

ORDINANCE NO. 08-3445

AN ORDINANCE TO AMEND TITLE 14, CHAPTER 4 PROVISIONS GOVERNING BUSINESS DISTRICTS SECTION 14-402(1) BY ADDING UPPER STORY RESIDENCE TO THE LIST OF PERMITTED USES.

WHEREAS, area business owners have expressed interest in using the upper stories of buildings as residential apartments, and

WHEREAS, the Central Business District or B-2 zoning district incorporates the core of the City, also referred to as the Lebanon Public Square, and

WHEREAS, the unique architecture of the Public Square lends itself to the addition of upper story residential dwellings, and

WHEREAS, the addition of upper story dwelling units will add to the value of many existing buildings on the Public Square which are currently under-utilized; and

WHEREAS, the AIA 150 Blueprint Workshop suggested adding residential uses on the Public Square as an opportunity for improvement; and

WHEREAS, property owners interested in taking advantage of upper stories of buildings for residential use shall be required to apply for and successfully obtain a Certificate of Occupancy from the Building Inspection Department in order to assure that the building is safe for use as a permanent residence.

WHEREAS, the allowance of upper story residences in the Zoning Ordinance in no way diminishes other code requirements, including but not limited to fire and life and safety requirements; and

WHEREAS, The Planning Commission, at their September 23, 2008 meeting, recommended approval of this amendment to the B-2 zoning district.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF LEBANON, TENNESSEE:

Section 1. That pursuant to Title 14, Chapter 12, Lebanon Municipal Code, that the Lebanon Municipal Code, Title 14, Planning and Zoning, Chapter 4 Section 14-402(1), be amended by adding Upper Floor Residence.

Section 2. That pursuant to Title 14, Chapter 2, Lebanon Municipal Code, that the Lebanon Municipal Code, Title 14, Planning and Zoning, Chapter 2, General Provisions Relating to Zoning Section 14-203 shall be amended by adding the following definitions:

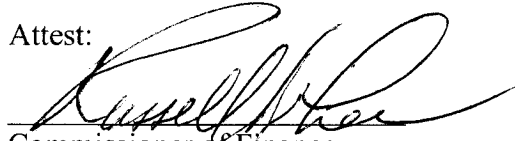
“Upper Story Residential.” A residential living unit located above the ground floor of a building.

Section 3. This Ordinance shall take effect on and after its passage.

Notice of Public Hearing was published in the Lebanon Democrat on October 31, 2008.

A Public Hearing was held at 5:55 PM in the City Council chambers on November 18, 2008.

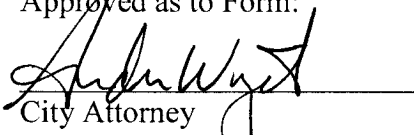
Attest:


Commissioner of Finance

Approved:


Mayor

Approved as to Form:


City Attorney

Passed first reading: October 21, 2008

Passed second reading: **November 18, 2008**

TO BE PUBLISHED October 31, 2008

PUBLIC NOTICE

In reference to Ordinance No. 08-3445, notice is hereby given that the Mayor and City Council of the City of Lebanon, Tennessee, will hold a public hearing at 5:55 PM on November 18, 2008 in the Council Chambers for the purpose of discussing and hearing comments from the citizens on the proposed amendments to Title 14, Chapter 4 Provisions Governing Business Districts Section 14-402(1) by adding Upper Story Residence to the list of permitted uses. The Lebanon Municipal Regional Planning Commission recommended this amendment at their September 23, 2008 meeting. The proposed amendments to Title 14 and public hearing are being conducted pursuant to the laws of the State of Tennessee (TCA 13-7-203 and 13-7-204) and the City of Lebanon, Tennessee. Copies of the amendment are available for inspection at the following locations: City of Lebanon Mayor's Office and Planning Office at 200 North Castle Heights Avenue.

Individuals needing auxiliary aids for effective communication and/or other reasonable accommodation in programs and services of the City of Lebanon are invited to make their needs and preferences known to the ADA Compliance Coordinator by calling 443-2850.

Bill and send proof of publication to City of Lebanon, Mayor's Office, 200 North Castle Heights Avenue, Attn: Debbie Jessen

Ref # 79291

Cost of Publication

\$ 54.95

Proof of Publication

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 In reference to Ordinance No. 08-3445, notice is hereby given that the Mayor and City Council of the City of Lebanon, Tennessee, will hold a public hearing at 5:55 PM on November 18, 2008, in the Council Chambers for the purpose of discussing and hearing comments from the citizens on a proposed amendments to Title 14, Chapter 4, Provisions Governing Business Districts Section 14-402(1) by adding Upper Story Residence to the list of permitted uses. The Lebanon Municipal Regional Planning Commission recommended approval of this amendment at their September 23, 2008 meeting. The proposed amendments to Title 14 and public hearing for the PUD amendment are being conducted pursuant to the laws of the State of Tennessee (TCA 13-7-203 and 13-7-204) and the City of Lebanon, Tennessee. Copies of the amendment are available for inspection at the following locations: City of Lebanon Mayor's Office and Planning Office at 200 North Castle Heights Avenue. Individuals needing auxiliary aids for effective communication and/or other reasonable accommodation in programs and services of the City of Lebanon are invited to make their needs and preferences known to the ADA Compliance Coordinator by calling 443-8610. 259-1f.

LEBANON DEMOCRAT

PUBLICATION CERTIFICATE

This is to certify that the legal notice hereto attached was published in The Lebanon Democrat, a daily newspaper published in the City of Lebanon, County of Wilson, State of Tennessee on the following dates:

Signed: Annun Ray

October 31, 2008

RECEIVED

ACCOUNTING DEPT

Subscribed and sworn to before me on this 1 day of January

Annun Williams
 Notary Public
 My Commission Expires 2-8-11

