

| ITEM / DESCRIPTION / FACTOR | CONSERVATION OVERLAY | CONTEXTUAL OVERLAY |
|---|--|--|
| Who initiates? | Neighborhood | Block(s) of a Neighborhood |
| Purpose or Goal? | <p>¹“Protects historic character through a design review process....a tool to protect the unique character of a neighborhood... gives neighbors greater control over development; stabilizes property values; decrease the risk of investing; protects viable urban housing stock...” “Protects a neighborhood from new construction or additions not in character with the neighborhood, and from the loss of architecturally or historically important buildings.” Refer to battlemont.org / Conservation Overlay for more description.</p> | <p>² “So that growth in a neighborhood is incremental, and size is in character with abutting homes (left or right, not surrounding, which includes across the street or behind.)” ³“Provides additional tools to maintain a neighborhood’s character” “...to reinforce an <u>established</u> form or character of residential development in a particular area.” Regulates only the size, not the design, to be more in line with block face. It limits size to 150% of the footprint of abutting homes (to the left and right.)</p> |
| Which Metro Department oversees / administers applications? | <p>Metro Historic Zoning Commission / Metro Planning (Zoning) Department</p> <ul style="list-style-type: none"> • Final – Metro Council | <p>Metro Planning (Zoning)</p> <ul style="list-style-type: none"> • Final – Metro Council |
| Cost? | None (perhaps postage) | \$1,375 per application - block(s) |
| Battlemont Eligibility | <p>Yes. Battlemont – only East of Granny White. Battlemont #s:</p> <ul style="list-style-type: none"> • 69% of homes built pre-1959 • 9 homes build 1890-1920 • 5% in 1930s, 33% in 1940s, 28% in 1950s – • Summary 69% by 1959, 72% by 1969. • 72% Single Family and 28% Duplexes / Condos (excluding apartments) | <p>² Planning must determine that there is something contextual to preserve. Some blocks would be eligible. Others would not. Houses must have a consistent “context.” (Size) Battlemont has a variety of sizes, and architecture styles from various periods. The entire area of Battlemont being explored for a Conservation Overlay would not be eligible as a whole.</p> |
| Does it affect Base (<u>Use</u>) zoning? | No. Single family remains SF, Duplex remains duplex, commercial, etc. | No. Single family remains SF, Duplex remains duplex, commercial, etc. |

¹ Metro Historical Planning Commission documents – various. Visit battlemont.org / Conservation Overlay tab

² Metro Planning and Zoning staff’s explanation

³ From original Contextual Overlay ordinance BL2014-771

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| Does it prevent or limit teardowns / demolition? | Yes. Limits demolitions or partial demolitions. | No |
| Must the area rezoned be contiguous? (No exceptions or “opting out”) | Yes. Entire Conservation Overlay area. | Yes. The complete block face(s) of each Contextual Overlay. |
| Must all homeowners agree? | No, but a clear majority must support the rezoning. | Yes. Every homeowner must sign the Contextual Overlay Application. |
| How will homeowner support be measured? | In meetings (raised hand polls,) in person and email surveys from councilperson, and in three public hearings where homeowners can speak. | (See above.) It must be unanimous. Each homeowner must sign the Contextual Overlay document. |
| Must it be all houses on each block? | No, but it must be all homes withing the Conservation Overlay, which must be a contiguous area. | Yes. Must be all residences of a complete block face. |
| Can we have both? | No. Either or. A NCZO supersedes a contextual overlay. | No. Either or. A Contextual overlay cannot be applied in an adopted historic overlay district. |
| Once approved and in effect, what is the <u>guiding document</u> for changes, how is it described, and what is it called? | <p>¹ Design Guidelines which are customized for Battlemont: they include maintaining the scale (massing,) and character of new construction or renovations to blend with existing structures. Helps to prevent inappropriate alterations that could negatively impact the neighborhood's appearance.</p> <p>Existing homes are determined to be <u>Contributing</u> (to the DG) or Non-contributing. DG address / regulate:</p> <ul style="list-style-type: none"> • Build a new structure – similar to contributing buildings in the CO district. Primary, outbuilding, garden structures. | <p>There is not one customized document for the block face. The guiding ⁴ documents are:</p> <ol style="list-style-type: none"> 1) The Community Character of the block face, as established by a section of the Nashville Next plan. Battlemont is “Suburban Neighborhood Maintenance”² What does maintenance mean? “Provides for a slow evolution into something different.” 2) Zone Code 17.36.450, and ordinance BL2014-771 3) Contextual Overlay – Fact Sheet Nashville.gov / planning / land-development <p>⁵ “In essence, the district looks at homes to the left and right of a</p> |

⁴ All the Contextual Overlay documents are online through Nashville.gov are easily found through a Google search

⁵ WPLN 8/25/14 <https://wpln.org/post/tool-for-neighborhoods-to-pushback-on-development-could-pit-neighbors-against-each-other/>

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| | <ul style="list-style-type: none"> • Add to an existing building – same (if contributing.) Additions of habitable space / porch / roof dormer, etc. Footprint can be 200% of former structure, within the lot limit % of base zoning. • Demolish a structure (is limited if contributing) • Relocate a structure. • Various features such as matching roof slope, some materials must match historic (siding), front facing window/door dimensions and locations. <p>DG <u>does not</u> address / regulate:</p> <ul style="list-style-type: none"> • Colors, fences, uncovered patios, landscaping, resurfacing, etc. new windows (on front of home if in original casings / same dimensions and location of openings.) | <p>proposed home and makes sure the new one fits the flow of the block.”</p> <p>Limits: from ⁴ Fact sheet</p> <ul style="list-style-type: none"> • Setback (avg -abutting homes (RL) • Height – Max the greater of 35 feet or 125% of the 2 abutting homes • Footprint / Lot Coverage – Max is 150% of avg of footprint of 2 abutting homes (on Right / Left) within the lot limit % of base zoning. • Access, Garage, Parking – refer to Fact Sheet. Only slightly different from base zoning. |
| Does it restrict what homeowners can do to their homes? | Yes (exterior, mostly street facing) See above, and for more detail read the MHZC Design Guidelines on battlemont.org | Yes (exterior) See above list |
| Can I see examples of these documents? | Yes. Battlemont.org for an example of our neighborhood’s “starting point Design Guideline” which would be customized for Battlemont, or Nashville.gov / departments / planning / historic-zoning-information / districts-and-design-guidelines | See above list. All Contextual Overlays have the same source documents with the same restrictions. See Nashville.gov / departments / planning / land-development / overlays / contextual-overlays A Frequently Asked Questions (FAQ) answers most questions. |
| Who Provides / Drafts the Guiding Document? | Metro Historic Zoning Commission requires completion of an Architectural Resource Survey (styles of existing homes) and then drafts with input from Battlemont. For example, we have no alleys, and there are | N/A. There is no “new” document unique to the block face(s.) See above list. Zoning/Planning will require a contextual survey. |

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| | other ways our neighborhood is unique. | |
| Does it give guidance for setbacks? | Consistent with adjacent (contributing) homes: right, left, across street, behind. | Minimum setback required is whichever is greater: the average of 2 developed lots abutting each side of lot (right and left,) or the original platted setback. |
| Height? <ul style="list-style-type: none"> • Height of Accessory Structures? • Height of Additions? | Height of new builds: Compatible with surrounding (contributing) buildings of the same building type and on the same block face. Maximum is 35 ft or 2 ½ stories. <ul style="list-style-type: none"> • Accessory structure height - detached - max of original structure. • Additions – not higher than original structure (less than or equal to) (exception: ridge raises) | Maximum (incl foundation) is 35 feet or 125% of average height of two on each side. <ul style="list-style-type: none"> • Accessory structure height - max 27 ft. max of 1 ½ stories, or depending on abutting homes may be 16 ft. • Additions – 150% of the avg. of abutting homes (right and left) |
| Lot Coverage limit? (“Footprint”) | Yes. New builds and additions – limit of 200% (double) maximum the footprint of the primary or former home, and it always depends on the SF of the lot with current base zoning. NOTE: ⁶ Homes in flood zone have limits to footprint of existing. | Yes. Limit of 150% of average of footprint of two abutting lots (right and left) and always it depends on the SF of the lot with current base zoning. |
| Limit on SF (square footage) or overall mass | No, other than how the limit of the footprint (lot coverage max 200%) and height limits impact the SF | No, other than the limit of the footprint (lot coverage 150%) and size of abutting homes (right and left) |
| Access, Garages, and Parking? | Yes – (similar to Contextual) shall not exceed 12 feet wide | Yes – (similar to Conservation) shall not exceed 12 feet wide |
| PROCESS – Public Hearings/meetings: Neighborhood meetings? | Yes. Substantial neighborhood engagement is required. | Metro Councilperson may require or recommend neighborhood meetings. |
| Metro Historic Zoning Commission? | Yes – a public hearing. NOTE: All MHZC meetings are open to the public, | N/A |

⁶ <https://www.nashville.gov/departments/water/community-education/flood-risk-information/build-responsibly>

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| Planning Department? | Yes – a public hearing. All Planning Dept meetings are open to the public. | Yes – a public hearing. All Planning Dept meetings are open to the public, but at this point, if the council person has recommended for the agenda, all block face(s) homeowners will be in support and ready to sign. |
| Metro Council? | Yes – a public hearing. All Metro Council meetings are open to the public. | Yes – a public hearing. All Metro Council meetings are open to the public. |
| Permit – extra step? | Yes. A Preservation Permit required before Building Permit. Pre-approved by email (routine/minor), or at MHZC public hearing (major,) prior to Building Permits issued by Planning Dept. | Not an extra, separate step, but Contextual Overlays are reviewed by zoning and planning for compliance with the Contextual Overlay prior to Building Permits issued by Planning Dept. |
| Will all property owners be notified (by mail) in advance of adoption / passing? | Yes | Yes |