



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: BL2022-1472 **Name:**

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

File created: 9/19/2022 **In control:** Planning and Zoning Committee

On agenda: 11/15/2022 **Final action:** 11/15/2022

Title: An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of the Metropolitan Government of Nashville and Davidson County, to refine site plan review procedures within Chapter 17.37, Downtown Code and Chapter 17.40, Administration and Procedures, relating to approval of concept plans and final site plans within the DTC zoning district, all of which is described herein (Proposal No. 2022Z-015TX-001).

Sponsors: Freddie OConnell

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
12/2/2022	1	Metropolitan Council	effective	
11/22/2022	1	Mayor	approved	
11/15/2022	1	Metropolitan Council	passed on third reading	
11/14/2022	1	Planning and Zoning Committee	approved	
11/1/2022	1	Metropolitan Council	passed on second reading	
11/1/2022	1	Metropolitan Council	public hearing	
10/27/2022	1	Planning Commission	approved	
10/7/2022	1	Metropolitan Council	advertised	
10/4/2022	1	Metropolitan Council	passed on first reading	
9/27/2022	1	Metropolitan Council	filed	

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of the Metropolitan Government of Nashville and Davidson County, to refine site plan review procedures within Chapter 17.37, Downtown Code and Chapter 17.40, Administration and Procedures, relating to approval of concept plans and final site plans within the DTC zoning district, all of which is described herein (Proposal No. 2022Z-015TX-001).

WHEREAS, The Council of The Metropolitan Government of Nashville and Davidson County adopted the Downtown Code (DTC) on February 2, 2010; and

WHEREAS, The Metropolitan Government recognizes the importance of refining the DTC Concept Plan and DTC Final Site Plan review procedures to encourage high quality, sustainable urban development; and

WHEREAS, The DTC procedure requires updates from time-to-time as downtown continues to grow and evolve as a neighborhood; and

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

Section 1: That Section 17.37 of the Metropolitan Code is hereby amended by deleting the first sentence under "Application Process" on page 14 of the DTC and substituting the following new sentence:

The DTC DRC shall review and approve a DTC Concept Plan for a site prior to approval of a DTC Final Site Plan. A recommendation from the Nashville Department of Transportation and Multimodal Infrastructure shall be required for a DTC Concept Plan.

Section 2: That Section 17.40.170 of the Metropolitan Code is hereby amended by deleting subsection C in its entirety and substituting with the following new subsection C:

- C. Final Approval by the Planning Department. Planning Department approval shall be required for a final site plan within the DTC zoning district.
1. Application for Final Approval. A final site plan application filed with the Planning Department shall consist of a detailed set of construction plans that fully demonstrate compliance with all applicable provisions of this title and accurately represent the resulting form of construction. Applications shall include all necessary drawings, specifications, studies or reports as required by a submittal checklist adopted by the Planning Department.
 2. Basis for Final Site Plan Approval. Approval of a final site plan shall be based on demonstrated compliance with all applicable provisions of this title and shall also be subject to review and approval by the Nashville Department of Transportation and Multimodal Infrastructure based on demonstrable compliance with all applicable provisions.
 3. Planning Department Action. The Planning Department shall act to approve, conditionally approve or disapprove a final site plan application.
 4. Overlapping Requirements: If a final site plan is also required by 17.40.170.B, the procedures within this section shall control.

Section 3. Be it further enacted, that this ordinance shall take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This ordinance amends Chapter 17.37 and Chapter 17.40 of the Metro Code to integrate the Nashville Department of Transportation and Multimodal Infrastructure ("NDOT") into the concept plan and final site plan processes of the Downtown Code ("DTC"). The ordinance amends Chapter 17.37 to require a formal recommendation from NDOT on concept plans reviewed by the Downtown Code Design Review Committee. A concept plan is the initial step in the approval process for developments within the DTC district. Currently, NDOT staff attend Downtown Code Design Review Committee meetings to answer questions related to proposed developments but have no formal role within the review process.

Additionally, the ordinance amends Section 17.40.170.C to require DTC final site plans to be approved by both the Planning Department and NDOT and to clarify the if the DTC district and Urban Design Overlay zoning are on the same parcel, then the DTC final site plan requirements shall take precedent. Currently, only the Planning Department reviews and approves DTC final site plans.

This ordinance has been approved by the Planning Commission.