

SUB-CHAPTER 2.9
INTERSTATE COMMERCIAL DISTRICT "IC" REGULATIONS

SECTION

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14-2.901. Scope. This district provides for a broad range of business, commercial and retail uses that reflect the character of areas redeveloping from less intense land uses to more urbanized activities. Due to the proximity of the interstate highway system, with properties typically within 1,000 feet of an interchange intersection, some uses in this zoning district appeal to broader, regional market and transient traveling public. Certain properties in this district may be affected by other Local, State, and/or Federal land use requirements, such as the State of Tennessee, Scenic Highway Act. (Ord. #338, as amended by Ord. #17-430, Nov. 2017)

14-2.902. Uses permitted.

- (1) Business, Commercial, and Retail activities conducted indoors, Shopping Centers under 25,000 sq. ft.
- (2) Office, Bank, and Professional Services.
- (3) Governmental utility applications
- (4) Convenience stores with automobile refueling stations.
- (5) On-premises signs, as regulated by Chapter 4 of Tittle 14, of the Alcoa Municipal Code.
- (6) Restaurants, indoor seating only, where on-site food and beverage consumption are the primary service. Drive through and outdoor service are prohibited, except as allowed as a special exception.
- (7) Dish antenna, to be screened and located on the roof and/or rear yard only.
- (8) Public and private parks.
- (9) Hotels and Motels, under 100 units.
- (10) Sexually oriented businesses as defined in Ordinance No. 99-020, the terms of which by reference are incorporated herein as fully as if set forth verbatim herein; however, such businesses shall not be permitted on any property which is within 1,000 feet of the following:
 - a. A church, synagogue, mosque, temple or building which is used primarily for religious worship and related religious activities;
 - b. A public or private educational or child care facility including but not limited to, day care facilities, nursery schools, preschools, kindergartens, elementary schools, private schools, intermediate schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, colleges, and the school grounds of any such facility, provided that this requirement shall not apply to facilities used primarily for another purpose and only incidentally as a school;

c. A boundary of any residential zoning district or the property line of a lot devoted to a residential use, including single family detached and attached dwellings, nursing homes and assisted living facilities;

d. A public or private park or recreational area which has been designated for park or recreational activities, including, but not limited to, a park, playground, nature trails, swimming pool, athletic field, basketball or tennis courts, pedestrian/bicycle path, wilderness areas of other similar public land which is under the control, operation or management of any government park and recreation authority, private corporation or non-profit agency;

e. An entertainment business which is oriented primarily towards entertainment for children or families, including, but not limited to, any business featuring movie theaters, game rooms which include games intended primarily for children, or other similar recreation or entertainment or athletic facilities;

f. A funeral parlor, mausoleum or cemetery.

For the purpose of enforcement of (10) of this subsection, the following will apply:

1. Measurement of sexually oriented businesses shall be made in a straight line, without regard to intervening structures or objects, from the nearest point of the building or structure used as the part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a use listed in (10) a-f above. The presence of a city boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this section.

2. A sexually oriented business lawfully operating as a conforming use shall not be rendered a nonconforming use by the location, subsequent to the commencement of operations of the sexually oriented business, of a use listed in (10) of this subsection, within 1,000 feet of the sexually oriented business.

3. No sexually oriented business may be established or operated within 1,000 feet of a pre-existing sexually oriented business. For purposes of this section, the distance between any two sexually oriented business shall be measured in a straight line, without regard to the intervening structures or objects or political boundaries, from the nearest portion of the building or structure used as the part of the premises where the pre-existing sexually oriented business is conducted to the nearest property line of the premises proposed for the location of a sexually oriented business. No structure or parcel that contains any sexually oriented business shall contain any other kind of sexually oriented business.

4. No sexually oriented business may be enlarged so as to violate the provisions of this section.

14-2.903. Uses not permitted. Land uses that are excluded from this listing are generally not permitted. Land uses that are consistent with the intent of this section but not specifically mentioned will be considered. The Board of Zoning Appeals will decide any individual case where an applicant disagrees with the City staff on an interpretation of use. Examples of such uses not permitted in this district include but are not limited to the following:

(1) Stock yards, or similar activities where animals, fish or fowl are processed for resale in wholesale quantities.

(2) Auto wrecking, junkyards, heavy equipment repair and outside maintenance facilities.

(3) Any use which creates corrosive or toxic fumes, gas, smoke, odors, obnoxious dust or vapors offensive noise or vibrations.

14-2.904. Uses permitted as special exceptions. The following uses may be permitted in review by the Board of Zoning Appeals in accordance with the provisions contained in Section of 13-7-207 of the Tennessee Code Annotated; and the Board shall state, in writing, its determination and reasons for either accepting (with or without modification)

or rejecting the proposal. Additional site improvements such as landscaping, buffering, additional setbacks, traffic control, and restriction of access, may be required as a condition of approval depending on the impact of the proposed use on adjacent existing land uses, utility and transportation systems and future land uses for the area. The City may request such information and professional analysis from the applicant to support any proposal that may impact existing systems.

(1) Service stations which dispense fuel and offer repair facilities, granted that all repair work be contained within the service station and any storage areas for vehicles or parts be screened from sight.

(2) Outside sales and storage. Applications requesting permanent outside storage shall first submit a landscaping/buffering plan designed to screen the items stored outside.

(3) Drive through and out-door service establishments, selling or serving prepared food and beverages.

(4) Shopping centers, over 25,000 sq. ft. where traffic, drainage, and utility impacts are mitigated by the proposed development plan.

(5) Residential as part of an overall comprehensive development plan located on the second story and above of a building, or as a sole use fringe development when adjacent to area designated for future residential land use. Each residential unit planned shall include a minimum amount of dedicated land area totaling 2,000 square feet for a maximum density of 21.78 dwelling units per acre. Units shall be limited to attached, multi-family duplexes, townhomes, condominiums and apartments. The minimum lot (or façade) width shall be twenty (20) feet along street frontages. Units not planned to be located on the second story and above (i.e., a sole residential use building) shall be a minimum of two (2) stories in height. A landscaping plan, including a pedestrian circulation plan for connectivity between buildings and public sidewalks, shall also be incorporated into the development plan to screen or buffer adjacent uses and enhance open space areas.

(6) Hotels and Motels, over 100 units.

(7) Public and private child care facilities.

(8) Nursing homes and assisted-care living facilities, where said has a primary point of vehicular ingress and egress from a road right-of-way classified as a major collector or higher on the City of Alcoa's adopted thoroughfare plan. The total lot size shall not be less than five (5) acres, and the amount of land area dedicated to each unit shall follow the district's provisions established for calculating residential density. A landscaping plan, including a pedestrian circulation plan for connectivity between buildings and public sidewalks, shall also be incorporated into the development plan to screen or buffer adjacent uses and enhance open space areas. (Ord. #338, as amended by Ord. #17-430, Nov. 2017 and Ord. #18-445, June 2018)

14-2.905. Height of building. Buildings located in this district shall not exceed five stories or 70 feet in height. Property designated by the Scenic Highway Act shall be required to meet the height limitations set forth in the Act.

14-2.906. Area regulations.

(1) Front yard. There shall be a minimum front yard building setback of not less than 40 feet in width.

(2) Side yard. There shall be a minimum side yard building setback of not less than 20 feet in width.

(3) Rear yard. There shall be a minimum rear yard building setback of not less than 20 feet in width.

(4) Lot coverage. There shall be a maximum lot coverage/total impervious surface area of not more than 70 percent.

(5) Lot size. There shall be a minimum lot size of not be less than one (1) acre.

(6) Zero lot lines and other reduced yards. Zero lot lines and other reduced yard minimums for building setbacks may be permitted for special exception residential uses, per an approved development plan. Minimum building setbacks shall not be reduced when adjacent to a roadway classified greater than a local street on the City of Alcoa's adopted thoroughfare plan, and along all boundary lines perimeter to the development. In such instances, the use of common area and open space lots shall not be deemed to interfere with such building setbacks (i.e., minimum building setbacks may be measured from the roadway right-of-way or boundary perimeter of a common area, or open space lot, to the building planned on an adjacent lot).

(7) Buffer strips. There shall be a minimum buffer strip of 25 feet in width on all side and rear property lines when the abutting property is zoned residential, with all existing mature vegetation to be preserved and incorporated into the buffer strip. Detention basins, measured from top-of-slope to top-of-slope, and associated structures shall not be located within a buffer strip. (Ord. #338, as amended by Ord. #17-430, Nov. 2017 and Ord. #18-445, June 2018)

(8) **14-2.907. Landscaping.** All development proposals require a minimum 10 foot landscaping strip around the rear and side yards of the site or a permanent commitment of at least 10 percent of the gross area of the parcel to landscaped area. The landscaping plan shall balance the planting material on the site equally. Additional attention should be given to areas that are adjacent to existing residential uses and other sensitive areas. Landscaping that does not interfere with the vehicular visibility at access points along the frontage, may be installed in the front yard 10 foot visibility strip. A landscaping plan which includes at least two, (2) inch caliper trees for every four thousand square feet of paved area shall be submitted to the City. Applicants are encouraged to develop plans that exceed the minimum requirements. (Ord. #338, as amended by Ord. #17-430, Nov. 2017)

14-2.908. Site access. Driveways allowing access from the public right-of-way to the site shall be at least 250 feet apart. In situations where the applicant does not have the minimum front footage required for multiple access points, the applicant may seek permission from the adjacent property owner to install a joint driveway on the common internal lot line. In addition to the regular traffic engineering analysis performed on each proposed point of access, the applicant shall provide to the City a confirmation from the owner of the subject adjacent property acknowledging support for this joint activity. All driveways allowing access to a public right-of-way shall be 40 feet wide allowing for a continuous turn in, right turn out and left turn stack/storage out. Depending on the impact of the proposed development, all or some combination of improvements such as deceleration/acceleration lanes, traffic signals, center storage lanes and pavement striping may be required. All applicants shall present to the City a traffic engineering report that includes but is not limited to the following:

- (1) Trip generation report.
- (2) On site improvement report.
- (3) Off site improvement report.
- (4) Overall traffic impact report. (Ord. #338, as amended by Ord. #17-430, Nov. 2017)