

NASHVILLE

PLANNING

Planning 101

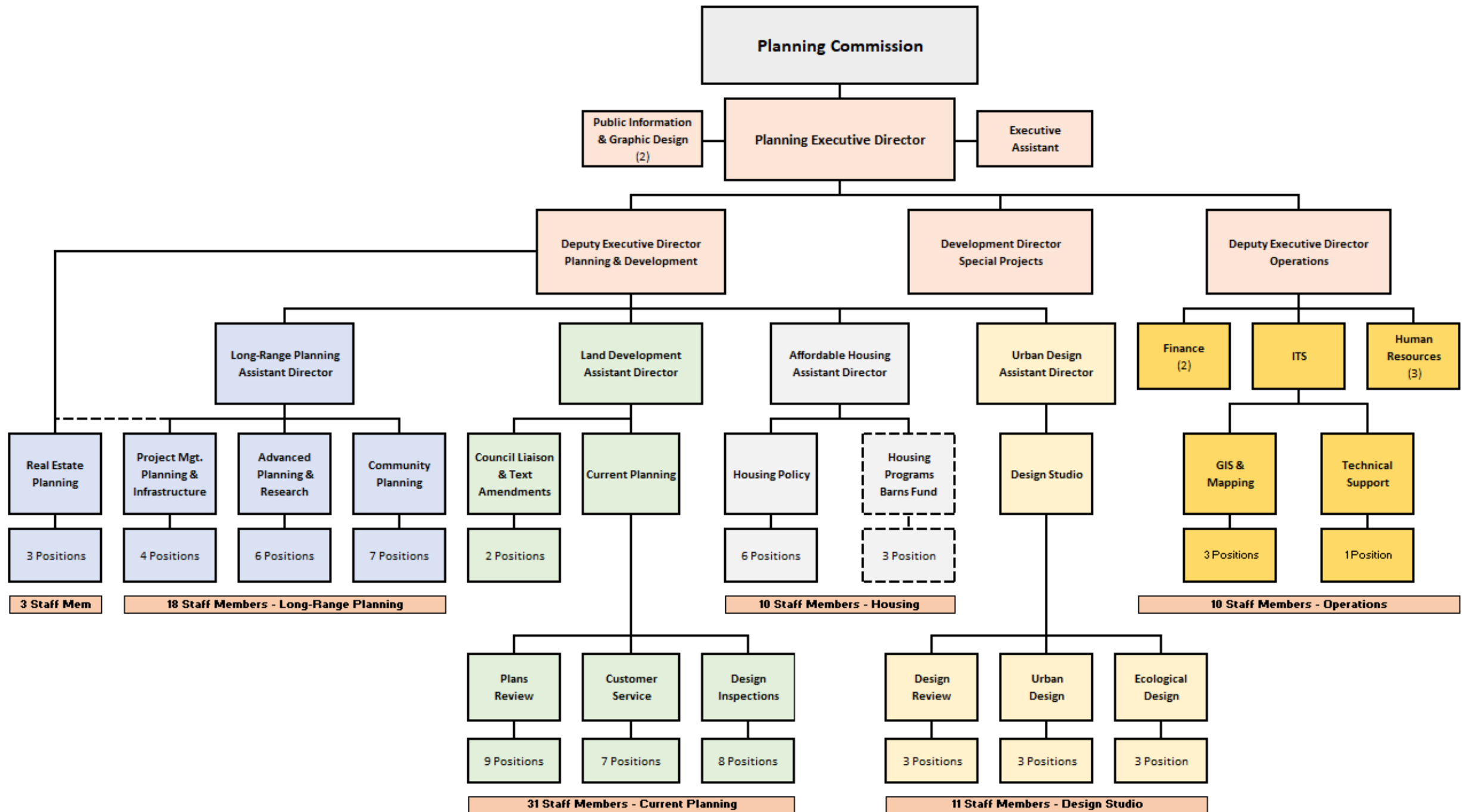
Councilmember Orientation – September 22, 2023

An aerial photograph of a city, likely San Francisco, with a blue overlay. The image shows a dense urban area with various buildings, including multi-story apartment complexes and commercial structures. In the background, there are hills and a body of water. The text is overlaid on the left side of the image.

Overview & Department Organization

Lucy Kempf – Executive Director

Todd Okolichany – Deputy Director of Planning & Development





Metro Housing Division

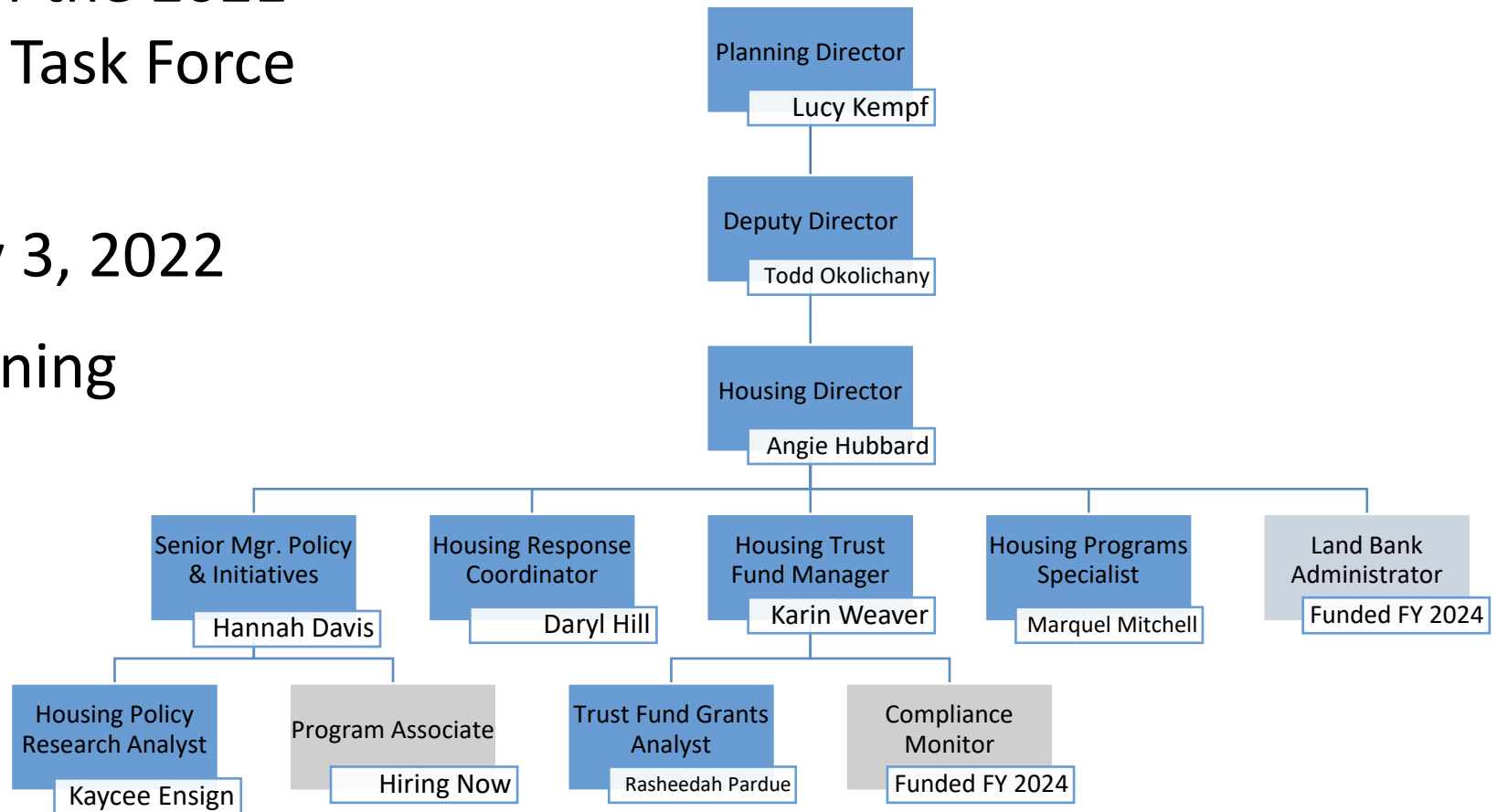
Angie Hubbard – Director of Housing



Metro Housing - Who are we?

Structure & Organization

- Recommendation of the 2021 Affordable Housing Task Force Report
- Established January 3, 2022
- Housed within Planning Department





Housing Division Values & Beliefs

- **VISION:** Every Nashvillian has housing security.
- **MISSION:** Through robust community engagement and current reliable data, align systems and resources to advance resident-centric and neighborhood appropriate housing solutions and address long-standing housing inequities.
- **BUSINESS ENVIRONMENT:** We operate in a politically charged environment in which housing needs far outpace resources, capacity, and realistic timeframes.
- **GUIDING PRINCIPLES:** The following guiding principles must be reflected in all aspects of our work:
 - Address housing inequities, especially racial inequities
 - Pursue innovative and creative solutions
 - Connect people to each other and to resources and opportunities and make these pathways accessible to all
 - Create resilient solutions to support residents and communities in preparing for a recovering from economic and climate-related shocks and stressors
- **GUIDEPOST:** 2021 Affordable Housing Task Force Report

An aerial photograph of a city, likely Pittsburgh, showing a dense urban landscape with numerous multi-story buildings, some with flat roofs and others with gabled roofs. In the background, there are hills and industrial structures, including tall smokestacks and a bridge. The entire image is overlaid with a dark blue tint. The text "Metro Housing - What is our focus?" is centered in the lower half of the image in a white, serif font.

Metro Housing - What is our focus?

Starting Point

- Affordable Housing Task Force Report
 - [Affordable Housing Task Force Report Link](#)
- Build staff capacity
- Lay Groundwork for comprehensive housing strategy

52,000 units
by 2030 for
≤80% AMI

What is affordable?

Metro Nashville Area

2023 Area Median Income (AMI) and 2022 Median Household Income (MHI)

Source: AMI - US Department of Housing and Urban Development (2023)**; MHI - Census American Community Survey (2022)***

	1-person household	2-person household	3-person household	4-person household
30% of AMI	\$21,000	\$24,000	\$27,000	\$30,000
50% of AMI	\$34,950	\$39,950	\$44,950	\$49,900
60% of AMI	\$41,940	\$47,940	\$53,940	\$59,880
75% of AMI*	\$52,400	\$59,900	\$67,400	\$74,850
80% of AMI	\$55,900	\$63,900	\$71,900	\$79,850
100% of AMI*	\$69,900	\$79,900	\$89,900	\$99,850
Median Household Income	\$44,935	\$88,716	\$101,139	\$101,927
Area Median Income & Median Household Income for all households	AMI for Metro Nashville Area (all households)		MHI for Davidson County (all households)	
	\$102,500		\$72,473	

*HUD does not publish a calculation for this AMI target. The calculations for 75% and 100% of the AMI were prepared by the Tennessee Housing Development Agency.

** The Area Median Income for Metro Nashville includes a ten county census. The following counties are included: Cannon County, TN; Cheatham County, TN; Davidson County, TN; Dickson County, TN; Robertson County, TN; Rutherford County, TN; Sumner County, TN; Trousdale County, TN; Williamson County, TN; and Wilson County, TN

*** The Median Household Income includes only Davidson County.

Equity Lens

**AFFORDABLE
HOUSING**

≠

Fair Housing

An aerial photograph of a city, likely Pittsburgh, showing a mix of industrial buildings, residential structures, and a river. The image is overlaid with a dark blue filter. The text "Metro Housing - What are we doing?" is centered in white.

Metro Housing - What are we doing?

Approach to Housing Security

Build New

- Funding
- Incentives
- Property

Preserve Existing

- Funding
- Tax Assistance
- Rehabilitation

Increase Access

- Connect to Resources
- Lower Barriers
- Fair Housing

Promote Stability

- Tenant Protections
- Loss Prevention
- Fair Housing

Limitations

Zoning
Requirements

Rent
Control

Private
Sales

Tenant
Rights



Primary Functions



An aerial photograph of a city, likely San Francisco, showing a dense urban landscape. The foreground is dominated by multi-story residential buildings with varied architectural styles, including brick and concrete facades. In the middle ground, there are industrial structures, including large warehouses and tall smokestacks, situated near a waterfront area. The background features rolling hills covered in trees, with more residential buildings scattered across the slopes. The entire image is overlaid with a semi-transparent dark blue filter, and the title text is centered in a white, serif font.

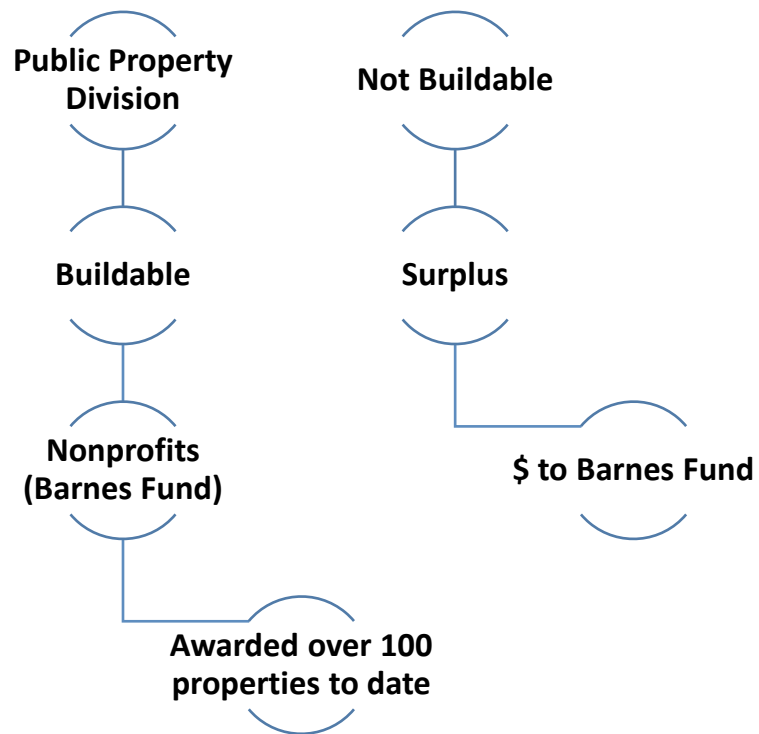
Metro Housing - Strategic Initiatives

Communications & Outreach

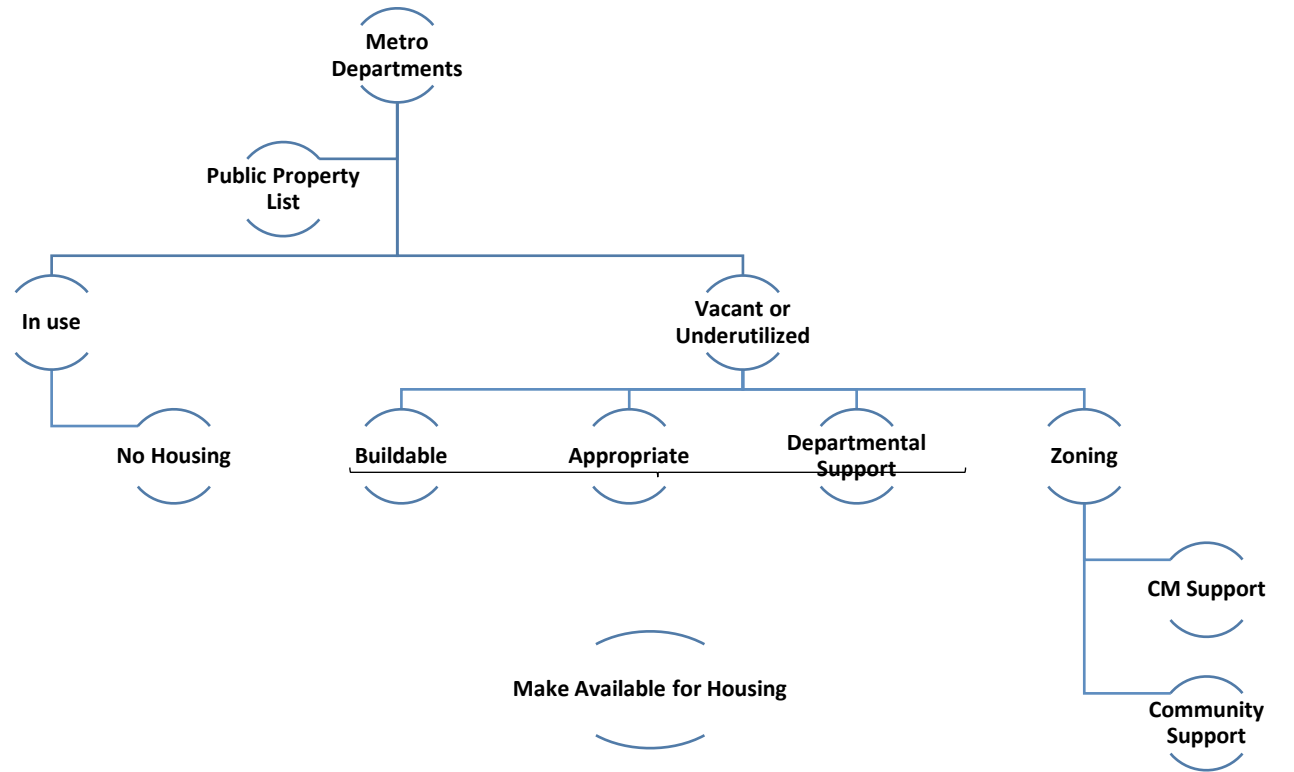


Property Utilization

Delinquent Tax Properties



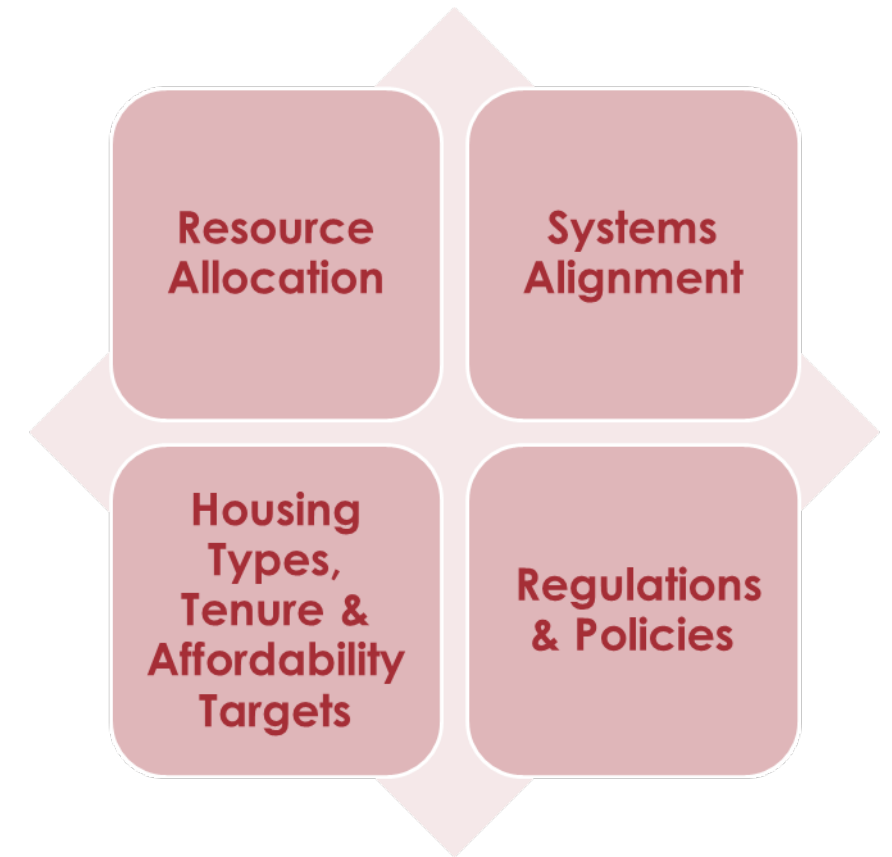
Other Property



Unified Housing Strategy

Objectives

- Create & preserve a sufficient supply of permanent housing options affordable to Nashvillians at all income levels.
- Address historical housing inequities.
- Support residents with resources & policies to achieve & maintain housing security & stability.
- Ensure that Nashville's housing stock & systems are sustainable & resilient.



An aerial photograph of a city, likely San Francisco, showing a dense urban landscape. The foreground is dominated by multi-story residential buildings with varied architectural styles, including brick and concrete structures. In the middle ground, there are industrial buildings, a large body of water (possibly a bay or harbor), and several tall smokestacks. The background features rolling hills covered in trees under a clear sky. The entire image is overlaid with a semi-transparent dark blue filter.

Metro Housing - Data & Policy Work

Data Management

Accomplishments

- Full Barnes Fund Inventory
- 1st Housing Dashboard: [Workbook: AH-Dashboard \(nashville.gov\)](https://www.nashville.gov/workbooks/AH-Dashboard)
- Housing Security Data Roundtable

Challenges

- Correct Metrics
- Timely, Consistent & Accessible Data
- Interagency Cooperation

Opportunities

- Comprehensive, Unduplicated Inventory
- Better Data Sources
- Dashboard Overhaul



Housing Security Roundtable

Purpose

- To create a shared understanding of housing security; the elements that influence it; and the impacts housing security has on our community
- Learn about new research and data tools that can be used to inform our programs and policies
- Increase collaboration across agencies dedicated to advancing the social and economic well-being of Nashvillians

Partners

- Metro Nashville Planning Department
- Metro Nashville Social Service
- Metro Nashville Public Health Department
- Metro Nashville Office of Homeless Services
- Greater Nashville Regional Council
- Nashville Area Chamber of Commerce
- Metropolitan Development & Housing Agency
- Tennessee Housing Development Agency
- Greater Nashville's Realtor Association



Housing Fact Sheets

- Purpose: address the main questions/concerns shared by community members about affordable housing
- Examples:
 - What we mean by affordable housing
 - What is housing cost burden
 - What is the Area Median Income
 - What professionals in Nashville would be eligible for affordable housing

An aerial photograph of a city, likely San Francisco, showing a dense urban landscape. The foreground is dominated by multi-story residential buildings with varied architectural styles, including brick and concrete facades. In the middle ground, there are industrial structures, including large warehouses and tall smokestacks, situated near a waterfront area. The background features rolling hills covered in trees and more residential development. The entire image is overlaid with a dark blue gradient, and the text "Metro Housing - Resident Resources" is centered in a white, serif font.

Metro Housing - Resident Resources



Resource Connections

Help with

- Locating housing
- Making utility, rent, or mortgage payments
- Making repairs or weatherization improvements to my home
- Making my home more accessible
- Paying my property taxes
- With services for Older Adults (age 62+)
- Understanding my fair housing & tenant rights
- Becoming a homeowner

Other work

- Constituent inquiries
- Displacement coordination (*in development*)
 - Redevelopment
 - Natural disasters

An aerial photograph of a city, likely San Francisco, showing a dense urban landscape with numerous multi-story buildings, some with flat roofs and others with gabled roofs. In the background, there are hills and a body of water. The image is overlaid with a dark blue gradient, and the text "Metro Housing - Developer Tools" is centered in white.

Metro Housing - Developer Tools

At-A-Glance

Program	Rental New Construction	Rental Rehab	Homeownership New Construction	Owner - Occupied Rehab**	Rental Assistance	Enhanced Infrastructure Improvements
Barnes Fund	≤60% AMI*	N/A	≤80% AMI*	≤80% AMI	N/A	N/A
CHIP	***	***	***	N/A	N/A	100% units @ ≤80%
Mixed-Income PILOT	≤75% AMI	≤75% AMI	N/A	N/A	N/A	N/A
Permit & Departmental Priority Review	See eligibility criteria.			N/A	N/A	N/A

*Includes funding for acquisition.

**Indicates funding available to organizations to undertake for owner-occupied rehab. This does not indicate assistance available directly to homeowners.

***Types of housing projects eligible.

Overview

Barnes Fund

- Grants to nonprofits
- Competitive process
- Overseen by Housing Trust Fund Commission
- Funded annually through operating budget

CHIP

- Connecting housing to infrastructure program
- Grants for enhanced mobility-related improvements
- For projects with 100% income-restricted housing
- Funded through Capital Spending Plan

Mixed-Income PILOT

- Property tax abatements
- Create affordability in developments that would otherwise not have affordability
- Priority for projects along corridors & in high opportunity areas

ARPA Targeted Programs

- **Pathways to Equitable Homeownership (\$10,000,000)**
 - Collective or shared equity housing (\$9.5 million) – *Barnes funding round opening late summer 2023*
 - Equitable homeownership network (\$500,000) – *RFP issued Fall 2023*
- **Housing Opportunities for Older Adults (\$8,000,000)**
 - Rental housing for 62+ (\$6.5 million) – *funding awarded*
 - Shared Housing Improvements (\$1.2 million) – *Barnes funding round opening late summer 2023*
 - Homesharing Technology Pilot (\$300,000) program – *RFP currently open*
- **Innovative Housing Solutions (\$7,000,000)**
 - Co-op housing for families (\$7 million) - *Barnes funding round opening late summer 2023*

Coming soon – Nashville Catalyst Fund

Nimble

Access to capital for

Mission developers (non- and for-profit) to

Preserve existing regulated & unregulated affordable housing &

Accelerate the creation of high-impact affordable housing

In the works ... HUD PRO Housing Grant Application

Grant Purpose

- PRO Housing = Pathways to Removing Obstacles to Housing
- Further develop, evaluate and implement housing policy plans.
- Improve housing strategies, or
- Facilitate affordable housing production and preservation.

Proposed Activities

- Develop a guide for updating zoning & land use policies to encourage Missing Middle Housing
- Provide technical assistance & capacity building to mission driven affordable housing developers & contractors to expand the creation/preservation of affordable housing
- Develop guide to facilitate affordable housing on land owned by faith-based institutions
- Financing the development or preservation of affordable housing (0-30% or PSH)
- Grant administration

Timeline

- October 2 = Draft application available for public comment
- October 11 = Virtual public meeting (11:30 am) & In-person public meeting (5:30 pm)
- October 16 = Council committee meetings
- October 17 = Council consideration; public comment period closed at 11:00 pm
- October 30 = Grant submittal deadline
- Early 2024 = HUD announces awards



Metro Planning Commission

Lisa Milligan – Assistant Director Land Development

Metro Planning Commission - Basics

- 10 members
 - 8 members appointed by Mayor and confirmed by Metro Council
 - 1 member elected by Metro Council from Council membership (also serves as Chair of Planning and Zoning Committee)
 - Mayor – generally appoints a member to serve as representative
- Meets twice a month most months – 2nd and 4th Thursday (some months only 1 meeting)

Metro Planning Commission - Duties

- Granted by the State through Title 13 of TCA
- Adopt General Plan (NashvilleNext)
- Review amendments to General Plan – final decision
- Review zone change requests and make recommendation to Council
- Review preliminary SP requests and make recommendation to Council
- Review subdivision plans – final decision
- Review and recommend CIB



Communicating with the Commission

- CMs are given an opportunity to speak at the beginning of every MPC meeting for items on the agenda
- CMs can also speak when an item comes up on the agenda
- CMs can send emails to the Commission



NashvilleNext & Policy

John Houghton – Assistant Director Long Range Planning

NashvilleNext

- General Plan for Nashville & Davidson County (2015)
 - Policy guide to how and where Nashville will grow in the next 25 years
 - Plan is a living document – often amended over time



nashvillenext
growth & preservation
concept map

Green network

Natural and rural areas that provide natural resources (like farming), ecological services (like cleaning air and water), and passive and active recreation opportunities. They also include sensitive natural features that can be disturbed or destroyed by development or that pose a health or safety risk when developed (such as steep slopes and floodplains).

OPEN SPACE ANCHOR

AREA MISSING OPEN SPACE ANCHOR

Neighborhood

Primarily residential areas offering a mix of housing types and character, with smaller civic and employment areas and small neighborhood centers. Neighborhoods have different character, depending on the context (rural, suburban, urban, or downtown).

High capacity transit corridor

A framework of more intense housing and commercial areas along major roadways with more frequent transit service.

IMMEDIATE NEED

Routes with near-term improvements to transit service.

LONG-TERM NEED

Routes for longer-term improvements to transit service.

CONNECTION TO REGIONAL TRANSIT

Center

Pedestrian-friendly areas with frequent transit service that contain a dense mix of homes, shops, jobs, and parks, as well as services, schools, and cultural amenities.

TIER ONE

These centers are the focus of coordinated investments to shape growth and support increased transit service in the next ten years.

TIER TWO

These centers receive some investments to manage growth, though less than Tier One centers.

TIER THREE

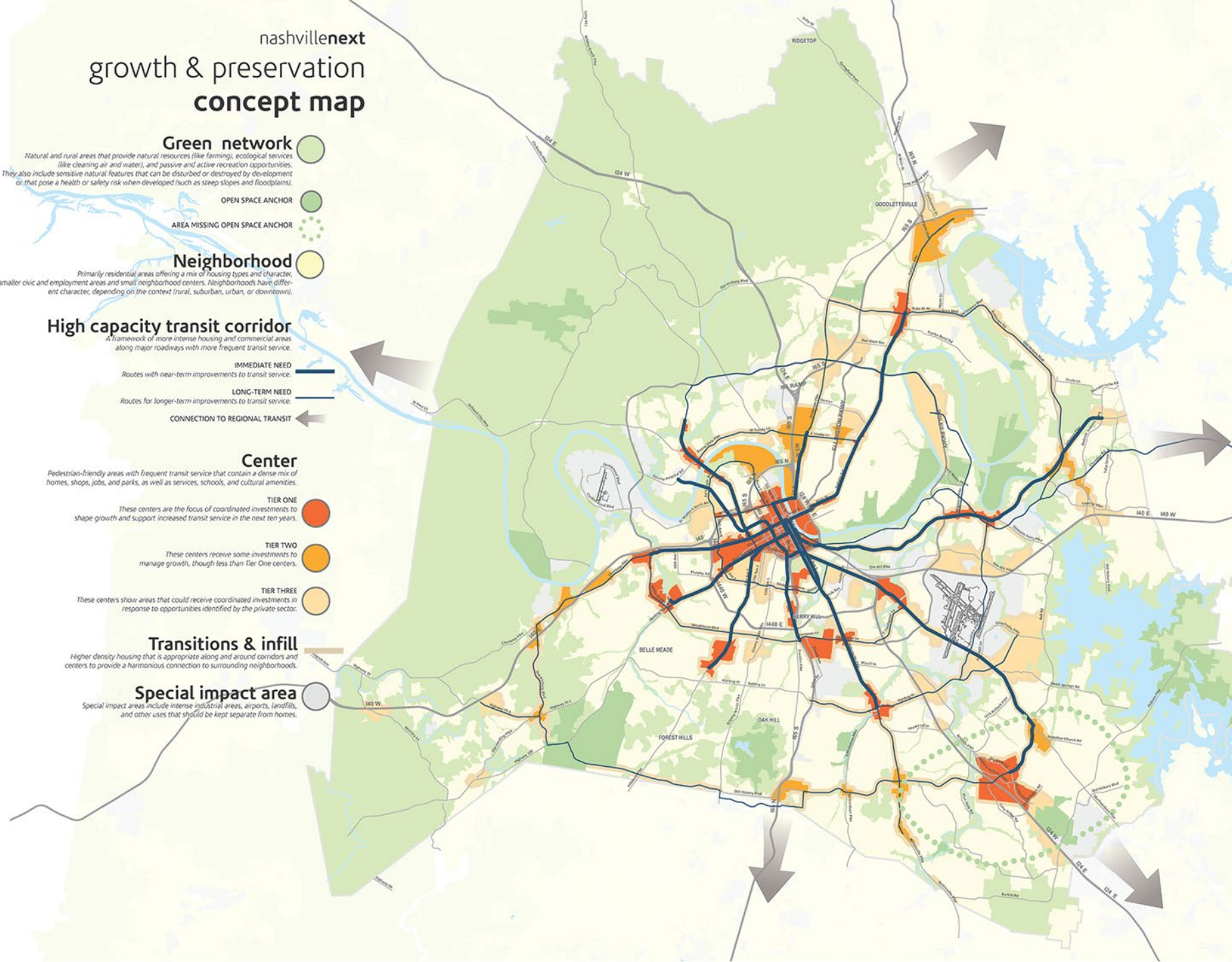
These centers show areas that could receive coordinated investments in response to opportunities identified by the private sector.

Transitions & infill

Higher density housing that is appropriate along and around corridors and centers to provide a harmonious connection to surrounding neighborhoods.

Special impact area

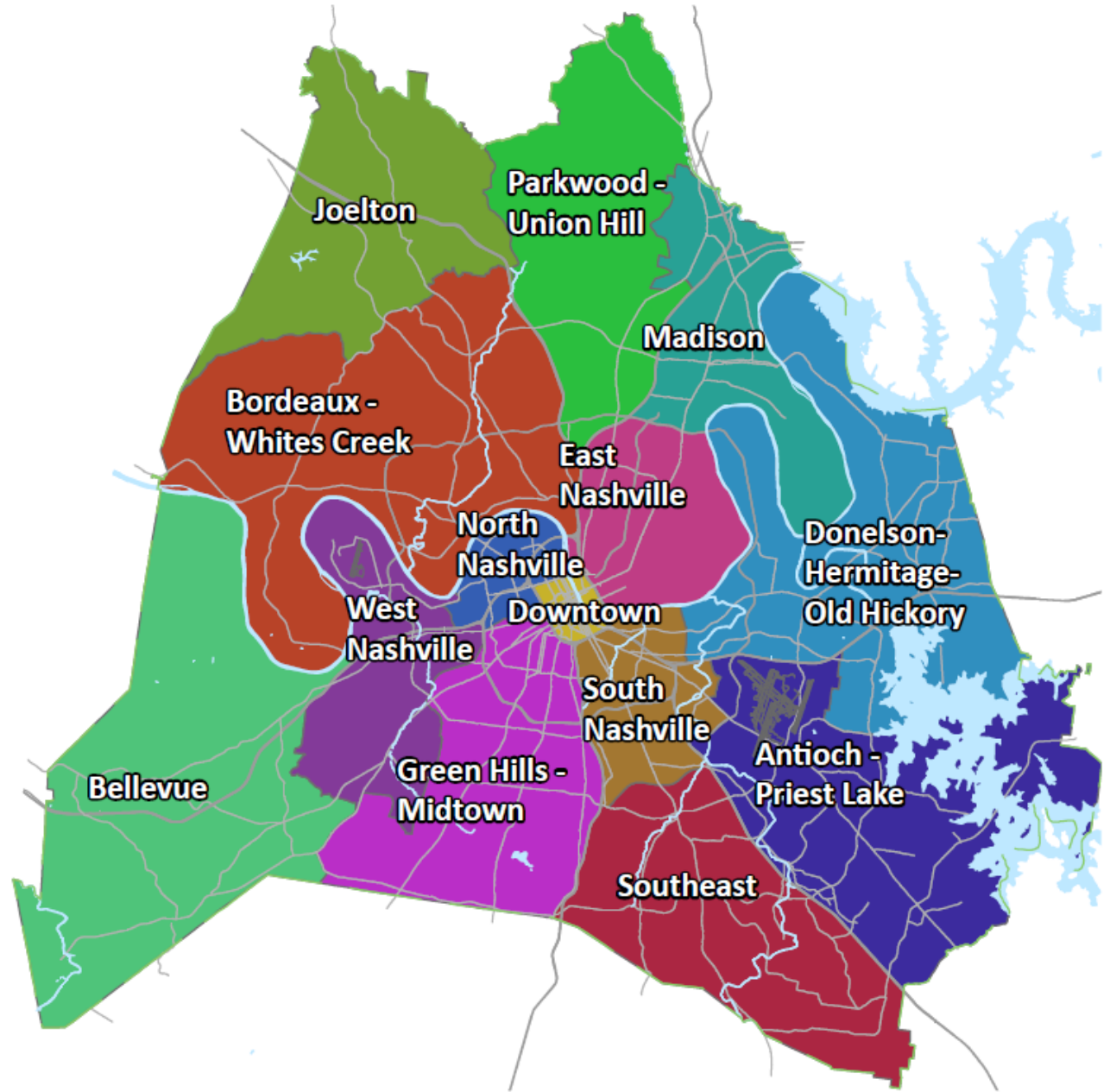
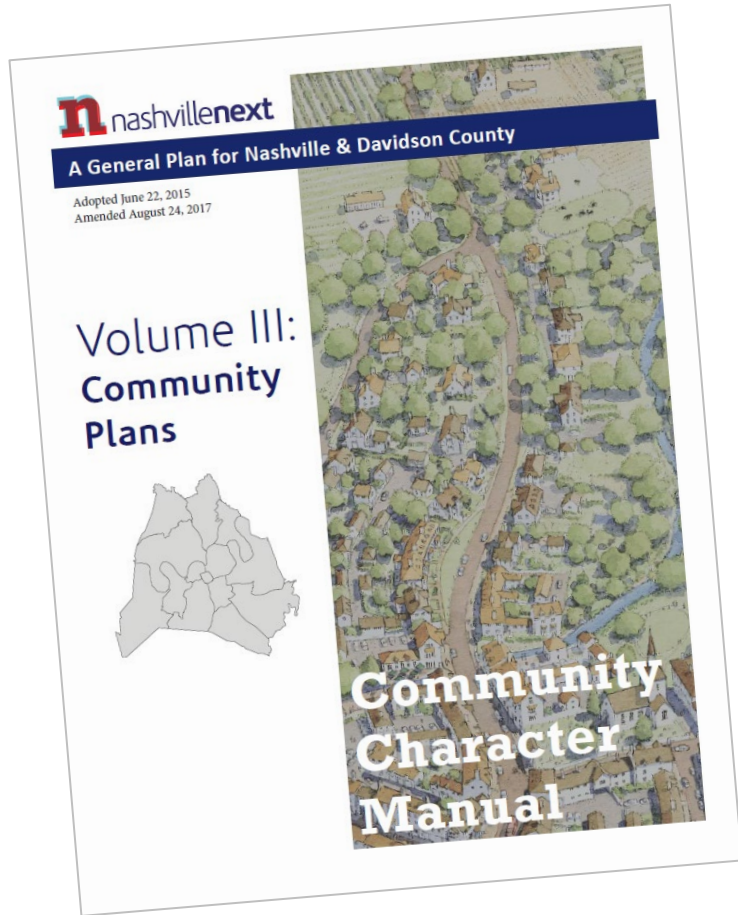
Special impact areas include intense industrial areas, airports, landfills, and other uses that should be kept separate from homes.



Guiding Principles

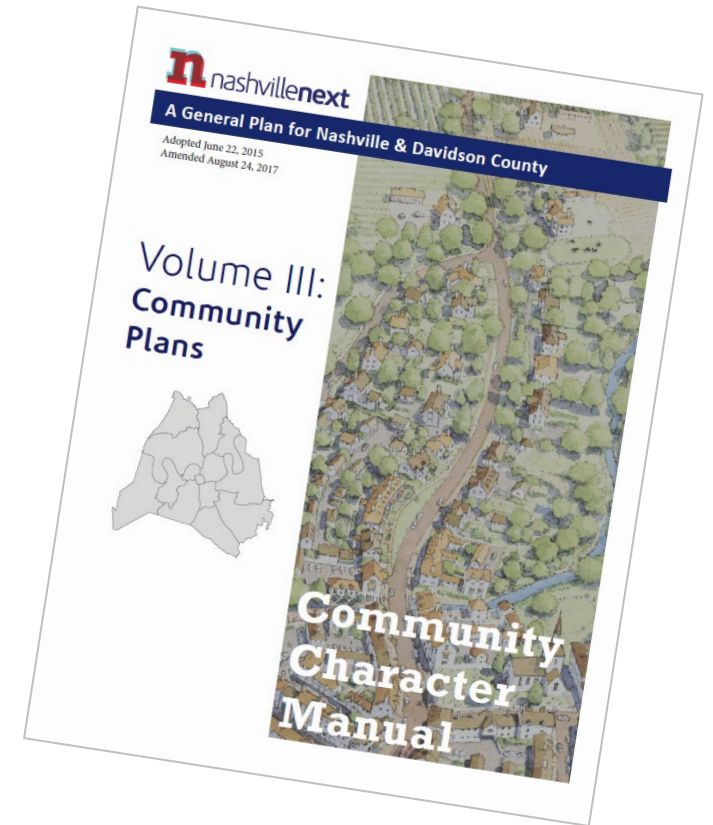
- Ensure Opportunity for all
- Expand Accessibility
- Create Economic Prosperity
- Foster Strong Neighborhoods
- Advance Education
- Champion the Environment
- Be Nashville

Community Plans

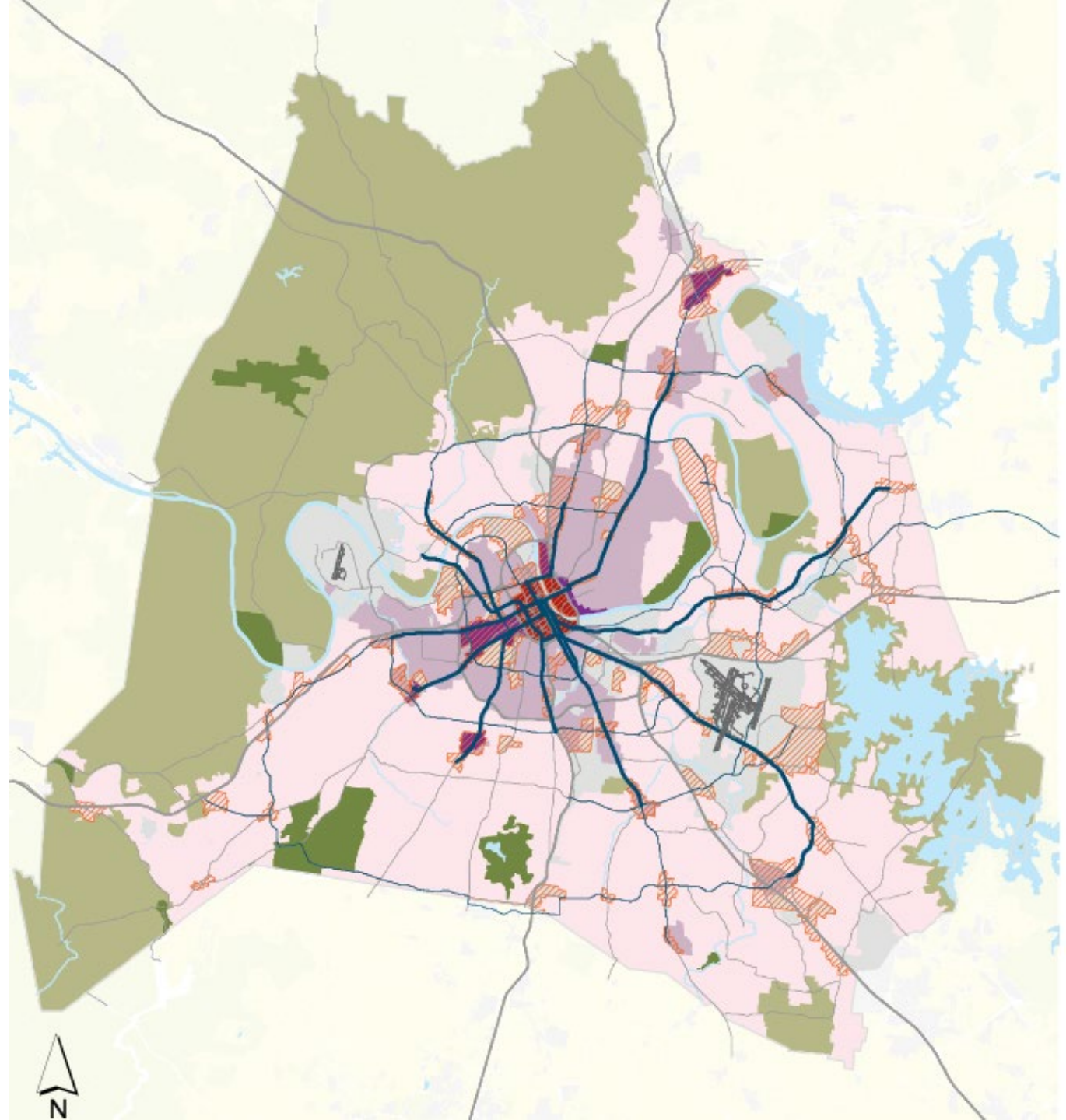
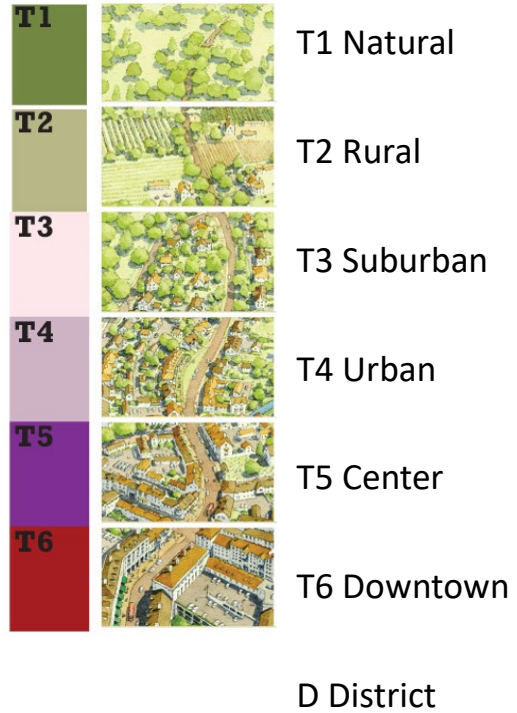


Community Character Policy

- Community Character Policy helps shape the form and character:
 - Open space
 - Neighborhoods
 - Centers
 - Corridors
 - Districts
- Community Character Policy provides guidance:
 - Zone change requests
 - Subdivision requests (to a lesser extent)
 - Capital improvement projects and budget
 - Recommendations to Board of Zoning Appeals



Transect






Structure of Character Policies

- Policies provide guidance for four community elements in each transect category:

- Open Space
- Neighborhoods
- Centers
- Corridors

- General Characteristics
- Application
- Design Principles
- Connectivity
- Zoning

Transect	Elements	Intent	Policy
	Neighborhoods	Maintain	T4 Urban Neighborhood Maintenance
		Create & Enhance	T4 Urban Neighborhood Evolving
		Maintain, Enhance & Create	T4 Urban Mixed-Use Neighborhood
	Centers	Maintain, Enhance & Create	T4 Urban Neighborhood Center
		Create & Enhance	T4 Urban Community Center
	Corridors	Maintain, Enhance & Create	T4 Urban Residential Corridor
		Enhance	T4 Urban Mixed-Use Corridor

Example of Community Character Policies

T4 NM – Urban Neighborhood Maintenance

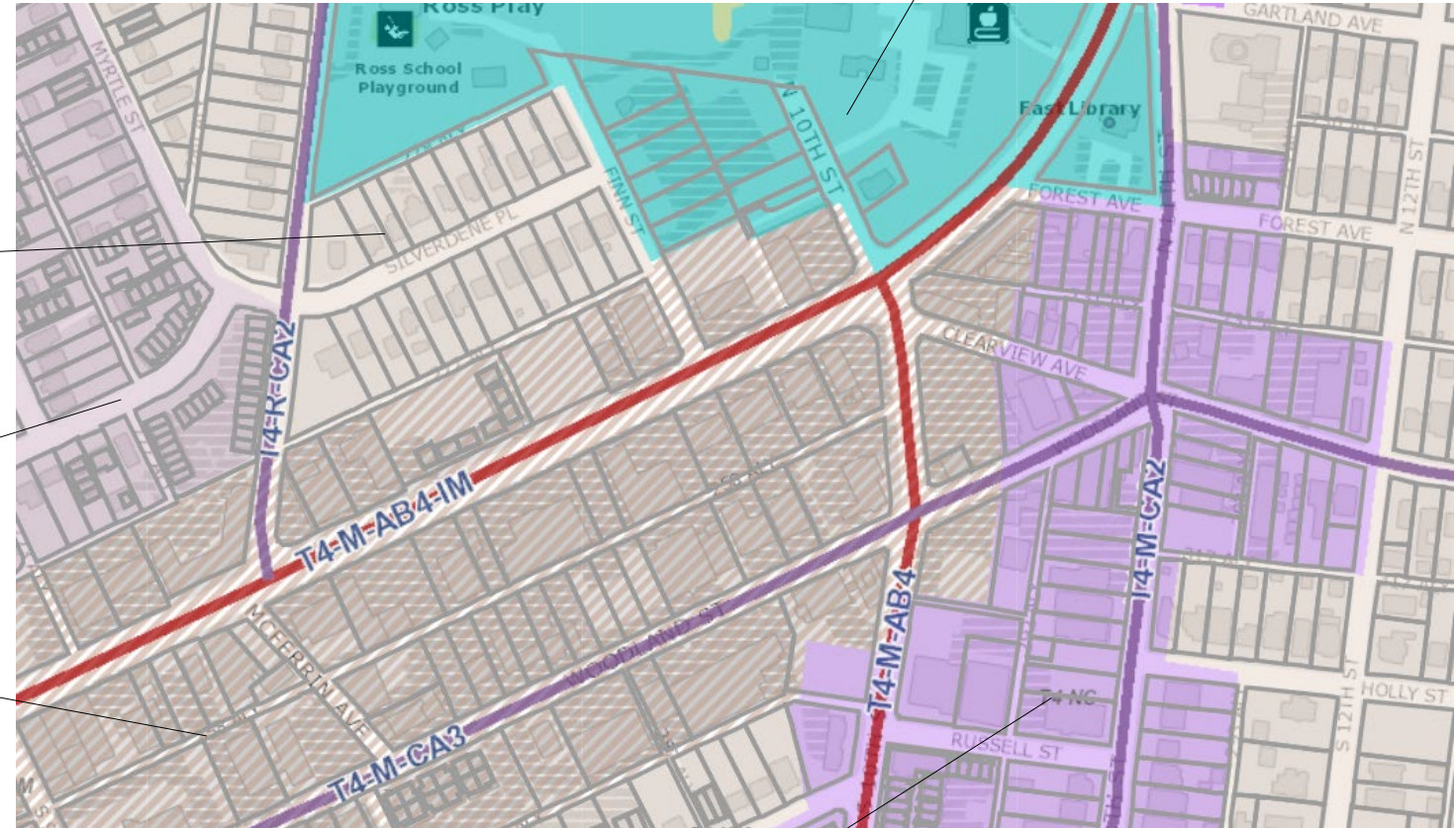
T4 NE – Urban Neighborhood Evolving

T4 CM – Urban Mixed Use Corridor

Major & Collector Street Plan (MCSP)

AB – Arterial Boulevard

CA – Collector Avenue

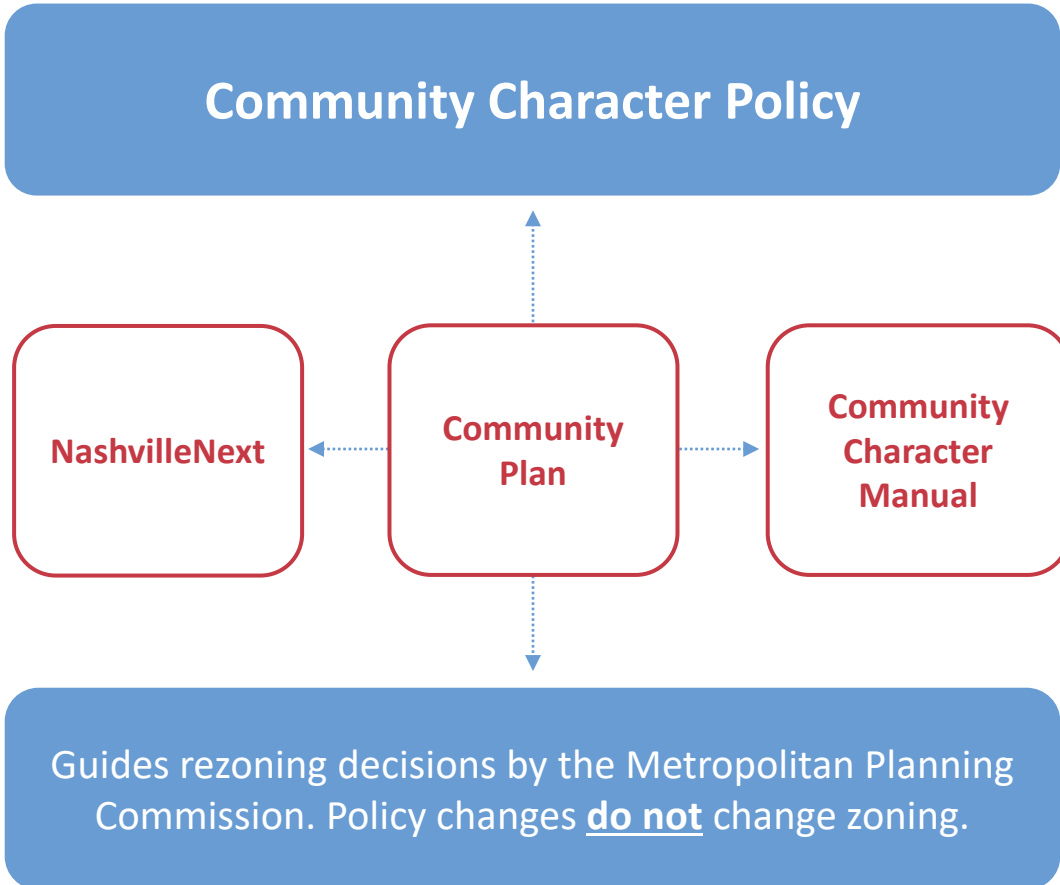


CI - Civic

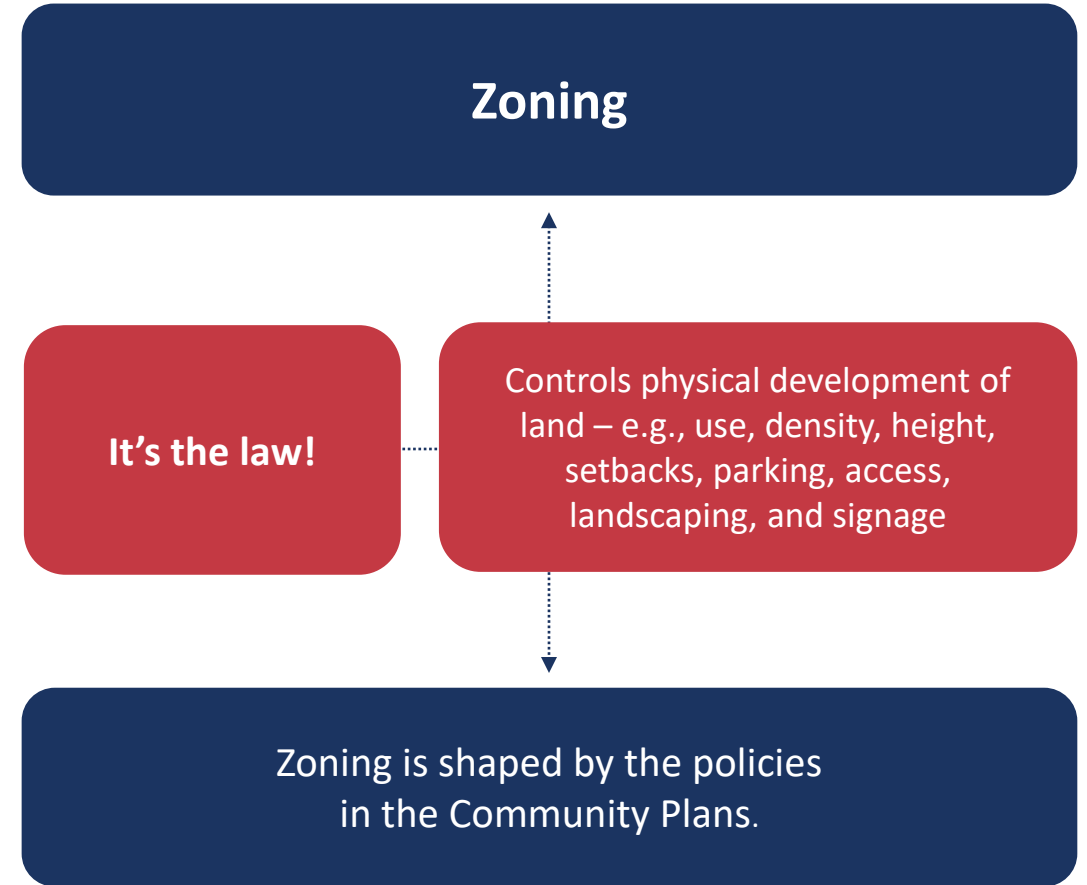
T4 NC – Neighborhood Center

Community Character Policy vs Zoning

Community Character Policy



Zoning





Policy Amendments

- Initiated by Planning Department, community, or property owner
- Application fee cannot be waived on Plan Amendments
- Three types – Major (community meeting), Minor with community meeting, Minor (no community meeting)
- Community meeting is led by Planning staff
- Community input is important, but 100% support is unlikely
- Not all amendments are paired with a zone change application



Community Character Policy Notes

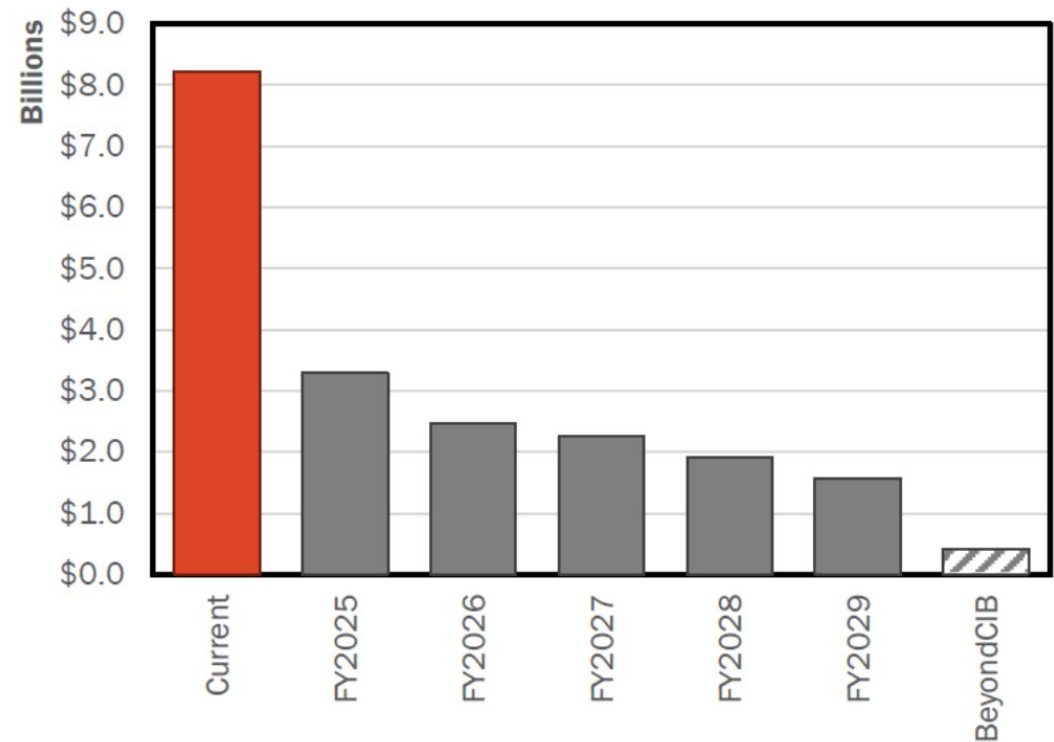
- Context is important – not every part of every policy area supports the same type of development. The edge of a T3 NM area may support something more intense than the interior of a T3 NM area.
- It is not uncommon for existing zoning to conflict with the land use policy. In these instances, policy is aspirational but the zoning still controls for the purpose of development.
- Policy guides Planning Commission decisions for zoning changes.

An aerial photograph of a densely populated residential neighborhood, likely in a city like Chicago, with a city skyline visible in the far distance. The image is overlaid with a dark blue gradient. The text 'Capital Improvements Budget' is centered in a white, serif font.

Capital Improvements Budget

What's in the CIB?

- Any capital improvement that Metro makes must be included in the CIB.
- A capital improvement is “any building, structure, work or improvement,” with an average life over 10 years and a cost greater than \$50,000.
- The FY24 CIB included over 1,000 projects requesting \$20 billion over the next ten years.



The role of the CIB

Capital Improvements Budget

Any capital improvement that Metro makes must be included in the CIB. However, **inclusion in the CIB does not guarantee funding**. It only lays out what Metro could spend money on.

It includes six years of projects, but is only binding on the first year.

Sources of funding

General obligation bonds /
Capital Spending Plan (CSP)

Revenue bonds

- Water services
- Sports Authority

4% Funds

Enterprise funds or operating
budget

Federal or state funding

Annual cycle

October – January: Council requests

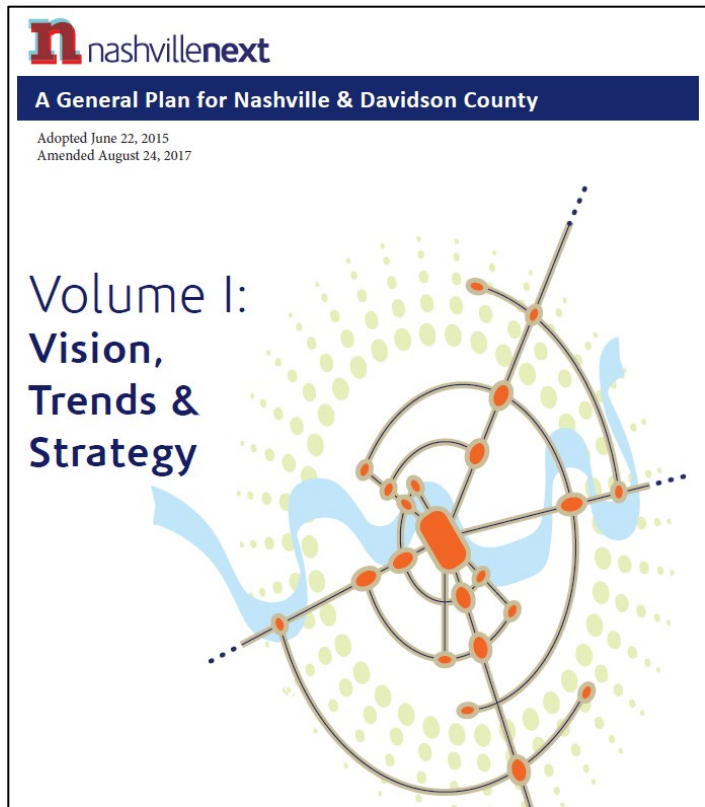
January – February: Department
requests

April: Planning Commission vote

May: Mayor's Draft

June: Council vote

NashvilleNext



- **Metro Nashville Charter**
The capital improvements budget shall include a program of proposed capital expenditures for the ensuing fiscal year and the next five fiscal years thereafter, **accompanied by the report and recommendations of the metropolitan planning commission** with respect to the program.
- **Related powers**
 - Make the general plan for the physical development of the metro govt area
 - Adopt a zoning plan
 - Make plans for replanning, conservation, improvements and renewal of neighborhoods

Where to find projects in your district

The screenshot shows the Nashville.gov website with the Planning Department navigation menu open. The menu includes: Search Planning Department, Long Range Planning, Community Character Manual, Community Plans, Local Planning Studies, Transportation Planning, Capital Improvements, Neighborhoods, and Communities and Council Districts. The main content area displays the 'Fiscal Year 2023-2024 Capital Improvements Budget' section, which includes a search bar, a search button, and a list of links for the budget report and adopted budget. The URL at the bottom of the browser window is <https://www.nashville.gov/departments/planning/long-range-planning/capital-improvements>.

From the Planning Department CIB page, you can find:

- An online viewer of all CIB projects
- A report of projects by Council district

Next steps for the CIB

Annual cycle

October – January: Council requests

January – February: Department requests

April: Planning Commission vote

May: Mayor's Draft

June: Council vote

Planning will coordinate with Council office on scheduling a more detailed briefing on the CIB in support of the Council request cycle.

A dark blue-tinted photograph of a residential street. In the foreground, a paved road curves to the left. On the right side of the road, there is a concrete curb and a sidewalk. In the background, several houses with tiled roofs are visible, surrounded by lush green trees and bushes. The overall scene is a typical suburban neighborhood.

Zoning Basics & Rezoning

Lisa Milligan – Assistant Director Land Development



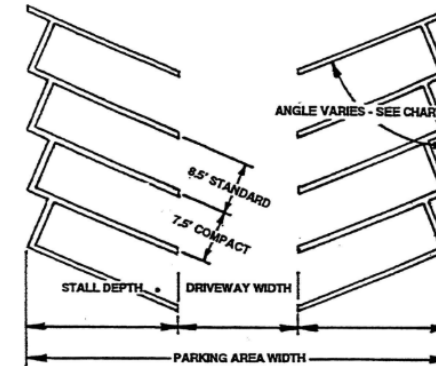
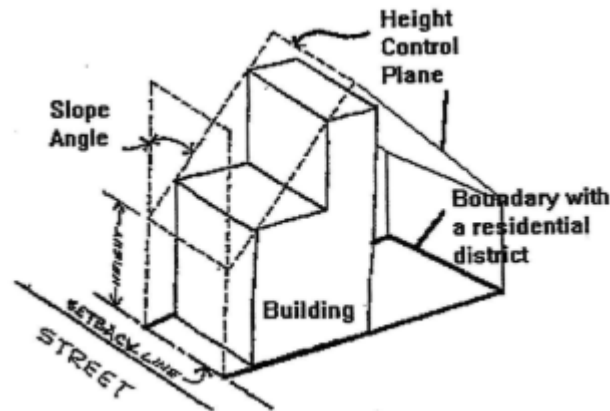
Zoning Basics

- Zoning is *law*.
- Zoning is the set of rules that govern how land may be used and the development standards for all property in Nashville.
- The laws control the physical development of land (building heights, setbacks, parking, landscaping, signs) and the land uses allowed.
- Property owners can develop under their existing zoning without following the guidance of Community Character Policy.

What is included in zoning?

- Base zoning
 - Uses permitted by right
 - with conditions
 - by special exception (BZA)
 - accessory
- Bulk standards
 - Height
 - Coverage
 - Setback
- Parking/Access
- Landscaping

	Ag	Residential					SP	Mixed Use				Office				
	AG and AR2a	RS80 thru RS3.75-A	R80 thru R6-A	RM2 thru RM20-A	RM40 thru RM100-A	M H P	* S P	MUN and MUN-A	MUL and MUL-A	MUG and MUG-A	MUI and MUI-A	O N	O L	O G	OR 20 thru OR 40-A	ORI and ORI-A
Residential Uses																
Single-family	P	P	P	P	P			P	P	P	P	P		PC	P	P
Two-family	PC		PC	P	P			P	P	P	P			PC	P	P
Multi-Family				P	P			P	P	P	P			PC	P	P
Elderly housing				P	P			P	P	P	P			PC	P	P
Mobile home dwelling	P					PC										
Accessory apartment	A	A	A													
Accessory dwelling, detached			PC	PC	PC									PC	PC	
Boarding house				P	P			P	P	P	P			P	P	
Consignment sale	PC	PC	PC	PC	PC	PC		P	P	P	P			P	P	
Domesticated hens	P	A	A													
Garage sale	A	A	A	A	A	A		A	A	A	A			A	A	
Historic bed and breakfast homestay	O	O	O	O	O	O		O	O	O	O	O	O	O	O	O
Historic home events	SE	SE	SE	SE	SE	SE		P	P	P	P	SE	P	P	P	P
Home occupation	A	A	A	A	A	A		A	A	A	A	A		A	A	A
Rural bed and breakfast homestay	SE															
Security residence												PC	PC	PC		
Short term rental property (STRP)	A	A	A	A	A	A		A	A	A	A	A	A	A	A	A



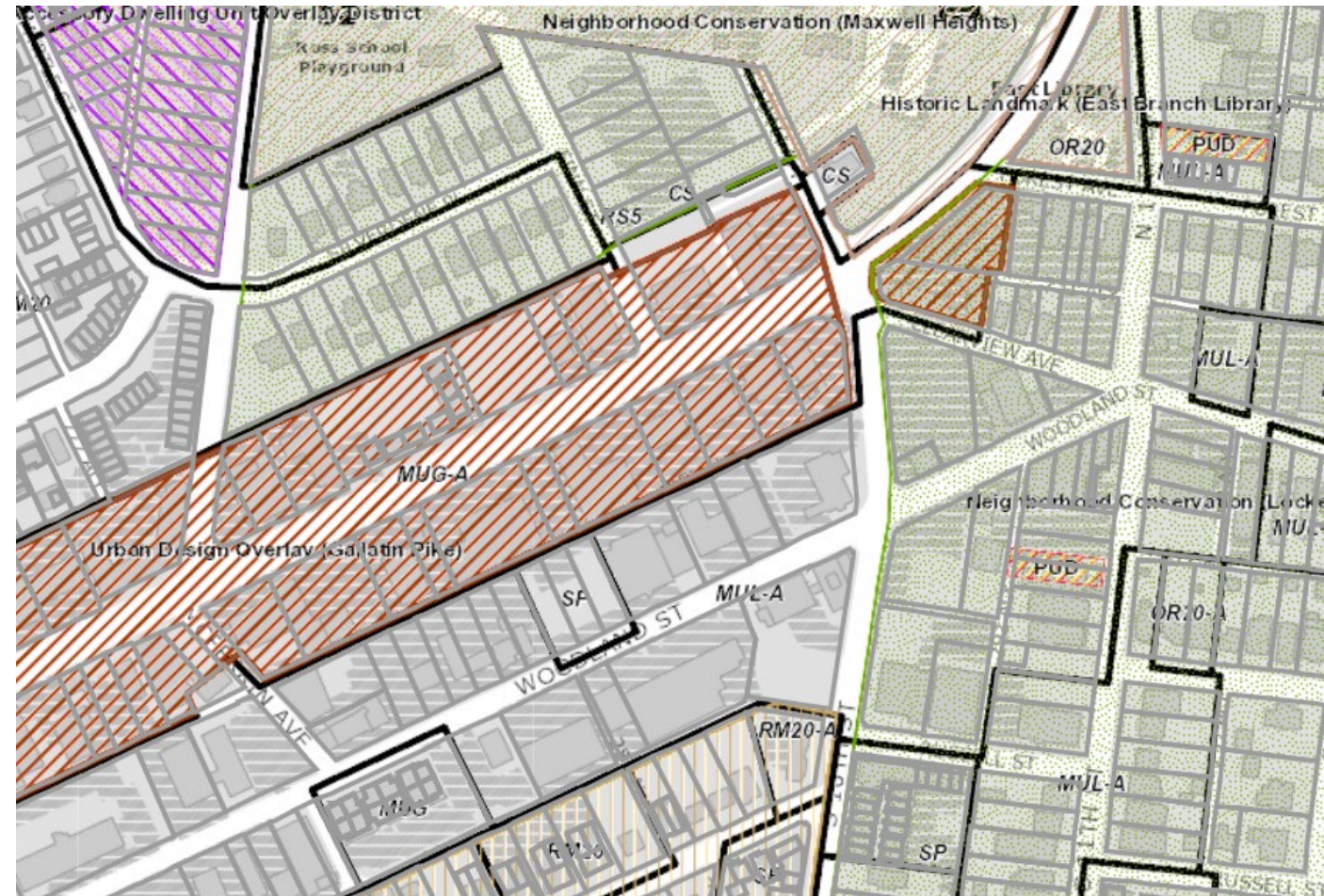
General Zoning Categories

- A – agricultural (AG, AR2a)
- R - residential (R, RS, RM, -A)
- MU – mixed use (MUG, MUL, MUN, -A)
- O – office (ON, OL, OG, ORI, -A)
- C – commercial (CL, CN, CS, CA, CF, -A)
- SC – shopping center (SCC, SCR, SCN)
- I – industrial (IWD, IR, IG)
- SP – specific plan
- DTC – downtown code
- A district – some design/access standards
- NS districts – no STRP



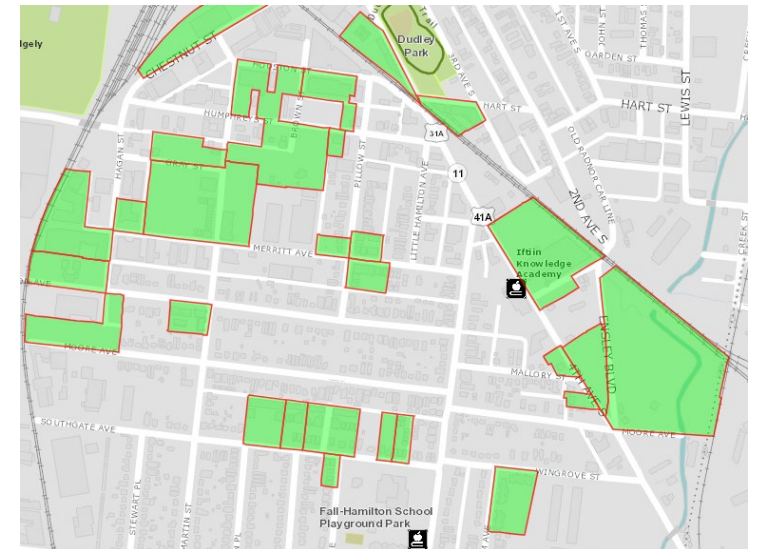
Overlays

- PUD – planned unit development
- Historic – landmark, conservation, preservation
- Contextual, Urban Design, Corridor – design based
- DADU
- Institutional
- Others – airport, adult entertainment, impact, urban zoning, neighborhood landmark, greenway, floodplain, two-story, accessory structure



Specific Plans

- Zoning process that may allow for alternative design standards to achieve consistency with the general plan
- Context sensitive development
- Preliminary SP is 1st step – this is the zoning. Final site plan – must be consistent with preliminary.
- **Not all sites need an SP** – be selective; SPs require additional resources for review, processing, and enforcement
- What can/can't be regulated?
 - Uses/bulk/design - yes
 - Operational criteria – more difficult (enforcement)
 - Affordable housing – no (State law restriction)



Zone Change Application

The METROPOLITAN COUNCIL requires all information shown on the checklist below. You are required to notify the district councilmember and Council office about your zone change application, prior to submitting it to the Planning Dept.

Checks should be made payable to "Metropolitan Government"

Application No. _____ Date Submitted: _____

(Assigned by Planning Department staff)

Associated cases: PUD General Plan Amendment Subdivision Mandatory Referral

Map	Parcel(s) <small>If portion, use "part of parcel..."</small>	Current Zoning	Requested Zoning	# of Acres
Total Acres				

Reason(s) for this zone change request: _____

Rezoning Process

4 to 6 months

- Application is filed with Metro Planning
 - early notice postcard – 1,000 feet
- Metro agency review
 - Planning, Public Works, Stormwater, Water Services, Fire, Parks, Historic
- Revisions and further review
- Planning Commission hearing
 - notification – mailed and sign
 - Deferrals – applicant must request
- Planning Commission recommendation
 - Approval – we send bill automatically
 - Disapproval – only send if you request; can also work with council office to draft
- Council – 3 readings
 - notification – mailed and sign

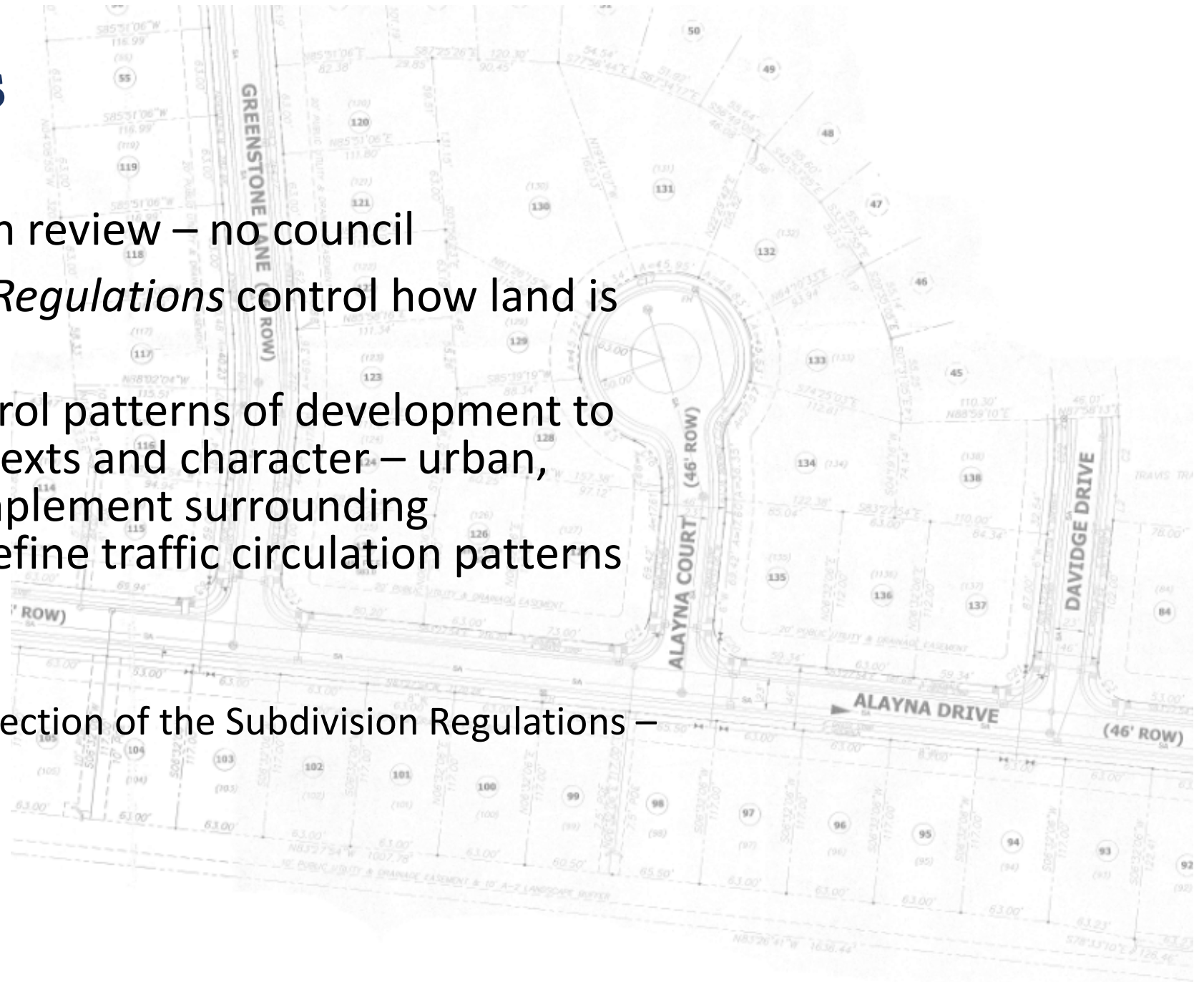


Subdivisions

Lisa Milligan – Assistant Director Land Development

Subdivisions

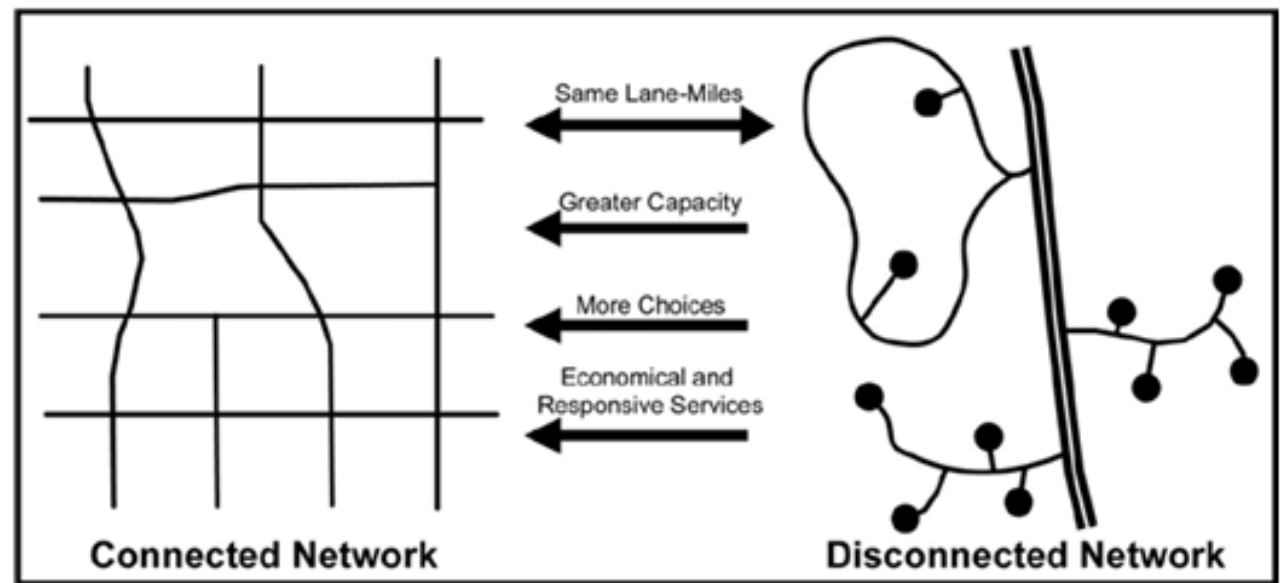
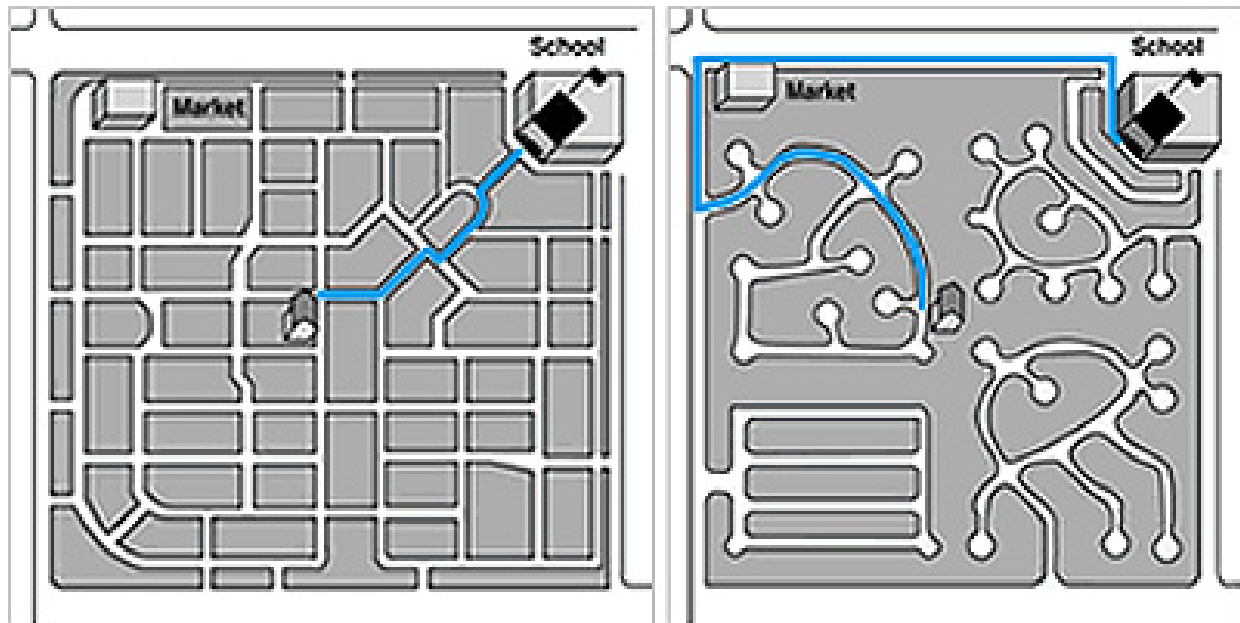
- Planning Commission review – no council
- Metro's *Subdivision Regulations* control how land is divided.
- The regulations control patterns of development to reflect different contexts and character – urban, suburban, rural, complement surrounding development, and define traffic circulation patterns and access.
- CCM
 - Directs to applicable section of the Subdivision Regulations – limited role





Street Connectivity

- Planning encourages a well connected street network
- Where there are existing stub streets, we will require that the streets extend as new developments come on board
- Where no street network exists, we will encourage the establishment of a well connected network
- Connectivity allows for easier cross trips between neighborhoods: keeps some trips off of main streets
- Connectivity allows for dispersal of cars to multiple points on main streets
- Connectivity makes walking and biking a more viable mode of transportation and provides safe routes for all users



An aerial photograph of a city, likely San Francisco, showing a mix of industrial buildings with smokestacks and residential or commercial structures. The background features rolling hills under a clear sky. The entire image is overlaid with a dark blue tint.

Working With Planning

Lisa Milligan – Assistant Director Land Development



Staying Informed

- You will receive (by email):
 - Submittal packet after each submittal deadline – 1st page after cover is a table of contents by district
 - Copies of notification information emails – early notice postcard (no hearing date) and hearing notification (specific date)
 - Staff reports (MPC)
 - Staff reports (P&Z – if member; Council public hearing report- everyone)

On-Line Tools

- Parcel viewer <https://maps.nashville.gov/ParcelViewer/>
 - Interactive mapping tool – can search by location, address, map/parcel number
- Development Tracker <https://maps.nashville.gov/DevelopmentTracker/#>
 - Tracks new applications and those currently in process – projects fall off after final decision (not a complete listing of ALL projects)
- SP Viewer <https://maps.nashville.gov/SPSearch/>
 - Includes all approved SPs (ordinance, plans, minutes)

Fee Waivers for Zone Change Applications (including overlays)

- Fee waivers – application fee
 - Large area rezoning of residential areas
 - Rezoning of non-residential to residential
 - Some overlays
 - 3 additional in a year (on top of above)
- Fee waivers – signs/notices
 - Large area rezoning of residential areas
 - Rezoning of non-residential to residential
 - Some overlays
 - 3 additional in a year (on top of above)



Councilmember Initiated Planning Reviews

- Large area rezonings
 - Coordinate with Planning in advance of filing For downzonings, Planning will typically want to pull out some lots to keep the option for housing diversity
- Application of overlays
 - Coordinate with Planning in advance of filing
- Encourage you to talk with neighborhoods in advance of filing so that they aren't surprised. If there is significant opposition, there may be bumps in the road to approval.



Text Amendments

- Since 2021, Planning has processed 46 text amendments
- Given the countywide nature of the Zoning Code, text amendments can have broad impacts and generate significant interest from the community
- A seemingly minor change can have major implications – tentacles extend throughout the code



Text Amendments

- It is important to work with Planning in advance of text amendments being filed
- Problem identification and goal setting
- Understanding of timeline for drafting, review, and engagement
- Data driven process
- Stakeholder identification and involvement

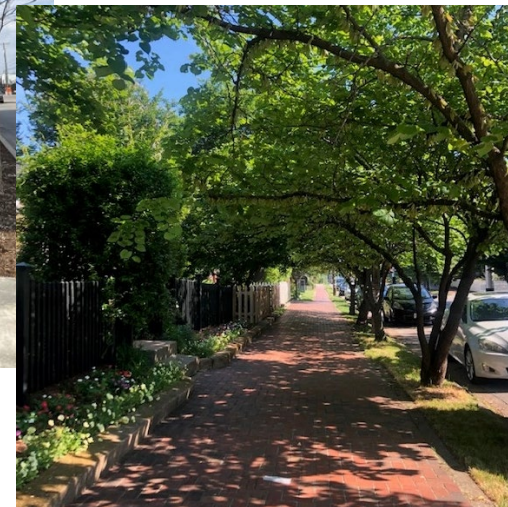


Sidewalk Update

Metro Planning and Nashville Department of Transportation

Sidewalk Ordinance

- Adopted following extensive stakeholder outreach
- Targeted approach
 - UZO
 - Centers/Corridors as defined by NashvilleNext
- Triggers
 - New Construction
 - Some additions/renovations
- Waivers, payment in lieu, and BZA variance
- **We got sued.**



Knight vs Metro

- Claimed that the ordinance constituted a taking
- District Court ruled in favor of Metro; Plaintiffs appeals
- 6th Circuit Court of Appeals finding that the ordinance was unconstitutional under the Fifth Amendment's takings clause
- Metro settled a 2nd case after the ruling (MRB Developers v Metro)
- Sidewalk claims submission – limited to 1 year prior to ruling and only for those where the fee was paid under protest or a variance was requested





Moving Forward – Short Term

- We can still require sidewalks but there must be an individual property assessment and the city must establish that there is a "nexus" between requiring sidewalks and the project's social cost ("burden"), as well as "rough proportionality" between the extent of what Metro is requiring (a sidewalk) and the project's burden.
- This ruling does not alter how SPs or requests for zone changes are currently processed.
- This ruling does not affect Metro's subdivision regulations.
- Outside of SP, zone changes and subdivision regulations, requests for sidewalks are being reviewed on a limited, case by case basis.

Moving Forward – Longer Term

- NDOT/Planning/Legal are working toward a new approach to be codified but this is going to take some time and require patience. Need to separate multi-family/commercial from 1 & 2 family
- NDOT is deploying the new Multimodal Transportation Analysis (MMTA) Guideline to help provide a justification for sidewalks and other critical multimodal infrastructure with developments. The provisions of the MMTA were recently codified by council action in BL2023-2010.
- Ruling needs to be considered when thinking about other development requirements – trees as an example. The trigger is placing a condition on something a landowner is entitled to by right.
- **We got sued again.** Class action lawsuit that would open up window for claims. This is early days so limited information.