



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: BL2021-780 **Name:**

Type: Bill (Ordinance) **Status:** Third Reading

File created: 5/26/2021 **In control:** Metropolitan Council

On agenda: 8/3/2021 **Final action:**

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, by changing from RS10 to SP zoning for property located at 2512 Rascoe Street, approximately 260 feet south of Jay Street (0.28 acres), all of which is described herein (Proposal No. 2020SP-050-001).

Sponsors: Ginny Welsch

Indexes:

Code sections:

Attachments: 1. BL2021-780 Plans, 2. BL2021-780 Sketch, 3. BL2021-780 Amendment

Date	Ver.	Action By	Action	Result
8/3/2021	2	Metropolitan Council	failed	Fail
7/20/2021	1	Metropolitan Council	deferred	
7/20/2021	2	Metropolitan Council	amended	
7/19/2021	1	Planning and Zoning Committee	approved with an amendment	
7/6/2021	1	Metropolitan Council	passed on second reading	
7/6/2021	1	Metropolitan Council	public hearing	
6/4/2021	1	Metropolitan Council	advertised	
6/1/2021	1	Metropolitan Council	passed on first reading	
2/25/2021	1	Planning Commission	disapproved	

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by changing from RS10 to SP zoning for property located at 2512 Rascoe Street, approximately 260 feet south of Jay Street (0.28 acres), all of which is described herein (Proposal No. 2020SP-050-001).

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

Section 1. That Title 17 of the Code of Laws of The Metropolitan Government of Nashville and Davidson County, is hereby amended by changing the Official Zoning Map for Metropolitan Nashville and Davidson County, which is made a part of Title 17 by reference, as follows:

By changing from RS10 to SP zoning for property located at 2512 Rascoe Street, approximately 260 feet south of Jay Street (0.28 acres), being Property Parcel No. 212 as designated on Map 119-06 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the attached sketch, which is attached to and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the uses of this SP shall be limited to all uses permitted by the RS10 zoning district and the Detached Accessory Dwelling Unit use. Short term rental property - owner occupied, day care center (up to 75), day care center (over 75), day care home, and school daycare uses shall be prohibited.

Section 3. Be it further enacted, that the following conditions shall be completed, bonded or satisfied as specifically required:

1. Development standards found in Sec. 17.16.030 of the Metro Zoning Ordinance shall apply to any newly constructed DADU. No additions or expansions shall be permitted to any existing detached structure that is to be used as the DADU.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
3. The final SP may be waived and combined with building permit review.
4. The final site plan shall depict the required public sidewalks, any required grass strip or frontage zone, and the location of all existing and proposed vertical obstructions within the required sidewalk and grass strip or frontage zone. Prior to the issuance of use and occupancy permits, existing vertical obstructions shall be relocated outside of the required sidewalk. Vertical obstructions are only permitted within the required grass strip or frontage zone.
5. All conditions and requirements of Metro reviewing agencies shall be complied with.
6. This property shall not be eligible for short-term rental property (STRP) permits under Section 6.28.030 of the Metropolitan Code of Laws. Short Term Rental Property (STRP) - Owner Occupied and Short Term Rental Property (STRP) - Not Owner Occupied uses shall be prohibited.

Section 4. Be it further enacted, a corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.

Section 5. Be it further enacted, minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee, based upon final architectural, engineering, or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increases the permitted density or floor area, adds uses not otherwise permitted, eliminates specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or adds vehicular access points not currently present or approved.

Section 6. Be it further enacted, if a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of RS10 zoning districts as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

Section 7. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 119 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 8. Be it further enacted, that this ordinance 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.