

AMENDMENT NO. __

TO

SUBSTITUTE ORDINANCE NO. BL2022-1384, AS AMENDED

Mr. President –

I hereby move to amend Substitute Ordinance No. BL2022-1384 as follows:

I. By amending Section 1, proposed Metropolitan Code of Laws Section 12.12.190.C. as follows:

C. NDOT may authorize private construction or funding of a traffic calming project by a neighborhood organization provided that:

1. The neighborhood organization secures private funding for the proposed traffic calming project. NDOT will not match funding at any level. 100% of project funding, including engineering studies, design, permitting and construction/installation, will be the responsibility of the private entity. Installation must conform to NDOT standard details and minimum specifications along with the criteria laid out in this section.
2. The neighborhood must notify NDOT of its intent to install a traffic calming project in writing. This letter of intent must include contact information, the street(s) in question and limits of installation.
3. Upon receiving the letter of intent, NDOT engineers will conduct initial checks to ensure:
 - a. The street(s) in question fall under the jurisdiction of Metro Nashville.
 - b. The street(s) is classified as “local” under the Nashville major and collector street plan.
 - c. The street(s) is not designated as an arterial street or collector street on the Nashville major and collector street plan.
 - d. Installing the traffic calming infrastructure on the street(s) will not negatively affect parallel streets by creating conditions for increased traffic volumes and speeds.
 - e. If the street is determined to be ineligible, NDOT will provide written notification of the determination and its reasons.
4. Provided that the above conditions are met, the applicant will be required to produce the following documents prior to permitting:
 - a. A traffic study confirming an 85th percentile speed of at least 5 MPH over the posted speed limit.
 - b. A location map that clearly shows the neighborhood and street(s) proposed for traffic calming infrastructure.
 - c. A design plan set stamped by a registered engineer conforming to NDOT traffic calming infrastructure requirements.
 - d. A preliminary support petition containing at least 10 signatures from homeowners that live on the affected street that support installation of the traffic calming infrastructure. The petition must include a final signature block for the

Council Member to sign in support of traffic infrastructure. Applicant must use NDOT's petition template.

- e. A list of all names and addresses of affected homeowners and evidence that all affected homeowners have been contacted and provided copies of the traffic calming design plans.
 - f. A list of materials, specifications, manufacturer, manufacturer recommendations for installation and their respective quantities. Materials must meet NDOT's minimum specifications and/or correspond to an item number included in a current Metro contract.
5. Upon approval of all required documentation, NDOT will administer a six-week online ballot process. A successful neighborhood street ballot requires 66% of responding homeowners on the affected street voting "yes" on the final traffic calming infrastructure design.
 6. Once documents have been approved by NDOT engineers and the ballot process is successful the applicant may apply for a right-of-way permit to install the traffic calming infrastructure.
 7. NDOT will assume maintenance and replacement responsibilities once the traffic calming infrastructure has passed inspection.
 8. This Subsection C shall apply only to private construction of traffic calming infrastructure initiated by neighborhood organizations and shall not apply to private funding of traffic calming through any other means, including as part of on-site or off-site traffic calming improvements required or recommended by NDOT, the Planning Commission, or by zoning legislation enacted by the Council.
- II. By amending Section 1, proposed Metropolitan Code of Laws Section 12.12.190 to add a new Subsection D and designating the existing Subsection D as Subsection E, as follows:
- D. NDOT may authorize the private construction or funding of a traffic calming project by other means provided that:
1. One or more of the following has occurred:
 - a. NDOT and/or the Planning Commission require the on-site or off-site traffic calming improvement(s) on adjacent streets or on existing or new street connections as part of permitting for a project that is being reviewed under existing entitlements;
 - b. A traffic impact study recommends the on-site or off-site traffic calming improvement(s) as part of a rezoning or lot subdivision for residential developments with more than 75 dwelling units pursuant to Section 17.20.140;
 - c. the Planning Commission or Planning Department recommends or conditions coordination with NDOT for traffic calming improvement(s) within projects or on existing or new street connections for lot subdivisions that do not require a traffic impact study pursuant to Section 17.20.140; or
 - d. the Planning Commission and/or the Metropolitan Council condition the provision of on-site or off-site traffic calming improvement(s) as part of a zone change or PUD revision approval.
 2. Upon notification of one of the events listed in Subsection D.1, NDOT engineers will conduct initial checks to ensure:

- a. The street(s) in question fall under the jurisdiction of Metro Nashville.
 - b. The street(s) is classified as “local” under the Nashville major and collector street plan.
 - c. The street(s) is not designated as an arterial street or collector street on the Nashville major and collector street plan. However, private funding and construction of traffic calming projects on collector streets may be permitted at the discretion of NDOT's chief traffic engineer.
 - d. Installing the traffic calming infrastructure on the street(s) will not negatively affect parallel streets by creating conditions for increased traffic volumes and speeds.
 - e. If the street is determined to be ineligible, NDOT will provide written notification of the determination and its reasons.
3. Provided that the above conditions are met, the applicant will be required to produce the following documents prior to permitting:
- a. A location map that clearly shows the neighborhood and street(s) proposed for traffic calming infrastructure.
 - b. A design plan set stamped by a registered engineer conforming to NDOT traffic calming infrastructure requirements.
 - c. A list of materials, specifications, manufacturer, manufacturer recommendations for installation and their respective quantities. Materials must meet NDOT's minimum specifications and/or correspond to an item number included in a current Metro contract.
4. Once the proposed project has been approved by NDOT engineers, the applicant may apply for a right-of-way permit to install the traffic calming infrastructure.
5. NDOT will assume maintenance and replacement responsibilities once the traffic calming infrastructure has passed inspection.
- DE. At least once per year, NDOT shall submit a report to the metropolitan council of the applications received for the traffic calming program, the ranking of each application, and the metrics used to determine the ranking of the applications.

Sponsored by:

Brett Withers
Member of Council