AGENDA JACKSON MUNICIPAL REGIONAL PLANNING COMMISSION CITY HALL – GEORGE A. SMITH MEETING ROOM FIRST FLOOR – 109 EAST MAIN STREET – SUITE 107 SEPTEMBER 6, 2023 – 3:00 P.M.

- I. CALL TO ORDER/DETERMINATION OF QUORUM
- II. APPROVAL OF MINUTES FROM THE JULY 5, 2023 MEETING

III. TEXT AMENDMENTS

- Consideration of an amendment to the text of the Official Zoning Ordinance of the City of Jackson, Tennessee ARTICLE VI, REGULATIONS APPLYING TO A SPECIFIC, TO SEVERAL, OR TO ALL DISTRICTS, SECTION 27. ACCESSORY DWELLING UNITS (ADU)
- Consideration of an amendment to the text of the Official Zoning Ordinance of the City of Jackson, Tennessee ARTICLE VI, ARTICLE VI, REGULATIONS APPLYING TO A SPECIFIC, TO SEVERAL, OR TO ALL DISTRICTS, SECTION 28. SHORT TERM RENTAL UNITS

IV. SITE PLAN

 Consideration of a preliminary site plan for Serra Kia, proposed to be located at 151 Stonebridge Boulevard, submitted by Brad Hayes on behalf of Serra Works of Jackson, LLC

V. DESIGN REVIEWS

- Consideration of a design review application for a new home, proposed to be located at 306
 Mobile Street, submitted by Jason Wilson
- 2. Consideration of a design review application for A&D Subdivision, proposed to be located at 237 Muse Street, submitted by Davy Lampley

VI. USE DETERMINATION

1. Consideration of a use determination request, submitted by Joel Catlin on behalf of Penske, for the operation of a motor vehicle, truck leasing, renting, sales and maintenance business within the I-2 (Manufacturing and Warehousing) District

VII. OTHER BUSINESS

1. Any other business properly presented

VIII. ADJOURN

MINUTES

JACKSON MUNICIPAL REGIONAL PLANNING COMMISSION CITY HALL – GEORGE A. SMITH MEETING ROOM FIRST FLOOR – 109 EAST MAIN STREET – SUITE 107 JULY 5, 2023—3:00 P.M.

Members Present: Wayne Arnold, Vice Chair

Janna Hellums Mandy White Charles Adams

Councilwoman Marda Wallace

Members Absent: Mayor Scott Conger

Jerry Day, Chair Chris Edwards

Staff Present: Stan Pilant, Director of Planning

The meeting was called to order upon Vice Chair Wayne Arnold determining that a quorum was present.

The minutes of the June 7, 2023 meeting were presented and a call to vote on approval of the minutes as presented was put forth. Hearing no objections, the motion to approve the minutes passed unanimously.

Consideration of a Plan of Service, proposed annexation and zoning for an area referred to as "Kader", submitted by Abel Kader, comprising 7.8 acres, more or less, located at Highway 45 North and Ashport Road. The proposed zoning is B-5 (Highway Business) District. -- Mr. Pilant presented the annexation to the planning commission. Using a location map, he explained the location of the site, surrounding uses in the area and the annexation request.

The Planning Staff recommended approval of the annexation, plan of service and zoning classification of B-5 (Highway Business) District.

A motion was made by Mandy White, seconded by Charles Adams to recommend approval to the Jackson City Council of the annexation, plan of service and zoning classification, as recommended by the staff. Motion passed unanimously.

Consideration of a request to rezone property located at Nolan Cove from O-C/FH (Office Center/Flood Hazard) District to B-5/FH (Highway Business/Flood Hazard) District, comprising 27.7 acres, more or less, submitted by Surveying Services, Inc. on behalf of Chuck Clark and the amendment to the Comprehensive Civic Master Land Use Plan -- Mr. Pilant presented the rezoning request to the Planning Commission. Using a location map, he explained

the location of the site and the surrounding uses in the area. The applicant is requesting to rezone the property to accommodate a wider variety of businesses to the area.

The Planning Staff recommended approval of the rezoning request since it represents a logical extension of an existing B-5 (Highway Business), and allows the property owner to accommodate a wider variety of businesses into the area.

A motion was made by Charles Adams, seconded by Councilwoman Marda Wallace to recommend approval of the rezoning request to the Jackson City Council and approve the amendment to the Comprehensive Civic Master Land Use Plan, as recommended by the staff. Motion passed unanimously.

Consideration of a request to rezone property located at 1049-1145 Whitehall Street from A-O (Agriculture/Open) District and B-5 (Highway Business) District, to I-2 (Light Industrial) District, comprising 18.1 acres, more or less, submitted by Christina McConnell on behalf of Cupples Manufacturing Co. Family Ltd. Partnership and the amendment to the Comprehensive Civic Master Land Use Plan -- Mr. Pilant presented the rezoning request to the Planning Commission. Using a location map, he explained the location of the site and the surrounding uses in the area. The applicant is requesting to rezone the property to be consistent with the current existing property.

The Planning Staff recommended approval of the rezoning request since it represents a logical extension of an existing I-2 (Light Industrial), and will consolidate the property under one zoning scheme.

A motion was made by Councilwoman Marda Wallace, seconded by Charles Adams to recommend approval of the rezoning request to the Jackson City Council and approve the amendment to the Comprehensive Civic Master Land Use Plan, as recommended by the staff. Motion passed unanimously.

Consideration of an amendment to the text of the Official Zoning Ordinance of the City of Jackson, Tennessee ARTICLE VI, REGULATIONS APPLYING TO A SPECIFIC, TO SEVERAL, OR TO ALL DISTRICTS, Section 2. Fences, Walls and Hedges -- Mr. Pilant presented the text amendment to the Planning Commission.

The Planning Staff recommended approval of the text amendment.

A motion was made by Mandy White, seconded by Councilwoman Marda Wallace to recommend approval of the text amendment to the Jackson City Council, as recommended by the staff. Motion passed unanimously.

Consideration of an amendment to the text of the Official Zoning Ordinance of the City of Jackson, Tennessee ARTICLE V, SPECIFIC DISTRICT REGULATIONS, Section 23. PRD

(Planned Residential Development) District -- Mr. Pilant presented the text amendment to the Planning Commission.

The Planning Staff recommended approval of the text amendment.

A motion was made by Mandy White, seconded by Charles Adams to recommend approval of the text amendment to the Jackson City Council, as recommended by the staff. Motion passed unanimously.

Consideration of a revised preliminary plat for Emerald Breeze Subdivision Sections 1-5 comprising 93 lots and 2 common areas on 30.41 +/- acres in a RS-2 (Single Family Residential) District, submitted by Emerald Breeze Partners -- Mr. Pilant presented the revised preliminary plat to the planning commission. Using a location map, he explained the location of the site, surrounding uses in the area and the components of the revised preliminary plat.

After the administrative review, the planning, engineering, and JEA engineering staffs recommend approval of the preliminary plat with the following condition:

1) The developer makes all necessary changes based on the subdivision review comments.

A motion was made by Charles Adams, seconded by Mandy White to approve the revised preliminary plat for Emerald Breeze Subdivision Sections 1-5, as recommended by the staff. Motion passed unanimously.

There being no further business, the meeting was adjourned.

ORDINANCE #____AN ORDINANCE TO AMEND THE OFFICIAL ZONING ORDINANCE FOR THE CITY OF JACKSON, TENNESSEE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JACKSON, TENNESSEE THE FOLLOWING:

SECTION 1. That the text of the Official Zoning Ordinance of the City of Jackson, Tennessee ARTICLE III, DEFINITIONS, be amended by adding the following:

ADD:

DETACHED ACCESSORY DWELLING UNIT: a stand-alone home on the same lot as the primary structure.

ATTACHED ACCESSORY DWELLING UNIT: an additional residence that is connected to the primary structure.

SECTION 2. That the text of the Official Zoning Ordinance of the City of Jackson, Tennessee ARTICLE VI, REGULATIONS APPLYING TO A SPECIFIC, TO SEVERAL, OR TO ALL DISTRICTS, SECTION 27. ACCESSORY DWELLING UNITS (ADU), be amended by deleting the current section in its entirety and replacing it with the following:

ADD:

SECTION 27

ACCESSORY DWELLING UNITS (ADU)

A. GENERAL DESCRIPTION:

Accessory Dwelling Unit is a self-sufficient housekeeping unit which shall be considered accessory to a single-family residential use of property, subject to the following conditions:

B. DEFINITIONS

DETACHED ACCESSORY DWELLING UNIT: a stand-alone home on the same lot as the primary structure.

ATTACHED ACCESSORY DWELLING UNIT: an additional residence that is connected to the primary structure.

C. REGULATIONS APPLYING TO ACCESSORY DWELLING UNITS

Detached/Attached ADUs.

- 1. The setback for detached and attached ADUs should be the same distance as the principal structure.
- 2. One (1) detached or attached accessory dwelling unit shall be allowed per lot.
- 3. If a lot has a detached garage, a detached accessory dwelling unit shall be located above the detached garage. A standalone detached garage and standalone detached accessory dwelling unit shall not be allowed on a lot.
- 4. The detached / attached accessory dwelling shall be located to the interior side or rear of the principal dwelling.
- 5. The maximum size of a detached accessory dwelling shall be eight hundred fifty (850) square feet or seventy-five (75) percent of the gross floor area of the principal dwelling, whichever is less, unless in the opinion of the Board of Zoning Appeals, a greater amount of floor area is warranted by the circumstances of a particular building.
- 6. The maximum height of a standalone detached accessory dwelling shall be seventeen (17) feet or the height of the principal dwelling, whichever is less.
- 7. The maximum, combined height of a detached accessory dwelling located above a detached garage and the detached garage shall be twenty-seven (27) feet or the height of the principal dwelling, whichever is less.
- 8. Detached accessory dwellings shall be setback a minimum of five (5) feet from the primary structure.
- 9. Attached accessory dwellings shall be located fully within the buildable area of the lot.
- 10. The principal dwelling and detached / attached accessory dwelling shall be served by a common driveway.
- 11. Architectural review will be required. The detached / attached accessory dwelling shall have similar architectural features including roof pitch; window type, size, and placement; and exterior building cladding materials as the principal dwelling.

- 12. No entrance, which would be visible from the street, may be located on the ADU, to maintain the single-family residential appearance of the property.
- 13. The principal dwelling or detached / attached accessory dwelling shall be the primary residence of the owner of the property.

END OF ARTICLE VI, SECTION 27.

SECTION 3. That this ordinance becomes effective upon its adoption, the public welfare requiring it.

		MAYOR	
INTRODUCED:			
	×		
ADOPTED:			

ORDINANCE #____AN ORDINANCE TO AMEND THE OFFICIAL ZONING ORDINANCE FOR THE CITY OF JACKSON, TENNESSEE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JACKSON, TENNESSEE THE FOLLOWING:

SECTION 1. That the text of the Official Zoning Ordinance of the City of Jackson, Tennessee ARTICLE III, DEFINITIONS, be amended by adding the following:

ADD:

SHORT TERM RENTAL UNIT – means a residential dwelling, including a single-family dwelling or a unit in a multi-unit building, such as an apartment building, condominium, cooperative, or time share, that is rented wholly or partially for a fee for a period of less than thirty (30) continuous days.

OWNER-OCCUPIED SHORT TERM RENTAL – A short term rental property which is the primary residence of the applicant. These shall be allowed in any district which permits residential use. It is the owner's responsibility to ensure that the property is located in an allowed district.

NONOWNER-OCCUPIED SHORT TERM RENTAL – A short term vacation rental property which is not the primary residence of the applicant.

LEGACY STATUS NONOWNER-OCCUPIED SHORT TERM RENTAL – A nonowner-occupied short term rental that existed prior to the enactment of this ordinance in a district which otherwise prohibits nonowner-occupied short term rental units.

HOSTING PLATFORM - A person or entity that facilitates the booking of a short-term rental unit. Facilitate" includes but is not limited to, the act of allowing an operator to offer to list or advertise, typically for a charge or fee, the short-term rental unit on an internet website, in a print publication, or through another form provided or maintained by the hosting platform.

SECTION 2. That the text of the Official Zoning Ordinance of the City of Jackson, Tennessee ARTICLE VI, REGULATIONS APPLYING TO A SPECIFIC, TO SEVERAL, OR TO ALL DISTRICTS, SECTION 28. SHORT TERM RENTAL UNITS be inserted as follows and all subsequent sections be renumbered:

INSERT:

SECTION 28

SHORT TERM RENTAL UNITS

A. GENERAL DESCRIPTION

The intent of this ordinance is to provide appropriate opportunities for the development of short term rentals in the City of Jackson.

B. DEFINITIONS

Short Term Rental Unit means a residential dwelling, including a single-family dwelling or a unit in a multi-unit building, such as an apartment building, condominium, cooperative, or time share, that is rented wholly or partially for a fee for a period of less than thirty (30) continuous days.

Owner-Occupied Short Term Rental – A short term rental property which is the primary residence of the applicant. These shall be allowed in any district which permits residential use. It is the owner's responsibility to ensure that the property is located in an allowed district.

Nonowner-Occupied Short Term Rental – A short term vacation rental property which is not the primary residence of the applicant.

Unless otherwise identified as of the effective date of this Ordinance, new nonowner-occupied/absentee properties shall be **prohibited** in the following districts: A-O, RS, RS-1, RS-2, RG-1. They shall be allowed in all other districts which generally allow for residential uses. It is the owner's responsibility to ensure that the property is located in an allowed district.

Legacy Status Nonowner-Occupied Short Term Rental – A nonowner-occupied short term rental that existed prior to the enactment of this ordinance in a district which otherwise prohibits nonowner-occupied short term rental units.

Hosting Platform - A person or entity that facilitates the booking of a short-term rental unit. Facilitate" includes but is not limited to, the act of allowing an operator to offer to list or advertise, typically for a charge or fee, the short-term rental unit on an internet website, in a print publication, or through another form provided or maintained by the hosting platform.

C. **REGISTRATION REQUIRED**: It is unlawful to operate or advertise any short term rental unit within the city without a valid registration.

Registration shall be required on an annual basis. Registration shall expire 365 days after it is issued, unless it is renewed prior to its expiration.

Registration shall not be transferred or assigned to another individual, person, entity, or address. Registration does not authorize any person, other than the person named therein, to operate a short term rental on the property.

Changes in the ownership of a property will result in the cancellation of registration.

D. APPLICATION OF REGISTRATION:

Every operator desiring to operate a short term rental unit shall submit an application for an operating permit to the Planning Department. Each application shall contain, at the least, all the following information:

- 1. Acknowledgement of Rules Written acknowledgement by the operator that they have read all regulations pertaining to the operation of a short term rental unit, including this article, the city's business license requirement, the city's occupancy privilege tax requirements, and any additional administrative regulations promulgated or imposed by the city to implement this article, and acknowledging responsibility for compliance with the provisions of this article.
- 2. Local contact person a person designated who shall be available to respond, as necessary to notification of a complaint regarding the condition, operation or conduct of occupants of the short term rental unit.
- 3. Owner Contact Information The full legal name, street and mailing address, email address and telephone number of the owner of the short term rental unit and in cases where a business entity or trust is the owner of the property, the individual who has responsibility to oversee the ownership of the property on behalf of the business entity or trust, including the mailing address, email address, phone number of the individual having such responsibility.

4. Owner-Occupied registration shall require proof of residency:

- a. Residency shall be established by at least 2 of the following documents, which must list the address of the short term rental unit on the document:
 - 1) The owner's motor vehicle registration;
 - 2) A valid driver's license or TN identification card of the owner;
 - 3) The address of the owner's children's school registration;
 - 4) The owner's voter registration card or
 - 5) The owners W-2 mailing

At least one (1) owner listed on the deed for the short term rental unit must establish residency at the short term rental unit according to this criteria.

- 5. **Nonowner-Occupied** Short Term Rental Units Registration shall require a business license, obtained through the city and county which shall be presented complete and required prior to registration.
- 6. **Legacy Status Nonowner-Occupied** A legacy status registration is permitted for nonowner-occupied short term rental units that exist in zoning districts which otherwise prohibit their operation, prior to the effective date of this ordinance [Insert effective date]. A Legacy Status Nonowner-Occupied registration is specific to the short term rental unit for which it is issued; it cannot be transferred to another location, nor may it be transferred to a new owner of the property.

Should the property be sold at any time or otherwise change ownership, the Legacy Status Nonowner-Occupied registration shall not be allowed to be renewed.

Legacy Status Nonowner-Occupied Units shall require, as part of their registration, a business license, obtained through the city and county which shall be presented complete and required for registration.

In order to obtain a legacy status registration, proof of operation shall be required upon application and must demonstrate that either:

- a. The short term rental unit was both listed on a hosting platform and was occupied by a transient for consideration at least once prior to the qualifying date or:
- b. The short term rental unit has maintained payment of the appropriate taxes pursuant to TCA 67.6.5 for filing periods that cover at least six (6) months within the twelvementh period immediately preceding the effective date of this ordinance.
- E. **OPERATION WITHOUT PERMIT:** Any short term rental unit operating or advertising for operation without a valid permit shall be deemed a violation. The city may issue the operator, the owner, or the local contact person may receive a civil citation for operating or advertising for operation without a permit and the penalty for such is fifty dollars (\$50) per day.
- F. **REVOCATION OF PERMIT**: The City may revoke an operating permit if the city discovers any of the following conditions are met:
 - 1. An applicant obtained the permit by knowingly providing false information on the application.
 - 2. The continuation of the short term rental unit presents a threat to public health or safety;
 - 3. The owner ceases to own the property;
 - 4. The property is not used as short term rental for a period of thirty (30) months or more;

- 5. There has been a violation of a generally applicable local law three (3) or more separate times arising as a result of the operation of the property as a short term rental unit and all appeals from the violations have been exhausted.
- G. **TAXES**: All short term rental unit operators are responsible for applicable taxes, including, but not limited to, hotel occupancy privilege tax to the city, sales tax to the state, and gross receipts tax to the state.
- H. **ADVERTISING**: It shall be unlawful to advertise any short term rental unit without the operating permit number clearly displayed on the advertisement. For the purposes of this section, the terms "advertise" and "advertising" or "advertisement" mean the act of drawing the public's attention to a short term rental unit in any forum or hosting platform, whether electronic or non-electronic, in order to promote the availability of the short term rental unit.

SECTION 3. That the text of the Official Zoning Ordinance of the City of Jackson,

Tennessee ARTICLE V. SPECIFIC DISTRICT REGULATIONS, SECTION 1. A-O

(AGRICULTURE AND OPEN LAND) DISTRICT, B. USES PERMITTED, be amended by adding the following:

ADD:

6. Owner-Occupied and Legacy Status Nonowner-Occupied Short Term Rental Units as regulated in Article VI, Section 28

SECTION 4. That the text of the Official Zoning Ordinance of the City of Jackson, Tennessee ARTICLE V. SPECIFIC DISTRICT REGULATIONS, SECTION 2. RS (SINGLE FAMILY RESIDENTIAL) DISTRICT, B. USES PERMITTED, be amended by adding the following:

ADD:

8. Owner-Occupied and Legacy Status Nonowner-Occupied Short Term Rental Units as regulated in Article VI, Section 28

SECTION 5. That the text of the Official Zoning Ordinance of the City of Jackson, Tennessee ARTICLE V. SPECIFIC DISTRICT REGULATIONS, SECTION 6. RG-2

(GENERAL RESIDENTIAL) DISTRICT, B. USES PERMITTED, be amended by adding the			
following:			
ADD:			
5. Nonowner-Occupied Short Term Rental Unit as regulated in Article VI, Section 28			
SECTION 6. That this ordinance becomes effective upon its adoption, the public			
welfare requiring it.			
MAYOR			
INTRODUCED:			
ADOPTED:			



SITE PLAN STAFF REPORT SERRA KIA

A preliminary site plan has been submitted for Serra-Kia, which will be located at 151 Stonebridge Blvd., as depicted. The property is zoned SC-1 (Planned Unit Commercial Development) District, which allows automobile sales, subject to site plan approval by the Planning Commission. At the preliminary stage, the review is limited to only the fundamental aspects of the site, such as setbacks, lot coverage, number of parking spaces, driveway access points, buffering, and green space. A more detailed review will be conducted during the site plan review process for permitting. Therefore, there could be additional requirements or modifications needed once the final site plan is submitted.

The site plan shows that there will be a 22,500 + /- sq. ft. building located on a 6.82 acre lot. As shown, the building will comply with yard, lot coverage, and height requirements.

A Vegetative Impact Study will not be required on this site due to the current lack of vegetation. It appears that the remaining greenspace on the proposed site plan will meet or exceed the requirement of 20%.

It appears that all parking spaces and aisle widths will comply with the Zoning Ordinance parking requirements.

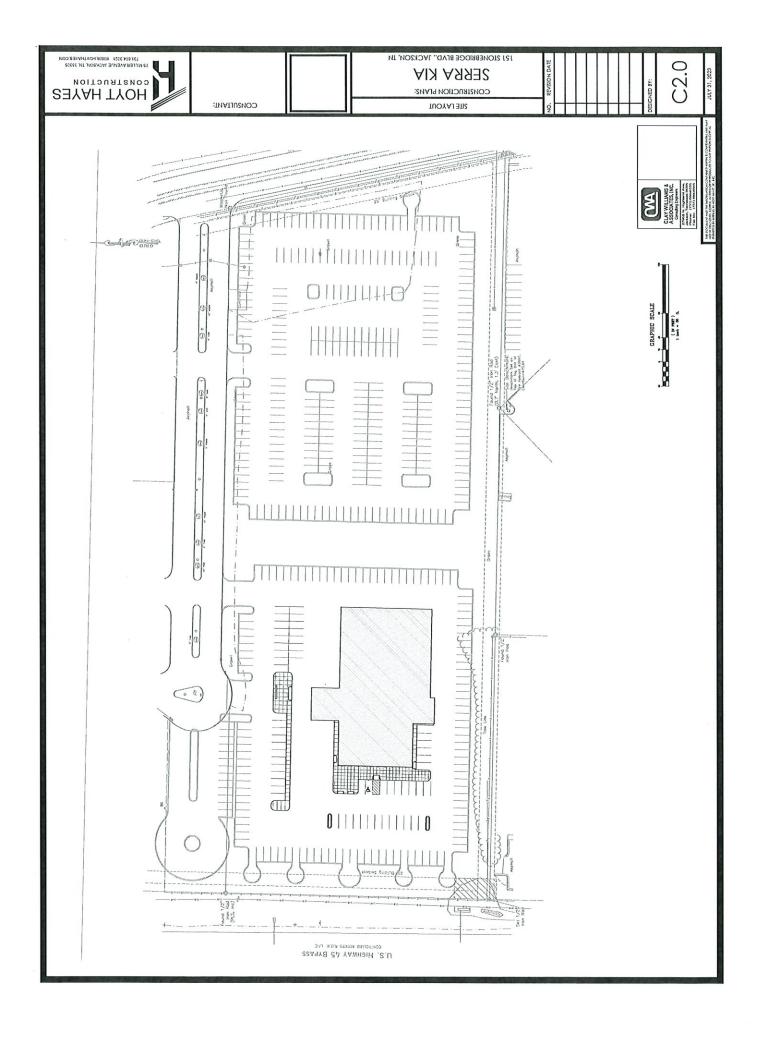
The Engineering department will need a Stormwater Detention Analysis report for a 2,5, and 10 year storm showing no-net increase in stormwater runoff for the site. The capacity of detention pond should be shown to control the volume of stormwater runoff from a 2-year, 5-year and a 10-year frequency 24-hour duration storm.

It is the Staff's opinion that there are no other issues that need to be addressed by the Planning Commission for a preliminary review.

The staff recommends that the Planning Commission approve the site plan for Serra-Kia.

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SITE LOCATION MAP SITE PLAN - SERRA KIA #151 STONEBRIDGE BLVD



PROJECT NAME CITY, STATE

SCALE PROJECT NO.
N/A KIA00.11

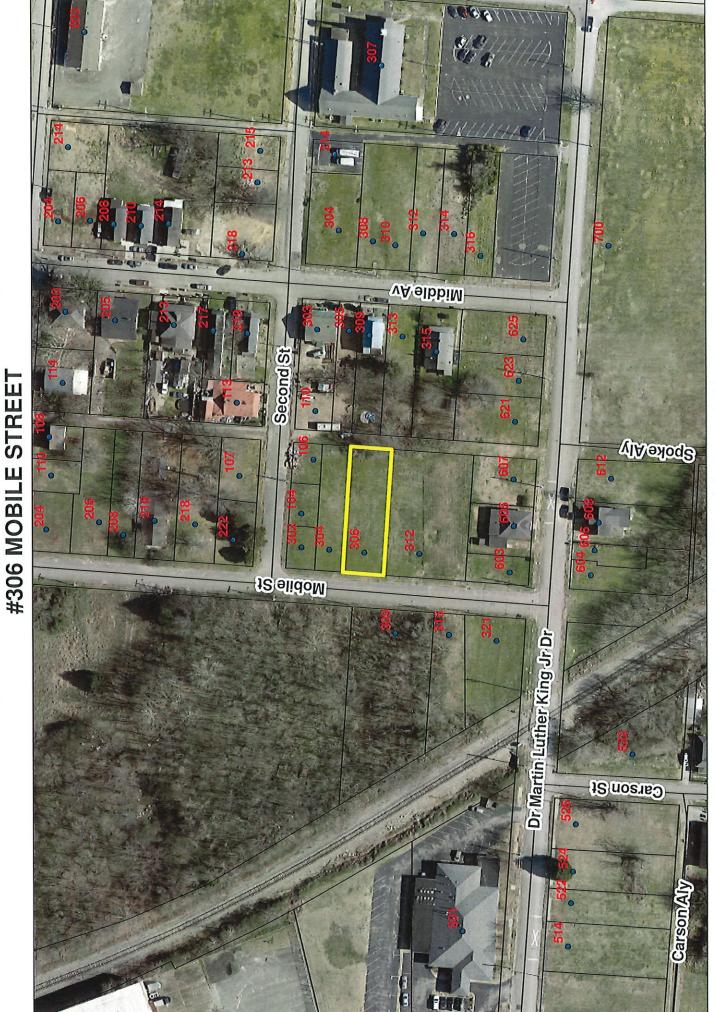
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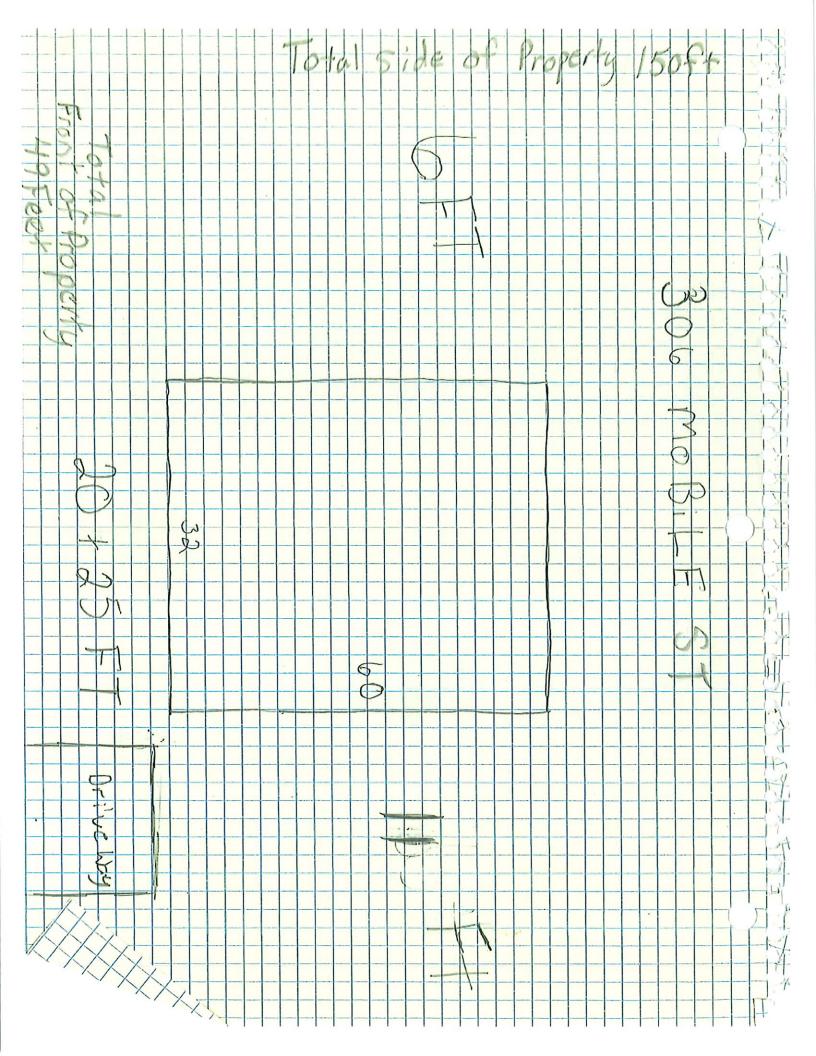


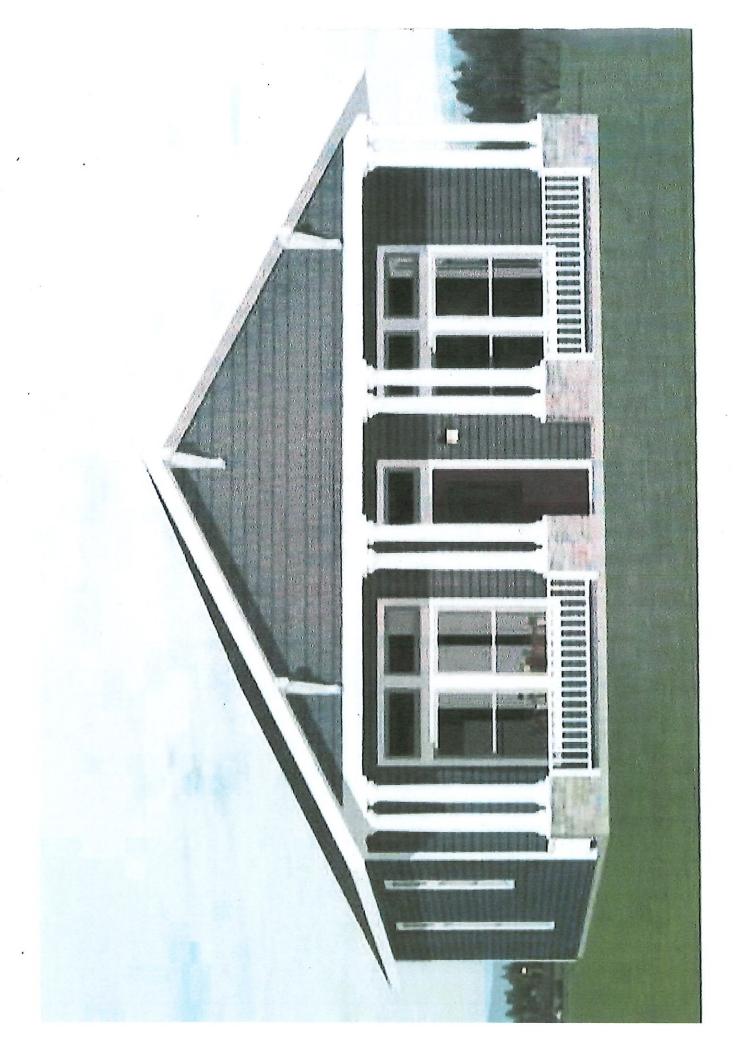
DESIGN REVIEW STAFF REPORT 360 MOBILE STREET

The Planning Staff would recommend approval of the design review request since it represents a good design.

SITE LOCATION MAP DESIGN REVIEW - NEW HOME CONSTRUCTION









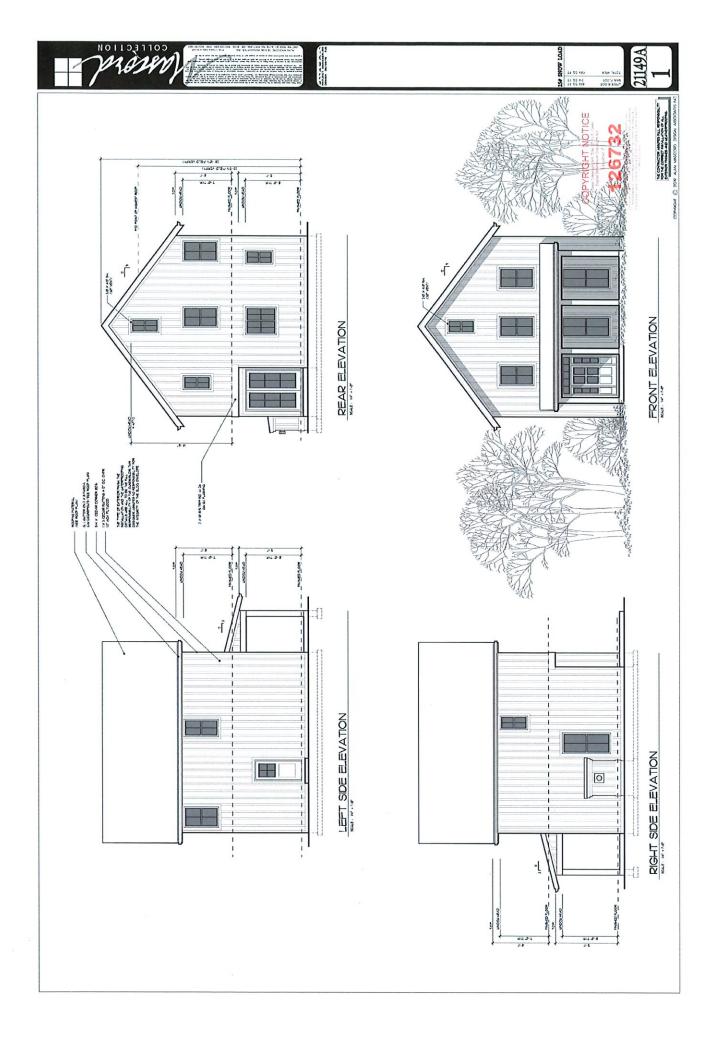
DESIGN REVIEW STAFF REPORT A&D SUBDIVISION

The Planning Staff would recommend approval of the design review request since it represents a good design with one contingency:

1) The submittal and approval of a subdivision plat splitting the lot into two lots. No permits will be issued until the subdivision plat is recorded.

SITE LOCATION MAP DESIGN REVIEW - A & D SUBDIVISION #237 MUSE STREET







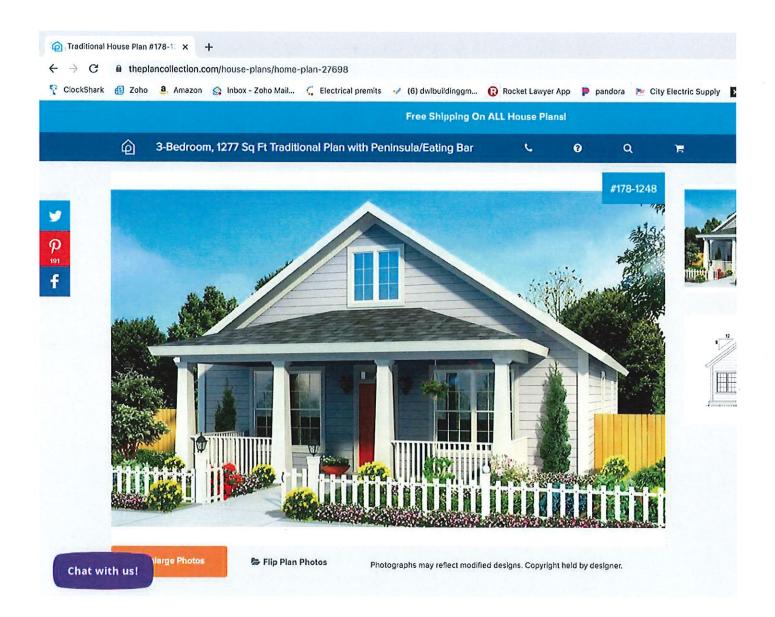
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SITE LOCATION MAP - USE DETERMINATION 112 E. L. MORGAN DRIVE