

SUBSTITUTE ORDINANCE NO. BL2015-1121

An ordinance to amend various sections of Title 17 of the Metropolitan Zoning Code related to artisan manufacturing and associated uses. (Proposal No. 2015Z-009TX-001).

WHEREAS, Artisans, craftsmen and makers support Nashville's economy and brand as a hub for creative individuals;

WHEREAS, There is underutilized industrial land in the county that could create opportunities for artisans, craftsmen and makers to live, work and create; and

WHEREAS, Allowing for this use, but limiting the intensity of associated uses in these areas will not displace industrial uses.

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

Section 1. Section 17.04.060 (Definitions of general terms) of the Metropolitan Code is hereby amended by inserting the follow definition of "Manufacturing, Artisan" :

Manufacturing, Artisan means the shared or individual use of hand-tools, mechanical tools and electronic tools for the manufacture of finished products or parts including design, processing, fabrication, assembly, treatment, and packaging of products; as well as the incidental storage, sales and distribution of such products. Typical artisan manufacturing uses include, but are not limited to: electronic goods, food and bakery products; non-alcoholic beverages; printmaking; household appliances; leather products; jewelry and clothing/apparel; metal work; furniture; glass or ceramic production; paper manufacturing.

Section 2. Section 17.08.030.F (District land use tables) of the Metropolitan Code is hereby amended by adding "Manufacturing, Artisan" as a use permitted with conditions (PC) in MUL, MUL-A, MUG, MUG-A, MUI, MUI-A, CS, CF, DTC- North, DTC- South, DTC- West, IWD, IR and IG zoning districts.

Section 3. Section 17.16.090 (Industrial uses) of the Metropolitan Code is hereby amended by inserting the following as subsection C and renumbering the remaining sections:

C. Manufacturing, Artisan

1. Outdoor storage. Any activity storing materials outdoors shall construct an opaque fence to screen the ground-level view from any public right of way or of any residential use. Materials shall not be piled or staked higher than the opaque fence.
2. Loading docks. Where the site abuts a residential zone district or a district permitting residential use, the building wall facing such lot shall not have any service door openings or loading docks oriented toward the residential zone district or district permitting residential use.

Section 4. Table 17.20.030 (Parking requirements) of the Metropolitan Code is hereby amended by inserting the following row for “Manufacturing, Artisan” under Industrial uses:

Manufacturing, Artisan	1 space per 1,500 square feet
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Section 5. Section 17.16.070.S (Retail) of the Metropolitan Code is hereby amended by deleting subsection 4 and replacing with the following subsection 4:

4. In the IWD, IR and IG zone districts, each establishment shall be limited to two thousand five hundred square feet of gross floor area, maximum, unless the retail is accessory to a Manufacturing, Artisan use and a portion of the products are created or assembled on site.

Section 6. Section 17.16.030 (Residential uses) of the Metropolitan Code is hereby amended by inserting the following subsection E and renumbering the remaining subsections:

E. Multi-family.

1. A maximum of two units per lot shall be permitted as an accessory use to Manufacturing, Artisan use.
2. Residential uses are supported by the Community Plan, as determined by the Planning Department.
3. In IR districts, no hazardous materials or uses are located within an unsafe distance of the proposed residential use, as evidenced by the information presented to the Zoning Administrator. Notices shall be sent to all property owners within 300 feet, notifying them of the proposed residential use and the time period for response and requesting information regarding hazardous materials or uses located within an unsafe distance of the proposed residential use. After 20 days from the date the notices were sent and upon a determination by the Zoning Administrator that no hazardous materials or uses are located within an unsafe distance of the proposed residential use, the permit for residential uses may be issued.

Section 7. Section 17.08.030.F (District land use tables) of the Metropolitan Code is hereby amended by adding “Multi-family” as a special exception use (SE) in IG.

Section 8. Section 17.16.160 (Residential special exceptions) of the Metropolitan Code is hereby amended by inserting the following subsection C:

C. Multi-family.

1. A maximum of two units per lot shall be permitted as an accessory use to Manufacturing, Artisan use.
2. Residential uses are supported by the Community Plan, as determined by the Planning Department.
3. No hazardous materials or uses are located within an unsafe distance of the proposed residential use, as evidenced by the testimony presented to the Board of Zoning Appeals.

Section 9. Section 17.08.030.F (District land use tables) of the Metropolitan Code is hereby amended by adding “Theatre” as a special exception use (SE) in IWD, IR and IG zoning districts.

Section 10. Section 17.16.220 (Recreation and entertainment special exceptions) of the Metropolitan Code is hereby amended by inserting the following subsection I and renumbering the remaining subsections:

I. Theatre.

1. Size is limited to 20,000 square feet, maximum.
2. A mixture of uses is supported by the Community Plan, as determined by the Planning Department.
3. No hazardous materials or uses are located within an unsafe distance of the proposed residential use, as evidenced by the testimony presented to the Board of Zoning Appeals.

Section 11. Section 17.04.060 (Definitions of general terms) of the Metropolitan Code is hereby amended by deleting the follow phrase from the definition of “Cultural Center”:

“by a public or private, non-profit facility”

Section 12. Section 17.08.030.F (District land use tables) of the Metropolitan Code is hereby amended by adding “Cultural Center” as a special exception use (SE) in IR and IG zoning districts.

Section 13. Section 17.16.170.B (Cultural Center) of the Metropolitan Code is hereby amended by inserting the following subsection 5:

5. In IR and IG, the following additional restrictions apply:
 - a. Size is limited to 20,000 square feet, maximum.
 - b. A mixture of uses is supported by the Community Plan, as determined by the Planning Department.
 - c. No hazardous materials or uses are located within an unsafe distance of the proposed residential use, as evidenced by the testimony presented to the Board of Zoning Appeals.

Section 14. Section 17.04.060 (Definitions of general terms) of the Metropolitan Code is hereby amended by deleting the definition of “Commercial amusement, inside” and inserting the following definition:

Commercial amusement, inside’ or ‘inside commercial amusement’ means the provision of entertainment, performances or games of skill to the general public for a fee and that is wholly enclosed in a building, including but not limited to a bowling alley or billiard parlor. This use does not include an arena.”

Section 15. Section 17.08.030.F (District land use tables) of the Metropolitan Code is hereby amended by adding “Commercial Amusement, Inside” as a special exception use (SE) in the IG zoning district.

Section 16. Section 17.16.220 (Recreation and entertainment special exceptions) of the Metropolitan Code is hereby inserting by adding the following subsection B and renumbering the remaining subsections

B. Commercial Amusement, Inside

1. Size is limited to 20,000 square feet, maximum.

2. A mixture of uses is supported by the Community Plan, as determined by the Planning Department.
3. No hazardous materials or uses are located within an unsafe distance of the proposed residential use, as evidenced by the testimony presented to the Board of Zoning Appeals.

Section 17. Section 17.08.030.F (District land use tables) of the Metropolitan Code is hereby amended by inserting “Rehearsal Hall” as a special exception use (SE) in IWD, IR and IG zoning districts.

Section 18. Section 17.16.220 (Recreation and entertainment special exceptions) of the Metropolitan Code is hereby amended by adding the following subsection H and renumbering the remaining subsections

B. Rehearsal Hall

1. Size is limited to 20,000 square feet, maximum.
2. A mixture of uses is supported by the Community Plan, as determined by the Planning Department.
3. No hazardous materials or uses are located within an unsafe distance of the proposed residential use, as evidenced by the testimony presented to the Board of Zoning Appeals.

Section 19. That Section 17.08.030 of the Metropolitan Code, District Land Use Tables, is hereby amended by adding “Short Term Rental Property” as an accessory (A) use in IWD, IR and IG.

Section 20. That Section 17.16.250.E of the Metropolitan Code, Residential Accessory Uses, is hereby amended by adding the following sentence to the end of the section:

In IWD, IR and IG, STRP is permitted as an accessory use to a multi-family use associated with Manufacturing, Artisan use.

Section 21. This Ordinance shall take effect five (5) days 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:

Councilmember Ronnie Steine