

FIRST READING
2ND READING
INDEX NO.

6-9-09
6-16-09

ORDINANCE NO. 12253

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, BY AMENDING ARTICLE II TO ADD DEFINITIONS FOR "GARDEN CENTER," "GREENHOUSE, COMMERCIAL," AND "NURSERY, COMMERCIAL," AND AMENDING ARTICLE V, SECTIONS 38-187(3), 38-206(2), 38-321(1), AND 38-473(12) WITHIN C-2 CONVENIENCE COMMERCIAL ZONE, URBAN GENERAL COMMERCIAL ZONE, M-2 LIGHT INDUSTRIAL ZONE, AND PARKING REQUIREMENTS SECTIONS TO INCLUDE THESE AS PERMITTED USES.

WHEREAS, currently, there are no definitions in Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, for commercial "nurseries," commercial "greenhouses," and "garden center"; and

WHEREAS, the lack of these definitions makes enforcement of certain zones difficult; and -

WHEREAS, The Chattanooga-Hamilton County Regional Planning Agency has recommended that definitions for commercial "nurseries," commercial "greenhouses," and "garden center" be added to Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article II, and that Article V, Sections 38-187(3), 38-206(2), 38-321(1), and 38-473(12) within C-2 Convenience Commercial Zone, Urban General Commercial Zone, M-2 Light Industrial Zone, and Parking Requirements sections be amended to include these as permitted uses.

NOW, THEREFORE

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article II, be and hereby is amended by adding the following definitions in alphabetical order:

Garden Center: A place of business where retail and wholesale products and produce are sold to the consumer. These centers, which may include a nursery and/or greenhouses, import most of the items sold, and may include plants, nursery products and stock, potting soil, hardware, power equipment and machinery, hoes, rakes, shovels, and other garden and farm variety tools and utensils.

Greenhouse, Commercial: A building used for the retail and/or wholesale of plants grown within such building.

Nursery, Commercial: An enterprise that conducts the retail and/or wholesale of plants grown on the premises.

SECTION 2. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article V, Section 38-187(3), be and hereby is amended by deleting the words “nurseries” and “florist greenhouses” and substituting in lieu thereof the words “commercial nurseries” and “commercial greenhouses.”

SECTION 3. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article V, Section 38-206(2), be and hereby is amended by deleting the words “nurseries” and “florist greenhouses” and substituting in lieu thereof the words “commercial nurseries” and “commercial greenhouses.”

SECTION 4. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article V, Section 38-321(1), be and hereby is amended by deleting the words “Greenhouses (Wholesale only)” and substituting in lieu thereof the words “Greenhouses, Commercial.”

SECTION 5. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article V, Section 38-473(12), be and hereby is amended by deleting the words “nurseries” and “florist greenhouses” and substituting in lieu thereof the words “commercial nurseries” and “commercial greenhouses.”

SECTION 6. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two

(2) weeks from and after its passage.

PASSED on Second and Final Reading

June 16, 2009.

W. Jack Benson
CHAIRPERSON

APPROVED: X DISAPPROVED:

DATE: 6/19, 2009

[Signature]
MAYOR