

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE, BY AMENDING THE FOLLOWING: ARTICLE II, TITLED "DEFINITIONS" TO UPDATE THE DEFINITION OF "BUSINESS SERVICES" AND TO ADD DEFINITIONS FOR "SPORT SHOOTING RANGE, INDOOR," "SPORT SHOOTING RANGE, OUTDOOR," AND "TRANSITIONAL HOUSING"; SECTION 3.24, TITLED "PERMANENT AND TRANSIENT GROUP CARE FACILITIES," TO CHANGE THE TITLE TO "PERMANENT AND TRANSIENT GROUP CARE FACILITIES AND TRANSITIONAL HOUSING"; ARTICLE III, TITLED "GENERAL PROVISIONS," TO ADD A NEW SECTION 3.26, TITLED "SPORT SHOOTING RANGES"; SUBSECTIONS 5.07(C), 5.08(C), 6.01(C), 6.02(C), 7.01(C), 7.02(C), 7.03(C), 7.04(C), 7.05(C), 8.01(D), 8.02(D), 8.03(D), 9.02(C), 9.03(C), AND 9.04(F) TO CHANGE THE PHRASE "USES REQUIRING BOARD OF APPEALS PERMIT" TO "SPECIAL EXCEPTION REQUIRING BOARD OF ZONING APPEALS APPROVAL"; SECTION 5.04, TITLED "R-2, LOW DENSITY RESIDENTIAL DISTRICT" TO ADD "TRANSITIONAL HOUSING" AS A NEW USE CATEGORY REQUIRING SPECIAL EXCEPTION APPROVAL FROM THE BOARD OF ZONING APPEALS; SECTION 5.05, TITLED "R-3, MEDIUM RESIDENTIAL DISTRICT" TO CHANGE THE TITLE TO "R-3, MEDIUM DENSITY RESIDENTIAL DISTRICT," TO REVISE THE PERMITTED PRINCIPAL USE OF BUSINESS AND PROFESSIONAL OFFICES IN SUBPART 4, AND TO ADD "TRANSITIONAL HOUSING" AS A NEW USE CATEGORY REQUIRING SPECIAL EXCEPTION APPROVAL FROM THE BOARD OF ZONING APPEALS; SECTION 5.06, TITLED "R-4, HIGH DENSITY RESIDENTIAL DISTRICT," TO ADD "TRANSITIONAL HOUSING" AS A NEW USE CATEGORY REQUIRING SPECIAL EXCEPTION APPROVAL FROM THE BOARD OF ZONING APPEALS; SECTION 5.07, TITLED "ONE-FAMILY RESIDENTIAL DISTRICTS, R-1-A/B," TO DELETE A PERMANENT GROUP CARE FACILITIES AS A USE REQUIRING SPECIAL EXCEPTION APPROVAL FROM THE BOARD OF ZONING APPEALS; SECTION 7.03, TITLED "B-2, GENERAL BUSINESS DISTRICTS," TO REVISE THE PERMITTED PRINCIPAL USE OF OFFICE BUILDINGS; SECTION 7.04, TITLED "UB-2, UNIFIED GENERAL BUSINESS DISTRICTS," TO REVISE THE PERMITTED PRINCIPAL USE OF OFFICE BUILDINGS AND TO ADD "SPORT SHOOTING RANGES" AS A USE REQUIRING SPECIAL EXCEPTION APPROVAL FROM THE BOARD OF ZONING APPEALS; AND SECTION 11.02, TITLED "REQUIRED OFF-STREET PARKING," TO CLARIFY THE SIDE AND REAR SETBACK REQUIREMENTS FOR R-1-C AND R-2 IN SUBSECTION (E)(2)(A); ALL FOR THE PURPOSES OF ADDRESSING ITEMS THAT WERE ABSENT FROM THE ORDINANCE AND TO UPDATE PROVISIONS IN NEED OF CLARIFICATION.

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, the amendments will update the Zoning Ordinance to address items that were absent, did not meet the prescribed criteria, and were in need of clarification; and

WHEREAS, the following changes have 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 II, titled "Definitions," is hereby amended by deleting the definition for "Business Services" in its entirety and substituting therefor a new definition (still in alphabetical order), which new definition shall read as follows:

**ARTICLE II
DEFINITIONS**

BUSINESS SERVICES: Establishments primarily engaged in providing assistance, as opposed to products to other individuals, business, industry, government, and other enterprises, including hotels and other lodging places; personal, business, repair, health, legal, engineering, and other professional services; educational services; membership organizations; and other miscellaneous services.

Section 2. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article II, titled "Definitions," is hereby amended by adding the following new definitions in alphabetical order, which new definitions shall read as follows:

ARTICLE II DEFINITIONS

SPORT SHOOTING RANGE, INDOOR: A fully enclosed building or part of building specifically designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, archery, or any other shooting activity, but does not include police or military indoor firing ranges operated by any level of government. As used in this section, means any public place or range for shooting and discharging firearms.

SPORT SHOOTING RANGE, OUTDOOR: An outdoor area, not enclosed in a building, designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, archery, or any other shooting activity, but does not include police or military firing ranges operated by any level of government, and does not include occasional not-for-profit charitable events (commonly called "turkey shoots").

TRANSITIONAL HOUSING: A facility operated by a non-profit agency providing temporary housing to indigent, homeless, or transient persons during crisis intervention; may also be integrated with other social services and programs to provide ancillary services such as counseling, vocational training, etc. to assist in the transition to self-sufficiency through the acquisition of a stable income and permanent housing.

Section 3. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article III, titled "General Provisions," is hereby amended by changing the title of Section 3.24 from "Permanent and Transient Group Care Facilities," to "Permanent and Transient Group Care Facilities and Transitional Housing."

Section 4. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article III, titled "General Provisions," is hereby amended by adding a new Section 3.36, titled "Sport Shooting Ranges," which new section shall read as follows:

Section 3.36. Sport Shooting Ranges

(a) **License Required**

No person shall conduct, maintain, operate, or cause to be conducted, maintained or operated, any indoor or outdoor sport shooting range without being licensed through the State of Tennessee Department of Safety and Homeland Security and meet all other applicable state and federal regulations for operating a sport shooting range. Any license or permits required for shooting range activity by any level of government shall be submitted as supporting documentation with the site plan.

(b) Standards, Site Plan

All sport shooting ranges shall be planned, constructed and maintained according to standards that are at least as stringent as the standards contained in the National Rifle Association range manual and the standards set forth by the State of Tennessee Department of Safety and Homeland Security *Handgun Safety School Firing Range Requirements*. The proposed sport shooting range shall be shown on a site plan showing all buildings, firing lines or stations, shooting related activity areas and other areas or structures.

(c) Location

A sport shooting range shall be designed to minimize noise to surrounding properties. No sport shooting range shall be located closer than 1,000 feet (measured from property line to property line) from any school, church, hospital, or other indoor sport shooting range, nor in any location that would constitute a nuisance under the City Code, common law or any other applicable law, statute or regulation, or in a location such that the noise from the indoor sport shooting range would constitute such a nuisance or other violation under the City Code.

(d) Hours of Operation

No sport shooting range shall be operated between the hours of 10:00 p.m. and 7:00 a.m. These hours of operation coincide with allowable decibel levels as defined in Section 12.04 of the Zoning Ordinance.

(e) Safety Rules

In the operation of any sport shooting range, the following safety rules shall at all times be observed:

1. Sport shooting ranges shall contain all projectile and shot fall within the property of the sport shooting range.
2. A lead mitigation plan meeting requirements of the Environmental Protection Agency (EPA) shall be submitted with the site plan.
3. It is the sport shooting range operator's responsibility to determine if a shooter is of appropriate age and has the physical and mental ability to safely utilize the sport shooting range and provide their shooters with appropriate qualified supervision.
4. The sport shooting range shall be properly and adequately ventilated and filtered at all times and comply with all applicable OSHA, NIOSH, EPA standards and any other applicable local, state or federal codes, standards, laws and regulations.

Section 5. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article V, titled "Residential Districts," Article VI, titled "Office Districts," Article VII, titled "Parking and Business Districts," Article VIII, titled "Industrial Districts," and Article IX, titled "Special Districts," are hereby amended by changing the phrase "Uses Requiring Board of Appeals Permit" to "Special Exception Requiring Board of Zoning Appeals Approval," in the following subsections: 5.07(c), 5.08(c), 6.01(c), 6.02(c), 7.01(c), 7.02(c), 7.03(c), 7.04(c), 7.05(c), 8.01(d), 8.02(d), 8.03(d), 9.02(c), 9.03(c), and 9.04(f).

Section 6. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article V, titled "Residential Districts," Section 5.04, titled "R-2, Low Density Residential District," Subsection (c), titled "Special Exceptions Requiring Board of Zoning Appeals Approval," is hereby amended by adding a new subpart 6, which new subpart shall read as follows:

Section 5.04. R-2, Low Density Residential District

(c) Special Exceptions Requiring Board of Zoning Appeals Approval:

6. Transitional housing.

Section 7. 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," is hereby amended by changing the title to "R-3, Medium Density Residential District."

Section 8. 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 (a), titled "Permitted Principal Uses," is hereby amended by deleting subpart 4 in its entirety and substituting therefor a new subpart 4, which subpart shall read as follows:

Section 5.05. R-3, Medium Density Residential District

(a) Permitted Principal Uses:

4. Business and professional offices; including office building uses resulting from professional services, business services, accounting, banking, drafting, and graphic arts.

Section 9. 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 adding a new subpart 5, which new subpart shall read as follows:

Section 5.05. R-3, Medium Density Residential District

(c) Special Exceptions Requiring Board of Zoning Appeals Approval:

5. Transitional housing.

Section 10. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article V, titled "Residential Districts," Section 5.06, titled "R-4, High Density Residential District," Subsection (c), titled "Special Exceptions Requiring Board of Zoning Appeals Approval," is hereby amended by adding a new subpart 3, which new subpart shall read as follows:

Section 5.06. R-4, High Density Residential District

(c) Special Exceptions Requiring Board of Zoning Appeals Approval:

3. Transitional housing.

Section 11. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article V, titled "Residential Districts," Section 5.07, titled "One-Family Residential Districts, R-1-A/B," Subsection

(c), titled "Special Exception Requiring Board of Zoning Appeals Approval," is hereby amended by deleting subpart 7 in its entirety without replacement.

Section 12. 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 (a), titled "Permitted Principal Uses," is hereby amended by deleting subpart 3 in its entirety and substituting therefor a new subpart 3, which subpart shall read as follows:

Section 7.03. B-2, General Business Districts

- (a) Permitted Principal Uses:
 - 3. Office building uses resulting from any of the following occupations: professional services, business services, accounting, banking, drafting, and graphic arts.

Section 13. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article VII, titled "Parking and Business Districts," Section 7.04, titled "UB-2, Unified General Business Districts," Subsection (a), titled "Permitted Principal Uses," is hereby amended by deleting subpart 2 in its entirety and substituting therefor a new subpart 2, which subpart shall read as follows:

Section 7.04. UB-2, Unified General Business Districts

- (a) Permitted Principal Uses:
 - 2. Office building uses resulting from any of the following occupations: professional services, business services, accounting, banking, drafting, and graphic arts.

Section 14. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article VII, titled "Parking and Business Districts," Section 7.04, titled "UB-2, Unified General Business Districts," Subsection (c), titled "Uses Requiring Board of Appeals Permit," is hereby amended by adding a new subpart 11, which subpart shall read as follows:

Section 7.04. UB-2, Unified General Business Districts

- (c) Special Exceptions Requiring Board of Zoning Appeals Approval:
 - 11. Indoor Sport Shooting Range.

Section 15. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article XI, titled "Off Street Parking and Loading Requirements," Section 11.02, titled "Required Off-Street Parking," Subsection (e), titled "Required Yard Parking Regulations," Subpart 2, titled "Parking in Side and Rear Yard," Subparagraph a is hereby deleted in its entirety and substituting therefor a new Subparagraph a, which new subparagraph shall read as follows:

Section 11.02. Required Off-Street Parking

- e. Required Yard Parking Regulations
 - 2. Parking in Side and Rear Yard.
 - a. For single-family detached dwellings and duplexes, residential off-street parking is permitted outside of an approved parking surface only in the side and rear yard provided side and rear yard setbacks are met and the

setback area shall remain clear of all vehicles. For the purposes of this subsection, all R-1-C and R-2 side and rear setbacks shall be five (5) feet.

Section 16. 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

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

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