

ORDINANCE NO. BL2019-1491

An ordinance directing the Metropolitan Planning Department, the Department of Public Works, the Department of Codes and Building Safety, Metro Water Services, and the Nashville Fire Department to develop and implement, within six months hereof, a prioritization process for the departmental review of permit applications and related reviews for certain affordable housing projects.

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

Section 1. That the Metropolitan Council hereby directs the Metropolitan Planning Department, the Department of Public Works, the Department of Codes and Building Safety, Metro Water Services, and the Nashville Fire Department to develop and implement, within six (6) months of the adoption of this ordinance, a prioritization process for the departmental review of certain permit applications and related reviews for certain affordable housing developments. The prioritization process developed by these departments shall include the following provisions:

- (a) The prioritization process shall apply only to:
 - (1) permit applications for multi-family residences meeting the threshold for affordable housing established in Section 2 of this Ordinance; and
 - (2) permit applications for recipients of grants or property from the Barnes Fund for Affordable Housing, as recommended through the Metropolitan Housing Trust Commission pursuant to Section 2.149.040 of the Metropolitan Code of Laws; and
 - (3) departmental reviews related to the above-referenced applications.
- (b) Permits and related reviews eligible for prioritized departmental review shall include those listed under Section 3 of this Ordinance.
- (c) Prioritized departmental review shall merely provide for the review of eligible permit applications in advance of other applications, out of chronological sequence. The review process itself shall not otherwise be expedited.
- (d) If an eligible permit application lacks necessary information, is incomplete, or is otherwise deficient at the time it is identified for prioritized departmental review, the application shall be returned to its ordinary chronological order with no prioritization provided.
- (e) The process developed by the departments shall include a mechanism by which permit applicants seeking prioritized departmental review can affirmatively indicate such request to the reviewing department(s). It shall be incumbent upon permit applicants seeking prioritized departmental review to so indicate.

Section 2. That the following table shall be used to identify the threshold at which the proposed housing units shall be considered affordable, based upon Median Household Income (MHI):

	Rental at 60% MHI or less	Rental at greater than 60% MHI to 80% MHI	Rental at greater than 80% MHI to 100% MHI	For-sale at greater than 60% MHI to 80% MHI	For-sale at greater than 80% MHI to 100% MHI
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
For the purposes of this Section, the residential floor area shall be the net leasable residential floor area.					

Section 3. That the following permit types and related departmental reviews shall be eligible for the expedited review process to be established pursuant to Section 1 of this Ordinance:

- Any permit issued pursuant to Chapter 16.28 of the Metropolitan Code of Laws, including master building permits, individual building permits, foundation permits, and demolition permits;
- Tree removal permit issued by the Department of Codes Administration;
- Urban Forester review for landscape and irrigation;
- Grading permit and related review issued by Metro Water Services;
- Public water and sewer extension permit;
- Cross-connect permit for private water and sewer service;
- Department of Public Works traffic study review; review of public road improvements, curb cuts and sidewalks; and trash collection approvals;
- Fire Marshal life safety review and sprinkler and/or riser room approval;
- Metropolitan Planning Department review of plans and building elevations for Planned Unit Development (PUD), overlay, or Specific Plan (SP) development; plat review; review of final plat for lot creation, right-of-way dedication, and easement dedication; and
- Permits issued for office or construction trailers on construction sites.

Section 4. This Ordinance shall take effect from and after its passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

Colby Sledge
Member of Council