

ORDINANCE NO. BL2018-1280

An ordinance approving the plans for a non-hazardous liquid waste processing facility to be located at 2832 Whites Creek Pike, Nashville, Tennessee 37207.

WHEREAS, on May 2, 2017, the Council for the Metropolitan Government of Nashville and Davidson County adopted Ordinance No. BL2017-484 making applicable to the Metropolitan Government the provisions of Part 7 of Chapter 211 of Title 68 of the Tennessee Code Annotated to require local approval 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 waste processing facility until the plans for such new facility have been submitted to and approved by the county legislative body or governing body of the municipality in which the proposed facility is located; and

WHEREAS, the proposed facility consists of a non-hazardous liquid waste processing facility to be located at 2832 Whites Creek Pike , Nashville, TN 37207 (Parcel ID 05900006300), upon a parcel zoned SP-Industrial and not within the 100 year floodplain. An enclosed recycling facility is allowed by right under the current zoning. If approved, the facility would accept non-hazardous liquid waste to be recycled into various products; and

WHEREAS, the amount of waste to be handled, processed and/or stored by the proposed facility totals 195,000 gallons/day, with a maximum storage capacity of 195,000 gallons; 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 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 waste processing: (1) the type of waste to be processed of; (2) the method of processing/recycling 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 non-hazardous liquid waste processing facility, consisting of an enclosed processing/recycling facility to be located at 2832 Whites Creek Pike , Nashville, TN 37207 (Parcel ID 05900006300), 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:

Decosta Hastings
Member of Council