



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: BL2023-2008 **Name:**

Type: Bill (Ordinance) **Status:** Passed

File created: 6/27/2023 **In control:** Metropolitan Council

On agenda: 8/1/2023 **Final action:** 8/1/2023

Title: An ordinance to amend Section 7.16.030 of the Metropolitan Code of Laws to exempt a retail location near a secondary tourist development zone from the arterial-boulevard requirement.

Sponsors: Jeff Syracuse

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
8/4/2023	1	Mayor	approved	
8/1/2023	1	Metropolitan Council	passed on third reading	
7/18/2023	1	Metropolitan Council	passed on second reading	
7/18/2023	1	Government Operations and Regulations Committee	approved	
7/6/2023	1	Metropolitan Council	passed on first reading	
6/27/2023	1	Metropolitan Council	filed	

An ordinance to amend Section 7.16.030 of the Metropolitan Code of Laws to exempt a retail location near a secondary tourist development zone from the arterial-boulevard requirement.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 7.16.030 of the Metropolitan Code of Laws is amended by deleting Subsection A.2 in its entirety and replacing it with the following:

2. The proposed location is on, or has its principal access to, an existing arterial-boulevard as shown on the major street plan as adopted by the metropolitan planning commission; provided this arterial-boulevard street access requirement shall not be applicable for the following:

(a) a retail location with an entertainment event center adjoining as a separate business to said retail location, on a commercial property that consists of 2.24 acres within a strip shopping center as of 2018, located seven hundred fifty feet from the nearest existing arterial boulevard and located on a collector-avenue or local street no more than 3,960 feet in length that intersects, at two or more locations, the same existing arterial boulevard as depicted on the major street plan as adopted by the metropolitan planning commission.

(b) an artisan distillery as defined in Section 17.04.060 of the Metropolitan Code.

(c) a retail location on a commercial property that consists of approximately four acres within a Master Condominium Property established by Declaration recorded in 2021, located on a collector-

avenue or local street no more than 3,960 feet from the nearest existing arterial boulevard and located within 200 yards of Charlotte Park.

(d) a retail location with a gas station and convenience store co-located on the same parcel as a separate business, on a commercial property that consists of approximately 1.66 acres located on a collector-avenue no more than 640 feet from the nearest arterial boulevard and secondary tourist development zone boundary and located adjacent to right-of-way for Briley Parkway.

Section 2. This Ordinance shall take effect after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This ordinance amends Section 7.16.030 of the Metropolitan Code of Laws regarding where a retail liquor store may be located. Current Metro law authorizes liquor to be sold at retail locations, provided the following criteria are met: (1) the proposed location is within the Urban Services District, (2) the proposed location is on, or has its principal access to, an existing arterial-boulevard as shown on the major street plan as adopted by the metropolitan planning commission; and (3) the proposed location is within major commercial concentrations having a land area of ten or more contiguous commercially developed acres.

For the second criteria, there are currently three exceptions to the requirement that the location be on an arterial-boulevard: (1) retail locations with an entertainment event center adjoining as a separate business on a commercial property that consists of 2.24 acres within a strip shopping center as of 2018, located 750 feet from the nearest existing arterial boulevard and located on collector-avenues or local streets no more than 3,960 feet (3/4 of a mile) in length that intersect, at two or more locations, the same existing arterial boulevard; (2) an artisan distillery, as defined in Section 17.04.060 of the Metropolitan Code; and (3) the proposed location is on a commercial property that consists of approximately four acres within a Master Condominium Property established by Declaration recorded in 2021, located on a collector-avenue or local street no more than 3,960 feet from the nearest existing arterial boulevard and located within 200 yards of Charlotte Park

The ordinance under consideration would add a fourth exception to the arterial-boulevard requirements. This exception would apply to a retail location with a gas station and convenience store co-located on the same parcel as a separate business, on a commercial property that consists of approximately 1.66 acres located on a collector-avenue no more than 640 feet from the nearest arterial boulevard and secondary tourist development zone boundary and located adjacent to right-of-way for Briley Parkway.