Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #:	BL2022-1412		
Type:	Bill	**Status:**	Passed
File created:	8/30/2022	**In control:**	Transportation and Infrastructure Committee
On agenda:	11/15/2022	**Final action:**	11/15/2022
Title:	An ordinance to amend Section 17.12.070, 17.20.030, 17.20.040, 17.36.440, and 17.37 of the Metropolitan Code of Laws relative to parking minimums (Proposal No. 2022Z-013TX-001).		
Sponsors:	Colby Sledge, Freddie O'Connell, Brett Withers, Ginny Welsch, Angie Henderson, Tonya Hancock, Emily Benedict, Zach Young, Sandra Sepulveda, Burkley Allen, Sean Parker		
Indexes:			
Code sections:			
Attachments:	1. Second Substitute BL2022-1412		

Date	Ver.	Action By	Action	Result
12/2/2022	3	Metropolitan Council	effective	
11/22/2022	3	Mayor	approved	
11/15/2022	3	Metropolitan Council	passed on third reading	
11/15/2022	2	Metropolitan Council	substituted	
11/15/2022	1	Transportation and Infrastructure Committee	approved with a substitute	
11/14/2022	1	Planning and Zoning Committee	approved with a substitute	
11/1/2022	2	Metropolitan Council	passed on second reading	
11/1/2022	1	Metropolitan Council	substituted	
11/1/2022	2	Metropolitan Council	public hearing	
10/27/2022	1	Planning Commission	approved with a substitute	
10/7/2022	1	Metropolitan Council	advertised	
9/6/2022	1	Metropolitan Council	passed on first reading	
8/30/2022	1	Metropolitan Council	filed	

An ordinance to amend Section 17.12.070, 17.20.030, 17.20.040, 17.36.440, and 17.37 of the Metropolitan Code of Laws relative to parking minimums (Proposal No. 2022Z-013TX-001).

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

Section 1. That Section 17.12.070 of the Metropolitan Code is hereby amended by deleting Subsection D in its entirety and substituting the following:

D. Parking Exemptions. In all districts the floor area used for the provision of off-street parking spaces or loading berths (and the driveways and maneuvering aisles for those spaces and berths) shall not be counted as floor area for the purpose of calculating floor area ratio when such spaces or berths are used to satisfy the parking demands for the principal use(s) on the parcel. When no parking is required, provision of off-street parking spaces shall not be counted as floor area for the purpose of calculating floor area ratio

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when such spaces or berths do not exceed the parking maximum set by the UZO District standard in Table 17.20.030.

Section 2. That the Parking Requirements Table in Section 17.20.030 of the Metropolitan Code is hereby amended as shown in Exhibit A.

Exhibit A:

TABLE 17.20.030: PARKING REQUIREMENTS	
Land Use	**Minimum Parking Spaces Outside the UZO UZO District: ~~Maximum Parking Spaces~~ See 17.20.040.G (exemptions are optional for calculating maximums. If not utilizing the exemptions, the standards are applied to the entire square footage of the use)**
Single-Family	2 spaces (no maximum limit in UZO)
Two-Family	2 spaces per unit (no maximum limit in UZO)

Section 3. That Section 17.20.040 of the Metropolitan Code of Laws is hereby amended by deleting Subsection G in its entirety and substituting the following:

G. ~~Within the Urban Zoning Overlay, no parking shall be required. UZO parking standards and requirements in this Section shall be construed as parking maximum requirements within the UZO and parking minimum requirements within any UDOs outside the UZO or within SPs which reference these requirements. The UZO parking standard shall also be used to determine floor area ratio exemptions as set out in Section 17.12.070.D of this Ordinance for uses that are not required to provide parking.~~ UZO parking standards and requirements shall be construed as parking maximum requirements within the UZO and parking minimum requirements within any UDOs outside the UZO or within any SP which references UZO standards as a minimum or within any Neighborhood Landmark Overlay districts applied after November 15, 2022, within the UZO. No parking shall be required within the UZO, except as noted above. The UZO parking standard shall also be used to determine floor area ratio exemptions as set out in Section 17.12.070.D of this Ordinance for uses that are not required to provide parking.

Section 4. That Section 17.36.440 of the Metropolitan Code is hereby amended by deleting it in its entirety and substituting the following:

Applicability. The provisions of the urban zoning overlay district shall apply to all properties located within a mapped area indicated on a zoning overlay map adopted pursuant to the provisions of Article III of Section 17.40, excluding planned unit developments adopted prior to the effective date of the establishment of the urban zoning overlay district and properties zoned DTC district. However, the UZO District maximum parking space standard shall apply within the DTC. Petitions should contain a minimum of one hundred sixty acres of land in order to avoid piecemeal application of the district and should be for areas characterized predominantly by lot sizes, street patterns, and alley systems commonly used before the mid -1950s or for areas where an adopted plan calls for the evolution of such a development pattern. When properties included in a petition are within the area defined by the 1956 limits of the City of Nashville, they should be contiguous to a previously adopted urban zoning overlay district. For purposes of determining applicability of the urban zoning overlay district provisions within any other overlay district, the urban zoning overlay district provisions shall be treated as base zoning district provisions.

Section 5. That Chapter 17.37 of the Metropolitan Code is hereby amended by adding the following to the

“Applicable Chapters and Sections of the Zoning Code” section of “Application of the DTC” on page 12:

- Within Chapter 17.20 PARKING, LOADING AND ACCESS
  - Section - 17.20.040 Adjustments to required parking.

Section 6. 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 7. 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, as substituted, amends Sections 17.12.070, 17.20.030, 17.20.040, 17.36.440, and Chapter 17.37 of the Metro Code to eliminate minimum parking requirements in the Urban Zoning Overlay (“UZO”). Minimum parking requirements require property owners to build and maintain a certain number of automobile parking spaces onsite to be granted development permits and operate. Ordinance No. BL2020-117, passed on May 5, 2020, eliminated minimum parking requirements for parcels having a majority of their frontage on a multi-modal corridor within the UZO. Additionally, no parking is required in the DTC district or for existing structures in the CF, CF-NS, MUI, MUI-NS, MUI-A, or MUI-A-NS districts which were constructed prior to December 24, 1974. For other parcels within the UZO, they are currently eligible for up to a 25% reduction of required parking if the development meets established criteria located in Section 17.20.040. Additionally, Table 17.20.030 provides different, lower minimum parking standards for many uses within the UZO compared to those same uses outside of the UZO.

As substituted, the parking minimums in Section 17.20.040 are to be construed as parking maximums in the UZO, along with the parking requirements within any urban design overlay or SP which reference these requirements. The UZO maximum parking space standard also applies within the DTC.

This ordinance has been approved as substituted by the Planning Commission.