

**SECTION 224****PCD****PLANNED COMMERCIAL DEVELOPMENT DISTRICT****(As amended by Ordinance Nos. O03-10-20, O11-02-02, O19-09-13, and O20-03-04)****SECTION 224.1 GENERAL DESCRIPTION**

The PCD District is intended to encourage flexibility and innovation in land development and land use in commercial developments. It is intended that projects within any PCD District provide a compatible blending with surrounding development, minimizing such negative impacts as land use conflicts, traffic congestion, and excessive demands on existing or proposed public facilities.

**SECTION 224.2 PERMITTED USES AND STRUCTURES**

- 224.2A Retail, private service, general and professional offices and other commercial establishments intended to serve the residents of the city and region. Examples of such establishments include office buildings, office parks, wholesale and distribution centers, and shopping centers or malls
- 224.2B Private recreational facilities including taverns and nightclubs
- 224.2C Churches and similar places of worship
- 224.2D Municipal, county, state, and federal uses
- 224.2E Public and semi-public uses including those permitted in the CR District
- 224.2F Temporary structures and operations subject to the provisions of Section 204.11 of this Zoning Code
- 224.2G Accessory structures and uses provided the following conditions are complied with:
1. Shall be customarily and clearly incidental and subordinate to permitted principal uses and structures.
  2. Shall be located on the same lot as the permitted principal use or structure, or on a contiguous lot in the same ownership.
  3. Shall comply with all applicable requirements of Section 204.9 of this Zoning Code.
- 224.2H Outdoor display and sales areas meeting the conditions of Section 206.19 of this Zoning Code (As amended by Ordinance No. O03-10-20)

224.2I (As amended by Ordinance No. O11-02-02) Retail package stores for the sale of alcoholic beverages subject to the following:

1. Shall be restricted to parcels having street frontage and access on major arterial streets in the following locations:
  - a. South Jefferson Avenue from Spring Street south to the northern right-of-way of Interstate 40
  - b. South Willow Avenue from Broad Street south to the northern right-of-way of Interstate 40
  - c. Spring Street from State Highway 111 west to terminus at West Broad Street
  - d. West Jackson Street from South Willow Avenue west to Buffalo Valley Road
  - e. East 10<sup>th</sup> Street from Washington Avenue east to City Limits
  - f. Interstate Drive
  - g. Neal Street
  - h. North Washington Avenue from East Broad Street north to East 12<sup>th</sup> Street
2. Shall comply with the applicable provisions of Title 8 of the Cookeville Municipal Code

224.2J Brewpubs (As amended by Ordinance No. O20-03-04)

**NOTE: REFER TO “CHART OF PERMITTED LAND USES BY ZONING DISTRICT” IN SECTION 234 OF THIS ZONING CODE FOR A DETAILED ENUMERATION OF THE USES ALLOWED IN THE PCD DISTRICT.**

### **SECTION 224.3 USES PERMITTED ON REVIEW**

Upon review and approval by the Cookeville Planning Commission residential uses may be permitted provided the PRD District requirements of Section 218 of this Zoning Code are met.

### **SECTION 224.4 USES PERMITTED ON APPEAL (SPECIAL EXCEPTIONS)**

After public notice and hearing, and subject to appropriate conditions and safeguards, the Board of Zoning Appeals may permit, as special exceptions:

224.4A Accessory dwellings units on the same premises and in connection with permitted principal uses and structures when meeting the following requirements:

1. Shall be for the occupancy by the owner(s) or employee(s) of the principal use
2. Off-street parking for each dwelling unit shall be provided so as to meet the requirements of Section 205 of this Zoning Code
3. A minimum square footage per dwelling unit of 650 square feet for a one-bedroom unit, 800 square feet for a two-bedroom unit, and 1000 square feet for a three bedroom unit shall be provided
4. All municipal building and fire codes shall be adhered to

224.4B Childcare centers meeting the requirements of Section 206.7 of this Zoning Code

224.4C Outdoor storage of goods and materials when located to the rear of the principal structure facing a street or to the side of the principal structure if a Type 3 Screen as specified in Section 208 of this Zoning Code is provided, and when complying with all minimum yard requirements

#### **SECTION 224.5 PROHIBITED USES AND STRUCTURES**

Any use or structure not specifically permitted or permitted on appeal.

#### **SECTION 224.6 MINIMUM SIZE AND OWNERSHIP**

No property considered for PCD zoning shall be less than two (2) acres in size. At the time of application for PCD zoning, the entire tract of land shall for which this zoning is requested shall be under the control of a single individual, partnership or corporation.

#### **SECTION 224.7 MAXIMUM DENSITY**

224.7A Commercial and other non-residential uses: None, except to meet the minimum yard requirements.

224.7B Residential uses: The maximum number of dwelling units in a PCD District shall be computed by multiplying the gross acreage to be developed as residential uses by fourteen (14).

#### **SECTION 224.8 MINIMUM YARD REQUIREMENTS**

The minimum yard requirements for the PCD District are applicable only to the perimeter of the area so zoned. The required minimum front, rear, and side yards shall be seventy-five (75) feet unless a Type 2 Screen/Buffer as provided in Section 208 of this Zoning Code is provided, in which case the minimum front, rear, and side yards shall be fifty (50) feet.

#### **SECTION 224.9 MINIMUM OFF-STREET PARKING REQUIREMENTS**

Off-street parking shall be subject to the requirements of Section 205 of this Zoning Code.

**ALL DRIVEWAYS AND PARKING AREAS SHALL BE PAVED.**

#### **SECTION 224.10 ACCESS AND CURB CUTS**

When making access to a public street, the provisions of Section 205.9 of this Zoning Code shall apply.

#### **SECTION 224.11 LIMITATIONS ON SIGNS**

All signs located in this District shall be subject to the requirements of Section 207 of this Zoning

Code.

**SECTION 224.12 EROSION AND STORM WATER MANAGEMENT**

The erosion control and storm water management requirements of Sections 204.13 and 204.14 of this Zoning Code shall apply.

**SECTION 224.13 LANDSCAPING, SCREENING AND BUFFER YARD REQUIREMENTS**

The landscaping, screening and buffer yard requirements of Section 208 of this Zoning Code shall apply.

**SECTION 224.14 SIDEWALK REQUIREMENTS**

The sidewalk requirements of Section 209 of this Zoning Code shall apply.

**SECTION 224.15 SITE PLAN REQUIREMENTS**

All developments requiring building permits shall conform with the applicable site plan requirements of Section 233.5 of this Zoning Code.

**SECTION 224.16 TRAFFIC STUDY REQUIREMENTS**

A traffic study meeting the requirements of Section 233.6 of this Zoning Code shall be prepared and submitted to the Department of Planning and Codes for all developments in excess of 50,000 square feet of floor space or for any development if determined by the Building Official as necessary.

**SECTION 224.17 DESIGN STANDARDS**

The following design standards shall apply for all PCD developments:

224.17A Obstruction of Vision at Intersections

The provisions of Section 204.1 of this Zoning Code shall also apply to the intersection of any private drive, entrance or exit from a common parking area.

224.17B Area and Bulk Regulations

There shall be no minimum lot size, no minimum setbacks lines (except as specified in Sections 224.8 and 224.17C of this Zoning Code), and no maximum percentages of lot coverage in any PCD District.

224.17C Spacing of Structures

1. The location of all structures shall be as shown on the Final PCD Plan.
2. The proposed location of all structures shall not be detrimental to existing or prospective adjacent uses or to the existing or prospective development of the

neighborhood.

3. There shall be a minimum distance between detached structures as follows:
  - a. One and two story structures ..... 15 feet
  - b. Three story structures ..... 20 feet
4. For structures exceeding three (3) stories or thirty-five (35) feet in height, the Planning Commission shall be consulted concerning the location and proper spacing for such units.

#### 224.17D Height of Buildings

1. The maximum building height for any building located within two hundred (200) feet of an adjacent residential district shall be thirty-five (35) feet or three (3) stories.
2. Elsewhere within the PCD District there are no height restrictions. However, the plans for any structure which exceeds thirty-five (35) feet or three (3) stories in height shall be reviewed by the Planning Commission in order to determine:
  - a. That proper fire protection can be provided by the City
  - b. That the location and spacing of such structures is adequate to provide proper light and air
  - c. That the privacy of the occupants of adjacent low-rise dwellings is not invaded by the location of high-rise structures

#### 224.17E Privacy

In cases where residential development is provided as a part of a PCD District, each development shall provide reasonable visual and acoustical privacy for dwelling units. Fences, insulation, walls, barriers, and landscaping shall be used, as appropriate, for the protection and aesthetic enhancement of property and the privacy of its occupants, the screening of objectionable views or uses and the reduction of noise. High-rise buildings shall be located within the PCD District in such a way as to dissipate any adverse impact on adjoining low-rise buildings and shall not invade the privacy of the occupants of low-rise buildings.

### **SECTION 224.18 SITE IMPROVEMENTS**

#### 224.18A Streets

The arrangement of public and common ways for pedestrian and vehicular circulation in relation to other existing or planned streets in the area and to the Cookeville Major Street Plan, together with provisions for street improvements, shall generally comply with standards set forth in the Cookeville Subdivision Regulations. However, the uniqueness of each proposal for PCD may require that specifications for the width and surfacing of streets, public right-of-ways, public utility easements, curbs and other standards may be subject to modification from the specifications of the Subdivision Regulations. Upon application from the developer and good cause shown, the Planning Commission may permit changes or alterations of such standards that are consistent with the spirit and intent of this Section.

### 224.18B Utilities

1. The provision of underground utilities (including electricity, telephone and cable television) in both public and private extensions thereof shall be mandatory in every PCD District.
2. Provisions shall be made for acceptable design and construction of storm water facilities including grading, gutters, piping, and treatment of turf to handle storm water and prevent erosion. Storm water retention areas shall be required when deemed necessary by the Public Works Department.
3. Sanitary sewers shall be provided within every PCD District and these sewers shall meet the requirements of the Tennessee Department Environment and Conservation. No sanitary sewer system construction shall take place until a set of plans and specifications, prepared by a registered engineer and approved by said department, is presented to and approved by the Department of Water Quality Control.
4. Water mains shall be of the size required by the Tennessee Department of Environment and Conservation, but in no instance shall any main used for fire protection be less than six (6) inches in diameter. No water system construction shall take place until a set of plans and specifications, prepared by a registered engineer and approved by said department, is presented to and approved by the Department of Water Quality Control.
5. Fire hydrants shall be spaced so as to be at a point no further than four hundred (400) feet from the most remote point of any non-residential structure that is to be protected by the hydrant. In the case of residential structures, this maximum distance shall not exceed seven hundred (700) feet.

### 224.18C Garbage Collection

Adequate collection facilities shall be provided as required by the Director of Public Works. All collection facilities and containers shall be permanently screened in a manner that is sufficient to completely remove facilities from sight.

### 224.18D Pedestrian Circulation

A pedestrian circulation system is required. The system and its related walkways shall be separated as completely as possible from the vehicular street system in order to provide separation of pedestrian and vehicular movement. This separation shall include, when deemed necessary by the Planning Commission, pedestrian underpasses and overpasses in the vicinity of schools, playgrounds, residential uses, and other neighborhood uses that generate a considerable amount of pedestrian traffic. Sidewalks shall be constructed to the standards specified in the Cookeville Subdivision Regulations.

## SECTION 224.19 PROCESS FOR DEVELOPMENT AND APPROVAL

**Summary:** After a pre-application conference is held, the developer may proceed with drafting a Preliminary PCD Plan. The purpose of the Preliminary PCD Plan is to require enough information to illustrate the intent of the developer without necessitating considerable expense on the developer's part. A recommendation for rezoning from the Planning Commission shall be made, based on the information presented in the Preliminary PCD Plan, to the City Council. After the Council has approved rezoning to PCD, then the developer will proceed with the development of a detailed Final PCD Plan. The Final PCD Plan is submitted to the Planning Commission for Final approval. After final approval is obtained, the developer will register the Final PCD Plan and proceed with construction. A Final Subdivision Plat, if applicable, will be approved and registered before transfer of units.

### 224.19A Pre-Application Conference

The developer is required to confer with the Planning Staff prior to submission of the Preliminary PCD Plan to the Planning Commission. The purpose of the conference is to exchange information and guidance concerning the process for approval and the provisions of the PCD Code. Discussions will concern, but not be limited to, the site, the proposed development, the effect on community facilities, and the proposed schedule for planning and construction of the PCD.

### 224.19B Submission of the Preliminary PCD Plan

1. The Preliminary PCD Plan shall include a Schematic Map Plan and Written Statement.

The Schematic Map Plan shall be drawn to a scale of not less than 1 inch = 100 feet and shall include the following information:

- a. Location and name of proposed development
- b. Location map depicting relationship of PCD to area
- c. Approximate North point, graphic scale, and date
- d. Acreage of site
- e. Existing zoning of site and area within three hundred (300) feet of site
- f. Existing and proposed land uses, and approximate location, size and density of buildings and other structures, both existing and proposed
- g. The location of existing and proposed property lines, streets, watercourses, railroads, sewer lines, water lines, drainage pipes, bridges, culverts, and easements for existing utilities and other features
- h. Proposed vehicular and pedestrian circulation system
- i. Existing topographic and hydrographic features of the site, drawn with contours at vertical intervals of not more than five (5) feet
- j. Public uses, including schools, parks, playgrounds and other open spaces, and common open spaces, structures and uses for the occupants of the PCD

The Written Statement shall include:

- a. Information about the physical characteristics of the surrounding area and developments within three hundred (300) feet of the site
  - b. Types structures and improvements as a means of explaining the general character of the proposed PCD
  - c. Expected Development Schedule, including approximate date when construction will begin; the approximate stages of the project and approximate starting dates for each stage; the rate of development; and the area and location of open space that will be provided with each stage
  - d. Proposed covenants, grants of easement or other restrictions to be imposed upon the use of the land, including common open space areas, buildings, and other structures within the PCD
  - e. Any other supportive information which can not be shown graphically
2. Two (2) copies of the Preliminary PCD Plan must be submitted to the Department of Planning and Codes, along with a fee of \$200.00. The Preliminary PCD Plan will not be accepted for consideration until all information described above has been submitted. The Preliminary PCD Plan will be taken for a minimum one-month study period for Planning Staff review for compliance with the provisions and requirements of this Ordinance. The Planning Commission will take action on the Preliminary PCD Plan within sixty (60) days of formal acceptance of the application and plan for study. The Secretary of the Planning Commission will advertise by means of a legal notice, the date, time, and place of the meeting at which the Planning Commission will consider approval of the Preliminary PCD Plan.
  3. The Planning Commission shall submit the application and the Preliminary PCD Plan to the City Council, with its recommendations as to approval, disapproval, desirable changes and/or special conditions and safeguards.
  4. Upon receipt of the Preliminary PCD Plan and the Planning Commission's recommendations, the City Council will set the date of the Public Hearing. After holding the Public Hearing and reviewing the Preliminary PCD Plan, the application for rezoning and the Planning Commission's recommendations, the City Council will consider enactment of the rezoning ordinance for the site of the proposed PCD.
  5. No building permits may be issued and no final plat may be approved on land within the PCD site until the Final PCD Plan has been approved by the Planning Commission.
  6. Expiration of Preliminary PCD Plan  
Approval of the Preliminary PCD Plan will expire six (6) months after the effective date of the rezoning action of the City Council, if no Final PCD Plan has been submitted to the Planning Commission. Extensions, totaling no more than eighteen (18) months after the effective date of rezoning action by the City Council, may be granted by the Planning Commission upon written request by the developer, stating the reasons for needing the extension.

## 224.19C Submission of Final PCD Plan and Preliminary Subdivision Plat

1. The final PCD Plan shall be submitted to the Planning Department, along with a fee of \$100.00. In cases involving the proposed transfer of land within the PCD, a Preliminary Subdivision Plat will be required with the submission of the Final PCD Plan, which will be reviewed by the Planning Commission for compliance with the Preliminary PCD Plan and with the requirements of this Zoning Code. The Preliminary Subdivision Plat must conform to the requirements of the Subdivision Regulations.
2. The Final PCD Plan shall substantially conform to the Preliminary PCD Plan, and will be submitted for the entire PCD. If residential uses are included in the PCD, the number of dwelling units shown on the Preliminary PCD Plan shall not be exceeded by more than five (5) percent. The developer may choose to construct the PCD in stages or sections, each of which must be clearly identified on the Final PCD Plan.
3. The Planning Commission's approval of the Final PCD Plan and Preliminary Subdivision Plat is required before construction can begin. After receiving approval of the Final PCD Plan from the Planning Commission, the developer is required to register the Final PCD Plan in the Office of the Putnam County Register.
4. The Final PCD Plan must include the following information:
  - a. Engineering drawings and maps drawn at a scale of not more than 1 inch = 50 feet
  - b. Finished topography of the site, with contours of not more than five (5) foot vertical intervals
  - c. Circulation diagram(s) indicating movement of vehicles, goods and pedestrians within the PCD area, and to and from existing thoroughfares. The following should also be included with the circulation plan:
    - 1) Street and sidewalk layout.
    - 2) Street widths of pavement and right-of-way.
    - 3) Street cross-sections.
    - 4) Any proposed special engineering features and/or traffic regulation devices.
  - d. Off-street parking and loading plan, with ground coverage of parking areas indicated
  - e. Areas to be conveyed, dedicated, or reserved for parks, parkways, and other public or semi-public open space uses and including any improvements which are to be deeded as part of the common use area
  - f. Each building site and common open area, including the location, height and bulk of all buildings and structures, landscaping and other improvements. Also, the type, use and number of units for each structure, and elevation and perspective drawings of structures
  - g. Floor plan of each type of structure to be built
  - h. Proposed utilities including sewers, both sanitary and storm, gas lines, water lines, and electric lines showing connections to existing systems, and easements for such. Also, the locations of fire hydrants
  - i. Location, function and ownership of all open spaces, except those open spaces included in fee-simple lots
  - j. Final drafts of all proposed covenants and grants of easement, particularly those

- pertaining to common open space
- k. Computations of coverage by all buildings, structures, recreational facilities and parking lots within the PCD
  - l. Development Schedule indicating:
    - 1) The approximate date when construction of the project can be expected to begin
    - 2) Outline of each phase or stage of the construction of the development, with a tabulation of proposed densities to be allocated to each stage
    - 3) The approximate date when construction of each stage or phase can be expected to begin
    - 4) The anticipated rate of development
    - 5) The approximate dates when each stage in the development will be completed
    - 6) The area, location and degree of development of common open space that will be provided at each stage
5. Minor amendments to the Final PCD Plan may be submitted to the Department of Planning and Codes for review and approval. If the Department of Planning and Codes determines that the amendment is substantially different from the Preliminary PCD Plan and/or involves a change in the intent of the character of the PCD, then the amendment will be forwarded to the Planning Commission for approval, at which time a Public Hearing will be held.
6. PCD Rezoning Repealed When Final PCD Is Not Submitted  
 When a Final PCD Plan is not submitted to and approved by the Planning Commission within eighteen (18) months after the effective date of the rezoning action by the City Council, said rezoning action shall be repealed.

#### 224.19D Construction

1. Building permits shall not be issued before the Final PCD Plan has been approved and recorded.
2. If a subdivision plat is required, transfer of real property within the PCD is not permitted until a Final Subdivision Plat has been approved and recorded.
3. If construction is to be carried out in phases or stages, then the Planning Commission may accept a Financial Guarantee in Lieu of Improvements, as specified in the Cookeville Subdivision Regulations. The Financial Guarantee may be reduced to a Maintenance Bond upon the completion of each stage or phase.
4. The Maintenance Bond must be of sufficient amount and duration (not to exceed five (5) years) to cover the maintenance of the improvements of each phase or section until the entire PCD is completed and/or responsibility of maintenance has been transferred.

**224.19E Final Subdivision Plat**

1. A Final Subdivision Plat, conforming to the Cookeville Subdivision Regulations, must be submitted to the Planning Commission for review and approval by one of the following methods:
  - a. After completion of construction of all streets, utilities, and any other areas, buildings or structures to be dedicated to a public agency
  - b. After submitting a Financial Guarantee, in an amount to be determined by the Planning Commission, to cover the cost of construction of any and all improvements to be dedicated to a public agency, such as streets and utilities
2. The Final Subdivision Plat must be recorded in the Office of the Putnam County Register, before transfer of ownership of units in the PCD.

**224.19F Certificate of Compliance**

A Certificate of Compliance will be issued upon a determination by the Building Official that the entire PCD has been completed according to the recorded Final PCD Plan. The Planning Commission shall not release the Financial Guarantee, if the development is constructed in a single phase, or any maintenance bonds, if constructed in several phases, until a Certificate of Compliance has been issued.