

**TULLAHOMA MUNICIPAL REGIONAL PLANNING COMMISSION  
MEETING MINUTES**

**March 20, 2023**

The Tullahoma Municipal Regional Planning Commission met in a Regular session on Monday, March 20, 2023, at 4:30 p.m. in the Board Room of the Tullahoma Municipal Building at 201 West Grundy Street.

1. **Call to Order:** Planning Commission Chairman Mr. Paul Schwer called the meeting to order and welcomed commissioners, staff, and guests.
2. **Determination of a Quorum:** Mr. Paul Schwer, Mr. Alex Rice, Mr. Bill Comer, Mandy Hall, and Mr. Marvin Sellers were present. Mr. Daniel Berry and Ms. Jenna Amacher arrived late due to another meeting conflict. Seven (7) members were present. Other City and Staff Representatives present: Planning Director/Planning Commission Secretary Ms. Mary Samaniego, Senior Planner Mr. Charles Rush, City Engineer Mr. Scot St. John, and Ms. Nena Abbott, Recording Secretary.
3. **Pledge of Allegiance to the Flag**
4. **Minutes:** On a motion by Mr. Alex Rice seconded by Mr. Marvin Sellers, the minutes of the February 20, 2023, Regular Session Meeting were approved as presented. Motion passed 5-0.
5. **General Public Comments on Items Not on the Agenda** – There were no public comments.
6. **Reports of Officers and Staff:** Planning Director/Planning Commission Secretary stated that the revised Comp Plan is available on the website. Ms. Samaniego also welcomed the new Senior Planner Mr. Charles Rush to the Planning Department.
7. **Old Business:** None
8. **New Business:**
  - A. **Subdivision Plats (Public Hearings)**
    - (1) **424 Ghea Road Minor Subdivision Final Plat**

Staff received a request to approve a minor subdivision final plat to create one (1) lot from existing 22.99 acres at 424 Ghea Road. (*Applicant: Bradley Broadrick*)  
**STAFF COMMENTS:** Staff commented that the applicant did not appear to be present. This item has been continued for several months pending the TDEC drawing.  
**PUBLIC COMMENTS:** There were no public comments.  
A motion was made by Mr. Alex Rice seconded by Mr. Bill Comer to continue this item until the April 17, 2023, Planning Commission meeting. Motion passed 5-0.
    - (2) **Ross Minor Subdivision Final Plat**

Staff received a request to approve a minor subdivision final plat to create three (3) lots on property located in the 600 block of JD Neil Road in the Coffee County Urban Growth Boundary (UGB) (Coffee County Tax Map 105, Parcel 007.03). (*Applicant: Shawn Ross*)

**STAFF COMMENTS:** Staff commented that the applicant did not appear to be present. This item has been continued for several months pending the TDEC drawing.

**PUBLIC COMMENTS:** There were no public comments.

A motion was made by Mr. Alex Rice seconded by Mr. Bill Comer to continue this item until the April 17, 2023, Planning Commission meeting. Motion passed 5-0.

**(3) *Simmons Ghea Road Minor Subdivision Final Plat***

Staff received a request to approve a minor subdivision final plat on property located in the 300 block of Jean Drive (Franklin County Tax Map 008, Parcel 087.00). The purpose is to create four (4) lots from a 3.21 acre parent tract. All of the lots are over 0.75 acres and over 100' at the building line. The property is in the A-Agricultural zoning district in the Franklin County Urban Growth Boundary (UGB). The lots exceed minimum lot size (0.50 acres) and minimum lot width (100') at the building line. The property is vacant and surrounded by the A-Agricultural zoning district with agricultural and single-family dwelling uses. (*Applicant: Tom Whitley*)

**STAFF COMMENTS:** Staff recommends approval of the final plat subject to all staff comments.

**PUBLIC COMMENTS:** Mandy Bobo, Northcutt & Associates Land surveying was present to answer any project questions. The following public comments were made:

1. Paul Simmons, 221 Jean Drive – Opposed to the project. Does not think that the City of Tullahoma should have any authority inside Franklin county.

A motion was made by Mr. Alex Rice seconded by Mr. Bill Comer to approve this final plat subject to all staff comments. Motion passed 4-1 with Mr. Paul Schwer opposed.

**(4) *Barton/Carter Blake Minor Subdivision Final Plat***

Staff received a request to approve a minor subdivision final plat on property located at 1250 Carter Blake Road (Coffee County Tax Map 110, Parcel 001.03). The purpose is to create two (2) lots for single-family dwelling use. The property is currently vacant. The property is in the R-1 Low Density Residential zoning district and is surrounded by the R-1 zoning district with single-family dwelling and agricultural uses. Lot 1 is 3 acres with 111' lot width at the building line. Lot 2 is 2 acres with 178' lot width at the building line. The size of the lots exceed minimum lot size (0.28 acres) and minimum lot width (75') for the R-1 zoning district for residential uses. (*Applicant: George Allen*)

**STAFF COMMENTS:** Staff recommends approval of the final plat subject to all staff comments.

**PUBLIC COMMENTS:** Andy Best, Best Land Surveying was present to answer any project questions. There were no public comments.

A motion was made by Mr. Andy Hall seconded by Mr. Marvin Sellers to approve this final plat subject to all staff comments. Motion passed 6-0.

## **B. Zoning Text Amendment (Public Hearings)**

### **(1) Zoning Text Amendment 231 Request**

Staff proposes revisions to the City of Tullahoma Zoning Ordinance for Article VII – Sign Regulations. On June 18, 2015, the Supreme Court decided the case of Reed v. Town of Gilbert, Arizona, which invalidated the Town of Gilbert’s sign law as an unconstitutional restriction on speech. The outcome of the Reed case is that any municipal sign law which regulates signs based on their function (content)– ie, political, garage sale, non-profit – will be presumed unconstitutional unless the municipality can prove that the regulations further a compelling government interest. The general rule of content-neutral signage is based on message: if you need to read a sign to know how to regulate it, it is content-based.

Staff has requested that MTAS review the proposed signage text amendment for compliance with the Reed case. That review will be completed and information conveyed prior the Planning Commission public hearing on this application.

Since 2016, the sign code has been revised five times. While the main issue for this text amendment is to make the regulations content-neutral, staff thinks it appropriate to reevaluate the entire sign code as far as policy direction and administration at this time as well.

#### **Proposed Changes**

The analysis is broken down to address the individual changes stated in the revisions.

##### **1. Temporary Sign**

Temporary Signs are re-written and simplified to be one type of sign and not several types of content-based signs.

##### **2. Definitions**

Existing definitions that are not actually regulated in the sign code are proposed to be removed. Relevant definitions that are difficult to understand by the public have been simplified.

##### **3. Staff Duties**

With the creation of the separate Building Codes division of Public Works and the Planning Department in 2020, staff responsibilities have been reassigned as appropriate.

##### **4. Signage Table**

The existing signage table in the back of the Article is proposed to be deleted in its entirety. All the regulatory language is still intact but relocated under the text for that type of sign. This will assist in the administration and use of the sign regulations by the public as all regulations per type of sign will be in one place. *(Applicant: Mary Samaniego, Planning Director)*

**STAFF COMMENTS:** Staff recommends that the text be forwarded to the Board of Mayor and Aldermen with a favorable recommendation.

**PUBLIC COMMENTS:** There were no public comments.

A motion was made by Ms. Jenna Amacher seconded by Mr. Andy Hall to postpone voting on this item until the next scheduled meeting to provide ample time for the commissioners to review it. Motion passed 7-0.

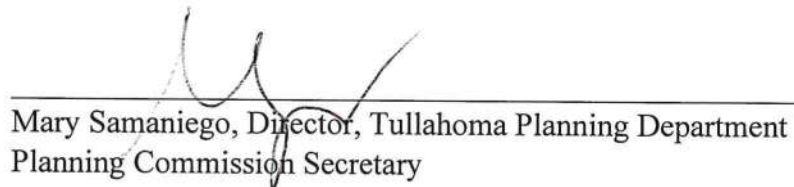
9. **Next Meeting** – Monday, April 17, 2023, at 4:30 p.m.
10. **Adjourn** – There being no further business, the meeting was adjourned.

Respectfully submitted,



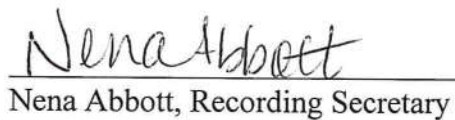
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Paul Schwer, Chairman



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Mary Samaniego, Director, Tullahoma Planning Department  
Planning Commission Secretary



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Nena Abbott, Recording Secretary