

ORDINANCE 2024-1128

AN ORDINANCE AMENDING TITLE 14, ZONING AND LAND USE CONTROL, CHAPTER 2, ZONING ORDINANCE, OF THE MOUNT PLEASANT MUNICIPAL CODE, THE SAME BEING THE ZONING ORDINANCE FOR THE CITY OF MOUNT PLEASANT, TENNESSEE, INCLUDING THE MUNICIPAL ZONING MAP INCORPORATED THEREIN BY REZONING A PROPERTY FROM **HIGHWAY COMMERCIAL (CH)** TO **LIGHT INDUSTRIAL (IL)**

**APPROVED REZONE – 16.30 ACRES ON NORTH MAIN STREET**

WHEREAS, Title 14, Zoning and Land Use Control, Chapter 2, Zoning Ordinance, of the Mt. Pleasant Municipal Code (hereinafter referred to as the “Zoning Ordinance”) constitutes the comprehensive zoning ordinance for the City of Mount Pleasant, Tennessee, and incorporated therein is the Municipal Zoning Map; and

WHEREAS, The City Commission of Mount Pleasant, Tennessee has broad discretion to change or amend the Zoning Ordinance for the purpose of promoting the health, safety, prosperity, morals and general welfare of the City; and

WHEREAS, CBC Properties LLC, submitted an application to the Mount Pleasant Planning Commission staff on the behalf of the property owners Buchignani Susan, Elizabeth Morgan, Patricia Pullian, Emily Morgan Robertson, Robert Holloway, John E. Cain III requesting that said Zoning Ordinance be amended by rezoning **approximately 16.30 (17.40 /18.30) acres of property located on North Main Street identified as Tax Map 127, Parcel 14.06**, more fully described below and shown on Exhibit A attached hereto from **Highway Commercial (CH)** to **Light Industrial (IL)**.

WHEREAS, the application for rezoning came before the Mount Pleasant Planning Commission for public hearing on September 10, 2024. The property is currently zoned Highway Commercial (CH). Properties to the North are primarily Highway Commercial zoned CH. The property to the West is railroad right of way and to the West of the railroad right of way will be Highway Commercial zoned CH and Medium Density Residential zoned R2. The properties to the East are primarily Highway Commercial zoned CH; and,

WHEREAS, upon consideration of the foregoing, and a public hearing on September 10, 2024, the Mount Pleasant Planning Commission passed Resolution 2024-PC-04 and adopted the findings of fact contained therein and **recommended the requested rezoning for each portion of the property.** The Planning Commission Resolution is attached hereto as Exhibit B.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF MOUNT PLEASANT, TENNESSEE, AS FOLLOWS:

Section 1. That Title 14, Zoning and Land Use Control, Chapter 2, Zoning Ordinance, of the Mount Pleasant Municipal Code, and the Municipal Zoning Maps incorporated therein and made a part hereof are hereby amended as applicable by rezoning **approximately 16.30 (17.40 /18.30) acres of property located on North Main Street identified as Tax Map 127, Parcel 14.06** and more fully described as follows, to-wit:

Tract No. 1: Situate in the Seventh (7<sup>th</sup>) Civil District of Maury County, Tennessee, and more particularly described as all of Lot 1-B of the J.A. Morgan Subdivision, containing 0.40 acres, as shown on plat of record in Plat Book 10, Page 261, Register’s Office of Maury County, Tennessee.

Tract No. 2: Located in the Seventh (7<sup>th</sup>) Civil District of Maury County, Tennessee and generally bounded on the North by L & N Railroad; on the South by U.S. Highway 43 and Bonnieview Subdivision recorded in Plat Book 5, Page 24, Register's Office of Maury County, Tennessee; and on the West by a 40 ft. alley. Being approximately 17.00 acres, more or less, located generally North of the Bonnieview Subdivision of record in Plat Book 5, Page 24, Register's Office of Maury County, Tennessee and South of the L & N Railroad.

Being the same property conveyed to Susan Elizabeth Morgan Buchignani and Margaret Emily Morgan Robertson, as equal tenants in common, by deed of record in Book R2308, Page 1497, in the Register's Office of Maury County, Tennessee.

**Highway Commercial (CH) to Light Industrial (IL).**

Said amendment shall be reflected on said zoning map from and after the effective date of this ordinance.

Section 2. The Board of Commissioners adopts the findings of the planning commission. Additionally, the Board of Commissioners makes the following findings:

- The proposed rezone is in agreement with the land use plan of the area because there are already industries in the area;
- There will not be adverse effect on adjoining landowners because an upgraded use of the property benefits the community;
- It does not benefit one person more than others;
- The area has not changed, but it has always supported light industrial use.

Section 3. If any one or more of the provisions of this Ordinance, or any exhibit or attachment thereof, shall be held invalid, illegal, or unenforceable in any respect, by final decree of any court of lawful jurisdiction, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, or of any exhibit or attachment thereto, but this Ordinance, and the exhibits and attachments thereof, shall be construed the same as if such invalid, illegal, or unenforceable provision had never been contained herein, or therein, as the case may be.

Section 4. This Ordinance shall take effect upon final passage.

Approved and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
WILLIAM F. WHITE, JR., MAYOR

ATTEST:

\_\_\_\_\_  
SHIPHRAH COX, RECORDER

LEGAL FORM APPROVED:

\_\_\_\_\_  
KORI BLEDSOE JONES, ATTORNEY

PASSED ON FIRST READING: \_\_\_\_\_

PASSED ON SECOND READING: \_\_\_\_\_