

11-703. B-3 (Central Business) Districts.

Within the B-3 (Central Business) Districts, as shown on the Zoning Map of Covington, Tennessee, the following regulations shall apply (Note: Uses Permitted and Uses Permitted on Appeal are based on land use codes of the Standard Land Use Coding Manual, January 1965, prepared by the Urban Renewal Administration, Housing and Home Finance Agency, and the Bureau of Public Roads. Instances where the Standard Land Use Coding Manual does not sufficiently classify a land use, the Code Enforcement Officer may consult other similar classification indexes.):

1. Uses Permitted

- A. Single-Family Dwellings or Multi-Family Dwellings limited to four (4) or less units subject to provisions and regulated by design standards contained in Section 11-602 and Site Plan review requirements contained in Section 11-324 of this Ordinance and provided the following conditions are met:
 - 1. If the provision of on-site parking is not possible or practical, such uses may utilize public parking facilities provided compliance with all traffic laws and regulations and access control provisions are met.
 - 2. Any dwelling unit to be developed shall not be less than 750 square feet in area.
 - 3. The character of the building as a business structure shall not be changed by the addition of a residential use.
 - 4. The portion of the building facing the public view shall be devoted to commercial use or shall have space available for commercial use. Residential uses shall be located only in the upstairs portion of a building or the rear of the building.
 - 5. Detailed architectural plans prepared by a licensed architect certified by the State of Tennessee may be required by the Planning Commission to ensure compliance with all pertinent state and local codes and that the provisions of this Ordinance are met. Recommendations shall be provided by the Staff Planner, Building Official, Fire Chief, or an authorized representative prior to review and site plan approval by the Planning Commission.
 - 6. The Building Official is authorized to waive the requirement for architectural plans by a licensed architect if it is found that the nature of the work applied for is such that review of the plans is not necessary to obtain compliance with this Ordinance and the locally adopted building code.

- B. Retail Trade
 - 1. Building materials, hardware, and farm equipment
 - 2. General merchandise
 - 3. Food
 - 4. Tires, batteries, and accessories
 - 5. Gasoline Service Stations
 - 6. Apparel and accessories
 - 7. Furniture, home furnishings and equipment
 - 8. Eating and drinking places
 - 9. Other retail trade excluding hay, grains, and feeds
- C. Services
 - 1. Finance, insurance and real estate services
 - 2. Personal services excluding funeral and crematory services; cemeteries
 - 3. Business services excluding warehousing and storage services
 - 4. Repair services excluding automobile wash and repair services
 - 5. Professional services excluding sanitariums, convalescent, and rest home services
 - 6. Governmental services excluding military bases and reservations
 - 7. Educational services
 - 8. Miscellaneous services
- D. Cultural Activities
- E. Religious Activities
- F. Public Assembly excluding sports assembly
- G. Amusements
- H. Recreational Activities excluding golf courses, riding stables
- I. Parks
- J. Transient Lodging

K. Signs as permitted in Section 11-317

L. Any accessory use or building customarily incidental to the permitted uses

2. Uses Permitted on Appeal

A. Communication Towers

B. Bed and Breakfast Establishments provided the following standards are met:

1. Permits – no building permit or certificate of occupancy for such use shall be issued without written approval of the Board of Zoning Appeals.
2. Location – The Bed and Breakfast operation shall be located and conducted in the principal building only.
3. Owner Occupied – The principals engaged in the bed and breakfast operation shall be the property owners, who are the permanent residents of the dwelling unit in which the operation is located. Non-resident employees may be engaged in the operation.
4. Number of Rental Units – No more than three (3) sleeping quarters of the dwelling unit shall be used for guest lodging in the Bed and Breakfast establishment. This would not apply to the other parts of the dwelling unit, which may be incidentally used by guests such as bathrooms, kitchens and living room areas not being used as sleeping quarters by guests.
5. Length of Stay – Lodging of guests at the Bed and Breakfast establishment shall be limited to no more than fourteen (14) continuous days during any one (1) stay.
6. Site Plan – An accurately drawn plan shall be presented to the Board of Zoning Appeals at least ten (10) days prior to the meeting. The site plan shall show the location of the principal building, off-street automobile parking, relationship to adjoining properties and surrounding land use, existing zoning of the proposed site, any other information as may be required by the Covington Board of Zoning Appeals.
7. Appearance- The establishment of a Bed and Breakfast operations shall not change the residential character and appearance of the home.
8. Advertising – One freestanding sign of no more than four (4) square feet, placed no higher than six (6) feet above ground level, and with

no direct lighting, shall be permitted to identify the Bed and Breakfast establishment. Signs must conform to the appearance and be in keeping with the residential character of the surrounding neighborhood.

9. Parking – Off-street parking facilities shall be provided at the rate of at least one (1) space per sleeping quarter (room) for rent in addition to at least two (2) spaces for the household parking. All parking will also comply with 11-314, Off-Street Automobile Storage of the Covington Municipal Zoning Ordinance.
10. All applicable Federal, State, and Municipal codes including but not limited to, fire, building, and electrical codes shall be complied with as a condition of approval by the Board of Zoning Appeals.

The Board of Zoning Appeals may also attach other conditions on the use of the structure or site, which will be necessary to carry out the intent of the Zoning Ordinance.

The Board of Zoning Appeals may attach such conditions to any permit as are necessary to minimize vehicle and pedestrian congestion and to preserve and protect the character of the neighborhood in which the proposed use is located. This power shall include the power to require greater setbacks and yard spaces than required by other provisions of this ordinance.

3. Uses Prohibited

Any use not specifically permitted in this Section is prohibited including installation of above or underground storage vessels accommodating the storage of flammable or combustible fluids.

4. Procedures

- A. Before a permit is issued for any permitted use listed in 11-703., 1., or use permitted on appeal in 11-703., 2. above, a site plan of the proposed development shall be reviewed and approved by the Planning Commission pursuant to Section 11-324 of this Ordinance. The Planning Commission shall have the power to impose conditions regarding the location of the buildings on the site, the location and design of parking and access facilities, fencing and screening, noise abatement, outdoor advertising and other features affecting the character of the area and the compatibility of the proposed use to existing nearby uses.
- B. Provided, however, the Building Official may issue a permit without the necessity of fulfilling the requirements of paragraph A. above for the following types of developments:
 1. Construction of canopies;
 2. Construction of signs;

3. Construction of accessory buildings;
4. Minor additions to an existing building. For the purposes of this section, a minor addition to an existing building shall be defined as any expansion of square footage under roof by accumulative amount during a five (5) year period of less than twenty (20%) percent of the square footage under roof of said structure prior to expansion, or any addition of 5,000 square feet or less, regardless of the size of the original structure; and
5. Installation of underground tanks.
6. For the type of development identified above to be exempt from the site plan requirements of Section 11-324, such development must meet the following criteria:
 - a. Such development cannot eliminate any parking that exists that is required by the use; and,
 - b. Such development must comply with all applicable yard requirements of the district.
 - c. Requirements for issuance of a permit by the Code Enforcement Officer shall be provided for in Chapter 11.
 - d. Certificate of Occupancy: Where there is any change of use or occupancy of property, the Building Official may issue a Certificate of Occupancy without review by the Planning Commission where the Building Official determines that all the development requirements of the use or property are currently being met.

5. Regulations Controlling Lot Area, Lot Width, Yards, Building Coverage and Height

The principal building shall be located so as to comply with the following requirements:

- A. Residential uses as specified in Section 11-602 with modifications recommended by the Planning Commission and certified by the Board of Zoning Appeals.
- B. All Other Uses No minimum requirement
- C. Maximum Permitted Height of Structures

No commercial or office building shall exceed eighty (80) feet in height, except that free standing poles, spires, towers, antennae, and similar structures not designed or suitable for human occupancy, may exceed the height provisions of this section provided they comply with the provisions

of all other codes and ordinances. Residential structures shall be limited to two (2) stories not more than thirty-five (35) feet in height.

6. Operating Standards

All permitted uses shall be carried on in such a manner as to produce no offensive noise, dirt, odor, glare or heat outside the property lines of the lot occupied by such use.

7. External Illumination

External illumination subject to Section 11-323 of this Ordinance.

8. Landscaping and Greenspace Requirements

Landscaping and Greenspace Requirements subject to 11-331 of this Ordinance.