

ORDINANCE NO. 2011 - 01

AN ORDINANCE AMENDING ORDINANCE NO. 98-22 (ZONING ORDINANCE), ADOPTED JULY 6, 1998, BY MODIFYING ARTICLE 3 - USE 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, Entertainment/Amusement and Assembly/Outdoor Recreation Facilities can be compatible uses in the Restrictive Industrial and General Industrial Districts;

WHEREAS, the Entertainment/Amusement and Assembly/Outdoor Recreation Facilities Activity Types are permitted in various Commercial Districts, but not in the Restrictive Industrial (IR) or General Industrial (IG) District;

WHEREAS, the Mt. Juliet Regional Planning Commission recommended approval of this amendment during its regular meeting held on October 21, 2010;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MT. JULIET, TENNESSEE, WILSON COUNTY, WHILE IN REGULAR SESSION ON 11/01/11, as follows:

Section 1: Article 3-104.7(5) Entertainment and Amusement Services – Limited; Subparagraph e, is hereby amended to read as follows:

- e. Notwithstanding the aforementioned provisions, the Board of Zoning Appeals shall in each instance require such additional measures as are in its judgment necessary and proper to protect the health, safety and welfare of users or occupants of the facility and of the public in general.

Section 2: Article 3-104.7(7) Group Assembly and Commercial Outdoor Recreation; Subparagraph e, iii is hereby amended to read as follows:

- e. When an application for a group assembly permit includes amusement parks, sports arenas, fairgrounds, racetracks, and similar recreational pursuits, the following requirements shall be observed:

- iii. Such facility shall be situated so that no residential dwelling or zoned lot is located within two hundred fifty (250) feet of a principal property entrance, outdoor activity area, principal building, or service area, at the time of approval;

Section 3: Article 7, Industrial District Regulations, Table 7-102A shall be amended as it pertains to Section II. Commercial Activities, by inserting new lines E and F and re-lettering subsequent items 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
I. <u>MANUFACTURING ACTIVITIES</u>			
II. <u>COMMERCIAL ACTIVITIES</u>			
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. Entertainment and Amusement Services – Limited	P	P	
F. Group Assembly and Commercial Outdoor Recreation	C	C	
G. Outside Materials and Equipment Sales and Repair		P	
H. Professional Services – Medical	P	P	P
I. Restaurant, Full-Services	P	P	P
J. Restaurant, Fast Food	P	P	P
K. Scrap Operations			SUP (2)
L. Self-service Storage	P	P	
M. Warehousing, Goods Transport and Storage		P	SUP (2)
N. Wholesale Sales	P	P	SUP (2)
O. Outside Materials and Equipment Sales and Repair		P	
P. Professional Services – Medical	P	P	P
Q. Restaurant, Full-Services	P	P	P
R. Restaurant, Fast Food	P	P	P
S. Scrap Operations			SUP (2)
T. Self-service Storage	P	P	

Section 4: 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 5: 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: November 8, 2010

SECOND READING: 1/10/11

ATTEST:



Sheila S. Lockett, CMC
City Recorder

APPROVED AS TO FORM:



Randy Robertson, City Manager

Jason Holleman
City Attorney