, with the written concurrence of the Chairman of the Planning Commission.

G. Other Requirement

1. Enclosure Requirements

All uses shall be conducted within completely enclosed buildings except for parking and loading, exterior storage and other accessory uses that by nature must exist outside a building.

2. Exterior Storage

Exterior storage may be permitted in the side and rear yards of the principal building only, provided the location, extent, and screening of storage is approved as a part of the site plan by the Planning Commission; and further, provided that exterior storage shall be screened from public view by a suitable fence, wall or hedge not exceeding fifteen (15) feet in height with the stored materials to be kept at least two (2) feet below the top of such screen.

3. Surfacing of Storage Areas

All storage areas shall be surfaced to provide a durable and dust-free surfaced. All areas shall be graded and drained so as to dispose of all surface water in the area.

H. Certificate of Occupancy / Compliance Requirement

Prior to the installation of services provided by the Brownsville Energy Authority for uses within GI- General Industrial Districts, a Certificate of Occupancy / Compliance shall be obtained from the City of Brownsville Building and Codes Enforcement Department.