

ORDINANCE 2016-45

TO BE ENTITLED: "AN ORDINANCE TO AMEND CHAPTER 3 OF THE ZONING ORDINANCE OF THE CITY OF FRANKLIN, TENNESSEE, IN ORDER TO ADD PARKING STRUCTURES TO THE LIST OF PERMITTED NEW USES/ENCROACHMENTS IN THE FFO - FLOODWAY FRINGE OVERLAY DISTRICT AND REVISE THE REQUIREMENTS FOR PARKING LOTS LOCATED IN THE FFO."

WHEREAS, the City of Franklin, Tennessee, wishes to allow for the development of parking structures within the floodway fringe; and

WHEREAS, this text amendment modifies the FFO – Floodway Fringe Overlay District to permit parking structures to encroach and be constructed within the FFO – Floodway Fringe Overlay District in accordance with the specific standards established by this Ordinance; and

WHEREAS, this text amendment also revises the requirements for the construction of parking lots located in the FFO to be consistent with the stormwater management ordinance requirements; and

WHEREAS, new development within the FFO and floodway fringe must meet the floodplain protection standards and stormwater management requirements adopted by the City of Franklin; and

WHEREAS, this text amendment is in the best interest of the citizens of Franklin.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF FRANKLIN, TENNESSEE, AS FOLLOWS:

SECTION I. That Chapter 3, Section 3.4, Subsection 3.4.5 (2) (a) of the Franklin Zoning Ordinance is hereby amended to delete the following text noted with a ~~strike through~~; to add the following text noted in **bold**, and is approved to read as follows:

3.4.5 FFO—Floodway Fringe Overlay District

(2) Permitted Uses

All uses shall also comply with the requirements of the Stormwater Management Ordinance.

(a) The following shall be permitted new uses/encroachments:

(v) Floodplain alternation conducted in accordance with the city's stormwater management ordinance; ~~and~~

(vi) Parking lots, ~~completely constructed of pervious pavers, pervious asphalt, or pervious concrete; and~~

(vii) Parking Structures, constructed in accordance with the following standards:

- (a) Parking Structures shall be constructed in accordance with the requirements of the Building Code, Stormwater Management Ordinance, and Subsection 5.8.5, Floodplain Protection; and
- (b) No other use(s) shall be permitted to be constructed above, or as part of the parking structure, unless such use(s) is located outside of the FFO, and is constructed in accordance with the requirements of Subsection 5.8.5, Floodplain Protection; and
- (c) Foundation perimeter walls shall be constructed in accordance with the requirements of Subsection 5.8.5, Floodplain Protection; and
- (d) Parking structures constructed and elevated on support piers shall be constructed as follows:
 - (i) A minimum of seven (7) feet of clearance from the ground level to the bottom of the first level of the parking structure shall be provided in order to allow for the maintenance and access of equipment below the elevated parking structure. Upon the request of any owner of property to which this Subsection applies, the DRT may approve an alternative minimum clearance which is not in strict compliance with the requirements of this Section, if the DRT finds that such alternative clearance meets the intent and purpose of the requirements of this Section and the Stormwater Management Ordinance. In making the determination, the DRT may consider any site specific design constraints, floodplain standards, stormwater management requirements, and other natural or man-made elements which could impact a proposal's conformance to these standards.
 - (ii) If parking is provided at ground level (at-grade), the minimum clearance shall be as required by the Building Code.
- (e) Ground level (at-grade) parking located below an elevated parking structure shall be screened, insofar as practicable, from surrounding uses and from public view as required by Subsection 5.4.5, Vehicular Use Area Landscape, and as permitted by Subsection 5.8.5, Floodplain Protection; and
- (f) Basement or below ground level (grade) parking shall be prohibited.

SECTION II. BE IT FINALLY ORDAINED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee that this Ordinance shall take effect from and after its passage on third and final reading, the health, safety, and welfare of the citizens requiring it.

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

BY: _____
 Eric S. Stuckey
 City Administrator

BY: _____
 Dr. Ken Moore
 Mayor

Approved as to Form:

Shauna R. Billingsley, City Attorney

PLANNING COMMISSION RECOMMENDED:

PASSED FIRST READING:

PUBLIC HEARING HELD:

PASSED SECOND READING:

PASSED THIRD READING:
