



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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**File #:** BL2021-621, **Version:** 1

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An ordinance amending Sections 17.40.720 and 17.40.730 of the Metropolitan Code, Zoning Regulations, to require additional public notice regarding applications for permits from the Historic Zoning Commission (Proposal No. 2021Z-003TX-001).

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

Section 1. That Section 17.40.720 of the Metropolitan Code is hereby amended by adding the following new subsection D.:

D. Historic Zoning Commission Preservation Permits. No action shall be taken by the historic zoning commission on a preservation permit application under Section 17.40.420 unless, at least twenty-one days prior to consideration of the application by the commission, the permit applicant provides written notice by U.S. Mail of the date, time, and place of the commission meeting to all property owners within one thousand feet of the subject property. The applicant shall be responsible for the costs associated with the preparation and mailing of such written notices.

Section 2. That Section 17.40.730 of the Metropolitan Code is hereby amended by deleting the first sentence and replacing it with the following:

Public notice signs shall be posted in accordance with the following provisions on any property subject to council consideration of an amendment to the official zoning map, to the consideration of a variance, hillside exception or a special exception use permit by the board of zoning appeals, or to the consideration of a preservation permit application under Section 17.40.420 by the historic zoning commission.

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 Sections 17.40.720 and 17.40.730 of the Metropolitan Code of Laws to require public notice for applications for permits from the Historic Zoning Commission. A preservation permit would require that written notice of the Historic Zoning Commission meeting where the permit would be considered by US Mail of the date, time, and place to all property owners within one thousand feet of the subject property at least twenty-one days prior to the meeting. This is the same written notice required for zoning public hearings. Further, public notice signs would be required for the subject property. This is the same public notice sign requirement for consideration of a proposed rezone by the Council and the consideration of a variance, hillside exception, or special exception use permit by the Board of Zoning Appeals.

An amendment is anticipated for this ordinance.

This was deferred to the July 22, 2021 meeting of the Planning Commission.