

ORDINANCE NO.: 2017-06

AN ORDINANCE TO AMEND ARTICLE III SECTION 303 OF THE SIGNAL MOUNTAIN ZONING ORDINANCE REGARDING THE DEFINITION OF PRIVATE STABLES AND TO AMEND ARTICLE VI OF THE SIGNAL MOUNTAIN ZONING ORDINANCE TO REVISE REGULATIONS FOR KEEPING LIVESTOCK IN THE RESIDENTIAL ESTATE DISTRICT.

WHEREAS, Tennessee Code Annotated (TCA) §§ 13-7-201 through 13-7-210 empower all municipalities to enact zoning regulations and to provide for the administration, enforcement, and amendment thereof; and,

WHEREAS, the Town of Signal Mountain has implemented a comprehensive zoning ordinance as provided for in TCA §§ 13-7-201 through 13-7-210; and

WHEREAS, TCA §13-7-204 authorizes amendments to the zoning ordinance; and

WHEREAS, the Signal Mountain Municipal Planning Commission has reviewed and considered the town's definition and regulations for private stables and the criteria for keeping livestock in the town's zoning ordinance and has recommended that the current zoning ordinance be amended; and,

WHEREAS, the Town Council has considered and accepted the recommendation of its Planning Commission:

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF SIGNAL MOUNTAIN, TENNESSEE that the Town of Signal Mountain, Tennessee Zoning Regulations and Amendments be amended as follows:

SECTION 1: Article III, DEFINITIONS OF CERTAIN TERMS USED HEREIN, be amended as follows:

1. Delete the definition of "Stable, Private" in Section 303 "List of General Definitions," and replace it as follows:

Stable, Private: A stable where animals are not kept for remuneration, hire, or sale and are owned by the owners or occupants of the premises.

SECTION 2: BE IT FURTHER ORDAINED THAT ARTICLE VI, SCHEDULE OF DISTRICT REGULATIONS, be amended as follows:

1. Delete the text of Section 614.07 including all subsections and replace it with the following:

614.07 Criteria for Livestock

The RE District is also intended to provide opportunities for personal recreational uses and non-commercial use of a few animals. Prior to the location of any livestock on a property any person must obtain a permit from the town manager or their designee, and an inspection will be conducted to ensure permittees are in compliance with this section. There shall be a permit fee of thirty-five dollars (\$35.00) and an annual renewal fee of fifteen dollars (\$15.00) for follow up inspections and the monitoring of complaints. The permit may be suspended or revoked by the town manager at any time when there is a risk from existing conditions to public health or safety and if there is any violation or failure to comply with the provisions of this section after a permit has been properly issued. Before any permit may be issued, the permittee must comply with the regulations outlined in this section. The regulations in this section shall not apply to the keeping of chickens.

- (1) All livestock shall be for private use only; there shall be no commercial operation permitted.
- (2) The following livestock are permitted:
 - (a) Equines
 - (b) Goats
 - (c) Any person wishing to keep livestock not on this list may seek approval from the Board of Zoning Appeals. If the Board of Zoning Appeals grants approval and all other requirements of this section are met, a permit may be issued.
- (3) The minimum lot size required for keeping livestock is three (3) acres. On a three (3) acre lot, two (2) animals are allowed. For additional livestock, the following is required:
 - (a) For livestock that will on average weigh up to 400 pounds at maturity, one (1) additional animal is allowed for each additional half-acre of land.
 - (b) For livestock that will on average weigh more than 400 pounds at maturity, one (1) additional animal is allowed for each additional acre of land.
- (4) The following shall apply to any private stable or other structure used to house livestock:
 - (a) Front setback: sixty feet (60')
 - (b) Side setbacks: twenty-five feet (25')
 - (c) Rear setback: fifty feet (50')

(d) Per Section 10-106 of the Town Code, no livestock may be housed in the front yard of any residence.

(5) All livestock allowed under this section shall be fenced or otherwise restricted from access to adjoining properties or rights of way.

SECTION 3: BE IT FURTHER ORDAINED that these amendments shall become effective immediately from and after its passage as provided by law.

Passed First Reading: June 12, 2017

Passed Second Reading: July 10, 2017

Date of Public Hearing: July 10, 2017

Advertised in the Chattanooga Times Free Press: June 15, 2017



Vice Mayor



Recorder

7/10/17

Date

7-10-17

Date