

MEETING NOTICES

The Jonesborough Planning Commission will meet in Regular Session at 6:00 p.m., Tuesday, March 18, 2025, in the Board Room at the Town Hall, 123 Boone Street, Jonesborough, TN.

PUBLIC COMMENTS REGARDING AGENDA ITEMS

Members of the public wishing to speak concerning any item on the agenda during the Public Comment period must sign up by calling the Town Administrative Office at 423-753-1030 with their name, address, and subject about which they wish to speak no later than 2 hours before the meeting if the meeting occurs during normal business hours or by 4:45 p.m. the day of the meeting if the meeting occurs after hours. Otherwise, such member of the public must sign in at the location of the meeting, prior to the beginning of the meeting, by seeing the Town Recorder at meetings of the Board of Mayor and Aldermen, or the secretary or staff of any board, commission or committee constituting any other governing body under this resolution.

Each individual shall be given three (3) minutes to address the Board regarding Agenda items. Comments shall be limited to items on the meeting's Agenda

Opening Prayer

Pledge to the Flag

JONESBOROUGH PLANNING COMMISSION

Agenda

Call to Order

1. Public Comments
2. Approval of Minutes
3. Request for approval of Reduction of Cash Bond for Elite Development Group, LLC (Wendy's)
4. Discussion of Mobile Food Unit Regulations
5. Discussion of Concept of External Sidewalk Extensions
6. Discussion of Traffic Impact Study
7. Adjournment

JONESBOROUGH PLANNING COMMISSION

AGENDA PRESENTATION

DATE: March 18, 2025 AGENDA ITEM #: 2

SUBJECT: Approval of Minutes

Attached for approval are the minutes of the following meetings:

1. February 18, 2024 – Planning Commission
2. February 18, 2024 – Design Review Commission

JONESBOROUGH PLANNING COMMISSION

MINUTES – February 18, 2025

The Jonesborough Planning Commission met in a regular meeting on Tuesday, February 18, 2025, at 6:00 p.m., in the Board Room at Town Hall, 123 Boone Street, Jonesborough, Tennessee.

Members Present: Tom Foster-Chairman, Josh Conger, Terry Countermine, Robin Harpe, Richie Hayward, Jim Rhein

Members Absent: Frank Collins, Darrell Fowler, Bill Graham

Staff Present: JW Greene, Kevin Fair, Donna Freeman

1. Public Comments – There were no comments.

2. Approval of Minutes – Meeting of January 21, 2025

The motion to approve the minutes of the January 21, 2025 meeting was made by Terry Countermine, seconded by and was passed unanimously.

3. Release of Performance Bond – TruShine Car Wash #7

The request is for the release of a Performance Bond that was issued in the amount of \$95,307.00 for the TruShine Car Wash #7 project located at 1541 West Jackson Boulevard. The site was inspected by Kevin Fair on January 29, 2025, and he found the site to be stabilized, and no problems were seen.

Chairman Foster read the staff recommendation for the approval of the release of the Performance Bond for TruShine Car Wash #7 project located at 1541 West Jackson Boulevard. Chairman Foster asked Commissioners if they had any questions or comments, and with there being none called for a motion.

Motion: Josh Conger made the motion to approve the release of the Performance Bond for TruShine Car Wash #7 located at 1541 West Jackson Boulevard, in the amount of \$95,307.00, as presented. Robin Harpe seconded the motion and it was duly passed.

4 Reduction of Performance Bond – Saylor's Place Development

The request is for a reduction in the bond amount from \$177,795.00 to \$45,000.00. The project has progressed with many major improvements and Town staff has been working closely with the developer to capture the reasonable amount of reduction as

the trail connection has been roughed in and gravel placed (the final part of the trail would be the asphalt). The following may be reduced:

Pavement Top Coat:	\$54,367.00		Complete
Trail Connection:	\$63,428.00	\$35,000	55% Complete
Landscape Buffer:	\$30,000.00	\$15,000	50% Complete
Stormwater Drainage Imp.	\$30,000.00		Complete
Reduction Amount Total:	\$45,000.00		

Town staff's review of the reduced amount to \$45,000.00 received from the engineer is reasonable to secure the remainder of project completion with a revised Performance Bond.

Chairman Foster read the staff recommendation for the approval to reduce the current Performance Bond in the amount of \$177,795.00 to a total of \$45,000.00 for a new Performance Bond based on the final approval by town staff on the reduction amount for the project, including the trail connection and landscape buffer. Chairman Foster asked Commissioners if they had any questions or comments, and with there being none called for a motion.

Motion: Robin Harpe made the motion, seconded by Richie Hayward, to approve reducing the current Performance Bond in the amount of \$177,795.00 to a total of \$45,000.00 for a new Performance Bond based on the final approval by town staff on the reduction amount for the project, including the trail connection and landscape buffer, as presented. The motion was passed unanimously.

5. Monument Sign – Zaxby's Restaurant

The request is for approval of a monument sign from Zaxby's Restaurant to be located at 1498 East Jackson Boulevard and is in B-3 (Arterial Business District). The proposed sign is to be internally lit, 5 feet in height, and 48 square feet in sign area, and meets the minimum requirements of the Town's sign regulations.

Chairman Foster read the staff recommendation for the approval of a new monument sign for Zaxby's restaurant located at 1498 East Jackson Boulevard. Chairman Foster asked Commissioners if they had any questions or comments, and with there being none called for a motion.

Motion: Josh Conger made the motion to approve the new monument sign for Zaxby's restaurant located at 1498 East Jackson Boulevard, as presented. Robin Harpe seconded the motion and it was duly passed..

With there being no further business for discussion, Chairman Tom Foster adjourned the meeting.

JONESBOROUGH DESIGN REVIEW COMMISSION

MINUTES – February 18, 2025

The Jonesborough Design Review Commission met in a regular meeting on Tuesday, February 18, 2025, at 6:00 p.m., in the Board Room at Town Hall, 123 Boone Street, Jonesborough, Tennessee.

Members Present: Tom Foster-Chairman, Josh Conger, Terry Countermine, Robin Harpe, Richie Hayward, Jim Rhein

Members Absent: Frank Collins

Staff Present: JW Greene, Kevin Fair, Donna Freeman

Chairman Tom Foster noted a quorum was present and called the meeting to order.

1. **Public Comments** – There were no Public Comments
2. **Review and Consideration of a Change in the Building Design Plan for Starbucks, East Jackson Blvd, Jonesborough, TN**

The proposed change is that approximately 83% of the primary materials are made up of brick (33%) and EIFS (50%). The reduction of the previously approved plan of 77% brick to 33% is considered a major deviation to the original plan (a 57% change) and requires the design plan to go back before the DRC. A variance from the DRC must be approved by the Board of Mayor and Aldermen (BMA), so therefore a recommendation is warranted from the DRC to the BMA.

The EIFS stands for Exterior Insulation Finishing System is a type of synthetic stucco but provides for a more flexible and aesthetic product and meets energy codes. EIFS provides for an exterior wall cladding system that consists of an insulation board attached either adhesively or mechanically, or both, to the substrate; an integrally reinforced base coat; and a textured protective finish coat. Staff opines that the overall building provides for a good building design (visual appearance), but the significant reduction in an already approved primary material, brick, to the proposed primary EIFS poses issues for the aesthetic quality control of the Jackson Blvd corridor. The DRC approved Zaxby's project at the same time as Starbucks 5 months ago, with both design plans meeting the minimum design requirements.

The guidelines state the following:

In the event of the requested use of one or more of these materials, significant reasoning or hardship is required to be presented to the Design Review Commission, or in the event of any variance, to the Board of Mayor and Aldermen.

Staff opines that there is not a significant reasoning or hardship for the design of this project to meet minimum design requirements as the design plans approved by the DRC 5 months ago met the minimum requirements of design. *Any grant of variance must be presented to the BMA for approval or denial.*

NOTE: The Starbucks project came through the Planning Commission (PC) and Design Review Commission (DRC) on September 17, 2024. At the time of presentation and action by the DRC, the plans for design met the minimum requirements for exterior materials. The Building Department received a request from Starbucks developer to consider a new plan, and this design plan does not meet the minimum exterior materials requirements. The proposed façade plan meets the minimum requirements of the design guidelines, primarily by achieving 75% exterior (actually 77%) wall material of brick.

Chairman Foster contacted via phone Starbucks representative Mitzi McCallum and asked why the brick was taken off of the change in the building design plans. Mitzi McCallum said it was for budget/financial reasons and that they are asking for a variance. Chairman Foster said that they cannot grant a variance on the reduction of the brick, and informed Ms. McCallum that if it is denied that it can be appealed to the Board of Mayor and Aldermen for either approval or denial.

Chairman Foster read the staff recommendation to recommend to the Board of Mayor and Aldermen denial of the proposed Starbucks design change from 77% to 33% brick, and the significant primary material change to 50% EIFS, as presented. Chairman Foster asked Commissioners if they had any questions or comments, and with there being none called for a motion.

Motion: Jim Rhein made the motion to recommend to the Board of Mayor and Aldermen denial of the proposed Starbucks design change from 77% brick to 33% brick, and the significant primary material change to 50% EIFS, as presented. Robin Harpe seconded the motion and it was duly passed.

With there being no further business for discussion, Chairman Tom Foster adjourned the Jonesborough Design Review Commission meeting.

JONESBOROUGH PLANNING COMMISSION

AGENDA PRESENTATION

DATE: March 18, 2025 **AGENDA ITEM #:** 3

SUBJECT: Cash Bond Reduction Elite Development Group, LLC (Wendys)

BACKGROUND:

A Cash Bond for Elite Development Group LLC was issued in the amount of \$35,160.00 for Wendy's at 300 East Jackson Boulevard. The site was inspected by Kevin Fair on March 4, 2025, and he is recommending reducing the bond to \$7,032.00 or holding onto 20% until the grass is established. He states that the retention pond, and landscaping was installed per the plans.

RECOMMENDATION:

Approve reducing the Cash Bond for Elite Development Group LLC to \$7,032.00 for Wendy's project, as presented.



TOWN OF JONESBOROUGH

123 BOONE STREET
JONESBOROUGH, TN 37659
TELEPHONE (423) 753-1030
FAX (423) 753-1074

Date: 3/4/2025

To: Glenn Rosenoff

From: Kevin R. Fair

Re: Cash Bond release for Wendy's, 300 E. Jackson Blvd.

I am recommending the release of eighty percent of the cash bond for Wendy's at 300 East Jackson Blvd. Jonesborough, TN 37659. Elite Development Group LLC. paid for the bond on June 26, 2024, in the amount of \$35,160.00. I recommend that the Town holds twenty percent of the total amount (\$7,032.00) until the grass is growing in. The retention pond, and all trees/bushes are in place per plan.

Sincerely, Kevin R. Fair

A handwritten signature in black ink that reads "Kevin R. Fair". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

THE OLDEST TOWN IN TENNESSEE

JONESBOROUGH PLANNING COMMISSION

AGENDA PRESENTATION

DATE: March 18, 2025 AGENDA ITEM #: 4

SUBJECT: Discussion – Mobile Food Unit Regulations

BACKGROUND:

The town does not have a special standard or regulation that addresses Mobile Food Unit regulations. As you are aware, food trucks are popular throughout our nation, and they are popular seasonally in Jonesborough. Many of our events in town are complimented by various food trucks offering a variety of food choices. Those are approved events that utilize public spaces, and the town provides oversight for the location and safety of food trucks.

The purpose of Mobile Food Unit regulations is to minimize any negative or detrimental effects of food trucks on neighborhood properties and adjacent land uses while ensuring that permitted food trucks do not become a hazard or public nuisance.

These regulations would be made with reasonable consideration, among other things, as to the character of each district and its peculiar suitability for food trucks and with a view to conserving the value of other uses within the boundaries of the Town of Jonesborough. Provided to you in the draft form are provisions providing for the administration and enforcement of this ordinance and defining the duties and powers of the Town of Jonesborough with respect to the approval of the operation of mobile food units within the corporate limits.

I am encouraging us to review and discuss this matter, and for planning staff continue to work with the PC on finalizing the ordinance in preparation for the BMA to consider adoption of said ordinance.

RECOMMENDATION:

This item is for review and discussion only and no action is required currently.

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND TITLE 5 BUSINESSES, PROFESSIONS, AND
OCCUPATIONS, ADDING CHAPTER 6 MOBILE FOOD VENDING**

WHEREAS, the food truck industry is a growing and vital economic generator and there is increased popularity of food trucks in the Town of Jonesborough; and

WHEREAS, the Town of Jonesborough desires to promote economic development through the encouragement of alternative food and location choices.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Jonesborough, Tennessee, that Title 5, Chapter 6, of the Municipal Code is added as follows:

CHAPTER 6

MOBILE FOOD **VENDING** UNIT ORDINANCE

5-601. Purpose.

5-602. Definitions.

5-603. Generally.

5-604. Locations and Hours of Operation.

5-605. Operating Requirements.

5-606. Mobile Food Unit Permits.

5-607. Mobile Food Unit Rallies.

5-608. Violations and Penalty.

5-609. Legal Status Provisions.

5-601. Purpose. This article recognizes the unique physical and operational characteristics of mobile food units and establishes standards for the typical range of activities and mitigates or prohibits practices that are contrary to the health, safety, and welfare of the public.

5-602. Definitions.

- (1) Mobile Food Unit. A Mobile Food Unit ("MFU") is an enclosed unit, truck, or trailer, or similar vehicle-mounted unit that:
 - (a) Is mobile or capable of being moved by a licensed motor vehicle;
 - (b) May or may not be independent with respect to water, waste water, and power utilities;
 - (c) Is used for the preparation, sale, or donation of On-site Prepared Food.
- (2) Mobile Food Vendor. A Mobile Food Vendor ("Vendor") is any individual engaged in the operation of an MFU; if more than one individual is operating a single MFU, then Vendor shall include all individuals operating such single MFU.

- (3) Prepared Food. Any food or beverage that is served, packaged, cooked, chopped, sliced, mixed, brewed, frozen, squeezed, or otherwise prepared by persons off-site from an MFU that may be purchased at the MFU for immediate or later consumption.
- (4) MFU Rallies are coordinated and advertised gatherings of more than two (2) MFUs in one location on a date certain with the intent to serve the public.
- (5) Location means any single property parcel and all other parcels that is contiguous or cumulatively contiguous to that owned or controlled by a single or affiliated entities.
- (6) Mobile Food Unit Permit Required. A Mobile Food Unit Permit ("Unit Permit") is required by all Vendors in order to vend or operate in the Town of Jonesborough. A Unit Permit is required for each MFU and the Unit Permit is non-transferrable. The Unit Permit shall be prominently displayed on the MFU.
- (7) Operate. To "operate" or "operation" shall mean all activities associated with the conduct of business, including, but not limited to, set up, take down, and actual hours where the MFU is open for business.
- (8) Operator means any person owning, operating, or permitting to operate an MFU, and collectively refers to all such persons.

5-603. Generally.

- (A) It is a violation to operate an MFU at any location except in compliance with the requirements of this article.
- (B) MFU operators must comply with all state and local business license and tax regulations.

5-604. Locations and Hours of Operation

Mobile Food Units.

- (1) Public Property. MFUs may operate on Town property, including Town parks, only at times and locations as approved by the Board of Mayor and Aldermen.
- (2) Private Property. MFUs may operate on private property where there is a commercial, office, educational, or industrial use subject to the following conditions:
 - (a) Permission. MFUs selling to the public from private property shall have the written permission of the property owner, which shall be made available to the Town immediately upon request.
 - (b) Unimproved Properties. Regardless of an agreement with the owner of the property, a Food Truck may not operate on an unimproved parcel or portion

of an unimproved parcel unless that parcel is paved, has paved ingress and egress, and has on the parcel a principal structure with an operating restroom.

- (c) Frequency. MFUs may operate between the hours of 6:00 a.m. and 10:00 p.m. at a location on privately owned property, however the MFU must be removed from the property when the Vendor ends its operations for the day.
 - (d) Maximum Number of MFUs. No more than two (2) MFUs may operate at any location with coordinated advertising to the public unless a Special Event Permit has been approved through the Board of Mayor and Aldermen.
 - (e) Existing Parking Spaces. MFUs may not occupy more than twenty-five percent (25%) of existing parking spaces located on the property for which it has an agreement to operate.
- (3) Restroom Facility. ~~Food Trucks~~ MFUs operating at a location for a duration of more than three (3) hours must have a written agreement, available upon request by the Town, that permits employees to have access to a flushable restroom no more than 450 feet of the vending location during all the hours of operation.

5-605. Operating Requirements.

(A) Vehicle Requirements.

- (1) Design and Construction. MFUs must be specifically designed and constructed for the purpose of preparation and sale of the specific type of food being sold and may not operate in any manner that is not safe and is not compatible with the purpose for which the vehicle has been designed and constructed.
 - (2) Licensing. MFUs must be licensed in accordance with the rules and regulations of any local, state, and federal agency having jurisdiction over motor vehicles and all products sold therein must be properly licensed, permitted, and allowed by local, state, and federal laws or regulations.
- (B) Business Access. No MFU may operate in a location that impedes the ingress to, egress from, or signage of another business or otherwise causes undue interference with access to other businesses or emergency areas, paths, or facilities.
- (C) Pedestrians. An MFU may not reduce the clear pedestrian path of travel on the sidewalk to less than five feet (5'). This includes all components of the Unit and any patron queue. Any awnings or canopies that are not permanently affixed or attached to the Unit shall be at least six feet, eight inches (6' 8") above the sidewalk.
- (D) Distance between Units. An MFU may not operate within ten (10) feet of any other MFU, buildings, structures, combustible materials, and other vehicles that are not MFUs.
- (E) Types of Cooking Apparatuses. Open flame cooking (other than with a gas range specifically constructed and designed within the Food Truck) either within or outside an

MFU is prohibited; except where such activity is specifically permitted by the Fire Department. Ice Cream Trucks can have no heating apparatus installed within the vehicle for the purpose of food service.

- (F) Noise. Amplified music or other sounds from any MFUs shall not violate the town's Noise Ordinance.
- (G) Utilities. All MFUs shall comply with the version of the electrical code currently adopted by the Town and any power, water, or sewage required for the MFU shall be self-contained and shall not use utilities drawn from other sources.
- (H) Fire Extinguishers Required. All MFUs must be equipped with a fire extinguisher that is compliant with local code regulations.
- (I) Support Methods. No MFU may use stakes, rods, or any method of support that must be drilled, driven, or otherwise fixed, into or onto asphalt, pavement, curbs, sidewalks, or buildings.
- (J) Spills. To prevent discharges of grease or other contaminants into the storm drain system and river, each Unit shall comply with all storm water regulations of the Town. In addition, each Unit shall have a spill response plan and kit on board to contain and remediate any discharge from the Unit. In the event of a spill, Operators are required to call Town of Jonesborough Public Safety at 423-753-1053 to assist with the clean-up of spills and to determine the need for a more extensive response. (Owners/Operators of MFUs shall be charged any clean-up costs incurred by the Town to mitigate spills and/or remove waste. Is this something we would want to add? We can't charge for a fire response that I am aware of, but I think we could bill for spills or otherwise waste cleanup)
- (1) Spill Plan - MFUs must post, on the interior of the vehicle, instructions for containing spills; at a minimum such plan should include a) description of and typical quantities of materials that may be spilled; b) procedures for containing potentially spilled materials including proper disposal of spilled materials; c) procedures for storage, use, handling and transfer of materials to reduce potential for spilling; d) emergency notification requirements; and
- (2) Spill Kit - MFUs must have a response kit on the vehicle including a) minimum 5-gallon storage and clean-up container with lid; b) minimum of 10 adsorbent pads and 2 adsorbent socks or equivalent; c) disposable bag adequate to hold contents of spill kit and spilled materials; d) 1 pair of disposable gloves.
- (K) Waste Collection. The area of an MFU operation must be kept neat and orderly at all times. It is the responsibility of the MFU Operator for Operation of an MFU in an area is deemed acceptance by the Operator of the responsibility for cleanliness of the reasonable area surrounding the operations (not less than 20 feet from all parts of the Vehicle) regardless of the occurrence or source of any waste in the area. The Operator must provide proper trash receptacles for public use that are sufficient and suitable to contain all trash generated by the MFU during the period of operation at a location. All garbage and trash receptacles must be removed prior to departure of an MFU from

a location.

- (L) Signage. MFUs are limited to signs mounted to the exterior of the mobile food establishment and one (1) sandwich board sign with dimensions no larger than six (6) square feet. All signs mounted on the Unit shall be secured and mounted flat against the Unit and shall not project more than six inches (6") from the exterior of the Unit. Sandwich board signs shall not obstruct or impede pedestrian or vehicular traffic. **(Feather signs are prohibited.)**

- (M) Insurance Requirements. MFUs shall obtain, at a minimum, any motor vehicle insurance required by any local, state, or federal laws and regulations.

MFUs operating on Town property are required at all times to maintain insurance coverage in the form and amounts required by the Town. In the event the required coverage is not properly maintained, the Operator's MFU Permit will be immediately revoked. The failure of the Operator to notify the Town of any change in coverage will preclude the Operator from obtaining a permit for a period of six (6) months from the date the Town learns of the failure to provide the required notification of change.

- (N) MFUs must meet all the requirements with the State of Tennessee Department of Health and have documentation of such compliance within the MFU and available for Town review.

5-606. Mobile Food Unit Permits.

- (A) Applicable. No MFU may operate within the Town without an MFU Permit issued by the Town. An MFU Permit authorizes the holder only to engage in the vending of products from an MFU in compliance with Town Code and the MFU Permit must be prominently displayed within the MFU when in operation.
- (B) Application. MFU operator shall apply for a MFU Permit by payment of a \$50.00 application fee and the following:
- (1) Complete an application form provided by the Town, which shall include the following information:
 - (a) Name and address of the owner of the vehicle.
 - (b) Name and address of the operator of the vehicle.
 - (c) Three color photographs of the exterior (front, side, and back) and interior food service portion of the vehicle in the final condition and with **and with** all markings under which it will operate.
 - (d) A copy of the vehicle license and registration form reflecting the vehicle identification number (VIN) of the MFU.
 - (e) A copy of the state or county health department license or permit applicable to mobile food providers.
 - (f) A copy of the State of Tennessee Department of Commerce and Insurance Permit for the Mobile Food Unit through the "State of Tennessee Mobile Food Unit Application" process.
 - (g) A copy of the operator's Tennessee business license.
 - (h) A copy of insurance coverage.
 - (i) **What about emergency contact information, such as a cell phone?**

(2) Permittee Obligations.

- (a) Permittee has an on-going duty to provide the Town with notice of any change to any of the information required by the Town to obtain a MFU Permit, including current photographs of the MFU in the event of any change in the appearance of or signage on the vehicle/unit.
- (b) Permittee shall display the permit provided by the Town, upon approval of application, on the MFU.
- (c) Permittee is responsible for renewal of permit and will file renewal application with the Town thirty (30) days prior to expiration of permit.

(C) Issuance. An MFU Permit shall be issued upon full completion and review of the application required by this section except that no MFU Permit will be issued to:

- (1) an Operator that operated within the prior six (6) months notwithstanding a Mobile Food Service Permit that is suspended or has been revoked; or
- (2) an Operator, or any person affiliated with the Operator for purposes of operating a Mobile Food Vehicle that is the subject of a suspended Mobile Food Service Permit or has held a Mobile Food Service Permit revoked within the prior twelve (12) months.

(D) Expiration. A Permit expires on the date twelve (12) months after issuance and may be renewed provided that all Town requirements are met, and the license has not been suspended or revoked. Do we do January 1 – December 31 of each year with the renewal occurring January 1? Then is the permit deemed pro-rated if I receive November 1st but then need to renew with renewal fee on January 1st? Calendar year works...need to re-review together No more than the fee is I think it is \$50.00 period, with no pro-rating, regardless of when they apply. The fee is then renewable every year and is good for one calendar year – Jan. 01 – Dec. 31. If it is calendar, my bet is most will wait until March or April to renew, then get the advantage of the pro-rating.

(E) Enforcement. The Town holds the right to inspect the MFU at any given time with the responsibility of enforcement to be a shared between the Building, Police, and Fire Departments, and the Town Recorder's Office.

- (1) Temporary Permit. If an Operator is found to be operating within the Town and without an MFU Permit, the Operator will be cited, and the Town will allow the Operator to temporarily operate for not more than one hour after which time the Temporary Permit will be revoked. If the Operator desires to operate within the town limits, the Operator shall apply for an MFU permit within seven (7) days of the violation, and shall pay a fee equivalent to double the double permit fee based on the fee schedule at the time of the violation.
- (2) Suspension. An MFU Permit shall be suspended until restatement upon issuance of a citation for the following reasons:
 - (a) A second violation of this section is found to have occurred within twelve (12) months of the issuance of the MFU permit;
 - (b) The required vehicle license, health permit, business tax license, or State of Tennessee Mobile Food Unit Permit for the Operator or the MFU has

- expired or been suspended, revoked, or otherwise terminated;
- (c) The Operator fails to obtain or maintain the insurance coverage required by this section.
- (d) Operator violates any other provision of this Ordinance or state law.
- (3) Revocation. The Town shall revoke an MFU Permit after two (2) suspensions within a twelve (12) month period, except that the MFU Permit shall be revoked:
 - (i) if an Operator fails to renew a permit as set forth in the Article; or
 - (ii) the Operator operates in an unlawful manner such as to constitute a breach of the peace, interferes with the normal use of the right-of-way, or otherwise constitutes a danger to the health, safety, or general welfare of the public.
- (4) Reinstatement.
 - (a) Suspension. An Operator may reinstate a suspended MFU Permit by payment of a fee of \$100.00 to offset the Town's costs of compliance measures, necessary inspections, and the correction of any circumstance that led to the suspension.
 - (b) Revocation. The Town may allow an Operator to reapply for a MFU Permit after three (3) months from the date of revocation; the Operator corrects all circumstances that led to the violations; and the Operator pays a fee of \$200.00 to offset the Town's costs of compliance measures, necessary inspections, and the correction of any circumstance that led to the suspension.
- (F) Notice. Upon denial, suspension or revocation of an MFU Permit, the Town shall give notice to the Operator in writing. There shall be no refund of any other fee paid to the Town.

5-607. Mobile Food Unit Rallies.

All Mobile Food Unit Rallies on public or private property require a Special Event Permit.

We do not really work with private properties for Special Events....do we need to word differently? Safety Plan needed for said events or do we bring this type of activity to BMA? What about the Sheriff's Office Food Truck Rallies at the County Courthouse?

5-608. Violations and Penalty.

Any violation of the terms of this chapter and section may be punishable by a fine under the general penalty clause of the Jonesborough Municipal Code in addition to any other penalty herein provided. The violation of any section of this chapter shall be punishable by a penalty of up to fifty dollars (\$50.00) for each offense. Each day a violation is allowed to continue shall constitute a separate offense.

5-609. Legal Status Provisions.

(1) Conflict with other ordinances. In case of conflict between this chapter or any part thereof, and the whole or part of any existing or future ordinance of Jonesborough, Tennessee, the most restrictive shall in all cases apply.

(2) Validity. If any section, clause, provision, or portion of this chapter shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this chapter which is not of itself invalid or unconstitutional.

(3) Effective date. This chapter shall become effective immediately after its passage, in accordance with the charter of Jonesborough, Tennessee, and the public welfare demanding it.

Town of Jonesborough

Building Department

Permit Application for ~~Mobile Food Service Vehicle~~ **Mobile Food Units**

This application must be filled out completely. Application for a permit does not guarantee that a permit will be granted. Application approval is based upon compliance of the ~~Mobile Food Service Vehicle (MFSV)~~ **Mobile Food Unit (MFU)** with state and local health requirements and the Town of Jonesborough ordinances governing ~~MFSV~~ **MFU** operation.

Business Name:			
MFSV MFU Name:			
MFSV MFU Owner:			
Owner Address:			
Owner Phone Number:		Owner Email:	
MFSV Operator:			
Operator Phone Number:		City Business License Number:	
TN Department of Health License Number:		County Business License Number:	
Applicant Driver License Number and State of Issuance (please attach copies of all drivers)			
Type of Vehicle (Please attach color photo of inside, front, side and back of vehicle):	<input type="checkbox"/> Truck <input type="checkbox"/> Other (specify):		
Vehicle Make:	Vehicle Model:	Year	
Vehicle Weight (If weight exceeds 26,000 lbs., a Commercial Driver's License is required):	Vehicle License Plate Number (Please attach copy of registration):		
Applicable Fee: <input type="checkbox"/> Annual Permit (valid one year)- \$50.00 <input type="checkbox"/> Renewal Application (application must be made within 30 days of expiration of current permit) - \$50.00 <input type="checkbox"/> Renewal Application (changes have been made since last inspection by the Town) please check here			

I certify that all information in this application and the required documents are accurate to the best of my knowledge. I agree to comply with the Town of Jonesborough regulations regarding the ~~MFSVs~~ **MFUs**. I understand that if any changes are made to the information included in this application, I am required to notify the Town.

Applicant

Date

Please attach the following items to this application and email to info@jonesboroughtn.org:

- * Certificate of Liability Insurance naming the Town of Jonesborough as additional insured if the ~~MFSV~~ **MFU** will operate town owned properties.
- * Proof of current automobile insurance for ~~MFSV~~ **MFU**.
- * Proof of current of State Health Department Permit.
- * Proof of State Business License (Provide copy of Town of Jonesborough Town Business Licenses if needed).
- * Contact the Jonesborough Fire Department (423) 753-1053 to schedule inspection once permit is issued.

JONESBOROUGH PLANNING COMMISSION

AGENDA PRESENTATION

DATE: March 18, 2025 AGENDA ITEM #: 5

SUBJECT: Discussion – Concept of External Sidewalk Extensions

BACKGROUND:

A vital statistic that is shaping Jonesborough is our continued unprecedented growth for the last 20-30 years. As you will recall, the latest 2020 Census showed us a 16% increase in population from 2010 to 2020. This 10-year growth span was not the full story. If you roll back time, 1990 to 2000 saw a 20% increase; 2000 to 2010 was a 21% increase, and already from 2020 to 2023 is a 10.6% increase in population. The Tennessee State Data Center and UT Center for Business & Economic Research presented the incorporated places population estimates and changes between 2022 to 2023. Jonesborough's change (increase) was estimated at 5.3%. Out of 345 incorporated places, only seven (7) cities, including Jonesborough, gained a population increase of 5% or greater, or in other words, only 2% of all Tennessee cities achieved this status.

We have discussed our growth for the last few years, but this year I will be presenting more in-depth growth management or growth policy concepts into our monthly planning commission meetings. We have discussed a joint work session between the PC and BMA, and I am working on a draft framework for this type of work session to take place by May 2025. In the meantime, our next monthly meetings will have a consensus of topics for staff to prepare in advance of regular or special called meetings.

As part of the agenda is the topic of requiring Traffic Impact Studies as part of the development process. Another top or way to help with growth besides mitigating the impact on streets is finding alternative ways for people to be mobile within town besides vehicles. We are a vehicle-oriented society but in Jonesborough, we are advancing our system of sidewalks and trails at a steady pace. As such one gap I have observed in our regulations and standards is that currently, a development comes in for review under site plan or subdivision and if internal public roads are to be constructed then internal sidewalks or trails are required. The only gap in my opinion in this process and the town's regulations is the external component of the development. Our development plans are abutting existing roads, and I opine that the development will be impacting the external road system and therefore requiring external focus is warranted. The external focus would be for example, if a development abuts an external road system the developer would be responsible for adding public sidewalks along the public roadway equal to the distance of road frontage.

An amendment to our development regulations would require a sidewalk to be constructed along all abutting streets when new developments are considered for approval by the Planning Commission. The construction of a permanent sidewalk fronting or abutting all streets would be accomplished by the builder, owner or developer of all new residential or commercial developments within the corporate limits. With this type of standard contained in our regulations, the town would work with owns and developers to study the external road system for potential sidewalks and/or trails, thus being able to have a more proactive approach to adding pedestrian access to our planning process and addressing growth management practices.

I am encouraging us to review and discuss this matter, and for planning staff to continue to work with the PC on drafting an acceptable policy on when external sidewalks and/or trails are required as part of the development process.

RECOMMENDATION:

This item is for review and discussion only and no action is required currently.

JONESBOROUGH PLANNING COMMISSION

AGENDA PRESENTATION

DATE: March 18, 2025 AGENDA ITEM #: 6

SUBJECT: Discussion – Traffic Impact Study

BACKGROUND:

A vital statistic that is shaping Jonesborough is our continued unprecedented growth for the last 20-30 years. As you will recall, the latest 2020 Census showed us a 16% increase in population from 2010 to 2020. This 10-year growth span was not the full story. If you roll back time, 1990 to 2000 saw a 20% increase; 2000 to 2010 was a 21% increase, and already from 2020 to 2023 is a 10.6% increase in population. The Tennessee State Data Center and UT Center for Business & Economic Research presented the incorporated places population estimates and changes between 2022 to 2023. Jonesborough's change (increase) was estimated at 5.3%. Out of 345 incorporated places, only seven (7) cities, including Jonesborough, gained a population increase of 5% or greater, or in other words, only 2% of all Tennessee cities achieved this status.

We have discussed our growth for the last few years, but this year I will be presenting on more in-depth growth management or growth policy concepts into our monthly planning commission meetings. We have discussed a joint work session between the PC and BMA, and I am working on a draft framework for this type of work session to take place by May 2025. In the meantime, our next monthly meetings will have a consensus of topics for staff to prepare in advance of regular or special called meetings.

The impact of the increase in the volume of traffic in town is staggering, and as you know speeding is a major topic related to our road system as well. I am introducing for topic the "Traffic Impact Study (TIS)". The purpose of TIS is to:

- Determine the potential traffic impacts of a proposed development on the existing road system.
- Ensure safe and reasonable traffic conditions once the development is complete.
- Protect the community's investment in its street system.
- Identify on-site and off-site improvements that might be needed because of the development.

The Town's regulations are better than the cookie cutter approach to standards across the state but addressing the impact of traffic has fallen on the town to address either while the development is under construction, or after the fact. After the fact addressing traffic is the norm currently. The examples provided to you for review and discussion would require a development based on certain parameters or metrics to submit a TIS to the Planning Commission as part of their request for review and approval. This way, there is more required or engineering perspective on developmental impacts to the town's street infrastructure system. This may translate to joint partnerships between developer and town on "external" road improvements or more internal road system design emphasis. Either way, TIS is relative to overall traffic growth management studies and analysis.

I am encouraging us to review and discuss this matter, and for planning staff to continue to work with the PC on drafting an acceptable policy on when a TIS is required as part of the development process.

RECOMMENDATION:

This item is for review and discussion only and no action is required currently.

4-103.207 Roadway / Traffic Study Requirements

A Traffic Study shall be required for certain subdivision development proposals as stipulated in this section of the Subdivision Regulations.

- a. Purpose: The purpose of the Traffic Study shall be to identify those improvements that will be necessary to offset the additional traffic generated by the proposed level of development. Such improvements, if any, may include the addition of signalization, turning lanes, acceleration or deceleration lanes, road widenings, or other improvements as specified in the Study. The goal of the improvements will be to maintain at least the same Level of Service on studied roadways as exists prior to the construction of the proposed development.
- b. When Required: A Traffic Impact Study will be required for subdivision developments that connect to non-State roadways and meet any of the following conditions:
 1. Residential developments that contain at least 50 dwelling units;
 2. Residential developments that when combined with earlier phases and sharing common connections exceed 50 dwelling units in total;
 3. Non-residential subdivision developments that are anticipated to produce more than 500 new daily trips.
 4. If in the opinion of the Planning Commission, based on actual data from the Lewisburg Police Department or Marshall County Sherriff's Office, the location of the proposed development connection is believed to be a dangerous location for additional traffic of any amount.
- c. Level of Study: Studies shall include the analysis of each access that the proposed development has to an existing roadway and to the first control point beyond those access points. A control point is an intersection controlled by a traffic signal or stop sign on the existing roadway onto which the development seeks access. Where a traffic control point does not exist on the roadway, the traffic engineer conducting the study shall use his/her professional judgement on the extent of the study area, based on the area that would be anticipated to be impacted by the development.
- d. Traffic Engineer: All traffic impact studies shall be prepared by a registered professional engineer (P.E.), or an individual under the supervision of a registered P.E. The P.E. shall have specific training in traffic engineering and be in good standing with the State of Tennessee. All traffic impact studies submitted to the Planning Commission for final review shall be signed and sealed by the P.E.
- e. Proposed Annexations: Where a development is being proposed for annexation by the City of Lewisburg, the traffic study shall include an analysis of whether or not the existing County roadways meet the city's design standards for city streets.

If not, the report shall include a summary of the improvements that would be required to bring the roadway up to city standards.

f. Final Report

1. Submittal – the final traffic study shall be submitted with the Preliminary Plat for a proposed subdivision or at the time of Annexation request for a property for purposes of a subdivision development. Therefore, all improvements recommended by the report and subsequently required by the Planning Commission can be fully implemented in the Construction Plans for the development. If the developer wishes to determine whether or not the Planning Commission is favorable towards a development prior to committing to a Traffic Study, the developer should submit a Sketch Plat prior to the submittal of the Preliminary Plat.

2. Format – the format of the final traffic study shall generally follow the format outlined in Chapter 2 of the TDOT Traffic Design Manual, Latest Edition.

g. State Highways – a determination of whether or not proposed developments that will connect to a State Highway will require a Traffic Study will be left solely to the discretion of TDOT. The requirements in this section are not meant to override or circumvent any TDOT requirements or standards.

h. Timing of Improvements – in most cases, any improvements to existing streets that may be required will be constructed in conjunction with the construction of the development. In cases where the Planning Commission may have reason to approve the improvements being constructed at a later date the cost of the improvements shall be bonded at the time of Final Plat approval and recording. In any such case, the Planning Commission shall stipulate the date by which the improvements must be completed.

4-103.208 Right-of-Way Dedication on Existing Public Ways

Where a proposed subdivision adjoins an existing public way that is deemed too narrow and widening would require use of some of the land in the subdivision, the subdivider shall be required to dedicate areas for widening or realigning such public way. One half of the required right-of-way shall be provided per side of the road that contains any portion of the subdivision. Existing roadways may be deemed too narrow by any of the following means:

- a. There are specific plans in the Lewisburg Roadway Plan to widen the roadway
- b. The existing right-of-way is narrower than required for new rights-of-way developed under the guidance of these regulations.

- c. There is a Capital Project for the widening of the roadway already approved by the City Council.
- d. The existing roadway is deemed too narrow within the Traffic Study prepared for the proposed development.

**AN ORDINANCE TO ESTABLISH THE REQUIREMENTS AND CRITERIA FOR TRAFFIC
IMPACT STUDIES WITHIN THE CITY OF COLUMBIA**

WHEREAS, It is the desire of the City of Columbia to provide a safe and efficient transportation network; and

WHEREAS, It is the intent of this Ordinance to establish the requirements and criteria for Traffic Impact Studies; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF COLUMBIA, as follows:

Purpose

The City of Columbia desires to provide a safe and efficient transportation system for all users of the transportation network. The objective of a Traffic Impact Study is to maintain an acceptable level of capacity and provide needed improvements to accommodate current and projected traffic volumes.

Conflict with other provisions

This ordinance is not intended to interfere with, abrogate, or annul any other ordinance, rule, or regulation, statute, or other provision of law. Where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provisions are more restrictive or impose higher standards shall govern.

Severability

If any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in the controversy where such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this ordinance or the application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of these regulations without any such part, provision, or application.

Variances

If the City Council finds that extraordinary hardships or practical difficulties may result from strict compliance with this ordinance, a variance may be granted; provided, such variance shall not have the effect of nullifying the general intent and purpose and provided, further, that the City Council shall not recommend a variance unless it shall make findings based upon written evidence presented to it in each specific case that:

- 1) Granting of the variance will not be detrimental to the public safety, health, or welfare, or be injurious to other property or improvements in the neighborhood where the property is located; and

- 2) Conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other properties and is not based on financial returns; and
- 3) A particular hardship (not self-imposed) to the owner would result, as distinguished from a mere inconvenience, if the strict letter of this ordinance were carried out; and
- 4) The variance will not, in any manner alter provisions of the General Plan, Land Use Plan, Transportation Master Plan, or the Zoning Ordinance.

Where the City Council concludes that the purpose of this ordinance may be specifically served to an equal or greater extent by an alternative proposal, condition, or circumstance, it may approve other variances to these regulations.

In approving any variances from this ordinance, the City Council shall state fully, in the meeting minutes, the grounds for the variance and all of the facts upon which the decision is made.

In approving variances, the City Council may impose such conditions as, in its judgment, will secure substantially the objectives, standards, and requirements of this ordinance.

Requirements

A Traffic Impact Study shall be required if the need for such is determined during the pre-application conference and/or Master Plan review. The following circumstances indicate the need for a traffic impact study:

- 1) Residential development with 75 or more dwelling units or non-residential development with 30,000 square feet of space or more.
- 2) Mixed-use development that generates 75 peak hour vehicle trips or 750 daily vehicle trips.
- 3) The project is located at or near an intersection that currently operates or is believed to operate at a Level of Service C or below.
- 4) The project is located near a location identified by the City Engineer as a high crash/incident location or high concern location.
- 5) A Traffic Impact Study is deemed necessary according to the City Engineer. The City Engineer has the final authority to require a Traffic Impact Study for any specific project.

The Owner/Developer shall consult with the City Engineer to finalize the need for a Traffic Impact Study and the scope of any required study. The Traffic Impact Study shall be completed by a registered Engineer and shall be prepared in accordance with generally accepted standards and practices and shall be done at no cost to the City. If a Traffic Impact Study is required, the Owner/Developer or authorized agent shall:

- 1) Schedule and conduct a scoping meeting with the Owner/Developer, City Engineer, and

Engineer performing the Traffic Impact Study. This meeting will determine the scope and breadth of the Traffic Impact Study.

- 2) Consult with the City Engineer prior to completing traffic projections and traffic analysis to obtain approval for background assumptions, directional distributions, and internal and pass-by reductions.
- 3) Submit a Draft Traffic Impact Study to the City Engineer. The City Engineer or designee will review and comment on the draft report. A draft of the Traffic Impact Study shall be submitted on or before the submittal date with the number of copies required as determined by the City Engineer. The Traffic Impact Study shall identify, analyze, and discuss mitigation measures. These mitigation measures shall be specific and feasible actions whose implementation will minimize the adverse impacts of the proposed development.
- 4) The Final Traffic Impact Study shall be submitted, as required by the City Engineer, and shall be signed and sealed by a registered Engineer in Tennessee prior to submittal of Construction Plans or Preliminary Plat.

Review and Approval

The City of Columbia will utilize a retained consultant to provide a third-party review of Traffic Impact Studies. The Traffic Impact Study will receive approval after all findings are verified by the City Engineer or designee.

Review Fee

The Owner/Developer is required to reimburse the City of Columbia for the third-party review of the Traffic Impact Study. The amount of the review fee will be established in the third-party traffic engineer contract approved by City Council.

Expiration

The Traffic Impact Study shall expire three (3) years from the date of approval. After expiration, the owner/developer shall submit an updated Traffic Impact Study. If a significant increase in traffic is experienced within the scoped area of a traffic study, then the City Engineer may require that the study be updated to reflect the increased traffic volumes.

TRAFFIC IMPACT STUDY

A Traffic Impact Study shall be required for certain subdivision development proposals as stipulated in this section of the Subdivision Regulations.

A Traffic Impact Study shall be required if the need for such is determined during the pre-application conference and/or Master Plan review. The following circumstances indicate the need for a traffic impact study:

- 1) Residential development with 75 or more dwelling units or non-residential development with 30,000 square feet of space or more. **This is very important to determine what triggers the study, i.e. number of dwelling units, square footage space, etc.**
- 2) Mixed-use development that generates 75 peak hour vehicle trips or 750 daily vehicle trips. **This is very important to determine what triggers the study, i.e. number of dwelling units, square footage space, etc.**
- 3) The project is located near a location identified by Town Staff as a high crash and/or incident location or high concern location.
- 4) A Traffic Impact Study is deemed necessary according to the Town Engineer. The Town Engineer...Town Administrator has the final authority to require a Traffic Impact Study for any specific project. **Who should have the authority? Traffic Committee recommendation? Town Engineer? Town Administrator?**

The Owner/Developer shall consult with the Town Engineer to finalize the need for a Traffic Impact Study and the scope of any required study. The Traffic Impact Study shall be completed by a registered Engineer and shall be prepared in accordance with generally accepted standards and practices and shall be done at no cost to the Town. If a Traffic Impact Study is required, the Owner/Developer or authorized agent shall:

- 1) Schedule and conduct a scoping meeting with the Owner/Developer, Town Engineer, and Engineer performing the Traffic Impact Study. This meeting will determine the scope and breadth of the Traffic Impact Study.
- 2) Consult with the Town Engineer prior to completing traffic projections and traffic analysis to obtain **approval for background assumptions, directional distributions, and internal and pass-by reductions.**
- 3) Submit a Draft Traffic Impact Study to the Town Engineer. The Town Engineer or town designee will review and comment on the draft report. A draft of the Traffic Impact Study shall be submitted on or before the submittal date with the number of copies required as determined by the Town Engineer. The Traffic Impact Study shall identify, analyze, and discuss mitigation measures. These mitigation measures shall be specific and feasible actions whose implementation will minimize the adverse impacts of the proposed development.
- 4) The Final Traffic Impact Study shall be submitted, as required by the Town Engineer, and shall be signed and sealed by a registered Engineer in Tennessee prior to submittal of Construction Plans or Preliminary Plat.

Review and Approval

The Traffic Impact Study will receive approval after all findings are verified by the Town Engineer or designee.

Expiration

Draft Version 1
March 2025

The Traffic Impact Study shall expire three (3) years from the date of approval. After expiration, the owner/developer shall submit an updated Traffic Impact Study. If a significant increase in traffic is experienced within the scoped area of a traffic study, then the Town Engineer may require that the study be updated to reflect the increased traffic volumes.

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