

ORDINANCE NO. BL2011-897

An ordinance to amend Sections 17.04.060 and 17.12.030 of the Metropolitan Zoning Code by revising the definitions associated with street designations, and by modifying the measurement of street setbacks for multi-family and non-residential districts and non-residential uses in AG, AR2a, R and RS districts, due to the new designations. (Proposal 2011Z-001TX-001)

WHEREAS the Metropolitan Planning Commission has recently adopted the 2011 update to the Major and Collector Street Plan (MCSP), and

WHEREAS the MCSP established new terminology associated with street designations to achieve Complete Streets and context-sensitive street design and this new terminology does not correspond to the terminology in the zoning code, and

WHEREAS the street setbacks for multi-family and non-residential districts and uses are currently regulated by street designation, and

WHEREAS the dimension of the street setback will not be changed, the method of measuring street setback for multi-family and non-residential districts and uses need to be changed due to the new terminology as well as to separate the appeals process for right-of-way and setback dimensions;

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

Section 1. Section 17.04.060 (Definitions of General Terms) is hereby amended by deleting the definition of "Major Street Plan" in its entirety and replace it with the following definition.

"Major and Collector Street Plan" means a transportation plan required by the general plan and adopted by the planning commission pursuant to Section 13-3-402 and 13-4-302, Tennessee Code Annotated, showing, among other things, the general location, character and extent of Arterial-Boulevard, Arterial-Parkway and Collector-Avenue streets.

Section 2. Section 17.04.060 (Definitions of General Terms) is hereby amended by deleting the definition of "Street" in its entirety, replacing it with the following definition, and adding the definitions of the additional street designations as follows:

"Street" means a publicly maintained right-of-way, other than an alley, that affords a means of vehicular access to abutting property. The following are street, Functional Design Type designations:

1. "Arterial street" means a street designated as either an "Arterial-Boulevard" or an "Arterial-Parkway" on the adopted Major and Collector Street Plan.

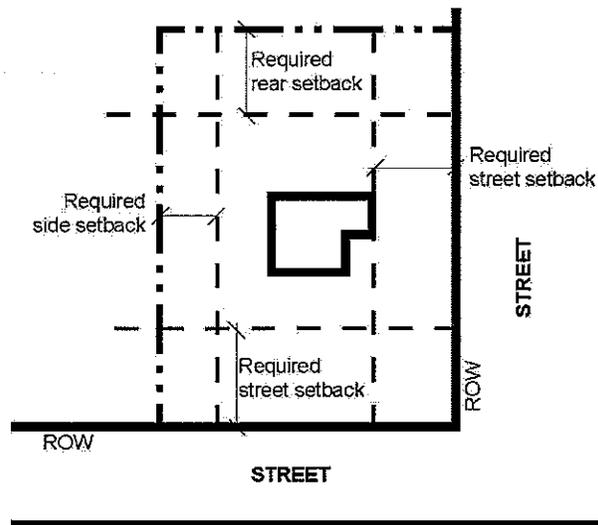
2. "Collector street" means a street designated as a "Collector-Avenue" on the adopted Major and Collector Street Plan.
3. "Local street" means a street with a low level of mobility that is used primarily for access to property and provides connectivity between collector and arterial streets.
4. "Minor local street" means a street that is a dead end or loop street providing service to no more than fifty single family residential lots or sixty-five multi-family units.
5. "Scenic Arterial" means a street designated as either a "Scenic Arterial-Boulevard" or a "Scenic Arterial-Parkway" on the adopted Major and Collector Street Plan.

Section 3. Section 17.04.060 (Definitions of General Terms) is hereby amended by deleting, the definition of "Street, frontage classifications" in its entirety and replacing it with the following definition:

"Street, frontage classifications" refers to the character of the street and adjacent buildings, and is applied in conjunction with the street, Functional design type designation.

Section 4. Section 17.04.060 (Definitions of General Terms) is hereby amended by deleting Diagram 17.04F Setback Illustrations in its entirety and replacing it with new Diagram 17.04F as follows.

**Diagram 17.04F  
SETBACK ILLUSTRATION**



Section 5. Section 17.12.030 (Street Setbacks) is hereby amended by deleting subsection "A" in its entirety and inserting the following:

A. Measurement: For single and two-family lots the street setback shall be measured from the street right-of-way line. For multi-family and non-residential districts and non-residential uses in the R, RS, AR2a and AG districts the minimum street setback shall be measured from the Standard right-of-way line as established by the table entitled "Standard Street Right-of-Way Widths" in the Major and Collector Street Plan.

Section 6. Section 17.12.030 B. (Street Classifications) is hereby amended by deleting the phrase "Major Street Plan" and inserting the phrase "Major and Collector Street Plan."

Section 7. Section 17.12.030 is hereby amended by deleting Table 17.12.030B in its entirety and replacing it with the following new table:

Table 17.12.030 B: Street Setbacks for Multi-family and Non-residential Districts; and Non-residential uses in AG, AR2a, R and RS Districts

	AG - RM15	RM20, RM40	ON, OL, OG, OR20, OR40	RM60, MUN, MUL, MUG, ORI	CN, SCN, SCC, SCR	CL, CS, CA	IWD, IR, IG	CF, MUI	DTC
Setback	40	30	20	10	20	15	5	0	See chapter 17.37

Section 8. Section 17.12.030 (Street Setbacks) is hereby amended by adding a new Note 1 to Table 17.12.030B as follows:

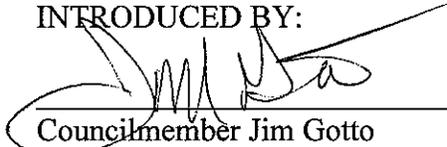
Note 1: SP Districts. Street setbacks shall be as specifically listed in the site specific SP ordinance

Section 9. Section 17.12.030 (Street Setbacks) is hereby amended by deleting from Table 17.12.030B Note 1 the phrase "Major Street Plan" and inserting the phrase "Major and Collector Street Plan."

Section 10. Section 17.12.030 (Street Setbacks) is hereby amended by deleting from Table 17.12.030B Note 3, and Note 4 in their entirety and renumbering the subsequent notes.

Section 11. 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 Jim Gotto

**ALL REQUIRED FEES HAVE BEEN PAID**