



## **Metropolitan Council**

**PROPOSED SUBSTITUTE FOR  
ORDINANCE, AMENDMENTS TO  
SUBSTITUTE ORDINANCE, AMENDMENT  
TO RESOLUTION, LATE-FILED  
RESOLUTIONS, AND SUBSTITUTES FOR  
ORDINANCES TO BE FILED WITH THE  
METRO CLERK  
FOR THE COUNCIL MEETING OF  
TUESDAY, MAY 2, 2017**

**SUBSTITUTE ORDINANCE NO. BL2017-608**

**An ordinance amending sections 17.04.060 , 17.08.030, 17.16.250, and 17.16.070 of the Metropolitan Code of Laws to establish distinct land uses for "Short term rental property – Owner-Occupied" and "Short term rental property – Not Owner-Occupied", and establishing a phase out date in year 2021 for "Short term rental property – Not Owner-Occupied" (Proposal No. 2017Z-004TX-001).**

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

Section 1. That Section 17.04.060 of the Metropolitan Code of Laws is hereby amended by deleting the definition for "Short term rental property (STRP)" therein and substituting the following in lieu thereof:

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

Section 2. That section 17.08.030 (District land use tables) of the Metropolitan Code of Laws is hereby amended by deleting "Short term rental property (STRP)" in its entirety.

Section 3. That section 17.08.030 (District land use tables) of the Metropolitan Code of Laws is hereby further amended by adding "Short term rental property (STRP) – Owner-Occupied" as an accessory (A) use in AG, AR2a, RS80 through RS3.75, R80 through R6-A, RM2 through RM20-A, RM40 through RM100-A, MHP, MUN and MUN-A, MUL and MUL-A, MUG and MUG-A, MUI and MUI-A, ON, OG, OR20 through OR40-A, ORI and ORI-A, CN and CN-A, CL and CL-A, CS and CS-A, CA, CF, DTC-North, DTC-South, DTC-West, DTC- Central, SCN, SCC, IWD, IR and IG.

Section 4. That section 17.08.030 (District land use tables) of the Metropolitan Code of Laws is hereby further amended by adding under Commercial Uses "Short term rental property (STRP) – Not Owner-Occupied" as a use permitted with conditions (PC) in RM2 through RM20-A, RM40 through RM100-A, MUN and MUN-A, MUL and MUL-A, MUG and MUG-A, MUI and MUI-A, OG, OR20 through OR40-A, ORI and ORI-A, CN and CN-A, CL and CL-A, CS and CS-A, CA, CF, DTC North, DTC South, DTC-West, DTC Central, SCN, SCC and SCR.

Section 5. That section 17.16.250.E of the Metropolitan Code of Laws is hereby further amended by changing the name from "Short term rental property (STRP)." to "Short term rental property (STRP) – Owner-Occupied."

Section 6. That Section 17.16.250.E of the Metropolitan Code is hereby amended by deleting subsection 17.16.250.E.1 in its entirety and substituting the following in lieu thereof:

1. Permit required. No person or entity shall operate a STRP or advertise a residential property for use as a STRP without the owner of the property first having obtained a STRP permit issued by the department of codes administration in accordance with the provisions of this chapter. Any advertising or description of a STRP on any internet website must: (a) prominently display the permit number for the STRP unit; or (b) include an image of the permit, or a link to an image of the permit, in which the permit number is legible.

Section 7. That section 17.16.250.E.2.b.v of the Metropolitan Code of Laws is hereby further amended by deleting the first "that."

Section 8. That Section 17.16.250 of the Metropolitan Code is hereby amended by adding a new subsection E.2.c.:

An online marketplace operator may, with consent of the STRP operator, submit an application on behalf of an STRP operator. The online marketplace provider shall provide to the city the following information for any such STRP permit application: The name of the person applying and their phone number and email address; the STRP address; the STRP owner's tax assessment address (if different than the STRP address); and permit type. Required affidavit and documentation of Owner-occupation shall be provided by the STRP owner/operator.

Section 9. That Section 17.16.250 of the Metropolitan Code is hereby amended by deleting subsection E.4.i.ii(1), renumbering the remaining subsections and adding a new subsection E.4.i.ii(2),

An online marketplace operator may, with consent of the STRP operator, submit an application on behalf of an STRP operator. The online marketplace provider shall provide to the city the following information for any such STRP permit application: The name of the person applying and their phone number and email address; the STRP address; the STRP owner's tax assessment address (if different than the STRP address); and permit type. Required affidavit and documentation of Owner-occupation shall be provided by the STRP owner/operator.

Section 107. That Section 17.16.070 of the Metropolitan Code is hereby amended by adding the following as subsection 17.16.070.U thereto and renumbering the remaining sections.

U. Short term rental property (STRP) – Not Owner-Occupied.

1. No person or entity shall operate a STRP or advertise a residential property for use as a STRP without the owner of the property first having obtained a STRP permit issued by the department of codes administration in accordance with the provisions of this chapter. Any advertising or description of a STRP on any internet website must: (a) prominently display the permit number for the STRP unit; or (b) include an image of the permit, or a link to an image of the permit, in which the permit number is legible.
2. Application.
  - a. STRP permit applications shall be valid for ninety (90) calendar days from the date filed and shall expire if the application process has not been completed within that time.

- b. The STRP permit application shall verify by affidavit that all of the information being provided is true and accurate and the application shall include the following information:
  - i. The name, telephone number, address, and email address of the owner and of a person or business ("responsible party") residing or located within twenty-five miles of the STRP that is responsible for addressing all maintenance and safety concerns;
  - ii. Proof of insurance evidencing homeowner's fire, hazard, and liability insurance. Liability coverage shall have limits of not less than one million dollars per occurrence.
  - iii. Proof of written notification to the owner of each adjacent property prior to filing the application. For each such adjacent property, proof of written notification shall be: (a) a signature of an owner; (b) a signed receipt of U.S. registered or certified mail addressed to an owner; or (c) notice from the U.S. Postal Service that registered or certified mail to an owner was refused or not timely accepted.
  - iv. A statement that that the applicant has confirmed that operating the proposed STRP would not violate any Home Owners Association agreement or bylaws, Condominium Agreement, Covenants, Codes and Restrictions or any other agreement governing and limiting the use of the proposed STRP property.
  - vi. Proof of payment of all taxes due, including property taxes and, for permit renewals, all applicable room, occupancy, and sales taxes required by state law or the Metropolitan Code.
- c. An online marketplace operator may, with consent of the STRP operator, submit an application on behalf of an STRP operator. The online marketplace provider shall provide to the city the following information for any such STRP permit application: The name of the person applying and their phone number and email address; the STRP address; the STRP owner's tax assessment address (if different than the STRP address); and permit type. Required affidavit shall be provided by the STRP owner/operator.

3. Signage. Any sign, as defined in Section 17.32.030.B of this Zoning Code, on a property used for a STRP shall be governed by the provision of Chapter 17.32, Sign Regulations, of this Zoning Code.

#### 4. Regulations.

- a. All STRP occupants shall abide by all applicable noise restrictions and regulations regarding the public peace and welfare contained in the Metropolitan Code, and all applicable waste management provisions of Chapter 10.20 of the Metropolitan Code.
- b. The STRP shall meet all applicable requirements of the state and local building and fire safety codes, including, but not limited to, having approved smoke alarms meeting Underwriters Laboratory (UL) 217 standards installed as follows
  - i. In all sleeping areas.
  - ii. In every room in the path of the means of egress from the sleeping area to the door leading from the sleeping unit.
  - iii. In each story within the sleeping unit, including basements.

- c. Parking shall be provided as required by Section 17.20.030. No recreational vehicles, buses, or trailers shall be visible on the street or property in conjunction with the STRP use.
- d. No food shall be prepared for or served to the transient by the permit holder.
- e. The principal renter of a STRP unit shall be at least twenty-one years of age.
- f. Maximum occupancy. The maximum number of occupants permitted on a STRP property at any one time shall not exceed more than twice the number of sleeping rooms plus four. Simultaneous rental to more than one party under separate contracts shall not be allowed. The occupancy maximum shall be conspicuously posted within the STRP unit. Advertising a STRP for more occupants than allowed by this regulation shall be grounds for revocation of the permit.
- g. The STRP owner shall not receive any compensation or remuneration to permit occupancy of a STRP for a period of less than twenty-four hours. The maximum stay for any guest shall be thirty consecutive days.
- h. The name and telephone number of the local responsible party shall be conspicuously posted within the STRP unit. The responsible party shall answer calls twenty-four hours a day, seven days a week for the duration of each short term rental period to address problems associated with the STRP.
- i. Expiration and renewal of permit.
  - i. A STRP permit shall expire three hundred sixty-five days after it is issued unless it is renewed prior to its expiration.
  - ii. For STRP units that have received no documented complaints to Metro Codes, Police, or Public Works during the most recent permit period, a renewal application may be submitted by mail, online, or in person according to regulations promulgated by the Metro Codes Department. All such renewal applications shall include:
    - (1) ~~the payment of a fifty dollar renewal fee; and~~
    - (2) ~~a statement verified by affidavit that:~~
      - (a) includes all of the information required in an application under Section 17.16.250.E.2; and
      - (b) the STRP continues to be in full compliance with all applicable laws, including the payment of all applicable taxes.
    - (2) An online marketplace operator may, with consent of the STRP operator, submit an application on behalf of an STRP operator. The online marketplace provider shall provide to the city the following information for any such STRP permit application: The name of the person applying and their phone number and email address; the STRP address; the STRP owner's tax assessment address (if different than the STRP address); and permit type. Required affidavit shall be provided by the STRP owner/operator.
  - iii. For an STRP that has received no documented complaints to Metro Codes, Police, or Public Works during the most recent permit period, a 30 calendar day grace period for renewal after the expiration of the STRP permit may be allowed by the zoning administrator upon a showing by the owner of a reasonable explanation other than neglect or mistake for the delay.
  - iv. For an STRP with documented complaints to Metro Codes, Police, or Public Works during the most recent permit period, no grace period shall be allowed and all permit renewal applications shall be submitted

timely. The permit may be renewed upon the payment of a ~~fifty dollar~~ renewal fee, and the submission of a statement verified by affidavit that includes all of the information required in an application under Section 17.16.250.E.2.

- j. The permit holder shall be responsible for collecting and remitting all applicable room, occupancy, and sales taxes required by state law or the Metropolitan Code.
- k. A STRP permit shall not be transferred or assigned to another individual, person, entity, or address, nor shall the permit authorize any person, other than the person named therein, to operate a STRP on the property.
- l. Denial or Revocation of Permit.
  - i. Upon the filing of a complaint regarding a STRP permit, the department of codes administration shall notify the permit holder in writing or by e-mail of such complaint.
  - ii. If the Zoning Administrator determines, based on reasonably reliable information that the Zoning Administrator has obtained including without limitation public records or reports, records of regularly conducted activity, or a direct or online statement against a person's own interest, that three violations of this section or other Code sections referenced in this section have occurred within a 12 month period, the permit to operate a STRP may be revoked.
  - iii. Before revoking any permit, the department of codes administration shall give the permit holder fifteen days written notice of the alleged violation(s) against him/her.
  - iv. Any denial or revocation of a STRP permit may be appealed to the board of zoning appeals as an administrative appeal pursuant to Section 17.40.180.A. of the Metropolitan Zoning Code.
  - v. Once a STRP permit has been revoked, no new permit shall be issued to the applicant for the same property for a period of one year from the date of the revocation.
  - vi. The penalty for operating a short term rental property without a permit shall be:
    - (1) A fifty dollar fine as imposed by a court of competent jurisdiction. Each day of operation without a permit shall constitute a separate offense.
    - (2) Upon a finding by the Board of Zoning Appeals that a short term rental property has operated without a permit, there shall be a waiting period of up to one year from the date of such finding for the property to become eligible for a STRP permit, as determined by the BZA. Properties that have been denied a permit by the Board of Zoning Appeals and made subject to the one (1) year waiting period prior to October 4, 2016 may re-appeal to the Board of Zoning Appeals with no payment of an appeal fee. The length of the waiting period shall be based upon whether the operator was aware or unaware of the requirement that the STRP have a permit. Evidence to be evaluated in making this decision may include but is not limited to:
      - (a) the testimony of the STRP operator;
      - (b) the testimony of neighbors or others with knowledge of the STRP operation;
      - (c) evidence that the operator was informed of the requirement and disregarded this information;
      - (d) evidence that the operator had looked into requirements and misunderstood them;

- (e) prior or repeat offenses by the operator under this section; and
  - (f) whether the operator, upon being informed of the requirement, obtained or attempted to obtain a permit before renting the STRP again.
- (3) Upon a finding of a court of competent jurisdiction that a short term rental property has operated without a permit, in addition to any other relief granted, there shall be a waiting period of three years from the date of such finding for the property to become eligible for a STRP permit.

Section 118. Notwithstanding the foregoing, properly issued and maintained permits issued under previous regulations may be renewed prior to their expiration until June 28, 2019.

Section 129. The Metropolitan Clerk is directed to send a copy of this Ordinance to the Zoning Administrator for the Metropolitan Department of Codes Administration.

Section 130. This Ordinance shall take effect from and after its enactment 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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Larry Hagar  
Member of Council

**AMENDMENT NO. \_\_\_\_\_**

**TO**

**SUBSTITUTE ORDINANCE NO. BL2017-608**

Mr. President –

I move to amend Ordinance No. BL2017-608 as follows:

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

Section 4. That section 17.08.030 (District land use tables) of the Metropolitan Code of Laws is hereby further amended by adding under Commercial Uses "Short term rental property (STRP) – Not Owner-Occupied" as a use permitted with conditions (PC) in AG, AR2a, RS80 through RS3.75, R80 through R6-A, RM2 through RM20-A, RM40 through RM100-A, MUN and MUN-A, MUL and MUL-A, MUG and MUG-A, MUI and MUI-A, OG, OR20 through OR40-A, ORI and ORI-A, CN and CN-A, CL and CL-A, CS and CS-A, CA, CF, DTC North, DTC South, DTC-West, DTC Central, SCN, SCC and SCR.

II. By amending Section 6 by adding the following at the end of subsection 17.16.250.E.1:

Only one permit for STRP (Owner-occupied) or STRP (Not Owner-occupied) shall be issued per lot in Single-Family and One and Two-Family zoning districts.

III. By amending Section 10 by deleting subsection 17.16.070.U.1 and substituting therefore the following:

1. Permit required.

a. No person or entity shall operate a STRP or advertise a residential property for use as a STRP without the owner of the property first having obtained a STRP permit issued by the department of codes administration in accordance with the provisions of this chapter. Any advertising or description of a STRP on any internet website must: (a) prominently display the permit number for the STRP unit; or (b) include an image of the permit, or a link to an image of the permit, in which the permit number is legible. Only one permit for STRP (Owner-occupied) or STRP (Not Owner-occupied) shall be issued per lot in Single-Family and One and Two-Family zoning districts.

b. Limits on quantities. For census tracts that overlap with the Urban Zoning Overlay (UZO) District, no more than three percent of the single-family or two-family residential units within each census tract shall be permitted as STRP (Not owner-occupied). For all other census tracts, no more than two and a half percent of the single-family or two-family residential units within each census tract shall be permitted as STRP (Not owner-occupied).

IV. By amending Section 10 by deleting subsection 17.16.070.U.4.f and substituting therefore the following:

f. Maximum occupancy. In R, R-A, RS and RS-A districts, the maximum number of occupants permitted on a STRP property at any one time shall

not exceed more than twice the number of sleeping rooms plus four or ten, whichever is less. In all other districts, tThe maximum number of occupants permitted on a STRP property at any one time shall not exceed more than twice the number of sleeping rooms plus four. Simultaneous rental to more than one party under separate contracts shall not be allowed. The occupancy maximum shall be conspicuously posted within the STRP unit. Advertising a STRP for more occupants than allowed by this regulation shall be grounds for revocation of the permit.

V. By amending Section 11 by deleting it in its entirety and renumbering the remaining Sections.

~~Section 11. Notwithstanding the foregoing, properly issued and maintained permits issued under previous regulations may be renewed prior to their expiration until June 28, 2019.~~

INTRODUCED BY:

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Larry Hagar  
Member of Council

**AMENDMENT NO. \_\_\_\_\_**

**TO**

**SUBSTITUTE ORDINANCE NO. BL2017-608**

Mr. President –

I move to amend Substitute Ordinance No. BL2017-608 as follows:

I. By amending Section 11 to add the following sentence. Where two permits were properly issued before January 25, 2016, for two dwellings on the same lot for single and two family homes, and no violations have occurred, permits may be renewed prior to their expiration until June 28, 2019.

INTRODUCED BY:

\_\_\_\_\_  
Burkley Allen  
Member of Council

**AMENDMENT NO. \_\_\_\_\_**

**TO**

**SUBSTITUTE ORDINANCE NO. BL2017-608**

Mr. President –

I move to amend Substitute Ordinance No. BL2017-608 as follows:

I. By adding the following new Section 12 and renumbering the remaining sections:

Section 12. That Section 17.16.070.U.4. be amended to add the following subsection g and renumber the remaining subsections:

No new STRP (Not Owner-occupied) permit shall be issued for properties less than one thousand linear feet from the property line of another property with a STRP (Not Owner-occupied) permit.

INTRODUCED BY:

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Burkley Allen  
Member of Council

AMENDMENT NO. \_\_\_\_

TO

RESOLUTION NO. RS2017-666

Mr. President –

I move to amend Resolution No. RS2017-666 as follows:

I. By amending the fourteenth recital by deleting it in its entirety and substituting in lieu thereof the following:

WHEREAS, for the purpose of the \$2,500,000 annual cap set forth in the PILOT Ordinance, the difference between the annual in lieu of tax payment payable under the PILOT Agreement and the projected real property ad valorem taxes that would otherwise be payable with respect to the Project in the first tax year after completion of the Project is ~~\$178,864~~ \$207,045; and

II. By amending Section 3 by deleting it in its entirety and substituting in lieu thereof the following:

Section 3: The Council of the Metropolitan Government finds that for the purpose of the \$2,500,000 annual cap set forth in the PILOT Ordinance, the difference between the annual in lieu of tax payment payable under the attached PILOT Agreement and the projected real property ad valorem taxes that would otherwise be payable with respect to the Project in the first tax year after completion of the Project is ~~\$178,864~~ \$207,045.

INTRODUCED BY:

\_\_\_\_\_  
Bill Pridemore  
Member of Council

**RESOLUTION No. RS2017-\_\_\_\_\_**

**A resolution recognizing Monday, May 1<sup>st</sup> as "Restaurant Recognition Day" in the City of Nashville.**

WHEREAS, restaurants have played and continue to play a central role in shaping the economic, cultural and social identity of our City; and

WHEREAS, the hospitality sector comprises a significant portion of the labor force, providing quality jobs for people of all ages, and spawning small business owners and entrepreneurs who provide leadership, guidance and support of the values which strengthen our economy; and

WHEREAS, restaurant owners are often unique leaders and exceptional role models and have distinguished themselves as smart and wise business owners, creating jobs, paying wages and demonstrating that they are a positive force in our community and neighborhoods; and

WHEREAS, despite the many risks and personal sacrifices they encounter, they continue to be inspirations to their families, employees and the community, and whose success stories we can learn to emulate; and

WHEREAS, the restaurant industry provides unique opportunities for women, immigrants, minorities, veterans, students and other hard-working people to start small and grow into thriving businesses that employ hundreds of people and contribute significantly to our local culinary culture and the fabric of our city's identity; and

WHEREAS, when these people succeed, our nation, our state, our region and our city succeeds, and their potential should only be limited by the breadth of their dreams;

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

Section 1. The Metropolitan Council hereby goes on record as recognizing Monday, May 1<sup>st</sup> as "Restaurant Recognition Day" in the City of Nashville, as we honor the many accomplishments and contributions made by the restaurant industry, and encourage all residents to celebrate and support the many contributions of the restaurateurs and hospitality workforce that make Nashville a unique and wonderful City.

Section 2. 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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Fabian Bedne  
Member of Council

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

**A resolution recognizing the 2016-2017 Maplewood High School "Panthers" Boys Basketball Team and their Class AA State Championship.**

WHEREAS, the Maplewood High School boys basketball team completed a successful regular season of competition by posting an outstanding regular season record of 29 wins and 7 losses, and by capturing the Class AA State Championship on March 18, 2017; and

WHEREAS, this marks the first state boys basketball title for a Nashville Metro Public School team since 1996; and

WHEREAS, the members of this remarkable team are (in alphabetical order): Jalen Alexander, Austin Anderson, Cockrill Anthony, Craig Blackshear, Justin Cross, Warren Fisher, Bobo Hodges, Deshawn Johnson, Hassan Littlepage, Josh Osborne, Marcus Rhodes, and Robert Wilcox III; and

WHEREAS, the team benefited from the leadership, hard work and guidance of Head Coach Tyron Wilson, who was recently named *The Tennessean's* "Boys Basketball Coach of the Year"; and

WHEREAS, the dedication, determination, work ethic, and talent of this group of young men not only has made for a successful and memorable basketball season, but also points toward their success in future endeavors; and

WHEREAS, displaying great sportsmanship and outstanding character, the Maplewood High School "Panthers" conducted themselves in a manner appropriate to the integrity of their school and the city of Nashville; and

WHEREAS, it is fitting and proper that the Metropolitan Council should recognize the 2016-2017 Maplewood High School "Panthers" Boys Basketball Team and offer its heartiest congratulations to the team, coaching staff, school administrators, and student body.

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

Section 1. The Metropolitan Council hereby goes on record as recognizing the Maplewood High School "Panthers" Boys Basketball Team.

Section 2. The Metropolitan Council Office is directed to prepare a copy of this Resolution to be presented to Head Coach Tyron Wilson on behalf of the team.

Section 3. 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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Nancy VanReece  
Member of Council

**SUBSTITUTE ORDINANCE NO. BL2017-688**

**An ordinance amending section 16.04.200 of the Metropolitan Code of Laws to permit the construction and use of electric fences pursuant to certain standards.**

WHEREAS, the current Metropolitan Code of Laws expressly prohibits the use of electric fences in all zoning districts, except in instances involving the keeping of domestic animals and wildlife in certain zoning districts; and

WHEREAS, electric fencing has been approved on an individual basis by the Metropolitan Government Fire and Building Codes Appeal Board for use in industrially zoned businesses, providing a safe and effective means of securing inventory, equipment and other valuables.

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

Section 1. Section 16.04.200 of the Metropolitan Code of Laws is amended by deleting subsection A thereof in its entirety and substituting the following in lieu thereof:

16.04.200 - Fences.

Fences shall be constructed in accordance with the requirements of this code. The location and height of fences shall be controlled by the metropolitan zoning regulations, except for the following additional requirements.

A. Electric fences are permitted only if compliant with the following requirements:

1. In all AG, AR2a, RS80, RS40, RS30, RS20, R80, R40, R30, and R20 zoning districts, electric fences are permitted if the property satisfies all of the requirements of Section 17.16.330B. of the metropolitan zoning code regarding the keeping of domestic animals/wildlife on the property and all necessary permits have been issued; or

2. In all non-residential zoning districts, the construction and use of electric fences are permitted, subject to the following standards:

a. Electrification:

(i) The energizer for electric fences must be driven by a commercial storage battery not to exceed 12 volts DC. The storage battery is charged primarily by a solar panel. However the solar panel may be augmented by a commercial trickle charger.

(ii) The electric charge produced by the fence upon contact shall not exceed energizer characteristics set forth in paragraph 22.108 and depicted in Figure 102 of International Electro technical Commission (IEC) Standard No. 60335-2-76.

b. Perimeter fence or wall: No electric fence shall be installed or used unless completely surrounded by a non-electrical fence or wall not less than six feet (6') in height.

c. Location: Electric fences shall be permitted on any non-residential outdoor storage areas.

d. Height: Electric fences shall not exceed the maximum height permitted by Title 17 of the Metro Code of Laws ~~have a minimum height of ten feet (10')~~ .

e. Warning signs: Electric fences shall be clearly identified with warning signs that read: "Warning-Electric Fence" at intervals of not less than thirty linear feet (30').

f. Accessibility: A Knox Box or similar device used to hold access keys for fire departments, police departments and emergency medical services shall be installed for purposes of minimizing damage and to allow access to the enclosed area. Installation may be subject to the oversight and direction of the Nashville Fire Department.

Section 2. This Ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by:

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Samuel Coleman  
Member of Council

60335-2-76  $\wedge$  IEC:2002+A1:2006 – 49 –

**22.108 Energizer** output characteristics shall be such that

- the impulse repetition rate shall not exceed 1 Hz;
- the **impulse duration** of the impulse in the 500  $\wedge$  component of the **standard load** shall not exceed 10 ms;
- for **energy limited energizers** the energy/impulse in the 500  $\wedge$  component of the **standard load** shall not exceed 5 J;

NOTE The energy/impulse is the energy measured in the impulse over the **impulse duration**.

- for **current limited energizers** the **output current** in the 500  $\wedge$  component of the **standard load** shall not exceed for

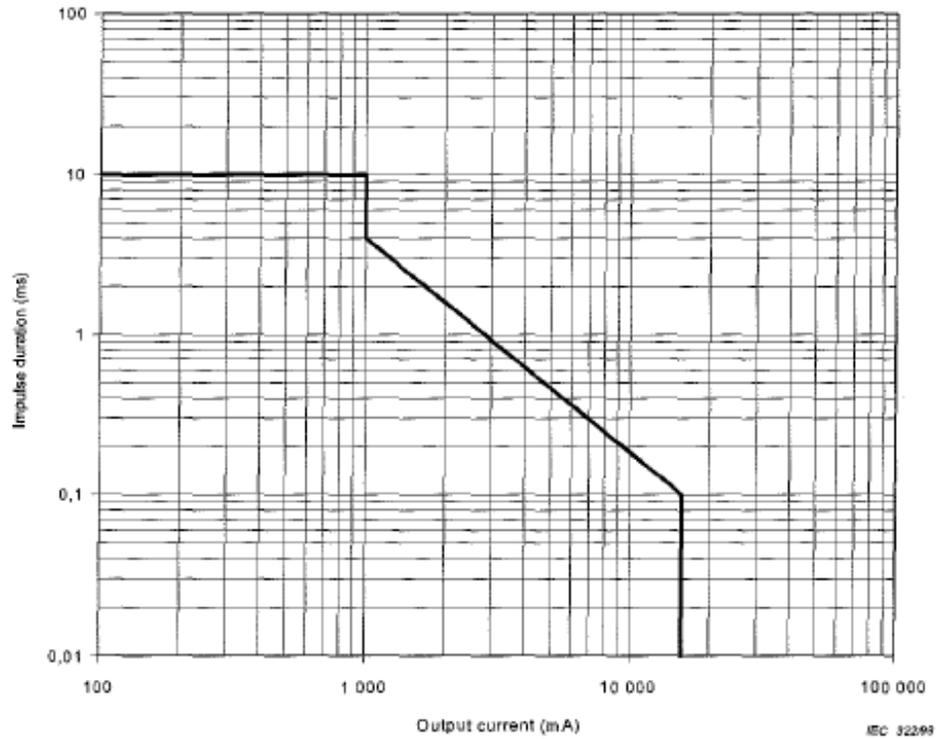
an **impulse duration** of greater than 0,1 ms, the value specified by the characteristic limit line detailed in Figure 102;

an **impulse duration** of not greater than 0,1 ms, 15 700 mA.

*Compliance is checked by measurement when the **energizer** is supplied with the voltage in 11.5, the **energizer** being operated under conditions of **normal operation** but with the **standard load** connected to its output terminals. When measuring the impulse repetition rate the **standard load** is not connected.*

60335-2-76  $\wedge$  IEC:2002+A1:2006 – 51 –

*The measurements are made using a measuring arrangement with an input impedance consisting of a non-inductive resistance of not less than 1 M $\wedge$  in parallel with a capacitance of not more than 100 pF.*



NOTE The equation of the line relating impulse duration (ms) to output current (mA) for 1 000 mA < output current < 15 700 mA, is given by  $\text{impulse duration} = 41,885 \times 10^3 \times (\text{output current})^{-1,34}$

**Figure 102 – Current limited energizer characteristic limit line**

**SUBSTITUTE ORDINANCE NO. BL2016-473**

**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 amending the Hillwood Court at Nashville West Specific Plan District for property located at 6813 B and 6817 Charlotte Pike, approximately 640 feet southwest of West Hillwood Drive, (4.37 acres), to add parcel 015 permit and permit a maximum of 50 residential units where 34 residential units were previously approved, all of which is described herein (Proposal No. 2013SP-048-003).**

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 amending the Hillwood Court at Nashville West Specific Plan District for property located at 6813 B and 6817 Charlotte Pike, approximately 640 feet southwest of West Hillwood Drive, (4.37 acres), to add parcel 015 permit and permit a maximum of 50 residential units where 34 residential units were previously approved, being Property Parcel No. 015 as designated on Map 102-11 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 plan that was duly considered by the Metropolitan Planning Commission, and which is on file with the Metropolitan Planning Department and Metropolitan Clerk's Department 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 Map 102 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 the uses of this SP shall be limited to a maximum of 50 residential units.

Section 4. Be it further enacted, that the following conditions shall be completed, bonded or satisfied as specifically required:

1. Revise purpose note " A request to amend the Hillwood Court at Nashville West Specific Plan District to add parcel 015 and permit a maximum of 50 residential units where 34 residential units were previously approved. "
2. Provide sidewalk connection from guest parking area in Phase 2 to the sidewalk east of guest parking.
3. Elevations shall be submitted with the final site plan application.
4. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
5. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the

Homeowner's Association.

6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

7. Prior to approval of the final site plan, construction details, including materials, for a six-foot tall masonry wall shall be included on the plan. The masonry wall shall be installed along the entire southern property line and along the southern ten feet of the eastern and western property line, prior to the issuance of any use and occupancy permits.

Section 5. Be it further enacted, a corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.

Section 6. Be it further enacted, minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

Section 7. Be it further enacted, if a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUN-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

Section 8. 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:

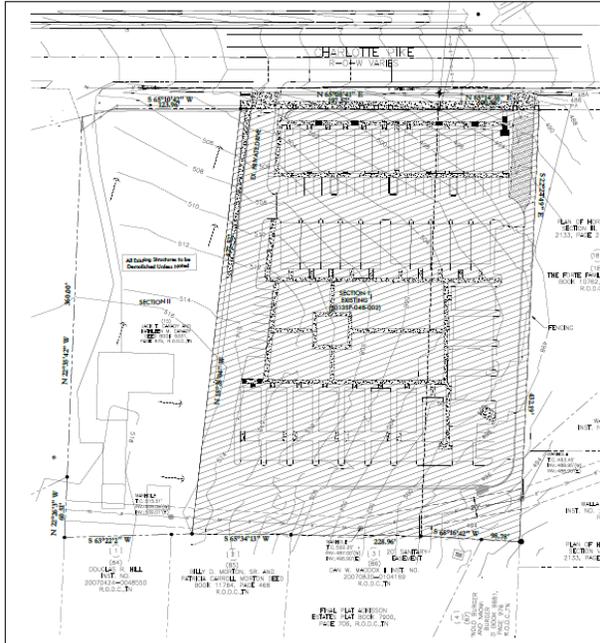
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Mina Johnson  
Member of Council

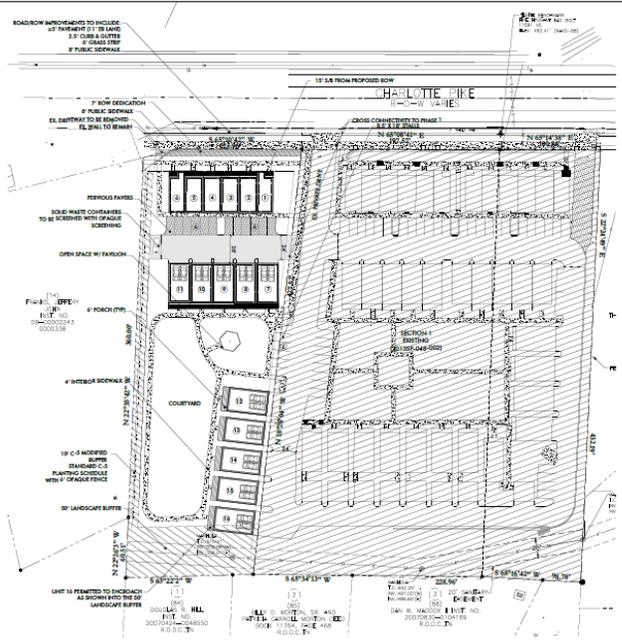
[View Sketch](#)

[View Site Plan](#)



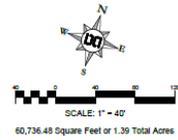


Existing Conditions (1"=40')



Site Layout (1"=40')

Hillwood Court at Nashville West	
PHASE 1:	24 UNITS APPROVED UNDER 2012SP-048-001 (PRELIM SR)
PHASE 1:	24 UNITS APPROVED UNDER 2012SP-048-001 (FINAL SR)
PHASE 2:	PARKING PROVIDED: 82 STALLS @ 4 STALLS/UNIT
PHASE 2:	16 UNITS APPROVED UNDER 2012SP-048-001 (PRELIM SR)
PHASE 2:	PARKING PROVIDED: 28 STALLS @ 4 STALLS/UNIT



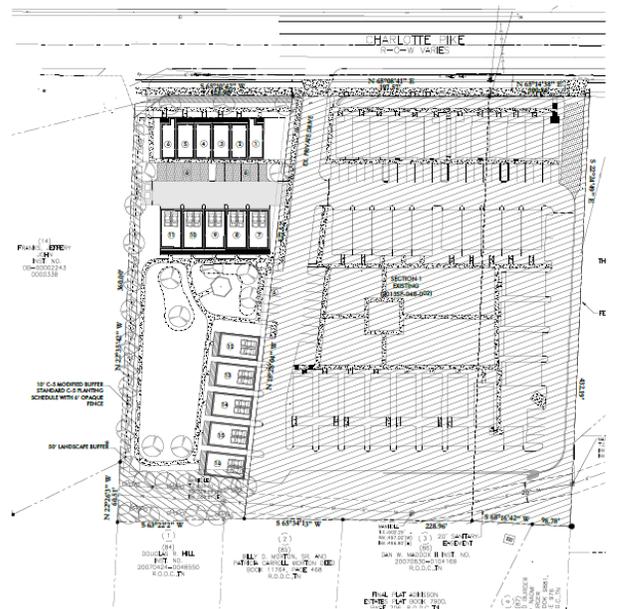
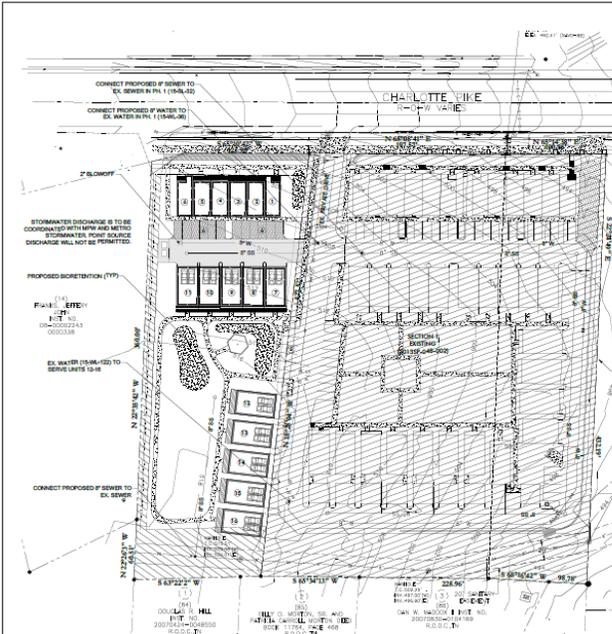
Existing Conditions & Site Layout

  
 PROFESSIONAL ENGINEER  
 STATE OF TENNESSEE  
 47873

  
 PROFESSIONAL ENGINEER  
 STATE OF TENNESSEE  
 47873

**Dale & Associates**  
 Consulting Civil Engineering  
 Land Planning & Zoning  
 Landscape Architecture  
 Surveying

50 Standing Pine  
 Nashville, Tennessee 37204  
 (615) 252-4444  
 Dale & Associates, Inc.  
 2012SP-048-001  
 Hillwood Court  
 at Nashville West SP  
 Section II  
**C2**  
 Sheet 2 of 3



**STORMWATER NOTES**

- 1) THE SOIL TYPE FOR THIS SITE IS MUD (MIMOSA-URBAN LAND COMPLEX, 2 TO 7 PERCENT SLOPES WHICH FALLS WITHIN THE "W" HYDROLOGICAL SOIL GROUP.
- 2) THIS SITE IS RESPONSIBLE FOR WATER QUALITY AND WATER QUANTITY.
- 3) FINAL SP SHALL SERVIC COMPLY WITH VOLUME 5 OF THE STORM WATER MANAGEMENT (SWM) MANUAL.
- 4) STORM SEWER SYSTEM ON THIS PLAN IS SHOWN SCHEMATICALLY. FINAL DESIGN WILL BE PROVIDED DURING THE FINAL SP PROCESS AND WILL MEET THE REQUIREMENTS OF THE STORMWATER MANAGEMENT MANUAL.

**UTILITY NOTES**

- 1) WATER AND SEWER SERVICE TO BE PROVIDED BY METRO WATER SERVICES.
- 2) WATER AND SEWER SERVICES ARE SCHEMATICALLY SHOWN. FINAL WATER AND SEWER SERVICE LOCATIONS WILL BE PROVIDED DURING FINAL SP PROCESS.
- 3) WATER SERVICE SHALL BE PROVIDED BY AN AP PUBLIC WATER LINE EXTENSION. INDIVIDUAL WATER METERS SHALL BE PROVIDED FOR EACH UNIT.
- 4) SEWER SERVICE SHALL BE PROVIDED BY AN AP PUBLIC SEWER EXTENSION. INDIVIDUAL SERVICES TO BE PROVIDED FOR EACH UNIT.

**PRE/POST CALCULATIONS**

EXISTING CONDITIONS	POST-DEVELOPMENT
TOTAL SITE AREA = 11.39 ACRES	TOTAL SITE AREA = 11.39 ACRES
EXISTING IMPERVIOUS = 0.24 AC @ 7%	IMPERVIOUS ROADS/PARKING/CONC. = 0.15 AC @ 7%
PERVIOUS/PROPOSED GRADE = 10.15 AC @ 7%	PERVIOUS/PARKING/GRASS = 10.24 AC @ 7%
COMPOSITE CDF = 83.2	COMPOSITE CDF = 83.7

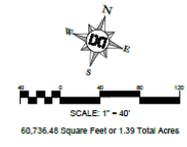
REMARKS: PRELIMINARY CALCULATIONS ABOVE SHOW THAT THE PROJECT WILL INCREASE THE AMOUNT OF RUNOFF GENERATED BY THIS SITE. THEREFORE, WATER QUANTITY OR EXTENSION IS REQUIRED AND PROPOSED THROUGH POCKET BARR GARDENS AS WELL AS PERVIOUS PAVEMENT.

**TREE DENSITY NOTES**

METRO TREE DENSITY REQUIREMENTS WILL BE ADDRESSED IN FINAL CONSTRUCTION DOCUMENTS. AT THE PRELIMINARY PHASE OF THIS PROJECT NO TREE INFORMATION IS AVAILABLE.

**TREE DENSITY UNITS:**

1.39 AC @ 0.30 AC = 1.09 AC x 14 = 15.26 TDU's REQ'D  
 32 PROPOSED 2" CALIPER TREES = 14.0 TDU'S PROV.  
 (NOTE DOES NOT INCLUDE EX. TREES TO BE PRESERVED)  
 TDU'S EXCEEDED



Grading & Utility Plan

**Dale & Associates**  
 Consulting Civil Engineering  
 Land Planning & Zoning  
 Landscape Architecture

MPC Case Number: 2013SP-048-001  
 FILED FOR RECORD  
 Hillwood Court at Nashville West SP  
 Section II  
**C3**  
 Sheet 3 of 3

**Hillwood Court at Nashville West**  
 Section II  
 Preliminary Specific Plan  
 Meeting held on 10/10/11  
 Nashville, Davidson County, Tennessee

4/12/17