

approved site is required by this article, except in accordance with the approved final site plan.

Any substantial deviation from the plans submitted shall constitute a violation of the building permit authorizing construction of the shopping center. Substantial changes in plans shall be submitted 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 which is not in substantial conformity with the approved plan.

*Begin* → **7.04 C-4 COMMERCE CENTER ZONING DISTRICT (added 6/25/07)**

District Description. This district is intended to serve the diverse needs of an entire community or region, which is generally planned and constructed as a unit and providing a variety of goods and services in stores and offices conveniently arranged with respect to one another and to off street parking facilities provided with safe access from appropriate public streets. This district is to promote flexibility and diversity in the development and maintenance of commerce centers which are complementary and appropriate to the surrounding neighborhoods and to assure that the development will protect and enhance the value of surrounding property in addition to fulfilling a public need of the community. The C-4 Commerce Center Zoning District shall be permitted only where adequate frontage is available for ingress and egress utilizing arterial streets.

**7.04A. USES PERMITTED.**

In the C-4 Commerce Center Zoning District, the following uses and their accessory uses are permitted:

1. Multi-family Dwellings, excluding Mobile Homes, provided that all permanent residential uses shall locate on upper floors or otherwise be separated from areas of principal commercial activity.
2. Eating and Drinking establishments.
3. Hotels, Motels and other transient accommodations.
4. Parks, Playgrounds, and Community Buildings.
5. Home Occupations
6. Churches
7. Professional, Medical or Dental Offices and Banking Facilities.
8. Shoe Repair, Tailors, Health Clubs, Florists, and Laundry Services, Repair establishments for household articles and appliances, plus Antique and Souvenir Shops.
9. Department Stores, Supermarkets, Drug Stores, Bakeries, Jewelry Stores, Florists, Hobby Shops, Hardware Stores, Bakeries, Meat Markets, Variety Stores, Apparel Stores, Shoe Stores, Stores for sale of Gardening Supplies, Radio and TV Stores.
10. Barber Shops and Beauty Shops.
11. Vehicular repair Facilities, New and Used Automobile Dealerships.

**7.04B. USES PERMITTED ON APPEAL.** In the C-4 Commerce Center Zoning District, the following uses and their accessory uses may be permitted subject to review and approval by the Board of Zoning Appeals in accordance with the provisions of Section 12.07.

1. None.

**7.04C. USES PROHIBITED.**

1. Any other use not specifically permitted or permissible on appeal.

**7.04D. DIMENSIONAL REGULATIONS.** The following requirements shall apply to all uses permitted in the C-4 Commerce Center Zoning District:

1. Lot Area
  - a) For those areas served by a sanitary sewer system, there shall be a minimum lot area of not less than eight thousand (10,000) square feet.
  - b) For those areas not served by a sanitary sewer system, the lot area requirements shall be determined by the Rhea County Health Department, but in no case shall be less than fifteen thousand (15,000) square feet.
2. Front Yard. The depth of the front yard shall be thirty (30) feet from the street or highway right-of-way; however, a concrete sidewalk of not less than five (5) feet wide is required the full width of the structure.
3. Rear Yard. Each lot shall have a rear yard of not less than ten (10) feet; the depth of a rear yard which abuts a residential district shall not be less than twenty-five (25) feet.
4. Side Yard. The width of any side yard which abuts a residential district shall not be less than twenty-five (25) feet. In all other cases, the side yard shall be a minimum of ten (10) feet for one- and two-story structures, plus five (5) additional feet of side yard for each additional story over two.

If the side yard abuts a local street, alley, or cul-de-sac, the side yard setback shall be twenty-five (25) feet.

If the side yard abuts a major thoroughfare or collector road, the side yard setback shall be thirty (30) feet.
5. Lot Width. Each lot shall have a width of not less than seventy-five (65) feet at the building setback line.

6. Height Requirement. No building or structure shall exceed three (3) stories or forty (40) feet, except as provided in Section 10.04.

**7.04E. REQUIREMENT OF BUFFER STRIP.**

Wherever a new use is established on property which abuts at any point upon property zoned R-1, R-2 or R-3, the developer of said new use shall provide along the abutment a buffer strip as defined in Article 3 "Definitions of Certain Terms Used Herein".

**7.04F. PARKING SPACE REQUIREMENTS.**

As regulated in Section 9.03.

**7.04G. OFF-STREET LOADING AND UNLOADING REQUIREMENTS.**

As regulated in Section 7.01.

**7.04H. ACCESS CONTROL.**

As regulated in Section 9.01.

**7.04I. SITE PLAN REQUIREMENTS.**

As required in Article 11.

**7.04J. SIGNAGE REGULATIONS FOR THE C-4 ZONE.**

Signs shall have a maximum square footage of sixty (60) square feet and a maximum height of fifty (50) feet measured to the top of the sign.