

1ST READING  
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INDEX NO.

4-12-11  
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ORDINANCE NO. 12496

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, BY AMENDING ARTICLE VIII, SECTION 38-568(4) TO CLARIFY USE OF CREMATION/CREMATORY IN THE M-1 MANUFACTURING ZONE; AND FUNERAL HOMES, MORTUARIES, AND UNDERTAKING ESTABLISHMENTS IN THE R-4 SPECIAL ZONE.

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**WHEREAS**, placement of cremation/crematory use was determined and approved by Ordinance No. 12241 in May 2009; and

**WHEREAS**, within the text of the M-1 Manufacturing Zone, cremation/crematory is a permitted use with a special exceptions permit by the Board of Zoning Appeals; and

**WHEREAS**, within the text of the R-4 Special Zone funeral homes, mortuaries and undertaking establishments (and including cremation/crematory, when used in conjunction with such establishments) is a permitted use with a special exceptions permit by the Board of Zoning Appeals; and

**WHEREAS**, Section 38-568 (4) needs clarification within the text of the Board of Zoning Appeals to establish that such uses can be decided within the M-1 Manufacturing Zone and R-4 Special Zone.

**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 III, Section 38-568(4), be amended by deleting the section in its entirety and substituting in lieu thereof the following:

**Section 38-568 Board of Appeals for Variances and Special Permits, Powers, etc. of board; hearings**

- (4) For funeral homes, mortuaries and undertaking establishments and including cremation/crematory, when used in conjunction with such establishments; in the R-4 Special Zone and C-2 Convenience Commercial Zone.

For cremation/crematory only in the M-1 Manufacturing Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

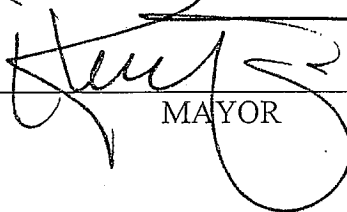
PASSED on Second and Final Reading

April 19, 2011

  
CHAIRPERSON

APPROVED:  DISAPPROVED:

DATE: 4/26, 2011.

  
MAYOR

/mms