

ORDINANCE 2010 - 37

**AN ORDINANCE AMENDING TITLE 11, ZONING ORDINANCE ARTICLE 3 -  
USE REGULATIONS, ARTICLE 6 - COMMERCIAL DISTRICT  
REGULATIONS, AND ARTICLE 7 - INDUSTRIAL DISTRICT REGULATIONS**

**WHEREAS**, the Board of Commissioners of the City of Mt. Juliet, Tennessee desire to amend the Zoning Ordinance; and

**WHEREAS**, the Auto Body Repair is not specifically listed as a use in the zoning ordinance;

**WHEREAS**, Auto Body Repair is permitted in various Commercial and Industrial Zoning Districts, but not in the Restrictive Industrial (IR) District;

**WHEREAS**, Auto Body Repair is a use generally permitted in Industrial areas;

**BE IT ORDAINED** by the Board of Commissioners of the City of Mt. Juliet, Tennessee, Wilson County, as follows:

Section 1: Article 3 of Title 11, Use Regulations; Section 3-103.3, Detailed Activity Listing, Commercial Activities - Class and Types; Subparagraph 4, Activity Type - Automotive and Marine Craft Sales, Service and Repairs, is hereby amended in subparagraph 'b' Use Listing to read as follows:

\*\*\*\*\*

**b. Use Listing**

Auto Dealers  
Auto and Home Supply Stores  
Auto Body Repair/Paint Shops  
Auto Repair Services  
Auto Towing Services  
Boat Dealers  
Car Washes  
Motorcycle Dealers  
Radiator and Muffler Shops  
Recreational and Utility Vehicle Sales, Service and Storage  
Tire Sales Retreading and Repair Shops

Section 2: Article 3 of Title 11, Use Regulations; Section 3-104.7, Supplementary Use Regulations, Provisions Applicable to Commercial Activities; by inserting a new Subparagraph 4, to read as follows and renumbering subsequent sections:

\*\*\*\*\*

**3. Banking, Financial Services and Real Estate**

Within the CNS and OPS Districts, banking, financial services and real estate operations shall be limited to twenty-five hundred (2500) square feet of gross floor area per establishment, with no more than two (2) establishments per lot.

4. Automotive and Marine Craft Sales, Service and Repair

Within all commercial and industrial districts where this Activity Type is permitted, the following requirements shall be applicable to Auto Body Repair/Paint Shops. Other uses within the "Use Listing" shall be permitted by right and not subject to these requirements.

1. All vehicle repair shall be performed within an enclosed building and shall be located no closer than fifty (50) ft to any abutting residential district. Temporary work may be performed outside so long as it is performed within a yard fully enclosed with opaque fencing and not visible from off-site.
2. All damaged vehicles shall be stored within a building or within an area fully screened from public view or adjacent property by a minimum six (6) foot high opaque fence or wall. Said storage yard shall not be within any front yard or other yard adjacent to any street.
3. Buffers required elsewhere in this ordinance shall be provided.
4. No storage of vehicles shall be permitted for periods in excess of thirty (30) days.
5. The use shall not include any use deemed to constitute a 'junk yard.'
6. There shall be no outdoor storage or display of tires or other automotive parts.

5. Convenience Retail and Services

\*\*\*\*\* Renumber remaining paragraphs in 3-104.7\*\*\*\*\*

Section 3: Article 6 of Title 11, Commercial District Regulations, Table 6-102A shall be amended as it pertains to Section III. Commercial Activities, D. Automotive and Marine Craft Sales, Service, and Repair, to read as follows:

**TABLE 6-102A**

*(Amended by Ordinance 2005-05, 3/14/05 to add CRC District)*

**PERMITTED AND CONDITIONAL USES AND STRUCTURES  
ALLOWABLE WITHIN MIXED USE AND COMMERCIAL DISTRICTS**

DISTRICTS	CG	CI	CMU	CNS	OPS	CTC	CRC
<b>PRINCIPAL USES AND ACTIVITIES</b>							
<b>I. RESIDENTIAL ACTIVITIES</b>							
<b>II. COMMUNITY FACILITY ACTIVITIES</b>							
<b>III. COMMERCIAL ACTIVITIES</b>							

A. Adult Entertainment							
B. Animal Care and Veterinary Services	SUP	SUP	SUP	SUP		SUP	SUP
C. Automotive Parking	P	P	P			P	
D. Automotive and Marine Craft Sales, Service and Repair	SUP	SUP	SUP				
E. Banking, Financial, Insurance and Real Estate Services	P	P	P	SUP	SUP	P	P
F. Convenience Retail Sales and Services	P	P	P	SUP	SUP	P(2)	P
G. Entertainment and Amusement Services - Limited	P	P	C			P	P
H. General Business and Communications	P	P	P	SUP	SUP	P	P
I. General Retail Trade	P	P	P			P	P

Section 4: Article 7 of Title 11, Industrial District Regulations, Table 7-102A shall be amended as it pertains to Section II. Commercial Activities, D. Automotive and Marine Craft Sales, Service, and Repair, to read as follows:

TABLE 7-102A

PERMITTED AND CONDITIONAL USES AND  
STRUCTURES ALLOWABLE WITHIN INDUSTRIAL DISTRICTS

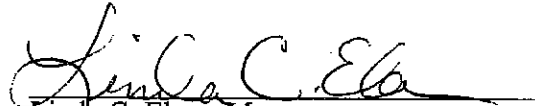
ACTIVITIES	ZONE DISTRICT		
	I-R (1)	I-G	I-S
<b>I. MANUFACTURING ACTIVITIES</b>			
<b>II. COMMERCIAL ACTIVITIES</b>			
A. Adult Oriented Business		O (3)	
B. Animal Care and Veterinary Service	SUP*	SUP*	SUP* (2)
C. Automotive Parking	P	P	P
D. Automotive and Marine Craft Sales, Service and Repair	SUP	SUP	
E. Outside Materials and Equipment Sales and Repair		P	
F. Professional Services - Medical	P	P	P
G. Restaurant, Full-Services	P	P	P
H. Restaurant, Fast Food	P	P	P
I. Scrap Operations			SUP (2)
J. Self-service Storage	P	P	
K. Warehousing, Goods Transport and Storage		P	SUP (2)
L. Wholesale Sales	P	P	SUP (2)
<b>III. COMMUNITY FACILITY ACTIVITIES</b>			
A. Administrative Services	P	P	P
<b>IV. AGRICULTURAL ACTIVITIES</b>			
A. Mining and Quarrying			SUP (2)
<b>V. ACCESSORY ACTIVITIES</b>			
A. Accessory Storage - Enclosed	P	P	P

Section 5: In case of conflict between this ordinance or any part thereof, and the whole or part of any existing ordinance of the City, the conflicting ordinance is repealed to the extent of the conflict but no further.

Section 6: If any section, clause, provision or portion of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision or portion of this ordinance.

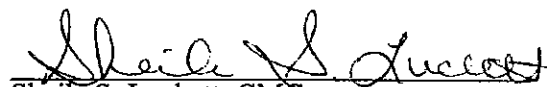
This ordinance shall take effect on the earliest date allowed by law.

PASSED:

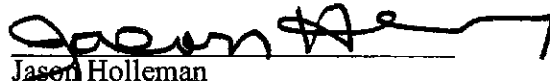
  
Linda C. Elam, Mayor


FIRST READING: 6-3-10  
SECOND READING: 7-12-10

ATTEST:

  
Sheila S. Lockett, CMC  
City Recorder

APPROVED AS TO FORM:

  
Jason Holleman  
City Attorney

  
Randy Robertson, City Manager