

ORDINANCE NO. P-20190612(1)

**AN ORDINANCE TO CORRECT ERRORS ON THE
CURRENT ZONING MAP OF THE TOWN OF CARTHAGE, TENNESSEE:**

WHEREAS, under authority granted in TENN. CODE ANN. §13-7-201, the Town of Carthage, Tennessee adopted the current Official Zoning Map pursuant to Ordinance # 371, dated 6/3/2010, and

WHEREAS, said Map has been used and has been generally accepted over time as the Official Zoning Map for the Town of Carthage, Tennessee since its adoption dated 6/3/2010, and

WHEREAS, said Map has been amended with Ordinances for which the signed copies are not currently discoverable, and

WHEREAS, said Map contains other errors including drafting omissions, and

WHEREAS, TENN. CODE ANN. §13-7-204 enables a municipality to amend zoning ordinances and maps, and

WHEREAS, pursuant to Carthage City Code, *Chapter 4, Section 11-403, Replacement of Official Zoning Map*, the adoption of a new Official Zoning Map shall supersede the prior Official Zoning Map and the new Official Zoning Map may correct drafting or other errors or omissions on the prior Official Zoning Map, and

WHEREAS, the grant of power and the process for adoption of a municipal zoning ordinance and map are found in TENN. CODE ANN. §13-7-201 through §13-7-203, and

WHEREAS, the Carthage Municipal Planning Commission reviewed and recommended this ordinance on **June 12, 2019** to the Town of Carthage for consideration, and

WHEREAS, pursuant to the requirements of TENN. CODE ANN. §13-7-203, the Town of Carthage conducted a public hearing prior to the final reading and adoption of this ordinance to allow for community input into the ordinance amendment(s) herein described;

BE IT ENACTED by the Board of Mayor and Alderman for the Town of Carthage, Tennessee as follows:

Section 1. The drafted area(s) designated as “Rural Residential Zone (R-R)” on the current Official Zoning Map shall henceforth be accepted and adopted as such and shall include the area(s) defined by previous Ordinance # 409 and Ordinance # 446.

Section 2. The drafted area(s) designated as “Medical Zone (M-2)” on the current Official Zoning Map shall henceforth be accepted and adopted as such and shall include the area(s) defined by previous Ordinance # 443 and Ordinance # 444.

- Section 3.** Parcels 013.00 and 014.00 of Tax Map 054A, Group “B” in the Town of Carthage, Tennessee, that was to be rezoned from “High Density Residential (R-3)” to “General Commercial Zone (C-2)” as defined by previous Ordinance # 455 shall henceforth be accepted and adopted as such and shall be drafted as “General Commercial Zone (C-2)” on any future updated Official Zoning Map unless otherwise required by future passed and adopted Ordinances.
- Section 4.** The bound copies of archived Ordinances titled "Sabra Hodge Vol 3," states, “*Ordinance 419 VOID and REPLACED WITH 420.*” However, there are two (2) Ordinance # 420’s, neither of which deal with Zoning Map changes. Ordinance # 419, listed on the current Official Zoning Map as amended to the Map on 11/07/2014, rezones Parcels 3.02, 3.04 and 3.06 shown on Tax Map 54 and the Myer Street right-of-way in the Town of Carthage, Tennessee, from “I-1 Industrial” and “R-R Rural Residential Zoning District” to “C-2 General Commercial Zoning District.” As such, Ordinance # 419 and its described areas shall henceforth be accepted and adopted as the Ordinance that amend the current Official Zoning Map and any future updated Official Zoning Map unless otherwise required by future passed and adopted Ordinances.
- Section 5.** In addition to the areas defined in *Section 3* and *Section 4*, the drafted area(s) designated as “General Commercial Zone (C-2)” on the current Official Zoning Map shall henceforth be accepted and adopted as such and shall also include the area(s) defined by previous Ordinance # 421 and Ordinance # 445.
- Section 6.** The drafted area(s) designated as “Low Density Residential Zone (R-1)” on the current Official Zoning Map shall henceforth be accepted and adopted as such and shall include the area(s) defined by previous Ordinance # 445.
- Section 7.** The drafted area(s) designated as “Highway Commercial Zone (C-3)” on the current Official Zoning Map shall henceforth be accepted and adopted as such and shall include the area(s) defined by previous Ordinance # 447.
- Section 8.** Ordinance # 449, listed on the current Official Zoning Map as amended to the Map on 06/01/2017, only changes the “Permitted Uses” under M-1 within the Mining District and does not establish any zoning conversion, zoning district changes, or Map changes, and therefore shall be removed from the current and any future updated Official Zoning Map unless otherwise required by future passed and adopted Ordinances.
- Section 9.** The “Medium Density Residential Zone (R-2),” “High Density Residential Zone (R-3),” “Central Commercial Zone(C-1),” “Light Industrial Zone (I-1),” and “Mining Zone (M-1)” areas, as drafted on the current OffDeleteicial Zoning Map, shall henceforth be accepted and adopted as such.
- Section 10.** A copy of the current Official Zoning Map pursuant to Ordinance # 371, dated 6/3/2010, is attached as Exhibit “A” and shall be considered the Official Zoning

Map Town of Carthage, Tennessee as mentioned in *Sections 1-9* **BEFORE** any changes or corrections of errors are made pursuant to this Ordinance.

Section 11. Invalidity of a section or part of a section of this Ordinance shall not affect the validity of the remaining sections or parts of sections.

Section 12. This Ordinance shall be effective from and after its passage and final reading, as provided by law, the public welfare requiring it.

Section 13. Effective Date. This ordinance shall take effect and be in full force upon its final passage as required by law.

Passed 1st Reading 7/11/19

Passed 2nd Reading 8/1/19

PUBLICATION OF NOTICE: 7/18/19

PUBLIC HEARING HELD: 8/1/19
(At least 15 days after public notice)

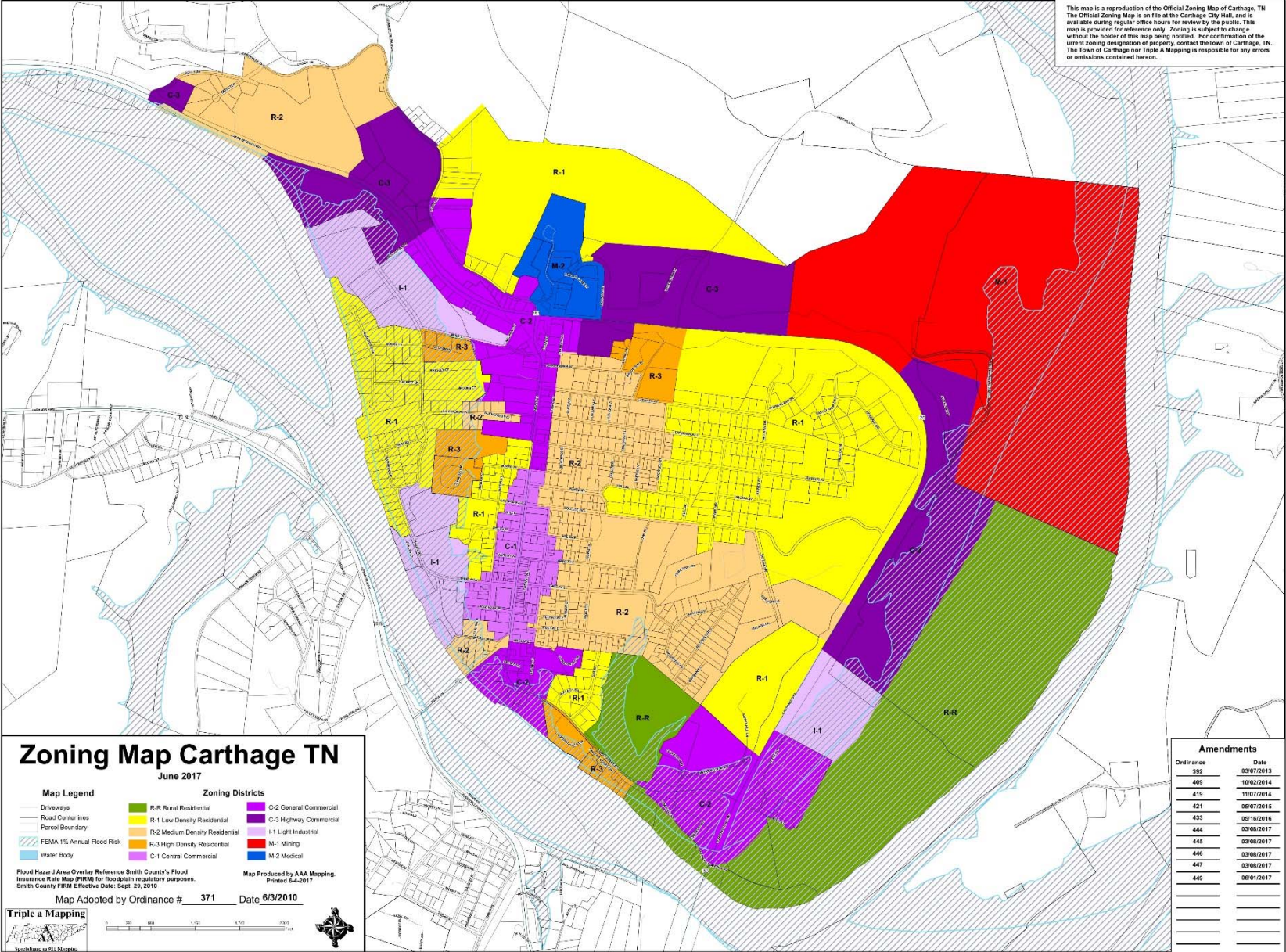
Mayor

Date

Recorder

Date

EXHIBIT "A" to Ordinance P-20190612(1)



This map is a reproduction of the Official Zoning Map of Carthage, TN. The Official Zoning Map is on file at the Carthage City Hall, and is available during regular office hours for review by the public. This map is provided for reference only. Zoning is subject to change without the holder of this map being notified. For confirmation of the current zoning designation of property, contact the Town of Carthage, TN. The Town of Carthage nor Triple A Mapping is responsible for any errors or omissions contained herein.

Zoning Map Carthage TN

June 2017

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|-------------------|---------------------------|-------------------------|--------------------------------|
| Map Legend | | Zoning Districts | |
| | Driveways | | R-R Rural Residential |
| | Road Centerlines | | R-1 Low Density Residential |
| | Parcel Boundary | | R-2 Medium Density Residential |
| | FEMA 1% Annual Flood Risk | | R-3 High Density Residential |
| | Water Body | | C-1 Central Commercial |
| | | | C-2 General Commercial |
| | | | I-1 Light Industrial |
| | | | I-2 Medium Industrial |
| | | | M-1 Mining |
| | | | M-2 Medical |

Flood Hazard Area Overlay Reference Smith County's Flood Insurance Rate Map (FIRM) for floodplain regulatory purposes. Smith County FIRM Effective Date: Sept. 29, 2010. Map Produced by AAA Mapping. Printed 6-4-2017.

Map Adopted by Ordinance # **371** Date **6/3/2010**

Amendments

Ordinance	Date
392	03/07/2013
409	10/02/2014
419	11/07/2014
421	05/07/2015
433	05/16/2016
444	03/08/2017
445	03/08/2017
446	03/08/2017
447	03/08/2017
449	06/01/2017