

Ordinance # 893/08/14/12/#5

AN ORDINANCE TO AMEND THE CITY OF BROWNSVILLE'S MUNICIPAL ZONING ORDINANCE BY MAKING CHANGES CONSISTENT WITH THE DEVELOPMENT PRINCIPLES OUTLINED IN BROWNSVILLE ON THE MOVE

WHEREAS, Section 13-7-204 of Tennessee Code Annotated permits the amendment of the Municipal Zoning Ordinance of the City of Brownsville; and,

WHEREAS, the Brownsville Municipal-Regional Planning Commission has recommended the amendment to the Zoning Ordinance described below in accordance with said section cited above; and,

WHEREAS, in accordance with Tennessee Code Annotated, Section 13-7-203 the chief legislative body held a public hearing to obtain citizen input into of the said amendment. Now, therefore,

BE IT ORDAINED by the Mayor and Board of Commissioners of the City of Brownsville.

Section 1 Typographical and grammatical errors be corrected throughout the ordinance; and,

Section 2 The entire ordinance be reformatted to reflect a standard outlining system; and,

Section 3 That Basement, Cellar, Curb Level, Flood, Flood Channel, Flood Obstruction, Floodplain, Flood Profile, Flood Proofing, Flood Protection Elevation, Flood-Regulatory, Floodway, Flood Fringe Area be deleted from Chapter 1 Section 11-102 since these terms are either building code terms or are covered in Chapter 6 regarding Flood Hazard Districts provisions; and,

Section 4 The definition of Dwelling Mobile Home and Dwelling Modular be deleted and that each term contain the following: (See TCA 68-126-202); and,

Section 5 The following be deleted from the definition of Dwelling Townhouse in Chapter 1 since it relates to a building code requirement -

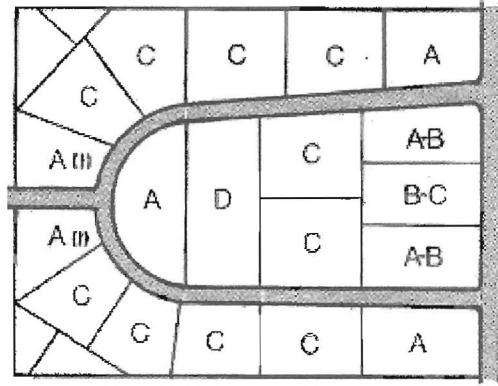
Firewalls shall be a minimum of eight (8) inches thick and shall be of brick, 4-hour fire rated concrete block or reinforced concrete construction only and shall extend a minimum of three (3) feet above the roof at all points.

Section 6 Travel Trailer and Travel Trailer Park be deleted from definitions found in Chapter 1 since their use is not permitted by right or by appeal in any municipal district; and,

Section 7 Hotels be added as a permitted use in all General Commercial (GC) and all Shopping Center Commercial (SCC) Districts; and,

Section 8 The following be added to the definition of Lot in Chapter 1:

The following diagram illustrates the terminology used in these regulations with reference to corner lots ("A"), interior lots ("C") and through lots ("D"). Some lots can be described as a corner lot or as a reversed frontage lot ("A-B"), or as a reversed frontage lot or interior lots ("B-C")



Section 9 Chapter 1 Section 11-105 be amended by deleting the reference to 11-907 (F) and substituting "TCA 13-7-203"; and,

Section 10 That Chapter 1 Section 11-904 G 2 be amended by deleting "No action shall be taken by the board on any case until after a public hearing and notice thereof. Said notice of public hearing shall be published in a newspaper of general circulation in Brownsville at least 15 days before the date set for a public hearing and a written notice of the hearing be sent by mail to the appellant and all directly affect property owners at least 5 days before the hearing. The notice to appellant shall be sent by registered mail" and substituting "No action shall be taken by the board on any case until after adequate public notice and public hearing."; and,

Section 10 Chapter 1 Section 11-105 C be amended to include the following statement:

All accessory uses must be permitted prior to installation and subject to setback, fencing or screening requirements.

Section 11 Chapter 3 Section 11-302 B 2 be amended to include the following and that subsequent sections be renumbered accordingly

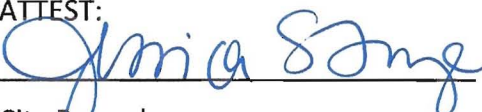
Above or below ground storm shelters provided that they are screened with adequate fencing or landscaping as to conceal the shelter. If landscaping is used as a screen, reasonable time will be allowed for concealment.

Section 12 This Ordinance shall take effect from and after its passage, the health safety and welfare of the City requiring it.

First Reading July 10, 2012
 Second Reading Aug 14, 2012
 Public Hearing Aug 14, 2012



 Mayor

ATTEST:


 City Recorder