

# **MORRISTOWN REGIONAL PLANNING COMMISSION**

## **Agenda**

**October 9, 2018**



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### **Call to Order**

**I.** Approval of September 11<sup>th</sup>, 2018 Minutes

**II.** Old Business: none

**III.** New Business:

REZN-2228-2018: Rezoning Request at 2323 E Morris BLVD from HI to IB

REZN-2234-2018: Rezoning Request at 2518 W Andrew Johnson HWY from R1 to IB

REZN-2189-2018: Rezoning Request at 1294 Old Witt RD from R1 to IB

ROAD-2230-2018: Street Renaming Request for a portion of Rosedale Ave

TEXT- 2220-2018: Central Business District Text Amendments

**IV.** Departmental Reports:

Minor Subdivisions Approved

MISD-2227-2018: Cedar Ridge Subdivision of Lot 50

### **Adjournment**

*The next meeting of the Morristown Regional Planning Commission is scheduled for November 13, 2018 at 4:00 pm.  
The deadline to submit applications for this meeting is October 15, 2018.*

**Morristown Regional Planning Commission  
Minutes  
September 11, 2018**

**Members Present**

Chairman Frank McGuffin  
Vice-Chairman Jack Kennerly  
Secretary Roni Snyder  
Mayor Gary Chesney  
Commissioner Wanda Neal  
Commissioner Ventrus Norfolk  
Commissioner Bill Thompson  
Commissioner Sylvia Hinsley

**Others Present**

Steve Neilson, Development Director  
Lori Matthews, Senior Planner  
Josh Cole, Planner  
Greg Ellison, Chief Building Inspector  
Debra Stamey  
Tina Allison  
Dustin Cameron  
Justin Cameron  
Gary Johnson  
Rich DesGroseilliers, LAMTPO Coordinator

**Members Absent**

Councilmember Robert (Bob) Garrett

**I. Election of Officers: Chairman, Vice-Chairman, Secretary**

The Commission called for annual election of Officers. All offices were declared vacant. Commissioner Jack Kennerly nominated Frank McGuffin as Chairman of the Morristown Regional Planning Commission. Mayor Gary Chesney moved this nomination cease and Frank McGuffin be accepted by acclamation. Commission voted all Ayes. Newly elected Chairman McGuffin now presides over the meeting. Commissioner Wanda Neal nominated Jack Kennerly as Vice-Chairman. Mayor Gary Chesney moved this nomination cease and Jack Kennerly be accepted by acclamation. Commission voted all Ayes. Commissioner Bill Thompson nominated Roni Snyder as Secretary. Mayor Gary Chesney moved this nomination cease and Roni Snyder be accepted by acclamation. Commission voted all Ayes.

Chairman Frank McGuffin called the meeting to order and invited anyone who wished to join the Commission in an Invocation and the Pledge of Allegiance.

**II.** Chairman Frank McGuffin asked if there was a motion to approve the minutes from the August 14<sup>th</sup>, 2018 meeting. Commissioner Bill Thompson made a motion to approve the minutes as presented. Vice-Chairman Jack Kennerly made a second.

Voting Results upon voice votes 8 yes, 0 no. Motion carries.

**III. Old Business:**

**None**

**IV. New Business:**

**Multimodal Grant Resolution**

Lakeway Area Metropolitan Transportation Planning Organization (LAMTPO) Coordinator Rich DesGroseilliers discussed a Multi-Modal Grant from TDOT. It is 95% state funded and 5% local match up to \$1,000,000. Morristown is recommending improvements to sidewalk ramps as shown on the map. Some sidewalks do not have ramps or have ramps that are not to standard. Morristown is looking at \$1,000,000 with 250 ramps needing to be improved. Mr. DesGroseilliers asked the Commission to approve this resolution supporting the grant application for the 2018 TDOT Multi-Modal Access Fund Grant.

Mayor Gary Chesney made a motion to approve the resolution supporting the grant application. Vice-Chairman Jack Kennerly seconded the motion.

Voting Results 8 yes, 0 no. Resolution Passes.

Mayor Chesney asked Mr. DesGroseilliers how many sidewalk ramps are in Morristown. Mr. DesGroseilliers stated well over 400 and close to 500 or 600. Chairman McGuffin asked when the money will be available and work will begin. An announcement will be made first of the year and work will begin another year after.

#### **ROWC-2219-2018**

##### **Rosedale Rd. Abandonment between Dice St. and Sulphur Springs**

Planner Josh Cole discussed a request for a right-of-way abandonment for the portion of Rosedale Avenue between Dice Street and Sulphur Springs Road. This road currently separates the Public Works facility and Tennessee College of Applied Technology (TCAT) and the Boys and Girls Club located on the northern intersection of Sulphur Springs and Rosedale Avenue. The Public Works Department will be moving from its current location off of Dice Street, to Durham Landing. TCAT is expected to expand their campus across Rosedale Avenue onto the soon-to-be vacant Public Works site. TCAT's proposed expansion will include a new building and parking lot for future students. On the current Public Works site, the proposed request is to abandon the Rosedale Avenue right-of-way from Dice Street to Sulphur Springs. However, the Boys and Girls Club maintain a driveway off of Rosedale Avenue. Staff is proposing a joint transportation easement to be in place between the Boys and Girls Club and TCAT. This easement would run approximately 375 feet from Sulphur Springs east to the rear property line of the Boys and Girls Club.

Staff recommends approval of this right-of-way request with a shared access agreement being in place between TCAT and the Boys and Girls Club and would ask Planning Commission to forward it on to City Council.

Commissioner Bill Thompson stated earlier at the lunch work session that there was a lot of discussion about the development and the real necessity in terms of closing a right-of-way. The right-of-way is approximately 50 feet wide and appears to be in relatively good condition with sidewalks and access for foot and vehicle traffic. Commissioner Thompson expressed his concern with the right-of-way closure, questioning how much the access would be adversely affected and how the general public would be notified of this closure. Planner Josh Cole explained part of the process was to only notify adjoining property owners and run a newspaper ad. Chairman McGuffin asked about the easement being the main ingress/egress for TCAT or will they still use Louise Avenue? Mayor Chesney stated this will be determined by class choice at TCAT. Director Steve Neilson, after the lunch meeting, met with Kay Senter and John Seals. John Seals expressed concern about a number of kids who go to the Boys and Girls Club and cut across Rosedale. Staff is going to set up a meeting sometime next week with Jerry Young, President of TCAT, and John Seals to discuss some of the issues. As far as driving through, it is part of TCAT's campus and most schools do not want streets running through the middle of the campus because of the pedestrian traffic. Hopefully, a resolution can be achieved to maintain a pedestrian way through the easement.

After further discussion, Mayor Chesney made a motion to abandon Rosedale as proposed. Vice-Chairman Jack Kennerly seconded the motion.

Voting Results 7 yes, 1 no. Motion Passes.

**REZN-2221-2018: UGB Rezoning from Agricultural to Commercial @ 2945 Enka Highway**  
Applicant postponed item.

### **TEXT-2226-2018: Hamblen County Text Amendments**

Senior Planner Lori Matthews discussed the Planning Department proposed amendment changes to portions of the Hamblen County Zoning Code with regard to the following: (in summary)

1. Addition of a new definition for a recreational vehicle (to avoid using RV's for permanent living quarters)
2. Amendment to Section 7.4 Development Standards for Automobile wrecking, junk, salvage yards and dumps
3. Amendment to accessory structure size and lot size (lot size to determine structure size)

Mr. Joe Barrett, representing Hamblen County, has advised along with the Hamblen County Planning Commission that the zoning amendments presented be approved. City Staff will as well recommend to the Planning Commission that it forward their endorsement of the text changes to the Hamblen County Commission.

Commissioner Bill Thompson made a motion to approve the Hamblen County Text Amendments. Vice-Chairman Kennerly seconded the motion.

Voting Results 8 yes, 0 no. Motion Passes.

### **Windswept Bond Extension**

Senior Planner Lori Matthews discussed the Planning Department request from Lake Developers II Inc. for extension of their infrastructure bonds for Windswept Subdivision development located in north Morristown by Cherokee Lake. Two of the five bonds originally needed for this development were released last year after the developer completed Phases I and II of the project. The developer is still making progress in completing the necessary sidewalks, streets and placement of a sanitary sewer pump station. The three remaining bonds which the developer is asking to have extended are as follows:

1. Completion of the Sewers-Estimated to be \$75,000
2. Completion of Phase III-Estimated to be \$241,000
3. Completion of Phase IV-Estimated to be \$970,000

City Staff asked that these bonds, which now are in place, be extended for one more year.

Vice-Chairman Jack Kennerly made a motion to approve the bond extensions. Commissioner Bill Thompson seconded the motion.

Voting Results 8 yes, 0 no. Motion Passes.

### **IV. Departmental Reports:**

Director Steve Neilson discussed the Tennessee Chapter of the American Planning Association Fall Conference on September 28<sup>th</sup>. A three hour training session, from 9am to 12pm, will be in Kingsport at the Meadowview Convention Center. Sessions will be on Property Rights, Planning Commissioner training and BZA training. Director Neilson is signing the Commissioners up for the workshop. If they cannot make it, there will be another opportunity for Property Rights training at the end of October in Jefferson City. Director Neilson will be presenting part of the BZA training, so Commissioners will have the opportunity to take the training with him.



**MISD-2218-2018: Weigel's at the Downs Truck Fueling Station**

Senior Planner Lori Matthews noted this is the only subdivision approval Staff had in-house. Approval was discussed at the lunch session. It is a division of property for the Weigel's Trucking Service Station behind Weigel's convenience store at Exit 8.

There being no further business, the meeting was adjourned.

Respectfully submitted,

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Roni Snyder, Secretary

RS/ta

DRAFT

# City of Morristown

Incorporated 1855

## DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING

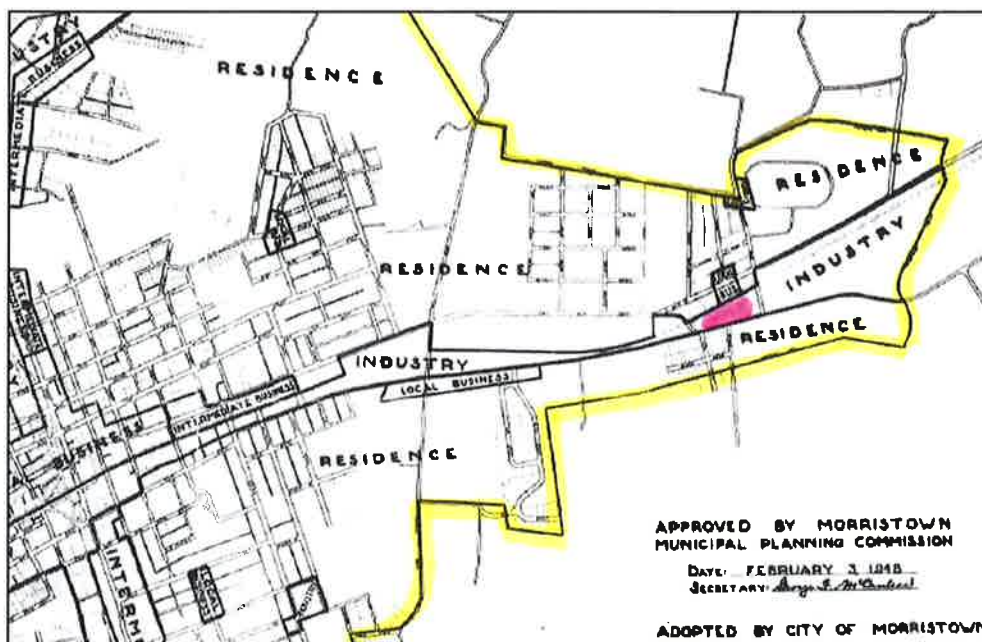


TO: Morristown Regional Planning Commission  
FROM: Lori Matthews, Senior Planner  
DATE: October 9<sup>th</sup> 2018  
REQUEST: Rezoning Request

### **BACKGROUND:**

A rezoning request has been submitted by Store Master Funding II, LLC. for their property addressed as 2323 East Morris Boulevard (Hamblen County Tax ID # 034F G 010.00), located on the north side of Andrew Johnson Highway between South Haun Drive and Jim Senter Way.

This 2 acre site is zoned heavy industrial (HI) and is home to the Sagebrush restaurant and its expansive on site parking area. Records show this portion of East Morris Boulevard has been designated for manufacturing use since at least 1948 when it was, at that time, the far eastern limits of the City. (indicated in pink below)



Of the 18 properties to the east (to Davy Crockett Highway) and west (to Hale Avenue) of the site, all of which are zoned HI (Heavy Industrial), none are currently utilized for industrial use. All are today used for commercial business. Zoning to the north between the railroad and Morningside Drive was rezoned from residential to OMP (Office Medical Professional) in 2008 and includes a mixture of both single and multifamily lots. Located south of the subject site are commercially zoned frontage lots along the highway with older but stable residential communities such as Oak Hills and Eastern Heights (platted 1947) behind.

The north side of Morris Boulevard has over the past decade been transforming from an unused warehouse row to a bustling commercial corridor from its intersection with Davy Crockett highway (Millers Landing/College Square Mall/Walters State) westward (Popkin Fields/DCS offices) to the City's downtown (Pet Sense/Walgreens/Sherwood Commons). Along with several of these redevelopments came requests to rezone from industrial to commercial which were approved. These development trends are certainly in line with what has been forecast for this area of the City as shown by the City's Future Land Use map. (shown next page)

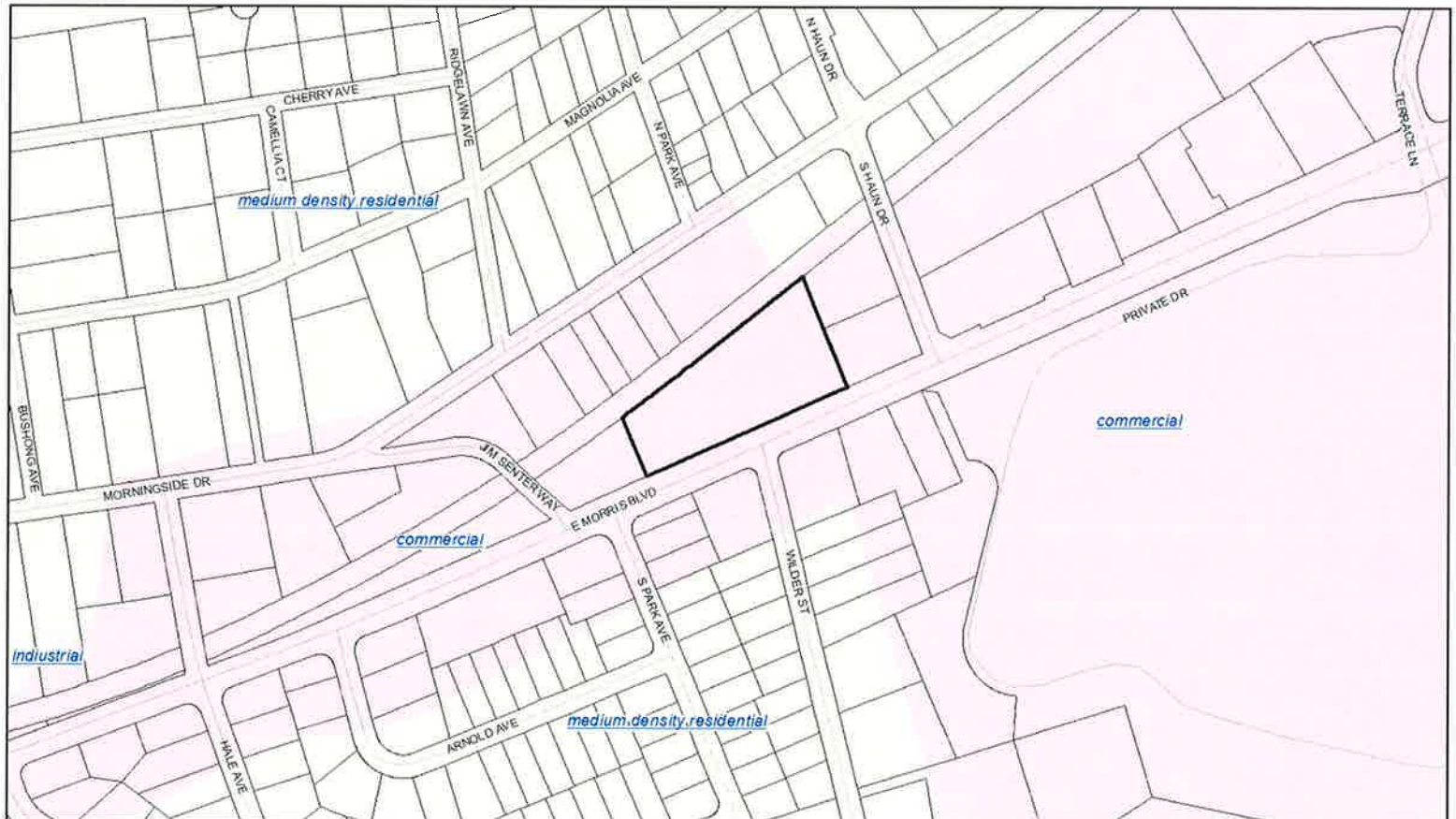
### **RECOMMENDATION:**

Staff would recommend the applicant's request to rezone from HI to IB be granted as it continues the positive development trend along this important City corridor.

## CURRENT ZONING



## FUTURE LAND USE MAP





# City of Morristown

Incorporated 1855

## DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING

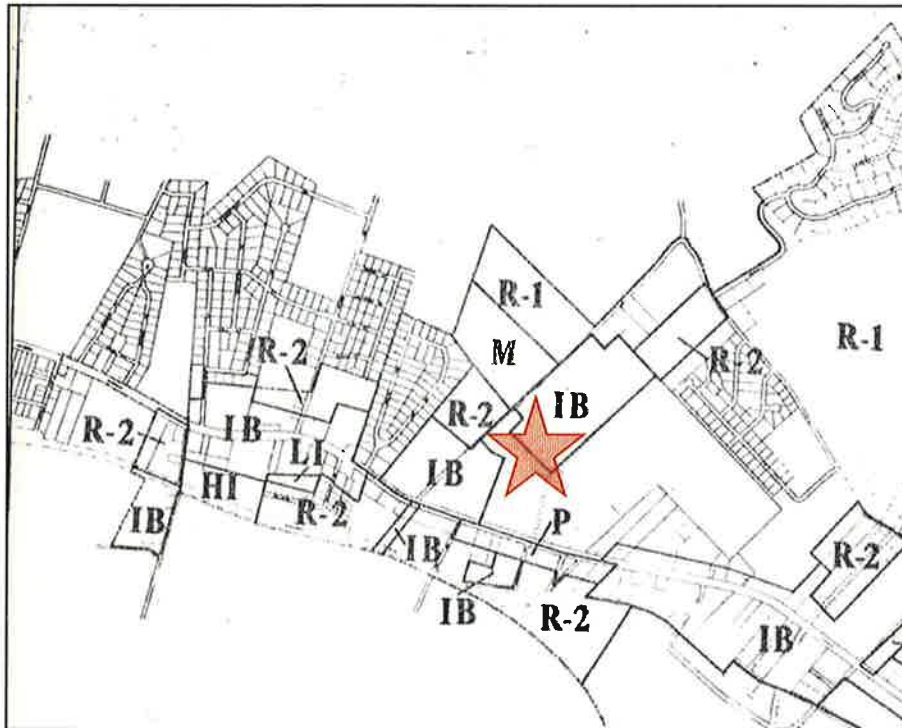


TO: Morristown Regional Planning Commission  
FROM: Lori Matthews, Senior Planner *LM*  
DATE: October 9<sup>th</sup> 2018  
REQUEST: Rezoning Request for St. Patrick Catholic Church

### **BACKGROUND**

A rezoning request has been submitted by Mr. Michael Price on behalf of his client the Roman Catholic Diocese of Knoxville for their property (Saint Patrick Catholic Church) which is located east of Lowes and west of Masengill Springs on West Andrew Johnson Highway. The property, having been assigned Hamblen County Tax ID # 041B A 015.00, contains both a Church and Parish, addressed 2518 and 2520 West Andrew Johnson Highway, respectively.

Records show that the 6.3 acre site has been zoned R-1 (Single Family Residential) since at least 1976. Originally platted as two separate parcels, the Church combined them into one in 2001.



The City's Future Land Use Plan projects both sides of West Andrew Johnson to be commercially zoned as well as much of the acreage behind the Church. This trend has been reflected in recent redevelopments and commercial rezoning approvals along this portion of Highway 11E. (Masengill Springs/Syke's/Rural King) A small number of lots south of the site remain zoned for and used as professional offices.

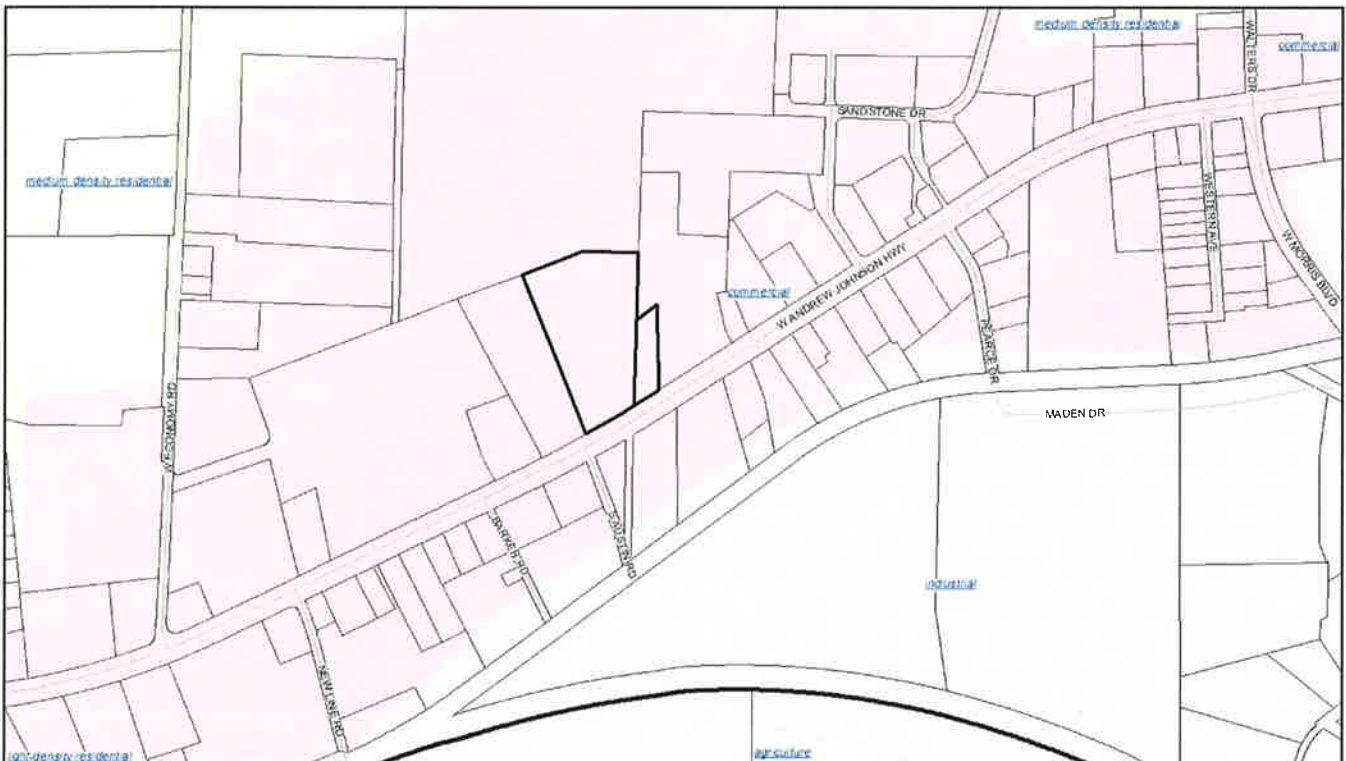
The applicant seeks to rezone the property from R-1 to IB (Intermediate Business) in order to upgrade their outdoor monument sign. As outdoor advertising requirements for R-1 properties provide for residential development signage exclusively, advertising in commercial zones provide more flexibility.



## CURRENT ZONING



## FUTURE LAND USE



## **RECCOMENDATION –**

The proposed rezoning is consistent with the Future Land Use Plan and is in keeping with the predominant land uses along this corridor. Staff recommends approval of this request.



# City of Morristown

Incorporated 1855

DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING



TO: Morristown Regional Planning Commission  
FROM: Josh Cole, Planner  
DATE: October 9<sup>th</sup>, 2018  
SUBJECT: 1294 Old Witt Road Rezoning

## **BACKGROUND:**

This is a request from the property owner, Robert Parvin, of 1294 Old Witt Road to rezone his property from Single Family Residential District (R1) to Intermediate Business District (IB). The owner states when the property was annexed with the R1 zoning designation, it made the existing office/retail business nonconforming. This rezoning will bring the building and use into conformance.

The property is approximately 0.84 acres and contains an office building on the site. The properties to the north and east are zoned by the county as agriculture (A1) with the property to the north containing a single family house and pond that is advertised as a wedding/events venue ("Raines Manor") and the property to the east containing a single family house with a farm. The properties to the southwest are residential and zoned R1. However, there are intermediate business zoned properties to the south and southwest including storage units being located directly across the street.



**RECOMMENDATION:**

This rezoning request from R1 to IB will bring the office/retail use on this property into conformance and it is also compatible with the surrounding zoning and land uses. Thus, staff recommends approval of this request and would ask that the Planning Commission forward it on to City Council



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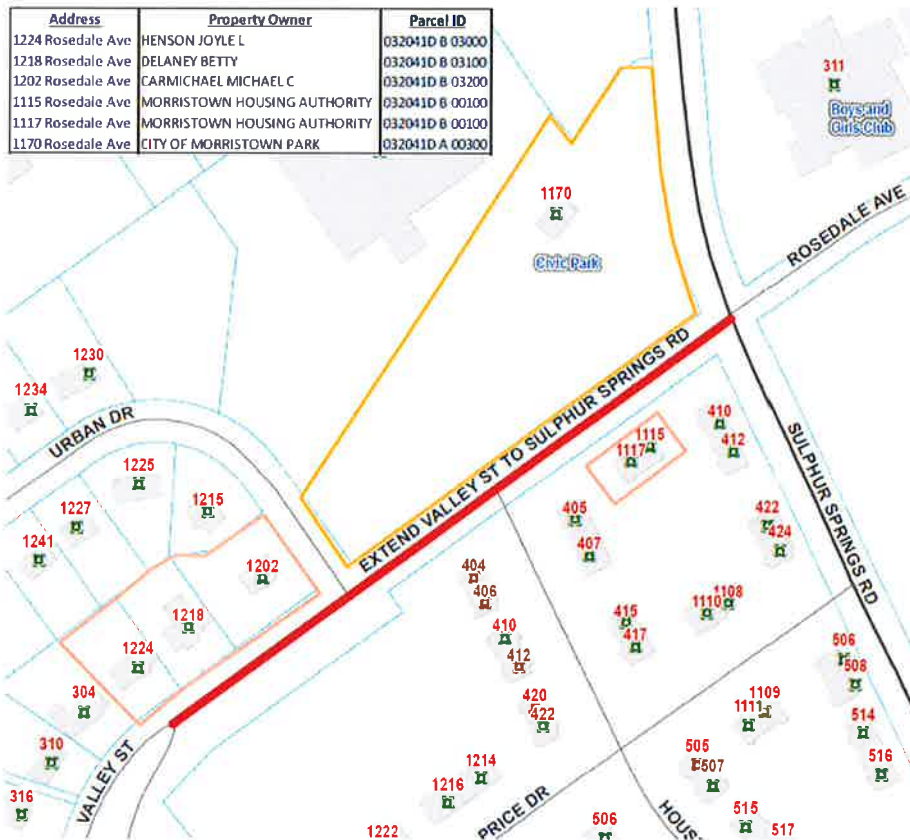
DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING



TO: Morristown Regional Planning Commission  
FROM: Josh Cole, Planner  
DATE: October 9<sup>th</sup>, 2018  
SUBJECT: Rosedale Ave Street Renaming

## **BACKGROUND:**

The City recently closed the right-of-way for Rosedale Ave between Dice St. and Sulphur Springs Rd., however, Rosedale Ave is still present to the east and west of this closure, which can cause logistical problems for emergency services. Thus, staff is proposing the extension of Valley St. east from its current endpoint at Rosedale Ave to a new endpoint at Sulphur Springs Rd. Renaming this portion of Rosedale Ave to Valley St. would end the western edge of Rosedale Ave as a street at Dice St.



As can be seen in the above map, the renaming of this portion of Rosedale Ave to Valley St. will impact three single-family houses, one duplex, and Civic Park.

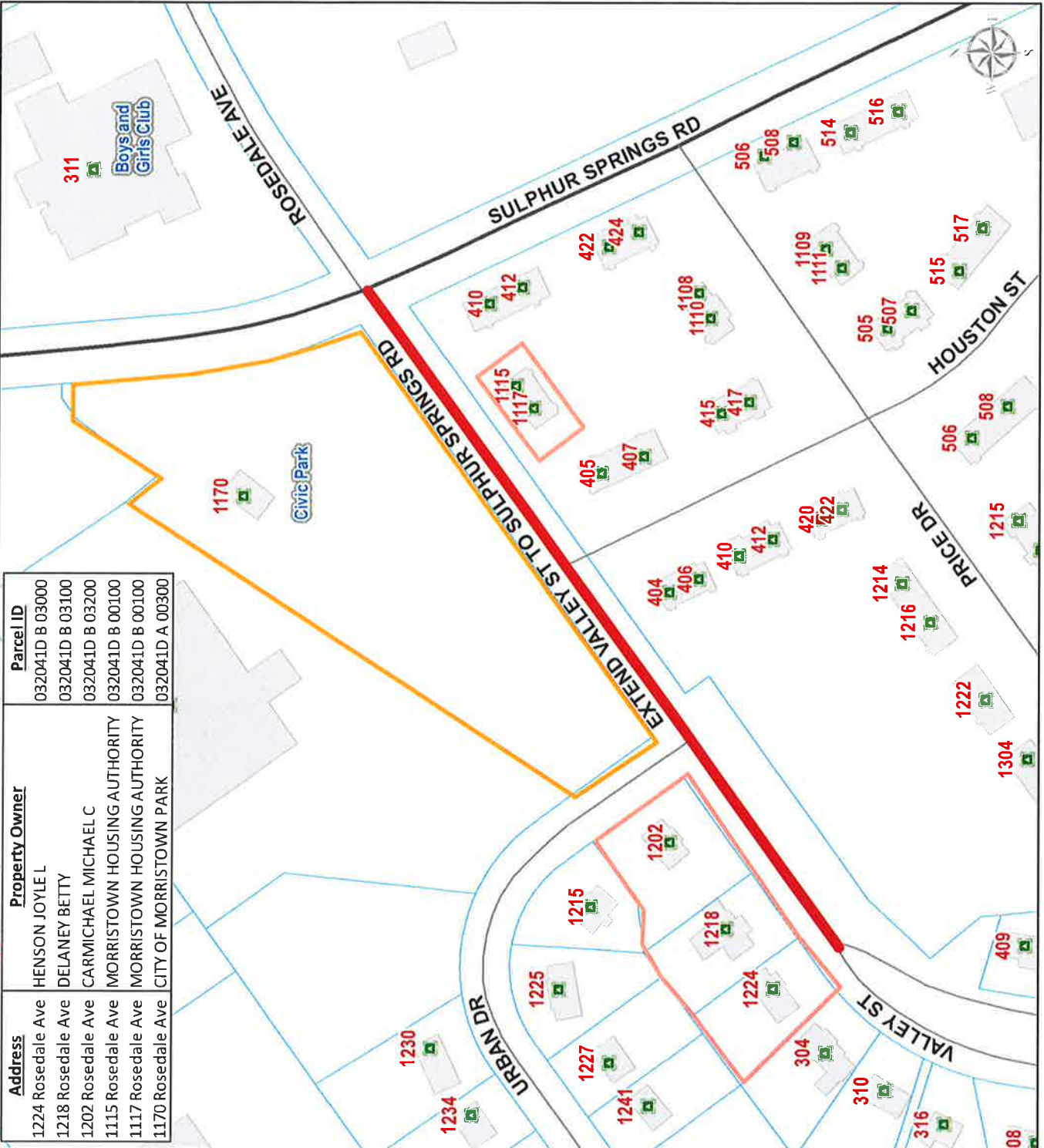
## **RECOMMENDATION:**

Staff recommends approval of the proposed street renaming of Rosedale Ave west of Sulphur Springs Rd. to Valley St. and would ask Planning Commission forward this request to City Council.



# City of Morristown Extension of Valley St

Address	Property Owner	Parcel ID
1224 Rosedale Ave	HENSON JOYLE L	032041D B 03000
1218 Rosedale Ave	DELANEY BETTY	032041D B 03100
1202 Rosedale Ave	CARMICHAEL MICHAEL C	032041D B 03200
1115 Rosedale Ave	MORRISTOWN HOUSING AUTHORITY	032041D B 00100
1117 Rosedale Ave	MORRISTOWN HOUSING AUTHORITY	032041D B 00100
1170 Rosedale Ave	CITY OF MORRISTOWN PARK	032041D A 00300



### Legend

**Address Status**  
Current

**Building Footprints**

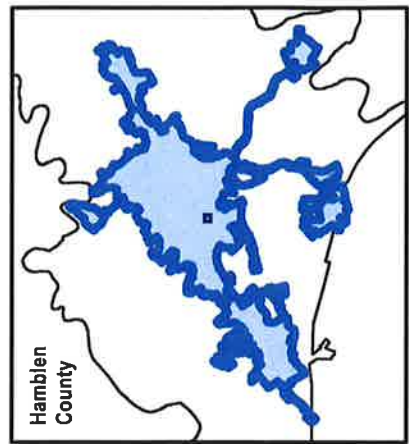
**Roads**  
Minor Arterial   
Local

**Parcels**

**Properties Affected**

**DISCLAIMER**

This map product was prepared from a Geographic Information System established by the City of Morristown for its internal purposes only, and was not designed or intended for general use by members of the public. The City of Morristown, its employees, agents, and personnel are not liable or are responsible for any errors or mistakes that may be on this map. Further, the City of Morristown, its employees, agents, and personnel, make no representation or warranty as to its accuracy, and in particular, its accuracy as to labeling, dimensions, contours, property boundaries, or placement or location of any map features associated with this

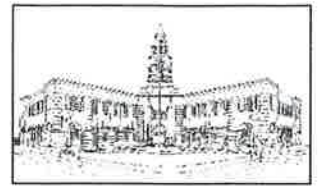




# City of Morristown

Incorporated 1855

DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING

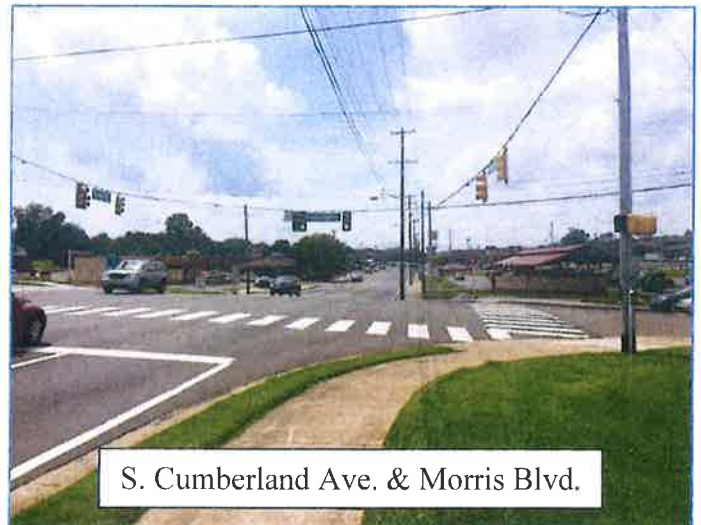
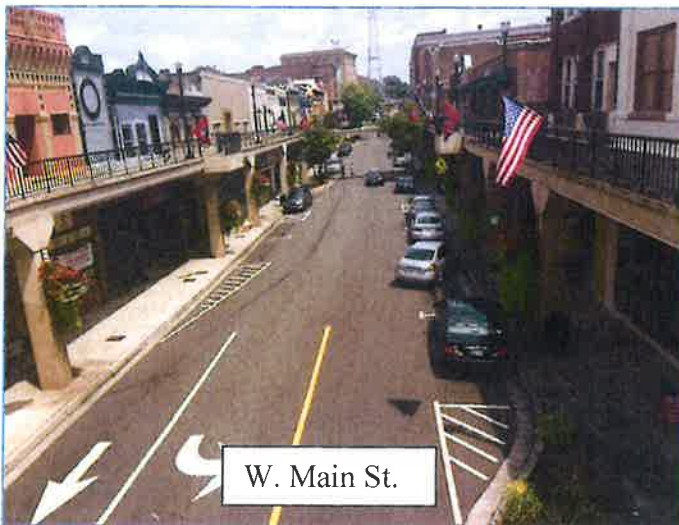


TO: Morristown Regional Planning Commission  
FROM: Steve Neilson, Community Development Director *[Signature]*  
DATE: October 9, 2018  
SUBJECT: Text Amendment – Chapter 11, CBD - Central Business District

## **BACKGROUND:**

As part of Staff's continuing effort to update the Zoning Ordinance, Staff has begun reviewing the CB - Central Business District.

To begin this process, Staff held a community meeting at Venture Place on August 23<sup>rd</sup> where the public and downtown property owners were invited to come and share their visions for the downtown. Approximately 25 people attended the meeting. During the meeting it was concluded that the CBD is really comprised of two distinct development styles. The historic buildings along East and West Main Street and North and South Cumberland are urban, built close to the street and are pedestrian oriented. While the buildings and properties along East and West Morris Boulevard are more automobile oriented, suburban style development with the buildings set back from the street and surrounded by on-site parking lots.

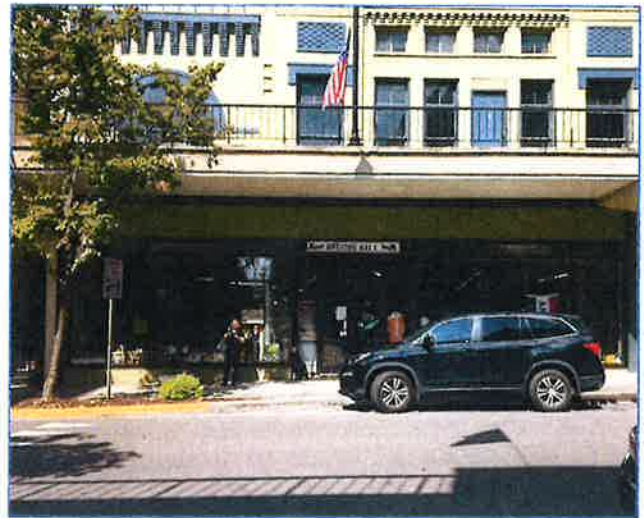


In order to accommodate the diverse building types, a second set of development standards are proposed for the historic Main Street area to be identified as the "Urban Corridor". The buildings along the Main Street corridor are characterized as multi-story structures set close to the street. At the community meeting it was felt that any new construction/reconstruction should match the architectural context and style of the corridor. Therefore, Staff is proposing a minimum building height of two (2) stories with a maximum building setback of five (5) feet from the street right-of-way.

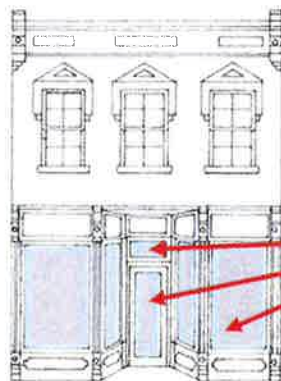
Another important element of these historic buildings is the street level front façades. Historically, downtown buildings were known to have large windows where pedestrian walking by can view into shops or



people in restaurants can view out on to the street. This enhanced the overall experience of being in the downtown.



Staff conducted a survey of downtown buildings and found that the buildings had glass opening of sixty-five (65) percent. In order to match this, Staff is proposing a minimum of sixty (60) percent of the street level facade of all buildings shall be windows, doors, display areas, or similar architectural features. All buildings adjoining the SkyMart shall provide a second entrance off of the SkyMart.



Min. of 60% of the street level  
façade shall be transparent glass

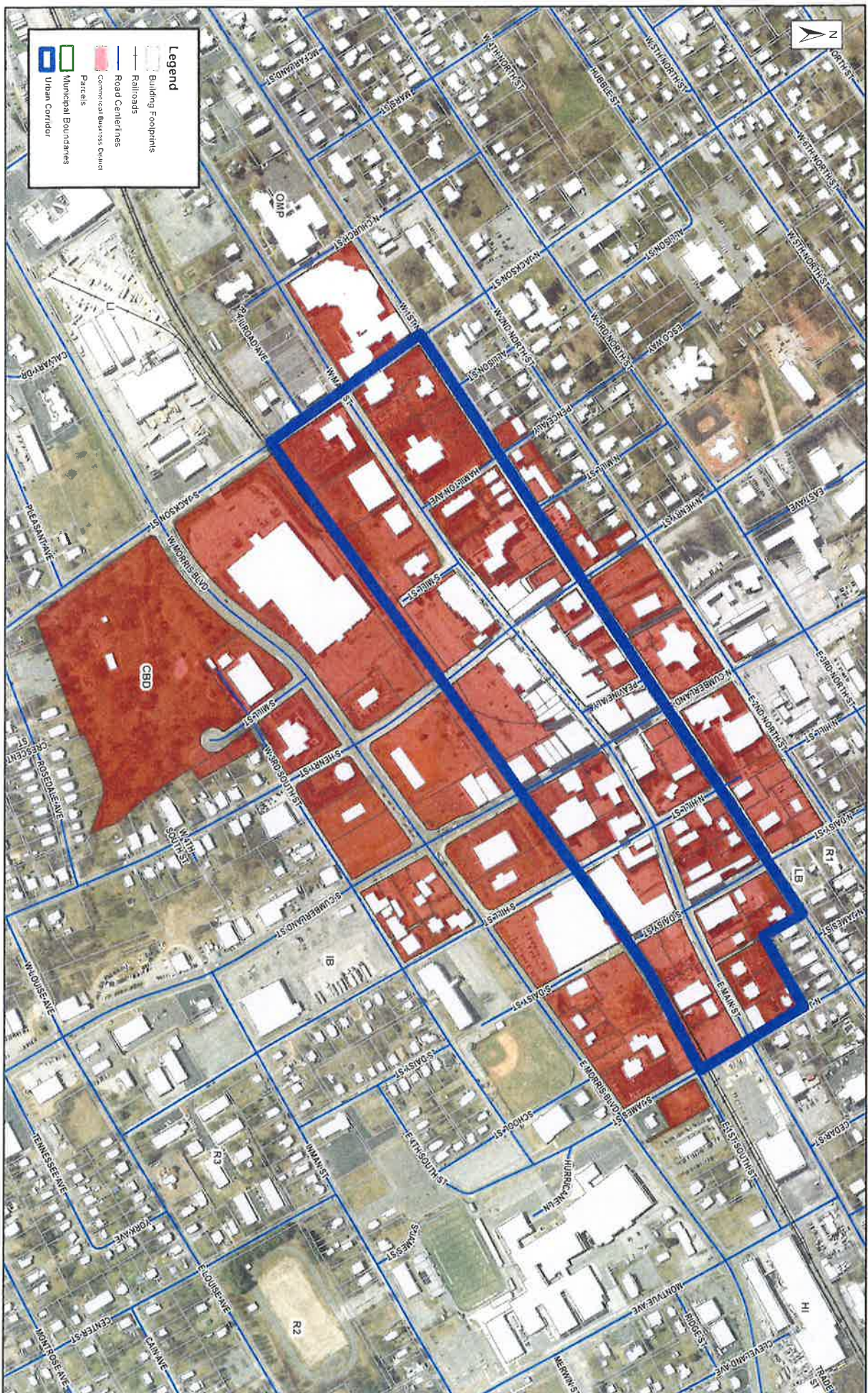
Buildings outside of the proposed “Urban Corridor” will continue to be regulated by the building standards currently in place.

On September 30<sup>th</sup>, the Crossroad Downtown Partnership Board of Directors unanimously voted to endorse the proposed changes to the Central Business District.

### **RECOMMENDATION:**

Staff recommends approval of the proposed text amendments.









# Crossroads Downtown Partnership

*Community Vision for the Heart of Morristown, TN*

September 24, 2018

## Board of Directors

### President

Amie Whitworth

### Vice-President

### Secretary

Sami Barile

### Treasurer

Susan Holt

Mannie Bedwell

Mayor Bill Brittain

Mayor Gary Chesney

Angela Dalton

Chris Harville

Jim McGhee

Anne Ross

Shelley Shropshire

Ken Smith

Bill Thompson

Debra Williams

### Executive Director

Barbara A. Garrov

Mr. Steve Neilson, AICP

Director of Development and Planning

City of Morristown

P. O. Box 1499

Morristown TN37816

RE: CBD Zoning Revisions to Accommodate an Urban Corridor to Maintain the Historic Character of portions of the Central Business District.

Dear Mr. Neilson:

Last week at our September 20, 2018, Board of Director's Meeting, a motion endorsing the revisions that are proposed to Chapter 11, Section 14 pertaining to the Central Business District Zoning Code was unanimously passed. This proposed change will formally create an urban corridor in our historic downtown with urban setbacks and requirements that are already present downtown. This endorsement was based on the comments of support that were made at the community meeting held August 23rd to gain public comment.

At that meeting were interested citizens, City Council members, building owners, and representatives of businesses located downtown. In fact, several meeting attendees suggested that the urban corridor be extended to accommodate future urban growth further east on East Main Street, and further north along North Cumberland Street so that the look and feel of Morristown's historic downtown can accommodate future growth and expansion, and create a positive pedestrian experience. This expansion will be particularly important as walking trails/ greenways are completed. It is understood that the purpose of this current ordinance change will not expand the Central Business District (CBD). So, we are noting for the record that any future expansion of the CBD area should also expand the designated Urban Corridor.

Sincerely,

*Amie B. Whitworth*

Amie Whitworth, President

Crossroads Downtown Partnership



*The Crossroads  
Downtown Partnership is a state  
chartered non-  
profit and an LLC  
designated tax  
exempt 501(c)(3)  
corporation.*

P. O. Box 1893 • Morristown, TN 37816-1893 • Phone: 423.312.1476  
crossroadsdowntownpartnership@gmail.com • www.crossroadspartnership.com  
With the Vision of making Morristown the "Go To" city between Bristol and Knoxville



CHAPTER 11  
(CB) CENTRAL BUSINESS DISTRICT

SECTION

- 14-1101. CB CENTRAL BUSINESS DISTRICT.
- 14-1102. USES PERMITTED.
- 14-1103. USES PERMITTED ON REVIEW.
- 14-1104. BUILDING SETBACKS.
- 14-1105. MINIMUM SIZE OF APARTMENT UNITS.

Chapter 11  
CB CENTRAL BUSINESS DISTRICT

14-1101. CB CENTRAL BUSINESS DISTRICT

This district forms the urban center for commercial, financial and professional activities. The intent is to protect and improve the Central Business District for the performance of its primary functions. Uses requiring a central location are particularly encouraged.

The Central Business District (CBD) is comprised of two distinct development styles. The historic buildings along East and West Main Street and North and South Cumberland are urban, pedestrian oriented developments predominantly characterized by multi-story buildings, set close to the street. The newer properties along East and West Morris Boulevard are more automobile oriented, suburban style development with the buildings setback from the street surrounded by on-site parking lots.

14-1102. USES PERMITTED

1. Accessory structures/buildings.
2. Bank.
3. Beauty Shops/Barber Shops.
4. Business, Professional or Governmental Offices
5. Catering Services
6. Churches, Synagogues, Temples, Parsonages, Parish Houses and other Places of Worship.
7. Kindergartens and Child Nurseries with more than six (6) pupils.
8. Mortuaries and Funeral Services (No Crematoriums)
9. Health Salon.
10. Hotels and motels.
11. Limited Service Restaurants
12. Microbreweries
13. Parking Lots and/or Parking Garages.
14. Private Clubs.
15. Public Parks and other Recreational Facilities.
16. Residential Dwellings (one-family, two-family, and multifamily) located above the ground floor of commercial buildings.
17. Restaurant.
18. Retail sales establishment.
19. Roomers, the taking of, provided that no more than two (2) rooms are used for such purposes.
20. Theater.

14-1103. USES PERMITTED ON REVIEW (6/17/2014)

1. Amusement Enterprise
  - a. The property shall have access from a collector or arterial street.
2. Animal Clinics and/or Hospitals.
  - a. The property shall have access from a collector or arterial street.
3. Bed and Breakfast operations.
  - a. The proposed use must meet the requirements under Section 14-611.
4. Convalescent and Nursing Homes, retirement homes, and assisted living facilities
  - a. The property shall have access from a collector or arterial street.
5. Home Occupation.

- a. The proposed use must meet the requirements under Section 14-228.
- 6. Human Care Clinics and/or Hospitals and Institutions for Medical Education.
  - a. The property shall have access from a collector or arterial street.
- 7. Light Printing.
  - a. The property shall have access from a collector or arterial street.
- 8. Schools (public or private).
  - a. The property shall have access from a collector or arterial street.

#### 14-1104. BUILDING SETBACKS

To reflect the uniqueness of these two distinct areas, two separate sets of development standards have been established. Standards for the CBD as a whole and standards for those in the urban areas referred to as the Urban Corridor.

##### 1. CENTRAL BUSINESS DISTRICT

###### a. Depth of Rear Yard

- 1. In the case of a lot where the rear lot line coincides with a right-of-way line of an alley, no rear yard for a non-residential building shall be required.
- 2. In all other cases any principal building on any lot shall be located no nearer than ten (10) feet to the rear lot line.

###### b. Depth of Side Yards

In the case of a lot where the side lot line coincides with the lot line of a lot in an R-1 or R-2 District, any principal building shall be located no nearer than five (5) feet to the side lot line.

##### 2. URBAN CORRIDOR

###### a. Depth of Front Yard

All buildings shall be set back no further than five (5) feet from the front lot line. Corner lots shall be considered to have front lot lines for all sides of the lot adjoining a public right-of-way, excluding alleys.

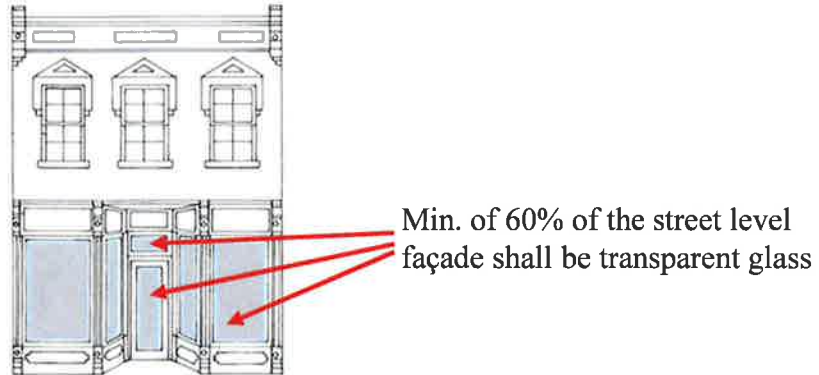
###### b. Building Height

- 1. The maximum building height is four (4) stories or forty-five (45) feet.
- 2. The minimum building height is two (2) stories.



c. Exterior Building Treatment:

A minimum of sixty (60) percent of the street level façade of all buildings shall be windows, doors, display areas, or similar architectural features. All buildings adjoining the SkyMart shall provide a second entrance off of the SkyMart.



14-1105. MINIMUM SIZE OF APARTMENT UNITS (2742-06/07/1994)

Apartment units located in the Central Business District (CBD) zone shall be 500 square feet or larger. This shall not include exterior halls, storage areas or garages. These may be efficiency one, two or more bedroom apartments. All converted apartments must meet all city, state and federal codes, ordinances and regulations.

CHAPTER 11  
(CB) CENTRAL BUSINESS DISTRICT

SECTION

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Chapter 11  
CB CENTRAL BUSINESS DISTRICT

14-1101. CB CENTRAL BUSINESS DISTRICT

This district forms the urban center for commercial, financial and professional activities. The intent is to protect and improve the Central Business District for the performance of its primary functions. Uses requiring a central location are particularly encouraged.

The Central Business District CBD) is comprised of two distinct development styles. The historic buildings along East and West Main Street and North and South Cumberland are urban, pedestrian oriented developments predominantly characterized by multi-story buildings, set close to the street. The newer properties along East and West Morris Boulevard are more automobile oriented, suburban style development with the buildings setback from the street surrounded by on-site parking lots.

14-1102. USES PERMITTED

1. Accessory structures/buildings.
- ~~2. Appliance Stores.~~
- ~~3. Architects' and Artists' Studios.~~
- ~~4. Architectural Offices.~~
- ~~5. Automobile Detailing/Car Wash.~~
- ~~6. Automobile Parts Store. (2649-10/01/1991)~~
- ~~7. Automobile Rental Agencies. (2716-10/19/1993)~~
- ~~8. Automobile Sales Agencies (New and Used).~~
- ~~9. Bakery Goods Store.~~
2. Bank.
3. Beauty Shops/Barber Shops.
4. Business, Professional or Governmental Offices
- ~~12. Book Store.~~
- ~~13. Brokerage Companies.~~
- ~~14. Candy Store.~~
5. Catering Services
6. Churches, Synagogues, Temples, Parsonages, Parish Houses and other Places of Worship.
- ~~15. Clothing Store.~~
- ~~16. Delicatessen.~~
- ~~17. Dentists.~~
- ~~18. Doctors.~~
- ~~19. Drug Store/Pharmacies/Apothecaries.~~
- ~~20. Dry Cleaning Pick-up Station.~~
- ~~21. Engineers.~~
22. Farm and Implement Sales Agencies.
- ~~23. Feed and Farm Stores.~~
24. Florist Shop.
- ~~25. Fruit Market.~~
26. Funeral Homes.
- ~~27. Gasoline Service Station/Convenience Stores.~~
- ~~28. Grocery Store.~~
- ~~29. Hardware Store.~~



7. Kindergartens and Child Nurseries with more than six (6) pupils.
8. Mortuaries and Funeral Services (No Crematoriums)
9. Health Salon.
10. Hotels and motels.
32. ~~Ice Cream Store.~~
33. ~~Insurance Agencies.~~
34. ~~Jewelry Store.~~
35. ~~Laundry Pick-Up Station.~~
36. ~~Laundry, Self-Service.~~
37. ~~Lawyers.~~
11. Limited Service Restaurants
38. ~~Loan Company.~~
39. ~~Masseurs.~~
40. ~~Meat Market.~~
41. ~~Medical Offices.~~
12. Microbreweries
42. ~~Mini-Storage Rental Warehouse Units.~~
43. ~~Motels.~~
44. ~~News Stand.~~
45. ~~Optometrists.~~
13. Parking Lots and/or Parking Garages.
47. ~~Pawnbroker.~~
48. ~~Plant and Flower Nurseries (retail and wholesale).~~
14. Private Clubs.
50. ~~Psychiatrists.~~
51. ~~Psychologists.~~
15. Public Parks and other Recreational Facilities.
52. ~~Radio Store and/or Repair Shop.~~
53. ~~Real Estate Agencies.~~
16. Residential Dwellings (one-family, two-family, multifamily) located above the ground floor of commercial buildings
17. Restaurant.
18. Retail sales establishment
19. Roomers, the taking of, provided that no more than two (2) rooms are used for such purposes.
55. ~~Shoe Store and/or Repair Shop.~~
56. ~~Shopping Centers/Malls.~~
57. ~~Tailor Shop.~~
58. ~~Television Store and/or Repair Shop.~~
20. Theater.
60. ~~Trailer Sales Agency.~~
61. ~~Truck Sales Agency.~~
62. ~~Trust Companies.~~
63. ~~Variety Store.~~

14-1103. USES PERMITTED ON REVIEW (6/17/2014)

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.~~

1. Amusement Enterprise. (3502-06/17/2014)
2. Animal Clinics and/or Hospitals.
  - a. The property shall have access from a collector or arterial street.
3. Bed and Breakfast operations (~~see section 14-1009~~).
  - a. The proposed use must meet the requirements under Section 14-611.
6. Bonding companies.
7. Bottling Works.
8. Catering Services. (2851-09/17/1996)
  - a. ~~Not more than twenty percent (20%) of the floor area of the principal and accessory buildings shall occupy such use.~~
  - b. ~~No external alterations or evidence of such occupations existence shall be visible outside the residence.~~
  - c. ~~No trucks or service vehicles shall have signs or indication of such occupation or be parked outside the residence.~~
  - d. ~~Certification by the Hamblen County Health Department shall be required.~~
  - e. ~~Upon complaint of any neighbor within viewing distance of this residence, a review to show cause shall be conducted by the Board of Zoning Appeals with revocation of the "Use on Review" status being the consideration at hand.~~
9. Cemeteries. (2806-07/18/1995)
10. Churches, Synagogues, Temples, and other Places of Worship. (moved to permitted uses)
4. Convalescent, ~~and~~ Nursing Homes, ~~and~~ assisted living facilities
12. Country Clubs and Golf Courses (public or private)
13. Dog Grooming operation/Kennel operation. (2947-06/02/1998)
14. Exterminators/Pest Control Agencies.
15. Governmental (or Public) Buildings.
16. Group Home.
5. Home Occupation.
  - a. The proposed use must meet the requirements under Section 14-228.



18. Human Care Clinics and/or Hospitals and Institutions for Medical Education
  - a. The property shall have access from a collector or arterial street.
19. Institutions for Medical Education:
20. Kindergartens and Child Nurseries, provided that there are not more than six (6) pupils and provided that said activities are conducted as a customary home occupation.
21. Kindergartens and Child Nurseries with more than six (6) pupils.
22. Light Printing.
  - a. The property shall have access from a collector or arterial street.
23. Methadone Treatment Clinic or Facility (3169-03/02/2004) (3431-02/07/2012) —
  - a. The consideration for approval by the Board of Zoning Appeals of a methadone treatment clinic or facility shall be contingent upon the receipt of the appropriate license and certificate of need by the State of Tennessee.
  - b. 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 of 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.
  - c. The clinic or facility shall be located on and have access to a Principal Arterial street.
  - d. Measurement shall be made in a straight line on the Morristown Zoning Map from the nearest wall of the building in which the methadone treatment clinic or facility is situated to the nearest property line of the following uses:
    1. The clinic or facility shall not be located within one thousand (1,000) feet of a school, day care facility, park, church, mortuary or hospital.
    2. The clinic or facility shall not be located within one thousand (1,000) feet of any establishment that sells alcoholic beverages for either on or off premises consumption.
    3. The clinic or facility shall not be located within one thousand (1,000) feet of any area devoted to public recreation activity.
    4. The clinic or facility shall not be located within one thousand (1,000) feet of any amusement catering to family entertainment.
    5. The site shall not be less than one thousand (1,000) feet of any residentially zoned property at the time of approval.
    6. The site shall not be less than one half (1/2) mile from any other methadone treatment clinic or facility.
    7. The site shall comply with off-road parking requirements as regulated by Section 14-216 of the Municipal Code of the City of Morristown. —
24. Monument Sales and Service. (2426-05/13/1985)
25. Mortuaries.
26. Orphanages.
27. 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:
    1. 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;



2. ~~Hospital as defined in TCA § 68-11-201, including any outpatient facility or clinic of a hospital;~~
3. ~~Hospice services as defined in TCA § 68-11-201;~~
4. ~~A nursing home as defined in TCA § 68-11-201;~~
5. ~~A facility maintained or operated by the State of Tennessee; or~~
6. ~~A hospital or clinic maintained or operated by the federal government.~~
- e. ~~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:~~
  1. ~~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.~~
  2. ~~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.~~
  3. ~~The site shall not be less than one half (1/2) mile from any other pain management clinic.~~
  4. ~~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.~~
  5. ~~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.~~
  6. ~~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.~~
28. ~~Parish houses.~~
29. ~~Parsonages.~~
30. ~~Public Parks and other Recreational Facilities.~~
31. ~~Residential Dwellings (one family); needs Planning Commission approval.~~
32. ~~Residential Dwellings (two family); needs Planning Commission approval.~~
33. ~~Residential Dwellings (multi family); with Planning Commission approval.~~
34. ~~Roomers, the taking of, provided that no more than two (2) rooms are used for such purposes.~~
35. ~~Rooming or boarding house.~~
36. ~~Schools (public or private).~~
  - a. The property shall have access from a collector or arterial street.
37. ~~Towing as an accessory use for an automobile repair shop. (2983-04/23/1999)~~
38. ~~Truck Terminals, provided that the overall site plan for such development be reviewed and approved by the Morristown Planning Commission and is found not to conflict with the intent of this zoning district. (2558-11/15/1988)~~
39. ~~Uniform Specialty Shops.~~
40. ~~Upholstery Shops. (2240-10/07/1980)~~
41. ~~Welding Supply. (2426-05/13/1985)~~

42. ~~Wholesale and distributing centers not involving over 5,000 square feet for storage of wares to be wholesaled or distributed, nor the use of any delivery vehicle rated at more than 1 1/2 ton capacity, nor a total of more than five (5) delivery articles.~~

14-1104. DEPTH OF REAR YARD

- ~~1. In the case of a lot where the rear lot line coincides with a right-of-way line of an alley, no rear yard for a non-residential building shall be required.~~
- ~~2. In all other cases any principal building on any lot shall be located no nearer than ten (10) feet to the rear lot line.~~

14-1105. DEPTH OF SIDE YARDS

~~In the case of a lot where the side lot line coincides with the lot line of a lot in an R-1 or R-2 District, any principal building shall be located no nearer than five (5) feet to the side lot line.~~

14-1104. BUILDING SETBACKS

To reflect the uniqueness of these two distinct areas, two separate sets of development standards have been established. Standards for the CBD as a whole and standards for those in the urban areas referred to as the Urban Corridor.

1. CENTRAL BUSINESS DISTRICT

a. Depth of Rear Yard

1. In the case of a lot where the rear lot line coincides with a right-of-way line of an alley, no rear yard for a non-residential building shall be required.
2. In all other cases any principal building on any lot shall be located no nearer than ten (10) feet to the rear lot line.

b. Depth of Side Yards

In the case of a lot where the side lot line coincides with the lot line of a lot in an R-1 or R-2 District, any principal building shall be located no nearer than five (5) feet to the side lot line.

2. URBAN CORRIDOR

a. Depth of Front Yard

All buildings shall be set back no further than five (5) feet from the front lot line. Corner lots shall be considered to have front lot lines for all sides of the lot adjoining a public right-of-way, excluding alleys.

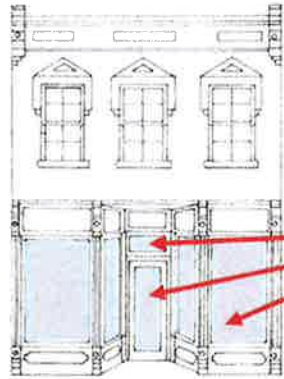
b. Building Height

1. The maximum building height is four (4) stories or forty-five (45) feet.
2. The minimum building height is two (2) stories.



c. Exterior Building Treatment:

A minimum of sixty (60) percent of the street level facade of all buildings shall be windows, doors, display areas, or similar architectural features. All buildings adjoining the SkyMart shall provide a second entrance off of the SkyMart.



Min. of 60% of the street level façade shall be transparent glass

14-1105. MINIMUM SIZE OF APARTMENT UNITS (2742-06/07/1994)

Apartment units located in the Central Business District (CBD) zone shall be 500 square feet or larger. This shall not include exterior halls, storage areas or garages. These may be efficiency one, two or more bedroom apartments. All converted apartments must meet all city, state and federal codes, ordinances and regulations.