CHAPTER 14
(HI) HEAVY INDUSTRIAL DISTRICT

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Chapter 14
HI HEAVY INDUSTRIAL DISTRICT

14-1401. HI HEAVY INDUSTRIAL DISTRICT

The Heavy Industrial District is established to provide areas in which the principal use of land is for manufacturing and other heavy uses with which there are associated adverse effects on surrounding property. No other use, with the exception of light industrial uses, is permitted in this district without being reviewed by the Board of Zoning Appeals.

14-1402. USES PERMITTED

1. Animal hospital.
2. Automobile repair shop.
3. Automobile wrecking yard.
5. Boiler or tank works.
7. Brick plant.
8. Brick storage yard.
11. Cabinet making shop.
12. Carpenter shop.
13. Chemical manufacturing plant.
16. Contractor’s yard.
17. Dairy.
18. Dog grooming operation/kennel operation. (2947-06/02/1998)
19. Dry cleaning works.
20. Electronics assembly plant.
22. Exterminators-pest control agencies. (2495-03/17/1987)
23. Feed mills.
24. Fruit cannery.
25. Furniture manufacturing plant.
26. Gasoline or oil storage plant.
27. Laundry
29. Monument sales & service. (2427-05/13/1985)
30. Optical goods manufacturing plant.
31. Packing shed.
32. Printing plant.
33. Public utility installations.
34. Publishing plant.
35. Railroad car repair shop.
36. Slaughterhouse.
37. Towing as an accessory use for automobile repair shops. (2983-04/23/1999)
38. Truck stop (service stations containing an acre or more in area and catering predominately to trucks). (2562-01/03/1989)
39. Truck terminal.
40. Upholstery shop.
41. Used automobile parts store. (2650-10/01/1991)
42. Warehouse.
43. Welding shop.
44. Welding supply. (2427-05/13/1985)

14-1403. USES PERMITTED ON REVIEW

A Use on Review proposed within a designated industrial park, under the authority of the Morristown Industrial Development Board, shall first receive the approval by said Board to conduct their proposal within such park prior to submission of an application for a Use on Review by the Morristown Board of Zoning Appeals. (3502-06/17/2014)

Any use permitted in the Light Industrial District as a Use on Review may be permitted as a Use on Review in the Heavy Industrial District.

1. Accessory structures/buildings.
2. 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.
3. Amusement Enterprise. (3502-06/17/2014)
4. Appliance Stores.
5. Architects’ and Artists’ Studios.
6. Architectural Offices.
7. Automobile Detailing/Car Wash.
8. Automobile Parts Store. (2649-10/01/1991)
9. Automobile Rental Agencies. (2716-10/19/1993)
10. Automobile Sales Agencies (New and Used)
11. Automobile wrecker service (2651-10/01/1991 2-a). Shall have the storage area which contains inoperative vehicles to be enclosed by an opaque fence of either natural or manmade materials. The fence shall be at least six (6) feet tall and except for a gate block vision of the vehicles to the outside area.
14. Bed and Breakfast operations (see section 14-1009).
15. Bonding companies
17. Brokerage Companies.
18. Candy Store.
   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.
22. Convalescent and Nursing Homes.
23. Country Clubs and Golf Courses (public or private)
24. Delicatessen
25. Dentists
26. Doctors
27. Dog Grooming operation/Kennel operation. (2947-06/02/1998)
28. Drug Store/Pharmacies/Apothecaries.
29. Dry Cleaning Pick-up Station.
30. Engineers.
31. Exterminators/Pest Control Agencies.
32. Farm and Implement Sales Agencies.
33. Feed and Farm Stores.
34. Flea Markets (2254-04/07/1982 1 a-c): provided that the overall site plan for such development has been reviewed and approved by the Morristown Planning Commission for the following physical conditions and improvements.
   a. Adequate ingress and egress which will not create an unsafe or congested traffic condition.
   b. Sufficient off-street parking to insure all parties, sellers, buyers, etc. will be provided parking spaces.
   c. Adequate restroom facilities to accommodate both male and female persons, with both regular and handicapped fixtures.
   d. Adequate refuse receptacles and regular refuse maintenance of the area.
   e. The solution of any site specific problem(s) which may be determined by the Commission
35. Florist Shop.
36. Fruit Market.
37. Funeral Homes.
38. Gasoline Service Station/Convenience Stores.
39. Governmental (or Public) Buildings
40. Grocery Store.
42. Hardware Store.
43. Health Salon.
44. Hotels.
45. Human Care Clinics and/or Hospitals.
46. Ice Cream Store.
47. Institutions for Medical Education
49. Jewelry Store.
50. Kindergartens and Child Nurseries with more than six (6) pupils
51. Lawyers.
52. Light Printing.
53. Loan Company.
54. Masseurs.
56. Medical Offices.
57. Methadone Treatment Clinic or Facility (3169-03/02/2004) (4331-02/07/2012)
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.
58. Mini-Storage Rental Warehouse Units.
59. Monument Sales and Service. (2426-05/13/1985)
60. Mortuaries.
61. Motels.
62. News Stand
63. Optometrists.
64. **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 closest 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.

65. Parking Lots and/or Parking Garages.
66. Pawnbroker.
67. Plant and Flower Nurseries (retail and wholesale).
68. Private Clubs.
69. Psychiatrists.
70. Psychologists.
71. Public Parks or other Recreational Facilities
72. Radio Store and/or Repair Shop.
73. Real Estate Agencies.
74. Restaurant
75. Schools (public or private).
76. Shoe Store and/or Repair Shop.
77. Shopping Centers/Malls.
78. Tailor Shop.
79. Television Store and/or Repair Shop.
80. Theater.
81. Trailer Sales Agency.
82. Truck Sales Agency.
83. Trust Companies.
84. Uniform Specialty Shops.
85. Upholstery Shops. (2240-10/07/1980)
86. Variety Store
87. Welding Supply. (2426-05/13/1985)
88. 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.

14-1404. DEPTH OF FRONT YARD

1. In the case of a lot where the front line is across a street from a Residential District, any principal building shall be located no nearer than fifty (50) feet to the front lot line.

2. Any principal building on any lot shall be located no nearer than thirty-five (35) feet to the front lot line, in cases other than that set forth above in subsection (1).

14-1405. DEPTH OF REAR YARD

Any principal building on any lot shall be located no nearer than twenty (20) feet to the rear lot line.

14-1406. DEPTH OF SIDE YARDS

1. In the case of a lot where the side lot line coincides with the lot line of a lot in a residential district, any principal building shall set back from said lot line in accordance with the provisions governing width of side yards in the residential district.

2. In the case of a lot where the side lot line coincides with a right-of-way line of an alley, any principal building shall be located no nearer than five (5) feet to said side lot line.

3. Any principal building on any lot shall be located no nearer than ten (10) feet to the side lot line, in cases other than those as set forth above in subsections 1 and 2.

14-1407. BUILDING AREA

The principal building and accessory buildings on any lot shall not cover more than eighty (80) percent of the total area of said lot.
14-1408. **BUILDING HEIGHT**

Buildings shall not exceed four (4) stories or forty-five (45) feet in height.