

ORDINANCE NO. 1045

AN ORDINANCE OF THE CITY OF ATHENS, TENNESSEE, PROVIDING THAT THE ATHENS MUNICIPAL CODE, TITLE 14 CHAPTER 2, SECTION 3.04.06.B. BE AMENDED TO ADD REGULATIONS THAT ADDRESS CAR DEALERSHIPS IN THE B-1 LOCAL BUSINESS DISTRICT AS USES PERMITTED; AND PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, it was recommended that Car Dealerships are compatible uses in the Local Business District; and

WHEREAS, the Athens Municipal-Regional Planning Commission met in open public meeting on December 7, 2015 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-1 District 3.04.06 B. under Uses Permitted be amended to add the following new underlined, italic text that reads as follows:

3.04.06. B 7. Car Dealerships

SECTION 2. That all Ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent necessary to implement this ordinance.

SECTION 3: 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by a court of competent jurisdiction, all other parts shall remain in full force and effect unless otherwise lawfully repealed or amended.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 4: BE IT FURTHER ORDAINED, that this ordinance shall take effect immediately upon passage on second reading, the public necessity requiring it.

PASSED ON FIRST READING: December 15, 2015

PASSED ON SECOND READING: January 19, 2016

DATE OF PUBLIC HEARING: January 19, 2016

Mitchell B. Moore
MITCHELL B. MOORE, City Manager

Ann S. Davis
ANN S. DAVIS, Mayor

APPROVED AS TO FORM:
[Signature]
H. CHRIS TREW, City Attorney

Draft Minutes from December 7, 2015 Planning Commission Meeting

- 1. Recommendation on Zoning Code Amendment**, to add “Car Dealerships” as an allowable use in Section 3.04.06.B. of the B-1 Local Business District.

Mr. Casteel stated that he was directed at the Work Session to add this to the Local Business District because they are allowed in all other Commercial Districts. They felt like it would not be detriment to the citizens if they help equalize opportunity to all business districts on this issue so they recommended adding car dealerships to the permitted uses under 3.04.06.B #7.

MOTION: To approve the request to recommend to City Council to amend the Zoning Code allow “Car Dealerships” in the Local Business District.

MADE: Eric Newberry
SECOND: Ralph Fenton
VOTE: Unanimous
MOTION PASSED

Chairman Hamilton said this is a recommendation to City Council and they will have a vote and then a public hearing and there will be another vote. It should take about two months.

STAFF REPORT

**ATHENS MUNICIPAL-REGIONAL PLANNING COMMISSION
December 7, 2015**

12:00 P.M.

CONFERENCE ROOM

NEW BUSINESS

- 1. Recommendation on Zoning Code Amendment**, to add “Car Dealerships” as an allowable use in Section 3.04.06.B. of the B-1 Local Business District.

Since the code already allows car dealerships in all other commercial districts, staff feels the addition of this use in the Local Business District would not be a detriment to our citizens and helps equalize the opportunities for all business districts on this use.

Staff recommends that we add ‘Car Dealerships’ to Section 3.04.06.B as number seven (7) of the Permitted Uses list that are allowed in the B-1 Local Business Zoning District.