



METROPOLITAN COUNCIL

Metro Council Office

**PROPOSED AMENDMENTS AND  
SUBSTITUTES TO  
RESOLUTIONS AND ORDINANCES  
AND ONE LATE FILED ZONING  
ORDINANCE TO BE FILED  
WITH THE METRO CLERK  
FOR THE  
COUNCIL MEETING OF  
TUESDAY, JULY 5, 2016**

AMENDMENT NO. \_\_\_\_\_

TO

ORDINANCE NO. BL2016-257

Mr. President –

I move to amend Ordinance No. BL2016-257 as follows:

I. By amending Section 2 by deleting it in its entirety and substituting therefore the following:

Section 2. That Chapter 6.28 of the Metropolitan Code of Laws be and the same is hereby amended by deleting the provisions of subsection 6.28.030.R.6 and substituting in lieu thereof the following new subsection 6.28.030.R.6:

6. The penalty for operating a short term rental property without a permit shall be:

a. A fifty dollar fine as imposed by a court of competent jurisdiction. Each day of operation without a permit shall constitute a separate offense.

b. Upon a finding by the Board of Zoning Appeals that a short term rental property has operated without a permit, there shall be a waiting period of up to one year from the date of such finding for the property to become eligible for a STRP permit, as determined by the BZA. Upon a finding of a court of competent jurisdiction that a short term rental property has operated without a permit, in addition to any other relief granted, there shall be a waiting period of three years from the date of such finding for the property to become eligible for a STRP permit.

INTRODUCED BY:

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Colby Sledge  
Member of Council

AMENDMENT NO. \_\_\_\_\_

TO

ORDINANCE NO. BL2016-257

Mr. President –

I move to amend Ordinance No. BL2016-257 as follows:

I. By amending Section 2 by deleting it in its entirety

INTRODUCED BY:

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Burkley Allen  
Member of Council

SUBSTITUTE ORDINANCE NO. BL2016-133

An ordinance to amend various sections of Title 17 of the Metropolitan Zoning Code to incentivize Inclusionary Housing with any residential development that seeks additional development entitlements beyond that permitted by the current base zoning district. (Proposal No. 2016Z-001TX-001).

WHEREAS, the Metropolitan Government of Nashville and Davidson County has undertaken a Inclusionary Housing Feasibility and Market Study (the Study); and

WHEREAS, the Study found that there has been cost appreciation and housing turnover in central areas of the city; and

WHEREAS, the Study found that 24% of homeowners in the city are cost-burdened and 46% of renters in the city are cost-burdened; and

WHEREAS, cost appreciation and housing turnover in central areas can lead to the displacement of cost-burdened households and gentrification; and

WHEREAS, 29% of all 2015 home sales in Nashville and Davidson County were affordable to a buyer earning 80% AMI for a 2.5 person household; and

WHEREAS, much of the housing affordable to 80% AMI is outside of the central areas, with poor access to jobs, transit and services; and

WHEREAS, affordable and workforce housing is a primary concern of the citizens of Nashville and Davidson County, as it continues to be a major barrier to economic progress for many in Nashville; and

WHEREAS, increasing the supply of affordable and workforce housing supports economic growth and is an important tool in reducing poverty in Davidson County.

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

Section 1. That Chapter 17.40 (Administration and Procedures) of the Metropolitan Code is hereby amended by inserting the following Article XVII (Inclusionary Housing):

17.40.780 Purpose and Applicability of Inclusionary Housing Provisions

A. Purpose. The purposes of this Section are to promote the public health, safety and welfare by increasing the production of Inclusionary Housing units to meet existing and anticipated housing and employment needs; mitigating the impacts of increasing housing cost

and provide housing affordable to low and moderate income households; providing for a range of housing choices throughout the city to avoid the concentration of poverty; and to provide a mechanism by which residential development can contribute in a direct way to increasing the supply of affordable and workforce housing in exchange for additional development entitlements other than those otherwise permitted as a matter of right.

B. Applicability.

1. Where additional residential development entitlements are sought as specified in this title, including but not limited to, change in uses, height, density or floor area, or where public resources or property is provided, a development with rental residential units shall be subject to the provisions of this Section as long as financial incentives from the Metropolitan Government of Nashville and Davidson County are available. A development with for sale residential units may voluntarily comply with the provisions of this Section.
2. For residential uses, developments fewer than five units are exempt from this requirement. For the purposes of this subsection, “development” shall include any residential or mixed use development at one or more adjoining sites with common ownership or under common control, within a period of five years from the first date of the issuance of a building permit for construction.
3. Inclusionary Housing shall not be required and no financial incentives shall be granted if the average unit sale price or rental rate is less than, or within 5% above 100% Median Household Income (MHI) market prices or rental rates for Nashville and Davidson County and the Inclusionary Housing Plan demonstrates that the census tract average market rate prices or average rental rates are affordable to a household at 100% MHI.

17.40.790 Requirements for Inclusionary Housing

A. Construction. The required set aside for affordable or workforce housing shall be:

	Rental at 60% MHI	Rental at 80% MHI	Rental at 100% MHI (available in the UZO only)	For-sale at 80% MHI	For-sale at 100% MHI (available in the UZO only)
Single-family and Two-family uses	12.5% of total residential units	15% of total residential units	17.5% of total residential units	10% of total residential units	15% of total residential units
Multi-family uses less than 3 stories	12.5% of total residential floor area	15% of total residential floor area	17.5% of total residential floor area	10% of total residential floor area	15% of total residential floor area
Multifamily uses (3 to 6 stories)	10% of total residential floor area	12.5% of total residential floor area	15% of total residential floor area	n/a	n/a

Multifamily uses (≥ 7 stories)	7.5% of total residential floor area	10% of total residential floor area	12.5% of total residential floor area	n/a	n/a
<p>The Metropolitan Housing Trust Fund Commission may approve a mixture of MHI levels, provided the mixture is equivalent to the set asides above. The equivalency of the mixture of MHI levels and the approval shall be documented in the Inclusionary Housing Plan.</p> <p>For the purposes of this Article, the residential floor area shall be the net leasable residential floor area.</p>					

B. In lieu Construction.

1. In lieu of meeting the Inclusionary Housing requirements on site, construction at the same rates included in subsection A of this section may be provided within the following distances from the development that is required to provide Inclusionary Housing:
  - i. One (1) mile, if the development that is required to provide Inclusionary Housing is on a Multimodal Corridor designated in the Major and Collector Street Plan, excluding Expressways, Freeways and Ramps.
  - ii. A quarter mile (¼) mile, if the development that is required to provide Inclusionary Housing is not on a Multimodal Corridor designated in the Major and Collector Street Plan, excluding Expressways, Freeways and Ramps.
  - iii. In lieu construction shall not be permitted at an alternate location if the alternate location’s average unit sale price or rental rate is less than, or within 5% above 100% MHI market prices or rental rates for Nashville and Davidson County and the Inclusionary Housing Plan demonstrates that the census tract market rate prices or rental rates are affordable to a household at 100%MHI.
2. Use & Occupancy permits for the affordable and/or workforce units shall be issued prior to the issuance of any Use & Occupancy permit for principal project.

C. In lieu Contribution. In lieu of meeting the Inclusionary Housing requirements on site, prior to the issuance of building permits, an in lieu contribution may be provided to the Metropolitan Housing Trust Fund Commission as follows:

	Within the UZO	Outside of the UZO
Residential uses	Per square foot equivalent of 50% of the affordable sales price at 100% MHI for Davidson County for 20% of the total residential floor area in a for-sale project or for 30% of the total residential floor area in a rental project.	Per square foot equivalent of 50% of the affordable sales price at 80% MHI for Davidson County for 10% of the total residential floor area in a for-sale project or for 20% of the total residential floor area in a rental project.

The affordable sales price shall be determined by the Metropolitan Housing Trust Fund Commission annually based on:

- a. A maximum down payment of 5.0%,
- b. Current Year MHI thresholds adjusted for household size published by HUD,
- c. Prior six-month average rate of interest based on the Fannie Mae Yield on 30-year mortgage commitments (price at par) plus one-half point (0.5%) spread,
- d. 30-year mortgage term,
- e. Any homeowner fees, taxes and insurance, and
- f. Typical unit size.

17.40.800 Standards for Construction and Occupancy of Affordable and/or Workforce Housing

- A. With the building permit application, the Owner/Developer shall submit an Inclusionary Housing Plan, which documents the following:
  1. Number of total residential units provided under the site plan.
  2. Whether the development uses public resources or public property.
  3. Number of affordable or workforce housing units provided.
  4. Income levels of targeted families for affordable or workforce housing units.
  5. The proposed rents or sales prices and guarantee of limits on future rent increases or sales prices.
  6. Location of affordable or workforce housing units.
  7. Sizes of affordable or workforce housing units.
  8. Bedroom counts of affordable or workforce housing units.
  9. Census tract market rate pricing or rental rates for the project site and, if applicable, the in lieu site.
  10. The party responsible for compliance reports, with approval from the Metropolitan Housing Trust Fund Commission.
- B. To ensure livability, Inclusionary Housing units shall be at least 80% of the average size of market rate units and the breakdown of bedroom counts of Inclusionary Housing units shall be similar to the breakdown of bedroom counts for the market rate units in the project. After the Inclusionary Housing square footage is allocated according to the distribution of market rate units, any remaining square footage too small for construction of a unit shall utilize the in lieu contribution option.
- C. Exteriors of Inclusionary Housing units shall closely resemble the exteriors of other units in a project.
- D. The owner shall ensure to the satisfaction of the Metropolitan Government that the Inclusionary Housing units will:
  1. be occupied by eligible households.
  2. be maintained as rental Inclusionary Housing units for a minimum of 15 years from the date of initial occupancy and/or be maintained as for-sale Inclusionary Housing unit for 30 years from the date of initial occupancy.

17.40.810 Enforcement

- A. Prior to the issuance of the first building permit, all Standards for Construction and Occupancy shall be documented on the building permit plans.
- B. Prior to the issuance of the Use & Occupancy permit, all Standards for Construction and Occupancy shall be satisfied and documentation provided to the Codes Department.
- C. During the applicable period, the owner, developer or designee shall provide a compliance report to the Metropolitan Housing Trust Fund Commission in the form and manner determined by the Commission. The party responsible for compliance reports shall be approved by the Metropolitan Housing Trust Fund Commission and noted Inclusionary Housing Plan. For for-sale developments, individual owners are not permitted to be the party responsible for compliance reports.

17.40.820 Sunset provisions.

- A. The provisions of Article XVII (Inclusionary Housing) shall expire and be null and void three years after its passage. This provision, commonly known as a "sunset provision," is included to ensure that the effectiveness and necessity of this section is reviewed by the metropolitan council after its adoption.
- B. Two (2) years after its passage, the Planning Department shall conduct a study of the impact of Article XVII (Inclusionary Housing) and related incentives. This study shall include an assessment of the economic impact, impact on affordable housing and whether the incentives should be recalibrated. The study shall be delivered to the Metropolitan Council no later than six (6) month before the sunset date.

Section 2. That Section 17.36.090 (Development bonuses.) of the Metropolitan Code is hereby amended by deleting the subsection B.

Section 3. That Chapter 17.37 (Downtown Code (DTC)) of the Metropolitan Code is hereby amended by deleting pages 93, 96 and 99 and replacing with pages 93, 96 and 99 in the attached Exhibit A.

Section 4. That Chapter 17.40 of the Metropolitan Code is hereby amended by inserting the following Section 17.40.055 (Inclusionary Housing Incentive):

As an incentive to encourage developers and property owners to meet the affordable and workforce housing goals set forth in this Title, all proposed residential development that seeks to increase development entitlements beyond that permitted by the current base zoning district shall comply with Section 17.20.780 (Inclusionary Housing).

Section 5. That Section 17.40.105 (Specific plan—Purpose and intent.) of the Metropolitan Code is hereby amended by deleting the last sentence and inserting the following as the last sentence:



The specific plan cannot vary the requirements of Section 17.40.055 (Inclusionary Housing Incentive) and must comply with the building, fire and life safety codes adopted by the metropolitan government.

Section 6. That any appropriately filed application that complies with all existing filing requirements and that is filed prior to the effective date of this ordinance shall not be subject to the provisions of this ordinance, unless the developer and/or property owner voluntarily complies.

Section 7. Be it further enacted that this ordinance take effect nine (9) months 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.

Introduced by:

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Burkley Allen  
Member of Council

SUBSTITUTE ORDINANCE NO. BL2016-190

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 SP to SP zoning for property located at 715 Stockell Street, at the southeast corner of Stockell Street and Hancock Street (0.20 acres), to permit up to 2 attached residential dwelling units, all of which is described herein (Proposal No. 2016SP-048-001).

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 SP to SP zoning for property located at 715 Stockell Street, at the southeast corner of Stockell Street and Hancock Street (0.20 acres), to permit up to 2 attached residential dwelling units, being Property Parcel No. 297 as designated on Map 082-07 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 plan that was duly considered by the Metropolitan Planning Commission, and which is on file with the Metropolitan Planning Department and Metropolitan Clerk's Department and made a part of this ordinance as though copied herein.

Section 2. 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 082 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 3. Be it further enacted, that the uses of this SP shall be limited to up to two attached units.

Section 4. Be it further enacted, that the following conditions shall be completed, bonded or satisfied as specifically required:

1. Vehicular access shall be limited to the existing alley.
2. With the submittal of the final site plan, submit a landscape plan that includes screening of the parking from Hancock Street.
3. On the corrected set, correct the raised foundation note to indicate the maximum is 36".
4. On the corrected set, add the following note: Vinyl siding, untreated wood, and EIFS shall be prohibited materials.

5. On the corrected set, correct the height to indicate a maximum height of two stories in 40 feet as measured from average grade to top of roof.
6. 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.

Section 5. 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 6. 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 increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

Section 7. 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 the R6A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council 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.

INTRODUCED BY:

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Councilmember Scott Davis

2016SP-048-001  
715 STOCKELL STREET  
Map 082-07, Parcel(s) 297  
Subarea 05, East Nashville  
District 05 (S. Davis)

A request to rezone from SP to SP zoning for property located at 715 Stockell Street, at the southeast corner of Stockell Street and Hancock Street (0.20 acres), to permit up to 2 attached residential dwelling units, requested by Cal-Ten Inc, applicant and owner.



## **SUBSTITUTE ORDINANCE NO. BL2016-222**

### **An ordinance to amend various sections of chapter 8.04 of the Metropolitan Code of Laws related to rabies vaccinations for dogs.**

WHEREAS, Metro Code of Laws chapter 8.04 requires owners of dogs to vaccinate their pets for rabies; and

WHEREAS, Metro Code of Laws section 8.04.040(A) currently provides that all licenses issued for dog owners shall be valid for twelve (12) months and shall expire on the last day of the month issued of the following year, as authorized under Tennessee Code Annotated §§ 68-8-104 and 68-8-105; and

WHEREAS, Tennessee Code Annotated §§ 68-8-102, 68-8-103 and 68-8-112 require that dogs and cats be administered rabies vaccinations meeting the standards prescribed by both the U.S. Department of Agriculture and the Tennessee Department of Health at a minimum frequency recommended by the *Compendium of Animal Rabies Prevention and Control* published by the Association of State Public Health Veterinarians. This Compendium currently provides, in Part II B, for rabies vaccines of a minimum of three (3) years' duration of immunity – a duration regarded as providing the most effective method of increasing the proportion of immunized dogs and cats in any population; and

WHEREAS, the *Compendium of Animal Rabies Prevention and Control* of the Association of State Public Health Veterinarians further provides that “[t]here are no laboratory or epidemiologic data to support the annual or biennial administration of 3-year vaccines after completion of the initial vaccine series (*i.e.*, the initial vaccination and 1-year booster vaccination)”, and whereas the American Animal Hospital Association makes the same recommendation; and

WHEREAS, in recognition of the availability of a three-year vaccine, the current requirement for annual re-vaccinations for purposes of license renewal imposes unnecessary costs and inconvenience upon dog owners. A three-year immunity period should instead provide for renewal of licenses by mail in the second and third years of such vaccination.

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

Section 1. That Chapter 8.04 of the Metropolitan Code is hereby amended by deleting the last sentence at the end of section 8.04.020 and substituting in lieu thereof the following:

“The certificate of vaccination shall clearly identify the date by which re-vaccination is required.”

Section 2. That Chapter 8.04 of the Metropolitan Code is hereby amended by deleting section 8.04.030 in its entirety and substituting in lieu thereof the following:

"It shall be the duty of the veterinarian, duly licensed by the state board of veterinary medical examiners and approved by the board of health, to administer such a vaccination and to perform the vaccination in such a manner as meets applicable legal standards. These standards shall apply only to any vaccination clinics operated or sponsored by the department of health. The health department shall offer a low-cost rabies vaccine clinic or clinics at least annually. The availability of the clinic or clinics shall be publicized in a manner determined by the Director to be most effective in reaching the greatest number of pet owners in Davidson County."

Section 3. That Chapter 8.04 of the Metropolitan Code is hereby amended by deleting subsection 8.04.040(A) in its entirety and substituting in lieu thereof the following:

"Any person owning, keeping or harboring on the premises where they reside, any dog six months of age or over, shall pay to the chief medical director a license fee in accordance with the current fee schedule established by Section 8.04.130(A). The fee shall be established by the board of health, and any adjustment thereof shall be authorized by passage of a resolution by the Council. Each tag issued shall be valid until the required revaccination date as specified on the certificate."

Section 4. That Chapter 8.04 of the Metropolitan Code is hereby amended by deleting section 8.04.060 in its entirety and substituting in lieu thereof the following:

It shall be the duty of the chief medical director to collect the license fees under this chapter. The director shall record the information specified under the Tennessee Code Annotated. Unless such certificate of vaccination is exhibited at the time request is made for a license, the chief medical director shall issue no license. On receipt of the payment of the license fee, the chief medical director shall issue to the person paying the same a receipt to be furnished by the metropolitan government, showing the name of the owner of the dog or kennel on which such license fee is paid, the date and amount of such payment, the license tag number issued for each dog and the date of vaccination of such dog, and shall deliver to the owner a license tag bearing the serial number and the year through which the license fee is paid."

Section 5. The Metropolitan Clerk is directed to send a copy of this Ordinance to the Director of the Metro Public Health Department and to each member of the Board of Health.

Section 6. This Ordinance shall take effect on Jan. 1, 2017, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

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Erica Gilmore  
Member of Council

**SECOND SUBSTITUTE ORDINANCE NO. BL2016-234**

**An ordinance amending various sections of Chapter 10.56 of the Metropolitan Code of Laws to allow additional information requirements under section 10.56.020.A.1, and to add Metropolitan Zoning Code compliance to the provisions of section 10.56.020H.**

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

Section 1. That Chapter 10.56 of the Metropolitan Code of Laws shall be and the same is hereby amended by deleting Section 10.56.020.A in its entirety and substituting in lieu thereof the following new Section 10.56.020.A:

10.56.020 - Construction permits.

A. 1. It is unlawful for any person to install, erect, construct, reconstruct, alter, or add to, or cause to be installed, erected, constructed, reconstructed, altered or added to, any fuel-burning equipment, incinerator, process equipment, control device, or any equipment pertaining thereto, or any stack or chimney connected therewith, or to make or cause to be made any alteration or repairs which increases the amount of any air contaminant emitted by such source or which results in the emission of any air contaminant not previously emitted until application for a construction permit has been filed with the metropolitan health department and plans and specifications applicable to the work have been submitted to the director and a construction permit issued by him for such construction, installations, alterations or repairs. Applications for a construction permit shall be filed in duplicate in the offices of the director on forms adopted by the director and supplied by the metropolitan health department along with a copy of plans and specifications. The director shall not grant a construction permit to any source which does not comply with the provisions of the New Source Review Regulations as adopted by the board. If the director determines, on the basis of information available to him, that such source does, or in all likelihood will, operate in violation of this chapter, or that the source will operate so as to prevent attainment or maintenance of any national ambient air quality standard, he shall either impose conditions on the face of the construction permit that in his opinion will promote compliance with this chapter, and/or attainment and maintenance of any national ambient air quality standard, or he shall deny the application for the construction permit. At the request of the director, the applicant shall provide information necessary for the director to make the determination of whether the source does, or in all likelihood will, operate in violation of this chapter, or whether the source will operate so as to prevent attainment or maintenance of any national ambient air quality standard. For a major source, such information required may include a source impact analysis and air quality analysis as set out in regulations adopted by the Board. This section shall not apply to fuel-burning equipment used exclusively for heating less than three dwelling units, or to gas, or fuel oil equipment of five hundred thousand BTU input or less or to internal combustion engines.

2. In addition to any other remedies available on account of the issuance of an order prohibiting construction, installation, or establishment of any fuel-burning equipment, incinerator, process equipment, or control devices, and prior to invoking any such remedies, the person aggrieved thereby shall, upon request in accordance with the provisions of this chapter and the rules and regulations adopted by the board be entitled to a hearing. Such hearing shall be conducted pursuant to the contested cases provisions of the Uniform



Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5, Part 3 (T.C.A. § 4-5-301 et seq.).

3. The absence or failure to issue a rule, regulation or order pursuant to this section shall not relieve any person from compliance with any emission control requirements or with any other provision of law.

Section 2. That Chapter 10.56 of the Metropolitan Code of Laws shall be and the same is hereby amended by deleting Section 10.56.020.H in its entirety and substituting in lieu thereof the following new Section 10.56.020.H:

H. No new source shall be granted a construction permit unless the new source complies with the Metropolitan Zoning Code for the use of the property on which the new source is to be constructed. **For purposes of legal nonconforming uses, in accordance with Tenn. Code Ann. §13-7-208, this requirement shall not apply.** The receipt of a construction permit from the Metropolitan Health Department shall not be construed to indicate approval of the strength or safety of any equipment or to indicate compliance with the requirements of the Building Code of Metropolitan Nashville and Davidson County or any other ordinance thereof. Neither shall it relieve anyone from the responsibility to comply fully with the applicable provisions of this Code, nor any other requirement(s) imposed by statute, rule or regulation of the Metropolitan Government of Nashville and Davidson County, Tennessee, the State of Tennessee or the United States Government.

Section 3. This Ordinance shall take effect from and after its enactment, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

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Fabian Bedne  
Member of Council

SUBSTITUTE ORDINANCE NO. BL2016-271

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 CS to MUN-A zoning for property located at 1211 7th Avenue North, approximately 240 feet north of the intersection of 7th Avenue North and Madison Street, located in the Germantown Historic Preservation District, (0.17 acres), all of which is described herein (Proposal No. 2016Z-041PR-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 CS to MUN-A zoning for property located at 1211 7th Avenue North, approximately 240 feet north of the intersection of 7th Avenue North and Madison Street, located in the Germantown Historic Preservation District, (0.17 acres), being Property Parcel No. 160 as designated on Map 082-13 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 Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 082 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 3. 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.

INTRODUCED BY:

\_\_\_\_\_  
Councilmember Freddie O'Connell

Approved. (9-0)  
APPROVED ON April 28, 2016 BY THE  
METROPOLITAN PLANNING COMMISSION.

  
\_\_\_\_\_  
EXECUTIVE DIRECTOR & SECRETARY

2016Z-041PR-001  
Map 082-13, Parcel(s) 160  
Subarea 08, North Nashville  
District 19 (O'Connell)

A request to rezone from CS to MUN-A zoning for property located at 1211 7th Avenue North, approximately 240 feet north of the intersection of 7th Avenue North and Madison Street, located in the Germantown Historic Preservation District, (0.17 acres), requested by Britt DePriest, applicant; Daniel and Anne Depriest, owners.



SUBSTITUTE ORDINANCE NO. BL2016-277

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 OR20 and R6 to MUL-A zoning for properties located at 1122, 1124, & 1126 3rd Avenue South, approximately 35 feet north of Chestnut Street (0.34 acres), all of which is described herein (Proposal No. 2016Z-031PR-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 OR20 and R6 to MUL-A zoning for properties located at 1122, 1124, & 1126 3rd Avenue South, approximately 35 feet north of Chestnut Street (0.34 acres), being Property Parcel Nos. 073, 074, 075 as designated on Map 105-03 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 Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 105 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 3. 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.

INTRODUCED BY:

\_\_\_\_\_  
Councilmember Colby Sledge

Approved. (10-0)

APPROVED ON April 14, 2016 BY THE  
METROPOLITAN PLANNING COMMISSION.

  
\_\_\_\_\_  
EXECUTIVE DIRECTOR & SECRETARY

2016Z-031PR-001  
Map 105-03, Parcel(s) 073-075  
Subarea 11, South Nashville  
District 17 (C. Sledge)

A request to rezone from OR20 and R6 to MUL-A zoning for properties located at 1122, 1124, & 1126 3rd Avenue South, approximately 35 feet north of Chestnut Street (0.34 acres), requested by Britt DePriest, applicant; Shilo Missionary Baptist Church, owner.





## METROPOLITAN COUNCIL

Member of Council

**Scott Davis**  
**District 5 Councilman**  
206 Queen Avenue  
Nashville, Tennessee 37207  
615 554-9730

July 5, 2016

TO: Vice Mayor David Briley & Members of Metro Council

FROM: Scott Davis  
Councilmember, District 5

RE: **Suspension of the Rule 11 and Rule 21**

I plan to introduce a late zoning ordinance by changing 3.14 acres from RS5, CL, CN and IWD to RM20-A zoning for properties located at 1517, 1519, 1521, 1523, 1531 and 1601 Jones Avenue, 802 and 804 Cherokee Avenue, 701 and 709 Chickasaw Avenue.

A copy of the ordinance is on the reverse side of this memo. This ordinance is being submitted as an emergency late item to permit the public hearing to be held on August 2. This item was considered at the Planning Commission meeting on June 23rd and did not have a recommendation prior to the Council filing deadline.

I am, therefore, asking your support as I request a suspension of Rule 11 and Rule 21 to allow the ordinance to be introduced this evening. Further, I respectfully request your favorable consideration.

SD/rh

**ORDINANCE NO. BL2016-\_\_\_**

**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 RS5, CL, CN and IWD to RM20-A zoning for properties located at 1517, 1519, 1521, 1523, 1531 and 1601 Jones Avenue, 802 and 804 Cherokee Avenue, 701 and 709 Chickasaw Avenue, at the southeast corner of Jones Avenue and Chickasaw Avenue (3.14 acres), all of which is described herein (Proposal No. 2016Z-065PR-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 RS5, CL, CN and IWD to RM20-A zoning for properties located at 1517, 1519, 1521, 1523, 1531 and 1601 Jones Avenue, 802 and 804 Cherokee Avenue, 701 and 709 Chickasaw Avenue, at the southeast corner of Jones Avenue and Chickasaw Avenue (3.14 acres), as being Property Parcel Nos. 076, 117-124, and 175 as designated on Map 71 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 Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this Ordinance, to cause the change to be made on Map 71 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 3. 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.

INTRODUCED BY:

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Scott Davis  
Member of Council

View Sketch

2016Z-065PR-001  
Map 071-12, Parcel(s) 076, 117-124, 175  
Subarea 05, East Nashville  
District 05 (S. Davis)

A request to rezone from RS5, CL, CN and IWD to RM20-A zoning for properties located at 1517, 1519, 1521, 1523, 1531 and 1601 Jones Avenue, 802 and 804 Cherokee Avenue, 701 and 709 Chickasaw Avenue, at the southeast corner of Jones Avenue and Chickasaw Avenue (3.14 acres), requested by Councilmember Scott Davis and Freeman Construction, applicants; various property owners.

