



# **Metropolitan Council**

**PROPOSED LATE RESOLUTION,  
AMENDMENTS AND  
SUBSTITUTE FOR  
RESOLUTIONS AND  
ORDINANCES TO BE FILED  
WITH THE METRO CLERK  
FOR THE COUNCIL MEETING OF  
TUESDAY, FEBRUARY 21, 2017**

**RESOLUTION NO. RS2017-\_\_\_**

**A resolution requesting that the Metropolitan Department of Codes Administration promptly fill existing vacancies and add additional personnel in order to effectively enforce property standards.**

WHEREAS, the Department of Codes Administration was established under Chapter 2.20 of the Metropolitan Code of Laws which provides, in part, that the Department of Codes Administration shall be organized into an enforcement section and an administrative staff section; and

WHEREAS, enforcement of the property standards promulgated under the Metropolitan Code of Laws is a priority for the citizens and residents of Nashville and is integral to maintaining Nashville's quality of life; and

WHEREAS, citizen complaints have grown in recent years regarding the number of property standards violations, the number of persistent violations, and the limited level of enforcement provided by the Property Standards division of the Department of Codes Administration; and

WHEREAS, on December 20, 2016, the Metropolitan Council received a report from Fiscal Choice Consulting ("the Consultant") that confirmed deficiencies in the Property Standards Division, specifically noting chronic and significant vacancies among staff positions, with a vacancy level ranging from 8 positions to as many as 16 positions within the past year; and

WHEREAS, the Consultant further noted the limited number of property inspectors in Nashville (16 inspectors) in comparison to other cities such as Indianapolis, Indiana (30 inspectors) and Austin, Texas (65 inspectors); and

WHEREAS, to address these concerns, the Consultant's first recommendation stated: "Property Standards should promptly fill all vacancies as well as add seven more positions (5 Property Standards Inspectors, 1 Office Support Representative and 1 Data Analyst)"; and

WHEREAS, resolving outstanding vacancies and inadequate staffing is crucial to the effective enforcement of property standards by the Department of Codes Administration.

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

Section 1. That the members of the Metropolitan Council hereby request that **the Metropolitan Department of Codes Administration promptly fill existing vacancies and add additional personnel as recommended by Fiscal Choice Consulting by no later than May 31, 2017 to effectively enforce property standards.**

Section 2. That this Resolution shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

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Mary Carolyn Roberts  
Member of Council

AMENDMENT NO.   1  

TO

ORDINANCE NO. BL2016-487

Mr. President –

I move to amend Ordinance No. BL2016-487 as follows:

- I. By amending Section 4 by deleting in its entirety and substituting the following in lieu thereof:

~~1. If there is adequate right-of-way, sidewalk shall be constructed along the western side of 23rd Avenue North from Lacy Street to Clarksville Pike. Determination of requirement and final design shall be determined and approved by Planning and Public Works prior to approval of a final site plan.~~

1. If there is adequate right-of-way, sidewalk shall be constructed along the western side of 23rd Avenue North from Lacy Street to Clarksville Pike. Determination of requirement and final design shall be determined and approved by Planning and Public Works prior to approval of a final site plan.

2. Exterior Building materials shall consist primarily of hardie board and masonry.

INTRODUCED BY:

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Ed Kindall  
Member of Council

AMENDMENT NO. \_\_\_\_

TO

SUBSTITUTE ORDINANCE NO. BL2016-492

Mr. President –

I move to amend Ordinance No. BL2016-492 as follows:

I. By amending Section 2 by deleting the definition of "Short Term Rental Property (STRP)" in its entirety and substituting a new definition as follows:

~~"Short term rental property (STRP)" means a residential dwelling unit containing not more than four sleeping rooms that is used and/or advertised through an online marketplace for rent for transient occupancy by guests.~~

"Short term rental property (STRP)" means a residential dwelling unit containing not more than four sleeping rooms that is used and/or advertised only through an online marketplace for rent for transient occupancy by guests.

II. By amending Section 5 by deleting section 17.16.250.E.2.b.iv in its entirety and substituting therefore the following:

~~iv. For owners applying for an owner-occupied permit, two documents giving proof of owner occupation shall be provided. Acceptable documentation includes Tennessee Driver's license, other valid State of Tennessee identification card, Davidson County voter registration card, utility bills, paycheck/check stub, work ID or badge, Internal Revenue Service tax reporting W-2 form, or a bank statement, each current and showing the owner's name and address matching that of the property to be utilized for short term rental.~~

iv. For owners applying for an owner-occupied permit, two documents giving proof of owner occupation shall be provided. Acceptable documentation includes Tennessee Driver's license, other valid State of Tennessee identification card, Davidson County voter registration card, utility bills, paycheck/check stub, work ID or badge, Internal Revenue Service tax reporting W-2 form, or a bank statement, each current and showing the owner's name and address matching that of the property to be utilized for short term rental.

INTRODUCED BY:

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Burkley Allen  
Member of Council

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Bob Mendes  
Member of Council, At Large

**SUBSTITUTE ORDINANCE NO. BL2017-546**

**An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by changing from R10 to RS10 zoning on various properties along Graybar Lane, southeast of the intersection of Granny White Pike and Draughon Avenue, (10.85 acres), all of which is described herein (Proposal No. 2017Z-013PR-001).**

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

Section 1. That Title 17 of the Code of Laws of The Metropolitan Government of Nashville and Davidson County, is hereby amended by changing the Official Zoning Map for Metropolitan Nashville and Davidson County, which is made a part of Title 17 by reference, as follows:

By changing from R10 to RS10 zoning on various properties along Graybar Lane, southeast of the intersection of Granny White Pike and Draughon Avenue, (10.85 acres), being various parcels on various maps of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the attached sketch, which is attached to and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on various maps of said Official Zoning Map for Metropolitan Nashville and Davidson County, 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. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

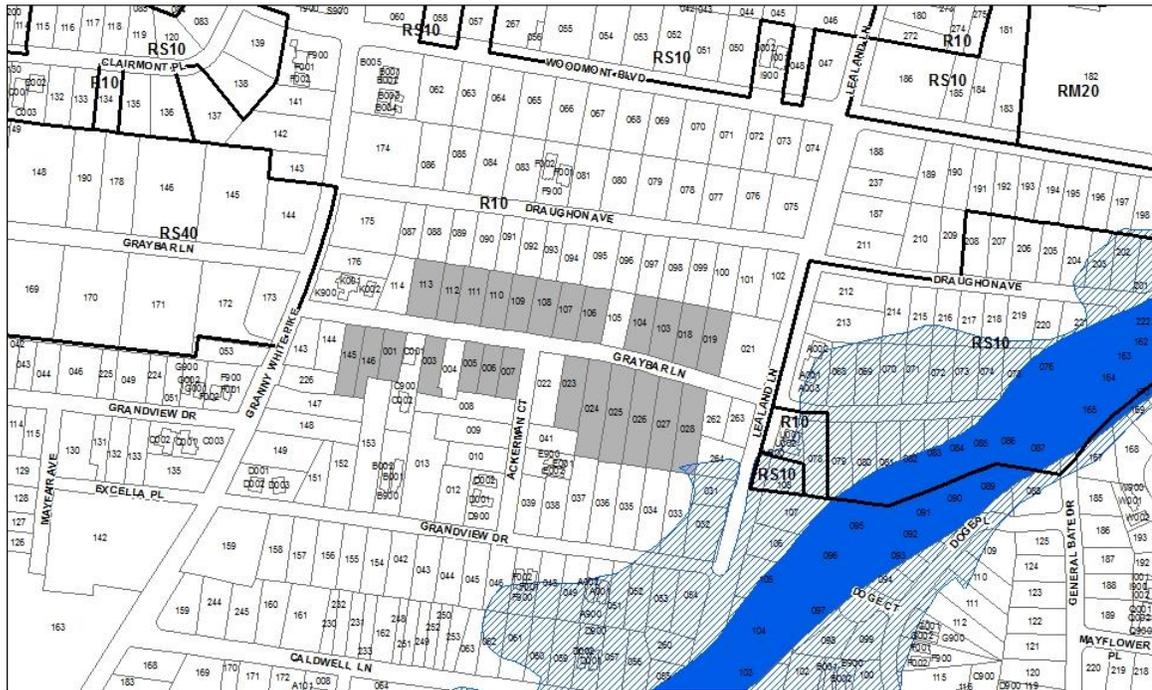
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Russ Pulley  
Member of Council

[View Sketch](#)

2017Z-013PR-001  
Map 117-16, Parcel(s) 143-146  
Map 118-09, Parcel(s) 103-114  
Map 118-13, Parcel(s) 001, 003-007, 018, 019, 021-028  
Map 118-13-1-C, Parcel(s) 001-002, 900  
Subarea 10, Green Hills - Midtown  
District 25 (Russ Pulley)  
Application fee paid by: Fee waived by Council

A request to rezone from R10 to RS10 zoning on various properties along Graybar Lane, southeast of the intersection of Granny White Pike and Draughon Avenue, (10.85 acres), requested by Councilmember Russ Pulley, applicant; various owners.



AMENDMENT NO. \_\_\_\_  
TO  
ORDINANCE NO. BL2017-580

Mr. President –

I move to amend Ordinance No. BL2017-580 as follows:

I. By amending Section 1 by deleting Section 2.174.090, entitled “Dissolution of the District Management Corporation”, in its entirety and substituting therefore the following:

~~Section 2.174.090 Dissolution of the District Management Corporation.~~

~~The Metropolitan Council may dissolve the Downtown CBID upon receipt of a written petition filed either: (a) by the owners of 75% of the assessed value of the taxable real property in the Downtown CBID based on the most recent certified City property tax rolls; or (b) by 50% of the owners of record within the Downtown CBID.~~

~~The Downtown CBID may not be dissolved if the Metropolitan Government has outstanding any bonds, notes or other obligations payable solely from the special assessment revenues levied on the real property within the Downtown CBID in which case such dissolution may occur only at such time as such bonded indebtedness has been repaid in full or the Metropolitan Government pledges to the payment of such indebtedness in full faith and credit and unlimited taxing power. Upon dissolution of the Downtown CBID, any unencumbered assessment proceeds remaining under the control of the Downtown CBID shall be disbursed to the owners of the Downtown CBID real property pro rata based upon the amounts of the respective assessments.~~

~~Section 2.174.090 Dissolution of the District Management Corporation.~~

The Downtown CBID shall be dissolved without further action by the District Management Corporation or the Metropolitan Council on January 1, 2028. However, the Downtown CBID shall not be dissolved if, prior to that date the Metropolitan Council, by ordinance, determines that the Downtown CBID should be continued and a petition that satisfies the requirements of the Central Business Improvement Act, T.C.A. § 7-84-501 *et seq.* is filed requesting that the Downtown CBID be continued.

The Metropolitan Council may dissolve the Downtown CBID upon receipt of a written petition filed either: (a) by the owners of 75% of the assessed value of the taxable real property in the Downtown CBID based on the most recent

certified City property tax rolls; or (b) by 50% of the owners of record within the Downtown CBID.

The Downtown CBID may not be dissolved if the Metropolitan Government has outstanding any bonds, notes or other obligations payable solely from the special assessment revenues levied on the real property within the Downtown CBID in which case such dissolution may occur only at such time as such bonded indebtedness has been repaid in full or the Metropolitan Government pledges to the payment of such indebtedness its full faith and credit and unlimited taxing power. Upon dissolution of the Downtown CBID, any unencumbered assessment proceeds remaining under the control of the Downtown CBID shall be disbursed to the owners of Downtown CBID real property pro rata based upon the amounts of the respective assessments.

INTRODUCED BY:

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John Cooper  
Member of Council, At Large

AMENDMENT NO. \_\_\_\_  
TO  
ORDINANCE NO. BL2017-581

Mr. President –

I move to amend Ordinance No. BL2017-581 as follows:

I. By amending Section 1 by deleting referenced Section H it in its entirety and substituting therefore the following:

H. The metropolitan auditor, in conducting any reviews or audits, shall have full authority to conduct an independent investigation of any and all departments, boards and commissions of the Metropolitan Government, as well the performance of contracts by entities that contract with the Metropolitan Government to the extent permitted by the Metropolitan Charter. Such authority shall include, but is not limited to, the ability to review, research, and conduct interviews, along with the ability to have access to any and all necessary documentation. To the extent permitted by the Metropolitan Charter, all metropolitan departments, boards and commissions, along with all entities contracting with the metropolitan government, shall cooperate fully with the metropolitan auditor during such review or audit. Should the metropolitan auditor not be able to conduct such an independent audit due to an unwillingness to cooperate by departments, boards, commission or entities, the metropolitan auditor shall report such findings to the metropolitan audit committee and to the Budget and Finance Committee of the Metropolitan Council for further action. The metropolitan auditor shall have the authority to establish guidelines for conducting such audits and reviews.

INTRODUCED BY:

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Jim Shulman  
Member of Council, At Large

AMENDMENT NO. \_\_\_\_  
TO  
ORDINANCE NO. BL2017-585

Mr. President –

I move to amend Ordinance No. BL2017-585 as follows:

I. By amending Section 4 by deleting the first sentence thereof in its entirety and substituting therefore the following:

Section 4. Section 8.20.040 of the Metropolitan Code of Laws is hereby amended by deleting ~~subsection B thereof~~ it in its entirety and substituting the following in lieu thereof:

INTRODUCED BY:

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Sheri Weiner  
Member of Council