



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

<b>File #:</b>	RS2023-2063	<b>Name:</b>	
<b>Type:</b>	Resolution	<b>Status:</b>	Passed
<b>File created:</b>	3/14/2023	<b>In control:</b>	Transportation and Infrastructure Committee
<b>On agenda:</b>	4/4/2023	<b>Final action:</b>	4/4/2023
<b>Title:</b>	A resolution extending the provisions of Chapter 5.11 of the Metropolitan Code of Laws, as enacted under Ordinance no. BL2021-972.		
<b>Sponsors:</b>	Burkley Allen, Ginny Welsch, Tonya Hancock, Colby Sledge, Joy Styles, Angie Henderson, Freddie OConnell, Jennifer Gamble, Kyonzte Toombs, Russ Bradford, Delishia Porterfield		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>			

Date	Ver.	Action By	Action	Result
4/10/2023	1	Mayor	approved	
4/4/2023	1	Metropolitan Council	adopted	
4/4/2023	1	Transportation and Infrastructure Committee	approved	
4/3/2023	1	Budget and Finance Committee	approved	
3/21/2023	1	Metropolitan Council	deferred	
3/14/2023	1	Metropolitan Council	filed	

A resolution extending the provisions of Chapter 5.11 of the Metropolitan Code of Laws, as enacted under Ordinance no. BL2021-972.

WHEREAS, the tree canopy in Nashville and Davidson County is a utility that improves ambient air quality, absorbs and filters stormwater, mitigates the heat island and greenhouse effects, provides habitat for wildlife, supports public health, provides economic benefits, and increases the quality of life for Nashville's residents; and

WHEREAS, in addition to its utility value, the tree canopy in Davidson County adds priceless aesthetic value to the appearance of Nashville's streetscapes, residential and commercial properties, and urban landscapes; and

WHEREAS, approximately thirteen percent (13%) of the existing tree canopy within the Urban Zoning Overlay of Davidson County disappeared between 2008 to 2016; and

WHEREAS, additional threats to Nashville's tree canopy continue unabated. The March 3, 2023, storm alone felled over 600 trees, and such extreme weather events are becoming more common. The emerald ash borer infestation will decimate an estimated 1.6 million trees in Davidson County within the next ten (10) years; and

WHEREAS, to address rapidly diminishing tree populations in Davidson County, and to avert the effects of canopy degradation, the Metropolitan Government developed the "Root Nashville" campaign with the objective of planting 500,000 trees by 2050, stemming the loss of trees in Nashville and prioritizing an equitable distribution of trees throughout the county; and

WHEREAS, the majority of tree canopy degradation in Davidson County is occurring on private property. While the Metropolitan Government subscribes to heightened tree density requirements for its own public projects, Metro-owned properties comprise only 6% of the total land volume in Davison County. Therefore, any impactful planting campaign must concentrate on private property opportunities; and

WHEREAS, recognizing the extensive loss and continued threats to Nashville's canopy, the Metropolitan Council approved BL2021-972 on December 7, 2021, creating a mechanism to provide funds for the restoration and maintenance of the tree canopy on private property throughout Nashville and Davidson County; and

WHEREAS, this funding was awarded to the Cumberland River Compact (CRC) though a competitive grant process under RS2022-1599; and

WHEREAS, following the enactment of BL2021-972, the CRC is on pace to plant an impressive 4,500 trees on private property with the grant funds in this fiscal year despite not receiving the full disbursement until after the fourth quarter. Over ten years these trees will provide an average monetary benefit of \$470,000 in summer energy savings and carbon reduction, 8,170,500 gallons of rainfall interception, 3,297,525 kilowatt hours in electricity conservation, and 4,124,250 pounds of carbon dioxide avoided or sequestered; and

WHEREAS, the CRC's trees planted through this funding are six to eight feet tall and make an immediate improvement to air and water quality, human health, and beautification; and

WHEREAS, the survival rate of trees planted and maintained by CRC is 90%; and

WHEREAS, the CRC engaged 51 neighborhoods with this funding with 20 of these neighborhoods qualified as high-priority, as designated through an environmental justice rubric developed with community members, and based on local data showing where tree-plantings can have the most positive impact; and

WHEREAS, the funding resulted in tree plantings at 63 large scale sites in a program launched only 9 months ago. Large scale sites include churches, businesses, HOA common areas, and non-profits; and

WHEREAS, the CRC has approved tree planting subgrants to other non-profits totaling \$225,000 dollars. Approved recipients include Trevecca, Progress, Inc., the Nashville Tree Conservation Corps, Green Interchange, the Nashville Tree Foundation, the Native American Indian Association; and the Historic Germantown Neighborhood Association; and

WHEREAS, extending the funding will enable the CRC to increase the number of trees planted in the next planting season to 7,000, with 10,000 trees planted in years thereafter; and

WHEREAS, Section 5.11.060 of the Metropolitan Code of Laws provides that the provisions of Chapter 5.11 established under Ordinance no. BL2021-972 granting tree canopy funding shall expire on June 30, 2023 unless extended by resolution of the Metropolitan Council; and

WHEREAS, the Metropolitan Council, having considered the effectiveness and necessity of the provisions of Chapter 5.11 of the Metropolitan Code, concludes that it is in the best interests of the citizens of Nashville and Davidson County to extend the provisions of this Chapter.

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

Section 1. That Chapter 5.11 of the Metropolitan Code of Laws is hereby extended until March 1, 2026.

Section 2. That this Resolution shall take effect from and after its passage, the welfare of the Metropolitan

Government of Nashville and Davidson County requiring it.

Analysis

This resolution extends the provisions of Chapter 5.11 of the Metropolitan Code of Laws. On December 7, 2021, the Council adopted Ordinance No. BL2021-972 which created a mechanism for providing funds for restoring and maintaining the tree canopy in Nashville and Davidson County.

BL2021-972 created a mechanism for providing funds to restore and maintain the tree canopy in Nashville and Davidson County by allocating from the general fund equivalent to one percent of the annual revenues for building permits, the annual revenues for grading permits, and the five-year average of net proceeds of general obligation bonds issues to fund construction projects. The legislation provided for an annual funding cap of \$2,500,000 per fiscal year. The program expires on June 30, 2023, unless extended by a resolution of the Metropolitan Council.

The Council has appropriated up to \$2,500,000 to the Cumberland River Compact ("CRC") to provide tree canopy restoration and maintenance pursuant to Resolution No. RS2022-1599. That agreement terminates upon the end of the program or June 30, 2025, whichever occurs first. CRC is on pace to plant 4,500 trees this fiscal year. CRC has also approved subgrants to other nonprofits including Trevecca, Progress, Inc., the Nashville Tree Conservation Corps, Green Interchange, the Nashville Tree Foundation, the Native American Indian Association, and the Historic Germantown Neighborhood Association.

The resolution under consideration extends the tree canopy program until March 1, 2026.