



# Zoning Standards Summary

## Department of Development Services

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**SUBJECT:** ZONING STANDARDS FOR HIGH INTENSITY RETAIL DISTRICT

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### REQUIREMENTS BY CITY OF MARYVILLE ORDINANCE, TITLE 14, ZONING AND LAND USE CONTROL

**Zoning District [§ 14-209]:** The High Intensity Retail (HIR) District is established to support and encourage concentrated retail development along major road corridors where most types of public infrastructure and services are already present. Shopping and dining are among the main activities in this district, and a primary goal for this zone is to stimulate retail-oriented economic activity and the accompanying generation of sales tax revenues. Mixed-use developments and certain non-retail uses that are compatible with the retail uses may also be allowed in the district, subject to specific locational criteria.

#### Allowed Uses [§14-209]:

- Primary uses permitted in the zone: retail establishments, restaurants, and hotels (Group "A"). These are intended to locate in the prime commercial sites within the district and may front or face major roadways.
- Certain non-retail uses (Group "B") compatible with the retail uses are allowed if they are located on "collector" or "local" streets, or in the interior of a mixed-use development.
- Any land use not listed in Group "A" or Group "B" shall be prohibited in the High Intensity Retail district.

#### Group "A" Uses (retail)

- Department stores
- Apparel &/or shoe stores
- Sporting goods stores
- Communication, computer stores, and electronic outlets and retailers
- Big box retailers
- Outlet stores
- Home furnishing stores
- Office supply stores
- Pharmacies
- Jewelry stores
- Appliance stores
- Pet and pet supply stores
- Liquor stores
- Health food stores
- Supermarkets
- Meat markets
- Ice cream shops
- Bakeries
- Restaurants, cafes, coffee shops, etc.
- Hotels

#### Group "B" Uses (non-retail)

- Movie theaters
- Offices
- Banks, savings and loans, credit unions, retail brokerage offices and other financial institutions
- Personal services
- Second story residences
- Attached or multi-family residential housing units, as a part of a mixed use or planned unit development
- Medical offices
- Medical laboratories

**Nonconforming Situations [§14-208]:** Nonconforming situations that were otherwise lawful on the effective date of this ordinance may be continued.

**Supplemental Use Requirements [§14-211]:** Provision (5) *Commercial Design Criteria – Citywide* provides requirements for commercial building and site design. Contact the Development Services Department for more information.

**Density and Dimensional Requirements:**

- **Minimum Lot Size:**
  - Lots containing a single building and a single tenant: 30,000 square feet.
  - A single building with 2 or more tenants: 1 acre
  - For a unified development with 2 or more buildings and tenants, and which is under common design, construction and management: 1.5 acres, but there shall be no minimum lot size requirement for the individual buildings.
- **Minimum Lot Width:** For individual lots, which are not within a unified development, the ratio of lot depth to lot width shall be no more than 3:1.
- **Building Height:** 75 feet
- **Primary Structure Setbacks:** Building setbacks from existing utility easements must be observed, otherwise:
  - **Front:**
    - General requirement: 20'
    - If located on a collector street: 40'
    - If located on an arterial street: 50'
  - **Side:** none unless adjacent to residential, in which case it is a 10' minimum
  - **Rear:** none unless adjacent to residential, in which case it is a 10' minimum
- **Accessory Structure Setbacks:**
  - **Front:** NA
  - **Side:** NA
  - **Rear:** NA

**Parking and Access [§14-209 (d)]:**

- Parking lots shall be designed to connect with adjoining properties unless the engineering department determines that such cross connections (whether current or future) would be unfeasible due to topographic considerations, safety concerns or internal or external traffic circulation issues. A large scale, unified development may propose a frontage road to provide access to and between individual lots. Such frontage road would be dedicated to and accepted for public use, and would go through the standard platting and site plan approval processes.
- Each commercial lot shall be allowed at least 1 access point where it is determined by the engineering department that such driveway is safe and in accordance with any applicable master plan of the development. Driveways onto public roads shall be spaced a minimum of 100 feet apart, measured from the centerlines of the driveways.

**Parking (General) [§14-219]:** See Ordinance for more complete information.

- **Parking Requirements.** Parking allocation is determined by specific use of building per the “Table of Requirements” in the city ordinance. Contact the Development Services Department for more information.

- **Flexibility in administration required.** The permit issuing authority may permit deviations from parking requirements and may require more or allow less parking when it finds deviations are more likely to satisfy the standard.
- **Required widths of parking area aisles and driveways.**
  - **Width Required Per Parking Angle:**

Parking Angle:	0°	30°	45°	60°	90°
▪ One-way traffic:	13'	11'	13'	18'	24'
▪ Two-way traffic:	19'	20'	21'	23'	24'
  - **Driveway width:**
    - Minimum of 10' for one-way traffic and 18' for two-way traffic,
    - If driveway is no longer than 50', it may be 10'W, provided sufficient turning space is provided so that the vehicles need not back into a public street.

**Landscaping and Screening [§14-213]:** A strip of trees, bushes, and/or a fence is required as a buffer between high intensity and low intensity land uses. In such cases, a landscape plan must be submitted to the department of planning.

**Outdoor Lighting [§14-213]:** A lighting plan may be required; determined by the Planning Department.

**(6) Outdoor lighting requirements:** See ordinance for more complete information.

- Lighting must not exceed one foot-candle at the property line zoned or used for residential purposes.
- Any luminaire with a lamp(s) rated at a total of more than 1800 lumens, and all flood luminaires with a lamp (s) rated at a total of more than 900 lumens, shall not emit any direct light above a horizontal plane.
- High intensity light for outdoor advertising or entertainment is prohibited; searchlights for advertising purposes is prohibited.

**Drive-Through Facilities [§14-209 (g)]:** The following criteria shall apply to drive-through facilities within the High Intensity Retail district:

- No structure shall have more than 2 queuing drive-through lanes.
- All developments with drive-through facilities shall provide an unobstructed emergency access around the drive-through facility and structure.
- All drive-through facilities shall place drive-through lanes in the rear of the structure or away from the main road or access. Any deviation from this requirement shall be approved by the Board of Zoning Appeals.
- All drive-through facilities shall be screened with grade changes, fences, walls, or materials so as to minimize the visual impact from the street.
- Article XI, part I, section 5(a) (13) of the "Commercial Design Criteria – City Wide" prohibits drive-through menu boards, outdoor speaker equipment and drive-through windows that are located within 160 feet from adjacent residential land uses.

**Miscellaneous [§14-209(h)]:** The following incentives are available only in the HIR zone to encourage the use of brick, stone or a material that successfully simulates these materials as an exterior building material, and to encourage the use of landscaped berms between roads and parking lots.

- Buildings designed to incorporate at least 50% of unpainted brick, stone, or materials that successfully simulate these materials as an exterior wall material shall be allowed to extend required offsets of wall and roof planes from 30 feet to no less than every 45 feet.

- Sites designed with 3-foot tall landscaped berms between roads and parking lots shall be allowed to reduce the required 30% open space requirement to 25%.
- The landscaped berms are not intended to create a solid wall of screening landscaping. Instead the combination of the berm and vertical landscaping (trees, shrubs, boulders, etc.) interspersed along the berm are intended to screen the view of parked vehicles and help create an attractive defined edge between roads and parking lots to avoid continuous pavement. The berms shall be at least 12 feet wide.
- All other criteria of [§214-11 (5)] shall remain applicable to this zone.
- The specific provisions of this section shall supersede all other City of Maryville ordinances relating to land use control. Unless otherwise provided for in this section, however, all other applicable provisions of the zoning and land use ordinance shall apply to the High Intensity Retail District.

**Signs, Zone Specific [§14-209]:** The High-Intensity Retail zone is subject to all other existing sign regulations [§14-218]. In cases where the general sign requirements differ from those specific to the zone, the zone's signage requirements will apply.

**Signs, General [§14-218]:** A permit is required for signs. Fees are \$10.00 plus \$1.00 per square foot of signage installed unless work begins before permit is issued, in which case fees are \$250.00 plus \$1.00 per square foot. See ordinance for more complete information or contact Scott Poland, 273-3509, [skpoland@maryville-tn.gov](mailto:skpoland@maryville-tn.gov).

**Site Plan Review [§14-212]:**

- Before a property can be used for a new or changed use, or be substantially altered, the owner, agent, or buyer under contract must obtain a **zoning permit** or **special exception permit**.
- Before property can be subdivided, the owner, agent, or buyer under contract must obtain an approved, **final plat**.
- Before physical improvements can be made to a proposed subdivision, the owner, agent, or buyer under contract, must obtain an approved, **preliminary plat**.
- Before physical improvements can be made to any property, the owner, developer, or agent must obtain **site plan approval** [§14-212] and the required **construction permits**.

This information is provided as a summary only. For specific requirements for a particular property, please contact the Development Services offices.

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