

ORDINANCE NO. 1013

“AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ATHENS, TENNESSEE, SO AS TO AMEND TITLE 14, CHAPTER 2, SECTION 3.04.08, CENTRAL BUSINESS DISTRICT, TO ADD REGULATIONS THAT ADDRESS PERSONAL STORAGE UNITS IN THE B-3 CENTRAL BUSINESS DISTRICT AS USES PERMITTED ON REVIEW; AND PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.”

WHEREAS personal storage units are compatible uses with residential uses in various districts;

WHEREAS the B-3 Central Business District allows Multi-Family Residential Dwellings and efficiency apartments as a Use Permitted on Review;

WHEREAS the Athens Municipal-Regional Planning Commission met in open public meeting on November 5, 2012 and recommended the following changes to the zoning code as described herein;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, TENNESSEE:

SECTION 1. That the B-3 Central Business District, Section 3.04.08.C under the Uses Permitted on Review be amended to add the following new section that reads as follows:

11. Personal Storage units that meet requirements of Section 3.04.08.J.

SECTION 2. That the B-3 Central Business District Section 3.04.08 be amended to add the following new Section “J.” that reads as follows:

J. Requirements for personal storage units locating in the Central Business District.

- 1. Existing attached/semi-detached structures that have common walls with adjacent structure/s in the Central Business District shall be sprinkled regardless of the area devoted to Personal Storage Units. All existing attached/semi-detached structures shall have a monitored fire alarm system*
- 2. New attached/semi detached structures that have common walls with adjacent structure in the Central Business District shall be sprinkled regardless of the area devoted to Personal Storage Units. All new attached/semi-detached structures shall have a monitored fire alarm system.*
- 3. Existing Stand Alone Structures (Structures that are not attached/semi detached and do not have common walls with adjacent structure in the Central Business District) shall meet all applicable Fire and Building Code requirements for use separation from adjacent structures.*
 - a) The existing Stand Alone Structure is required to meet all current applicable building and fire code requirements for life safety and fire prevention*
 - b) If existing Stand Alone Structure is less than 10,000 gross square feet, no sprinkling shall be required.*
 - c) If existing Stand Alone Structure is 10,000 gross or greater, the building shall be sprinkled.*
 - d) All existing Stand Alone Structures shall have a monitored fire alarm system.*

4. *New Stand Alone Structures (Structures that are not attached/semi detached and do not have common walls with adjacent structure in the Central Business District) shall meet all applicable Fire and Building Code requirements for use separation from adjacent structures.*
 - a) *If the New Stand Alone Structure is in compliance with all current applicable building and fire code requirements for life safety and fire prevention, then the use will not have to be sprinkled if structure is fewer than 10,000 gross square feet.*
 - b) *All New Stand Alone Structures shall have a monitored fire alarm system.*
5. *All structures existing or new (stand-alone or attached/semi-detached) are required to have an off-street loading space clearly marked for the personal storage unit use only. This space has to meet size requirements and all the turning movements to accommodate a Class 6 gross vehicle weight rating (GVWR) moving truck (19,501 to 26,000 pounds (8,846 to 11,793 kg)) and cannot be used for any other parking requirements associated with the structure/use.*

SECTION 3. That all Ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent necessary to implement this ordinance.

SECTION 4. In the event that any part of this ordinance is invalidated by a court of competent jurisdiction, all other parts shall remain in full force and effect unless otherwise lawfully repealed or amended.

SECTION 5. This ordinance shall take effect immediately upon passage on second reading, the public necessity requiring it.

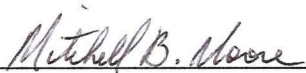
PASSED ON FIRST READING: November 20, 2012

PASSED ON SECOND READING: December 18, 2012

DATE OF PUBLIC HEARING: December 18, 2012



R. HAL BUTTRAM, Mayor



MITCHELL B. MOORE, City Manager

APPROVED AS TO FORM:



H. CHRIS TREW, City Attorney