

**\*CHAPTER 10**  
**PROVISIONS GOVERNING PLANNED COMMERCIAL DISTRICT**

GENERAL DESCRIPTION - This district is intended to allow for the development of shopping and commercial centers of integrated design of various sizes to serve various areas of the community and region. Land use studies indicate more than ample area and road frontage exists for present and future commercial needs along major thoroughfares. However, in addition to area and frontage considerations, public convenience, safety, and general welfare require that additional considerations be met such as:

1. Each residential area should be served by commercial facilities convenient to the area.
2. The tracts on which such facilities are to be located should be of such size, shape, and location as to enable development of well organized commercial facilities with proper access to streets, ingress-egress, off-street parking, loading spaces, and other requirements and amenities.
3. The character of the commercial development should be appropriate to the neighborhood and conditions and safeguards should be provided to ensure that the development will enhance rather than diminish the value of adjacent property.

Two (2) types of land area will be considered for C-4 zoning:

1. Additions in depth to areas where frontage is already zoned for commercial use provided a desirable integrated design can be assured for the total development.
2. Areas not presently zone for commercial uses in whole or in part in areas not now served by appropriate and convenient facilities.

**10.01 USES PERMITTED**

Property and buildings in a Planned Commercial District shall be used only by the uses enumerated below:

1. Any of the following uses or those of similar nature shall be permitted:

Appliance Store

Approved: 11/17/08

Apparel Store  
Bank  
Barber Shop  
Beauty Shop  
Book Store  
Camera Shop  
Department Store  
Drug Store  
Delicatessen  
Florist Shop  
Furniture Store  
Gift Shop  
Grocery Store  
Hobby Store  
Hotel  
Jewelry Store  
Meat Market  
Music Store  
Office Supply Store  
Radio and TV Sales and Service  
Restaurant  
Self-service Laundry  
Shoe Repair Service  
Sporting Goods Sales  
Specialty Shop  
Supermarket  
Theater  
Variety Store

2. Office Uses
3. Drive-in banks, gasoline service station and automobile service center, provided such use is designed as an integral part of the shopping center development.
4. Accessory buildings and uses customarily incidental to the above uses.
5. Other stores and shops for retail trade or establishments providing personal or professional service which in the opinion of the Planning Commission will not be detrimental to the district.

6. Group Day Care Homes and Child Care Centers that meet or exceed the requirements and standards set forth by the Department of Human Services, and provided further that:
  1. No portion of the fenced play area shall be closer than ten (10) feet to any residential lot line, nor closer than fifty (50) feet to any public street.
  2. A screening, either vegetative or masonry wall, shall be provided between fenced play areas and residential lot lines.
  3. All outdoor play activities shall be conducted within the fenced play area.
  4. Ample off-street parking shall be provided.
  5. Access to the facility from nearby streets shall be adequate to ensure safety based upon the number of participants projected to attend the facility.
  
7. Winery that meet or exceed the provisions contained within Tennessee Code Annotated, Title 57, Chapter 3, Parts 207 and 208.

## 10.02 AREA REGULATIONS

### 1. Lot Area

The parcel of land on which a planned commercial development is located shall not be less than three (3) acres in size, unless it is being incorporated into an existing permanent commercial development district.

### 2. Yards

It is intended that the grouping of buildings and parking areas be designed to protect, in so far as practical, residential areas, and that screening from noise and light be provided where necessary, provided, however, that in no case shall the design of a shopping center provide less than the following standards:

- a. All buildings and their accessory uses shall be setback from all street right-of-way lines not less than twenty-five (25) feet.
- b. Where the planned commercial development abuts a residential district, no building shall be constructed less than twenty-five (25) feet from such district line.

3. Maximum Lot Coverage

Buildings shall not cover more than twenty-five percent (25%) of the site area of a planned commercial development.

10.03 HEIGHT REGULATIONS

No building shall exceed thirty-five (35) feet in height.

10.04 PARKING AND ACCESS

1. Each planned commercial development shall provide five (5) parking spaces per thousand (1,000) square feet of gross leaseable area.
2. Planned commercial developments shall provide additional right-of-way, not to exceed twelve (12) feet in width for each lane for right and/or left turning lanes if it is determined that the estimated traffic volumes generated by the facility require such facilities. Such areas shall not be included as a part of any required yard area.

10.05 SCREENING AND LANDSCAPING

The location, size, and type of Planned Commercial Development will determine the type and amount of screening and landscaping. In addition to other amenities the Planning Commission may require the following:

1. Where a planned commercial development abuts a residential district, the Planning Commission may require a wall, fence, or evergreen hedge, and/or other suitable enclosure to a maximum height of seven (7) feet.
2. A landscape area not exceeding ten (10) feet in depth may be required along all street frontages with this area located parallel to and inside the property line.
3. Once an area has been designated in either the preliminary or final plans as a greenbelt, landscape area, or some other permanent open space, it shall not be encroached upon by any structure or building, nor shall this space be used as area used for computing the required parking ratio.

## 10.06 PROHIBITED USES

1. Storage and display of merchandise outside an enclosed building or structure.
3. All uses not of a nature specifically permitted herein.

## 10.07 ADMINISTRATIVE PROCEDURES FOR PLANNED COMMERCIAL DEVELOPMENTS

Any application for rezoning for a planned commercial development for any area shall include the following, in addition to the administrative requirements set forth in Chapter 18 of this Resolution:

1. The developer, when petitioning for rezoning for a planned commercial development, shall submit to the Planning Commission, a preliminary site plan of the proposed development, which shall be in adequate detail to determine compliance with the provisions of this section, and which shall show the arrangement of buildings, types of shops and stores, design and circulation pattern of the off-street parking area, landscaped yards, screening, service courts, utility and drainage easements and facilities, and the relationship of the shopping center development to adjacent areas.
2. The Planning Commission shall make its review of the petition for rezoning as provided for in Chapter 18 of this Resolution.
3. If favorable action is taken by the Madison County Commission on the petition for rezoning, the developer shall have one (1) year in which to submit construction plans to the Planning Commission for final approval. If the development is not under construction within one (1) year after the effective date of the planned commercial development rezoning, the Planning Commission shall review the status of the development, and if it finds the developer cannot proceed immediately with the development, in conformity with the requirements of this section, this fact, and the reason thereof, shall be reported to the Madison County Commission. The Madison County Commission may, at its discretion, rezone the parcel under consideration to its previous classification.
4. A building permit shall not be issued by the Madison County Building Official until the preliminary development plan specified in this section has been reviewed and approved by the Planning Commission, and construction plans have been reviewed and approved by the Planning Commission. Approval may be granted to the entire development for construction purposes, or approval may be granted by stages. Following

rezoning and prior to the submission of final development plans, a permit may be granted for site preparation only following the approval of the Planning Commission.

5. Any deviation from the construction plans submitted shall constitute a violation of the building permit authorizing construction of the development. Substantial changes in plans shall be resubmitted to the Planning Commission to ensure compliance with the requirements, purpose, and intent of this section, and no building permit shall be issued for any construction that is not in substantial conformity with the approved plans.

## **END OF C-4 DISTRICT REGULATIONS**