

## **TOWN OF NASHVILLE ORDINANCE NO. 2013-09**

### **AN ORDINANCE TO EXPAND THE JURISDICTION OF THE DEVELOPMENT REVIEW COMMISSION TO INCLUDE THE RESTRICTED BUFFER DISTRICT**

**WHEREAS:** The Town Council has heretofore enacted legislation requiring the review and issuance of a "CERTIFICATE OF APPROVAL" prior to the issuance of an improvement location permit in all business zones (B1, B2, B3) and;

**WHEREAS:** The Town Council has established a "Development Review Commission" to review and approve applications for improvement location permits in said zones, (153.023) and;

**WHEREAS:** The Town Zoning Code includes a zone designated as "Restricted Buffer," which is intended primarily as a buffer zone between business and residential uses, and which permits certain business uses that are compatible with adjacent residential uses, such as, schools, offices, day care centers, and multi-family dwellings,(153.037) and;

**WHEREAS:** The permitted business uses may require signage and other improvements which should be regulated for the reasons set out in the "Design Review" ordinance, (153.023).

It is therefore **ORDAINED** as follows;

Section 153.023 (C) is hereby amended to read;

(C) **GENERAL DESIGN REGULATIONS.** In order to protect the unique qualities and characteristics of the business districts, all exterior changes to commercial properties located within the B1, B2, B3, and RB land use districts shall be subject to the following requirements:

- (1) The modification shall respect and be compatible with the architectural character and scale of the existing structure;
- (2) The modification shall complement the existing scale and design of the district;
- (3) The modification shall not create visual clutter through an excessive number of or uncomplimentary design elements; and
- (4) The modification shall not incorporate colored materials, patterns or other design elements that:
  - (a) Call attention to the store front;
  - (b) Create a form of advertising or sign;
  - (c) Would render the store front unusable by a subsequent business occupant without further remodeling; or
  - (d) Create a standardized identification with a particular business use.

**ORDINANCE 2013-09**


In all other regards section 153.023 shall remain unchanged.

This Ordinance shall become effective upon passage.

**IT IS SO ORDAINED ON THIS 19<sup>TH</sup> day of SEPTEMBER, 2013 BY THE  
AUTHORITY OF THE NASHVILLE TOWN COUNCIL.**

  
\_\_\_\_\_  
Council President Robert Kirlin

☒ yea    ☐ nay    ☐ abstain

  
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Council Vice-President Charles B. King

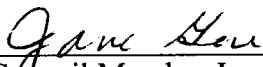
☒ yea    ☐ nay    ☐ abstain

Prepared by:

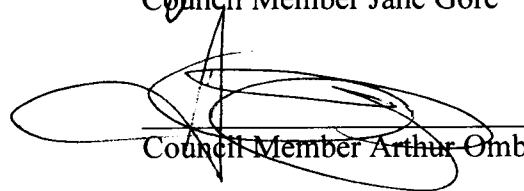
James T. Roberts  
Attorney for the  
Town of Nashville

\_\_\_\_\_  
Council Member R. Sean Cassiday

☐ yea    ☐ nay    ☐ abstain

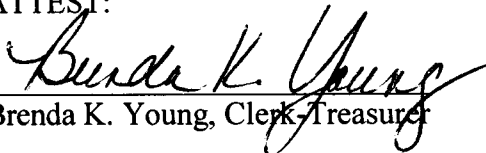
  
\_\_\_\_\_  
Council Member Jane Gore

☒ yea    ☐ nay    ☐ abstain

  
\_\_\_\_\_  
Council Member Arthur Omberg

☒ yea    ☐ nay    ☐ abstain

ATTEST:

  
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Brenda K. Young, Clerk/Treasurer