

ORDINANCE 2014-403

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES BY CHANGING TITLE 14 AS NEEDED TO ADD THE MX1 AND MX2 ZONING DISTRICTS.

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMAN AS FOLLOWS:

SECTION I. That Title 14, Chapter 4 of the Code of Ordinances is changed as follows

A. 14-501 Delete this section and replace with the following:

14-501. Classification of districts. For the purpose of this title, Mount Carmel, Tennessee, is hereby divided into eleven (11) districts, designated as follows:

Residential:

- R-1 Single Family Residential District
- R-M Multi-Family Residential District
- R-5 Mobile Home Park District
- PD Planned Development District

Business:

- B-1 Neighborhood Business District
- B-2 Arterial Business District
- B-3 General Business District
- B-4 Shopping Center District
- MX-1 Mixed Use 1 District
- MX-2 Mixed Use 2 District

Industrial

- M-1 Industrial (as replaced by Ord.#13-394, June 2013)

B. Existing Sections 14-909 – 14-914 are renumbered 14-911 – 14-916

C. Section 14-909 is added as follows:

14-909 Mixed Use 1 (MX-1) District. It is the intent of this district to establish business areas that encourage the groupings of compatible business activities in which parking and traffic congestion can be reduced to a minimum. In order to achieve the intent of this district, as shown on the zoning map of the Town of Mount Carmel, Tennessee, the following uses are permitted:

- (1) Retail business, personal, business, and professional services.
- (2) Public and semi-public buildings.
- (3) Accessory uses: Accessory uses which are accessory, incidental and subordinate to principal uses are permitted in the MX-1 district as follows:

- (a) Parking when accessory and incidental to a permitted use.
- (b) Signage when accessory and incidental to a permitted use.
- (c) Outside storage is permitted in the MX-1 district by special exception pursuant to Sec 13-1404, subsection 2, upon application to the board of zoning appeals, and shall be granted by the board only after the applicant has demonstrated to the satisfaction of the board that the use is so designed,

located and proposed to be operated such that the public health, safety, and welfare will be protected. The board shall determine from its review that approval of the permit will not adversely affect other property in the area to the extent that it will impair the reasonable long-term use of those properties and the operational and physical characteristics of the special exception shall not adversely impact abutting properties. Site design and architectural feature which contribute to compatibility include, but are not limited to, landscaping, drainage, access and circulation, building style and height, bulk, scale, setbacks, open areas, roof slopes, building orientation, overhangs, porches, ornamental features, exterior materials and colors. The applicant shall demonstrate how the proposed use will not adversely affect the safety and convenience of vehicular and pedestrian circulation in the area. Notwithstanding a finding by the board that a special exception application satisfies the minimum development standards of this article, the board may restrict the hours of operation, establish permit expiration dates, require extraordinary setbacks and impose other reasonable conditions necessary to protect the public health, safety and welfare.

(4) Prohibited uses: Fortune tellers, clairvoyants, methadone and substance abuse clinics, communication facilities.

D. Section 14-910 is added as follows:

14-910. Mixed Use 2 (MX2) District. It is the intent of this district to establish combined business and residential areas that encourage compatibility with surrounding land uses. In order to achieve the intent of this district, as shown on the zoning map of the town of Mount Carmel, Tennessee, the following uses are permitted:

(1) Retail business, personal, business, and professional services.

(2) Public and semi-public buildings and uses.

(3) Permitted uses the same as the R-M district.

(4) Accessory uses. Accessory uses which are accessory, incidental and subordinate to principal uses are permitted in MX-2 district as follows:

(a) Parking when accessory and incidental to a permitted use.

(b) Signage when accessory and incidental to a permitted use.

(5) Prohibited uses. Fortune tellers, clairvoyants, methadone and substance abuse clinics, communication facilities, outdoor storage facilities.

E. Section 14-911 (As Renumbered above). Industrial District M-1. Renumber existing sub-paragraph (4) as (5) and add a new sub-paragraph (4) as follows:

(4) Fortune tellers, clairvoyants.

F. Chapter 10 is replaced as follows:

CHAPTER 10.

AREA, YARD AND HEIGHT REQUIREMENTS

SECTION

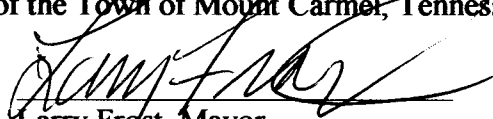
14-1001. Table 1.

14-1001. Table 1 below establishes area, yard and height requirements.

Minimum Lot Size		Minimum Yard (Open Space) Requirements From Property Lines (feet)			Maximum Height of Structures (feet)
District	Square Feet	Front	Sides	Rear	
R-1	15,000	30	10	25	35
R-1	7,500	30	8	20 where water/sewer available	35
R-M	10,000	30	10	25	35
R-M	7,500	30	8	20 For single family residential only, where water/sewer available	35
R-5	8/acre	30	10	25	35
B-1		30	10	25	35
B-2		30	10	25	70
B-3		30	10	25	70
B-4		30	10	25	70
MX-1		30	10	25	70
MX-2		30	10	25	70
M-1		30	10	25	70

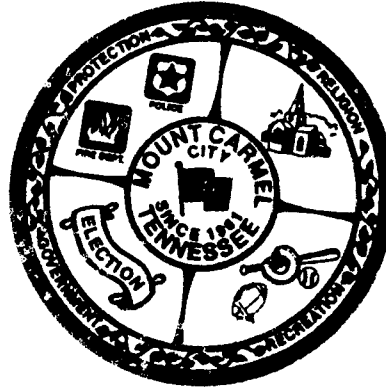
(Ord. #292, July 2005, as amended by Ord. #338, Feb 2009, and Ord. #10-349, Feb 2010, and replaced by Ord. #13-394, June 2013)

SECTION II. That this ordinance shall take effect from and after the date of its passage and publication, as the law directs, the public welfare of the Town of Mount Carmel, Tennessee requiring it.


Larry Frost, Mayor

ATTEST:


Marian Sandidge, Recorder



FIRST READING	AYES	NAYS	OTHER
ALDERMAN EUGENE CHRISITAN	X		
ALDERMAN WANDA DAVIDSON			Absent
ALDERMAN LEANN DEBORD			Absent
ALDERMAN FRANCES FROST	X		
ALDERMAN CARL WOLFE	X		
VICE-MAYOR PAUL HALE	X		
MAYOR LARRY FROST	X		
TOTALS	5	0	2

PASSED FIRST READING: May 27, 2014

SECOND READING	AYES	NAYS	OTHER
ALDERMAN EUGENE CHRISITAN	X		
ALDERMAN WANDA DAVIDSON	X		
ALDERMAN LEANN DEBORD			Absent
ALDERMAN FRANCES FROST	X		
ALDERMAN CARL WOLFE	X		
VICE-MAYOR PAUL HALE	X		
MAYOR LARRY FROST	X		
TOTALS	6	0	1

PASSED SECOND READING: June 24, 2014

PUBLICATION AFTER PASSAGE:

DATE: June 26 ,2014
 NEWSPAPER: *Kingsport Times-News*

KINGSPORT TIMES-NEWS

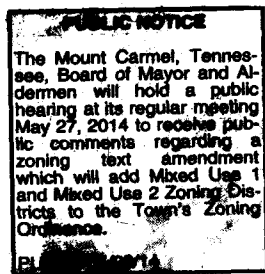
PUBLICATION CERTIFICATE

Kingsport, TN 5/9/14

This is to certify that the Legal Notice hereto attached was published in the Kingsport Times-News, a daily newspaper published in the City of Kingsport, County of Sullivan, State of Tennessee, beginning in the issue of May 9, 2014 and appearing 1 consecutive weeks/(times) as per order of

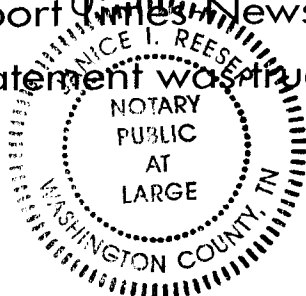
Town of Mount Carmel

Signed Sheryl Edwards



STATE OF TENNESSEE, SULLIVAN COUNTY, TO WIT:

Personally appeared before me this 9th day of May, 2014, Sheryl Edwards of the Kingsport Times-News and in due form of law made oath that the foregoing statement was true to the best of my knowledge and belief.



Janice I. Reeser
Notary Public

My commission expires 3-2-2016



Order Confirmation

<u>Ad Order Number</u> 0001156262	<u>Customer</u> TOWN OF MOUNT CARMEL	<u>Payor Customer</u> TOWN OF MOUNT CARMEL
<u>Sales Rep.</u> sedwards	<u>Customer Account</u> 59632	<u>Payor Account</u> 59632
<u>Order Taker</u> sedwards	<u>Customer Address</u> P O BOX 1421, , MOUNT CARMEL TN 37645 USA	<u>Payor Address</u> P O BOX 1421, , MOUNT CARMEL TN 37645 USA
<u>Ordered By</u>		
<u>Order Source</u>	<u>Customer Phone</u> 423-357-7311	<u>Payor Phone</u> 423-357-7311
<u>PO Number</u>	<u>Customer Fax</u>	<u>Customer EMail</u> mcch@chartertn.net

PUBLIC NOTICE

The Mount Carmel, Tennessee, Board of Mayor and Aldermen will hold a public hearing at its regular meeting May 27, 2014 to receive public comments regarding a zoning text amendment which will add Mixed Use 1 and Mixed Use 2 Zoning Districts to the Town's Zoning Ordinance.

PUB1T: 05/09/14

<u>Tear Sheets</u> 0	<u>Proofs</u> 0	<u>Affidavits</u> 1	<u>Payment Method</u>
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Invoice Text:

<u>Blind Box</u>	<u>Materials</u>	<u>Color</u> <NONE>
<u>Net Amount</u> \$27.56	<u>Tax Amount</u> \$0.00	<u>Total Amount</u> \$27.56
	<u>Payment Amt</u> \$0.00	<u>Amount Due</u> \$27.56

<u>Ad Number</u> 0001156262-01	<u>Ad Type</u> LL Legal Liner	<u>Ad Size</u> 1.0 X 16 Li	<u>Pick Up Number</u> 0001120909
<u>External Ad #</u>	<u>Ad Attributes</u>		

<u>Run Dates</u>	5/9/2014
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Subject: Publish Ordinances for Mount Carmel
From: Marian Sandidge (mariansandidge@yahoo.com)
To: sedwards@timesnews.net; swalters@timesnews.net;
Date: Wednesday, June 25, 2014 2:40 PM

June 25, 2014

Kingsport Times-News
ATTN: Sheryl Edwards
Classified Advertising Department
P.O. Box 479
Kingsport, TN 37662

RE: Adopted Ordinances for the Town of Mount Carmel

Dear Sheryl:

Please run the following advertisement in the Legal Section one time:

The Town of Mount Carmel, Tennessee, on June 24, 2014, passed the following ordinances:
Ordinance No. 14-403. An Ordinance to Amend the Code of Ordinances by Changing Title 14 As Needed to Add the MX1 and MX2 Zoning Districts.
Ordinance No. 14-404. An Ordinance of the Town of Mount Carmel, Tennessee Amending the Fiscal Year 2013-2014 General Fund and Sewer Fund Budgets Passed by Ordinance No. 13-395.
Ordinance No. 14-405. An Ordinance of the Town of Mount Carmel, Tennessee, Adopting the Annual Budget and Tax Rate for the Fiscal Year Beginning July 1, 2014 and Ending June 30, 2015.
Ordinance No. 14-418. An Ordinance Providing for and Fixing the Tax Rate on all Real, Personal, and Mixed Property within the Town of Mount Carmel, Hawkins County, Tennessee, which is Taxable on the Basis of Assessments made by the Hawkins County Property Assessor, the Public Service Commission and the Division of Property Assessments of the State of Tennessee for the Year 2014.

Should you have any additional questions, please give me a call.

Sincerely,

TOWN OF MOUNT CARMEL

Marian Sandidge, City Recorder