

MEETING NOTICES

The Jonesborough Board of Zoning Appeals and Planning Commission will meet in Regular Session at 6:00 p.m., Tuesday, April 15, 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

BOARD OF ZONING APPEALS

Agenda

Call to Order

1. Public Comments
2. Approval of Minutes
3. Variance request to place a storage/accessory building to the right side of the house at 1596 Lemongrass Drive

JONESBOROUGH PLANNING COMMISSION

Agenda

Call to Order

1. Public Comments
2. Approval of Minutes
3. Discussion and Possible Action on Mobile Food Unit Regulations
4. Discussion on External Sidewalk Extensions
5. Discussion and Possible Action on Traffic Impact Study Standards
6. Adjournment

JONESBOROUGH BOARD OF ZONING APPEALS

AGENDA PRESENTATION

DATE: April 15, 2025 AGENDA ITEM #: BZA-2

SUBJECT: Approval of Minutes

Attached for approval are the minutes of the February 18, 2024 BZA meeting.

JONESBOROUGH BOARD OF ZONING APPEALS

MINUTES – February 18, 2025

The Jonesborough Board of Zoning of Appeals met in a regular meeting on Tuesday, , 2024, 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

Chairman Tom Foster called the meeting to order and noted a quorum was present. Josh Conger led the group in Prayer and Chairman Foster led in the pledge to the Flag.

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 as presented was made by Jim Rhein, seconded by Robin Harpe, and was passed unanimously.

**3. Variance Request to the Front Yard Setbacks at 414 Spring Street
Shaun McCullom, Property Owner
Presented by: Jordan Carr, Arrowhead Home Improvements**

Jordan Carr, contractor representing Shaun McCullom, requested a 5-foot front yard variance to construct a single-family dwelling for property located at 414 Spring Street.

The zoning is R-1 (Low Density Residential) which requires a 30-foot front yard setback. The tract is abutting the railroad to the rear, and the rear has topographical challenges due most in part to the elevations between the railroad right-of-way and the rear property line; and with the property containing topographical challenges to the rear and moving the single-family dwelling more toward the road, which is the porch part of the structure, staff recommends approval of the variance request due to the challenges outlined above. With the granting of a 5-foot setback variance, the proposed deck would be setback 25 foot from the front property line and will not pose a safety issue.

Chairman Foster read the staff recommendation for the approval the front yard setback variance of 5-foot due to the topographical constraints identified in the rear yard in association with elevation changes presented with the railroad right of way connection to the rear yard property line. 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 approve the front yard setback variance of 5-foot due to the topographical constraints identified in the rear yard in association with elevation changes presented with the railroad right of way connection to the rear yard property line, as presented. Richie Hayward seconded the motion and it was duly passed.

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

JONESBOROUGH BOARD OF ZONING APPEALS

AGENDA PRESENTATION

DATE: April 15, 2025 AGENDA ITEM #: BZA-3

SUBJECT: Variance - Placement of Storage Building 1596 Lemongrass Dr

BACKGROUND:

Donald and Linda Elswick are requesting a variance to place a 10' X 16' storage building in the side yard at 1596 Lemongrass Drive. The subject property is located in Mill Creek Section 9 and further described on Washington County Tax Map 059C, Group I, Parcel 011.00. The municipal code requires that these types of structures be placed in the rear yard.

Building Inspector Kevin Fair performed a site review and found that the rear of the property is constrained by a drainage way with a berm that splits the back yard area. The subject property has 2 conditions of the land that can justify for a variance which include the rear topography that necessitates the drainage way and berm, and the irregular shape of the rear parcel as the tract is triangular shaped. These are justifiable reasons to grant a variance to allow the placement of the storage building in the side yard. The storage building placement can meet the

If the variance is granted, Mr. Fair will make sure that the placement of the building meets required setbacks from the home and other property lines.

RECOMMENDATION:

Approve the variance to allow for the placement of the storage building in the side yard to the south of the existing home due to topographic constraints (rear drainage area) and irregular shape of parcel (triangular to rear yard).



TOWN OF JONESBOROUGH

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

From: The Office of Planning and Building Standards.
Kevin R. Fair, Building Inspector

Re: Variance requested by Donald and Linda Elswick

To: Glen Rosenoff

Please find the attached variance request from Donald and Linda Elswick. They would like to place a storage building in their side yard instead of placing it in the rear yard per Town municipal ordinance 11-76 (7). I have attached pictures and a sketch with measurements to this newly created file. They would like to have this heard at the April 15th Planning Commission meeting. The rear yard has a drainage path with a berm that splits the useable back yard space. At the top rear corner of this berm there is only a small flat space that would be too tight, and in a poor position to access and to accommodate a 10' x 16' storage shed and meet the required setbacks. Multiple neighbors have already placed sheds to the side of their homes in several locations beside this home. I have also attached pictures of these. Let me know if you need anything further from me.

Sincerely, Kevin R. Fair

A handwritten signature in black ink that reads "Kevin R. Fair".

THE OLDEST TOWN IN TENNESSEE



TOWN OF JONESBOROUGH

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

Jonesborough:

Planning Commission; Board of Zoning Appeals;
Design Review Commission; Board of Mayor & Alderman

Owner/Applicant: Donald and Linda Elswick Phone Number: 4193062865

Representative

Attending Meeting: Donald and Linda Elswick Phone Number: 4197886162

Site Location/Area: 1596 Lemongrass Drive, Jonesborough, TN 37659

Describe reason for Request Review:

☐ Major Subdivision Plat ☐ Site Plan ☐ Design Review ☐ Rezone ☐ Annexation ☒ Variance ☐ Other
Installation of Storage Building (10'X6' on Side of the home. No area behind home.

* (10'X16')

Submittals Included:

None - Need to order Building once approved. White Storage Building with Black Trim

FOR STAFF USE ONLY:

Zoning District: _____ Development Type: ☐ Single Family ☐ Multifamily ☐ PUD ☐ Commercial

Setbacks: Front _____ Side _____ Rear _____ Tax Map: _____ Group: _____ Parcel ID: _____

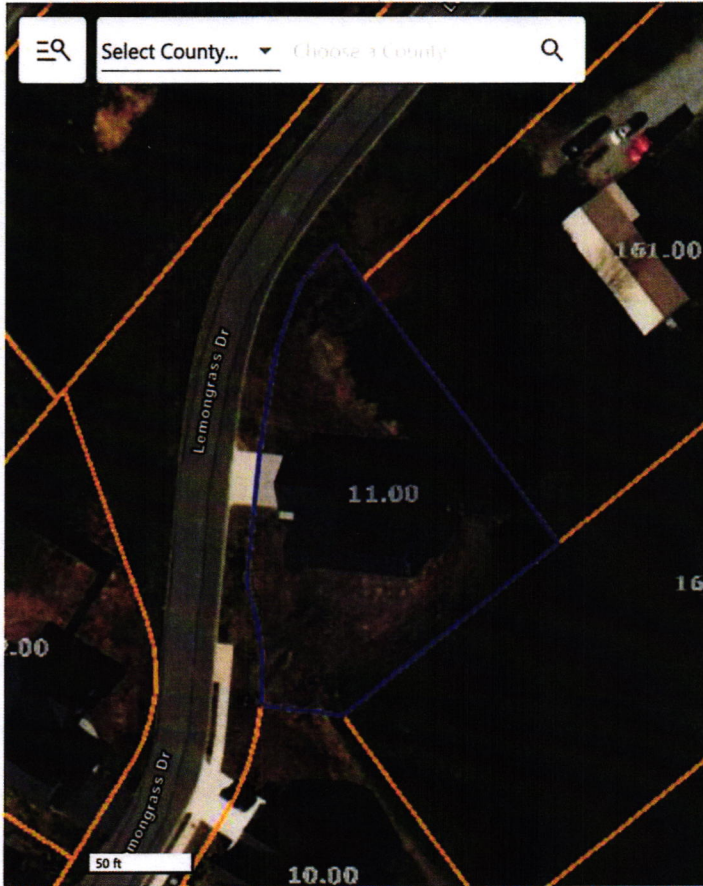
☐ Planning Commission ☐ Board of Zoning Appeals ☐ Design Review Commission ☐ BMA

Next Meeting Date & Time: _____ Application Due Date: _____

Owner/Applicant declares that by signing below that the information given on this application is accurate and that they are affirming that the owner/ applicant/ representative will be present at the meeting on the above date.

Fee (see fee schedule): \$ 300.00 Date of Payment: 03/19/2025

Owner Signature/Applicant: Donald Elswick Date: 03/19/2025



Property Detail

County	WASHINGTON
Owner	ELSWICK DONALD DAVIS
Owner 2	& LINDA MARIE
Property Address	LEMONGRASS DR 1596
Parcel ID	059C I 011.00
Deeded Acreage	0
Subdivision	MILL CREEK SEC 9
Subdivision Lot	11R

PROPERTY ASSESSMENT DATA

[CLICK HERE IF YOU HAVE A CONCERN ABOUT THIS PROPERTY](#)

PRINT

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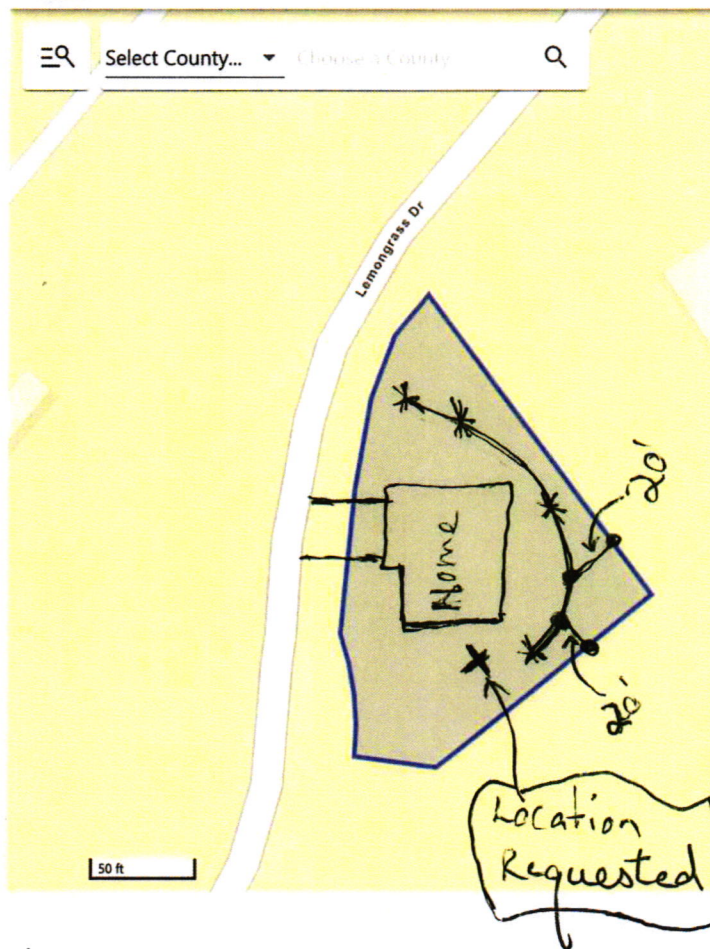


VARIANCE NOTICE

Accessory Building Location

**JONESBOROUGH REGIONAL
PLANNING COMMISSION
AT TOWN HALL, 123 BOONE ST.**

APRIL 15th @ 6PM **INFORMATION 753-1030**



Property Detail

County	WASHINGTON
Owner	ELSWICK DONALD DAVIS
Owner 2	& LINDA MARIE
Property Address	LEMONGRASS DR 1596
Parcel ID	059C I 011.00
Deeded Acreage	0
Subdivision	MILL CREEK SEC 9
Subdivision Lot	11R

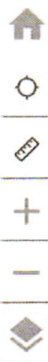
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* A Berm in the rear prevents enough Space to place a 10'x16' Storage Shed meeting set backs. See attached pictures.



• Back Yard



* Small 20' x 20' Space at the Top of the berm that is too tight for a 10' x 16' Shed. You would also have to traverse the berm to access the Shed.



-Berm in backyard for drainage.



- Right Side yard.

Requested Location
marked w/ an X.



- Left Side yard

• Neighbors



• Neighbors



• Neighbors



JONESBOROUGH PLANNING COMMISSION

AGENDA PRESENTATION

DATE: April 15, 2025 AGENDA ITEM #: 2

SUBJECT: Approval of Minutes

Attached for approval are the minutes of the March 18, 2025 Planning Commission meeting.

JONESBOROUGH PLANNING COMMISSION

MINUTES – March 18, 2025

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

Members Present: Tom Foster-Chairman, Frank Collins, Terry Countermine, Darrell Fowler, Bill Graham, Robin Harpe, Richie Hayward, Jim Rhein

Members Absent: Josh Conger

Staff Present: Glenn Rosenoff, Donna Freeman

1. **Public Comments** – There were no comments.
2. **Approval of Planning Commission Minutes – Meeting of February 18, 2025**

There were two corrections to the Planning Commission minutes of February 18, 2025. Bill Graham made the motion to approve the February 18, 2025 Planning Commission meeting minutes with the two corrections duly noted, seconded by Richie Hayward, and duly passed.

Approval of Design Review Commission Minutes – Meeting of February 18, 2025

The motion to approve the minutes of the Design Review Commission meeting of February 18, 2025 was made by Bill Graham, seconded by Richie Hayward and duly passed.

3. **Reduction of Cash Bond for Elite Development Group, LLC (Wendy's)**

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.

Chairman Foster read the staff recommendation to approve reducing the Cash Bond for Elite Development Group LLC to \$7,032.00 for Wendy's project, as presented. Chairman Foster said that at the back of the property where trees were cut down, the brush has not been removed, and it needs to be cleaned up, and

recommended changing the bond to 30% (\$10,548) until it is cleaned up. Chairman Foster asked the Commissioners if they had any questions or comments, and with there being none, called for a motion.

Motion: Terry Countermine made the motion to approve the Cash Bond for Elite Development Group, LLC to 30% as recommended by Chairman Foster, seconded by Jim Rhein, and duly passed.

4. Mobile Food Unit Regulations, Concept of External Sidewalk Extensions, Traffic Impact Study

Town Administrator Glenn Rosenoff presented Mobile Food Unit (MFU) Regulations, Concept of External Sidewalk Extensions, and Traffic Impact Study for Commissioners for their review and discussion. Commissioners made suggestions for changes to the MFU, External Sidewalk Extensions, and Traffic Impact Study. There being no formal action to be taken, these items will be brought back to the Planning Commission for further discussion and review before being finalized to go to the Board of Mayor and Aldermen for their approval.

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

JONESBOROUGH PLANNING COMMISSION

AGENDA PRESENTATION

DATE: April 15, 2025 AGENDA ITEM #: 3

SUBJECT: Mobile Food Unit Regulations

BACKGROUND:

Planning Commission Presentation, March 18, 2025

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.

Update for Planning Commission Meeting, April 15, 2025

Staff revised the attached draft document on permit fees; unimproved properties ("hard surfaces"); Open flame cooking apparatuses; signage; mobile food unit rallies; and removed words in red or highlighted or strikethroughs. I hope that this updated version captured all that was discussed related to revisions from the last PC meeting in March.

RECOMMENDATION:

Recommend approval to the Board of Mayor and Aldermen the Ordinance to amend the Municipal Code by adding under Title 5, Chapter 6, Mobile Food Vending.

Last Revision: April 11, 2025

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 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.

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- (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

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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. 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 must be specifically permitted by the Jonesborough Fire Department to safeguard from locations that sell any kind of flammable petroleum products within

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a certain distance of the food truck, and in particular gas pumps. 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.
 - (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 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

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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. Scrolling, flashing, animated, or feather flags are not permitted.

- (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 \$250.00 Annual 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 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) Emergency telephone contact information is required.

- (2) Permittee Obligations.

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- (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.
- (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 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

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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.

Safety plans are required to be submitted to the Jonesborough Public Safety Department for all Mobile Food Unit Rallies on public or private property and the Department will determine if a Special Event Application is to be approved by the Board of Mayor and Aldermen, or the Town Administrator.

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.

Last Revision: April 11, 2025

Town of Jonesborough

Building Department

Permit Application for 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 Unit (MFU) with state and local health requirements and the Town of Jonesborough ordinances governing MFU operation.

Business Name:			
MFU Name:			
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)- \$250.00 <input type="checkbox"/> Renewal Application (application must be made within 30 days of expiration of current permit} - \$250.00 <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 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

Last Revision: April 11, 2025

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 MFU will operate on town owned properties.
- * Proof of current automobile insurance for 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: April 15, 2025 **AGENDA ITEM #:** 4

SUBJECT: 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.

Staff are recommending amending the current Subdivision Regulations and adding a section for Traffic Impact Study and the standards that require it for certain size developments (see draft Resolution attached). We are required to hold a public hearing before adopting an amendment to the Subdivision Regulations as noted below:

Before adoption of these subdivision regulations or any amendment thereof, a public hearing thereon shall be held by the Planning Commission thirty (30) days' notice of the time and place of which shall be given by one publication in a newspaper of general circulation in each county lying wholly or partly in the planning region.

RECOMMENDATION:

Approve the Draft Resolution amending the Subdivision Regulations by adding number 22 "Traffic Impact Study:" under Article III General Requirements and Minimum Standards of Design, and scheduling a public hearing for final adoption of the proposed amendment as per the Regulations.

DRAFT RESOLUTION

JONESBOROUGH REGIONAL PLANNING COMMISSION RESOLUTION NO. _____

RESOLUTION AMENDING THE JONESBOROUGH, TENNESSEE SUBDIVISION REGULATIONS FOR THE PURPOSE OF ADDING NUMBER 22 "TRAFFIC IMPACT STUDY" UNDER ARTICLE III GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN

22. Traffic Impact Study

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 50 or more dwelling units or non-residential development with 30,000 square feet of space or more.
- 2) Mixed-use development that generates 50 peak hour vehicle trips or 500 daily vehicle trips.
- 3) The project is located near a location identified by town staff or the Public Safety Department 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 Administrator has the final authority to require a Traffic Impact Study for any specific project.

The Owner/Developer shall consult with the Town Engineer and Town Administrator 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 Town Engineer, and the 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

DRAFT RESOLUTION

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 submitting Construction Plans or Preliminary Plats/Plans to the town.

Review and Approval

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

Expiration

The Traffic Impact Study shall expire two (2) 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.

JONESBOROUGH PLANNING COMMISSION

AGENDA PRESENTATION

DATE: April 15, 2025 AGENDA ITEM #: 5

SUBJECT: External Sidewalk Extensions

BACKGROUND:

Agenda information for Planning Commission Meeting, March 18, 2025

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.

Research Update on Town Regulations

The current Subdivision Regulations contains the following information that I believe captures what we have been discussing regarding "Sidewalk Along Existing Streets":

Sidewalks may be required along an existing public street when sidewalks presently exist upon property which directly adjoins the proposed subdivision or are located within 500 feet on the same side of the street, and the construction of such sidewalks is a component of an approved Pedestrian Access Plan. Sidewalks may be required along an existing public street when reconstruction of the existing street is proposed or is required by an approved traffic impact study.

In lieu of immediate construction of required sidewalks or other walkways, the Planning Commission may allow the developer to provide a security to the Town in an amount at least equal to the construction cost of the required sidewalks and in accordance with Article IV.

RECOMMENDATION:

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