

ORDINANCE 10-06

AN ORDINANCE AMENDING ARTICLE V OF THE ZONING ORDINANCE AS INDICATED BELOW, TO INCREASE THE MINIMUM DISTANCE BETWEEN PROPERTIES CONTAINING ADULT ORIENTED BUSINESS TO PROPERTIES CONTAINING PLACES OF WORSHIP, SCHOOLS, PARKS, DAY CARES, AND RESIDENCES AND TO CHANGE THE MEASUREMENT CRITERIA BETWEEN PROPERTIES PER TENNESSEE STATE LAW.

WHEREAS, the Board of Mayor and Aldermen wishes to amend the I-2, Heavy Industrial and I-3 Special Industrial sections of the Zoning Ordinance to increase distance from properties containing adult oriented businesses properties to properties containing places of worship, day cares, schools, residences, and parks from 150 to 1,000 feet and change measurement criteria from building corners to property corners per Tennessee Code Annotated Section 7-51-1407.

NOW THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen that Article V, Zoning Districts, 5.054.2 I-2, Heavy Industrial District and 5.054.3 I-3, Industrial District (Special) is amended as indicated below:

Amendment #1

Article V Zoning Districts
Section: 5.054.2 I-2, Heavy Industrial
Sub-Section: A. District Description

Existing City Ordinance:

A. District Description

Adult Oriented Business are permitted in all I-2 and I-3 Districts, with the exception of those lots which have a contiguous side or rear lot line to any lot with a residential zoning designation or use. In addition no permit will be issued for any Adult Oriented Business within one hundred-fifty (150) feet of any lot currently occupied by a business selling alcoholic beverages; religious; child care or educational facility, as measured in a straight line from the nearest corner of the two structures. **(Added by Ordinance No. 97-10, August 21, 1997)**

Amended City Ordinance: (Changes in bold/italics)

Adult Oriented Business are permitted in all I-2 and I-3 Districts, with the exception of those lots which have a contiguous side or rear lot line to any lot with a residential zoning designation or use. In addition no permit will be issued for any Adult Oriented Business within ***one thousand (1,000) feet of any lot child care facility, a private, public, or charter school, a public park, a residence, or a place of worship. Measurements shall be made in a straight line in all directions, without regard to intervening structures or objects,***

from the nearest point on the property line of a parcel containing an adult-oriented establishment to the nearest point on the property line of a parcel containing a child care facility, a private, public, or charter school, a public park, a residence, or a place of worship and within (150) feet of any lot currently occupied by a business selling alcoholic beverages as measured in a straight line from the nearest corner of the two structures.

Amendment #2

Article V Zoning Districts
Section: 5.054.3 I-3, Industrial District (Special)
Sub-Section: A. District Description

Existing City Ordinance:

B. District Description

Adult Oriented Business are permitted in all I-2 and I-3 Districts, with the exception of those lots which have a contiguous side or rear lot line to any lot with a residential zoning designation or use. In addition no permit will be issued for any Adult Oriented Business within one hundred-fifty (150) feet of any lot currently occupied by a business selling alcoholic beverages; religious; child care or educational facility, as measured in a straight line from the nearest corner of the two structures. **(Added by Ordinance No. 97-10, August 21, 1997)**

Amended City Ordinance: (Changes in bold/italics)

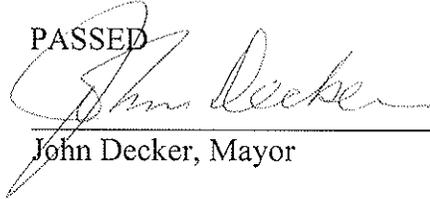
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BE IT FURTHER ORDANIED that this amendment was approved by the Planning Commission at March 8, 2010 Meeting.

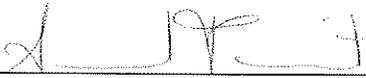
This ordinance shall become effective upon its final reading and adoption by the Board of Mayor and Aldermen, and publication, the public welfare requiring it.

First Reading: April 15, 2010 PASSED

Second Reading: May 20, 2010 PASSED



John Decker, Mayor



Amanda Priest, City Recorder