



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

---

**File #:** BL2024-381, **Version:** 1

---

An ordinance creating an East Bank Stormwater District and establishing certain provisions governing stormwater management practices therein.

WHEREAS, the Metropolitan Government anticipates the rapid redevelopment of properties on and near the east bank of the Cumberland River in the area bounded to the north by Interstate 65, to the south and east by Interstate 24, and to the west by the Cumberland River (the "East Bank Stormwater District"); and,

WHEREAS, the United States Army Corps of Engineers ("USACE") has undertaken a study (the "Study") of flows in the Cumberland River that is expected to show a substantial increase in base flood elevations ("BFE") in the East Bank Stormwater District; and,

WHEREAS, public health and safety require that new roadways and buildings in the East Bank Stormwater District be constructed at elevations at least one foot above the new BFE determined by the Study; and,

WHEREAS, fairness and good engineering practice require that properties within the East Bank Stormwater District be evaluated together rather than individually for grading and other stormwater-related purposes.

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

Section 1. There is established an East Bank Stormwater District, comprising the area bounded to the north by Interstate 65, to the south and east by Interstate 24, and to the west by the Cumberland River.

Section 2. The Department of Water and Sewerage Services ("Department") is directed to engage qualified professionals to prepare a master plan (the "EBSD Master Plan") for the East Bank Stormwater District showing elevations for roadways and buildings therein at least one foot above BFE as determined by the Study.

Section 3. The Department is further directed to request that the USACE model the EBSD Master Plan.

Section 4. In the event the USACE modeling determines that full buildout of the East Bank Stormwater District as contemplated by the EBSD Master Plan will cause an increase in flood elevations during a base flood event, the Department is further directed to seek an amendment to the applicable Flood Insurance Rate Map through the FEMA map change process to reflect such increase.

Section 5. Based on appropriate revisions to the Flood Insurance Rate Map, or in the event the USACE modeling determines that full buildout of the East Bank Stormwater District as contemplated by the EBSD Master Plan will not cause an increase in flood elevations during a base flood event, the Department shall amend applicable regulations such that development permit applications for properties within the East Bank Stormwater District are evaluated, including with respect to cut and fill balance requirements and buffer disturbances, based on the EBSD Master Plan.

Section 6. Amendments to this ordinance may be approved by resolution.

Section 7. This ordinance shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

### Analysis

This ordinance creates the East Bank Stormwater District and establishes provisions to govern stormwater management practices within the new district.

The East Bank Stormwater District (“EBSD”) would comprise the area bounded to the north by Interstate 65, to the south and east by Interstate 24, and to the west by the Cumberland River. The Department of Water and Sewerage Services (“MWS”) would prepare a master plan for the EBSD showing the elevations for roadways and buildings at least one foot above the base flood elevations, as determined by a study that is being undertaken by the U.S. Army Corps of Engineers (“USACE”) related to the Cumberland River. MWS would be directed to request the USACE model the EBSD master plan. MWS would be required to amend applicable regulations based on revisions to the Flood Insurance Rate Map or based on USACE modeling related to the EBSD master plan.

Future amendments to this legislation may be approved by resolution.