



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: BL2021-784, **Version:** 1

An ordinance amending Sections 17.04.060, 17.36.680, 17.36.690, and 17.20.030 of the Metropolitan Code, Zoning Regulations to amend the definition of “accessory dwelling, detached”, to expand the allowable locations of a Detached Accessory Dwelling Unit (DADU) Overlay District, and to amend parking requirements related to “accessory dwelling, detached” (Proposal No. 2021Z-008TX-001).

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

Section 1. That Subsection 17.04.060.B of the Metropolitan Code is hereby amended the definition of “Accessory dwelling, detached” as follows:

"Accessory dwelling, detached," also referred to as detached accessory dwelling, means a detached dwelling unit separate from the principal single-family structure on a lot located within a historic overlay district, within any urban design overlay with development standards for detached accessory dwellings, on any lot with an improved alley abutting the rear or side property line or on any lot over fifteen thousand square feet. The dwelling shall be clearly subordinate in size, height, and purpose to the principal structure, it shall be located on the same lot as the principal structure, but may be served by separate utility meter(s) and is detached from the principal structure. A detached accessory dwelling can be an independent structure, or it can be a dwelling unit above a garage, or it can be attached to a workshop or other accessory structure on the same lot as the principal structure.

Section 2. That Section 17.36.680 of the Metropolitan Code is hereby amended by adding the following language:

The DADU overlay district provides additional housing options in the Urban Zoning Overlay and the Highland Heights Study Area, as adopted by the Metropolitan Planning Commission on June 14, 2018.

Section 3. That Section 17.36.690 of the Metropolitan Code is hereby amended by adding the following language:

A DADU overlay district shall be created within the Urban Zoning Overlay or the Highland Heights Study Area, as adopted by the Metropolitan Planning Commission on June 14, 2018, according to the procedures of Chapter 17.40, Article III and depicted as a geographical area on the official zoning map.

Section 4. That Table 17.20.030 in Section 17.20.030 of the Metropolitan Code is hereby amended by adding the following under “Residential Land Uses”:

Accessory Dwelling, Detached	1 space
------------------------------	---------

Section 5. 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 amends Subsection 17.04.060.B of the Metro Code to modify the definition of “Accessory dwelling, detached” (DADU) by removing the existing stipulations that restrict the use to lots located within a historic overlay district, within any urban design overlay with development standards for detached accessory dwellings, or on any lot with an improved alley abutting the rear or side property line or on any lot over fifteen thousand square feet. Removing these stipulations would allow any lot in a zoning district that allows for the DADU use (R, RM, OR, and ORI) or any lot located within the recently adopted DADU Overlay to have a DADU if they can meet the requirements of Section 17.16.030.G. Currently, the majority of lots that are in zoning districts that allow for the DADU use, but are unable to meet the stipulations contained within the DADU definition, are eligible for the two family use.

This ordinance also amends Table 17.20.030 to require one parking space for the DADU use. Currently, there are no parking requirements for DADUs.

Finally, the ordinance amends Section 17.36.690 of the Metro Code to allow for the Highland Heights neighborhood (as defined by the adopted Highland Heights Study Area) to be eligible for the recently adopted DADU Overlay. The DADU Overlay was passed by the Council on May 18, 2021 through Ordinance No. BL2021-620 and enables the DADU use on RS zoned lots located within the overlay area. Currently, the eligible area for a DADU overlay is restricted to the Urban Zoning Overlay (UZO).

The ordinance has been disapproved by the planning commission.