



# **Metropolitan Council**

**PROPOSED AMENDMENTS PACKET  
FOR THE COUNCIL MEETING OF  
TUESDAY, MAY 7, 2024**

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AMENDMENT NO. \_\_\_\_  
TO  
ORDINANCE NO. BL2024-184

Madam President –

I hereby move to amend Ordinance No. BL2024-184 as follows:

I. By amending Section 1 as follows:

Section 1. That Section 17.04.060 of the Metropolitan Code of Laws is amended by deleting the existing definitions for “accessory ~~building~~ dwelling, detached”, “multi-family”, “residence for handicapped, more than eight individuals”, and adding the following new definitions in alphabetical order:

“Detached accessory dwelling unit” means a detached dwelling unit separate from the principal single-family structure on a lot located within a historic overlay district, within any urban design overlay with development standards for detached accessory dwellings, on any lot with an improved alley abutting the rear or side property line or on any lot over fifteen thousand square feet. The dwelling shall be clearly subordinate in size, height, and purpose to the principal structure, it shall be located on the same lot as the principal structure, but may be served by separate utility meter(s) and is detached from the principal structure. A detached accessory dwelling unit can be an independent structure or it can be a dwelling unit above a garage, or it can be attached to a workshop or other accessory structure on the same lot as the principal structure.

“Multi-family” means three or more dwelling units on a single lot or parcel of land.

“Residence for persons with disabilities, more than eight individuals” means a group of more than eight unrelated persons with disabilities, including two additional persons acting as support staff or guardians, living together as a single housekeeping unit. For purposes of this subsection, “persons with disabilities” includes persons with a physical or mental impairment which substantially limits one or more of such person’s major life activities, a record of having such an impairment, or being regarded as having such an impairment; provided, however, such term does not include current, illegal use of or addiction to a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)). For the purposes of this subsection, “physical or mental impairment” includes drug addiction (other than addiction caused by current, illegal use of a controlled substance) and alcoholism pursuant to 24 C.F.R. § 100.201. For the purposes of this subsection, “persons with disabilities” does not include persons who pose a substantial likelihood of serious harm as defined in Tennessee Code Annotated § 33-6-501, or who have been convicted of serious criminal conduct related to such disability.

II. By amending Section 2 as follows:

Section 2. That the zoning district land use table in Section 17.08.030 of the Metropolitan Code is amended by replacing “accessory ~~building~~ dwelling, detached” with “detached accessory dwelling unit” and replacing “Residence for handicapped, more than eight individuals” with “Residence for persons with disabilities, more than eight individuals”.

III. By amending Section 4 as follows:

Section 4. That Section 17.08.030 of the Metropolitan Code is further amended by updating the Land Use table as shown in Exhibit A and adding "Day care center (Over 75)" as a permitted with conditions use, PC, in MUN, MUN-NS, MUN-A, and MUN-A-NS zoning districts; ON zoning district; and CN, CN-NS, CN-A, and CN-A-NS zoning districts.

INTRODUCED BY:

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Quin Evans Segall  
Member of Council

AMENDMENT NO. \_\_\_\_  
TO  
ORDINANCE NO. BL2024-319

Madam President,

I move to amend Ordinance No. BL2024-319, as follows:

I. By adding the following recitals:

WHEREAS, the proposed zoning district allows for new uses and more square footage to be built on this property than can currently be achieved; and

WHEREAS, the proposed zoning district allows for residential uses that are very likely to produce higher pedestrian activity than the current permitted uses, based on the Planning Department's experience with the following: similar rezonings, the new residential activity that will be allowed on this site, and the locations of this rezoning near pedestrian amenities; and

WHEREAS, it has been determined by the Metropolitan Government that sidewalks at this location constitute critical infrastructure required to ensure the functionality of the site and therefore conditioning the rezoning of this property is appropriate; and

WHEREAS, because of the change in uses and allowed intensity, there is a clear nexus between the change in zoning and the need for sidewalks to be constructed along public streets by the developer for use by future residents and users of the site.

SPONSORED BY:

\_\_\_\_\_  
Rollin Horton  
Member of Council

AMENDMENT NO. \_\_\_\_  
TO  
ORDINANCE NO. BL2024-293

Madam President –

I hereby move to amend Ordinance No. BL2024-293 as follows:

I. By amending Section 1, proposed Section 16.04.200, Subsection F, as follows:

F. The construction of a fence, including the installation of a new fence, the addition of fence sections to an existing fence, the replacement of more than fifty percent of an existing fence, or the change in location, type, or materials of a fence, shall require a fence permit to be issued by the department of codes administration prior to construction. The applicant for a fence permit must acknowledge, in writing, adherence to all applicable provisions of this code. The department of codes administration is authorized to create rules and regulations necessary to effectuate a fence permitting program. All associated fees required for a fence permit shall be determined by the director of the department of codes administration and approved by a resolution of council. The department of water and sewerage services and the Nashville department of transportation and multimodal infrastructure shall review each fence permit to ensure compliance with subsection E.

II. By amending Section 1, proposed Section 16.04.200, Subsection I, as follows:

I. Fences shall not be located within public utility easements, public utility and drainage easements, and easements for sanitary and/or storm sewers, water mains, pumps, and appurtenances ~~without written consent from the applicable utility.~~

III. By amending Section 3 as follows:

Section 3. This Ordinance shall take effect on September 1, 2024 from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

\_\_\_\_\_  
Erin Evans  
Member of Council

SUBSTITUTE ORDINANCE NO. BL2024-303

An ordinance amending Section 2.222.030 of the Metropolitan Code to ~~add~~ require members of Metropolitan Government boards and commissions ~~to the list of persons required to submit an annual disclosure~~ acknowledgement of the ethical rules of the Metropolitan Government and a commitment to adhere to those rules.

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

Section 1. That Section 2.222.030 A of the Metropolitan Code of Laws is amended by ~~deleting the section in its entirety and replacing it with the following~~ adding the following as a new subsection D:

~~In an effort to advance the favorable opinion of the public in the integrity of government, the disclosure requirements contained in this section shall apply to the following employees: (1) the mayor; (2) all employees in the mayor's office, including the members of the mayor's cabinet; (3) the metropolitan council office; (4) the holders of all elected offices authorized or created by the Metropolitan Charter; (5) all members, directors, executive directors, assistant directors, and associate directors of metropolitan government agencies, boards, and commissions, but not including Nashville Electric Service, the Metropolitan Nashville Airport Authority, the Metropolitan Development and Housing Agency and the Metropolitan Transit Authority.~~

D. Annual Acknowledgement and Commitment:

1. On or before January 31 of each year, each member of a metropolitan government board or commission shall file with the metropolitan clerk an annual acknowledgement of the ethical rules of the metropolitan government found in Sections 2.222.010 and 2.222.020 of this code. This acknowledgement must also include a commitment by the member to adhere to the ethical rules of the metropolitan government.

2. The acknowledgement form must contain a brief synopsis of the ethical rules, the text of Sections 2.222.010 and 2.222.020 in their entirety and as may be amended, an acknowledgement that the member has read or had read to them the synopsis and the full text of Metropolitan Code of Laws Section 2.222.010 and 2.222.020, and a commitment that the member will adhere to the ethical rules found in Section 2.222.010 and 2.222.020 for the duration of their service.

3. Said acknowledgement may be filed either electronically or in written paper form.

a. For acknowledgements filed in paper form, the acknowledgement must be personally signed by the member and attested to under penalty of perjury as being true to the best of that member's information and belief.

b. For acknowledgements filed electronically, the acknowledgement must include the printed first and last name of the member who shall indicate on the form under penalty of perjury that the information contained therein is true to the best of that member's information and belief.

Section 23. This Ordinance shall take effect upon final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

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Burkley Allen  
Member of Council

SUBSTITUTE ORDINANCE NO. BL2024-303

An ordinance amending Section 2.222.030 of the Metropolitan Code to add members of Metropolitan Government boards and commissions to the list of persons required to submit annual disclosures.

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

Section 1. That Section 2.222.030 A of the Metropolitan Code of Laws is amended by ~~deleting the section in its entirety and replacing it with the following~~ adding the following as a new subsection D:

~~In an effort to advance the favorable opinion of the public in the integrity of government, the disclosure requirements contained in this section shall apply to the following employees: (1) the mayor; (2) all employees in the mayor's office, including the members of the mayor's cabinet; (3) the metropolitan council office; (4) the holders of all elected offices authorized or created by the Metropolitan Charter; (5) all members, directors, executive directors, assistant directors, and associate directors of metropolitan government agencies, boards, and commissions, but not including Nashville Electric Service, the Metropolitan Nashville Airport Authority, the Metropolitan Development and Housing Agency and the Metropolitan Transit Authority.~~

D. Annual Conflicts of Interest Disclosure:

1. On or before January 31 of each year, each member of a metropolitan government board or commission shall file with the metropolitan clerk an annual conflicts of interest disclosure statement setting forth all potential direct and indirect conflicts of interest, as defined by state law existing or which may be adopted, they have related to their service on the particular board or commission on which they serve as of and for the year ended December 31 of the preceding year.

- a. Said disclosure may be filed either electronically or in written paper form.
- b. For disclosure statements filed in paper form, the statement must be personally signed by the member and attested to under penalty of perjury as being true to the best of that member's information and belief.
- c. For disclosure statements filed electronically, the disclosure statement must include the printed first and last name of the member who shall indicate on the form under penalty of perjury that the information contained therein is true to the best of that member's information and belief.
- d. In completing the disclosure form, the member should recognize that the purpose of the disclosure is to alleviate reasonable concerns, justified or not, of the public concerning possible conflicts and influences upon the member's exercise of his or her official discretion. In situations involving ambiguity as to the application of the requested information to the facts of a member's situation, the disclosure statement should be completed in all material respects, reasonably consistent with this intent.

2. The annual conflicts of interest disclosure statement shall require the information set forth in the following form:

ANNUAL CONFLICTS OF INTEREST DISCLOSURE STATEMENT

List all direct or indirect conflicts of interest or potential direct or indirect conflicts of interest that your service may present related to the board or commission on which you serve:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Under penalty of perjury, the information contained herein is true to the best of my information and belief.

\_\_\_\_\_  
Signature of Member

\_\_\_\_\_  
Date

Section 23. This Ordinance shall take effect upon final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

\_\_\_\_\_  
Zulfat Suara  
Member of Council

AMENDMENT NO. \_\_\_\_  
TO  
ORDINANCE NO. BL2024-306

Madam President –

I hereby move to amend Ordinance No. BL2024-306 by deleting Section 3 and renumbering the subsequent Sections accordingly, as follows:

~~Section 3. The Tourism Improvement Zone shall be closed to vehicular traffic, other than emergency vehicles, and except to the extent specifically permitted by the Metropolitan Nashville Police Department (MNPD) or the Nashville Department of Transportation and Multimodal Infrastructure (NDOT).~~

SPONSORED BY:

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Jacob Kupin  
Member of Council