

ARTICLE VIII

USE PROVISIONS FOR INDUSTRIAL DISTRICTS

SECTION

8.01 I-1 INDUSTRIAL DISTRICT

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The I-1 Industrial District is established to provide areas for firms engaged in the manufacture and distribution of goods, to discourage uses incompatible to manufacturing; and protect the surrounding higher land uses and also to protect the industries in the district.

8.01A USES PERMITTED

1. Industries, provided that any industry that may cause injurious or obnoxious noise, vibration, smoke, gas fumes, odor, dust, fire hazard or other objectionable conditions, shall be required to show that the proposed location, construction, and operation will not injure present or prospective industrial development in the district or surrounding districts
2. Agricultural equipment sales and repair
3. Automobile sales rooms and repair garages
4. Baking establishments
5. Bottling and distribution plants
6. Bulk storage plants
7. Electronics firms
8. Gasoline service stations
9. Heavy equipment sales and service
10. Newspaper and printing plants
11. Off-street parking lots
12. Professional offices for architects, artists, engineers and similar professional services
13. Public uses and structures
14. Public utility structures
15. Signs and billboards as regulated in Section 9.11
16. Stockyards and livestock sales

17. Truck terminals
18. Wholesale and storage businesses including building material yards

8.01B USES PERMITTED ON REVIEW

Any use which conforms to the intent of this district shall be permitted on review and approval of the Board of Zoning Appeals as regulated in Section 12.07.

1. In the case that a proposed use is not listed under "Uses Permitted" or "Uses Permitted on Review" it shall be the responsibility of the Board of Zoning Appeals to review the proposed use in relationship to the intent of this district and determine if the proposed use is similar in character to uses already permitted or already permitted on review in this district. The Board of Zoning Appeal's review and determination shall be based on a recommendation prepared by the Spring City Municipal Planning Commission.
2. Adult-Oriented Establishments (**added 3/4/04**)
 - a. Adult-oriented establishments, subject to the following special restrictions:
 1. Restrictions. In no case shall an adult-oriented establishment be permitted to locate within five hundred feet (500') of any boundary to a R-1, R-2 or R-3 Residential Zone, nor shall any proposed adult-oriented establishment be permitted to locate within five hundred feet (500') of a residential use within any zone, nor shall any proposed adult-oriented establishment be permitted to locate within five hundred feet (500') from the nearest property line of a site used for the purpose of a recreation park, playground or swimming pool (not including ornamental only parks); place of worship, public or private school, day care center, or another adult-oriented establishment. Measurements shall be made from the nearest recorded property line of the adult-oriented establishment to the nearest property line or boundary of said uses.
 2. Evaluation. For the purpose of enforcing this section, it shall be the responsibility of the zoning administrator to measure, evaluate, and advise the Board of Zoning Appeals Commission regarding compliance of a proposed adult-oriented establishment with the restrictions set forth herein. It shall be the responsibility of the applicant to supply a site plan, as set forth in Article 11, and any other maps, surveys, or other such special information as might reasonably be required and requested by the Board of Zoning Appeals or its designee for use in making a thorough evaluation of the application.

3. Adult-oriented Establishments-Unlawful Acts. It shall be unlawful for any person to own, manage, or operate an adult-oriented establishment in any zone other than I-1 or to own, manage or operate such an establishment without obtaining a conditional use permit as required herein and any other permit the Town of Spring City may require. Obtaining any other required permits shall be a requirement of the conditional use permit.
4. Hours of Operation. Under the authority of *TCA 7-51-1402(b)* the hours of operation for an adult-oriented establishment shall be opening not earlier than one (1) o'clock p.m. and closing not later than eleven (11) o'clock p.m. Monday through Thursday, and not later than twelve (12) midnight on Fridays and Saturdays. No adult-oriented establishment shall be open for business on any Sunday or a legal holiday as designated in *TCA 15-1-101*.
5. Physical Design of Premises. As provided in *TCA 7-51-1403* no person shall own, operate, manage, rent, lease or exercise control over any commercial building, structure, premises or portion or part thereof, which is an adult-oriented establishment and which contains:
 - a) Partitions between subdivisions of a room, portion or part of a building structure or premises having an aperture which is designed or constructed to facilitate sexual activity between persons on either side of the partition; or
 - b) Booths, stalls, or partitioned portions of a room or individual rooms, used for the viewing of motion pictures or other forms of entertainment, having doors, curtains, or portal partitions, unless such booths, stalls, partitioned portions of a room or individual rooms so used shall have at least one (1) side open to adjacent public rooms so that the area inside is visible to persons in adjacent public rooms. Such areas shall be lighted in a manner that the persons in the areas used for viewing motion pictures or other forms of entertainment are visible from the adjacent public rooms, but such lighting shall not be so such intensity as to prevent the viewing of motion pictures or other offered entertainment.
6. Revocation and Hearing: Expansion, relocation, substantial misrepresentation, violation of a) any of the terms of the ordinance, b) a change in the dominant sales items or services offered to the

public, or c) failure to operate the establishment in conformity with any terms and specifications set forth in the conditions attached to the special permit shall constitute grounds for revocation of the special permit after notice and hearing. Notice of the hearing before the Board of Zoning Appeals for revocation of the permit shall be given in writing setting forth the grounds of the complaint and the time and place of the hearing. Such notice shall be mailed by certified mail to the applicant's or owner's last known address at least five (5) days prior to the date set for the hearing.

7. Signs and Other Visible Messages. Signs and visible messages based on the allowable sign area of the zoning district as shown in Article IX, (Supplementary Provisions Applying to All Districts), Section 9.11, (Signs, Billboards, and other Advertising Structures) are permitted provided:
 - a) Sign messages shall be limited to a written description of material or services available on the premises;
 - b) Sign messages may not include any graphic or pictorial depiction of material or services available on the premises;
 - c) Messages which are visible or intended to be visible from outside the property (such as on or within doors or windows) shall not display materials, items, publications, pictures, films, or printed material available on the premises; or pictures, films, or live presentation of persons performing or services offered on the premises.

8.01C DIMENSIONAL REGULATIONS

All uses permitted in the I-1 Industrial District shall comply with the following setback requirements except as provided in Section 10.06.

1. Front Yard:
The minimum depth of the front yard shall be thirty (30) feet.
2. Rear Yard:
The minimum depth of the rear yard shall be thirty (30) feet. No yard shall be required for that portion of a lot which fronts on a railroad or rail spur line.
3. Side Yard:

The minimum depth of the side yard shall be twenty (20) feet, except that side yards for industrial lots adjacent to residential districts shall be a minimum of fifty (50) feet. No yard shall be required for that portion of a lot which fronts on a railroad or rail spur line.

4. Land Area:

Where public water and sewer service is available there shall be required a minimum land area of two (2) acres. In areas where only public water is available, there shall be a minimum of five (5) acres. No industrial land use shall be permitted in areas where a public water supply is not available, except where the Planning Commission has determined that such use does not require a supply of potable water in its manufacturing operation. In such instances, the Planning Commission shall grant written approval of the use and shall establish a minimum land area which shall not be less than five (5) acres.

5. Maximum Lot Coverage:

No maximum lot coverage shall be imposed in the I-1 Industrial District.

6. Lot Width:

No lot shall be less than one hundred fifty (150) feet wide at the building setback line.

7. Height Requirement:

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

8.01D PARKING SPACE REQUIREMENTS

As regulated in Section 9.03.

8.01E OFF-STREET LOADING AND UNLOADING REQUIREMENTS

As regulated in Section 9.04.

8.01F ACCESS CONTROL

As regulated in Section 9.01.

8.01G USES PROHIBITED

In the I-1 Industrial District all uses except those uses specifically permitted, permitted by special exception by the Board of Zoning Appeals, or as regulated in Section 10.03, are prohibited.

8.01H SITE PLAN REQUIREMENTS

As regulated in Article 11.