

SUBSTITUTE ORDINANCE NO. BL2026-1314

An ordinance amending certain sections and subsections of Chapters 2.104, 6.26, 13.32, 15.64, 17.20, 17.24, 17.28, and 17.36 of the Metropolitan Code of Laws to correct typographical errors, incorrect references, redundancies, and other minor errors. (Proposal No. 2026Z-008TX-001).

WHEREAS, certain provisions within the Metropolitan Code of Laws include minor typographical errors, outdated or incorrect references to other sections of the Metro Code, redundant provisions, or other minor errors warranting correction; and

WHEREAS, the minor corrective amendments herein do not alter the substantive meaning or effect of the existing Code provisions but merely update the text for accuracy and consistency.

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

Section 1. Subsection 2.104.030(A) of the Metropolitan Code shall be deleted in its entirety and replaced with the following:

- A. The urban forester shall have general oversight over all tree planting undertaken by the metropolitan government but shall have no direct supervisory power over metropolitan government employees engaged in tree planting. He or she shall ensure that planting of public trees progresses in a systematic manner to assure diversity of age, classes and species. He or she shall further provide information to all Metro agencies as to appropriate tree size, density and planting techniques.

Section 2. Section 13.32.210 of the Metropolitan Code shall be deleted in its entirety and replaced with the following:

No person shall willfully break, pull down, hurt or destroy any tree which is now or may hereafter be planted within the urban services district; provided, that nothing in this section shall be so construed as to prevent the metropolitan government from removing any tree which it may deem so situated as to obstruct any street or sidewalk, or to prevent any proprietor of a lot from cutting down any tree on or in front of his or her lot.

Section 3. Section 15.64.010 of the Metropolitan Code of Laws is hereby amended by deleting the definitions for the terms “Green infrastructure” and “Green street” in their entirety, as neither term appears elsewhere in the Code.

Section 4. Subsection 17.16.230(B)(10)(c)(i) of the Metropolitan Code shall be deleted in its entirety and replaced with the following:

- i. Ground vibration: .50 inches per second peak particle velocity for frequencies below forty Hertz and 2.0 inches per second peak particle velocity for frequencies greater than 40 hz; the charge weight delay shall be adjusted accordingly to ensure compliance with this standard.

Section 5. Subsection 17.24.140.C of the Metropolitan Code shall be deleted in its entirety and replaced with the following:

C. All trees planted or preserved to satisfy the requirements of this article shall count towards the tree density requirements of 17.28.065.

Section 6. Subsection 17.28.065.C.3.b.iii of the Metropolitan Code shall be deleted in its entirety and replaced with the following:

iii. Alternative tree density requirements for single and two-family residential lots. In lieu of the requirements of subsection 3.b.ii of this section, a home builder may petition the urban forester for credit for retaining existing trees on the building lot, provided that the overall tree density, including both replacement and retained trees, is not less than seven units per acre. Retained trees used to satisfy this requirement shall be protected according to Section 17.28.065.A. Proof of compliance with this requirement shall be provided prior to the issuance of a certificate of occupancy.

Section 7. Subsection 17.28.010 of the Metropolitan Code shall be deleted in its entirety and replaced with the following:

The purpose of this article is to establish standards for development in environmentally sensitive areas, in a manner which provides for reasonable use of the land while retaining to the maximum extent possible the environmentally sensitive portions in a predeveloped state. This article is predicated on the concept that land use policy decisions and zoning decisions must be made in the context of the land's characteristics. The choice of residential land uses should be based on site-specific characteristics which coincide with the many available varieties of housing. Commercial land use decision-making, conversely, is likely driven more by market forces, such as location or access, than by site characteristics. It is the intent of this article to offer incentives to minimize environmental disturbance. The requirements and standards of this article are intended to promote low-impact development in the sensitive hillsides and areas of special flood hazard of the community through incentives to preserve these lands in an undeveloped state, to ensure protection of special vegetative assets and to promote well-conceived development which recognizes the problem soils of the community.

Section 8. Section 17.28.065 of the Metropolitan Code shall be amended by deleting references to "Ginko" and substituting therefore "Ginkgo."

Section 9. Section 17.36.160 of the Metropolitan Code of Laws is hereby amended by deleting subsection C in its entirety, as it is duplicative of subsection B.

Section 10. Sections 2.104.050, 2.104.100, 6.26.060, 6.26.190, 17.20.120, 17.24.075, 17.28.030, and 17.28.065 of the Metropolitan Code of Laws are hereby amended by deleting all references therein to "the department of public works" and substituting therefore "the department of transportation and multimodal infrastructure."

Section 11. This Ordinance shall take effect from and after its final passage, and such change shall be published in a newspaper of general circulation, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Rollin Horton
Member of Council