

ORDINANCE NO. 1041

“AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ATHENS, TENNESSEE, SO AS TO AMEND TITLE 14, CHAPTER 2, SECTION 4.03.12 REMOTE PARKING SPACE TO CLARIFY APPROVAL REQUIREMENTS; AND PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.”

WHEREAS, Remote Parking Spaces distance requirement limit the ability for developments to comply and needs to be addressed in the Zoning Code;

WHEREAS, Remote Parking Spaces are a useful development tool in various zoning districts;

WHEREAS, the Athens Municipal-Regional Planning Commission met in open public meeting on September 8, 2015 and recommended the following changes to the Zoning Code as described herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, TENNESSEE:

SECTION 1: Section 4.03.12 Remote Parking Space be amended to read as follows:

“4.03.12. REMOTE PARKING SPACES.

If off-street parking spaces required by this ordinance cannot be reasonably provided on the same lot on which the principal use is located, such spaces may be provided on any land deemed usable (i.e. walkability from principle use, size, accessibility from ROW etc.) for the required parking by the Board of Zoning Appeals (BZA). The BZA will set the parameters of each request for remote parking spaces on a case by case basis. Such land shall be used for no other purpose. Where owner of the principal use leases parking spaces, the building inspector will require a copy of the lease agreement prior to issuance of the building permit. The owner must present a copy of the lease agreement to the building inspector on an annual basis.”

SECTION 2: That all Ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent necessary to implement this ordinance.

SECTION 3: In the event that any part of this ordinance is invalidated by a court of competent jurisdiction, all other parts shall remain in full force and effect unless otherwise lawfully repealed or amended.

SECTION 4: BE IT FURTHER ORDAINED, that this ordinance shall take effect immediately upon passage on second reading, the public necessity requiring it.

PASSED ON FIRST READING: September 15, 2015

PASSED ON SECOND READING: October 20, 2015

DATE OF PUBLIC HEARING: October 20, 2015


ANN S. DAVIS, Mayor


MITCHELL B. MOORE, City Manager

APPROVED AS TO FORM:


H. CHRIS TREW, City Attorney