



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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**File #:** BL2022-1090, **Version:** 1

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An Ordinance to amend Sections 17.40.720 and 17.40.740 of the Metropolitan Code of Laws to increase the number of fee waivers for certain rezoning requests initiated by a member of Council (Proposal No. 2022Z-003TX-001).

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

Section 1. That Section 17.40.720 of the Metropolitan Code of Laws is hereby amended by deleting subsection C and replacing it with the following:

C. The planning department shall have the responsibility for the preparation and mailing of written notices regarding the public hearing for amendments to the official zoning map initiated by a member or members of council that fall within the fee waiver exceptions in Section 17.40.740.C of the Metropolitan Code. The planning department shall also be responsible for all costs associated with the preparation and mailing of such written notices for five zoning applications per councilmember applicant each fiscal year. The planning department shall make reasonable efforts to combine public hearing written notices into one mailing to limit postage costs.

Section 2. That Section 17.40.740 of the Metropolitan Code of Laws is hereby amended by deleting Subsection C.5 and replacing it with the following:

5. For any other rezoning request initiated by a member of council, provided that each member of council shall be entitled to no more than five such fee waivers per fiscal year unless the rezoning request is consistent with subsections C.1 through C.4 of this section.

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 17.40 of the Metropolitan Code of Laws to increase the number of fee waivers for certain rezoning requests initiated by Councilmembers.

Currently, fees are waived for rezoning requests initiated by Councilmembers for the following purposes:

- Rezoning of a property from a greater intensity residential use to a lesser intensity residential use (i.e., an "R" district to an "RS" district).
- Rezoning the property from an office, commercial, or industrial district to a residential or residential single-family district.
- Applying the urban design overlay district, historic preservation district, neighborhood conservation district, urban zoning overlay district, contextual overlay district, corridor design overlay district, residential accessory structure overlay, or detached accessory dwelling unit overlay district as provided

in Chapter 17.36.

- An amendment to or cancellation of a planned unit development (PUD) district after the planning commission has determined the PUD to be inactive in accordance with Section 17.40.120.H.

In addition, Councilmembers are entitled to no more than three fee waivers per fiscal year for any other rezoning request.

The ordinance under consideration increases the number of fee waivers for rezoning requests other than those listed above from three per fiscal year to five per fiscal year. Fees would continue to be waived for the specified rezoning requests initiated by Councilmembers listed above.