

**CITY OF GOODLETTSVILLE
PLANNING COMMISSION MEETING AGENDA
Monday October 5, 2020 5:00 PM**

**Call to Order
Approval of Agenda
Approval of September 14, 2020 Meeting Minutes
Review of Regular Agenda Items**

AGENDA

Item#1 **{PUBLIC HEARING} Planning and Development Services Staff:
Requests an amendment of the City's Comprehensive Land Use Plan
to define a Regional Center Mixed Use classification including low
and high intensity sections and designate the classification to the
RiverGate Mall area and surrounding areas on Rivergate Parkway,
Wade Circle, Wren Road, Meadowlark Lane, Blue Bird Drive, and
Glancy Street.**

Item#2 Zoning Ordinance Amendment/ Planning and Development Services
Staff: Request recommendation to the City Commission to the amend the
Zoning Ordinance Section 14-209 Floodplain Districts to incorporate the
updated Sumner County Flood Insurance Rate Maps (FIRM) and Flood
Insurance Study report (FIS) set to be effective February 26, 2021 and
other sections of the ordinance to incorporate the updated sections of the
State of Tennessee Model Flood Hazard Protection Ordinance

Discussion Items:

Allen Road Classification- Major Thoroughfare Plan
Dry Creek Commons-Dry Creek Road- Amenity Facility

Public Forum on Planning Related Topics

Agenda Items: **Davidson County/ Sumner County**

Planning Commission Training Session: Residential Design Standards (30 Minutes)

GOODLETTSVILLE CITY HALL MASSIE CHAMBERS

A government committed to operating with efficiency and integrity in all we do as we strive to
enhance the quality of life for the community we serve.

105 S. Main Street – Goodlettsville, TN 37072 – 615-851-2200 – Fax 615-851-2212

OFFICIAL MINUTES OF THE MEETING
GOODLETTSVILLE PLANNING AND ZONING COMMISSION

September 14, 2020

City Hall Auditorium

5:00 p.m.

Massie Chambers-Auditorium

Present: David Lynn, Scott Trew, Vice-Mayor Rusty Tinnin, Mayor Jeff Duncan, Grady McNeal, Judy Wheeler, Jeff Parnell, and Jim Hitt

Absent: Chairman Tony Espinosa, Bob Whitaker, and Jerry Garrett

Also Present: Addam McCormick, Russell Freeman, Mary Laine Hucks, Tim Ellis, Mike Bauer, and Rhonda Carson

Trew called the meeting to order and McNeal offered prayer.

Lynn made a motion to approve the agenda, Hitt seconded the motion. The motion passed unanimously. Trew clarified the order of the agenda and the public forum would be prior to the after meeting training session.

Hitt made a motion to approve the minutes of the August 3, 2020 meeting, McNeal seconded the motion. Motion approved unanimously.

AGENDA

Item#1 **QuikTrip#7144/Jacobs Engineering Group, INC:** Request final subdivision plat plan approval to combine four (4) properties into one 9.17-acre property on Hwy 31W/Louisville Highway. Properties referenced as Sumner County Tax Map 141, Parcels 047.00, 047.01, 048.00, and 050.00 and are zoned CG, Commercial General, Interchange Overlay Property Owners: Michael and Patsy Donahoe

Item Representative: No representative in attendance

Trew- asked if a representative was in attendance per the policy of the Planning Commission

-Staff stated no one was requested to attend the meeting since this agenda item was set up as a consent agenda item and is a lot combination subdivision plat

-Duncan discussed the consent agenda and these items can be reviewed together

-Trew discussed prefer reviewing each item individually

Staff Discussion:

-Site development plan approved at the April meeting with stipulation for the final subdivision plat to combine the four (4) lots into a single nine (9) acre lot for the development.

Planning Commission Discussion:

Motion:

Hitt made the motion to approve the request seconded by Parnell. The motion passed unanimously.

Item#2 Copper Creek 2-5, Meritage Homes, Performance Bond Extension

Item Representative: No representative in attendance

Staff Discussion:

- The last ten (10) lots in Copper Creek Two (2) are currently under construction.
- Remaining improvements in this phase are final paving, sidewalk sections, and final drainage estimated cost \$130,000 and bond is \$ 210,000.
- No bond reduction requested
- Six (6) month extension of current bond amount and intention for remaining Improvements items to be completed with home construction

Planning Commission Discussion:

Motion:

Duncan made the motion to approve the request seconded by Parnell. The motion passed unanimously.

Item#3 Parkview Preserve 2- Insight Properties LLC: Performance Bond Reduction and Extension

Item Representative: No representative in attendance

Staff Discussion:

- Limited home construction in phase
- Roadway binder, sections of sidewalk, and storm water installed
- Requested bond reduction – current bond \$ 410,000
- Estimated cost of final improvements and anticipated damage to existing improvements- \$ 300,000
- Staff recommends reduction to \$ 315,000 to give them credit for a percentage of the improvements completed

Planning Commission Discussion:

Motion:

Wheeler made the motion to approve the request seconded by Tinnin. The motion passed unanimously.

Item#4 Zoning Map Amendment- Kathleen Welch and Laura Pyatt, Property Owners: Requests recommendation to the City Commission to change the zoning classification from R-25, Low Density Residential to R-40 Low Density Residential for the 24.19-acre property at Hasty Drive and

Tabor Drive. Property referenced as Davidson County Tax
Map/Parcel#02500001700

Item Representative: Kathleen Welch, 1601 West Rd- Goodlettsville- Property Owner
Newton Welch- Real Estate Agent and Relative of Owner, and Davey Rowe-Mabee, Prospective
Property Purchaser–Applicant

Staff Discussion:

- Unique rezoning proposal from R-25 to R-40 Low Density Residential
- Twenty- four (24 Acres) at end of Tabor and Hasty Drive-
- City's Comprehensive Land Use Plan includes a low density residential development designation which includes 1-2 units per acre
- R25- 1.7 units per acre versus R-40- 1.08 units per acre
- Both zoning districts are for single family residential
- Staff discussed with grade and slope issue- realistically ten (10) to fifteen (15) potential lots even though either zoning would permit more density
- Solitude Acres subdivision included right-of-way to the property at the end of both Hasty and Tabor Drives
- Per applicant the intention is to subdivide the property into two (2) large acreage tracts and request a conditional use permit through the City's Board of Zoning and Sign Appeals to permit keeping horse, cow, type animals on one of the properties

Planning Commission Discussion:

- Kathleen Welch discussed a buyer is interested in purchasing the property to keep retired race horse and similar animals and construct a dwelling on the property
- Few animals will be the intention- and family lives on Tabor Drive so would not want anything to create issue
- Newton Welch discussed the rezoning request is for two (2) larger lots and to keep animals.
- Hitt and Staff discussed the differences between R-40 and R-25 zones
- Newton Welch discussed both zones are for single family lots but reason is to keep horses
- Davey Rowe-Mabee discussed if rezoned they would follow up with a conditional use request through the Board of Zoning Appeals to keep animals
- Staff discussed another option for animals was an agricultural zoning but thought that was not best in this area with adjacent single family lots since the agricultural zoning allows full scale farming and production uses
- Parnell discussed rezoning application includes that property purchase subject to rezoning and if property could be zoned back and discussed the limitations of the property
- Trew discussed how many acres for animals
- Newton Welch discussed around twenty (20) acres and discussed with some residents and animals preferred over homes
- Mabee discussed proposal for three (3) horses
- Parnell discussed not seeing a problem with request but asked how the property subdivision process would be handled
- Staff discussed if just setting up the property into one- twenty (20) to twenty-one (21) acres property and another property with the remaining four (4) to five (5) acres property then the subdivision process can be administrated at staff level

- Hitt asked if neighbors were notified
- Staff discussed a public hearing will be at the City Commission level and any Board of Zoning Appeals requested item will require a public hearing and notices to property owners

Motion: Tinnin made the motion to approve the request seconded by Wheeler. The motion passed unanimously.

Item#5 **7-Eleven / Development Management Group, LLC:** Requests approval for the City of Goodlettsville to submit a request to the State of Tennessee Excessive Land Committee for approval on an additional shared access driveway for an interstate fuel station and convenience market at 843 Hwy 31W/SR 41 and future adjacent property site development within the existing Hwy 31W/SR 41 and Hwy 41/SR 11 interchange access control fence area. Properties referenced as Sumner County Tax Map/Parcels 142-012.00 and 142-013.00 include 3.18 acres. Property Owner- Richard Feldman (#010-20)

Item Representative: David Abbey, Development Management Group LLC

Staff Discussion:

- Review of 7-Eleven preliminary site plan including Hwy 31W access at exiting location and additional shared access point
- Request for second access on Hwy 31W- separate truck and passenger access points- proposed access within the TDOT access control fence
- Staff originally reviewed a possible right out only access on the 7-Eleven project property for trucks
- TDOT requires the Excess Land Committee to review all proposed access points due to additional access points requiring alterations in fence
- Access location proposed in public right-of-way adjacent to 7-Eleven project area due to connection to adjacent large acreage properties- shared access point
- Staff had meeting with TDOT officials and Development Management Group reps – TDOT discussed process to request access and access controlled fence alteration- would require support engineering but would probably not be approved due to location of access proposal with 41W ramp and traffic speeds
- Additional access on Hwy 31W would help development potential and type of development on large acreage tracts in area since current access limited to points on Springfield Hwy farther from interstate area
- Engineering required for TDOT review would include traffic study including the need for any lane alterations including possible substantial level of improvements due to 41W overpass and traffic speeds in the area
- Request and application to TDOT Excess Land Committee to be from City as a local government- TDOT staff stated they would not approve a request from a developer
- Traffic study and engineering to be completed and paid for by developer- not city cost
- Staff presented slides showing preliminary development and use of existing forty-eight (48') feet access location and fence opening
- Staff discussed requested item and additional access location and purpose for not only 7-Eleven

but to adjacent large acreage properties

Planning Commission Discussion:

- Trew discussed the area looks confusing with multiple access points so another access point might improve traffic flow
- Duncan clarified that the request and vote is for city to go forward with request to TDOT Excessive Land Committee not approval of access design at this time
- Parnell discussed proposal and TDOT's review
- Staff discussed TDOT conceptual discussion was not positive for an additional access location but they would review engineering submitted
- Duncan discussed that the proposal presents a roadway geometry design issue but TDOT review would be recommended
- Tinnin discussed history of roadway and access and if connector between this area and Springfield Highway was a legal roadway
- Ellis discussed the history of the right of ways and TDOT construction of I65 and Hwy 41 overpass- fence area to limit access and right of ways for access to properties and legal review
- Freeman discussed lawsuit between property owners in area questioning public access and was determined to be a legal right-of-way
- Tinnin discussed the location of the right-of-way
- Ellis presented the location and area of the right-of-way per slide presentation including beside the 7-Eleven development property area not through it at the current access location
- Tinnin asked if roadway could be used for their access
- Staff stated yes the roadway area could be improved but connection around to Springfield Hwy was discussed by developers as too long a distance for an interstate based business
- Ellis discussed the TDOT review and approval process and would like to work with developers and TDOT but it is a long process
- Staff discussed the request and review would be worth looking into even to determine the level of improvements required which is anticipated to be substantial
- Staff discussed the improvement determination from TDOT could be used for future planning and regional roadway improvement funding possibilities and even to present to future developers
- Parnell discussed sight visibility in area and could work if TDOT approved a design
- Duncan discussed widening the existing frontage for a roadway more likely to be approved by TDOT and would provide a quick access location to interstate and access to the multiple properties
- Abby discussed the goal is still for the second access to connect into the 7-Eleven project but traffic running through the middle of the site development would not work with their development and second access design would be to provide separate car and truck traffic access and exit
- Abby discussed the access would not only be for this development but future access for the adjacent larger tracts but they will already be completing traffic engineering and studies so would be good to receive TDOT's feedback

Motion: Parnell made the motion to approve the request seconded by Duncan. The motion passed unanimously.

Public Forum on Planning Related Topics

No one requested to speak at the meeting the public forum was closed

Planning Commission Discussion Item:

-N. Main Street Mobile Home Park Building Replacement Proposal

- Staff explained the request from the property owner to replace the mobile home units with permanent buildings over time.
 - Staff explained the park is a legal non-conforming use and replacing the units out with newer units is permitted and the proposal could be determined to be a continuation of the non-conforming residential use in a CS, Commercial Services zoning district
 - Staff discussed the proposal would be similar since the residential use is the same but it would be more non-conforming use due site built buildings being considered more permanent
 - Staff discussed the City and State's non-conforming use ordinance section
 - Parnell discussed the area of the property and residential use of the property
 - Duncan discussed if the square footage would remain
 - Staff stated per applicant yes the replacement building would be the same sq. ft.
 - Staff discussed the buildings would have to meet the city's design standards including masonry construction
 - Planning Commissioners discussed the pros and cons of continuing the non-conforming use of the property with permanent buildings
 - Parnell discussed process for approval
 - Staff would need to review with City Attorney but we would need some type of agreement in place defining replacement process and Planning Commission review
 - Staff discussed a property rezoning could be possible to a residential planned unit development
 - Parnell discussed the area of the city and if more urban style townhouses would be a positive for area
 - Hitt discussed the owner may be able to proceed with current zoning and non-conforming provisions and possibility of owner converting property to commercial in the future
- Parnell requested Mary Laine Hucks, City's Economic Development and Marketing Director to present an update on the Rivergate Mall recent property sale
- Mary Laine Hucks discussed the Macy's building and property is entirely within the City of Goodlettsville and the property was purchased by Nashville and Chattanooga investors Charles Jones and James White, Owner of Urban Story Ventures. The Urban Story Ventures web-site shows some of the projects they have completed.
- Hucks discussed city staff met with new owners and discussed possible options including office and retail space, residential, and possibly even manufacturing but manufacturing was discussed not being possible

-Hucks discussed that city staff presented the City's Comprehensive Plan proposal to make them aware of the changes

With no further business, the meeting adjourned at 6:01 pm.

Scott Trew, Vice-Chairman

Addam McCormick, Planning Director

**Planning Commission Training Session- Storm Water Quality and Quantity Design -
Thirty (30) minutes**

- Differences between Storm Water Quality and Quantity Design
- Overview of City design requirements
- Storm water detention calculation requirements and example
- Storm water site development pre and post conditions, soils, vegetation, impervious areas
- Storm water quantity design examples- detention, retention, underground pipe and vault designs
- Storm water quality designs focus on infiltration
- Storm water quality facilities examples – bio retention, infiltration trenches
- Storm water quality facilities specific material designs- filters and support soil infiltration
- Maintenance issues with both including short term and long term
- City location in regional drainage and flooding control and issues with localized flooding

Members Present: David Lynn, Scott Trew, Vice-Mayor Rusty Tinnin, Mayor Jeff Duncan, Grady McNeal, Judy Wheeler, Jeff Parnell, and Jim Hitt

**CITY OF GOODLETTSVILLE
PLANNING COMMISSION MEETING
Monday October 5, 2020 5:00 PM
STAFF RECOMMENDATION REPORT**

The meeting format will be an in-person meeting. Planning Commissioners will be spread out during the meeting with limitations on the number of visitors allowed in the auditorium. Any Planning Commissioner that has an issue with attending the meeting due to COVID concerns can contact staff to review phone in-options.

Item#1	{PUBLIC HEARING} <u>Planning and Development Services Staff:</u> Requests an amendment of the City’s Comprehensive Land Use Plan to define a Regional Center Mixed Use classification including low and high intensity sections and designate the classification to the RiverGate Mall area and surrounding areas on Rivergate Parkway, Wade Circle, Wren Road, Meadowlark Lane, Blue Bird Drive, and Glancy Street.
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STAFF NOTES:

The proposal is to provide a more detailed plan for the future of the portion of the RiverGate Mall and surrounding areas within the City of Goodlettsville. The amendment is intended to provide basic guidelines to promote positive growth and the economic stability in the area with changing local and national commercial retail attitudes and trends and changing land use and growth patterns in the Nashville region. The proposal is based on consistency with Metro’s current plan for the area and the regional urban center designation and surrounding areas Also being included as mixed use urban centers. The amendment is also based on the recommendations of the City’s Rivergate Area Land Use Study. The proposal includes two development intensity levels. All the properties included in the amendment areas are currently zoned CSL, Commercial Service Limited and are designated on the City’s current Comprehensive Land Use Plan as commercial development and commercial concentration.

The proposed amendment is not rezoning any of the properties in the designated areas. The amendment would provide the basis for future zoning ordinance and zoning map amendments to facilitate the mixed use higher intensity development and design intentions defined in the proposed Comprehensive Land Use Plan amendment.

The Gallatin Pike corridor is a key component of the Nashville Next - Madison Community Plan including the regional center designation. The Gallatin Pike corridor is included in local and regional planning studies as a Bus Rapid Transit (BRT)- Complete Street Design Corridor to support more transportation options. Metro Nashville and Metropolitan Transit Authority have a current \$ 1,286,000 project in the Greater Nashville Regional Council (GNRC) 2040 Long Range Transportation Plan (LRTP) and 2020-2023 Transportation Improvement Program (TIP) Plan. The project is along Gallatin Pike from Alta Loma Road to Liberty Lane. The project is to implement elements of the Complete Street

design along Gallatin Pike including multi-use pedestrian and bike paths, strategic pedestrian connections, crosswalk improvements, repositioned transit stations, and enhanced transit station amenities. Upgrades have recently been completed along Conference Drive between Gallatin Pike and SR-386 Vietnam Veterans Parkway to support connections to future transit options being evaluated with future I-65 and SR 386 widening projects.

STAFF RECOMMENDATION: Approval

ATTACHMENTS:

- Goodlettsville’s current Comprehensive Land Use plan and applicable commercial sections of the text portion of the plan
- Sections of Goodlettsville’s Rivergate Area Land Use plan
- Copy of letter sent to impacted property owners including proposed amendment
- Sections of Nashville Next Plan including the Madison Area Community Plan

Item#2	Zoning Ordinance Amendment/ Planning and Development Services Staff: Request recommendation to the City Commission to the amend the Zoning Ordinance Section 14-209 Floodplain Districts to incorporate the updated Sumner County Flood Insurance Rate Maps (FIRM) and Flood Insurance Study report (FIS) set to be effective February 26, 2021 and other sections of the ordinance to incorporate the updated sections of the State of Tennessee Model Flood Hazard Protection Ordinance
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STAFF NOTES:

The State of Tennessee Flood Plain Coordinator prepared and presented the zoning ordinance amendment. The amendment incorporates the updated Sumner County FEMA Flood Insurance Rate Maps (FIRM) and Flood Insurance Study (FIS) set to be effective February 21, 2021. The amendment includes revisions to the administrative process including preliminary and final elevation certificate requirements for new building within the flood areas. The City jurisdiction area contains designated 100- year AE floodplains, floodways, A flood zones, and 500-year non-regulated flood zones.

STAFF RECOMMENDATION: Approval

DISCUSSION ITEMS:

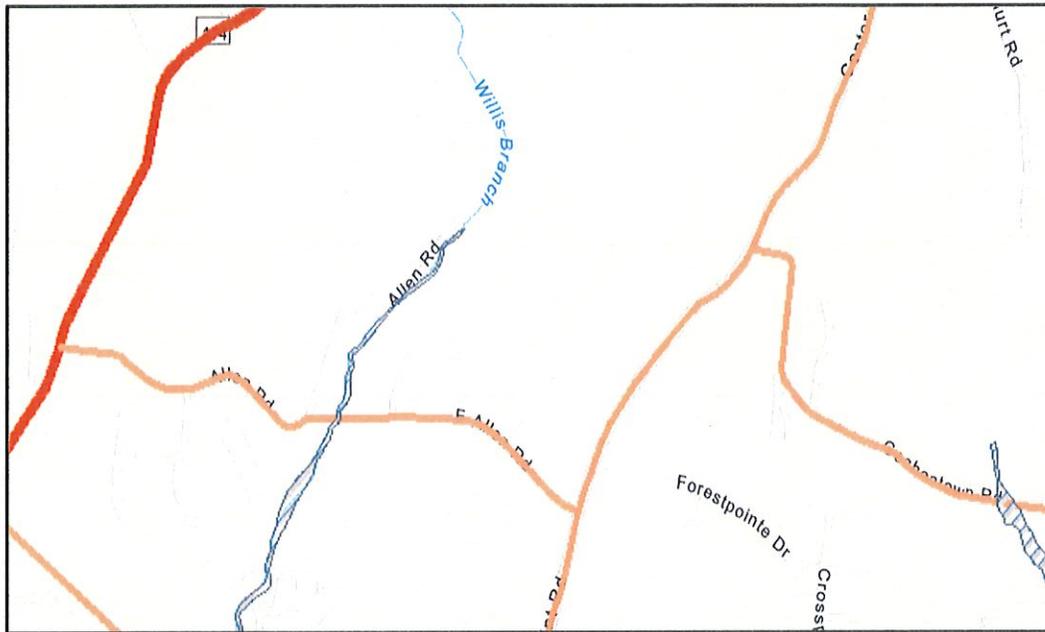
Allen Road Classification- Major Thoroughfare Plan

-Sumner County Planning contacted staff about the City’s Major Thoroughfare plan including the designation of Allen Road. The County Major Roadway Thoroughfare plan and City of Hendersonville’s plan both detail an East Allen Road and Allen Road connection and minor collector roadway status. The City’s Thoroughfare plan designates Allen Road as a local city street without a planned connection to East Allen Road. City Fire Department Staff have discussed the need for a connection for a future emergency access connection due to the length of Allen Road without a second outlet. Staff requests discussion to determine the need for an amendment to the City’s Major Thoroughfare Plan to reclassify Allen Road and connection to

East Allen Road. The City's Subdivision Regulations define a collector street as a major public street intended to move traffic from local streets to arterial routes. Collector streets serve a neighborhood or large subdivision(s) and normally have an average daily traffic count ranging from 1,001 to 3,000.

Sumner County Major Thoroughfare Plan- Per Web-site:

Allen Road Connection to East Allen Road



Dry Creek Commons-Dry Creek Road- Amenity Facility

Staff received a request from the Dry Creek Commons developer to change the planned amenity to be installed in the second phase of the project from a kid's playground facility to a dog park. The Planning Commission with planned unit development master plan projects reviews and approves the amenity facilities. The project includes seventy-nine (79) townhouse units.

Public Forum on Planning Related Topics

Agenda Items: **Davidson County/Sumner County**

Planning Commission Training Session: Residential Design Standards (30 Minutes)



CITY OF GOODLETTSVILLE
COMPREHENSIVE LAND USE PLAN
AMENDMENT#3 October 2020

PROPOSED AMENDMENT DESCRIPTION

Land Use Classification: Regional Center Commercial

Intended Zoning Classification: CPUDL, Commercial Planned Unit Development Limited and HDRPUD, High Density Residential Planned Unit Development including the density provision for commercial centers. The ideal land use property zoning classification due to the complex development and redevelopment administration process would be a new Zoning Ordinance section for a Regional Center Development Zoning Classification. The new zoning classification would permit mixed use commercial and residential uses at a higher density and intensity of development associated with an urban center. The Regional Center Zoning Classification would support both higher and lower intensity redevelopment classifications as detailed per this amendment.

Definition of Commercial Type- Regional Center

Areas including commercial and residential mixed uses located on and serviced by major national (I-65) and regional (Vietnam Veterans Boulevard/SR 386, Hwy 31E, Rivergate Parkway, and Conference Drive) transportation routes including corridor routes planned for future transit connections. Such areas include mixed use and mixed intensity residential and commercial centers with commercial facilities but excluding any conflicting industrial uses and facilities. The higher intensity section would include increased development density and building heights than the defined lower intensity section. The lower intensity section would include building heights in the range of five (5) stories to seven (7) stories and residential densities per the existing High Density Residential Planned Unit development provisions for a commercial center area. The areas would include transitional zones to adjacent developed areas regarding reductions in building heights and building mass and scale for consistency with the surrounding existing developed areas. The areas would include strong pedestrian oriented streetscape site and buildings designs and recreational open space facilities with parking and service oriented facilities to the back of buildings and sites.

Intended Future Development and Redevelopment Designs and Administration Process:

- Higher Intensity Regional Mixed Use Center including the east side of Rivergate Parkway from RiverGate Mall to Conference Drive and Vietnam Veterans Boulevard/SR 386.
- Lower Intensity Regional Mixed Use Center including the west side of Rivegate Parkway to Wren Road including properties between Glancy Street and the railroad tracks. The lower intensity area would also include the Wade Circle area.

-Mixed use residential and commercial center for various residential types, entertainment, retail sales and services, hospitality and restaurants, professional and medical offices and clinics, research and development, educational facilities but exempting conflicting industrial type facilities

-Higher intensity area to support increased densities and building heights in the range of ten (10) stories subject to available fire protection equipment, water supply, and site access with edge transition zones for reduced building heights, mass, and scale for consistency with the surrounding existing developed areas.

-Lower intensity area consistent with current zoning regulations for commercial centers but building heights could be increased up to a range of five (5) to seven (7) stories.

-Building and site designs incorporating varied architectural features to limit building mass and scale with defined outdoor use areas for an integrated, identifiable, and lively urban center design

-Strong pedestrian oriented street and development design including buildings fronting sidewalks and usable outdoor area with links to adjacent areas including but not limited to a separate and protected pedestrian connection across Rivergate Parkway

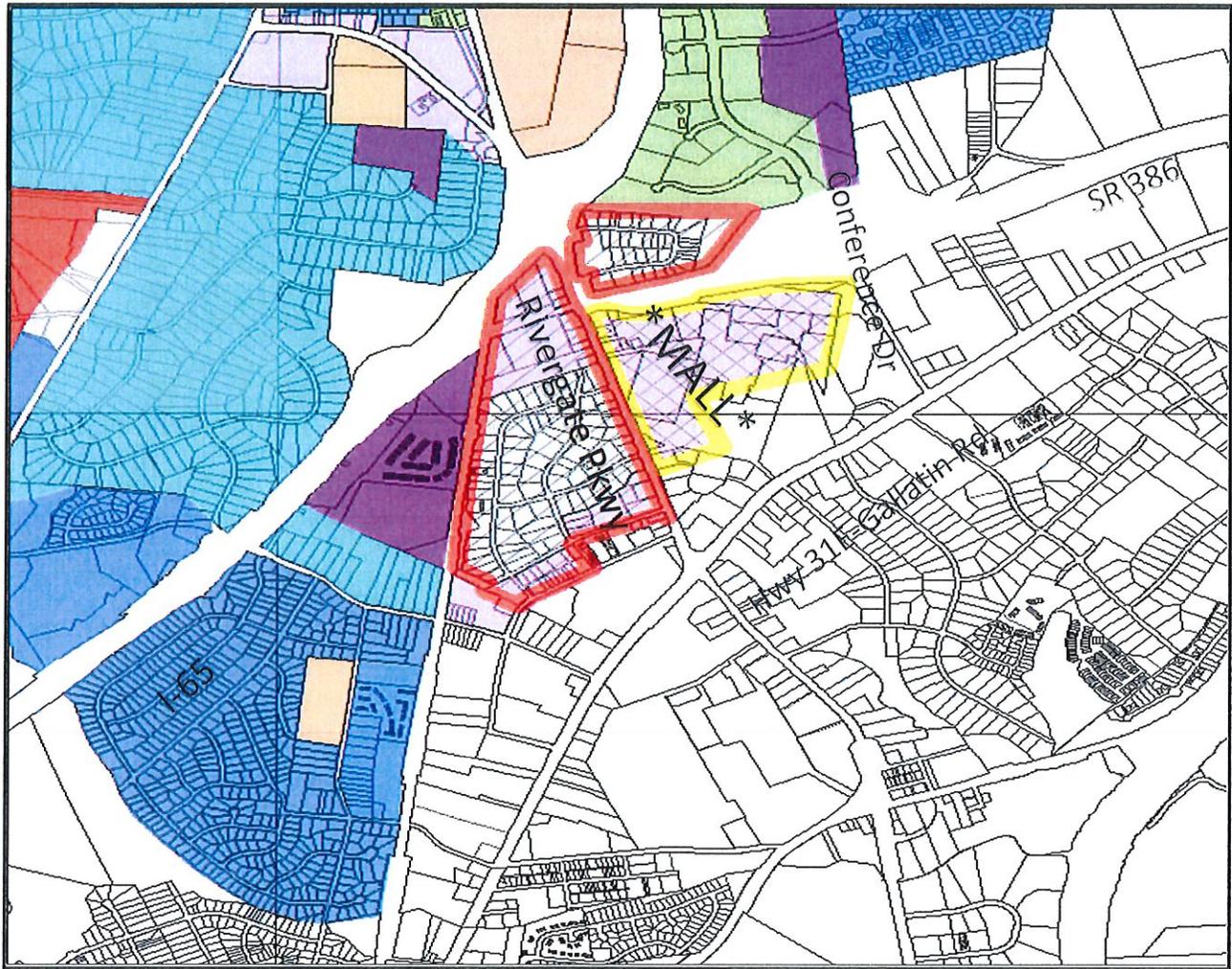
-Interconnected street grid system for center access and service vehicles with non-street parking and all service oriented facilities oriented to the back of buildings and sites and internal service drives. Interconnected street grid systems including a connected frontage road along the west side of Rivergate Parkway

-Master Plan oriented zoning and plan review and approval administration process that would allow complete or phased redevelopment process

-Public and private open space facilities including potential areas for city park dedications for use by residents, employees, and visitors of the center

Basis for Amendment:

- Goodlettsville Retail Development Strategy Plan
- Goodlettsville Bike and Pedestrian Plan including new facility connections
- Goodlettsville RiverGate Area Land Use Study
- Coordination with the Nashville Next General Plan- Madison Community Plan
- Transportation Center with national and regional transportation center I-65, Vietnam Veterans Boulevard/ SR 386, Conference Drive, Rivergate Parkway, and Gallatin Road/Hwy 31E
- Planned Transit Options along Gallatin Road/Hwy 31E and SR 386
- City's Long-Term Financial Sustainability with Expansion of Sales Tax
- City's Long-Term Financial Sustainability with Expansion of Property Tax with High Quality Commercial and Residential Developments
- Promotion by the City's Economic Development and Marketing Director



CURRENT LAND USE CLASSIFICATION



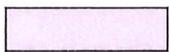
RESIDENTIAL CONSERVATION HIGH DENSITY



RESIDENTIAL CONSERVATION LOW DENSITY



RESIDENTIAL CONSERVATION MEDIUM DENSITY



COMMERCIAL CONCENTRATION



COMMERCIAL DEVELOPMENT



OFFICE DEVELOPMENT



INDUSTRIAL GENERAL



PROPOSED LAND USE CLASSIFICATION
REGIONAL CENTER HIGH INTENSITY



REGIONAL CENTER LOW INTENSITY



Department of Planning and Codes/Building Safety

August 20, 2020

The City of Goodlettsville Planning Commission on Monday October 5, 2020 at 5 pm will review an amendment to the City's Comprehensive Land Use plan. A public hearing will be available for any comments or questions on the amendment. The proposal is to create a Regional Center Designation along Rivergate Parkway per the attached map.

The proposal is not a property rezoning proposal and no development plans have been submitted for this area. The Comprehensive Land Use plan is the City's guide for future growth and development and provides the basis for all property rezoning changes including any future development proposals for this area.

The meeting will be held in the Goodlettsville City Hall- Massie Chambers at 105 S. Main Street.

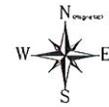
Sincerely,

Addam McCormick
City of Goodlettsville Planning Department
(615) 851-2202 /amccormick@goodlettsville.gov

CITY OF GOODLETTSVILLE, TENNESSEE

Land Use Plan

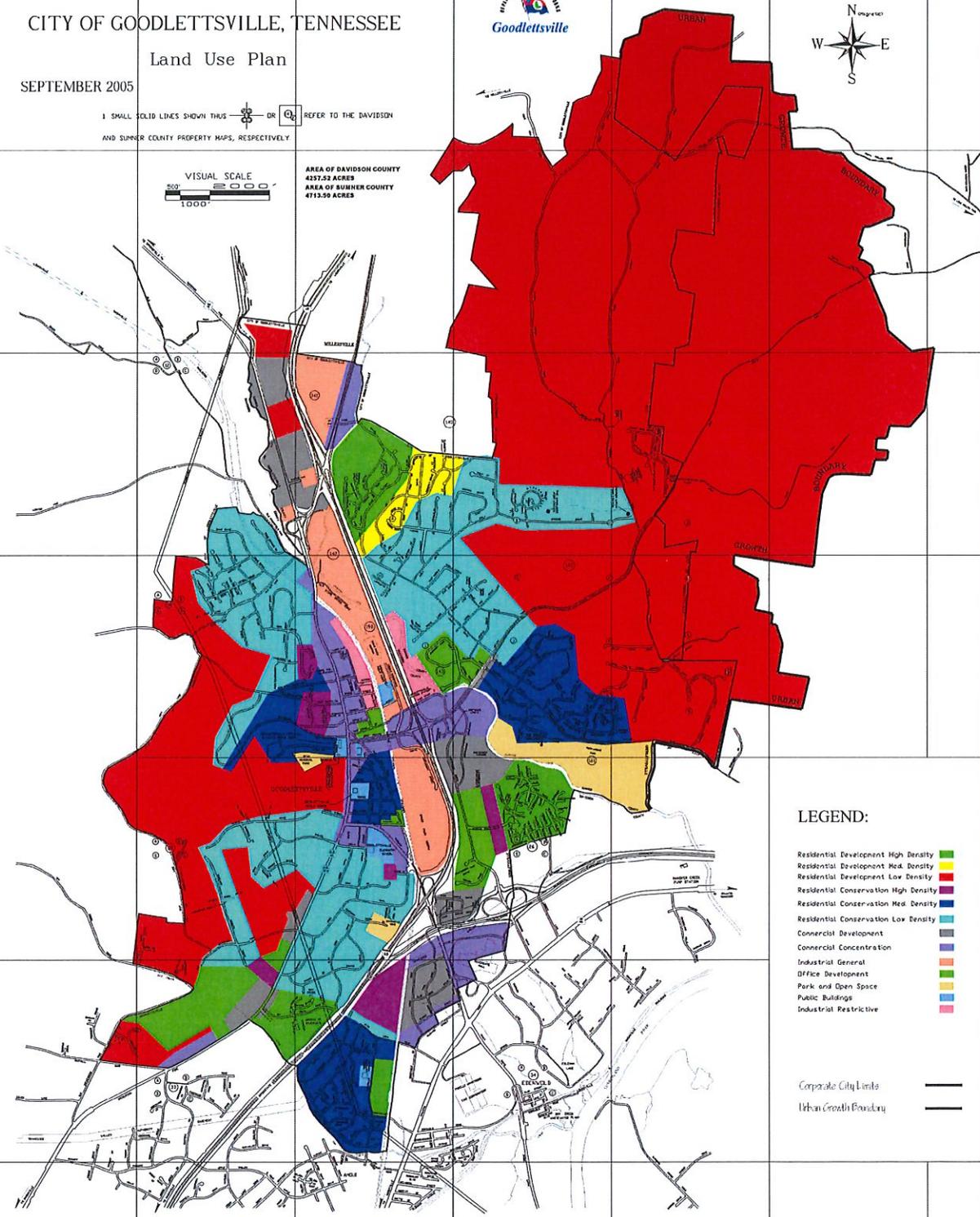
SEPTEMBER 2005



1 SMALL SOLID LINES SHOWN THUS  OR  REFER TO THE DAVIDSON AND SUMNER COUNTY PROPERTY MAPS, RESPECTIVELY.



AREA OF DAVIDSON COUNTY
4322.52 ACRES
AREA OF SUMNER COUNTY
4713.59 ACRES



LEGEND:

- Residential Development High Density 
- Residential Development Med. Density 
- Residential Development Low Density 
- Residential Conservation High Density 
- Residential Conservation Med. Density 
- Residential Conservation Low Density 
- Commercial Development 
- Commercial Concentration 
- Industrial General 
- Office Development 
- Park and Open Space 
- Public Buildings 
- Industrial Restrictive 

- Corporate City Limits 
- Urban Growth Boundary 

City of Goodlettsville Comprehensive Land Use Plan (Sections)

GENERAL GOALS

The following listing of general goals provides overall direction to the land use policies and to the decision-making process.

- * Preserve the separate and unique identity of the City of Goodlettsville.
- * Provide a high level of public services for the citizenry.
- * Preserve the stability, integrity, and property values of viable residential neighborhoods.
- * Promote high quality commercial and industrial development.
- * Encourage and promote overall community beautification.
- * Encourage and promote redevelopment and beautification of business areas along Main Street.
- * Preserve the floodplains and steep slopes in a natural open space setting.

C. COMMERCIAL DEVELOPMENT POLICIES

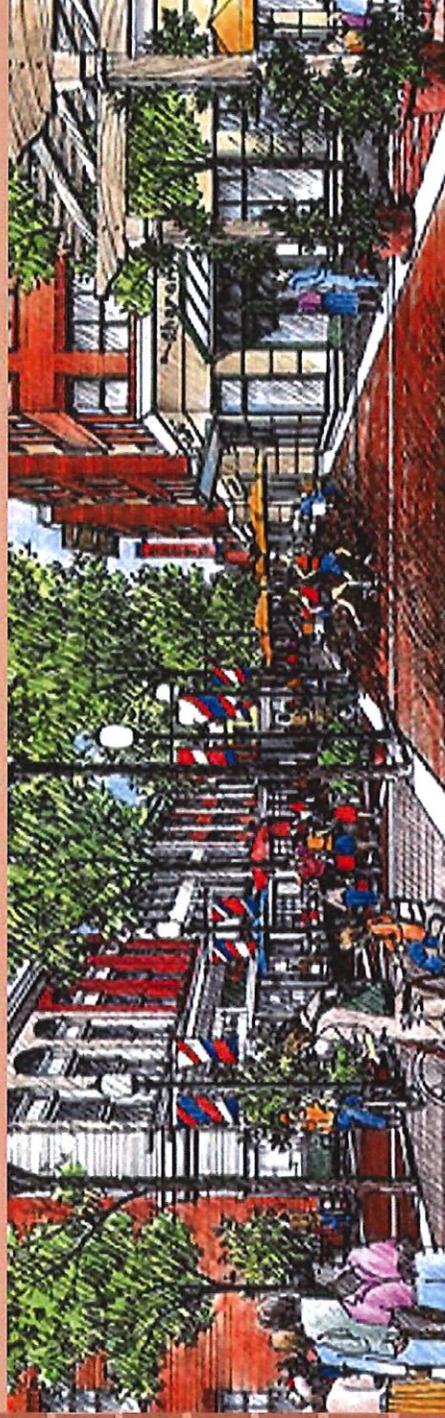
If growth in the city and the adjoining urban area continues as expected, demands for commercial development will increase as well. Due to the fact that the "mall area" (defined as the area of intense retail development including Rivergate Mall and other developments in the immediate area, both in and out of the city) serves a large regional market, the City of Goodlettsville is impacted by regional trends and activities in a much wider geographical area. Such regional impact has resulted in the phenomenal commercial growth of the last fifteen years and a steady growth of population in the city. It is important, therefore, to formulate policies to accommodate the orderly expansion of commercial areas while reducing the adverse impact that such development can bring. Additionally, these policies should recognize the implication of specific types of commercial uses on adjacent property and on overall community development. Improper siting of commercial activities generally causes incompatible land use relationships, congestion, noise, and other blighting influences.

Areas of **commercial concentration** are also located on major streets and at the intersections thereof. Such areas include small shopping centers (e.g. Goodlettsville Plaza) as well as regional malls (Rivergate Mall) and all of the associated businesses that locate around these retail centers. Major commercial concentrations, due to the large amount of traffic they generate, require accessibility from major roads and a location which provides the basic urban infrastructure.

Areas of **commercial development** are those locations where new commercial development is occurring on vacant land or where land use transitions are encouraged. The transition period will be characterized by a residential area which is obsolete or has been severely impacted by other development and new development is encouraged. Mixed land use activities will occur until transition is complete and all developable land occupied.

Rivergate Area Land Use Study

Executive Summary



submitted to
City of Goodlettsville

submitted by
Parsons Brinckerhoff
strategy
Bill Terry & Associates

April 2008



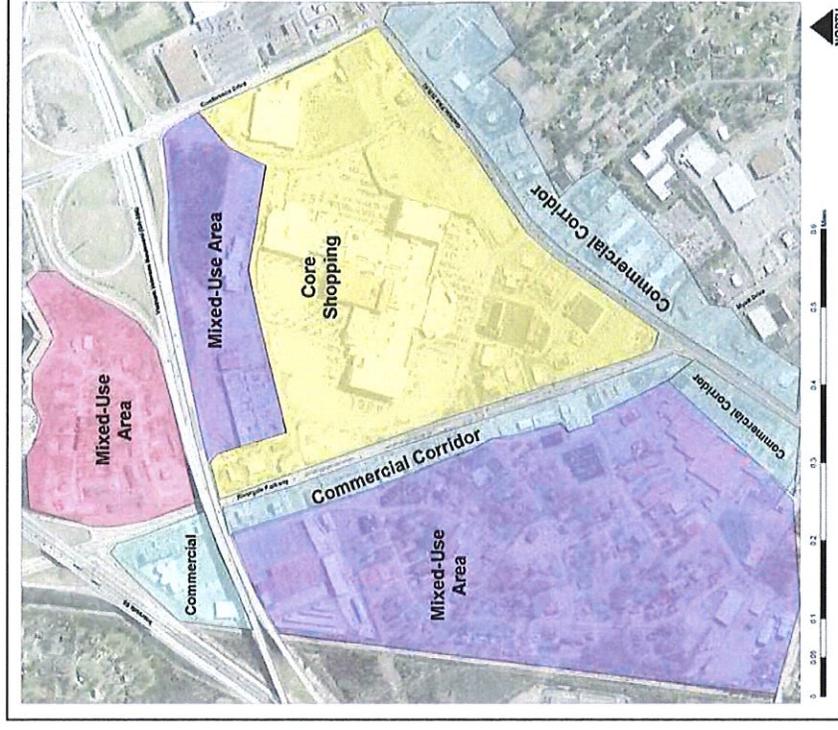
Rivergate Area Land Use Study

“THE DISTRICT” RECOMMENDATIONS

The culmination of the study process is a series of recommendations designed to refocus energy and investment into the Rivergate area. The key element of the recommendations is the development of a “Rivergate District”. The “District” will unite the area both physically and economically. There are a range of elements that will collectively provide shape to the District.

Key recommendations to carry out the vision include:

- Establish a Central Business Improvement District in accordance with Tennessee State Statute.
- Develop a strong visual identity for the District with a logo, graphic icons, signage and entryways.
- Adopt an Urban Design Overlay for the Rivergate District.
- Develop a marketing plan in cooperation with the Rivergate Mall and local merchants.
- Market sites to developers through tools such as Onvia On Demand, RFP Depot and outreach by Economic Development Director.
- Provide initial public investment in infrastructure.



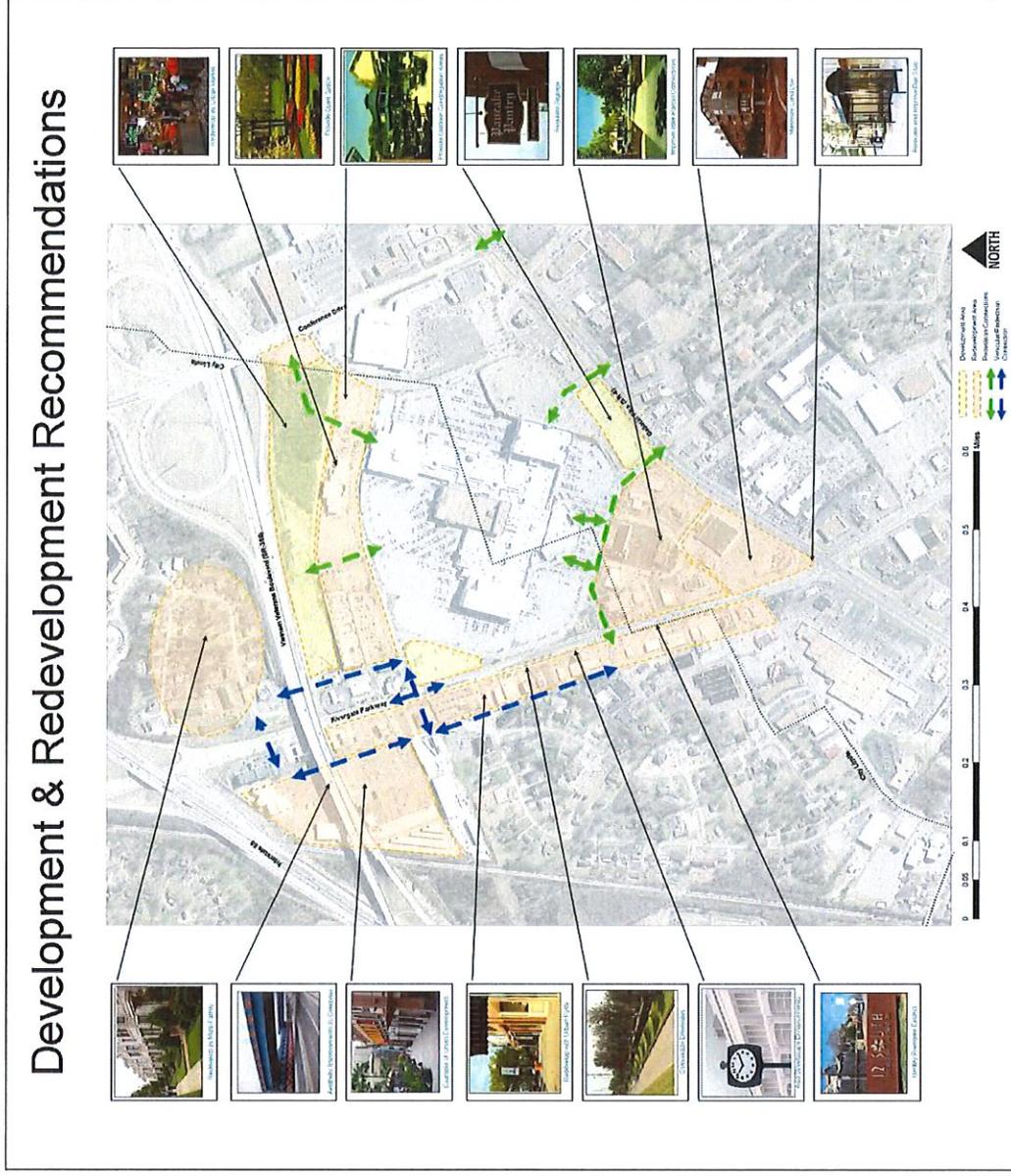


Rivergate Area Land Use Study

DEVELOPMENT & REDEVELOPMENT RECOMMENDATIONS

The following graphics represent the major physical improvement recommendations.

- Key recommendations include:
- Develop and adopt an Urban Design Overlay for the Rivergate District.
 - Prepare mixed-use/small area plan for the Wade Circle neighborhood.
 - Develop/redevelop parcels between Vietnam Veterans Boulevard and Rivergate Mall as an urban market and public gathering place.
 - Make aesthetic improvements to Vietnam Veterans overpass.
 - Develop small area plan for the properties located underneath the overpass.



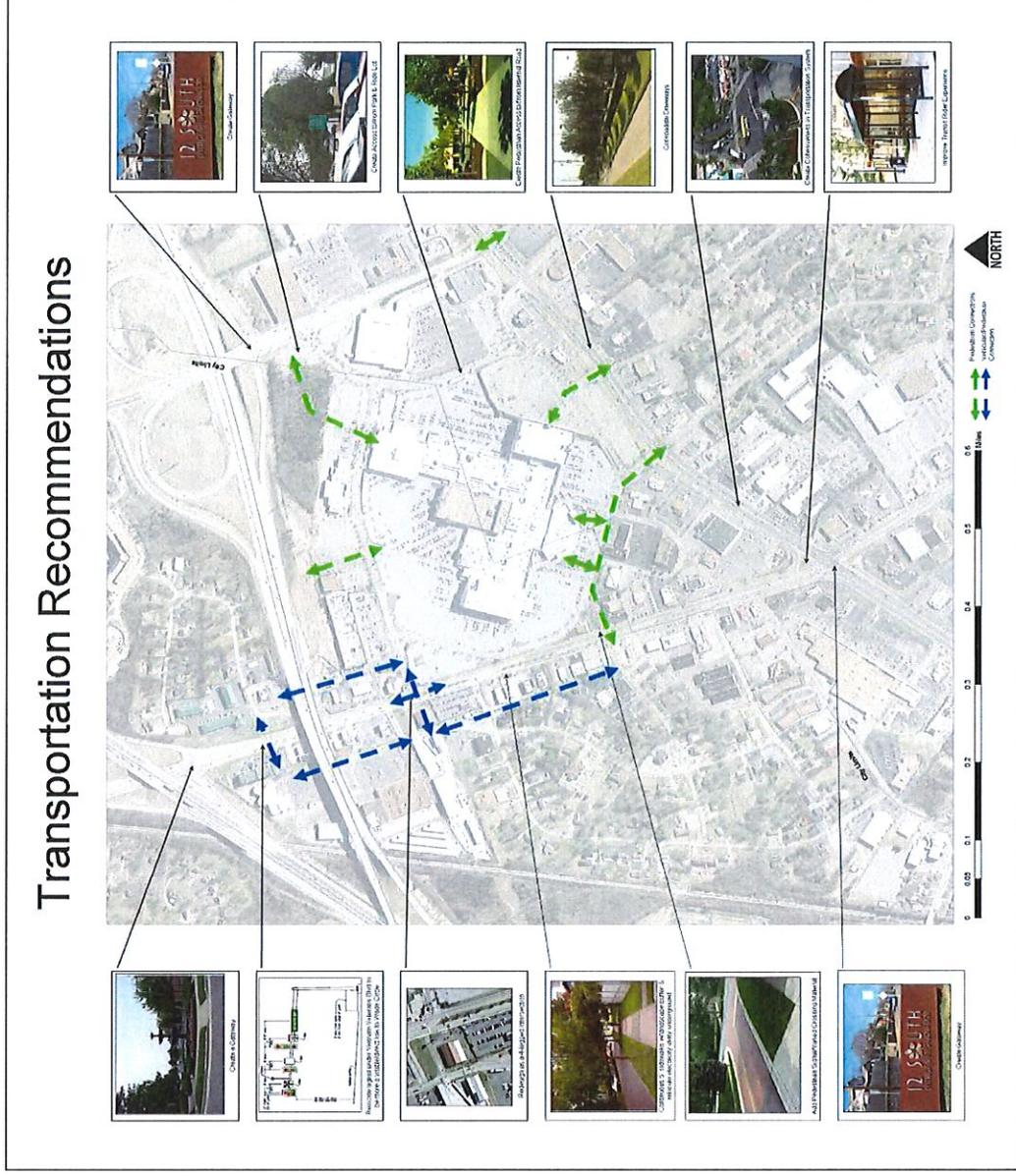


Rivergate Area Land Use Study

TRANSPORTATION RECOMMENDATIONS

Key recommendations include:

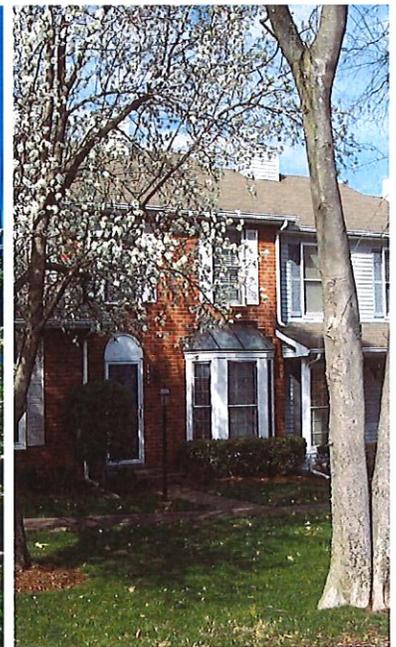
- Create a 4-way intersection at Rivergate Drive and Rivergate Parkway.
- Improve the pedestrian and bicycle network.
- Establish a rear access road behind Rivergate Parkway properties.
- Consolidate driveways along Rivergate Parkway and Gallatin Road.
- Study feasibility of relocating traffic light at Wade Circle from underneath overpass.
- Establish Gateways at:
 - I-65 & Rivergate Parkway;
 - Gallatin Road & Rivergate Parkway;
 - Conference Drive and Vietnam Veterans Boulevard; and
 - Conference Drive and Gallatin Road.



A General Plan for Nashville & Davidson County

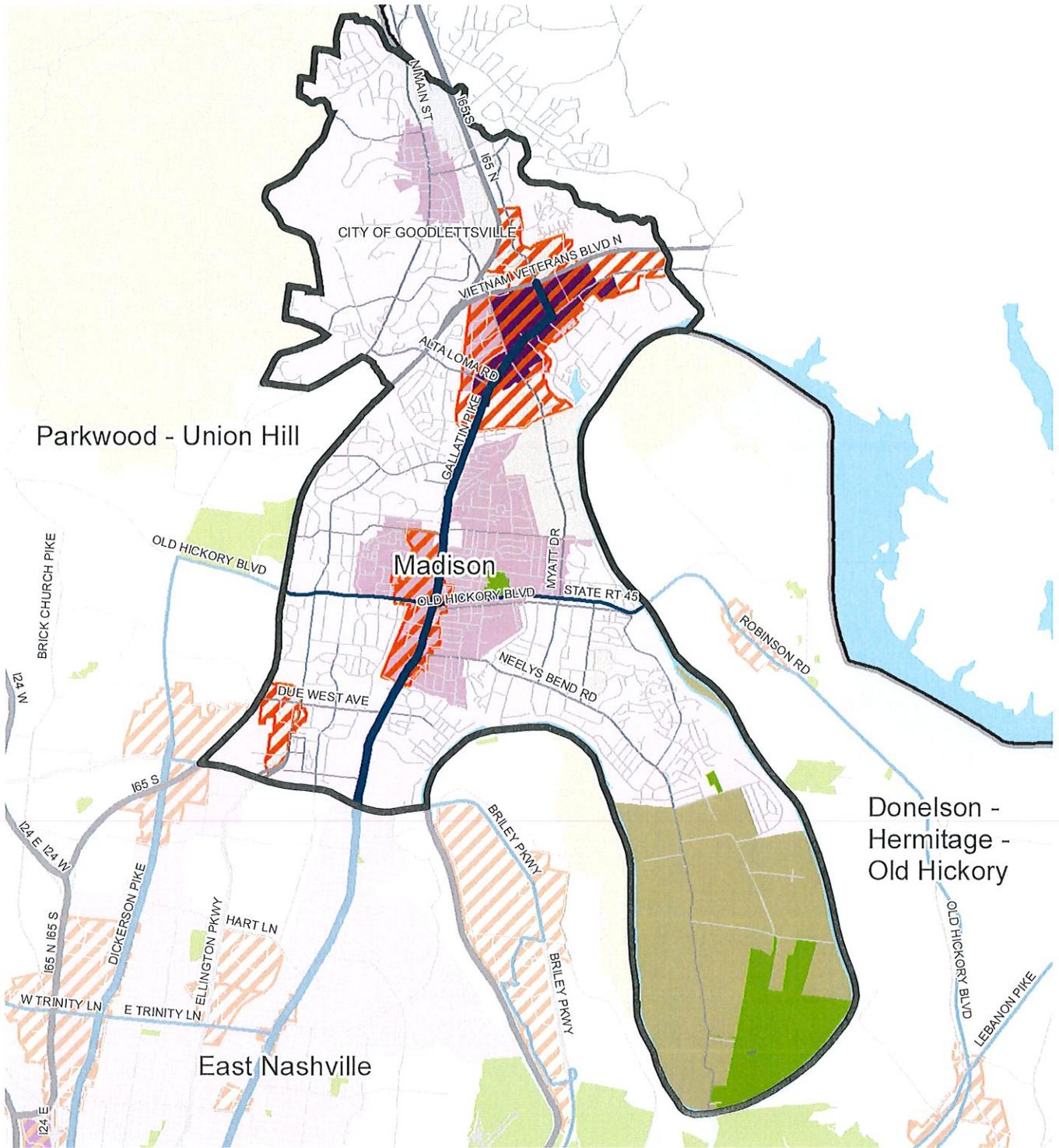
Adopted June 22, 2015
Amended August 24, 2017

Volume III: Community Plans



Madison

Figure M-2: The Transect
 Madison detail



Transects Legend

- | | | | |
|--|--|--|--|
|  Centers |  Immediate Need |  T1 Natural |  T5 Center |
|  Subarea Boundaries |  Long-Term Need |  T2 Rural |  T6 Downtown |
|  Anchor Parks |  T3 Suburban |  T4 Urban |  D District |
| | | |  Water |



Community Character Policy Map: Madison

Community Character Policies

- | | | | |
|--------------------------------------|---|-------------------------------------|------------------------------------|
| Supplemental Policy Areas | T3 NM Suburban Neighborhood Maintenance | T4 MU Urban Mixed Use Neighborhood | D IN District Industrial |
| CO Conservation | T3 NE Suburban Neighborhood Evolving | T4 CC Urban Community Center | D MI District Major Institutional |
| CI Civic | T3 RC Suburban Residential Corridor | T5 MU Center Mixed Use Neighborhood | D OC District Office Concentration |
| OS Open Space | T3 NC Suburban Neighborhood Center | T5 RG Regional Center | Water |
| TR Transition | T3 CM Suburban Mixed Use Corridor | T6 DN Downtown Neighborhood | |
| T1 OS Natural Open Space | T3 CC Suburban Community Center | T6 CP Downtown Capitol | |
| T2 RA Rural Agriculture | T4 NM Urban Neighborhood Maintenance | T6 DC Downtown Core | |
| T2 RCS Rural Countryside | T4 NE Urban Neighborhood Evolving | T6 SB Downtown Second and Broadway | |
| T2 RM Rural Maintenance | T4 RC Urban Residential Corridor | D DR District Destination Retail | |
| T2 NM Rural Neighborhood Maintenance | T4 NC Urban Neighborhood Center | D EC District Employment Center | |
| T2 NC Rural Neighborhood Center | T4 CM Urban Mixed Use Corridor | D I District Impact | |

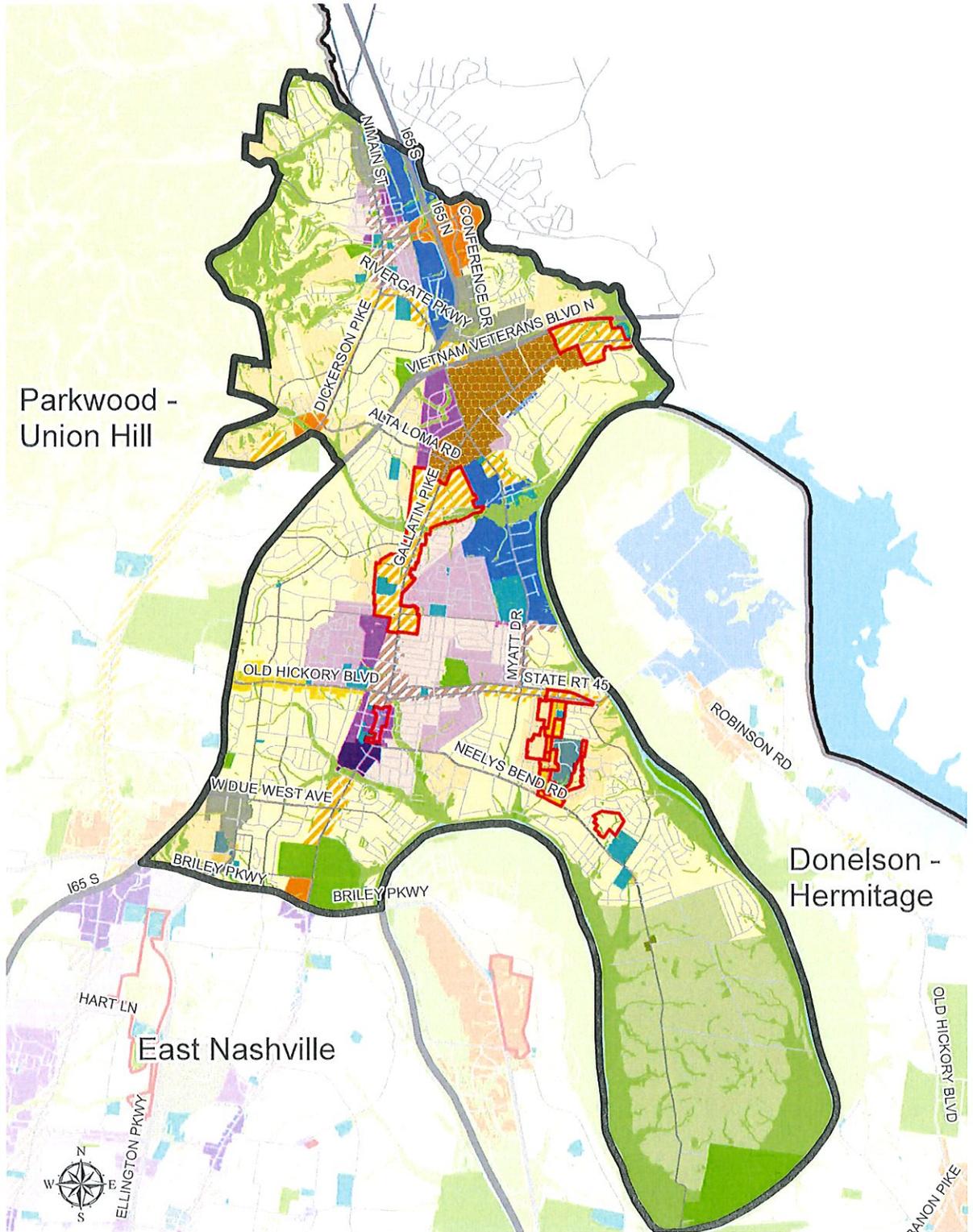


Figure M-4: Community Character Policy Map

The Transect

Planning in Nashville has, for many years, used the “Transect,” which is a system for categorizing, understanding and guiding the various development patterns of a region, from the most rural to the most urban. The Transect calls for all elements of the natural and built environment to be consistent with the character of the Transect category within which they are located. Figure M-3 illustrates the range of categories in a general Transect.

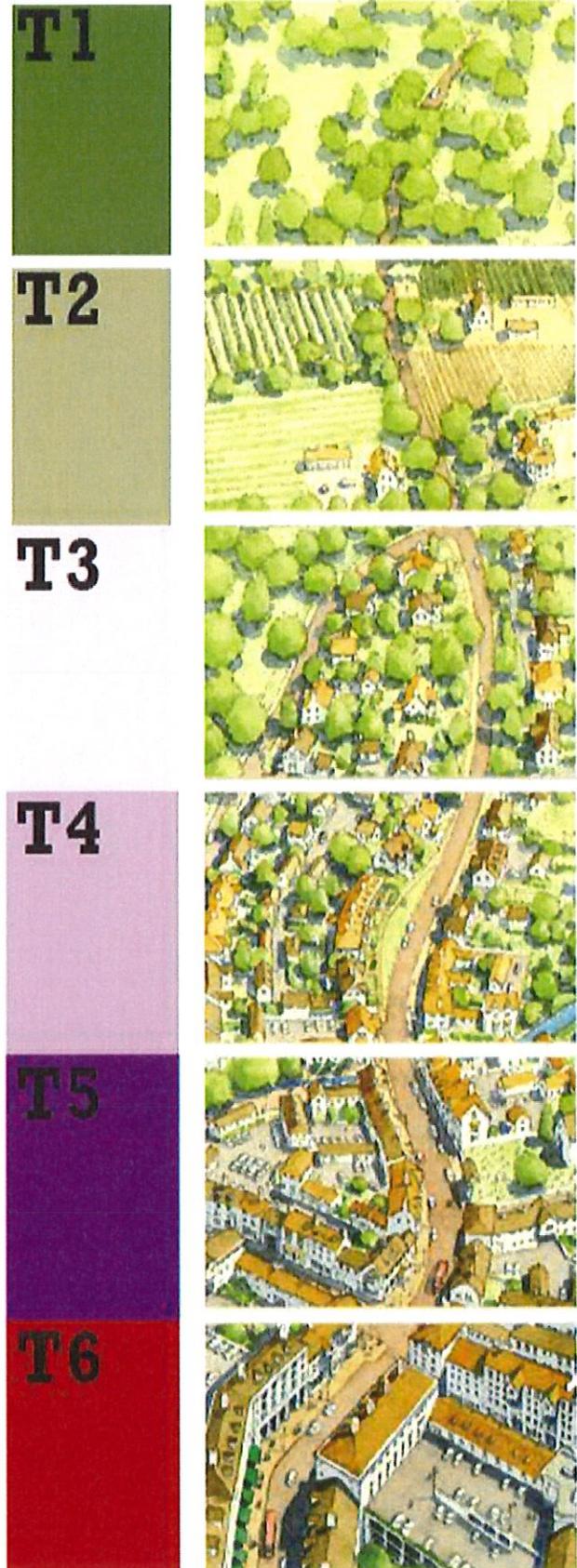
The Nashville/Davidson County Transect consists of seven categories of natural and built environments. Each category is listed below with its presence in Madison:

- T1 Natural – Includes Peeler Park.
- T2 Rural – Includes lower Neely’s Bend.
- T3 Suburban – Includes neighborhoods in Madison and Goodlettsville.
- T4 Urban – Includes historic downtown Madison and the surrounding neighborhoods.
- T5 Centers – Includes RiverGate Mall and surrounding commercial development.
- T6 Downtown – Not present.
- D District – Includes Myatt Drive.

The Transect system is used to ensure diversity of development in Nashville/Davidson County. It recognizes that Neely’s Bend rural character is different than the suburban development pattern along Due West Avenue and in Goodlettsville, which is different from the urban neighborhood character of neighborhoods around Downtown Madison. Each development pattern is viable and desirable, but thoughtful consideration must be given to development proposals to ensure that these different forms of development are maintained. Figure M-2 shows the transect in Madison.

*Credit: Center for Applied Transect Studies
<https://transect.org/>*

Figure M-3: The Transect



substantially under-developed “greenfield” areas or to developed areas where redevelopment and infill produce a different character that includes increased housing diversity and connectivity. Successful infill and redevelopment in existing neighborhoods needs to take into account considerations such as timing and some elements of the existing developed character, such as the street network and block structure and proximity to centers and corridors.



T4 Urban Mixed Use Neighborhood (T4 MU) – Intended to maintain, enhance, and create urban, mixed use neighborhoods with a development pattern that contains a variety of housing along with mixed, use, commercial, institutional, and even light industrial development. T4 MU areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways, and existing or planned mass transit.



T4 Urban Neighborhood Center (T4 NC) – Intended to maintain, enhance, and create urban neighborhood centers that serve urban neighborhoods that are generally within a 5 minute walk. T4 NC areas are pedestrian friendly areas generally located at intersections of urban streets that contain commercial, mixed use, residential, and institutional land uses. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle, and vehicular connectivity.



T4 Urban Community Center (T4 CC) – Intended to maintain, enhance and create urban community centers that contain commercial, mixed use, and institutional land uses, with residential land uses in mixed use buildings or serving as a transition to adjoining Community Character Policies. T4 Urban Community Centers serve urban communities generally within a 5 minute drive or a 5 to 10 minute walk. T4 CC areas are pedestrian friendly areas, generally located at intersections of prominent urban streets. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle, and vehicular connectivity.



T4 Urban Residential Corridor (T4 RC) – Intended to maintain, enhance and create urban residential corridors. T4 RC areas are located along prominent arterial-boulevard or collector-avenue corridors that are served by multiple modes of transportation and are designed and operated to enable safe, attractive and comfortable access and travel for all users. T4 RC areas provide high access management and are served by moderately connected street networks, sidewalks, and existing or planned mass transit.



T4 Urban Mixed Use Corridor (T4 CM) – Intended to enhance urban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor, placing commercial uses at intersections

with residential uses between intersections; creating buildings that are compatible with the general character of urban neighborhoods; and a street design that moves vehicular traffic efficiently while accommodating sidewalks, bikeways, and mass transit.

T5 Center Transect



T5 Center Mixed Use Neighborhood (T5 MU) – Intended to maintain, enhance, and create high-intensity urban mixed use neighborhoods with a development pattern that contains a diverse mix of residential and non-residential land uses. T5 MU areas are intended to be among the most intense areas in Davidson County. T5 MU areas include some of Nashville’s major employment centers such as Midtown that represent several sectors of the economy including health care, finance, retail, the music industry, and lodging. T5 MU areas also include locations that are planned to evolve to a similar form and function.



T5 Regional Center (T5 RG) – Intended to enhance and create regional centers, encouraging their redevelopment as intense mixed use areas that serve multiple communities as well as the County and the surrounding region with supporting land uses that create opportunities to live, work, and play. T5 RG areas are pedestrian friendly areas, generally located at the intersection of two arterial streets, and contain commercial, mixed use, residential, and institutional land uses.

T6 Downtown Transect



T6 Downtown Capitol (T6 CP) – Intended to maintain and enhance the existing city, regional, and state civic buildings and the overall T6 CP area and create a vibrant mixture of supporting uses. The T6 CP area contains numerous civic facilities from the State Capitol and Metro City Hall to courts, museums, and theatres as well as various government offices in buildings ranging from historic buildings to modern skyscrapers. Amidst civic and government buildings are mixed use and residential buildings.



T6 Downtown Neighborhood (T6 DN) – Intended to maintain and create diverse Downtown neighborhoods that are compatible with the general character of surrounding historic developments and the envisioned character of new Downtown development, while fostering appropriate transitions from less intense areas of Downtown neighborhoods to the more intense Downtown Core policy area. T6 DN areas contain high density residential and mixed use development.

T5-RG

Center Regional Center

Policy Intent

Enhance or create regional centers, encouraging their development as intense mixed use areas that serve the region with supporting land uses that create opportunities to live, work, and recreate.

General Characteristics

T5 Regional Centers (T5-RG) are pedestrian-friendly areas, generally located at the intersection of two arterial boulevard streets, and contain commercial, vertical mixed use, residential, and institutional land uses and consist of the following characteristics:

- Serve communities within a reasonable driving distance or a five to ten minute walk but may contain uses that draw from a regional trade area;
- Intensity generally placed within boundaries not exceeding a half mile in diameter, and transitional uses placed within boundaries not exceeding one mile in diameter measured from the most prominent intersection;
- Mixed use, commercial, residential, and institutional buildings regularly spaced with buildings generally built to the back edge of the sidewalk and minimal spacing between buildings;
- Parking behind, beside, or beneath the building, or on-street;
- Consistent use of lighting and formal landscaping;
- Highly connected street networks, sidewalks, and mass transit leading to surrounding neighborhoods and open space; and
- Distinguishable boundaries identified by land uses, building types, building placement, and block structure.

EXAMPLES OF APPROPRIATE LAND USES*

- Mixed Use
- Commercial
- Office
- Residential
- Institutional

ZONING*

- RM20-A-RM60-A
- OR20-A, OR40-A, ORI-A
- OG
- MUG-A, MUI-A
- Design-based zoning

BUILDING TYPES*

- Low-Rise Townhouse
- Mid-Rise Townhouse
- Courtyard Flat
- Low-Rise Flat
- Mid-Rise Flat
- Low-Rise Mixed Use
- Mid-Rise Mixed Use
- High-Rise
- Stepped High-Rise
- Institutional

**Disclaimer: This information is provided as an aid for general reference and should not be construed as all data that may apply to each property. Users should independently verify the accuracy of the information.*

T5-RG

Center Regional Center

Application

T5-RG policy is applicable to areas that are zoned primarily commercial and mixed-use, where the primary land use is commercial and mixed-use, or that are envisioned to become primarily commercial, mixed use, and high-density residential. Their locations are such that intensification is supported by surrounding, existing, or planned residential development, adequate infrastructure, and adequate access such as arterial boulevard streets and freeway interchanges.

Commonly used boundaries to define T5-RG areas include, but are not limited to: boundaries defined by evolving or intended development patterns (considering lot size, mass, spacing, orientation of buildings, etc.), environmental features, human-made features (rail lines, major utility easements, prominent roads and streets), and transitional uses (open space, institutional, residential). The application and boundary delineation of this policy are established during the Community Planning process.

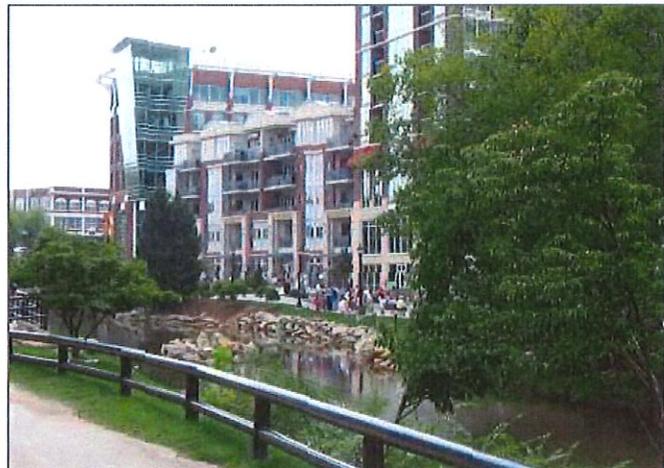
Design Principles

Building Form and Site Design

The building forms in terms of its mass, orientation, and placement are appropriate to the building and street type/size and are appropriate to the infrastructure to which the building has access.

Property consolidation to create larger development sites within T5-RG areas may be needed to achieve adequate dimensions for building and site design that is consistent with this policy category.

Building Type – A mix of building types is expected in T5-RG areas with preference given to mixed use buildings. These buildings use land efficiently and contribute to the vitality and function of the center by providing combined opportunities to live, work, and shop and by supporting both consumer business viability and



High lot coverage and a strongly articulated facade

the feasibility of public investments such as sidewalks and transit. Commercial, office, institutional, and multifamily residential buildings are also found within T5-RG areas.

Massing – The massing of non-residential buildings results in a footprint with moderate to high lot coverage, with a maximum total first-floor tenant space of no more than 60,000 square feet. Additional individual first-floor tenant space square footage may be considered in cases of exceptional development design that is especially attentive to:

- Strongly articulating the façade of large buildings and including such elements as windows and doors;
- Placing the parking in a manner that breaks up large expanses of pavement, provides safe pedestrian movement, and deters speeding vehicles;
- Orienting the large buildings and using smaller buildings to frame the large building all in a manner that creates a town center environment that serves as a destination within the center; and
- Providing one or more areas of publicly accessible, usable, and inviting open space within the development.

The massing of residential buildings results in footprints with moderate lot coverage.

T5-RG

Center Regional Center

Orientation – Mixed-use and non-residential buildings, including entrances, are oriented to the street. The street wall is articulated, especially for longer building façades. Orienting buildings to parking is discouraged.

Residential buildings are oriented to the street or an open space. Types of open spaces may vary and could include courtyards or other types of functional and accessible open spaces.

Developments at intersections are oriented so that buildings, including their main entrances, face the highest-order street at the intersection.

Uses that include outside storage or parking provide knee walls or other design features to separate the public and private realms.

Setbacks – For mixed-use, office, and commercial buildings, the front building façade is built to the back edge of the sidewalk so that it engages the public realm and creates a pedestrian-friendly environment. Exceptions may be made to accommodate outdoor dining, art, or retail display. With these exceptions, the building may be required to include at least a portion of the building façade to be built to the sidewalk. Setbacks for residential buildings are shallow and regular, providing some distinction between the public realm of the sidewalk and the private realm of the residence. Within this setback, stoops are common to provide for some interaction between the public and private realm and for a pedestrian-friendly environment. There is minimal spacing between buildings.

Development within the transitions along side streets that are between the T5-RG and adjacent policy areas does not inhibit or discourage redevelopment of the properties on the higher-order street.

Building Height – Mixed-use, non-residential, and residential buildings rise up to 15 stories in height, unless a mandatory Urban Design Overlay is in place with appropriate design standards to ensure a pedestrian-friendly, cohesive development pattern that



Building facade at the edge of the sidewalk to engage the public realm and create a pedestrian-friendly environment

transitions in height to the adjacent neighborhoods. The appropriate height is based on the building type, location, architectural elements, and surrounding context.

Consideration of taller heights is based on the following factors:

- Proximity to other Community Character Policies and the role of the building in transitioning between policies (see below for further details on transitions);
- Planned height of surrounding buildings and the impact on adjacent historic structures;
- Contribution that the building makes to the overall fabric of the center in terms of creating pedestrian-friendly streetscapes, plazas and open space, public art, innovative stormwater management techniques, etc.;
- Proximity to existing or planned transit, with increased height benefits for areas within 0.25 mile of a High Capacity Transit station;
- Relationship of the height of the building to the width of the street and sidewalks, with wider streets and sidewalks generally corresponding to taller building heights;
- Prominence of the street or intersection on which the building is located, with locations at or within a few hundred feet of the highest-order intersection in the center being favored for taller buildings;

T5-RG

Center Regional Center

- Capacity of the block structure and rights-of-way to accommodate development intensity;
- Proximity to existing or planned transit;
- Use of increased building setbacks and/or building setbacks to mitigate increased building heights;
- Topography;
- Ability to provide light and air between buildings and in the public realm of streets, sidewalks, internal walkways, multi-use paths, and open spaces; and
- Extent to which affordable or workforce housing as defined in the Glossary of this document is provided by the development.

Landscaping – Landscaping is formal. Street trees and other plantings are appropriate. In surface parking lots, landscaping in the form of trees, shrubs, and other plantings are provided. Nonresidential uses and surface parking lots are buffered when they abut residential development.

Landscaping or structural treatments such as walls are used to screen ground utilities, automobile related uses, meter boxes, heating and cooling units, refuse storage, and other building systems that would be visible from public streets. Fencing and walls that are along or are visible from the right-of-way are constructed from materials that manage property access and security while complementing the surrounding environment and furthering Community Character Manual and Community Plan urban design objectives. Consideration is given to the use of native plants and natural rainwater collection to minimize maintenance costs and burden on infrastructure.

Parking – Parking is provided on-street or on-site in structures or surface lots. Structured parking hidden from view with liner buildings is preferred. Whether structured or surface, parking is located behind, beside, or beneath the primary building with one row of parking allowed between all buildings (including outparcels) and the street. If parking is located in front of the primary



Range in building height in a Center

building, then the parking is screened from the primary street(s), by buildings on outparcels, which are oriented to face the primary street with setbacks and spacing that create a street wall that fosters a pedestrian-friendly environment. Parking beside the building is designed to cause minimal disruption to the way the buildings frame the street and create a pedestrian-friendly environment.

An exception is made for automobile-related uses such as vehicle sales lots. These may have more parking or outside storage in front of structures provided design techniques are used that effectively separate the private and public realms. An example of such a technique would be a knee wall.

T5-RG

Center Regional Center

Surface parking is divided into sections by landscape islands and internal street networks designed to allow future development or infill as a street with buildings lining it. In all cases, parking is screened from view of the street and from view of abutting residential properties.

On-street parking offsets parking needs and creates a buffer between the street and the pedestrian. When establishing parking quantities, other design principles are not compromised. Shared parking is encouraged. Bicycle parking is provided.

Signage – Signage alerts motorists, pedestrians, and cyclists to their location and assists them in finding their destination in a manner that is not distracting or overwhelming to the Center or the streetscape.

The design and location of signage complement and contribute to the envisioned character of the T5-RG area. Signage is generally scaled for pedestrians, and building-mounted signs, projecting signs, or awning signs are appropriate. In rare occasions, based on the use and classification of the street, signage scaled for vehicles may be appropriate. In that case, monument signs are appropriate and are consolidated to the greatest extent possible.

Transitioning

Higher Intensity – Buildings at the edges of T5-RG areas form transitions in scale and massing where it adjoins lower-intensity Community Character policy areas, with thoughtful attention given to the placement and orientation of buildings within these edges as they relate to their surroundings. Implementation through rezoning occurs as proposals as judged on their merits and ability to meet the goals of the Community Plan. Buildings at the edges of T5-RG areas:

- Step down in height as they move closer to adjacent lower-intensity areas. This may require different heights within an individual structure and/or more varied building types;
- Avoid placing parking garage entrances and unlined parking structures opposite lower-intensity areas;



Parking located to the side and screened from the street

- Respond to differences in topography to avoid buildings that loom over lower-intensity buildings at lower elevations;
- Are oriented so that there is a back-to-back relationship between the higher-intensity buildings and lower-intensity buildings;
- Are separated from lower-intensity areas by rear alleys or service lanes; and,
- Pay particular attention to articulating façades that face lower-intensity Community Character policy areas.

Connectivity

Access – T5-RG areas are generally located on prominent thoroughfares intended to move vehicular traffic efficiently while accommodating sidewalks, bikeways, and transit. Access may be provided from an arterial boulevard or collector avenue, but is consolidated to the highest extent possible along main thoroughfares to avoid multiple curb cuts and pedestrian, bicyclist, and vehicular conflict points. All other access is provided by side streets, alleys, or service lanes. Access into developments is aligned, where applicable, with access for development across the street. Cross access between multiple developments within T5-RG areas is required. Coordinated access and circulation create a center that functions as a whole instead of as separate building sites. Access is designed to be easily crossed by pedestrians.

T5-RG

Center Regional Center

Block Length – Blocks are linear with short distance between intersections.

Pedestrian/Bicycle – Pedestrian and bicycle connectivity to surrounding neighborhoods, corridors, existing or planned transit, and open space is high and is provided in the form of sidewalks and bikeways. Pedestrian connectivity within T5-RG areas is high in order to allow pedestrians to park and walk from building to building. Sidewalks are present, and crosswalks are provided at intersections, across parking lots, and at vehicular access points and are clearly marked to distinguish the pedestrian zone from the vehicular zone.

Vehicular – Vehicular connectivity to surrounding neighborhoods, corridors, and open space is high. The T5-RG area is generally located at an intersection of two arterial boulevards. Connectivity within the T5-RG area is provided through coordinated access and circulation, which may include the construction of new streets, drives, and alleys.

Transit – Access to mass transit is provided, is located near easily accessed areas of the T5-RG area and allows for additional coordination with sidewalks and bikeways. Development provides facilities to accommodate mass transit in the form of transit shelters and street cross sections that can accommodate transit stops.

Zoning

The following is a list of zoning districts that may be appropriate within a given T5-RG area subject to the applicant's ability to prove that the requested zoning district is consistent with the other provisions of T5-RG policy that are detailed above. The size of the site, environmental conditions on and near the site, and the character of adjacent Transect and Community Character policy areas will be considered. Another factor that will be considered is whether there is potential to redevelop sites that are not consistent with T5-RG policy in a manner that brings them closer to conforming to the policy. These situations may warrant the use of zoning districts that might not otherwise be considered appropriate.

- RM20-A-RM60-A
- OR20-A, OR40-A, ORI-A
- OG
- MUG-A, MUI-A
- Design-based zoning

Other existing or future zoning districts may be appropriate based on the locational characteristics of the subject property and the ability of the applicant to document that the proposed zoning district is consistent with the policy. Site plan based zoning may be required to achieve planning objectives such as access management, coordination among adjacent developments, or to deal with potential effects on nearby environmentally sensitive features.

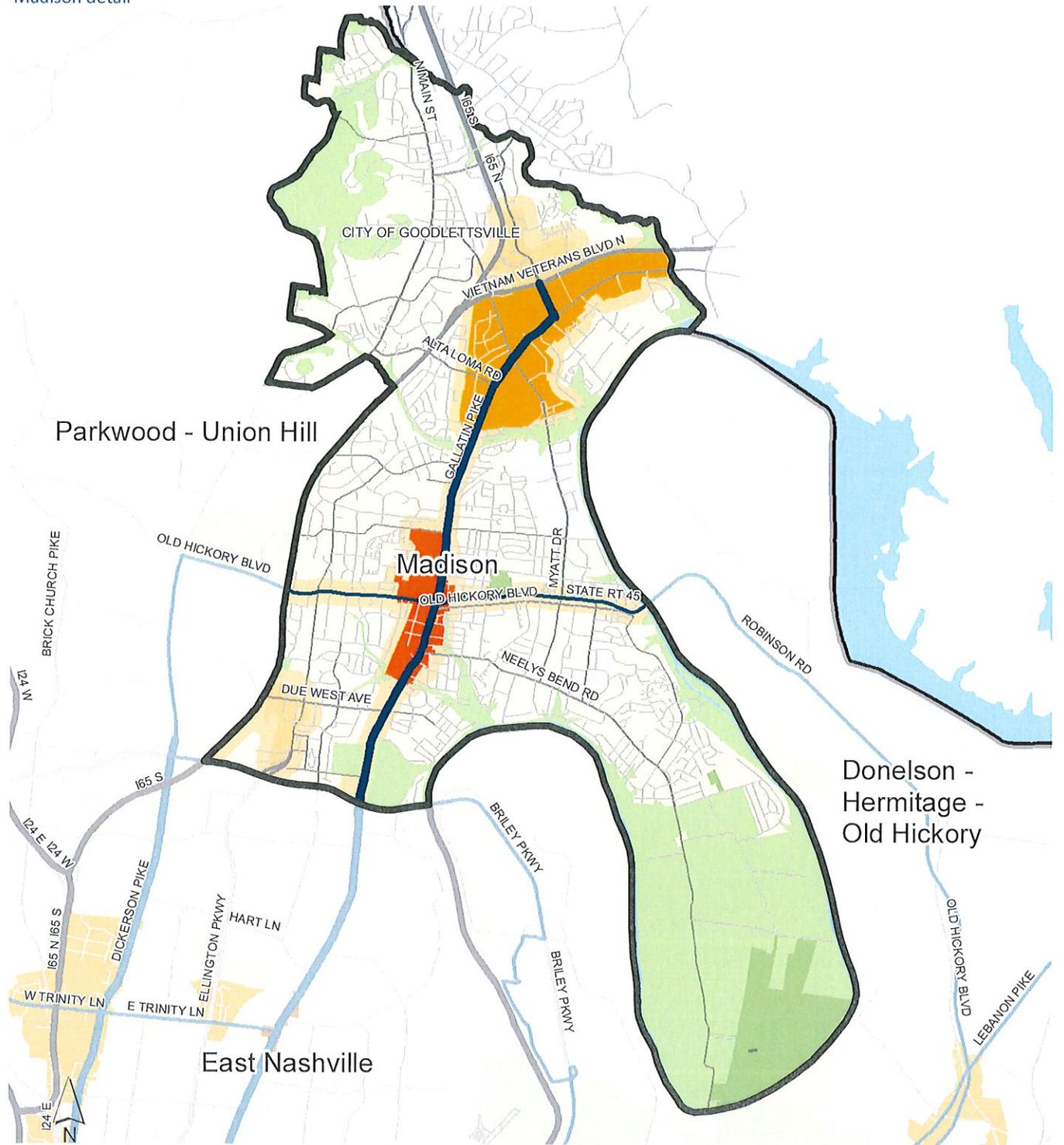
High Capacity Transit Corridors

The High Capacity Transit Corridors shown on the Concept Map are envisioned to support high capacity transit — from Bus Rapid Transit Lite (BRT Lite) service to transit running in its own lanes or right-of-way, such as Bus Rapid Transit or light rail. High Capacity Transit Corridors are defined as “immediate need” or “long-term need”. “Immediate need” corridors should have service improvements within the next ten years. For example, an immediate need corridor that currently has BRT Lite service could move to BRT in dedicated lanes or an immediate need corridor that currently has local bus service could move to BRT Lite. Routes marked “long-term need” would see enhancements in service over a longer than ten year time period — because these corridors do not currently have the density of jobs or residents along the route to support significant transit improvements in the next ten years. Long-term need corridors may need to implement local service first before progressing to BRT Lite or another form of high capacity transit.

The High Capacity Transit Corridors were determined by reviewing adopted Community Plans, assessing existing bus route ridership, and through coordination with the Nashville Metropolitan Transit Authority (MTA) and the Metropolitan Planning Organization (MPO — the regional transportation planning body). The Concept Map also identifies regional transit connections to Clarksville, Gallatin, Lebanon, Murfreesboro, and Franklin.

NashvilleNext identified the High Capacity Transit Corridors and discussed how transit can support the community’s growth, development, and preservation vision. For example, the Concept Map shows little transit provided to the northwest because that area is intended to remain rural and sparsely developed. Meanwhile, to increase residences and jobs accessible by transit, each High Capacity Transit Corridor includes Tiered Centers as well as Transition and Infill areas. The Centers and High Capacity Transit Corridors are also envisioned to grow more walkable and bikeable over time to connect pedestrians and cyclists to transit more seamlessly.

Figure M-1: Growth & Preservation Concept Map
 Madison detail



- | | | | |
|----------------|----------------------|-----------------------|--|
| Centers | Green network | Neighborhood | High capacity transit corridors |
| ● Tier One | ○ Open space anchor | ○ Transition | — Immediate need |
| ● Tier Two | ● Missing an anchor | ○ Special impact area | — Long-term need |
| ● Tier Three | | | ← Regional connection |

ORDINANCE NO. _____

MUNICIPAL FLOODPLAIN ZONING ORDINANCE

AN ORDINANCE ADOPTED FOR THE PURPOSE OF AMENDING THE CITY OF GOODLETTSVILLE, TENNESSEE MUNICIPAL ZONING ORDINANCE REGULATING DEVELOPMENT WITHIN THE CORPORATE LIMITS OF GOODLETTSVILLE, TENNESSEE, TO MINIMIZE DANGER TO LIFE AND PROPERTY DUE TO FLOODING, AND TO MAINTAIN ELIGIBILITY FOR PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM.

ARTICLE I. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES

Section A. Statutory Authorization

The Legislature of the State of Tennessee has in Sections 13-7-201 through 13-7-210, Tennessee Code Annotated delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City of Goodlettsville, Tennessee, Mayor and the Goodlettsville City Council, do ordain as follows:

Section B. Findings of Fact

1. The City of Goodlettsville, Tennessee, Mayor and its City Council wishes to maintain eligibility in the National Flood Insurance Program (NFIP) and in order to do so must meet the NFIP regulations found in Title 44 of the Code of Federal Regulations (CFR), Ch. 1, Section 60.3.
2. Areas of the City of Goodlettsville, Tennessee are subject to periodic inundation which could result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
3. Flood losses are caused by the cumulative effect of obstructions in floodplains, causing increases in flood heights and velocities; by uses in flood hazard areas which are vulnerable to floods; or construction which is inadequately elevated, floodproofed, or otherwise unprotected from flood damages.

Section C. Statement of Purpose

It is the purpose of this Ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas. This Ordinance is designed to:

1. Restrict or prohibit uses which are vulnerable to flooding or erosion hazards, or which result in damaging increases in erosion, flood heights, or velocities;

2. Require that uses vulnerable to floods, including community facilities, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;
4. Control filling, grading, dredging and other development which may increase flood damage or erosion;
5. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

Section D. Objectives

The objectives of this Ordinance are:

1. To protect human life, health, safety and property;
2. To minimize expenditure of public funds for costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodprone areas;
6. To help maintain a stable tax base by providing for the sound use and development of floodprone areas to minimize blight in flood areas;
7. To ensure that potential homebuyers are notified that property is in a floodprone area;
8. To maintain eligibility for participation in the NFIP.

ARTICLE II. DEFINITIONS

Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application given its stated purpose and objectives.

"Accessory Structure" means a subordinate structure to the principal structure on the same lot and, for the purpose of this Ordinance, shall conform to the following:

1. Accessory structures shall only be used for parking of vehicles and storage.
2. Accessory structures shall be designed to have low flood damage potential.
3. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.

4. Accessory structures shall be firmly anchored to prevent flotation, collapse, and lateral movement, which otherwise may result in damage to other structures.
5. Utilities and service facilities such as electrical and heating equipment shall be elevated or otherwise protected from intrusion of floodwaters.

"Addition (to an existing building)" means any walled and roofed expansion to the perimeter or height of a building.

"Appeal" means a request for a review of the local enforcement officer's interpretation of any provision of this Ordinance or a request for a variance.

"Area of Shallow Flooding" means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate; and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

"Area of Special Flood-related Erosion Hazard" is the land within a community which is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area in preparation for publication of the FIRM, Zone E may be further refined.

"Area of Special Flood Hazard" see **"Special Flood Hazard Area"**.

"Base Flood" means the flood having a one percent chance of being equaled or exceeded in any given year. This term is also referred to as the 100-year flood or the one (1)-percent annual chance flood.

"Basement" means any portion of a building having its floor subgrade (below ground level) on all sides.

"Building" see **"Structure"**.

"Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or storage of equipment or materials.

"Elevated Building" means a non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwater, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

"Emergency Flood Insurance Program" or **"Emergency Program"** means the program as implemented on an emergency basis in accordance with Section 1336 of the Act. It is intended as a program to provide a first layer amount of insurance on all insurable structures before the effective date of the initial FIRM.

"Erosion" means the process of the gradual wearing away of land masses. This peril is not "per se" covered under the Program.

"Exception" means a waiver from the provisions of this Ordinance which relieves the applicant from the requirements of a rule, regulation, order or other determination made or issued pursuant to this Ordinance.

"Existing Construction" means any structure for which the "start of construction" commenced before the effective date of the initial floodplain management code or ordinance adopted by the community as a basis for that community's participation in the NFIP.

"Existing Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management code or ordinance adopted by the community as a basis for that community's participation in the NFIP.

"Existing Structures" see **"Existing Construction"**.

"Expansion to an Existing Manufactured Home Park or Subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"Flood" or "Flooding"

(a) A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters.
2. The unusual and rapid accumulation or runoff of surface waters from any source.
3. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (a)(2) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

(b) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

"Flood Elevation Determination" means a determination by the Federal Emergency Management Agency (FEMA) of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.

"Flood Elevation Study" means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) or flood-related erosion hazards.

"Flood Hazard Boundary Map (FHBM)" means an official map of a community, issued by FEMA, where the boundaries of areas of special flood hazard have been designated as Zone A.

"Flood Insurance Rate Map (FIRM)" means an official map of a community, issued by FEMA, delineating the areas of special flood hazard or the risk premium zones applicable to the community.

"Flood Insurance Study" is the official report provided by FEMA, evaluating flood hazards and containing flood profiles and water surface elevation of the base flood.

"Floodplain" or **"Floodprone Area"** means any land area susceptible to being inundated by water from any source (see definition of "flooding").

"Floodplain Management" means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

"Flood Protection System" means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

"Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities and structures and their contents.

"Flood-related Erosion" means the collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood, or by some similarly unusual and unforeseeable event which results in flooding.

"Flood-related Erosion Area" or **"Flood-related Erosion Prone Area"** means a land area adjoining the shore of a lake or other body of water, which due to the composition of the shoreline or bank and high water levels or wind-driven currents, is likely to suffer flood-related erosion damage.

"Flood-related Erosion Area Management" means the operation of an overall program of corrective and preventive measures for reducing flood-related erosion damage, including but not limited to emergency preparedness plans, flood-related erosion control works and floodplain management regulations.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

"Freeboard" means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, blockage of bridge or culvert openings, and the hydrological effect of urbanization of the watershed.

"Functionally Dependent Use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship

building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

"Highest Adjacent Grade" means the highest natural elevation of the ground surface, prior to construction, adjacent to the proposed walls of a structure.

"Historic Structure" means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on the Tennessee inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
4. Individually listed on the City of Goodlettsville, Tennessee inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
 - a. By the approved Tennessee program as determined by the Secretary of the Interior or
 - b. Directly by the Secretary of the Interior.

"Levee" means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

"Levee System" means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

"Lowest Floor" means the lowest floor of the lowest enclosed area, including a basement. An unfinished or flood resistant enclosure used solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Ordinance.

"Manufactured Home" means a structure, transportable in one or more sections, which is built on a permanent chassis and designed for use with or without a permanent foundation when attached to the required utilities. The term "Manufactured Home" does not include a "Recreational Vehicle".

"Manufactured Home Park or Subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"Map" means the Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by FEMA.

"Mean Sea Level" means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For the purposes of this Ordinance, the term is synonymous with the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

"National Geodetic Vertical Datum (NGVD)" means, as corrected in 1929, a vertical control used as a reference for establishing varying elevations within the floodplain.

"New Construction" means any structure for which the "start of construction" commenced on or after the effective date of the initial floodplain management Ordinance and includes any subsequent improvements to such structure.

"New Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of this ordinance or the effective date of the initial floodplain management ordinance and includes any subsequent improvements to such structure.

"North American Vertical Datum (NAVD)" means, as corrected in 1988, a vertical control used as a reference for establishing varying elevations within the floodplain.

"100-year Flood" see **"Base Flood"**.

"Person" includes any individual or group of individuals, corporation, partnership, association, or any other entity, including State and local governments and agencies.

"Reasonably Safe from Flooding" means base flood waters will not inundate the land or damage structures to be removed from the Special Flood Hazard Area and that any subsurface waters related to the base flood will not damage existing or proposed structures.

"Recreational Vehicle" means a vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck;
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Regulatory Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

"Regulatory Flood Protection Elevation" means the "Base Flood Elevation" plus the "Freeboard". In "Special Flood Hazard Areas" where Base Flood Elevations (BFEs) have been determined, this elevation shall be the BFE plus 1 foot. In "Special Flood Hazard Areas" where

no BFE has been established, this elevation shall be at least three (3) feet above the highest adjacent grade.

"Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

"Special Flood Hazard Area" is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the FHBM. After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE or A99.

"Special Hazard Area" means an area having special flood, mudslide (i.e., mudflow) and/or flood-related erosion hazards, and shown on an FHBM or FIRM as Zone A, AO, A1-30, AE, A99, or AH.

"Start of Construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; and includes the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"State Coordinating Agency" the Tennessee Emergency Management Agency, State NFIP Office, as designated by the Governor of the State of Tennessee at the request of FEMA to assist in the implementation of the NFIP for the State.

"Structure" for purposes of this Ordinance, means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

"Substantial Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

"Substantial Improvement" means any reconstruction, rehabilitation, addition, alteration or other improvement of a structure in which the cost equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of the initial improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial improvement, or (2) in the case of substantial damage, the value of the structure prior to the damage occurring.

The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been pre-identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions and not solely triggered by an improvement or repair

project or; (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

"Substantially Improved Existing Manufactured Home Parks or Subdivisions" is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds fifty percent (50%) of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

"Variance" is a grant of relief from the requirements of this Ordinance.

"Violation" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certification, or other evidence of compliance required in this Ordinance is presumed to be in violation until such time as that documentation is provided.

"Water Surface Elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, where specified, of floods of various magnitudes and frequencies in the floodplains of riverine areas.

ARTICLE III. GENERAL PROVISIONS

Section A. Application

This Ordinance shall apply to all areas within the incorporated area of the City of Goodlettsville, Tennessee.

Section B. Basis for Establishing the Areas of Special Flood Hazard

The Areas of Special Flood Hazard identified on the City of Goodlettsville, Tennessee, as identified by FEMA, and in the Sumner County, Tennessee and Incorporated Areas Flood Insurance Study (FIS) dated February 26, 2021, and Flood Insurance Rate Map (FIRM), Community Panel Numbers and 47165C0264H, 47165C0270H, 47165C0376H, 47165C0377H, 47165C0378H, 47165C0379H, 47165C0381H, 47165C0383H, dated February 26, 2021, and in the Metropolitan Government of Nashville and Davidson County, Tennessee and Incorporated Areas Flood Insurance Study (FIS) dated April 5, 2017, and Flood Insurance Rate Map (FIRM), Community Panel Numbers 47037C0126H, 47037C0128H, 47037C0129H, 47037C0136H, 47037C0137H, dated April 5, 2017, along with all supporting technical data, are adopted by reference and declared to be a part of this Ordinance.

Section C. Requirement for Development Permit

A development permit shall be required in conformity with this Ordinance prior to the commencement of any development activities.

Section D. Compliance

No land, structure or use shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of this Ordinance and other applicable regulations.

Section E. Abrogation and Greater Restrictions

This Ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants or deed restrictions. However, where this Ordinance conflicts or overlaps with another regulatory instrument, whichever imposes the more stringent restrictions shall prevail.

Section F. Interpretation

In the interpretation and application of this Ordinance, all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body and; (3) deemed neither to limit nor repeal any other powers granted under Tennessee statutes.

Section G. Warning and Disclaimer of Liability

The degree of flood protection required by this Ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Ordinance does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damages. This Ordinance shall not create liability on the part of the City of Goodlettsville, Tennessee or by any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made hereunder.

Section H. Penalties for Violation

Violation of the provisions of this Ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance shall constitute a misdemeanor punishable as other misdemeanors as provided by law. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon adjudication therefore, be fined as prescribed by Tennessee statutes, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Goodlettsville, Tennessee from taking such other lawful actions to prevent or remedy any violation.

ARTICLE IV. ADMINISTRATION

Section A. Designation of Ordinance Administrator

The Planning Director is hereby appointed as the Administrator to implement the provisions of this Ordinance.

Section B. Permit Procedures

Application for a development permit shall be made to the Administrator on forms furnished by the community prior to any development activities. The development permit may include, but is not limited to the following: plans in duplicate drawn to scale and showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill placement, storage of materials or equipment, and drainage facilities. Specifically, the following information is required:

1. Application stage

- a. Elevation in relation to mean sea level of the proposed lowest floor, including basement, of all buildings where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Ordinance.
- b. Elevation in relation to mean sea level to which any non-residential building will be floodproofed where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Ordinance.
- c. A FEMA Floodproofing Certificate from a Tennessee registered professional engineer or architect that the proposed non-residential floodproofed building will meet the floodproofing criteria in Article V, Sections A and B.
- d. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- e. A final Finished Construction Elevation Certificate (FEMA Form 086-0-33) is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities.
- f. In order to determine if improvements or damage meet the Substantial Improvement or Substantial Damage criteria, the applicant shall provide to the Floodplain Administrator a detailed cost to repair all damages and/or cost of improvements which includes the complete costs associated with all types of work necessary to completely repair or improve a building. These include the costs of all materials, labor, and other items necessary to perform the proposed work. These must be in the form of:
 - An itemized costs of materials, and labor, or estimates of materials and labor that are prepared by licensed contractors or professional construction cost estimators
 - Building valuation tables published by building code organizations and cost-estimating manuals and tools available from professional building cost-estimating services.
 - A qualified estimate of costs that is prepared by the local official using professional judgement and knowledge of local and regional construction costs.
 - A detailed cost estimate provided and prepared by the building owner. This must include as much supporting documentation as possible (such as pricing information from lumber companies, plumbing and electrical suppliers, etc). In addition, the estimate must include the value of labor, including the value of the owner's labor.

2. Construction Stage

Within AE Zones, where Base Flood Elevation data is available, any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of, a Tennessee registered land surveyor and certified by same. The Administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a non-residential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

Within approximate A Zones, where Base Flood Elevation data is not available, the elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building relative to the highest adjacent grade. The Administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a non-residential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

For all new construction and substantial improvements, the permit holder shall provide to the Administrator an as-built certification of the lowest floor elevation or floodproofing level upon the completion of the lowest floor or floodproofing.

Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The Administrator shall review the above-referenced certification data. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being allowed to proceed. Failure to submit the certification or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

3. Finished Construction Stage

For all new construction and substantial improvements, the permit holder shall provide to the Administrator a final Finished Construction Elevation Certificate (FEMA Form 086-0-33). A final Finished Construction Elevation Certificate is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities. The Administrator will keep the certificate on file in perpetuity.

Section C. Duties and Responsibilities of the Administrator

Duties of the Administrator shall include, but not be limited to, the following:

1. Review all development permits to assure that the permit requirements of this Ordinance have been satisfied, and that proposed building sites will be reasonably safe from flooding.

2. Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
3. Notify adjacent communities and the Tennessee Emergency Management Agency, State NFIP Office, prior to any alteration or relocation of a watercourse and submit evidence of such notification to FEMA.
4. For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to FEMA to ensure accuracy of community FIRM's through the Letter of Map Revision process.
5. Assure that the flood carrying capacity within an altered or relocated portion of any watercourse is maintained.
6. Record the elevation, in relation to mean sea level or the highest adjacent grade, where applicable, of the lowest floor (including basement) of all new and substantially improved buildings, in accordance with Article IV, Section B.
7. Record the actual elevation, in relation to mean sea level or the highest adjacent grade, where applicable to which the new and substantially improved buildings have been floodproofed, in accordance with Article IV, Section B.
8. When floodproofing is utilized for a nonresidential structure, obtain certification of design criteria from a Tennessee registered professional engineer or architect, in accordance with Article IV, Section B.
9. Where interpretation is needed as to the exact location of boundaries of the Areas of Special Flood Hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Ordinance.
10. When Base Flood Elevation data and floodway data have not been provided by FEMA, obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from a Federal, State, or other sources, including data developed as a result of these regulations, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the City of Goodlettsville, Tennessee FIRM meet the requirements of this Ordinance.
11. Maintain all records pertaining to the provisions of this Ordinance in the office of the Administrator and shall be open for public inspection. Permits issued under the provisions of this Ordinance shall be maintained in a separate file or marked for expedited retrieval within combined files.
12. A final Finished Construction Elevation Certificate (FEMA Form 086-0-33) is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities. The Floodplain Administrator shall review the certificate data submitted. Deficiencies

detected by such review shall be corrected by the permit holder immediately and prior to Certificate of Compliance/Occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy. The Finished Construction Elevation Certificate certifier shall provide at least 2 photographs showing the front and rear of the building taken within 90 days from the date of certification. The photographs must be taken with views confirming the building description and diagram number provided in Section A. To the extent possible, these photographs should show the entire building including foundation. If the building has split-level or multi-level areas, provide at least 2 additional photographs showing side views of the building. In addition, when applicable, provide a photograph of the foundation showing a representative example of the flood openings or vents. All photographs must be in color and measure at least 3" × 3". Digital photographs are acceptable.

ARTICLE V. PROVISIONS FOR FLOOD HAZARD REDUCTION

Section A. General Standards

In all areas of special flood hazard, the following provisions are required:

1. New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure;
2. Manufactured homes shall be installed using methods and practices that minimize flood damage. They must be elevated and anchored to prevent flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State of Tennessee and local anchoring requirements for resisting wind forces.
3. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
4. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
5. All electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
6. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
7. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;

8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
9. Any alteration, repair, reconstruction or improvements to a building that is in compliance with the provisions of this Ordinance, shall meet the requirements of "new construction" as contained in this Ordinance;
10. Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provision of this Ordinance, shall be undertaken only if said non-conformity is not further extended or replaced;
11. All new construction and substantial improvement proposals shall provide copies of all necessary Federal and State permits, including Section 404 of the Federal Water Pollution Control Act amendments of 1972, 33 U.S.C. 1334;
12. All subdivision proposals and other proposed new development proposals shall meet the standards of Article V, Section B;
13. When proposed new construction and substantial improvements are partially located in an area of special flood hazard, the entire structure shall meet the standards for new construction;
14. When proposed new construction and substantial improvements are located in multiple flood hazard risk zones or in a flood hazard risk zone with multiple Base Flood Elevations, the entire structure shall meet the standards for the most hazardous flood hazard risk zone and the highest Base Flood Elevation.

Section B. Specific Standards

In all Areas of Special Flood Hazard, the following provisions, in addition to those set forth in Article V, Section A, are required:

1. Residential Structures

In AE Zones where Base Flood Elevation data is available, new construction and substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement, elevated to no lower than two (2) feet above the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures".

Within approximate A Zones where Base Flood Elevations have not been established and where alternative data is not available, the administrator shall require the lowest floor of a building to be elevated to a level of at least three (3) feet above the highest adjacent grade (as defined in Article II). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

2. Non-Residential Structures

In AE Zones, where Base Flood Elevation data is available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than one (1) foot above the level of the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

In approximate A Zones, where Base Flood Elevations have not been established and where alternative data is not available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than three (3) feet above the highest adjacent grade (as defined in Article II). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures"

Non-Residential buildings located in all A Zones may be floodproofed, in lieu of being elevated, provided that all areas of the building below the required elevation are watertight, with walls substantially impermeable to the passage of water, and are built with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A Tennessee registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Administrator as set forth in Article IV, Section B.

3. Enclosures

All new construction and substantial improvements that include fully enclosed areas formed by foundation and other exterior walls below the lowest floor that are subject to flooding, shall be designed to preclude finished living space and designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls.

- a. Designs for complying with this requirement must either be certified by a Tennessee professional engineer or architect or meet or exceed the following minimum criteria.
 - 1) Provide a minimum of two openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding;
 - 2) The bottom of all openings shall be no higher than one (1) foot above the finished grade;
 - 3) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
- b. The enclosed area shall be the minimum necessary to allow for parking of vehicles, storage or building access.

- c. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms in such a way as to impede the movement of floodwaters and all such partitions shall comply with the provisions of Article V, Section B.

4. Standards for Manufactured Homes and Recreational Vehicles

- a. All manufactured homes placed, or substantially improved, on: (1) individual lots or parcels, (2) in expansions to existing manufactured home parks or subdivisions, or (3) in new or substantially improved manufactured home parks or subdivisions, must meet all the requirements of new construction.
- b. All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that either:
 - 1) In AE Zones, with Base Flood Elevations, the lowest floor of the manufactured home is elevated on a permanent foundation to no lower than one (1) foot above the level of the Base Flood Elevation or
 - 2) In approximate A Zones, without Base Flood Elevations, the manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least equivalent strength) that are at least three (3) feet in height above the highest adjacent grade (as defined in Article II).
- c. Any manufactured home, which has incurred “substantial damage” as the result of a flood, must meet the standards of Article V, Sections A and B.
- d. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
- e. All recreational vehicles placed in an identified Special Flood Hazard Area must either:
 - 1) Be on the site for fewer than 180 consecutive days;
 - 2) Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions), or;
 - 3) The recreational vehicle must meet all the requirements for new construction.

5. Standards for Subdivisions and Other Proposed New Development Proposals

Subdivisions and other proposed new developments, including manufactured home parks, shall be reviewed to determine whether such proposals will be reasonably safe from flooding.

- a. All subdivision and other proposed new development proposals shall be consistent with the need to minimize flood damage.
- b. All subdivision and other proposed new development proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
- c. All subdivision and other proposed new development proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- d. In all approximate A Zones require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation data (See Article V, Section E).

Section C. Standards for Special Flood Hazard Areas with Established Base Flood Elevations and With Floodways Designated

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as floodways. A floodway may be an extremely hazardous area due to the velocity of floodwaters, debris or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights and velocities. Therefore, the following provisions shall apply:

1. Encroachments are prohibited, including fill, new construction, substantial improvements or other development within the adopted regulatory floodway. Development may be permitted however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment shall not result in any increase in flood levels or floodway widths during a base flood discharge. A registered professional engineer must provide supporting technical data and certification thereof;
2. A community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the applicant first applies for a conditional letter of map revision (CLOMR) and floodway revision, fulfills the requirements for such revisions as established under the provisions of § 65.12, and receives the approval of FEMA;
3. ONLY if Article V, Section C, provisions (1) through (2) are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Article V, Sections A and B.

Section D. Standards for Areas of Special Flood Hazard Zones AE with Established Base Flood Elevations but Without Floodways Designated

Located within the Special Flood Hazard Areas established in Article III, Section B, where streams exist with base flood data provided but where no floodways have been designated (Zones AE), the following provisions apply:

1. Require until a regulatory floodway is designated, that no new construction, substantial , or other development, including fill shall be permitted within Zone AE on the

community's FIRM, unless it is demonstrated through hydrologic and hydraulic analyses performed that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community.

2. A community may permit encroachments within within Zones AE on the community's FIRM, that would result in an increase in the water surface elevation of the base flood, provided that the applicant first applies for a conditional letter of map revision (CLOMR) and floodway revision, fulfills the requirements for such revisions as established under the provisions of § 65.12, and receives the approval of FEMA;
3. ONLY if Article V, Section D, provisions (1) through (2) are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Article V, Sections A and B.

Section E. Standards for Streams without Established Base Flood Elevations and Floodways (A Zones)

Located within the Special Flood Hazard Areas established in Article III, Section B, where streams exist, but no base flood data has been provided and where a Floodway has not been delineated, the following provisions shall apply:

1. The Administrator shall obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from any Federal, State, or other sources, including data developed as a result of these regulations (see 2 below), as criteria for requiring that new construction, substantial improvements, or other development in approximate A Zones meet the requirements of Article V, Sections A and B.
2. Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation data.
3. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, require the lowest floor of a building to be elevated or floodproofed to a level of at least three (3) feet above the highest adjacent grade (as defined in Article II). All applicable data including elevations or floodproofing certifications shall be recorded as set forth in Article IV, Section B. Openings sufficient to facilitate automatic equalization of hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Article V, Section B.
4. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, no encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty feet (20), whichever is greater, measured from the top of the stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and

anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the City of Goodlettsville, Tennessee. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.

5. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Article V, Sections A and B. Within approximate A Zones, require that those subsections of Article V Section B dealing with the alteration or relocation of a watercourse, assuring watercourse carrying capacities are maintained and manufactured homes provisions are complied with as required.

Section F. Standards For Areas of Shallow Flooding (Zone AO)

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. In addition to Article V, Sections A and B, all new construction and substantial improvements shall meet the following requirements:

1. The lowest floor (including basement) shall be elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of one (1) foot above the highest adjacent grade; or at least three (3) feet above the highest adjacent grade, if no depth number is specified.
2. Non-residential structures may, in lieu of elevation, be floodproofed to the same level as required in Article V, Section F(1) so that the structure, together with attendant utility and sanitary facilities, below that level shall be watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Certification is required in accordance with Article 4, Section B(1) (c) and Article V, Section B(2).
3. Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

Section G. Standards For Areas of Shallow Flooding (Zone AH)

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as shallow flooding areas. These areas are subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are one (1) to three (3) feet. Base Flood Elevations are derived from detailed hydraulic analyses are shown in this zone. In addition to meeting the requirements of Article V, Sections A and B, all new construction and substantial improvements shall meet the following requirements:

1. Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

Section H. Standards For Areas Protected by Flood Protection System (A-99 Zones)

Located within the Areas of Special Flood Hazard established in Article III, Section B, are areas of the 100-year floodplain protected by a flood protection system but where Base Flood Elevations have not been determined. Within these areas (A-99 Zones) all provisions of Article IV and Article V shall apply.

Section I. Standards for Unmapped Streams

Located within the City of Goodlettsville, Tennessee, are unmapped streams where areas of special flood hazard are neither indicated nor identified. Adjacent to such streams, the following provisions shall apply:

1. No encroachments including fill material or other development including structures shall be located within an area of at least equal to twice the width of the stream, measured from the top of each stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the locality.
2. When a new flood hazard risk zone, and Base Flood Elevation and floodway data is available, new construction and substantial improvements shall meet the standards established in accordance with Articles IV and V.

ARTICLE VI. VARIANCE PROCEDURES

Section A. Municipal Board of Zoning Appeals

1. Authority

The City of Goodlettsville, Tennessee Municipal Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Ordinance.

2. Procedure

Meetings of the Municipal Board of Zoning Appeals shall be held at such times, as the Board shall determine. All meetings of the Municipal Board of Zoning Appeals shall be open to the public. The Municipal Board of Zoning Appeals shall adopt rules of procedure and shall keep records of applications and actions thereof, which shall be a public record. Compensation of the members of the Municipal Board of Zoning Appeals shall be set by the City Council.

3. Appeals: How Taken

An appeal to the Municipal Board of Zoning Appeals may be taken by any person, firm or corporation aggrieved or by any governmental officer, department, or bureau affected by any decision of the Administrator based in whole or in part upon the provisions of this Ordinance. Such appeal shall be taken by filing with the Municipal Board of Zoning Appeals a notice of appeal, specifying the grounds thereof. In all cases where an appeal is made by a property owner or other interested party, a fee of Two hundred (\$200) dollars for the cost of publishing a notice of such hearings shall be paid by the appellant. The Administrator shall transmit to the Municipal Board of Zoning Appeals all papers constituting the record upon which the appeal action was taken. The Municipal Board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to parties in interest and decide the same within a reasonable time which shall not be more than thirty (30) days from the date of the hearing. At the hearing, any person or party may appear and be heard in person or by agent or by attorney.

4. Powers

The Municipal Board of Zoning Appeals shall have the following powers:

a. Administrative Review

To hear and decide appeals where it is alleged by the applicant that there is error in any order, requirement, permit, decision, determination, or refusal made by the Administrator or other administrative official in carrying out or enforcement of any provisions of this Ordinance.

b. Variance Procedures

In the case of a request for a variance the following shall apply:

- 1) The City of Goodlettsville, Tennessee Municipal Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Ordinance.
- 2) Variances may be issued for the repair or rehabilitation of historic structures as defined, herein, upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary deviation from the requirements of this Ordinance to preserve the historic character and design of the structure.
- 3) In passing upon such applications, the Municipal Board of Zoning Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Ordinance, and:
 - a) The danger that materials may be swept onto other property to the injury of others;
 - b) The danger to life and property due to flooding or erosion;

- c) The susceptibility of the proposed facility and its contents to flood damage;
 - d) The importance of the services provided by the proposed facility to the community;
 - e) The necessity of the facility to a waterfront location, in the case of a functionally dependent use;
 - f) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - g) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - h) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - i) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
 - j) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, water systems, and streets and bridges.
- 4) Upon consideration of the factors listed above, and the purposes of this Ordinance, the Municipal Board of Zoning Appeals may attach such conditions to the granting of variances, as it deems necessary to effectuate the purposes of this Ordinance.
 - 5) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

Section B. Conditions for Variances

- 1. Variances shall be issued upon a determination that the variance is the minimum relief necessary, considering the flood hazard and the factors listed in Article VI, Section A.
- 2. Variances shall only be issued upon: a showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship; or a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or Ordinances.
- 3. Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the Base Flood Elevation will result in increased premium rates for flood insurance (as high as \$25 for \$100)

coverage, and that such construction below the Base Flood Elevation increases risks to life and property.

4. The Administrator shall maintain the records of all appeal actions and report any variances to FEMA upon request.

ARTICLE VII. LEGAL STATUS PROVISIONS

Section A. Conflict with Other Ordinances

In case of conflict between this Ordinance or any part thereof, and the whole or part of any existing or future Ordinance of the City of Goodlettsville, Tennessee, the most restrictive shall in all cases apply.

Section B. Severability

If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this Ordinance which is not of itself invalid or unconstitutional.

Section C. Effective Date

This Ordinance shall become effective February 26, 2021 in accordance with the Charter of the City of Goodlettsville, Tennessee, and the public welfare demanding it.

Approved and adopted by the City of Goodlettsville, Tennessee, Mayor and the Goodlettsville City Council.

Date

Mayor of Goodlettsville, Tennessee

Attest: _____
City Recorder

Date of Public Hearing

1st Reading _____

2nd Reading _____

3rd Reading _____

Date of Publication of
Caption and Summary

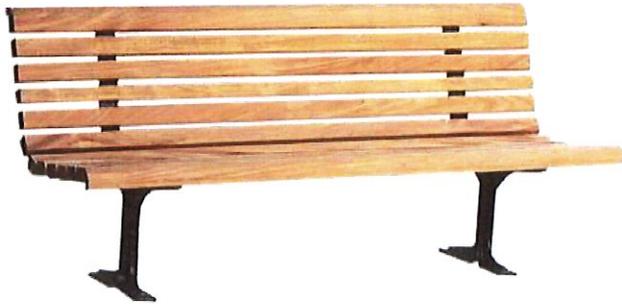


Dry Creek Commons, Phase 2: Dog Park Proposal

Examples of Fencing, Park Benches, Pet Waste Stations:



Park Bench Options:



Pet Waste Station:



