

CHAPTER 10
(IB) INTERMEDIATE BUSINESS DISTRICT

SECTION	
14-1001.	IB INTERMEDIATE BUSINESS DISTRICT.
14-1002.	USES PERMITTED.
14-1003.	USES PERMITTED ON REVIEW.
14-1004.	LOT AREA.
14-1005.	LOT WIDTH.
14-1006.	SETBACKS.
14-1007.	BUILDING AREA.
14-1008.	BUILDING HEIGHT.

CHAPTER 10
IB INTERMEDIATE BUSINESS DISTRICT (3076-09/04/2001)

14-1001. IB INTERMEDIATE BUSINESS DISTRICT

This district is intended to provide for more intensive commercial activities within areas specifically designed to accommodate these activities.

14-1002. USES PERMITTED (3596-02/06/2018)

1. Accessory structures/buildings.
2. Amusement Enterprise. (3502-06/17/2014)
3. Automobile Rental Agencies. (2716-10/19/1993)
4. Bank.
5. Beauty Shops/Barber Shops.
6. Bed and Breakfast operations.
7. Business, Professional or Governmental Offices. (3596-02/06/2018).
8. Catering Services. (2851-09/17/1996)
9. Cemeteries. (2806-07/17/1995)
10. Childcare facilities with six (6) or more pupils
11. Churches, Synagogues, Temples, Parsonages and Parish Houses and other Places of Worship.
12. Convalescent and Nursing Homes, retirement homes, orphanages and assisted living facilities.
13. Farm Sales Equipment.
14. Mortuaries and Funeral Services (No Crematoriums).
15. Gasoline Service Station/ Convenience Stores.
16. Health Salon.
17. Home Occupation.
18. Hotels and Motels.
20. Landscaping Business
21. Laundry, Self Service
22. Limited-Service Restaurants. (3591-11/07/2017)
23. Microbreweries and Craft Beer Enterprises (3641-09/03/2019)
24. Mini-Storage Rental Warehouse Units.
25. Parking Lots and/or Parking Garages.
26. Plant and Flower Nurseries (retail and wholesale).
27. Private Clubs.
28. Restaurant.
29. Retail Sales Establishment. (3596-02/06/2018)
30. Shopping Centers/Malls.
31. Theater.
32. Veterinarian Clinic/Hospitals
33. Wholesale.
34. Vehicle Service Facility.

14-1003. USES PERMITTED ON REVIEW (3596-02/06/2018)

1. Adult Oriented Establishments: Because adult oriented establishments have a deteriorating effect on property values, create higher crime rates in the area, create traffic congestion, and depress nearby residential neighborhood conditions these activities will only be permitted when minimum conditions can be met. (2488-11/04/1986) (3431-02/07/2012)

The following minimum conditions must be complied with for a site to be approved for adult oriented establishments:

- A. The site shall not be less than one thousand (1,000) feet from any residentially zoned property at the time of approval for an adult entertainment activity.
 - B. The site shall not be less than one thousand (1,000) feet from any amusement catering to family entertainment.
 - C. The site shall not be less than one thousand (1,000) feet from any school, daycare center, park, church, mortuary or hospital.
 - D. The site shall not be less than one thousand (1,000) feet from any area devoted to public recreation activity.
 - E. The site shall not be less than one-half (1/2) mile from any other adult entertainment business site.
 - F. Measurement shall be made from the nearest wall of the building in which the adult oriented establishment is situated to the nearest property line or boundary of the above mentioned uses, measuring a straight line on the Morristown Zoning Map.
 - G. The site shall be located on a designated Principal Arterial street.
 - H. The site shall comply with off-road parking requirements as regulated by Section 14-216 of the Municipal Code of the City of Morristown.
 - I. Maps showing existing land use and zoning within one-quarter (1/4) mile of the proposed site should be submitted with an application for Use-on-Review approval along with site plans, surveys or other such special information as might reasonably be required by the Board of Zoning Appeals for use in making a thorough evaluation of the proposal.
2. Building Materials Yards. (3573-01/03/2017)
 - A. The storage yard shall be screened from all residential use and districts with a fence a minimum six (6) feet tall. The fencing may be wood, brick, or other material that is at least 75 percent opaque.
 - B. The property shall have access from a collector or arterial street.
 3. Country Clubs and Golf Courses (public or private)
 - A. The golf course consists of a minimum of eight (8) acres open space;
 - B. The clubhouse, parking, and any accessory buildings are no closer than fifty (50) feet to any property line; and
 - C. One sign shall be permitted and shall be oriented to the street giving access to the property. The size, setbacks, and any lighting shall be the same as for other nonresidential uses permitted within the applicable zone; and
 - D. Noise and glare are to minimized as follows: loud speakers, just boxes, public address systems, electric amplifiers, and similar electronic devices shall not be permitted.
 4. Kennel Operation (2946-06/02/1998).
 - A. Kennel operation located on a minimum two (2) acre parcel;
 - B. No structure or area occupied by animals shall be closer than five hundred (500) feet to any residential lot line; and
 - C. The outside keeping of animals shall be between the hours of 8:00 a.m. and 10:00 p.m.
 5. Hospitals or Medical Campus
 - A. The property shall have access from a collector or arterial street.

6. Methadone Treatment Clinic or Facility (scheduled drugs dispensed on-site). (3646-12/03/2019)
 - A. No facility shall allow outdoor seating areas, queues, or customer waiting areas. All activities shall be conducted within the building and adequate indoor waiting areas shall be provided for all patients and business invitees.
 - B. The facility shall be fully licensed/certified by the appropriate regulating state or federal agency, if required;
 - C. If a certificate of need (CON) is required, a copy of the CON application shall be submitted to the Board of Zoning Appeals prior to being heard by the Board. The CON shall be obtained as a condition of final approval; no building permits shall be issued, or occupancy be allowed prior to the petitioner receiving the CON and licenses and presenting them to the Planning Department;
 - D. The facility shall be located on properties which abut, adjoin, or physically border a collector or arterial street.
 - E. The petitioner shall provide the Board of Zoning Appeals with information regarding the number of staff to be employed.
 - F. The indoor waiting/seating area shall be open to all patients thirty (30) minutes prior to patients being seen.
 - G. The facility shall post a conspicuous sign stating that no loitering is allowed on the property; and
 - H. Provide the name and phone number of the community relations contact who will respond to complaints.

7. Non-Owner Occupied Short-Term Rental Units (3613- 07/17/2018)
 - A. Meet all conditions under 14-228.4

8. Pain Management Clinic: (3431-02/07/2012)
 - A. For the purposes of this ordinance, a pain management clinic means a privately-owned facility in compliance with the requirements of TCA § 63-1-302 through § 63-1-311 in which a medical doctor, an osteopathic physician, an advanced practice nurse, and/or a physician assistant provides pain management services to patients, a majority of whom are issued a prescription for, or are dispensed opioids, benzodiazepine, barbiturates, or carisoprodol, but not including suboxone, for more than ninety (90) days in a twelve-month period.
 - B. This section does not apply to the following facilities as described in TCA § 63-1-302:
 - i) A medical or dental school, an osteopathic medical school, a physician assistant program or an outpatient clinic associated with any of the foregoing schools or programs.
 - ii) Hospital as defined in TCA § 68-11-201, including any outpatient facility or clinic of a hospital.
 - iii) Hospice services as defined in TCA § 68-11-201.
 - iv) A nursing home as defined in TCA § 68-11-201.
 - v) A facility maintained or operated by the State of Tennessee; or
 - vi) A hospital or clinic maintained or operated by the federal government.
 - C. Certification. Said facility shall maintain in good standing a certificate in compliance with TCA § 63-1-306 through § 63-1-309.
 - D. Receipts. A pain management clinic, in conformity with TCA § 63-1-310 may accept only a check, credit card or money order in payment for services provided at the clinic, except that a payment may be made in cash for a co-pay, coinsurance or deductible when the remainder of the charge for services is submitted to the patient's insurance plan for reimbursement.
 - E. Applicants for a Use on Review for a pain management clinic shall submit a site plan clearly depicting the following:
 - i) Off-Street Parking and Vehicular Operation. Off-street parking shall be provided for the facility at a rate of one (1) space per two hundred square feet of total clinic floor area and there shall be no cuing of vehicles in the public right-of-way.
 - ii) Location. The clinic shall not be located within one thousand (1,000) feet, as measured from

the closet wall of the proposed building to the nearest property line, of any school, day care facility, park, church, residential district, pharmacy, or similar facility that sells or dispenses either prescription drugs or over the counter drugs or any establishment that sells alcoholic beverages for either on or off premises consumption.

- iii) The site shall not be less than one-half (1/2) mile from any other pain management clinic.
 - iv) Access. The clinic shall be located on property that is adjacent to and has access to a principal arterial street as shown on the Morristown, Tennessee Transportation Plan.
 - v) Maps showing existing land use and zoning within one-quarter (1/4) mile of the proposed site should be submitted with an application for Use on Review approval along with the license of the applicant, certificate of need, site plan, survey or other information deemed reasonable by the Board of Zoning Appeals for use in making a thorough evaluation of the proposal.
 - vi) In reviewing each application, the Board of Zoning Appeals may establish additional requirements or conditions of approval to further reduce the impact such facility may have on surrounding properties.
9. Residential Dwellings (one-family, two-family, multifamily); needs Planning Commission approval.
- A. Located above the ground floor of commercial buildings.
10. Schools (public or private), Colleges or Trade school
- A. The property shall have access from a collector or arterial street.
11. Substance Abuse Treatment Facilities. (3646-12/03/2019)
- A. No facility shall allow outdoor seating areas, queues, or customer waiting areas. All activities shall be conducted within the building and adequate indoor waiting areas shall be provided for all patients and business invitees.
 - B. The indoor waiting/seating area shall be open to all patients thirty (30) minutes prior to patients being seen;
 - C. The facility shall post a conspicuous sign stating that no loitering is allowed on the property. A sign shall also be posted stating that no drugs/medications are stored or distributed on property; and
 - D. Provide name and phone number of the community relations contact who will respond to complaints.
12. Tire Sales and Service.
- A. A site plan shall be submitted to meet requirements as put forth in Chapter 31 PARKING REGULATIONS, and:
 - B. Indoor storage of tires will be limited to two thousand (2,000) square feet without additional fire protection measures as specified under the NFPA Uniform Fire Code and currently adopted International Building Code.
 - C. Outdoor storage of tires:
 - i) All tire storage shall be screened from public view and public access with an opaque fence a minimum of 6-feet tall. The fencing materials shall be identified on a site plan.
 - ii) All tires shall be stored a minimum of 10 feet from any building.
 - iii) All tires shall be stacked in piles not exceeding six feet in height.
 - iv) All tires displayed for sale outside shall be stored inside after business hours and not left outside.
 - v) All tires shall be covered or wrapped.
13. Vehicle Repair Facility
- A. A site plan shall be submitted to meet requirements as put forth in Chapter 31 PARKING REGULATIONS, and;

- B. The vehicle storage areas shall be screened from all residential uses and districts. Screening shall be a minimum of (6) six feet in height from grade and shall be clearly marked and defined on the site plan. All screening shall be neutral in color and blend in with adjoining properties.
- C. All motor vehicle repairs shall take place inside the repair shop building. No repair work may be done unless indoors.
- D. Storage of auto parts and supplies will be within a structure, away from public view and access.
- E. All surface areas for motor vehicle traffic and/or parking shall be asphalt or concrete surface. No vehicles, to include customer, employee or those waiting to be repaired will be parked on grass, gravel, or an unpaved surface.
 - i) No motor vehicles shall be stored within the public rights-of-way.

14. Vehicle Sales:

- A. A site plan shall be submitted to meet requirements as put forth in Chapter 31 PARKING REQUIREMENTS and;
- B. Traffic aisles and ingress/egress shall meet the requirements as stated under Chapter 2, Section 14-216. All plans will include access as required by the Morristown Fire Department for emergency vehicles.
- C. In addition to parking requirements pursuant to Chapter 31, a minimum of three (3) customer spaces must be provided for and identified; a minimum of fifteen (15) parking stalls must be provided for sales stock.
- D. Automobiles displayed along property lines must include a Staff approved physical barrier. New development sites require a 10-foot grassed strip along property lines which front rights- of-way. Existing or redeveloped sites may choose this option or provide a smaller grassed strip with barriers such as chain and bollard or wheel stops to prevent vehicles from encroaching into rights of way and/or prevent overlap onto adjacent properties. Either method will be shown on the site plan.

14-1004. LOT AREA

There is no minimum lot size within the IB District, however, all other applicable provisions within the Zoning Ordinance must be in compliance for the proposed use.

14-1005. LOT WIDTH

The minimum lot width, for any lot, shall be sixty-five (65) feet at the building line.

14-1006. SETBACKS

1. Front-Yard: The minimum front yard setback shall be thirty-five (35) feet to the front yard line.
2. Rear-Yard:
 - A. The minimum rear yard setback shall be ten (10) feet; or
 - B. If the rear lot line is adjacent to a lot in any residential district, then the minimum rear yard setback shall be twenty (20) feet; or
 - C. If the rear yard lot line is adjacent to a right-of-way of an alley, then the rear yard setback shall be five (5) feet.
3. Side-Yard:
 - A. The minimum side yard setback shall be fifteen (15) feet; or
 - B. If the side lot line is adjacent to a right-of-way of an alley, then the minimum side yard setback shall be five (5) feet.

14-1007. BUILDING AREA

The principal building and accessory building, on any lot, shall not cover more than seventy-five percent (75%) of the total area of said lot.

14-1008. BUILDING HEIGHT

1. The maximum building height is four (4) stories or forty-five (45) feet.

Churches, schools, hospitals, sanatoriums, and other public and semi-public buildings may exceed the height limitations of the district if the minimum depth of the front, side, and rear yards required in the district is increased one (1) foot for each two (2) feet by which the height of such public or semi-public building exceeds the prescribed height limit.