

SUBSTITUTE ORDINANCE No. BL2018-1197

An ordinance approving the plans for a Construction and Demolition solid waste processing facility to be located at 4648 Ashland City Highway, Nashville, TN 37218.

WHEREAS, on May 2, 2017, the Council for the Metropolitan Government of Nashville and Davidson County adopted Ordinance No. BL2017-646 making applicable to Metropolitan Government the provisions of Part 7 of Chapter 211 of Title 68 of the Tennessee Code Annotated to require local approval of landfills, solid waste disposal facilities and solid waste processing facilities prior to the construction of such facilities; and

WHEREAS, Tenn. Code Ann. §68-211-701 provides that no construction shall be initiated for any new landfill for solid waste disposal or for solid waste processing until the plans for such new landfill have been submitted to and approved by the county legislative body or governing body of the municipality in which the proposed landfill is located; and

WHEREAS, Resource Capture, Inc. located at 3524 Murphy Road, Nashville, TN 37205 has submitted an application, with plans, for a solid waste processing facility to the Tennessee Department of Environment and Conservation, Division of Solid Waste Management. The application with plans, attached hereto as an exhibit, has been forwarded to the Department of Public Works for the Metropolitan Government of Nashville and Davidson County; and

WHEREAS, the proposed facility consists of a Construction & Demolition processing facility to be located at 4648 Ashland City HWY, Nashville, TN 37218 (Parcel ID 06800002700), upon a parcel zoned AR2A and not within the 100 year floodplain. If approved, the facility would accept the following dry materials: food waste; and

WHEREAS, the amount of waste to be handled, processed and/or stored by the proposed facility totals 30 tons per day, with a maximum storage capacity of 30 cubic yards; and

WHEREAS, pursuant to Tenn. Code Ann. §68-211-703, public notice of the proposed facility has been properly circulated by the Metropolitan Clerk within the geographical area of the proposed facility landfill by publication in a local newspaper of general circulation, and such notice has included all information set forth in Tenn. Code Ann. §68-211-703(b); and

WHEREAS, all provisions for a public hearing set forth within Tenn. Code Ann. §68-211-703, et seq. have been complied with as of second reading of this ordinance; whereupon the Council for the Metropolitan Government of Nashville and Davidson County acted within thirty (30) days of such public hearing, or the opportunity therefor, to approve or disapprove the proposed new construction; and

WHEREAS, pursuant to Tenn. Code Ann. §68-211-704, the Metropolitan Council duly considered the following criteria in evaluating the construction of any new landfill for solid waste disposal or for solid waste processing: (1) the type of waste to be disposed of; (2) the method of disposal to be used; (3) the projected impact on surrounding areas from noise and odor created; (4) the projected impact on property values on surrounding areas; (5) the adequacy of existing roads and bridges to carry the increased traffic projected to result; (6) the economic impact on the county, city or both; (7) the compatibility with existing development or zoning plans; and (8) any other factor which may affect the public health, safety or welfare.

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

Section 1. That the plans for the solid waste processing facility, consisting of an anaerobic digestion facility to be located at 4648 Ashland City HWY, Nashville, TN 37218 (Parcel ID 06800002700) as set forth in the exhibit hereto, are hereby approved.

Section 2. The Solid Waste Region Board and Board of Zoning Appeals, upon the enactment and approval of this ordinance, may process related permit applications, and the applicant may otherwise pursue approval through local, state and federal agencies.

Section 3. This ordinance shall take effect immediately after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

John Cooper

Burkley Allen
Members of Council