

ORDINANCE NO. BL2010-788

An ordinance amending Chapters 15.20, 15.36, 16.12, 16.16, 16.20, and 16.28 of the Metropolitan Code to provide water and sewer capacity charge credits, and electrical, plumbing, gas/mechanical, and building permit fee discounts for workforce housing developments.

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

Section 1. Section 15.20.045 of the Metropolitan Code is hereby amended by adding the following new subsection D.:

"D. Capacity charge credit for workforce housing developments.

1. Notwithstanding the provisions of this section to the contrary, in order to facilitate the provision of workforce housing within the area of the metropolitan government, developers of workforce housing units shall be eligible to receive a credit in the amount of twenty-five percent (25%) of the total amount of water capacity charges that would otherwise be due pursuant to this section.

2. For purposes of this subsection, 'workforce housing unit' means housing that meets one of the following two criteria:

a. Housing to be sold at a price at or below 2½ times ninety-five percent (95%) of the median family income currently listed for Davidson County as established by the U.S. Department of Housing and Urban Development; or

b. Housing to be rented for at least five years at an annual rental amount that is at or below thirty percent (30%) of the ninety-five percent (95%) of the median family income currently listed for Davidson County as established by the U.S. Census Bureau.

3. The director shall have the authority to promulgate rules and regulations to implement the provisions of this subsection, provided such rules and regulations are not inconsistent with the express provisions of this subsection. Applicants seeking the capacity charge credit for workforce housing shall provide the director with a sworn affidavit that the residences constructed will satisfy the criteria set forth above and shall file a deed restriction with the Davidson County Register of Deeds requiring that the property remain a workforce housing unit for at least five (5) years. In the event the property does not remain a workforce housing unit for at least five (5) years, the developer shall reimburse the department for the amount of the credit provided above plus interest at the rate of ten percent (10%) per annum."

Section 2. Section 15.36.040 of the Metropolitan Code is hereby amended by adding the following new subsection G.:

"G. Capacity charge credit for workforce housing developments.

1. Notwithstanding the other provisions of this section to the contrary, in order to facilitate the provision of workforce housing within the area of the metropolitan government, developers of workforce housing units shall be eligible to receive a credit in the amount of twenty-five percent (25%) of the total amount of sewer capacity charges that would otherwise be due pursuant to this section.

2. For purposes of this subsection, 'workforce housing unit' means housing that meets one of the following two criteria:

a. Housing to be sold at a price at or below 2 ½ times ninety-five percent (95%) of the median family income currently listed for Davidson County as established by the U.S. Department of Housing and Urban Development; or

b. Housing to be rented for at least five years at an annual rental amount that is at or below thirty percent (30%) of the ninety-five percent (95%) of the median family income currently listed for Davidson County as established by the U.S. Census Bureau.

3. The director shall have the authority to promulgate rules and regulations to implement the provisions of this subsection, provided such rules and regulations are not inconsistent with the express provisions of this subsection. Applicants seeking the capacity charge credit for workforce housing shall provide the director with a sworn affidavit that the residences constructed will satisfy the criteria set forth above and shall file a deed restriction with the Davidson County Register of Deeds requiring that the property remain a workforce housing unit for at least five (5) years. In the event the property does not remain a workforce housing unit for at least five (5) years, the developer shall reimburse the department for the amount of the credit provided above plus interest at the rate of ten percent (10%) per annum."

Section 3. Section 16.12.220, Section 16.16.400, and Section 16.20.250 of the Metropolitan Code is hereby amended by adding the following new subsection D. to each Section:

"D. Workforce housing fee adjustments.

1. In order to facilitate the provision of workforce housing within the area of the metropolitan government, the permit fees provided in subsection B. of this section shall be reduced by twenty-five percent (25%) for new home construction, or the rehabilitation of existing dilapidated and vacant homes, to be used for workforce housing.

2. For purposes of this subsection, 'workforce housing' means housing that meets one of the following two criteria:

a. Housing to be sold at a price at or below 2 ½ times ninety-five percent (95%) of the median family income currently listed for Davidson County as established by the U.S. Department of Housing and Urban Development; or

b. Housing to be rented for at least five years at an annual rental amount that is at or below thirty percent (30%) of the ninety-five percent (95%) of the median family income currently listed for Davidson County as established by the U.S. Census Bureau.

3. The director shall have the authority to promulgate rules and regulations to implement the provisions of this subsection, provided such rules and regulations are not inconsistent with the express provisions of this subsection. Applicants obtaining the twenty-five percent (25%) reduction in permit fees for workforce housing shall provide the director with a sworn affidavit that the residences constructed will satisfy the criteria set forth above and shall file a deed restriction with the Davidson County Register of Deeds requiring that the property remain a workforce housing unit for at least five (5) years. In the event the property does not remain a workforce housing unit for at least five (5) years, the permit holder shall pay to the Metropolitan Government the amount of the permit fee reduction provided above plus interest at the rate of ten percent (10%) per annum."

Section 4. Section 16.28.110 of the Metropolitan Code is hereby amended by adding the following new subsection I.:

"I. Workforce housing fee adjustments.

1. In order to facilitate the provision of workforce housing within the area of the metropolitan government, the permit fees provided in subsections A. and H. of this section shall be reduced by twenty-five percent (25%) for new home construction, or the rehabilitation of existing dilapidated and vacant homes, to be used for workforce housing.

2. For purposes of this subsection, 'workforce housing' means housing that meets one of the following two criteria:

a. Housing to be sold at a price at or below 2 ½ times ninety-five percent (95%) of the median family income currently listed for Davidson County as established by the U.S. Department of Housing and Urban Development; or

b. Housing to be rented for at least five years at an annual rental amount that is at or below thirty percent (30%) of the ninety-five percent (95%) of the median family income currently listed for Davidson County as established by the U.S. Census Bureau.

3. The director shall have the authority to promulgate rules and regulations to implement the provisions of this subsection, provided such rules and regulations are not inconsistent with the express provisions of this subsection. Applicants obtaining the twenty-five percent (25%) reduction in permit fees for workforce housing shall provide the director with a sworn affidavit that the residences constructed will satisfy the criteria set forth above and shall file a deed restriction with the Davidson County Register of Deeds requiring that the property remain a workforce housing unit for at least five (5) years. In the event the property does not remain a workforce housing unit for at least five (5) years, the permit holder shall pay to the Metropolitan Government the amount of the permit fee reduction provided above plus interest at the rate of ten percent (10%) per annum."

Section 5. This Ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

APPROVED AS TO
AVAILABILITY OF FUNDS:

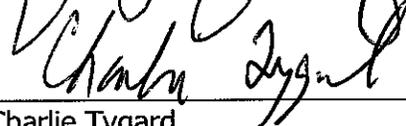

Richard M. Riebeling
Director of Finance

INTRODUCED BY:


Jerry Maynard


Mike Jameson


Megan Barry


Charlie Tygard
Members of Council