

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY DELETING SUBSECTION (A) OF SECTION 3.02, TITLED, "GENERAL LAND USE PROVISIONS," AND SUBSTITUTING THEREFOR A NEW SECTION 3.02(A) TO ADDRESS POSSESSION OF CHICKENS IN RESIDENTIAL AREAS; BY DELETING THE REFERENCE TO "SECTION 2.07" IN SECTION 3.10(A) AND THE REFERENCE TO "2.08(R)" IN SECTION 3.11(B) AND REPLACING BOTH WITH A REFERENCE TO "ARTICLE II" FOR CORRECTNESS; BY DELETING THE FOLLOWING SECTIONS WITHOUT REPLACEMENT: SECTION 3.13, SECTION 5.05(C)(1), SECTION 7.03(C)(7), AND SECTION 8.01(B)(10) TO REMOVE REDUNDANT PROVISIONS; AND BY DELETING SUBSECTION (A) OF SECTION 16.16, TITLED, "REVIEWS AND PERFORMANCE STANDARDS," AND SUBSTITUTING THEREFOR A NEW SECTION 16.16(A) TO CORRECT TYPOGRAPHICAL ERRORS.

WHEREAS, the City of Oak Ridge is continually reviewing the Zoning Ordinance to update provisions and make it more understandable to the general public; and

WHEREAS, this amendment contains various housekeeping updates to correct errors and inconsistencies in the Zoning Ordinance including keeping chickens (hens) in residential districts for consistency with the City Code, removing references to the old numbering system, and removing redundant provisions; and

WHEREAS, the following change has been submitted for approval or disapproval to the Oak Ridge Municipal Planning Commission and the Commission has approved the same; and

WHEREAS, a public hearing thereon has been held as required by law.

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

Section 1. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article III, titled "General Provisions," Section 3.02, titled "General Land Use Provisions," is hereby amended by deleting subsection (a) and substituting therefor a new subsection (a) which shall read as follows:

Section 3.02 General Land Use Provisions

- (a) No animals or livestock of any kind shall be raised, bred or kept in any residential zoning district except RG-1 except that, subject to the provisions herein, dogs, cats or other customary pets may be kept provided that they are not kept, bred or maintained for any commercial purpose or in a manner constituting a public or private nuisance. In all cases, the Board of Zoning Appeals shall determine what is a customary pet in the event of dispute. In addition, chickens shall be permitted in residential districts in accordance with Oak Ridge City Code Title 10, Chapter 5. The provision shall in no way be construed to abrogate any person's responsibility or liability under this or any other city ordinance dealing with noise or nuisance.

Section 2. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article III, titled "General Provisions," Section 3.10, titled "Building Setback," Subsection (a), titled "Principal Building" is hereby amended by deleting the reference to "Section 2.07" and replacing it with "Article II" to eliminate the reference to an old numbering system.

Section 3. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article III, titled "General Provisions," Section 3.11, titled "Home Occupations," is hereby amended by deleting the reference to "Section 2.08(r)" in Subsection (b) and replacing it with "Article II" to eliminate the reference to an old numbering system.

Section 4. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article III, titled "General Provisions," Section 3.13, titled "Family Day Care and Group Day Care Homes," is

hereby deleted without replacement as these provisions are already addressed in Section 3.23, titled "Family Day Care, Group Day Care Homes and Adult Day Care Facility."

Section 5. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article V, titled "Residential Districts," Section 5.05, titled "R-3, Medium Density Residential District," Subsection (c), titled "Special Exceptions Requiring Board of Zoning Appeals Approval," is hereby amended by deleting subsection 1 without replacement as this use is already listed as a permitted principal use in Section 5.05(a)(3).

Section 6. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article VII, titled "Parking and Business Districts," Section 7.03, titled "B-2, General Business Districts," Subsection (c), titled "Special Exception Requiring Board of Zoning Appeals Approval," is hereby amended by deleting subsection 7 without replacement as this use is already listed as a permitted principal use in Section 7.03(a)(22).

Section 7. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article VIII, titled "Industrial Districts," Section 8.01, titled "IND-1, Industrial Districts," Subsection (b), titled "Permitted Principal Uses," is hereby amended by deleting subsection 10 without replacement as this use is already listed as a permitted principal use in Section 8.01(b)(3).

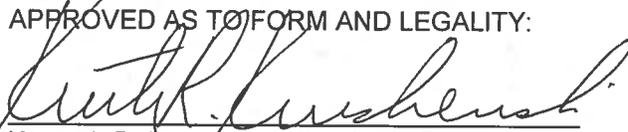
Section 8. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article XVI, titled "Administration and Enforcement," Section 16.16, titled "Reviews and Performance Standards," is hereby amended by deleting subsection (a) in its entirety and substituting therefor a new subsection (a), which new subsection shall read as follows:

Section 16.16 Reviews and Performance Standards

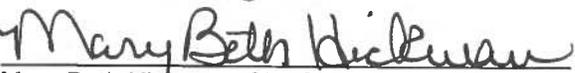
- (a) Provision and compliance with the various zoning ordinance and locational information requirements, including appropriate zoning, minimum building and parking setbacks, building height limitations, maximum allowable floor area and other information specified in this ordinance.

Section 9. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:


Kenneth R. Krushenski, City Attorney


Warren L. Gooch, Mayor


Mary Beth Hickman, City Clerk

First Reading: 09/14/2020
Publication Date: 09/17/2020
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