

CHAPTER 3: ZONE DISTRICTS, USE TABLES, AND DIMENSIONAL STANDARDS

Section 3.2: Base Districts

Subsection 3.2.3: Use Table

(1) Explanation of Table of Permitted Uses

TABLE 3-2: PERMITTED USES																			
Use Types "P" = Permitted	Base Zoning Districts																	Additional Requirements	
	AG	ER	R-1	R-2	R-3	R-6	RX	OR	GO	NC	CC	GC	MN	ML	MR	LI	HI		CI
AGRICULTURAL USES																			
Agricultural Uses	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	Sec. 3.2.4 (1)
RESIDENTIAL USES																			
Attached Dwellings							P	P			P		P	P	P				
Detached Dwellings	P	P	P	P	P	P	P	P			P			P	P				
Group Homes							P	P						P	P				P
CIVIC AND INSTITUTIONAL USES																			
Active Park Facilities							P						P	P	P	P			P Sec. 3.2.5 (1) and (2)
Assisted Living Facility							P		P			P		P	P				P Sec. 3.2.5 (1)
Cemeteries																			P Sec. 3.2.5 (1)
Charitable, Fraternal, or Social Organizations								P	P	P	P	P	P	P	P				P Sec. 3.2.5 (1)
Clinics									P	P		P		P	P				P Sec. 3.2.5 (1)
Correctional Facilities																			P Sec. 3.2.5 (1)
Day Care Centers									P	P	P	P	P	P	P	P			P Sec. 3.2.5 (1)
Educational Facilities									P	P	P		P	P	P	P			P Sec. 3.2.5 (1)
Essential Services	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P Sec. 3.2.5 (1)
Hospitals																			P Sec. 3.2.5 (1)
Nursing/Convalescent Home							P					P		P	P				P Sec. 3.2.5 (1)
Passive Parks and Open Space	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P Sec. 3.2.5 (1)
Public Buildings or Uses							P		P		P	P	P	P	P	P	P	P	P Sec. 3.2.5 (1) and (3)
Rehabilitation Centers												P			P				P Sec. 3.2.5 (1) and (4)
Place of Public Assembly							P		P			P	P	P	P	P	P	P	P Sec. 3.2.5 (1)
OFFICE USES																			
Offices									P	P	P	P	P	P	P	P			P Sec. 3.2.6
COMMERCIAL USES																			
Adult-Oriented Establishments																		P	P Sec. 3.2.9
Automotive Body Shops												P					P	P	P Sec. 3.2.7 (1)

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	AG	ER	R-1	R-2	R-3	R-6	RX	OR	GO	NC	CC	GC	MN	ML	MR	LI	HI		CI
																			and (2)
Automotive Fuel Sales										P		P	P	P	P	P			Sec. 3.2.7 (1) and (5)
Automotive Service Facilities												P		P	P	P	P		Sec. 3.2.7 (1) and (2)
Automotive Wash Facilities												P		P	P	P			Sec. 3.2.7 (1) and (2)
Bed and Breakfast Establishments	P	P	P	P	P	P	P	P			P		P	P	P				Sec. 3.2.7 (1) and (3)
Commercial Kennels	P															P			Sec. 3.2.7 (1) and (4)
Convenience Stores										P		P	P	P	P				Sec. 3.2.7 (1) and (5)
Extended Stay or All-Suite Hotels											P	P			P				Sec. 3.2.7 (1) and (6)
Full Service Hotels or Motels											P	P		P	P				Sec. 3.2.7 (1) and (7)
Funeral Homes												P		P	P	P		P	Sec. 3.2.7 (1) and (8)
Personal Services										P	P	P	P	P	P				Sec. 3.2.7 (1)
Recreational Facilities (Private)		P	P	P	P	P	P	P	P		P	P		P	P			P	Sec. 3.2.7 (1) and (9)
Recreational Facilities (Neighborhood)		P	P	P	P	P	P	P			P			P	P			P	Sec. 3.2.7 (1) and (9)
Restaurants										P	P	P	P	P	P	P			Sec. 3.2.7 (1)
Restaurants, Drive-In/Drive-Through												P		P	P	P			Sec. 3.2.7 (1)
Retail and Commercial Uses										P	P	P	P	P	P	P			Sec. 3.2.7 (1) (10) and (13)
Service Commercial Uses										P	P	P	P		P	P			Sec. 3.2.7 (1)
Telecommunication Towers and Antennas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 3.2.8
Theaters											P	P		P	P				Sec. 3.2.7 (1)
Vehicle Sales and Rental												P				P			Sec. 3.2.7 (1)(2)
Veterinary Facilities (Indoor)	P											P		P	P	P	P		Sec. 3.2.7 (1) and (11)
Veterinary Facilities										P			P	P	P				Sec 3.2.7 (12)

TABLE 3-2: PERMITTED USES

Use Types "P" = Permitted	Base Zoning Districts																Additional Requirements		
	AG	ER	R-1	R-2	R-3	R-6	RX	OR	GO	NC	CC	GC	MN	ML	MR	LI		HI	CI
(Neighborhood)																			
Veterinary Facilities (Outdoor)	P											P					P	P	
Wholesale Sales																	P	P	
INDUSTRIAL USES																			
Engine and Motor Repair Facilities																	P	P	
General Warehouses																	P	P	
Heavy Industrial Uses																		P	
Industrial Services																	P	P	
Light Industrial Uses																	P	P	P
Self-Storage Facilities																	P	P	
Wrecker Service																		P	

July 1, 2008

3.2.4 Regulations for Agricultural Uses

Retail or wholesale nurseries and facilities for processing or selling agricultural products are prohibited in the R-1, R-2, R-3, R-6, RX, OR, GO, NC, and MN Districts.

3.2.5 Regulations for Institutional Uses

(1) General Provisions

- (a) See Subsection 2.4.2(3)(b) for the approval process for Civic and Institutional uses, regardless of zoning district.
- (b) Civic and Institutional uses shall be prohibited on lots of less than two acres, however, no minimum lot size shall apply where the Civic and Institutional use is part of a PUD approved after July 1, 2008, or proposed on lots in the CI, NC, GC, GO, LI, or HI District.
- (c) Outdoor storage shall be regulated by Section 4.1, Accessory Uses and Structures.
- (d) Institutional uses located in a residential district shall be designed to respect residential character by reflecting similar design elements of the surrounding residential uses including:
 - (i) Height of structures;
 - (ii) Rooflines;
 - (iii) Building materials;
 - (iv) Setbacks; and

- (v) Building coverage.
 - (e) Outdoor playgrounds or play yards for children shall not be located between a street and building and shall be screened in accordance with Section 5.4, Landscape, Buffers, and Screening.
- (2) **Active Park Facilities**
- Active park facilities in excess of two acres that are not a component of an approved PUD shall be required to be located in the CI District.
- (3) **Public Buildings or Uses**
- Public buildings of 12,000 square feet or less may be permitted in residential or mixed-use districts. Larger public buildings or uses shall be located in a nonresidential or CI District.
- (4) **Rehabilitation Center**
- In order to be classified as a rehabilitation center, the center shall be licensed by the Tennessee Department of Health, Board of Licensing Health Care Facilities.

3.2.6 Regulations for Office Uses

- (1) Outdoor storage shall be prohibited.
- (2) Buildings or structures with less than 51 percent of office space shall not be classified as an office use and shall be regulated by the other use of the structure.

3.2.7 Regulations for Commercial Uses

(1) **General Regulations**

Drive-through or drive-in facilities and service windows, whether a principal use of land or accessory to a principal use, are prohibited in the CC District.

(2) **Automotive-Service Facilities, Automotive Body Shops, and Automotive Wash Facilities**

- (a) Vehicle service or washing bays shall be screened from view from residential uses, arterial and collector streets, Mack Hatcher Parkway, and Interstate 65 or by a site design that orients the bays away from the area to be screened.
- (b) If such a design cannot be achieved, then berming, evergreen shrubs, evergreen trees, masonry walls, opaque wooden fencing, or any combination of these shall provide a barrier six feet high between the vehicle bays and the area to be screened.
- (c) Within the following circumstances, with the exception of off-street parking or queuing, activities associated with this use shall take place within an enclosed structure:
 - (i) Within 500 feet of an attached or detached dwelling;
 - (ii) Within 500 feet of Mack Hatcher Parkway;
 - (iii) Within 500 feet of an arterial street as shown on the FMTP; and
 - (iv) Within 500 feet of Interstate 65.

Distances from streets shall be measured perpendicularly from the nearest lane of traffic.

(3) Bed and Breakfast

Bed and breakfast uses shall be established in accordance with the following standards, after notification to adjacent property owners within 500 feet pursuant to Subsection 2.3.8, Public Notification, and a neighborhood meeting held pursuant to Subsection 2.4.2(6)(c), Neighborhood Meeting, (regardless of whether the use is proposed as part of a PUD).

- (a) Approval of a Site Plan by the FMPC and a business license by the appropriate city department.
- (b) The bed and breakfast use shall be accessory to the structure's principal use as a dwelling, and the operators shall permanently reside on the premises.
- (c) The structure shall maintain an exterior appearance that is in character with surrounding residential uses.
- (d) A maximum of three sleeping rooms may be available for transient occupancy by up to six guests, and in no event shall a sleeping room be occupied by a guest for more than seven consecutive days.
- (e) Cooking facilities shall not be permitted within individual sleeping rooms, and food may be served only to overnight guests.
- (f) Occupancies shall comply with International Fire Code/Life Safety Code requirements, which may result in additional requirements.
- (g) Common dining or gathering areas shall not be leased for social events.
- (h) All off-street parking areas for the use shall be on the site, located within side or rear yard areas, screened in accordance with this ordinance, and shall not use commercial-style exterior lighting.

(4) Commercial Kennels and Veterinary Facilities (Outdoor)

Outdoor kennels and storage areas shall not be visible from streets or adjacent properties.

(5) Convenience Stores and Automotive Fuel Sales

Convenience stores that sell gasoline and facilities for automotive fuel sales are prohibited from locating at the intersection of two public streets.

(6) Extended Stay All-Suite Hotel/Motel

Unless designed in accordance with the standards in Subsection 3.2.7(7)(a-d), a minimum of 120 guest rooms per building is required.

(7) Full-Service Hotel/Motel

Hotels or motels shall include a minimum of 200 guest rooms per building unless they include the following:

- (a) A full-service restaurant with the following characteristics:
 - (i) Meals offered three times daily to the general public and guests for compensation;

- (ii) Direct access to the lobby or common area via an internal corridor (the restaurant may also have external accesses);
- (iii) A full-service bar serving the full range of alcoholic beverages, open to the general public and guests for compensation (facilities serving just beer and wine shall not meet this standard);
- (b) A minimum of 3,000 square feet of indoor common area open to guests and the general public, including lobbies, but excluding meeting rooms, swimming pools, guest room corridors, or health club facilities;
- (c) A 24-hour front desk attendant, room service, laundry and dry cleaning services, and concierge/guest services; and
- (d) Guest rooms accessible from an indoor corridor, lobby, or hallway, and not via an outdoor parking area.

(8) Funeral Homes

Funeral homes located on an arterial street shall include adequate on-site stacking spaces for funeral-procession preparations.

(9) Recreational Facilities

- (a) This use is permitted in a residential district only as a component of an approved PUD.
- (b) Commercial activities related to recreational facilities including, but not limited to, restaurants, banquet halls, food sales, pro-shops, or retail sales, shall be allowed in residential districts only as part of a PUD approval.

(10) Retail and Commercial Uses

A maximum of ten percent of the gross floor area of a structure in a GO District may be used for retail and service commercial uses.

(11) Veterinary Facilities (Indoor)

- (a) Services shall be performed or provided indoors.
- (b) Animals shall be kept indoors.

(12) Veterinary Facility (Neighborhood)

- (a) Animals shall only be housed overnight if they are undergoing medical treatment or observation. Overnight boarding for non-medical reasons shall be prohibited.
- (b) The site shall be designed to prevent animal waste from being exposed to stormwater or entering the stormwater system, streams, lakes, or conveyances. If an area is provided for animals walking, it shall not be exposed to stormwater and the waste shall immediately be picked up and disposed of properly.
- (c) This use shall adhere to the provisions in Title 10, Animal Control, as well as Title 11, Chapter 4, Offenses Against the Peace and Quite, of the Municipal Code.

- (d) Animals shall not be kept outdoors or allowed to remain outside unsupervised; however, screening in accordance with Section 5.6, Fences and Walls, may be provided for security purposes or to create a visual or sound barrier.

(13) Large-Scale Retail and Wholesale Uses

- (a) Such uses shall comply with the standards for large-scale development in Subsection 5.3.6(11).
- (b) Except for structures within 5,000 feet of the Interstate 65 right-of-way, single-tenant large-scale retail and wholesale uses of 50,000 gross square feet in size or more shall meet the following criteria:
 - (i) The use shall be comprised of two or more stories above the finished grade, with the first floor building footprint a maximum of 50,000 gross square feet.
 - (ii) No more than 50 percent of the provided off-street parking shall be surface parking, with the remainder provided by structured or on-street parking located within 1,320 linear feet of the building.
 - (iii) Surface parking lots shall be prohibited between the building façade and a public street, or at the intersection of two public streets, and shall be located to the side or rear of a building.

3.2.8 Regulations for Industrial Uses

(1) General Provisions

Warehousing shall not be permitted in any building over 35 feet in height.

(2) Engine and Motor Repair

- (a) Engine and motor repair facilities are prohibited within 500 feet of the right-of-way of an arterial street.
- (b) Repair activities shall take place within an enclosed structure if the facility is located within the LI District.

(3) Light Industrial Uses

Light industrial uses may be permitted in the MR District, provided that they comply with the following provisions:

- (a) With the exception of off-street parking, activities shall take place within an enclosed structure;
- (b) The uses shall not generate noise, odors, or vibrations that can be detected from the closest public right-of-way;
- (c) The minimum square footage of the structure shall be 5,000 square feet, and the maximum shall be 20,000 square feet; and
- (d) The design of the structure shall reflect the character of the commercial structures in the mixed-use development through the similar treatment of windows, roofs, building style, and building materials.

(4) Self-Storage Facilities

- (a)** One on-site apartment, not to exceed 1,500 square feet, shall be permitted for security personnel and shall be attached to, and incorporated into, the self-storage facility.
- (b)** Outdoor storage facilities shall not be located within required setbacks; however, they shall be completely screened from public rights-of-way.
- (c)** Self-storage facilities are prohibited from locating within 500 feet of an arterial street right-of-way as shown on the FMTP. However, a self-storage facility may encroach into the 500-foot setback if a buildable lot exists between the proposed self-storage facility and the arterial street, or the self-storage facility site is designed as follows:
 - (i)** An eight-foot-high masonry screen wall shall be constructed around the portion of the self-storage facility site located within 500 feet of the arterial street right-of-way. The wall shall have columns no farther apart than 50 feet on-center;
 - (ii)** Within eight feet of the exterior of the masonry screen wall, canopy trees, a minimum of two inches in caliper, shall be planted every 40 to 50 feet on-center. If overhead utility lines exist, then understory trees, a minimum of 1.5 inches in caliper, shall be used with a spacing that shall be 30 to 40 feet on-center; and
 - (iii)** Within eight feet of the exterior of the screen wall, evergreen or deciduous shrubs with a height of at least 30 inches at installation shall be planted no farther than five feet on-center.

3.2.9 Adult-Oriented Establishments

An adult-oriented establishment as used in this ordinance shall have the same meaning as the term "adult-oriented establishment" as used in T.C.A. Section 7-51-1102, and, in construing the term, the definitions contained in T.C.A. Sections 7-51-110(1) through (6) and (9) through (26), are likewise incorporated by reference into and made a part of this ordinance.

- (1)** Adult-oriented establishments shall be permitted only within the HI District and shall not be permitted on any property within 500 feet of the following:
 - (a)** A place of public assembly used primarily for religious worship and related religious activities;
 - (b)** A public or private child care or educational facility, including, but not limited to, day care facilities; continuing, elementary, high, intermediate, junior high, middle, nursery, secondary, special education, or vocational schools; kindergartens; preschools; private schools; post-secondary educational institutions, and the grounds of any such facility, provided that the requirement shall not apply to facilities used primarily for another purpose and only incidentally as a school;
 - (c)** A boundary of any residential zoning district or the property line of a lot devoted to a residential use;

- (d) A public park or recreational area that has been designated for park or recreational activities, including, but not limited to, an athletic field, basketball court, bicycle/pedestrian path, nature trail, park, playground, swimming pool, tennis court, wilderness areas, or similar public land that is under the control, management, or operation of any government park and recreation authority;
 - (e) An entertainment business that is oriented primarily towards entertainment for children or families;
 - (f) Any packaged liquor store; or
 - (g) A crematory, funeral home, or mortuary facility.
- (2) Measurements related to this subsection shall be made in a straight line, without regard to intervening objects or structures, from the nearest portion of the building or structure used as part of the premises where an adult-oriented establishment is conducted to the nearest property line of the premises of a use listed in Subsection 3.2.9(1) above. The presence of a city jurisdictional boundary shall be irrelevant for the purposes of calculating and applying the distance requirements of this subsection.
- (3) An adult-oriented establishment lawfully operating as a conforming use shall not be rendered a nonconforming use by the location, subsequent to the commencement of operations of said establishment, of a use listed in Subsection (1) above within 500 feet of the adult-oriented establishment.
- (4) No adult-oriented establishment may be established or operated within 500 feet of another adult-oriented establishment. This distance requirement shall be measured in a straight line, without regard to the intervening objects, political boundaries, or structures, from the closest exterior wall of the structure in which each business is located.
- (5) If two or more adult-oriented establishments are within 500 feet of one another or area within the same structure or parcel, the adult-oriented establishment that was first established in an otherwise permissible location shall be considered to be a conforming use, and the later-established business shall be considered to be a nonconforming use.
- (6) No adult-oriented establishment may be enlarged so as to violate the provisions of this ordinance.

3.2.10 Telecommunication Towers

(1) General Provisions

(a) New Towers and Antennas

New towers or antennas shall be subject to these regulations, except as provided in Subsections (b) and (c).

(b) Preexisting Towers or Antennas

Preexisting towers and antennas shall not be required to meet the requirements of this ordinance, other than the requirements of Subsections 3.2.10(2)(f) and (g), and Subsection 3.2.10(7).