

Section 1500 C-5 NEIGHBORHOOD COMMERCIAL DISTRICT

1500 Intent

It is the intent of the C-5 Neighborhood Commercial District to promote, protect, and sustain the vitality of a neighborhood by allowing the Development and maintenance of small commercial and service enterprises which are both compatible with and complementary to residential properties within the immediate vicinity. Furthermore, it is the intent of this section that all businesses located within a C-5 Neighborhood Commercial District shall be for retail sales, services, or otherwise of such nature as to be a benefit or convenience to a majority of neighborhood residents.

1501 Location

Neighborhood Commercial Districts shall be located so as to primarily serve traffic on major Streets or collector Streets, and all businesses developed within such districts shall be situated on site so as to offer convenient ingress and egress to such Streets. For the purpose of these regulations, the terms "major Street" and "collector Street" shall be taken to mean any Street identified as such in the General Plan for East Ridge, as amended, or any successor plan.

1502 Uses Permitted

- A. Convenience grocery stores, drug stores, bakeries, meat and fish markets, delicatessens, hardware, stationery stores, shoe stores, gift and specialty stores, florists, music stores, video stores.
- B. Barber shops, beauty shops, cleaning and laundry establishments (including coin-operations), shoe repair shops, and repair establishments for household articles and appliances.
- C. Offices, Studios, Clinics, banking facilities.
- D. Dwellings, except single-wide manufactured homes, when the Dwelling is clearly secondary and incidental to one of the above uses. (Formerly 1503.4; Ord. No. 668, 9/24/1998)
- E. On-Premise Signs as regulated in ARTICLE VI, Section 111.
- F. Utility substations and transformers.

1503 Uses Permitted on Review

The following uses shall be allowed only after being reviewed and approved by the City Council as provided for in ARTICLE IV, Section 105 of this Ordinance.

- A. Child Care Centers as defined in ARTICLE II.

1504 Permitted Accessory Uses and Structures

Uses and Structures which are customarily accessory and clearly incidental and subordinate to permitted principal uses and Structures, as stated and restricted above, and which do not involve operations or Structures not in keeping with the intent of this section or with the character of the district, or likely (as constructed,

operated, or maintained) to have an adverse effect on the character of area surrounding the district may be permitted in any approved C-5 Neighborhood Commercial District.

1505 Prohibited Uses and Structures

The following uses and Structures are found to be not in keeping with the intent of the Neighborhood Commercial District and are therefore specifically prohibited within any approved C-5 Neighborhood Commercial District:

- A. Outdoor sales, service or display.
- B. The playing of music or making of announcements directly or through mechanical or electronic devices in a manner audible at any residential Lot Line.
- C. The sale of beer, wine, and similar alcoholic beverages for consumption on the premises.
- D. Adult-Oriented Establishments (Ord. #882, 7/22/10)
- E. Theaters, skating rinks, dance halls, billiard rooms, or other businesses, or uses devoted primarily to entertainment.
- F. In general, any use or Structure not of a nature permitted under "Principal Uses Permitted" and "Permitted Accessory Uses and Structures" above.
- G. Off-Premise Signs.

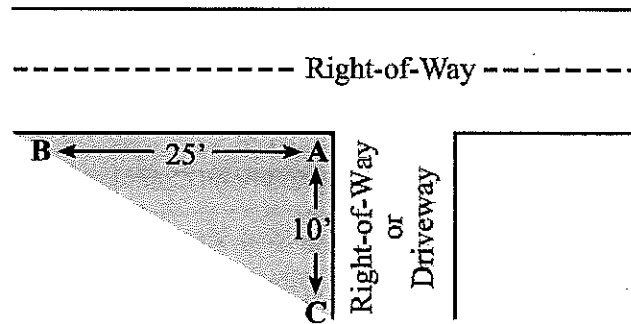
1506 Access to Site

Principal vehicular access shall be permitted only from major or collector Streets except by special review and approval by the Board of Zoning Appeals where unusual circumstances make principal access-ways from minor Streets practicable without adverse effects on property along such minor Streets. Pedestrian access may be permitted at any location on the site.

1507 Minimum Yard and Landscaping Requirement; Maintenance of Visibility at Access Points; Relations of Yards to Turnout and Merging Lanes

- A. Yards with a minimum depth of twenty-five (25) feet shall be provided along any public Street or right-of-way.
- B. Side Yards with a minimum width of ten (10) feet and Rear Yards of not less than twenty-five (25) feet depth shall be required where permitted use adjoins any Residential District.
- C. No Structure, landscaping, fence, terrace, or other natural or artificial feature adjacent to any Street shall be of a nature impairing visibility from or of approaching vehicular traffic where such visibility is important to safety, nor shall such feature in any way create potential hazards to pedestrians. In particular, at vehicular entrances and exits, no off-Street parking, landscaping, or other material impediment to visibility between the heights of three (3) feet and eight (8) feet shall be permitted within a

triangular area bounded by imaginary lines connecting three (3) points as described and illustrated below:



- Point A - At the intersection of any private driveway with a public right-of-way, the point of intersection nearest approaching traffic.
- Point B - Beginning at Point A, proceeding along the boundary line of public right-of-way toward the direction of oncoming traffic for a distance of twenty-five (25) feet to a second point: Point B.
- Point C - Beginning at Point A, proceeding along a line perpendicular to the public right-of-way and generally along the edge of the private driveway toward the interior of the Lot for a distance of ten (10) feet to a third point: Point C.

The restrictions imposed by this regulation shall apply only to the private Property served by the driveway in question.

- D. Along collector and arterial public Streets, turn-out lanes, and merging lanes may be required to be constructed on the Lot, with length and width as appropriate to the flow of traffic, and traffic-separation devices may be required at such entrances and exits and along such merging lanes. Whether required by the Chief Building Official or provided voluntarily, such turn-out and merging lanes may be included as part of the required Yard adjacent to the public collector or arterial Street. Disagreement regarding required turn-out or merging lanes may be appealed to the Board of Zoning Appeals.

1508 Maximum Height of Structures

No Structure shall exceed two and one-half (2 ½) Stories or thirty-five (35) feet in height.

1509 Minimum Off-Street Parking and Loading Space Requirements

- A. Principal parking requirements for retail uses in the C-5 Commercial District will be four (4) spaces per one thousand (1,000) square feet of
- B. Gross Leasable Space for all Buildings or commercial centers of less than twenty-five thousand (25,000) square feet.

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- C. For Buildings or centers over twenty-five thousand (25,000) square feet of Gross Leasable Space in the C-5 Commercial District, the requirements will be five (5.0) spaces per one thousand (1,000) square feet.
- D. The Chief Building Official may waive Parking Space requirements set forth above for detached warehouse facilities which are attendant to the principal commercial use.
- E. Off-Street loading facilities shall be provided which do not require the use of required off-Street Parking Space during hours when establishments in the district are open for business.
- F. All off-Street parking and loading space shall be subject to review and approval by the Chief Building Official and shall be so located, improved, illuminated, operated and maintained as to provide safe and convenient circulation on the premises and to and from adjacent Streets, and to minimize potential frictions with adjoining residential property.
- G. Handicapped parking requirements shall conform with those set forth in the Tennessee Code Annotated, Title 55, Chapter 21, and the East Ridge Building Code, and shall be provided at the rates set forth in ARTICLE VI, Section 109.2.10 of this Ordinance.