

# Section IV: General Standards

## Bonus Height Program

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The Bonus Height Program (BHP) allows additional building height for properties zoned Downtown Code (DTC) in exchange for contribution to specified programs that provide benefits to the public or that advance the quality of urban design required by the DTC. The Bonus Height shall be permitted if the proposed development contributes to specific public benefits in the amount and manner set forth herein.

The DTC, the Downtown Plan, other policies, official guidelines (such as the Downtown Code Design Guidelines), regulations from governing agencies, and other best practices shall be consulted when considering a DTC Concept Plan. No standard within the DTC shall relieve a project of the review process associated with a Concept Plan application.

### Definitions

In addition to the following definitions, which are intended to be used solely for DTC properties, please reference Section 17.04.060 - Definitions of general terms, as outlined in the Metropolitan Code of Ordinances.

- **Applied Bonus Height:** Earned Bonus Height that has been constructed on the same site that it was earned.
- **Available Bonus Height:** The difference between a site's Bonus Height Maximum and Maximum Height.
- **Baseline Requirement:** A requirement that must be fulfilled before Bonus Options become available for use.
- **Bonus Height:** Any building height that exceeds a site's Maximum Height.
- **Bonus Height Maximum:** The height (in stories) a site can build by utilizing the Bonus Height Program.
- **Bonus Option:** Optional requirements that, if fulfilled, yield Bonus Height.
- **Character-Contributing Asset:** A structure or site that is neither a Historic Asset nor an Eligible Asset, but that still is worth preserving for its character-contributing qualities.
- **Cultural Asset:** A structure or site that is neither a Historic Asset nor an Eligible Asset, but that still can tell a story about a time, person(s), or place that is important to local history and culture.
- **Earned Bonus Height:** Bonus Height earned through the culmination of one or more Bonus Options.
- **Eligible Asset:** A structure or site eligible to be listed on the National Register of Historic Places (NRE) OR identified as Worthy of Conservation (WOC).
- **Historic Asset:** A structure or site listed on the National Register of Historic Places (NR) OR designated as a National Historic Landmark (NHL).

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- **Maximum Height:** The entitled height (in stories) a site can build without utilizing the Bonus Height Program.
- **Protected Asset:** At least one of the following must be true:
  - » The structure or site is located within a local historic overlay (as outlined in Chapter 17.36, Article III, of the Metropolitan Code of Ordinances).
  - » The structure or site is pursuant to a declaration of restrictive covenants (per the requirements of Path #2 under the Preservation Bonus) on file with the Davidson County Register of Deeds.
  - » The structure or site has a Preservation Easement held by Historic Nashville, Inc. (HNI).
  - » The structure was built pre-1865 (see Chapter 16.28.195 of the Metropolitan Code of Ordinances).
- **Receiving Site:** A single parcel or group of adjacent parcels with common ownership, or up to two adjacent parcels without common ownership on which Transferred Bonus Height can be constructed.
- **Transfer-Eligible Bonus Height:** Earned Bonus Height that has not been applied at the same site that it was earned, or Earned Bonus Height that exceeds the earning site's Bonus Height Maximum.
- **Transferred Bonus Height:** Bonus Height that has been transferred from the site where it was earned and constructed on another site.

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- Multiple Bonus Options may be utilized insofar as the total Bonus Height does not exceed the site's Bonus Height Maximum.
- Transfer-Eligible Bonus Height may be transferred one time to a Receiving Site within the DTC, provided it does not exceed the Bonus Height Maximum of the Receiving Site.
- Transfer-Eligible Bonus Height that had been earned through previous iterations of the DTC Bonus Height Program may still be Transfer-Eligible in its full amount, provided it does not exceed the Bonus Height Maximum of the Receiving Site and provided that the original site remains vested in its BHP entitlements.
- Earned Bonus Height may not be applied on top of any Historic Asset.
- Earned Bonus Height may not be applied to a site in which a Historic Asset was demolished within the 10 years prior to the request for Bonus Height.

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## Bonus Height Program: Baseline Requirements

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New development of 50,000 GSF (gross square feet) or greater shall meet the following Baseline Requirements to be eligible to earn Bonus Height through Bonus Options or Transfer-Eligible Bonus Height .

Calculations: The Bonus Height awarded for fulfilling the following Baseline Requirements shall be 32,000 SF.

Note: New development under 50,000 GSF is not required to meet the Baseline Requirements to be eligible to earn Bonus Height through Bonus Options or Transfer-Eligible Bonus Height. However, if the development meets the baseline requirements, it shall be eligible for the 32,000 SF bonus associated with it.

### 1. Underground or Lined Vehicular Parking

Significance: While the Downtown Code does not require vehicular parking, vehicular parking spaces may be provided. By reducing the visual and physical impacts of vehicular parking, Downtown Nashville will be more human-oriented and have more high-caliber architectural design.

Requirements: Any vehicular parking shall be located underground, or lined with habitable uses along all street frontages, interstate frontages, and open spaces. Habitable liners shall be a minimum depth of 20 feet, and screen all levels of above-ground parking.

### 2. Green Building Certification

Significance: Green building certification helps ensure the longevity of Downtown Nashville's building stock by requiring sustainable design, construction, and operational practices that reduce carbon, water, energy, and waste. By establishing sustainability targets for new development, Downtown Nashville will become more future-focused and ecologically friendly.

Requirements: LEED Silver Certification. Applicants may propose an equivalent, nationally recognized, third-party system of overseeing green building and/or sustainable development practices uses to Planning Staff. If proposing to use an alternate certification system, applicants must demonstrate how each credit in the proposed system is directly comparable to the LEED-equivalent credit.

Note: Bonus Height may be earned through the Green Building Certification Bonus Option for Gold-level or higher certification.

Note: The Preservation Bonus Option may be required in place of the Green Building Certification Baseline Requirement.

### 3. Active and Sustainable Transportation

Significance: Downtown Nashville's recent growth has brought unprecedented amounts of single occupancy vehicle trips, traffic congestion, and air pollution. By integrating active and sustainable transportation modes in new development, traffic congestion will be reduced and moving around Downtown will become easier.

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Requirements: Heightened bicycle parking standards, provisions for provided vehicular parking, and multimodal transportation information shall be required. Note: Any facilities required through this Baseline Requirement shall not be eligible for Bonus Height through the Neighborhood Support Space Bonus Option. However, facilities provided in excess of these requirements may be eligible for the Bonus Option.

- *Ample Bicycle Parking Capacity:* Bicycle parking shall be provided for all uses in a development (as outlined in Section 17.20.135 of the Metropolitan Code of Ordinances), however, the maximums on number of bicycle parking spaces shall not apply.
- *Bicycle Commuter Amenities:* Amenities for bicycle commuters, along with at least 50% of a development's required bicycle parking, shall be located together in a secure place, accessible by its users by either lock and key or key fob technology. The secure location shall be easily accessed from the exterior of the building and an access route plan shall be provided at Concept Plan submittal. The following bicycle commuter amenities must be provided:
  - » For any development with 100,000 GSF of non-residential uses , at least two combined shower/changing rooms and clothing lockers shall be provided. Two additional combined shower/changing rooms and additional clothing lockers shall be provided for every additional 200,000 GSF of non-residential uses in a building.
  - » Residential uses containing 10 or more units, and non-residential uses with more than 50,000 GSF shall provide at least one bicycle repair station or equivalent facilities for bicycle repair and maintenance.
  - » For the purposes of charging e-bikes, one standard electrical outlet shall be provided for every five bicycle parking spaces.
  - » For the purposes of storing non-standard bicycles (such as cargo or adaptive bikes), at least one required bicycle parking space shall be 120 inches long and 30 inches wide.
- *Electric Vehicle Parking:* Where new vehicular parking is being provided, Electric Vehicle (EV) parking, in accordance with the DTC's EV Parking Standards, shall be provided as follows: For multifamily and hotel uses that provide more than 50 vehicular structured parking spaces, 2% of spaces shall be EVSE-Installed and 20% of spaces shall be EV-Capable.
  - » For office and institutional uses that provide more than 200 vehicular structured parking spaces, 2% of spaces shall be EVSE-Installed and 10% of spaces shall be EV-Capable.
- *Sustainable Vehicle Preferential Parking:* Where new vehicular parking is being provided, at least five of the most desirable (closest to the ground floor and the building's lobby) vehicular parking spaces (per

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50,000 GSF), shall be reserved for tenants/employees/visitors who use a sustainable vehicle such as an EV, plug-in hybrid, carpool, or vanpool. These parking spaces shall be signed as “Reserved for Sustainable Vehicles (EVs, Plug-In Hybrids, Carpools, or Vanpools)”.

- Multimodal Transportation Information: Office and multifamily lobbies shall include a display (e.g., information kiosk or digital screen) that provides information on the surrounding multimodal transportation options. Information should be specific to the building, and typically includes transit and shuttle maps and schedules, bike maps, location of car share, bike share, dockless mobility options, and any preferential carpool parking spaces.

#### Preservation Bonus Option as a Baseline Requirement

For sites seeking Bonus Height through the BHP, the Preservation Bonus Option may be substituted in place of the Green Building Certification Baseline Requirement.

- For sites containing an unprotected Historic Asset(s), the Preservation Bonus Option shall be substituted in place of the Green Building Certification Baseline Requirement .
- For sites containing an unprotected Eligible, Cultural, or Character-Contributing Asset(s), the Preservation Bonus Option may be substituted in place of the Green Building Baseline Requirement with written permission from the Metropolitan Planning Commission, or its designee.

In these scenarios, if the Earned Bonus Height from the use of the Preservation Bonus Option is unable to be applied on the same site, or on an adjacent site, without applying the Bonus Height on top of the preserved structure (or another similar impact to the preserved structure), the Earned Bonus Height shall be doubled and shall only be permitted to be transferred off-site.

A site receiving the Transfer-Eligible Bonus Height from this scenario shall not be required to fulfill the Green Building Certification Baseline Requirement. However, the Receiving Site shall be eligible to use the Green Building Certification Bonus Option and receive 64,000 SF of Bonus Height for Silver-level certification, or what is already offered for Gold-level or higher certification.

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### 1. Green Building Certification (above Baseline Requirement)

Significance: Green building certification helps ensure the longevity of the building stock in Downtown Nashville by requiring sustainable design, construction, and operational practices that reduce carbon, water, energy, and waste.

Eligibility: New development over 50,000 square feet of total floor area that achieves LEED Gold, Platinum, or Zero Certification shall be eligible for this bonus. Applicants may propose an equivalent, nationally recognized, third-party system of overseeing green building and/or sustainable development practices uses to Planning Staff. If proposing to use an alternate certification system, applicants must demonstrate how each credit, in the proposed system is directly comparable to the LEED-equivalent credit.

Calculations: The bonus height awarded shall be:

- 64,000 SF for LEED Gold
- 320,000 SF for LEED Platinum
- 640,000 SF for LEED Zero

### 2. Reduction of Vehicular Parking

Significance: Already the most walkable, bike-friendly, and transit-focused part of the city, Downtown Nashville does not require vehicular parking spaces by code. Parking maximums exist to limit the number of parking spaces that new development can include. The reduction of vehicular parking spaces within a Downtown Nashville development further supports pedestrian activity, bicycling, and transit ridership.

Eligibility: Developments that provide fewer vehicular parking spaces than what parking maximums allow (as outlined in Chapter 17.20, Article II of the Metropolitan Code of Ordinances) shall be eligible for this bonus.

Calculations: The bonus height awarded (in square feet) shall be equal to the number of vehicular parking spaces that the development would be allowed, but is not providing, multiplied by 255 (the typical area needed for one parking space and its portion of the drive aisle).

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### 3. Preservation

Significance: The preservation and/or re-use of Downtown Nashville's historic or otherwise culturally significant structures and sites is critical to maintaining the history and identity of our city.

Eligibility: Any Historic Asset – or any Eligible, Cultural, or Character-Contributing Asset that receives written permission from the Metropolitan Planning Commission, or its designee – shall be eligible for this bonus if the asset's preservation is formalized through one of the following paths:

- Path #1: An asset eligible for an Historic Overlay (as defined in Chapter 17.36, Article III of the Metropolitan Code of Ordinances) shall apply for and receive approval to place an Historic Overlay on the property from the Metropolitan Council. This requires recommendations from the Metropolitan Historic Zoning Commission and the Metropolitan Planning Commission.
- Path #2: An asset ineligible for an Historic Overlay (as defined in Chapter 17.36, Article III of the Metropolitan Code of Ordinances) must obtain a determination as to its ineligibility from the Metropolitan Historic Zoning Commission. The owner shall then record a declaration of restrictive covenants (to be reviewed and signed by the Executive Directors of the Metropolitan Planning Commission and the Metropolitan Historic Zoning Commission, or their designees) with the Davidson County Register of Deeds, containing the following information:
  - » A list/description of the features of the structure or site to be preserved and general guidance on preservation created by the Metropolitan Historic Zoning Commission, or its designee.
  - » An agreement to preserve those defining features of the structure or site, as identified by the Metropolitan Historic Zoning Commission, in perpetuity by requiring that any exterior alterations, including demolition in whole or in part, be reviewed and approved by the Metropolitan Historic Zoning Commission or its designee, following the Commission's process and policies, The Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings, and any other applicable design guidance.
  - » An agreement to forfeit any future claim for additional building intensity or development, including any type of variance of the preserved building.
  - » The building/site area being preserved (in square feet), and the amount of bonus height (in square feet) being derived from its preservation.

Calculations: The bonus height awarded shall be the greater of the two calculations:

- 16,000 SF of bonus height for each unbuilt story, up to the site's Maximum Height.
- 24,000 SF of bonus height for every 10,000 GSF of preserved structure or site.

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### 4. Neighborhood Support Space

Significance: Over the past decade, Downtown Nashville has transformed into several distinct neighborhoods, with thousands of residents. Complete neighborhoods are places where residents' daily needs can be met. Spaces for services, amenities, or businesses that contribute to these needs are important to ensuring Downtown Nashville's neighborhoods are complete.

Eligibility: Neighborhood Support Spaces shall be occupied by those uses that are generally located on the ground floor (with possible exceptions for upper or lower levels with direct access to the public ROW) and that achieve one of the following:

1. Spaces that fulfill an individual's daily/weekly needs (e.g.: childcare, grocery store, pharmacy, hardware store, homewares store, shipping, dry cleaning, salon, barbershop, nail salons, medical offices, etc.).
2. Spaces that strengthen the surrounding community (e.g.: cultural center, community center, recycling/compost collection center, etc.).
3. Spaces for non-profits or other organizations that directly serve a community (e.g.: business incubator, neighborhood or religious organizations, makerspaces, etc.).

Applicants may propose other similar uses to Planning Staff.

Prior to Bonus Height Certification, a declaration of restrictive covenants with the following information shall be reviewed and signed by the Executive Director of the Metropolitan Planning Commission, or their designee and recorded with the Davidson County Register of Deeds:

- The reservation of the Neighborhood Support Space for at least 15 years. Adherence to this standard shall be checked annually by the Metropolitan Planning Commission or its designee. The Neighborhood Support Space may be occupied by one or multiple tenants in the 15-year timeframe.
- The building area being reserved for the Neighborhood Support Space (in square feet), and the amount of bonus height (in square feet) being derived from it.

Calculations: The bonus height awarded shall be the area (in square feet) reserved for Neighborhood Support Space(s), multiplied by 15.



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### 5. Privately-Owned Public Space (POPS)

Significance: A vibrant public outdoor space network is essential to a functional and livable Downtown Nashville. These spaces improve quality of life by promoting mental and physical health and providing a sense of community and social cohesion. Furthermore, public outdoor spaces provide opportunities for built-in resiliency through quality design.

Eligibility: Any POPS proposed in the DTC that meets the Outdoor Space General Standards (p.88), the POPS Performance Requirements (below), and at least one of the two POPS Bonus Categories (below), may be eligible for bonus height.

- POPS Performance Requirements:
  - » Maximize Human Comfort and Safety
    - ◇ Occupiable outdoor spaces shall be designed with shade elements or canopy trees, so that the habitable or occupiable area has a minimum of 20% shade coverage during the warm season months of May through September.
    - ◇ Occupiable outdoor spaces shall be designed, so that a minimum of 20% of the occupiable surface area receives sun (is not blocked by shade from surrounding buildings) during the cool season months of November through March.
    - ◇ Specified light fixtures shall be Dark Sky compliant
  - » Bolster Sustainability and Resilience to Climate Change
    - ◇ Refuse bins shall be provided and shall accommodate trash and recycling separately with clear, distinguishing labels.
    - ◇ A minimum of twenty-five percent of trees and shrubs shall be of species native to the Southeastern USA Plains Ecoregion (US EPA Level II, 8.3) and their variants and cultivars—e.g. Dura Heat® River Birch.
    - ◇ A minimum of fifteen percent of proposed herbaceous plants shall be species native to the Southeastern USA Plains Ecoregion (their variants or cultivars—e.g. Echinacea purpurea ‘White Swan’ or Panicum virgatum ‘Shenandoah’).
- POPS Bonus Categories:
  1. Sustainable Site Design

To be eligible for bonus height under this category, an applicant must demonstrate that a proposal meets the requirements for SITES certification or WEDG verification, and intent to achieve such designation. Successful achievement of the designation shall be a condition of DTC Final Site Plan Approval for this project.
  2. Priority Outdoor Programming

To be eligible for this bonus height under this category, an outdoor space shall incorporate minimum priority programming according to the size of the proposed POPS, as follows:

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POPS Area	Minimum Requirement
< 5,000 SF	1 priority element + 1 amenity
5,000 - 10,000 SF	3 Features: 1. 2 priority elements + 1 amenity OR 2. 1 priority element and 2 amenities
> 10,000 SF	4 features (2 priority elements + 2 amenities)

Additional Priority Programmatic Elements and Other Programmatic Elements may be approved by MPC Staff or the DTC Design Review Committee.

Calculations: The bonus height awarded shall be equal to the area of the POPS (in SF) multiplied by the total number of unbuilt stories over the POPS, up to the site's Maximum Height. Additional multipliers, outlined below, may be used to increase the Earned Bonus Height.

- **Pervious Surface:** For POPS that include pervious surfaces that meet the DTC's Open Space General Standards (p. 88) within their boundaries, an additional two SF of Bonus Height shall be awarded for every square foot of pervious surface provided (landscaped areas excluding turf or sod and tree canopy), and an additional one SF of Bonus Height shall be awarded for every square foot of semi-pervious surface (turf, permeable pavers, or permeable asphalt).
- **Deficiency Area:** For POPS located within a deficiency area (an area that lacks another publicly accessible open space within a ¼-mile radius), an additional two SF of Bonus Height shall be awarded for every square foot of POPS provided.
- **Sustainable Site Design:** For POPS that demonstrate sustainable site design by obtaining either SITES or WEDG certification, an additional two SF of Bonus Height shall be awarded for every square foot of POPS provided.
- **Priority Outdoor Programming:** For POPS that include at least one priority programmatic element from the list above, an additional five SF of Bonus Height shall be awarded for every square foot of space dedicated to the priority programmatic element provided.

Priority Programmatic Elements
Active recreation feature—e.g. bocce, lawn bowling, corn hole, basketball court, pickleball court
Conditioning element—mistlers, shade structure, shelter, or pavilion
Outdoor food service such as open-air café, concessionaire, or retail kiosk
Fountain or reflecting pool
Play facility or play area—e.g. swings, see-saws, slides
Playground
Passive recreation feature—e.g. game tables and seating
Interactive public art other than murals
Public restrooms
Water feature—e.g. splash pad
Amenities
Bike parking and repair station
Community garden
Dog Park
Fitness Equipment
Sculpture art
Gathering space with flexible seating and tables
Performance Stage
Pollinator or sensory garden
Water fountain

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Bonus Height Program: Bonus Height Chart	Maximum Height	Bonus Height Maximum
<b>Central</b>		
<b>James Robertson</b>		
	560' above sea level	560' above sea level
<b>Core</b>		
	30 stories	unlimited stories
<b>Core-Historic</b>		
	6 stories on the interior of blocks; 10 stories on the corners	10 stories
<b>Upper Broadway</b>		
	100'	100'
<b>Second and Broadway</b>		
Second	8 stories in 105'	8 stories in 105'
Broadway	5 stories in 65'	5 stories in 65'
<b>SoBro</b>		
General, or 8th Avenue frontage south of roundabout (beyond 100' from frontage)	30 stories	unlimited stories
West side of 1st and East side of 2nd	15 stories	30 stories
8th Ave frontage south of roundabout (within 100' frontage)	8 stories	11 stories
<b>River</b>		
	10 stories	10 stories
<b>South</b>		
<b>Lafayette</b>		
General	8 stories	18 stories
Transitional Properties	15 stories	22 stories
Lafayette Street	12 stories	20 stories
<b>Rutledge Hill</b>		
Primary and secondary	6 stories	7 stories
Tertiary	3 stories	3 stories
<b>Rolling Mill Hill</b>		
	65' with a SEP of 1:1.5	65' with a SEP of 1:1.5
<b>Rutledge River</b>		
	9 stories	12 stories
<b>West</b>		
<b>Gulch North</b>		
General	7 stories	10 stories and below 560' above sea level
Fronting Herman Street	4 stories	4 stories
<b>Gulch South</b>		
General	10 stories	18 stories
Mid-Gulch Properties	10 stories	18 stories
Fronting Church, Broadway, Demonbreun	15 stories	23 stories
Gulch South Intersections	20 stories	30 stories
Mid-Gulch Intersections	20 stories	30 stories
<b>North</b>		
<b>Hope Gardens</b>		
Primary	7 stories	8 stories
Secondary	4 stories	5 stories
Tertiary	3 stories	3 stories
<b>Sulphur Dell</b>		
Primary	7 stories	8 stories
Secondary	5 stories	6 stories
Tertiary	4 stories	5 stories