

SUBSTITUTE ORDINANCE NO. BL2021-844

An Ordinance to amend Section 17.40.720 of the Metropolitan Code of Laws to require notice by mail to the address of a property in certain cases (Proposal No. 2021Z-016TX-001).

BE IT ENACTED BY THE METROPOLITAN COUNCIL OF NASHVILLE & DAVIDSON COUNTY:

~~Section 1. That Section 17.40.720 of the Metropolitan Code of Laws is hereby amended by deleting subsection A in its entirety and replacing it with the following:~~

~~A. No public hearing shall be conducted unless, at least twenty-one days prior to the public hearing, the owner(s) of the subject property and all other property owners within one thousand feet of the subject property have been given notice of the time, date and place of the public hearing. Properties owned by the applicant shall not be included in the distance measurement for public notice. Where the tax records reflect a mailing address for a property owner to be different than the address of the property owned, then notification shall also be mailed to the address of the property itself. If the individual mailing addresses of tenants in any multi-tenant property are not readily available, the applicant shall comply with subsection D. For a public hearing conducted by the board of zoning appeals, the appellant shall be notified by certified mail. In addition to notification of individual property owners, an incorporated condominium association registered with the metropolitan clerk as requesting notification shall also be notified. The provisions of this article shall not apply to the adoption or subsequent amendment of this title, or to amendments of the official zoning map involving floodplain or airport overlay districts.~~

Section 1. That Section 17.40.720 of the Metropolitan Code of Laws is hereby amended by adding the following new subsection D:

- D. 1. For the subject property where the tax records reflect a mailing address that is different than the address of the subject property, then notification shall also be mailed to the address of the property. The following properties shall be exempt from this requirement:
- a. b. Properties included in the application of an Overlay District as listed in Chapter 17.36, excluding Planned Unit Development Overlays.
 - b. c. Properties included in an application to rezone 10 or more parcels filed by a member of the Metropolitan Council in their official capacity.
2. If the subject property is designated as multi-family or mobile home park, in the official tax record, one sign shall be posted by the applicant at each ingress/egress onto the multi-tenant property. The signage shall comply with the requirements of subsections 17.40.730.B, 17.40.730.C.3, and 17.40.730.D and must be positioned in a manner to best inform the public residing at the multi-tenant property without creating a safety hazard.

~~Section 2. That Section 17.40.720 of the Metropolitan Code of Laws is hereby further amended by adding the following new subsection D:~~

~~D. When notice is provided to a multi-tenant property pursuant to subsection A and the individual addresses of tenants in the multi-tenant property are not readily available, signage shall be posted by the applicant in front of the multi-tenant property. The signage shall comply with the requirements of 17.40.730, except that only one such sign shall be required to be posted at~~

~~the multi-tenant property and must be positioned in a manner to best inform the public residing at the multi-tenant property without creating a safety hazard.~~

Section ~~3~~2. That 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.

SPONSORED BY:

Sean Parker
Member of Council