



Metropolitan Council

**PROPOSED AMENDMENTS PACKET
FOR THE COUNCIL MEETING OF
TUESDAY, JUNE 2, 2026**

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Substitute Amendment to Rules of Procedure, Rule 46

Madam President:

I move to amend the 2023-2027 Metropolitan Council Rules of Procedure by adding the following Rule 46.3 as shown below:

46.3 No Council meeting or committee meeting shall be held on ~~the third Tuesday of the month of August or~~ the first Tuesday of the month of September. The third Tuesday of the month of September shall be considered the first meeting of the month for purposes of these Rules of Procedure and shall be the only regular meeting in September.

SPONSORED BY:

Jeff Preptit
Member of Council

SUBSTITUTE ORDINANCE NO. BL2026-1356

An ordinance amending Chapter 2.24.225 of the Metropolitan Code of Laws to modify appraisal requirements for certain ~~real estate right-of-way~~ acquisitions made by the Nashville Department of Transportation and Multimodal Infrastructure and for Choose How You Move projects, and to make technical changes.

WHEREAS, Chapter 2.24, Article III, Part II of the Metropolitan Code of Laws addresses the disposition of real estate; and

WHEREAS, in certain circumstances, the approval of the Metropolitan Council is required prior to the acquisition of real property; and

WHEREAS, Section 2.24.225 of the Metropolitan Code of Laws requires the Metropolitan Government to obtain an appraisal report as a precondition to the approval by the Metropolitan Council of the property's acquisition ("Appraisal Requirements"); and

WHEREAS, Subsection 2.24.225.A. of the Metropolitan Code of Laws prohibits the use of Restricted Appraisal Reports, Restricted Use Reports, or Summary Appraisal Reports to fulfill the Appraisal Requirements; and

WHEREAS, "Restricted Use Reports" and "Summary Appraisal Reports" are terms that are no longer defined by the Uniform Standards of Professional Appraisal Practice ("USPAP") and should be replaced in the Metropolitan Code of Laws; and

WHEREAS, the Nashville Department of Transportation and Multimodal Infrastructure (NDOT) is commencing an historic number of infrastructure projects that include real property acquisition, in part to implement the Choose How You Move Transportation improvement program; and

WHEREAS, many of the property acquisitions for these projects, especially for temporary construction easements and sidewalk projects, are for small dollar amounts; and

WHEREAS, the cost to conduct an appraisal for each of these properties may often cost more than the acquisition itself, making an appraisal cost prohibitive and economically infeasible; and

WHEREAS, conducting an appraisal for each of these properties is also time consuming and may cause project delay; and

WHEREAS, USPAP outlines Restricted Appraisal Reports, Restricted Use Reports, and Summary Appraisal Reports are cost-effective and timely less time-intensive ways to issue reports detailing assess the value of certain easements and small property acquisitions; and

WHEREAS, ~~in order to effectuate the efficient acquisition of small value properties, NDOT now wishes to amend Section 2.24.225 of the Metropolitan Code of Laws to allow for the use of Restricted Appraisal Reports, Restricted Use Reports, and Summary Appraisal Reports when seeking approval from the Metropolitan Council for certain real estate acquisitions; and,~~

WHEREAS, it is in the best interest of the Metropolitan Government that ~~this amendment be approved~~ the Metropolitan Code of Laws be amended to allow the use of USPAP-approved methods when seeking approval for certain real estate acquisitions for right-of-way.

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

Section 1. That Section 2.24.225 of the Metropolitan Code of Laws is hereby amended by ~~adding the following new subsections~~ deleting it in its entirety and replacing it with the following:

A. Except as otherwise specified in this section, for transactions involving the sale, lease, sublease, or other disposition of real property which require approval of the metropolitan council, authorizing legislation may not be considered by the council in the absence of an appraisal report that includes, without restriction, the following components: (a) a current value; and (b) a prospective value reflecting any anticipated changes in entitlements including, without limitation, changes in zoning classifications, use restrictions, and/or deed restrictions. For purposes of this section, Restricted Appraisal Reports, or other methods promulgated by the Uniform Standards of Professional Appraisal Practice (“USPAP”) that allow for limited reporting, shall not satisfy this requirement.

B. Except as otherwise specified in this section, for transactions involving the purchase, exchange, or other acquisition of real property which requires approval of the metropolitan council, authorizing legislation may not be considered by the council in the absence of an Appraisal Report that includes a current value. For purposes of this section, Restricted Appraisal Reports, or other methods promulgated by USPAP that allow for limited reporting shall not satisfy this requirement.

C. The provisions of this subsections A and B above shall not apply to:

1. the appraisal or valuation of real property acquired pursuant to a delinquent tax sale grant that is to be conveyed to a nonprofit organization under Tennessee Code Annotated § 7-3-314(e). No appraisal or valuation is needed for real property conveyed pursuant to Resolution No. RS2019-1861.

~~E. The provisions of this section shall not apply to the appraisal or valuation of temporary construction easements acquired by the Nashville Department of Transportation and Multimodal Infrastructure (NDOT) or acquired for Choose How You Move (CHYM) projects using solely local funds.~~

~~F2. For the appraisal or valuation of real property or easements for right-of-way acquisitions for a department of transportation and multimodal infrastructure (“NDOT”) or Choose How You Move (“CHYM”) sidewalk projects using solely local funds. For such projects, Restricted Appraisal Reports, or other methods promulgated by USPAP that allow for limited reporting, Restricted Use Reports, or Summary Appraisals shall satisfy the requirements of this section.~~

~~G3. For the appraisal or valuation of real property or easements acquired by for right-of-way acquisitions for NDOT or acquired for CHYM projects using solely local funds, if the real property or easement has a fair market value of less than \$1535,000.00, then a Restricted Appraisal Report, Restricted Use Report, or~~

~~Summary Appraisal shall satisfy the requirements of this section. For real property or easements acquired by NDOT or acquired for CHYM projects using solely local funds, if the property or easement has a fair market value of less than \$10,000.00, then the requirements of this section shall not apply, and no appraisal report shall be required. These~~ For such projects, fair market valuations shall be supported by a market analysis with sufficient supporting documentation subject to review and acceptance by the director of public property administration or delegated representative.

~~H. The provisions of this section shall apply to any acquisitions made by NDOT or for CHYM projects using state or federal funds.~~

D. All appraisal reports required by this section shall be prepared by an independent state certified real estate appraiser, as defined in T.C.A. § 62-39-102, or as the same may be hereafter amended, selected by the department of finance in accordance with applicable procurement regulations.

Section 2. That this Ordinance shall take effect ~~immediately after its adoption from and after its passage~~, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Kyonzte Toombs
Member of Council

ORDINANCE NO. BL2026-____

An ordinance declaring a temporary moratorium upon the acceptance, processing, approval, and issuance of zoning, building, or grading permits for data center developments on property within Nashville & Davidson County.

WHEREAS, the Metropolitan Government of Nashville and Davidson County has authority to regulate land use and development through Title 17 of the Metropolitan Code of Laws, known as the Metropolitan Zoning Code, to protect the public health, safety, and welfare; and

WHEREAS, the Metropolitan Zoning Code does not currently define “data center” as a distinct land use classification; and

WHEREAS, in the absence of a specific data center classification, data centers may be administratively classified under existing use categories that were not written to address the scale, intensity, operational characteristics, or impacts of modern data-center development; and

WHEREAS, data centers may have land-use impacts materially different from ordinary office, warehouse, telecommunications, utility, or industrial uses, including high electrical demand, backup generators, fuel storage, battery systems, substations, transformers, cooling systems, mechanical equipment, noise, vibration, lighting, stormwater impacts, security fencing, emergency-response concerns, and continuous twenty-four-hour operations; and

WHEREAS, data centers may be appropriate in certain locations if properly defined, reviewed, conditioned, buffered, and regulated, but may be incompatible with nearby residential neighborhoods, public parks, schools, greenways, zoological institutions, public spaces, and other sensitive uses without appropriate standards; and

WHEREAS, the Metropolitan Government has a substantial public interest in ensuring that data centers are not permitted or vested under land-use classifications that do not accurately describe the principal use or address the use’s operational impacts; and

WHEREAS, on June 2, 2026, BL2026-1391 and BL2026-1392 were introduced at the Metropolitan Council; and

WHEREAS, these two pieces of legislation propose to define what a data center is in the context of the Metropolitan Zoning Code, delineate the different types of data centers based on size and power use, and set up reasonable conditions and restrictions for the various types of data centers to enable them to operate in a compatible and harmonious manner within Nashville and Davidson County; and

WHEREAS, BL2026-1391 and BL2026-1392 must go through the required review and approval process, including two readings at the Metropolitan Planning Commission and three readings at the Metropolitan Council prior to their enactment; and

WHEREAS, this review and approval process will take several months to complete; and

WHEREAS, in the interim, it is in the best interests of the health, welfare, and safety of Nashville and Davidson County and its residents that the Metropolitan Council declare a temporary moratorium upon the acceptance, processing, approval, and issuance of zoning, building, or grading permits for data center developments on property within Nashville and Davidson County

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

Section 1. That a moratorium is hereby declared upon the acceptance, processing, approval, and issuance of zoning, building, or grading permits by the Metropolitan Department of Codes Administration and the Metropolitan Water Services Department for any data center development for property within Nashville & Davidson County until November 1, 2026 or the effective date of BL2026-1391 and BL2026-1392, whichever occurs first.

Section 2. That for the purposes of this ordinance, a “data center development” shall include any development including a physical room, building, or facility primarily used for housing and operating computer systems and associated equipment, including servers, data storage and processing systems, and accessory infrastructure such as cooling systems, power generators, electrical substations, and network hardware.

Section 3. The Metropolitan Clerk is directed to publish a notice announcing such change in a newspaper of general circulation within five days following final passage.

Section 4. This Ordinance shall take effect upon publication of the above said notice, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Courtney Johnston
Jordan Huffman
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