



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: BL2024-183, **Version:** 1

An ordinance to amend Title 16 of the Metropolitan Code of Laws to provide for housing, health, and safety of residents by streamlining Codes provisions related to fireproofing requirements for middle housing creation and conversion, including specifically the creation of a class of Large Unit Homes within the International Building Code and providing for NFPA-13D sprinklers and one-hour fire-resistance-rated separation therefor.

WHEREAS, the Affordable Housing Taskforce Report dated June 8, 2021 (“Affordable Housing Taskforce Report”) called for streamlining for middle housing creation and conversion; and

WHEREAS, Large Unit Homes, as defined hereinbelow, are historically a significant source of middle housing; and

WHEREAS, certain Large Unit Homes currently require fireproofing standards that exceed the health and safety needs of these smaller sized buildings (“Excessive Fireproofing Standards”); and

WHEREAS, Excessive Fireproofing Standards for Large Unit Homes prevent their economic viability and, thus, prevent their creation; and

WHEREAS, the Council of The Metropolitan Government of Nashville and Davidson County hereby finds that combining NFPA 13D sprinkler systems with one-hour fire-resistance-related separation (“New Section 420.11 Requirements”) in Large Unit Homes meets the health and safety needs of residents therein without being Excessive Fireproofing Standards; and

WHEREAS, the Council of The Metropolitan Government of Nashville and Davidson County hereby further finds adopting New Section 420.11 Requirements are consistent with the Affordable Housing Taskforce Report’s mandate to streamline middle housing creation and conversion.

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

Section 1. That Section 16.08.012 of the Metropolitan Code of Laws is amended by adding the following new paragraph at the end of Subsection D:

LARGE UNIT HOME - shall mean a building that:

1. contains three (3) to four (4) attached dwelling units consolidated into a single structure, which dwelling units are situated either wholly or partially over or under other dwelling units;
2. is located on a single tract or lot;
3. contains common walls;
4. looks like a conventional single-family house with at least one functional street facing primary entrance;
5. is not more than 5,000 square feet;
6. is not more than three stories in height; and
7. is constructed as set forth in the 2018 Edition of the International Building Code except as

modified herein.

Section 2. That Section 16.08.012 of the Metropolitan Code of Laws is amended by adding the following as a new appropriately designated Subsection:

- . Section 310.3 of the 2018 Edition of the International Building Code is hereby amended by adding the “including Large Unit Homes” after the words “Apartment houses”.

Section 3. That Section 16.08.012 of the Metropolitan Code of Laws is amended by adding the following as a new appropriately designated Subsection:

- . Section 420 of the 2018 Edition of the International Building Code is hereby amended by adding the following:

420.11. Group R-2 Large Unit Homes. Large Unit Homes may be constructed as follows:

1. Shall be protected with a fire sprinkler system in accordance Section 903.3.1.3.
2. Shall be protected with a fire alarm system meeting the requirements of Sections 907.5 and 907.2.10.
3. Dwelling units shall be separated from each other by wall and floor assemblies having not less than a 1-hour fire-resistance rating where tested in accordance with ASTM E199, UL 263, or Section 703.2.2 of the International Building Code. Such separation shall be provided regardless of whether a lot line exists between the dwelling units. Walls separating dwelling units shall be constructed as fire partitions in accordance with Section 708. Floor assemblies separating dwelling units shall be constructed as horizontal assemblies in accordance with Section 711. Shaft enclosures, interior exit stairways and ramps, exit access stairways, and exit passageways shall be constructed as fire barriers in accordance with Section 707.
4. Up to two dwelling units on the second story may utilize a shared egress path.

Section 4. This ordinance shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This ordinance amends Section 16.08.012 of the Metropolitan Code to amend the adopted 2018 International Building Code to add a new use called “Large Unit Home” including establishing what it is and the construction methods for its construction.

The ordinance defines a “large unit home” as a 3- or 4-unit single multi-family structure with common walls that is no more than three stories tall and 5,000 sq ft and designed to look like a conventional single-family house. Large Unit Homes are classified in the ordinance as Group R- 2 construction, which is the multi-family use classification (more than two dwelling units) in the IBC; however, the bill reduces the automatic sprinkler requirements to a level more broadly approved for Group R-3 construction, which covers buildings that do not contain more than two dwelling units, care facilities that provide accommodation for five or fewer persons receiving care, non-transient congregate living facilities with sixteen or fewer occupants, transient congregate living facilities with ten or fewer occupants, and transient lodging houses with five or fewer guest rooms and ten or fewer occupants. The ordinance requires one hour fire rated walls and horizontal assemblies between dwelling units. It also requires shaft enclosures, interior exit stairways and ramps, exit access stairways, and exit passageways to be constructed as fire barriers conforming to the adopted IBC.

Currently, a residential structure meeting the proposed standards for a “large unit home” is considered under the broader multi-family classification and must fully meet the requirements of a Group R-2 construction, including the sprinkler requirements.