

CHAPTER 11
(CB) CENTRAL BUSINESS DISTRICT

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Chapter 11
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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.

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.
10. Bank.
11. Beauty Shops/Barber Shops.
12. Book Store.
13. Brokerage Companies.
14. Candy Store.
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.
30. Health Salon.
31. Hotels.
32. Ice Cream Store.
33. Insurance Agencies.
34. Jewelry Store.
35. Laundry Pick-Up Station.
36. Laundry, Self-Service.
37. Lawyers.
38. Loan Company.
39. Masseurs.

40. Meat Market.
41. Medical Offices.
42. Mini-Storage Rental Warehouse Units.
43. Motels.
44. News Stand.
45. Optometrists.
46. Parking Lots and/or Parking Garages.
47. Pawnbroker.
48. Plant and Flower Nurseries (retail and wholesale).
49. Private Clubs.
50. Psychiatrists.
51. Psychologists.
52. Radio Store and/or Repair Shop.
53. Real Estate Agencies.
54. Restaurant.
55. Shoe Store and/or Repair Shop.
56. Shopping Centers/Malls.
57. Tailor Shop.
58. Television Store and/or Repair Shop.
59. Theater.
60. Trailer Sales Agency.
61. Truck Sales Agency.
62. Trust Companies.
63. Variety Store.

14-1103. USES PERMITTED ON REVIEW

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. Amusement Enterprise. (3502-06/17/2014)
3. Animal Clinics and/or Hospitals.
4. Automobile Repair Shops.
5. Bed and Breakfast operations (see section 14-1009).
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.
11. Convalescent and Nursing Homes.
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.
17. Home Occupation.
18. Human Care Clinics and/or Hospitals.
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.
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.
 - 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:
 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).
 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.

14-1106. 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.