# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

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| **File #:** | BL2023-79 | | |
| **Type:** | Bill (Ordinance) | **Status:** | Passed |
| **File created:** | 10/31/2023 | **In control:** | Planning and Zoning Committee |
| **On agenda:** | 2/20/2024 | **Final action:** | 2/20/2024 |
| **Title:** | An ordinance amending Section 17.12.040 of the Metropolitan Code, Zoning Regulations regarding covered front porches within the required street setback (Proposal No. 2023Z-008TX-001). | | |
| **Sponsors:** | Emily Benedict, Quin Evans-Segall, Ginny Welsch, Sean Parker, Brenda Gadd, Terry Vo | | |
| **Indexes:** | | | |
| **Code sections:** | | | |
| **Attachments:** | 1. Substitute BL2023-79 | | |

| Date | Ver. | Action By | Action | Result |
|---|---|---|---|---|
| 3/1/2024 | 2 | Metropolitan Council | effective | |
| 2/21/2024 | 2 | Mayor | approved | |
| 2/20/2024 | 2 | Metropolitan Council | passed on third reading | |
| 2/20/2024 | 1 | Metropolitan Council | substituted | |
| 2/20/2024 | 1 | Planning and Zoning Committee | approved with a substitute | |
| 2/6/2024 | 1 | Metropolitan Council | passed on second reading | |
| 2/6/2024 | 1 | Metropolitan Council | public hearing | |
| 1/12/2024 | 1 | Metropolitan Council | advertised | |
| 12/14/2023 | 1 | Planning Commission | approved with a substitute | |
| 11/7/2023 | 1 | Metropolitan Council | deferred | |
| 11/7/2023 | 1 | Metropolitan Council | passed on first reading | |
| 10/31/2023 | 1 | Metropolitan Council | filed | |

An ordinance amending Section 17.12.040 of the Metropolitan Code, Zoning Regulations regarding covered front porches within the required street setback (Proposal No. 2023Z-008TX-001).

BE IT ENACTED BY THE METROPOLITAN COUNCIL OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 17.12.040, Subsection E.3, of the Metropolitan Code of Laws is hereby amended by deleting it in its entirety and replacing it with the following:

3. Awnings, patio covers, or canopies projecting not more than six feet from a building wall over a required setback;

Section 2. That Section 17.12.040, Subsection E, of the Metropolitan Code of Laws is hereby amended by adding the following subsection:

32. Covered front porches in residential districts extending no more than six feet into the required street setback, provided that the following are met:

       a. The porch shall not be enclosed,
       b. There shall be no enclosed space above the porch, or enclosed habitable space below the porch,
       c. The porch shall be located at least ten feet from the right-of-way.

Section 3. The Metropolitan Clerk is directed to publish a notice announcing such change in a newspaper of general circulation within five days following final passage.

Section 4. This Ordinance shall take effect upon publication of above said notice announcing such change in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This ordinance amends Section 17.12.040 of the Metropolitan Code to allow awnings, patio covers, and canopies that encroach into required setbacks to have supports other than the wall from which they project and to allow front porches to extend six feet into required street setbacks under certain conditions.

Currently, awnings, patio covers, and canopies that project into required setbacks by no more than six feet are required to have no other structural supports than those provided by the wall to which they are attached. The proposed ordinance would allow canopies that extend no more than six feet into a required setback to have independent structural supports, which will increase the types of projecting covers that can be used.

Covered front porches are considered in the zoning code to be a part of the principal structure and are currently not permitted in the required street setback. The proposed ordinance would allow covered front porches to extend up to six feet into the required street setback if the following conditions are met:

- The porch shall not be enclosed.
- There shall be no enclosed space above the porch.
- The porch shall be located at least ten feet from the right-of-way.

The Planning Commission recommended approval of this ordinance with a substitute at their December 14, 2023, meeting.