

- b. **Rear Yard.** Where a commercial building is to be serviced from the rear, there shall be provided an alleyway, service court, rear yard, or combination thereof of not less than twenty (20) feet in depth. The depth of a rear yard which abuts a residential district shall be not less than twenty-five (25) feet. In all other cases, no rear yard is required.
 - c. **Side Yard.** No side yard shall be required except that the width of a side yard which abuts a residential district shall be twenty-five (25) feet.
 - d. **Height Requirement.** No building shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet, except as provided in Article 9, Section 9.03.
- 6. **Parking Space Requirements.** As regulated in Article 4, Section 4.07.
 - 7. **Off-Street Loading and Unloading.** As regulated in Article 4, Section 4.08.
 - 8. **Access Control.** As regulated in Article 4, Section 4.09.

7.02 C-2 GENERAL COMMERCIAL DISTRICT.

- 1. **District Description.** The C-2 General Commercial District is established to provide areas in which the principal use of land is devoted to general and highway commercial activities; regulations are designed to preserve the traffic-carrying capacity of the streets and roads and to provide for necessary off-street parking and loading.
- 2. **Uses Permitted.** In the C-2 General Commercial District, the following uses and their accessory uses are permitted.
 - a. Any use permitted in C-1 Central Business District
 - b. Hotels, motels, and tourist courts.
 - c. Churches, funeral homes, or mortuaries.
 - d. Drive-in establishments for the retail sale of merchandise.
 - e. Medical and health clinics, nursing homes, assisted living residences, and schools.
 - f. Automobile service stations as regulated by Article 4, Section 4.17.
 - g. Automobile service sales, and repair establishments.
 - h. Furniture and appliance sales, service, and repair establishments.
 - i. Tire sales and recapping or retreading establishments.

- j. Commercial recreation uses.
 - k. Restaurants including those with a drive-thru and those of a drive-in nature.
 - l. Tourist services, including tourist information centers, souvenir/gift shops and hunting/fishing/boating/camping supply shops.
 - m. Ambulance and other emergency services.
 - n. Utility facilities necessary for the provision of public services.
3. **Uses Permitted on Review.** In the C-2 General Commercial District, the following uses and their accessory uses may be permitted subject to review and approval by Niota Municipal Planning Commission.
- a. Campgrounds, recreational vehicle (RV) parks and mobile home parks (subject to Title 14, Chapter 2 of the Niota City Code).
 - b. Amusement parks, amphitheaters, ballparks or stadiums, fairgrounds, pool halls, game rooms, video arcades and group picnic grounds.
 - c. Shopping centers, subject to Article 4, Section 4.14.
 - d. Zoo's.
 - e. Airports.
 - f. Flea markets and similar outdoor sales.
 - g. Tattoo parlors and body piercing parlors that comply with all state requirements in Tennessee Code Annotated §62-38 as amended.
 - h. Residential units are allowed on the upper floors in the C-2 district as a use permitted on review. The following requirements shall apply to commercial/residential mixed use. When a conflict arises between these regulations and other regulations found in this ordinance or elsewhere, the strictest regulation shall apply:
 - (1) The first floor of the structure shall be maintained for commercial use in accordance with the allowed uses of the C-2 zoning district. The first floor is not intended to include subterranean basements or storage space.
 - (2) Each residential unit shall have at least one off-street parking space dedicated to the use of the residents. For units above 1,000 square feet of floor space, two off-street parking spaces shall be required. Residential parking spaces shall be required in addition to the parking requirements found in Section 4.07 of this ordinance.

- (3) Off-street parking shall be located on the same lot as the building in which the residential units are located.
 - (4) Residential units shall have separate access from commercial establishments.
 - (5) No more than two residential units shall be allowed in any structure.
 - (6) The Planning Commission shall review a request for commercial/mixed use in order to ensure adherence to these requirements and to promote the health, safety, and welfare of the public. Reasons for denial of a request include:
 - a. The intensity and nature of the primary commercial use or adjacent uses make the addition of residential units inappropriate.
 - b. The addition of residential units would have a negative impact on the internal transportation system of the lot, adjacent properties or the external transportation system.
- 4. **Special Exceptions.** In the C-2 General Commercial District the following use and its accessory uses may be permitted subject to the approval of the Niota Board of Zoning Appeals.
 - a. Cemeteries, subject to the provisions of Article 4, Section 4.21.
- 5. **Uses Prohibited.** All uses except those uses or their accessory uses specifically permitted or permitted upon review and approval by the Niota Municipal Planning Commission.
- 6. **Dimensional Regulations.** The following requirements shall apply to all uses permitted in this district. In addition to these requirements, a site plan is also required as provided in Article 4, Section 4.23.
 - a. **Front Yard.** The minimum depth of the front yard shall be thirty (30) feet on local or collector streets and thirty-five (35) feet on arterial streets as defined in the Niota Major Road Plan.
 - b. **Rear Yard.** Each lot shall have a rear yard of not less than ten (10) feet; where a commercial building is serviced from the rear, there shall be provided a rear yard of not less than thirty (30) feet; the depth of a rear yard which abuts a residential district shall not be less than twenty-five (25) feet.
 - c. **Side Yard.** On the side of a lot adjoining a residential district, there shall be a side yard of not less than twenty-five (25) feet. Where a lot abuts an intersection, there shall be a side yard setback of not less than twenty-five (25) feet. In all other cases, a side yard shall not be required.
 - d. **Height Requirements.** No building shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet, except as provided in Article 9, Section 9.03.
- 7. **Parking Space Requirements.** As regulated in Article 4, Section 4.07.

8. [**Off-Street Loading and Unloading.**](#) As regulated in Article 4, Section 4.08.
9. [**Access Control.**](#) As regulated in Article 4, Section 4.09.