



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: BL2020-504, **Version:** 1

An ordinance amending Chapters 17.36 and 17.40 of the Metropolitan Code pertaining to creating an Owner Occupied Short Term Rental Overlay district (Proposal No. 2020Z-013TX-001).

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

Section 1. That Chapter 17.36 of the Metropolitan Code is hereby amended by creating Article XVI - Owner Occupied Short Term Rental Overlay, and adding the following Section 17.36.630 (Purpose and intent):

The Owner Occupied Short Term Rental Overlay district provides the option for the Short Term Rental Property - Owner Occupied use to be allowed in NS variant zoning districts.

Section 2. That Chapter 17.36 of the Metropolitan Code is hereby amended by adding the following Section 17.36.640 (Overlay designation):

An Owner Occupied Short Term Rental Overlay district shall be created according to the procedures of Chapter 17.40, Article III and depicted as a geographical area on the official zoning map.

Section 3. That Chapter 17.36 of the Metropolitan Code is hereby amended by adding the following Section 17.36.650 (Guidelines):

The Short Term Rental Property - Owner Occupied use shall be allowed as an accessory use subject to the standards and requirements set forth in Sections 17.16.250.E and 6.28.030 of the Metropolitan Code.

Section 4. That Chapter 17.36 of the Metropolitan Code is hereby amended by adding the following Section 17.36.660 (Permitted land uses):

The range of land uses permitted within an Owner Occupied Short Term Rental Overlay district shall be those permitted by the underlying zoning district(s) as established by the zoning district land use table of Section 17.08.030. Short Term Rental Property - Owner Occupied shall be permitted as an accessory use.

Section 5. That Chapter 17.36 of the Metropolitan Code is hereby amended by adding the following Section 17.36.670 (Owner Occupied Short Term Rental Overlay district):

A. Application for an Owner Occupied Short Term Rental Overlay District. Lots included in a district must be contiguous.

B. Eligible Zoning Districts. Owner Occupied Short Term Rental Overlay districts shall only be applicable in NS variant zoning districts.

C. Planning Commission Recommendation. The planning commission shall review a proposed Owner Occupied Short Term Rental Overlay district application for conformance with the General Plan. The planning commission shall act to recommend approval, approval with conditions, or disapproval of the application. Within ten working days of an action, the commission's resolution shall be transmitted in writing to the applicant, the Metro Clerk, the zoning administrator, and all other appropriate governmental departments.

D. Council Consideration. The Metropolitan Council shall consider an ordinance establishing an Owner

Occupied Short Term Rental Overlay district according to the procedures of Article III of Chapter 17.40 (Amendments). All property owners within and proximate to a proposed Residential Accessory Structure Overlay district shall be notified according to the procedures of Article XV of Chapter 17.40.

E. Changes to an Owner Occupied Short Term Rental Overlay District Boundary. A proposed change in the geographic boundary of an Owner Occupied Short Term Rental Overlay district on the official zoning map shall be considered by the Council according to the procedures of Article III of Chapter 17.40 (Amendments).

Section 6. Section 17.40.740.C.3 is hereby amended by deleting in its entirety and replacing with the following:

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 owner occupied short term rental overlay as provided in Chapter 17.36;

Section 7. That this Ordinance shall take effect five (5) days from and 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 creates an optional overlay that could be placed over NS - No STRP variant zoned properties to permit the "Short Term Rental Property - Owner Occupied" use. The NS variation exists for all RM, MUN, MUL, MUG, MUI, OR, OG, ORI, CN, CL, CS, CA, CF, SCN, SCC, and SCR zoning districts and restricts where both owner occupied and non owner occupied short term rentals are permitted. Any application for an owner occupied short term rental permit within the proposed overlay must meet all applicable standards and requirements set forth in Sections 17.16.250.E and 6.28.030 of the Metropolitan Code.

This ordinance has been deferred by the Planning Commission.