



Metropolitan Council

**PROPOSED AMENDMENTS PACKET
FOR THE COUNCIL MEETING OF
TUESDAY, MAY 21, 2024**

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SUBSTITUTE
AMENDMENT TO RULES OF PROCEDURE, RULE 43

Madam President:

I move to amend the 2023-2027 Metropolitan Council Rules of Procedure by amending Rule 43 as shown below:

43. Deferrals; excessive deferrals; indefinite deferrals

43.4 Any ordinance or resolution that has been deferred for 60 days or longer, upon being placed back on the agenda, shall be deferred for one meeting, without debate or discussion, and shall be re-referred to the appropriate committee(s) selected by the Vice Mayor or Clerk for a recommendation. This paragraph shall not apply to the deferral of an ordinance on public hearing which affects ~~affecting~~ zoning under Title 17 of the Metropolitan Code of Laws.

SPONSORED BY:

Burkley Allen
Member of Council

AMENDMENT NO. ____
TO
RESOLUTION NO. RS2024-351

Madam President –

I hereby move to amend Resolution No. RS2024-351 as follows:

I. By amending the fourth recital as follows:

WHEREAS, increased pedestrian and boat traffic along the riverfront, especially the area within Downtown Riverfront and the steep wooded riverfront area along Gay Street (“Gay Street Riverfront”), have raised safety and cleanliness concerns including those having arisen after the recent disappearance of Riley Strain, ~~and the subsequent fall and injury of a man days later, and the ongoing dangers for unhoused individuals both~~ along an area of the Downtown Riverfront with limited fencing and a steep drop off. As WSMV News 4 noted in a recent report, Nashville Fire Department said of this area “...it is dark outside and clearly an unsafe area if someone falls”; and

II. By amending the sixth recital as follows:

WHEREAS, as Nashville and Davidson County continues to grapple with the broader issue of homelessness, the Office of Homeless Services must continue to ~~prioritize~~ assess the safety and well-being of the unhoused community surrounding the river, especially along the Gay Street Riverfront, due to the unique challenges faced as a result of their location, ~~and work to provide~~ secure their safety by providing services and shelter or housing solutions while making efforts to prevent individuals from being moved from one outdoor area to another to individuals in this area; and

III. By amending Section 1 as follows:

Section 1. The Metropolitan Council hereby requests the Metropolitan Nashville Police Department, Metropolitan Department of Parks and Recreation, Nashville Department of Transportation and Multimodal Infrastructure, Metropolitan Public Health Department, Waste Services Division of the Metropolitan Department of Water and Sewerage Services, the Office of Homeless Services, the Public Property Division of the Metropolitan Department of Finance, Metropolitan Department of Codes and Building Safety, and any other department of the Metropolitan Government with property or authority along the Cumberland River Downtown Riverfront work with the Metropolitan Planning Department to provide a comprehensive report (the “Report”) to the Council containing recommended actions and changes to improve the safety, security, and cleanliness of property owned by Metro, ~~The U.S. Army Corps of Engineers, and private entities surrounding the Cumberland River,~~ a list of the owners and responsible parties of each parcel, and any anticipated costs associated with these recommendations. These departments should ~~work with the Nashville District U.S. Army Corps of Engineers and Tennessee Department of Transportation in determining~~ determine the best course of action in achieving this goal. A final Report should be submitted to the Council no later than March 8, 2025.

IV. By amending Section 3 as follows:

Section 3. Based upon the Report and the analyses contained therein as provided in Sections 1 and 2 of this Resolution, the identified departments should enact policy and regulatory changes consistent with best practices related to address these requested areas of concern, pending availability of funding, staffing, and relief from statutory limitations.

SPONSORED BY:

Jacob Kupin
Member of Council

SUBSTITUTE ORDINANCE NO. BL2024-187

An ordinance amending Section ~~17.08.030~~ 17.16.030 of the Metropolitan Code, Zoning Regulations to ~~change the Single Family, Two Family, and Multi-family uses from being permitted conditionally to being permitted by right in the CS – Commercial Service CS-NS – Commercial Service No Short Term Rental, CS-A – Commercial Services Alternative, and CS-A-NS Commercial Service Alternative No Short Term Rental zoning districts~~ amend the conditions for adaptive residential developments located in non-residential zoning districts where residential uses are permitted with conditions (Proposal No. 2024Z-004TX-001).

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

Section 1. ~~That the Zoning District Land Use Table in Section 17.08.030 of the Metropolitan Code of Laws is hereby amended as shown in Exhibit A. That Subsection 17.16.030.F is hereby deleted in its entirety and replaced with the following:~~

- F. Adaptive Residential Development. A residential use shall be permitted provided a minimum of forty percent of the existing or proposed building's gross floor area is devoted to residential uses, subject to the following conditions:
1. Applicability. The provisions of this section shall apply to any residential use permitted with conditions in a non-residential zoning district.
 2. Design Standards. Except as noted below, all other requirements and standards established by other chapters of this title, as well as any other applicable metropolitan government, state, or federal regulation, shall apply to the development and use of properties shown on the final site plan. In case of conflict between the standards of this section and other chapters of this Zoning Code, the provisions of this section shall control, except for council-approved plans such as specific plan districts, planned unit developments, urban design overlay districts, and redevelopment districts.
 - a. All Residential Uses. The standards of this section shall apply only to a building or portion thereof converted to residential use, any addition to an existing building for residential use, and any new construction building, where a minimum of forty percent of the building's gross floor area is devoted to residential use, as explicitly shown on the approved final site plan under the authority of Section 17.40.170(A) of this title. The standards of this section shall not apply to any building proposing to devote less than forty percent of the gross floor area to residential uses.
 - b. Single-Family and Two-Family Residential Uses. Single-family and two-family uses shall be permitted only in an existing building.
 3. Residential Floor Area. In all non-residential districts that permit with conditions a residential use, no density or floor area ratio applies to those portions of a non-residential building converted to a residential use or to new residential construction.
 4. Building Orientation. In any new or existing building, a primary building entrance shall be oriented to the street. On a corner lot, entrances shall be oriented to each street.
 5. Driveway Access. For new construction, driveway access shall be determined in consultation with Nashville Department of Transportation with priority given to arterial and collector streets.
 6. Parking. Parking spaces shall be required for any residential, commercial and/or retail use in accordance with Chapter 17.20. Outside of the UZO, no more than one and one-half spaces shall be required per a residential dwelling unit. If parking is provided in a new deck or structure, the ground floor of the parking facility abutting

- a public street shall contain commercial or retail uses for seventy-five percent of the street frontage. The commercial or retail area shall have a minimum depth of twenty feet, a minimum height of fourteen feet (floor to floor) for the first floor of the garage at street level, with each storefront having between fifty-five percent and eighty-five percent glazed window area along the garage wall facing the public street. Upper levels of structured parking visible from public streets shall either be lined with active uses or screened with architectural screening.
7. Multimodal Transportation Analysis. Multimodal transportation analysis shall be required per Section 17.20.140.
 8. Landscaping. Notwithstanding Section 17.24.050(A), any single addition that increases the total building area by twenty-five percent or more of an existing building, in whole or in part, shall provide landscaping as required by this title. Where the number of parking spaces is increased by twenty-five percent, either through a parking lot expansion or the construction of a new parking lot, interior parking lot landscaping shall be required.
 9. Final Site Plan Approval. A final site plan application shall be submitted for review and approval in a manner consistent with the procedures of Section 17.40.170(A) or 17.40.170(B), as applicable, and any supplemental information requested after review of the application. Final site plan applications shall be of sufficient detail to fully describe the ultimate form of development and demonstrate full compliance with all applicable standards. The zoning administrator, upon advice of the appropriate metropolitan government agencies, shall grant final site plan approval based on findings that the design, proportions, and articulation of the proposed residential use are compatible with, and do not impact, the abutting or adjacent uses.
 10. Alternative Design Standards. Where a proposed residential development cannot comply with the standards of this section, the applicant shall be required to submit for review by the board of zoning appeals a special exception, in accordance with Sections 17.16.140 and 17.16.150 of this title. The minimum filing fee shall be equal to a commercial application as per the adopted board of zoning appeals fee schedule. In granting such approval of a special exception application, the board shall determine that the applicant has demonstrated that the relief being requested will not be injurious to surrounding properties, nor violates the adopted general plan. The board shall not act on any application without first considering a recommendation from the planning department.
 11. Notice. Applicants seeking an adaptive residential development use shall provide mailed notice of the proposed use, including the total number of dwelling units proposed, to all property owners within one thousand feet of the subject property no more than twenty-one days following the application of any permit related to the proposed adaptive residential development. Properties owned by the applicant shall not be included in the distance measurement for public notice. In addition to notification of individual property owners, an incorporated condominium association registered with the metropolitan clerk as requesting notification shall also be notified.

Section 2. 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 3. This Ordinance shall take effect upon publication of above said notice announcing such change in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

Rollin Horton
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2024-343

Madam President –

I hereby move to amend Ordinance No. BL2024-343 by deleting Section 1 and replacing it with the following:

Section 1. That Section 2.112.020 of the Metropolitan Code of Laws is hereby amended by deleting the section in its entirety and replacing it with the following:

2.112.020 - Membership and term of office.

The commission shall be composed of sixteen members. Fifteen members are to be appointed by the mayor and to serve without compensation. All members of the commission appointed by the mayor shall be confirmed by the metropolitan county council. One member shall be a member of council who serves on the arts, parks, libraries, and entertainment committee of the council, or a successor committee to which arts-related legislation is referred, selected by that committee. ~~The tenure of the members appointed by the mayor shall be as follows: the successors of the two members whose terms are set to expire January 1, 1993 shall serve a four year term to expire on January 1, 1997; the successors of those members whose terms are set to expire on January 1, 1994 and who joined the commission in August, 1992 shall serve a three year term to expire on January 1, 1997; the successors of those members whose terms are set to expire on January 1, 1994 and who joined the commission in November, 1990; March, 1989; April 1989; and September, 1992 shall serve a term of four years to expire January 1, 1998; the successors of those members whose terms are set to expire January 1, 1995 and who joined the commission in August, 1992 shall serve a term of four years to expire January 1, 1999; the successors of those members whose terms are set to expire January 1, 1995 and who joined the commission in February, 1991 and March 1992 shall serve a term of five years to expire January 1, 2000; and the successor of that member whose term is set to expire January 1, 1996 shall serve a term of four years to expire January 1, 2000. Each commission member shall thereafter serve a period of four years from their appointment dates of January 1, 1997; January 1, 1998; January 1, 1999 and January 1, 2000. The members appointed by the mayor shall serve staggered terms of four years. The term of the member of council shall be two years. In no event shall the term of the council member extend beyond the council term in which they were elected. All vacancies of any commission member shall be filled for the balance of the unexpired term in the same manner as original appointments.~~

SPONSORED BY:

Burkley Allen
Member of Council

SUBSTITUTE ORDINANCE NO. BL2024-349

An ordinance to amend the Geographic Information Systems Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County, by renaming four disconnected segments of Old Harding Pike. (Proposal Number 2023M-0023SR-001).

WHEREAS, the street renaming request has been submitted by District 35 Council Member Jason Spain; and,

WHEREAS, the construction of Highway 100 created several disconnected segment roadways on Old Harding Pike: 7900-8082 Old Harding Pike; 8101-8131 Old Harding Pike; 8200-8296 Old Harding Pike; and, 8405-8423 Old Harding Pike; and,

WHEREAS, emergency responders have had issues locating addresses on Old Harding Pike due to these disconnected segment roadways having the same street name; and,

WHEREAS, the proposed request to rename these segmented roadways has been submitted to and approved by the Metropolitan Planning Commission, and other relevant agencies of the Metropolitan Government of Nashville and Davidson County, in accordance with Metropolitan Code Section 13.08.015; and,

WHEREAS, the community deems it appropriate that said disconnected segment roadways be renamed.

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

Section 1. That the Geographic Information Systems Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County, be and is hereby amended, as follows:

As more particularly described in the sketch attached hereto and incorporated herein, the 7900-8082 segment of Old Harding Pike ("Segment 1") shall be renamed "Smith Farm Road"; the 8101-8131 segment of Old Harding Pike ("Segment 2") shall be renamed "Pink Tower Road"; the 8200-8296 segment of Old Harding Pike ("Segment 3") shall be renamed "Linton Lane"; and, the 8405-8423 segment of Old Harding Pike ("Segment 4") shall be renamed "Old Harding Grove".

Section 2. The Director of the Nashville Department of Transportation and Multimodal Infrastructure be and hereby is authorized and directed, upon the enactment and approval of this ordinance, to cause said change to be made on said Map as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. Amendments to this legislation may be approved by resolution.

Section 4. This ordinance shall take effect immediately after its passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

Jason Spain
Member of Council