

WORK SESSION AGENDA
February 12th, 2018
6:00 pm
Red Bank Community Center

I. CALL TO ORDER

II. ROLL CALL – Secretary – Billy Cannon

- | | |
|---|---|
| <input type="checkbox"/> Commissioner Cannon | <input type="checkbox"/> Commissioner Baker |
| <input type="checkbox"/> Commissioner Hafley | <input type="checkbox"/> Commissioner Smith |
| <input type="checkbox"/> Commissioner Browder | |

III. Agenda items for the January 18th regular planning commission meeting:

A. CONSIDERATION OF THE MINUTES

1. January 18th, 2018

B. NEW BUSINESS

1. Zoning Map Amendment, Ashland Terrace, R-1 to C-2
2. Short Term Residential Rentals Ordinance
3. Amendment to Parking Regulations in City Code and Zoning Ordinance

C. UNFINISHED BUSINESS

1. Amendments to Commercial District Intent Statements and Permitted Uses in Zoning Ordinance

D. OTHER BUSINESS

IV. ADJOURNMENT

REGULAR MEETING AGENDA
February 15th, 2018
6:00 pm
Red Bank City Hall

I. CALL TO ORDER

II. ROLL CALL – Secretary – Billy Cannon

- | | |
|---|---|
| <input type="checkbox"/> Commissioner Cannon | <input type="checkbox"/> Commissioner Baker |
| <input type="checkbox"/> Commissioner Hafley | <input type="checkbox"/> Commissioner Smith |
| <input type="checkbox"/> Commissioner Browder | |

III. INVOCATION – Commissioner Baker

IV. PLEDGE OF ALLEGIANCE – Commissioner Hafley

V. CONSIDERATION OF THE MINUTES

A. January 18th, 2018

VI. NEW BUSINESS

- A. Zoning Map Amendment, Ashland Terrace, R-1 to C-2**
- B. Short Term Residential Rentals Ordinance**
- C. Amendment to Parking Regulations in City Code and Zoning Ordinance**

VII. UNFINISHED BUSINESS

- A. Amendments to Commercial District Intent Statements and Permitted Uses in Zoning Ordinance**

VIII. OTHER BUSINESS

IX. ADJOURNMENT



John Roberts
Mayor

MUNICIPAL PLANNING COMMISSION

Randall G. Smith
City Manager

MINUTES
January 18, 2018
6:00 p.m.
Red Bank City Hall

I. CALL TO ORDER

Chairman Hafley called the meeting to order at 6:04 pm.

II. ROLL CALL

Commissioner Browder called the roll. Commissioners Hafley, Browder, Baker, Cannon and Smith were in attendance. The City Manager and the Commission's planning advisor from the Southeast Tennessee Development District were also present. Additional attendees are included on the sign-in sheet and in the below minutes.

III. INVOCATION

Commissioner Baker gave the invocation.

IV. PLEDGE OF ALLEGIANCE

Commissioner Hafley led the pledge of allegiance.

V. CONSIDERATION OF THE MINUTES

a) December 21st, 2017 Meeting Minutes

Chairman Hafley noted the addition of the proposed language for the amendment to the PUD Setback requirements.

Motion by Commissioner Browder to approve the December minutes as revised. Second by Commissioner Smith. Motion passed unanimously.

VI. UNFINISHED BUSINESS

a) Review of Proposed Commercial District Intent Statements and Table of Uses in Red Bank Zoning Ordinance

Chairman Hafley noted that staff provided revised documents based on feedback from the working meeting. Staff gave an overview of the proposed amendments to the intent statements for the C-1, C-2 and C-3 zoning districts.

The City Manager questioned whether the C-2 location should be redefined as part of this process. Commissioners inquired about the factors used to determine how the CBD was originally defined. No definite factors were highlighted. Staff noted that the detailed definition of the CBD boundaries was peculiar and

uncommon. Chairman Hafley asked whether “Location” under section 404.02 should be deleted, and simply reference the zoning map. Commissioner Smith suggested that the location for the C-3 be added under 405.01 Intent statement. Other Commissioners and the City Manager agreed.

Staff gave an overview of the proposed amendments to permitted uses for the C-1, C-2 and C-3 zoning districts, as summarized in the draft table of uses. Commissioner Cannon asked why the 2,500-square foot limit was added to for retail establishments. Staff explained that it was a definition used in other communities to permit a wide variety of retail uses in the C-3 while limiting the scale of those uses.

Commissioners discussed which districts should permit pet stores with and without the sale of pets. It was noted that most small pet stores are boutique operations that simply sell pet supplies. Commissioners agreed that pharmacies / drug stores, laundry establishments, and repair shops should be a special exception in the C-2 and C-3 zoning districts. Commissioners also proposed making restaurants and offices a special exception use in the C-3 zoning district. Commissioners agreed to finish their review of the commercial table of uses at their February working meeting.

IX. ADJOURNMENT

Commissioner Smith moved to adjourn; second by Commissioner Browder. Adjourned at 8:12 PM.

Chairman



Southeast Tennessee Development District
www.sedev.org

MEMORANDUM

To: Red Bank Municipal Planning Commission
From: Brian Taylor, SETDD Regional Planner
Date: February 8, 2018
Subject: Rezoning Request for 12, 16, 300 and 306 Ashland Terrace, from R-1 and R1-A to C-2

SUMMARY

Request: R-1 and R1-A Residential to C-2 Rezoning	
Tax Map #: 109I G 002, 109I G 003, 109P J 017, 109P J 018	Address: 12, 16, 300 & 306 Ashland Terrace
Owner/Applicant: Red Bank Baptist Church, Huddleston, Miller	Applicant: City of Red Bank
Area: combined 0.97 acres on 4 parcels	Floodplain: No
Existing Use: office, parking	Proposed Use: office, parking
Adjacent Uses: office, residential, religious	Adjacent Zoning: C-2, R-1, R1-A

Background: An application has been submitted by the City of Red Bank to rezone the properties located at 12, 16, 300 and 306 Ashland Terrace to C-2. The properties were mistakenly rezoned to R-1 in 2015 according to the City. The owners intend to continue using the properties for office space and parking.

Recommendation: Approval of the rezoning to C-2.

ANALYSIS

Existing Conditions

The four properties are located on Ashland Terrace near the intersection with Dayton Boulevard. The use and acreage of each property is summarized below.

Address	Tax ID	Owner	Acreage	Use	Zoning
12 Ashland Ter	109I G 002	RB Baptist Church	0.306	Office	R-1
16 Ashland Ter	109I G 003	RB Baptist Church	0.317	Parking	R-1
300 Ashland Ter	109P J 017	Howard Huddleston	0.266	Office	R-1
306 Ashland Ter	109P J 018	Jerry Miller	0.096	Office	R1-A

Proposed Zoning and Intended Use

The rezoning of the property to C-2 Commercial would return the offices operating at these locations from non-conforming uses to permitted uses. The owners intend to continue using these properties for office space and parking.

The 2035 Land Use Plan and the Red Bank Zoning Ordinance support commercial development along this section of Ashland Terrace, provided that it does not create adverse impacts on neighboring properties. These properties are already being used for commercial purposes, but became non-conforming uses after the new zoning map was adopted in 2015. Abutting properties are also owned by Red Bank Baptist Church and located in the C-2 zoning district. The subject properties sit across Ashland Terrace from three residences in the R-1 zoning district.

Red Bank Zoning Ordinance

The existing buildings at 306 Ashland Terrace and 12 Ashland Terrace sit directly on the side or rear lot line. New buildings constructed on these lots must meet C-2 district setbacks unless a variance is granted, but rezoning does not create this non-conforming status.

	<i>Existing</i>	<i>Proposed</i>
	R-1 Residential	C-2 Commercial
<i>Front Setback</i>	25'	0'
<i>Side Setback</i>	25'	10' abutting residential or M-1 zone
<i>Rear Setback</i>	25'	25' abutting residential zone
<i>Minimum Frontage</i>	60'	None
<i>Minimum Lot Size</i>	7500 sf	None
<i>Minimum House Size</i>	1200 sf	None

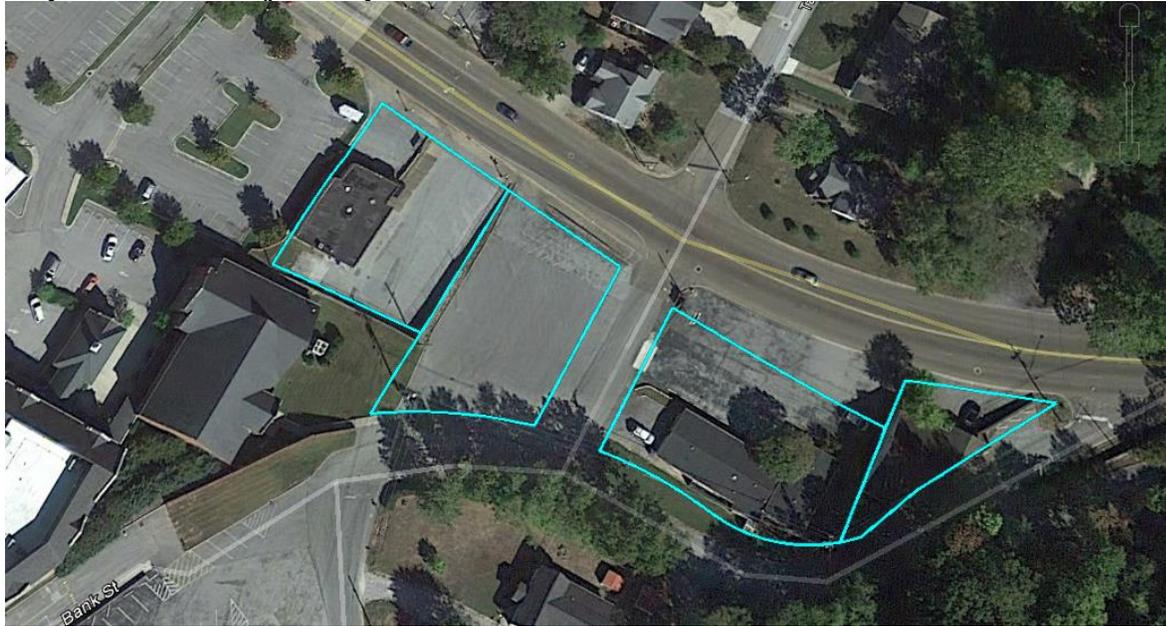
RECOMMENDATION

Staff recommends approval of the rezoning of the four properties to C-2 given the location on Ashland Terrace near Dayton Blvd, the previous office use, and the office building style.

Note: Staff’s recommendation is based upon the information available at the time of this review and is subject to change if information contrary to this analysis is presented at any time.

APPENDIX

Map 1. Aerial of Subject Properties



Property Card

OWNERNAME1	RED BANK BAPTIST CHURCH	RED BANK BAPTIST CHURCH	HUDDLESTON HOWARD W	MILLER JERRY
ADDRESS	12 ASHLAND TER	16 ASHLAND TER	300 ASHLAND TER	306 ASHLAND TER
TAX_MAP_NO	109I G 002	109I G 003	109P J 017	109P J 018
LEGALDESC1	PT LTS 12,13&21 W G WADES PB 14 PG 71 SMARTT STANLEY & OTHERS PB 3 PG 10	PT LTS 12,13 W G WADES SUB PB14 PG71	LT 11 PT 10 G W WADES PB14 PG71	PT LT 15 H H EMBREYS PB10 PG18
LOTDIM1	105.53 X 135.71 IRR	89.9X174.1IRR	98.6 X 148 IRR	80 X 105 IRR
CALCACRES	0.30689	0.31786	0.26657	0.09642
LUCODE	691	691	653	656
PLAT1BOOK	14	14	14	10
PLAT1PAGE	71	71	71	18
PLAT1LOT	PT12,15	PT12,13	11 &	PT 15
SALE1BOOK	10375	2800	7783	4927
SALE1PAGE	533	166	303	303

**R-1 and R1-A to C-2 Rezoning
 City of Red Bank; Multiple Owners
 12, 16, 300 and 306 Ashland Terrace**

February 2018



Subject Property

 Ashland Terrace, R-1 to C-2

Current Zoning

 C-2

 R-1

 R1-A

LU

 Res, SFH

 Commercial

 Office

 Church



Southeast Tennessee Development District
 1000 Riverfront Parkway
 Chattanooga, TN 37405
 Phone: (423) 266-5781
www.sedev.org

MEMORANDUM

To: Members of the Red Bank Municipal Planning Commission
From: Brian Taylor, SETDD Regional Planner
Date: February 7, 2018
Subject: Draft Amendments to Zoning Ordinance and City Code to regulate Short Term Rentals

SUMMARY

Proposal:	Amendments to regulate Short Term Rentals in Zoning Ordinance / City Code
Background:	The City has proposed an amendment to restrict Short Term Rentals to specific zoning districts and establish a permitting process.

ANALYSIS

Amendment to City Code

The proposed amendment to the Title 9 of the City Code would define short term rentals, establish minimum standards for short term rentals, and establish an application process to obtain the required certification. Key sections of proposed Chapter 16 are summarized below.

Section 9-16-101. Short term residential rental units

- A residential dwelling
- exclusive of hotels or motels, boarding houses, bed and breakfast units
- containing not more than five (5) bedrooms
- rented or leased wholly or partially for overnight stays of 30 days or less
- subject to certification and issuance and maintenance of permit

Section 9-16-103. Certificate required.

Section 9-16-104. Minimum standards for short term residential rental units

- No on-site signage
- Maximum occupancy for rooms up to 140 square feet: 2 persons per bedroom
- Maximum occupancy for rooms over 140 square feet: Area of room / 70 square feet

Section 9-16-105. Certificate application; action on certificate application; certificate approval or

appeals to City Commission

- Application Fee: \$75 for owner-occupied, \$125 for non-owner-occupied

Section 9-16-106. Certificate approval, transferability, conditions and revocation

- The City Manager reserves the right to condition the approval to a certain number of rooms, operating days/hours, signage, or other restrictions, including but not limited to vegetative or other sight screening and directional outdoor lighting requirements, as may be deemed necessary to address impacts to adjacent or nearby properties and/or to ensure safe operation of the property.

Section 9-16-107. Short term residential rental unit annual fee

- \$50 annual fee

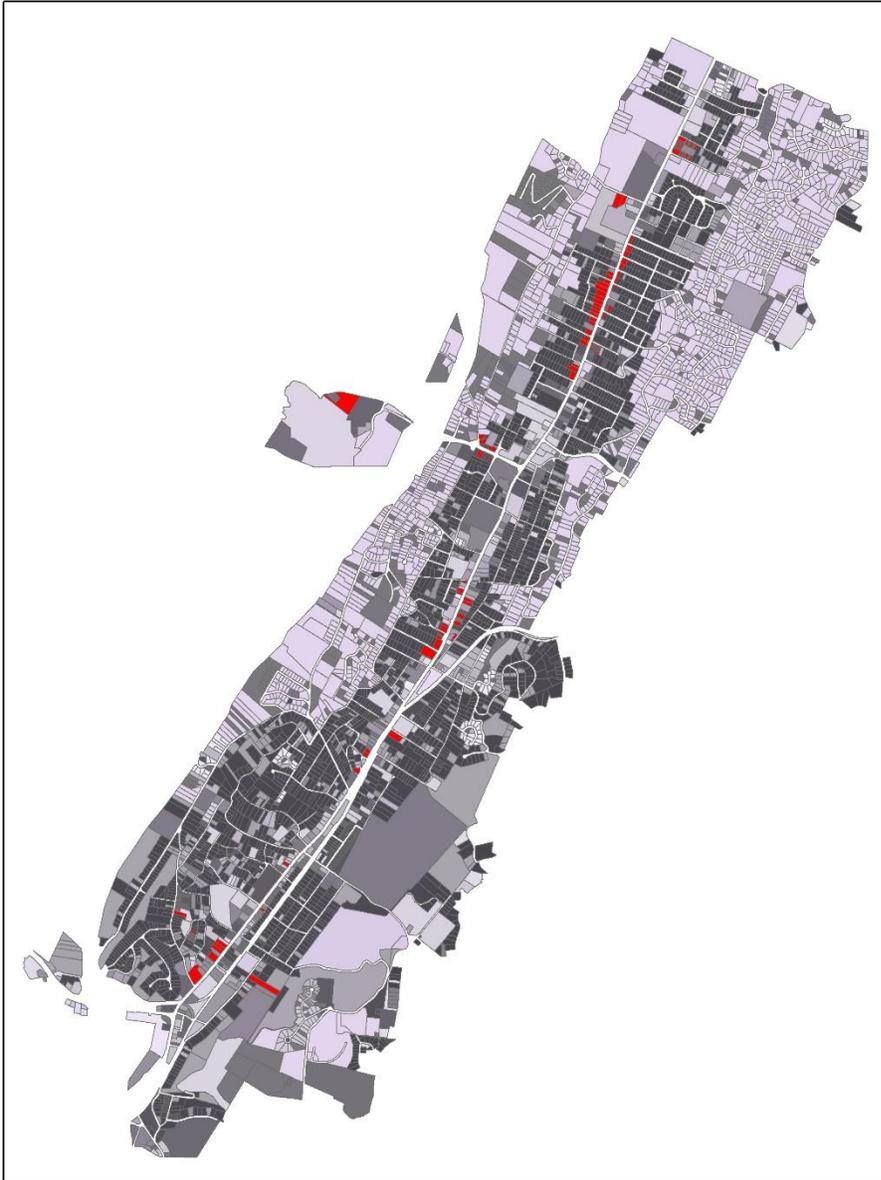
Section 9-16-108. Short term residential rental agent

- Designated agent required to appear on the premises of any short term residential rental unit within two hours following notification from the City of issues related to the use or occupancy of the premises.

Section 9-16-109. Failure to obtain certificate; penalties

Amendment to Zoning Ordinance

The proposed amendment to the Zoning Ordinance would limit short term residential rental units to R-3, R-4 and all commercial zoning districts. The amendment classifies short term residential rental units as a prohibited use in all other residential zoning districts. The following map shows existing residential properties, excluding multi-family, where short term rental units would be permitted in red.



Map 1. Existing residential properties where short term residential rentals would be permitted under the proposed ordinance

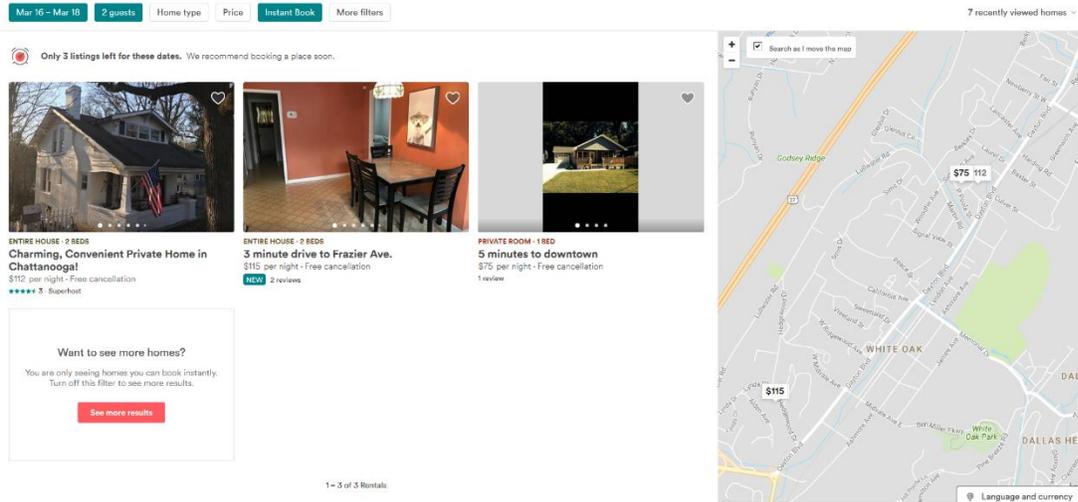
The amendment proposes inserting the language below in red into a prohibited uses section for every zoning district. This language is unnecessarily confusing and not directly related to the regulation of short term rentals.

“Any use not closely similar in character and impact as the above specified and allowed/permitted uses including but not limited to the prohibited uses specified below, provided that the final interpretation of this subsection, if necessary, shall be by the Red Bank City Commission upon recommendation of the Red Bank Planning Commission.”

Existing Conditions and Trends

Existing AirBnB activity has been steadily growing in metro areas, including Chattanooga, but is still limited in Red Bank at the moment.

Figure 1. Air BnB Screenshot for Red Bank area



Chattanooga passed an ordinance regulating short term residential rental units in 2017. The ordinance established an overlay zone that permits short term residential rental units in most areas of the city, including residential neighborhoods. An application process and minimum standards were established to reduce nuisance impacts on neighboring properties. The draft Red Bank amendment to the City Code that establishes the application process and standards appears to be largely adapted from the City of Chattanooga ordinance.

Tennessee SB 1086 by Stevens / HB 2010 by Sexton

Tennessee legislature is currently considering a bill that would limit the ability of local governments to prohibit short term rental units in residential areas.

APA PAS Report on Short Term Residential Rental Units

A report from the American Planning Association summarized the challenges and opportunities presented by short term residential rental units and provides some best practice examples for regulating short term residential rental units.

Opportunities

- Supplement income and make use of underutilized space
- Promote economic ripple effects of housing tourists in neighborhoods throughout city

Challenges

- Potential nuisance impacts on adjacent homes
- Economic impacts of unregulated competition to hotels and B&Bs
- Loss of local revenue from transient occupancy tax
- Impacts on local rental housing markets and affordability

The APA report calls for clear and easily enforced ordinances that avoid blanket prohibitions and onerous regulations. There is no one-size-fits-all recommendation regarding where rentals should be prohibited or permitted.

ORDINANCE NO. 18-

AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO AMEND
TITLE 9 OF THE RED BANK CITY CODE BY ENACTING A
NEW/ADDITIONAL CHAPTER 16 THEREOF TO ADDRESS THE
REGULATIONS OF THE SHORT TERM RESIDENTIAL RENTAL UNITS
WITHIN THE CITY OF RED BANK

WHEREAS, the City Commission recognizes the increasing existence, locally, regionally, statewide and nationally, of commercial and/or quasi-commercial endeavors whereby residential dwelling units are leased, rented, utilized or occupied, in exchange for a fee and/or various forms of consideration, on a short term basis, and often advertised on or promoted pursuant to internet or digitally based platforms and/or other forms of social media; and

WHEREAS, current Red Bank Zoning Ordinances and Regulations do not permit commercial or quasi-commercial or similar residential occupancy endeavors in residential zones of the City, except as relates to zones R-3 and zones R-4 Special, i.e. in the context of boarding and/or rooming houses as defined in the Red Bank City Zoning Ordinance; and

WHEREAS, the Board finds and determines that the present utilization of commercial and/or quasi-commercial short term rental units within most of the residential zones in the City, except zones R-3 and R-4 Special would be contrary to the land use plan and to the findings and objectives of the City, would be likely deleterious to the community residential atmosphere(s) sought to be fostered and encouraged by the Commission and by the Red Bank Planning Commission; and

WHEREAS, utilization of residential properties by short term occupants, on a commercial or quasi-commercial basis, likely increases the risk and likelihood of potentially irresponsible and/or interruptive behavior or conduct by some short term residential rental unit occupants and is of sufficient concern to recommend prohibition of such uses in all residential zones except for R-3 and R-4 Special; and

WHEREAS, short term residential rental units should be required to comply with certain public safety and operational standards.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Red Bank, Tennessee, as follows:

SECTION 1. That Red Bank City Code, Chapter 9, be amended by adding the following new definitions and provisions to Chapter 16, SHORT TERM RESIDENTIAL RENTAL UNITS, as follows:

Section 9-16-101. Short term residential rental units. Short term residential rental units

is defined as follows:

(A) Short Term Residential Rental Unit: A residential dwelling, exclusive of hotels or motels, boarding houses, bed and breakfast units, or other licensed dwelling units, including but not limited to a single family dwelling or a unit in a multi-unit residential building, such as an apartment building, condominium, cooperative or time share, and containing not more than five (5) bedrooms, in such zones as the same are permitted, that is rented or leased wholly or partially for overnight stays, for a fee or other exchange of consideration for a or any period(s) of thirty (30) continuous days or less, subject to certification and issuance and maintenance of current short term residential rental permit and/or certification as otherwise provided by in Title 9, Chapter 15, Section 101, et seq., of the Red Bank City Code.

(B) Per the provisions of the Zoning Ordinance, Short Term Residential Rental Units are, subject to conditions, certification and licensure hereinafter imposed, permitted only in the Zoning Districts specified in the Zoning Ordinance, and are “prohibited uses” in all Zoning Districts in which not expressly permitted.

Section 9-16-102. Additional definitions.

(A) Code Compliance Verification Form: A document, on a form prepared by the Office of the City Manager, executed by a short term vacation owner certifying that the Short-Form Residential Rental Unit complies with applicable zoning, housing, building, health and life safety code provisions. No person shall allow occupancy or possession of any short term residential rental unit if the premises are in violation of any applicable laws including, but not limited to, zoning, building, housing, health or life safety code provisions. No person shall be able to possess more than two short term residential rental certificates for non-owner occupied premises in a multi-family dwelling.

(B) Short Term Residential Rental: A residential dwelling, exclusive of hotels or motels, boarding houses, bed and breakfast units, or other licensed dwelling units, including but not limited to a single family dwelling or a unit in a multi-unit residential building, such as an apartment building, condominium, cooperative or time share, and containing not more than five (5) bedrooms, in such zones as the same are permitted, that is rented or leased wholly or partially for overnight stays, for a fee or other exchange of consideration for a or any period(s) of thirty (30) continuous days or less, subject to certification and issuance and maintenance of

current short term residential rental permit and/or certification as otherwise provided by in Title 9, Chapter 15, Section 101, et seq., of the Red Bank City Code.

(C) Short Term Residential Rental Agent: A natural person designated to be responsible for daily operations by the owner of a short term residential rental or a short term residential rental certificate application. Such person shall be available for and responsive to contact at all times and someone who is customarily present at a location with Hamilton County, Tennessee, for purposes of transacting the short term residential rental business. The short term residential rental agent must meet all other requirements set forth by state law.

(D) Short Term Residential Rental Occupants: Guests, tourists, lessees, vacationers or any other person who, in exchange for compensation, occupy a short term residential rental dwelling unit for lodging for a period of time not to exceed thirty consecutive days, but not in any event to be from any period of time less than overnight.

Section 9-16-103. Certificate required.

No person or entity shall operate a short term residential rental unless a Short Term Residential Rental Certificate has been first obtained from the Office of the City Manager. To obtain a Short Term Residential Rental Certificate, an eligible applicant must submit an application in compliance with the provisions of this Chapter of the City Code. If approved, a legible copy of the Short Term Residential Rental Certificate shall be posted within the unit and include all of the following information:

- (a) The name, address, telephone number and email address of the owner of the short term residential rental unit and the short term residential rental agent, if applicable;
- (b) The Business License Number;
- (c) The maximum occupancy of the unit; and
- (d) The maximum number of vehicles that may be parked at the unit;
- (e) The Short Term Residential Rental Certificate number.

Short term residential rentals must be properly maintained and regularly inspected by the owner to ensure continued compliance with applicable zoning,

housing, building, health and life safety code provisions.

The decision of the OCM as to whether to issue, deny or revoke any permit shall be final, reviewable only by application for Writ of Certiorari to the Chancery Court of Hamilton County, Tennessee as provided in the Tennessee Code Annotated.

Section 9-16-104. Minimum standards for short term residential rental units

(A) A short term residential rental unit may include a primary dwelling unit and/or a secondary dwelling unit, but cannot include uninhabitable structures such as garages, barns or sheds.

(B) Dwelling unit must have functioning smoke detectors as determined by the Fire Marshal and other life safety equipment as required by local, state and federal law.

(C) Dwelling unit must meet all applicable laws related to zoning, housing, building, health or life safety.

(D) No on-site signage shall be permitted except for those short term residential rental units that are at least five (5) acres and have a dwelling unit that is not visible from the public right of way, can have directional signs placed on the parcel that shall be at least 50 feet from the public right of way. No off-site signage except for designated parking spaces to be used by occupants of the short term residential rental units. Such spaces shall not be larger than 432 square inches.

(E) there shall be no more than five (5) sleeping rooms made available for rental.

(F) Maximum occupancy: the maximum occupancy shall be determined by the total of

(i) Two (2) persons per bedroom up to 140 square feet.

(ii) For bedrooms over 140 square feet the occupant load will be determined by the area of the room divided by 70 square feet.

(iii) The occupancy maximum shall be conspicuously posted within the short term residential rental unit.

(G) The short term residential rental unit Owner shall not receive any compensation or remuneration to permit occupancy and shall not permit

occupancy of a short term residential rental property for a period of less than twenty-four (24) hours.

(H) The short term residential rental Certificate holder shall be responsible for collecting and remitting all applicable room, occupancy, and sales taxes required by state law and the City Code of the City of Red Bank.

(I) Adequate on-site parking shall be provided, as determined by the City after considering proposed/maximum permitted number of guests, frequency of operations, and availability of on-street parking (if any). As a general rule, parking shall not be allowed on any vegetated area of the premises on which the short term residential rental is located.

(J) all occupants shall abide by all applicable noise restrictions and all applicable waste management provisions of the City Code of the City of Red Bank.

(K) The name and telephone number of the owner of the short term residential rental unit or the short term residential rental Agent shall be conspicuously posted within the short term residential rental unit.

(L) The premises on which the short term residential rental unit has not been found to be in violation of any City Code provision within the six (6) months prior to submitting an application for a short term residential rental Certificate.

(M) The short term residential rental unit shall only be located within zoning district(s) which expressly permit such usages according to the Red Bank Zoning Ordinance.

Section 9-16-105. Certificate application; action on certificate application; certificate approval or appeals to City Commission

(A) Certificate applications. Applicants for a short term residential rental Certificate shall submit an application to the Office of the City Manager. The application shall be furnished under oath on a form specified by the City. Such application should include:

(i) The name, address, telephone number and email address of the owner of the short term residential rental unit and the short term residential rental Agent, if applicable;

(ii) Documentation that applicant is the owner or the short term

residential rental Agent;

(iii) The Business License number;

(iv) A site plan, drawn to scale, indicating the subject property, the building(s) on the site intended for short term residential rental unit, proposed parking and guest access;

(v) A narrative with the following:

(1) A description of the area available for short term residential rental (i.e. the entire property and house, a guest cottage, a portion of the house, etc.);

(2) A description of the number of bedrooms proposed for rental, which shall not be more than five (5) bedrooms under any circumstance;

(3) The maximum number of guests to be accommodated at one time;

(4) The days of operation (all year, just holidays, weekend/weeknights, etc.);

(5) How trash will be handled, and the method of informing occupants about method of disposal of trash; and

(vi) A copy of the Code Verification Form,

(vii) Proof of insurance on the dwelling unit.

(B) Application fee.

(i) The application fee for owner-occupied short term residential rental units shall be \$75.00.

(ii) The application fee for all other non-owner-occupied short term residential rental units shall be \$125.00.

(C) Application review.

(i) Owner occupied dwelling applying for a short term residential rental Certificate:

- (a) Upon application for short term residential rental unit, the Office of the City Manager (“OCM”) shall review the application and provide comment where necessary.
- (ii) Non-owner occupied dwellings applying for a short term residential rental Certificate:
 - (a) Upon application for short term residential rental, the Office of City Manager (“OCM”) shall review the application and provide comment where necessary. At the same time, letters are mailed to any property owner (“adjacent property owner”) who owns land within 300 feet of the subject property. Adjacent property owners shall have thirty (30) days from the date of the letter to respond, in writing, with any concerns or objections about the application.
 - (b) The OCM shall also by mail or email submit a copy of the application for short term residential rental to individual members of the City Commission.
 - (c) For those short term residential rental units requiring inspection, the OCM shall notify the Fire Marshal and the Building Inspector to ensure compliance with state and local laws.
 - (d) A sign furnished by the OCM or designee shall be prominently posted by the applicant on the site of the proposed short term residential rental unit that is the subject of the application of the short term residential rental unit. The sign shall be displayed for at least fifteen (15) consecutive days between the application and thirty (30) days thereafter.

The sign shall meet the following requirements:

- (1) Sign(s) shall be posted at the right-of-way of primary street or road on which the property fronts, in the main entrance area in case of condominium buildings, and additional areas if required by the OCM.
- (2) Sign may be mounted on flat hard surface to

prevent curling or bending of sign.

(3) Sign may be nailed or tied to a tree or mounted on stakes and shall be visually free from obstruction to said primary road.

(4) Signs improperly displayed may be ruled as a violation to the short term residential rental Application procedure and may result in deferral of any action by OCM.

(5) The applicant is responsible for replacing any sign which is damaged or lost.

(6) The applicant is responsible for removing the sign after the final governmental action.

(7) Failure of the applicant to remove the sign within thirty (30) days of either being granted or denied the short term residential rental Certificate shall be subject to a daily administrative penalty not to exceed fifty (\$50.00) dollars for each day of violation of these provisions.

(e) If no objections are received or otherwise noted by City Personnel within thirty (30) days next following submittal of the application to the OCM, and the applications meet all of the requirements set forth in this Chapter, the OCM shall so advise the City Commission and shall issue, to the applicant, a short term residential rental Certificate.

(f) If objections or appeals are made to the issuance of the short term residential rental Certificate, the OCM shall note and hold a hearing, upon notice to the applicant and the objecting parties, in a manner that it prescribes and shall determine whether to grant or deny the short term residential rental Certificate based upon the minimum standards for review as set forth herein, and any health, safety and nuisance concerns of any owner or agent of the short term residential rental unit. Such hearing shall take place not later than one hundred twenty (120) days after the application has been submitted to the OCM. The decision

of the OCM as to whether to issue, deny or revoke any permit shall be final, reviewable only by application for Writ of Certiorari to the Chancery Court of Hamilton County, Tennessee as provided in the Tennessee Code Annotated.

Section 9-16-106. Certificate approval, transferability, conditions and revocation

(A) Certificate approval. The Certificate, if approved, shall be issued for a specific site location and/or address of the proposed short term residential rental unit provided in the application as set forth in this Chapter of the City Code. The OCM reserves the right to condition the approval to a certain number of rooms, operating days/hours, signage, or other restrictions, including but not limited to vegetative or other sight screening and directional outdoor lighting requirements, as may be deemed necessary to address impacts to adjacent or nearby properties and/or to ensure safe operation of the property. Said conditions will be based on the recommendation of the OCM.

Upon receipt of a short term residential rental Certificate number, the applicant must display said number on any materials or platforms used to advertise the short term residential rental unit.

(B) Grant or denial of application. Review of an application shall be conducted in accordance with due process principles and shall be granted unless the applicant fails to meet the conditions and requirements of this Chapter, or otherwise fails to demonstrate the ability to comply with local, state or federal law. Any false statements or information provided in the application are grounds for revocation, suspension and/or imposition of penalties, including denial of future applications. The decision of the OCM as to whether to issue, deny or revoke any permit shall be final, reviewable only by application for Writ of Certiorari to the Chancery Court of Hamilton County, Tennessee as provided in the Tennessee Code Annotated.

(C) Transferability. The Certificate is non-transferable to another site, property, location or owner.

(D) Revocation. The City reserves the right to revoke and/or modify as to restrictions and/or conditions imposed a granted short term residential rental Certificate at any time upon notice to the owner of the short term residential rental Certificate Agent and after a public hearing once the property has two (2) documented City Code or other violations of any

state laws or breaches of the peace within any running 12 month period and/or based upon unreasonable interference with the use and enjoyment of adjoining or other nearby properties. Such violations shall be evidenced by a finding of guilt or fault or unreasonable interference with the use and enjoyment of nearby property owner, by court or an administrative officer or body designated by the City Commission.

A short term residential rental Certificate which is revoked shall prevent its certificate holder and the specific property from applying for a new Certificate for short term residential rental unit Certificate for a period of one (1) year from date of revocation.

Section 9-16-107. Short term residential rental unit annual fee

There shall be a short term residential rental Certificate renewal fee to be paid annually in the amount of \$50.00.

Section 9-16-108. Short term residential rental agent

(A) The owner of a short term residential rental unit shall designate a short term residential rental Agent on its application for a Certificate for a short term residential rental unit. A property owner may serve as the short term residential rental Agent. Alternatively, the owner may designate a person as his or her agent who is over age 18 and meets all local and state regulatory requirements to fulfill the duties of a short term residential rental Agent.

(B) The duties of the short term residential rental Agent are to:

- (i) Be reasonably available to handle any problems arising from use of the short term residential rental unit;
- (ii) Appear on the premises of any short term residential rental unit within two hours following notification from the City of issues related to the use or occupancy of the premises. This includes, but is not limited to, notification that occupants of the short term residential rental unit have created unreasonable noise or disturbances, engaged in disorderly conduct or committed violations of the City Code or other applicable law pertaining to noise, disorderly conduct, overcrowding, consumption of alcohol, or use of illegal drugs. Failure of the agent to timely appear to two or more complaints regarding violations may be grounds for penalties and/or permit/certificate revocations as set forth in this Chapter. This is not intended to impose a duty to act as a peace

officer or otherwise require the agent to place himself or herself in a perilous situation;

(iii) Receive and accept service of any notice of violation or notice of hearing related to the short term residential rental unit; and

(iv) Monitor the short term residential rental unit for compliance with laws.

(C) An owner may change his or her designation of a short term residential rental Agent temporarily or permanently; however, there shall only be one such agent for a property at any given time. To change the designated agent, the owner shall notify the OCM in writing of the new agent's identity, together with all information regarding such person as required by the applicable provisions of this Chapter.

Section 9-16-109. Failure to obtain certificate; penalties

Any violation of this Article, including failure to obtain a Certificate, shall be punishable by a fine/civil penalty of not less than twenty-five (\$25.00) dollars or more than fifty (\$50.00) dollars per violation. Each day that the violation continues shall be a separate offense. There shall be a rebuttable presumption a person or entity is in violation of this Chapter if they list or hold out a property as a short term residential rental unit without first obtaining a short term residential rental Certificate. This rebuttable presumption also applies to those dwellings featured on websites whose primary purpose is business related to short term residential rental reservations.

Section 9-16-110. Invalidity of part; private agreements and covenants

Should any court of competent jurisdiction declare any section, clause or provision so declared unconstitutional, such decision shall affect only such section, clause, or provision so declared unconstitutional, and shall not affect any other section, clause or provisions of this Article. Additionally, this Chapter shall in no way be used to supersede any privately created agreements or covenants by any homeowner associations or developers restricting certain uses.

SECTION 2. Every section, clause, and phrase of this Ordinance is separable and severable. Should any section, sentence, clause, or phrase be declared unconstitutional or invalid by a court of competent jurisdiction, said unconstitutionality or invalidity shall not effect or impair any other section, sentence, clause, or phrase.

SECTION 3. This Ordinance shall take effect from and after the date of its final passage the health, safety and welfare of the citizens of the City of Red Bank requiring it.

Mayor

City Recorder

Passed on First Reading

Passed on Second and Final Reading

Approved as to form:

City Attorney

ORDINANCE NO. 18-

AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO AMEND
ORDINANCE NO. 15-1020, THE RED BANK ZONING ORDINANCE TO
CLARIFY ZONING REGULATIONS RELATED TO SHORT TERM RENTAL
UNITS

WHEREAS, the City Commission recognizes the increasing existence, locally, regionally, statewide and nationally, of commercial and/or quasi-commercial endeavors whereby residential dwelling units are leased, rented, utilized or occupied, in exchange for a fee and/or various forms of consideration, on a short term basis, and often advertised on or promoted pursuant to internet or digitally based platforms and/or other forms of social media; and

WHEREAS, the current Red Bank Zoning Ordinance and regulations clearly prohibit such commercial or quasi-commercial or similar residential occupancy endeavors in almost all of the residential zones of the City, and except as relates to zones R-3 and zones R-4 Special, i.e. in the context of boarding and/or rooming houses as defined in the Red Bank City Zoning Ordinance; and

WHEREAS, the Board finds and determines that the present utilization of commercial and/or quasi-commercial short term rental units within most of the residential zones in the City, except zones R-3 and R-4 Special would be contrary to the land use plan and to the finding and objectives of the City, would be likely deleterious to the community residential atmosphere(s) sought to be fostered and encouraged by the Commission and by the Red Bank Planning Commission; and

WHEREAS, utilization of residential properties by short term occupants, on a commercial or quasi-commercial basis, likely increases the risk and likelihood of potentially irresponsible and/or interruptive behavior or conduct by some short term rental unit occupants and is of sufficient concern to recommend prohibition of such uses in all residential zones except for R-3 and R-4 Special; and

WHEREAS, short term residential rental units are more compatible with zoning uses and zoning plans found in the commercial zones in the City of Red Bank where more adequate and appropriate facilities, customs and similar uses have historically been encouraged, permitted and provided for.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Red Bank, Tennessee, as follows:

SECTION 1. Ordinance No. 15-1020, codified at Red Bank City Code Section 14-101-14-1101, et seq., shall be and the same is hereby amended as follows:

I. SECTION 14-202. Definitions

(A) Add a new subsection, to wit:

202.82 Short Term Residential Rental Unit: A residential dwelling, exclusive of hotels or motels, boarding houses, bed and breakfast units, or other licensed dwelling units, including but not limited to a single family dwelling or a unit in a multi-unit residential building, such as an apartment building, condominium, cooperative or time share, and containing not more than five (5) bedrooms, in such zones as the same are permitted, that is rented or leased wholly or partially for overnight stays, for a fee or other exchange of consideration for a or any period(s) of thirty (30) continuous days or less, subject to certification and issuance and maintenance of current short term residential rental permit and/or certification as otherwise provided by in Title 9, Chapter 16, Section 101, et seq., of the Red Bank City Code.

II. SECTION 14-301. R-1 Residential Zone

(A) Renumber subsection 3.01.01, Permitted Uses, as 301.01(A), Permitted Uses.

(B) Add a new subsection, to wit:

301.01 (B) Prohibited Uses

- (1) Uses expressly permitted in any other zoning district unless also expressly permitted in this zoning district.
- (2) Any commercial or quasi-commercial use or usages except as expressly permitted herein.
- (3) Any industrial uses.
- (4) Any use not closely similar in character and impact as the above specified and allowed/permitted uses including but not limited to the prohibited uses specified below, provided that the final interpretation of this subsection, if necessary, shall be by the Red Bank City Commission upon recommendation of the Red Bank Planning Commission.
- (5) Short term residential rental units

III. SECTION 14-303. R-1 Open Space Residential Zone

(A) Renumber subsection 303.04, Permitted Uses, as 303.04(A), Permitted Uses.

(B) Add a new subsection, to wit:

- 303.04(B) Prohibited Uses
- (1) Uses expressly permitted in any other zoning district unless also expressly permitted in this zoning district.
 - (2) Any commercial or quasi-commercial use or usages except as expressly permitted herein.
 - (3) Any industrial uses.
 - (4) Any use not closely similar in character and impact as the above specified and allowed/permitted uses including but not limited to the prohibited uses specified below, provided that the final interpretation of this subsection, if necessary, shall be by the Red Bank City Commission upon recommendation of the Red Bank Planning Commission.
 - (5) Short term residential rental units

IV. SECTION 14-304. R-2 Residential Zone

(A) Renumber subsection 304.01, Permitted Uses, as 303.01(A), Permitted Uses.

(B) Add a new subsection, to wit:

- 304.01(B) Prohibited Uses
- (1) Uses expressly permitted in any other zoning district unless also expressly permitted in this zoning district.
 - (2) Any commercial or quasi-commercial use or usages except as expressly permitted herein.
 - (3) Any industrial uses.
 - (4) Any use not closely similar in character and impact as the above specified and allowed/permitted uses including but not limited to the prohibited uses specified below, provided that the final interpretation of this subsection, if necessary, shall be by the Red Bank City Commission upon recommendation of the Red Bank Planning Commission.
 - (5) Short term residential rental units

V. SECTION 14-305. R-3 Residential Zone

(A) Renumber subsection 305.01, Permitted Uses, as 305.01(A), Permitted Uses and add a new subsection (N) to the list of permitted uses:
(N) Short Term Residential Rental Units, subject to certification and issuance and maintenance of current short term residential rental permit

and/or certification as otherwise provided by in Title 9, Chapter 16, Section 101, et seq., of the Red Bank City Code.

(B) Add a new subsection, to wit:

305.01(B) Prohibited Uses

- (1) Uses expressly permitted in any other zoning district unless also expressly permitted in this zoning district.
- (2) Any commercial or quasi-commercial use or usages except as expressly permitted herein.
- (3) Any industrial uses.
- (4) Any use not closely similar in character and impact as the above specified and allowed/permitted uses including but not limited to the prohibited uses specified below, provided that the final interpretation of this subsection, if necessary, shall be by the Red Bank City Commission upon recommendation of the Red Bank Planning Commission.

(C) Amend 305.01(A)(J), Permitted Uses, to read:

- (J) Boarding and lodging houses, and short term residential rental units.

VI. SECTION 14-306. R-4 Special Zone

(A) Renumber subsection 306.01, Permitted Uses, as 306.01(A), Permitted Uses and add a new subsection (N) to the list of permitted uses:
(N) Short Term Residential Rental Units, subject to certification and issuance and maintenance of current short term residential rental permit and/or certification as otherwise provided by in Title 9, Chapter 16, Section 101, et seq., of the Red Bank City Code.

(B) Add a new subsection, to wit:

306.01(B) Prohibited Uses

- (1) Uses expressly permitted in any other zoning district unless also expressly permitted in this zoning district.
- (2) Any commercial or quasi-commercial use or usages except as expressly permitted herein.
- (3) Any industrial uses.
- (4) Any use not closely similar in character and impact as the above specified and allowed/permitted uses

including but not limited to the prohibited uses specified below, provided that the final interpretation of this subsection, if necessary, shall be by the Red Bank City Commission upon recommendation of the Red Bank Planning Commission.

- (C) Amend 306.01(A)(B), Permitted Uses, to read:
 - (B) Lodging, rooming and boarding houses, and short term residential rental units

VII. SECTION 14-307. PUD Planned Unit Development

- (A) Add a new subsection, to wit:

307.02(B) Prohibited Uses

- (1) Uses expressly permitted in any other zoning district unless also expressly permitted in this zoning district.
- (2) Any commercial or quasi-commercial use or usages except as expressly permitted herein.
- (3) Any industrial uses.
- (4) Any use not closely similar in character and impact as the above specified and allowed/permitted uses including but not limited to the prohibited uses specified below, provided that the final interpretation of this subsection, if necessary, shall be by the Red Bank City Commission upon recommendation of the Red Bank Planning Commission.
- (5) Short term residential rental units

VIII. SECTION 14-308. RT-1 Residential Townhouse Zone

- (A) Renumber subsection 308.02, Permitted Uses, as 308.02(A), Permitted Uses.

- (B) Add a new subsection, to wit:

308.02(B) Prohibited Uses

- (1) Uses expressly permitted in any other zoning district unless also expressly permitted in this zoning district.
- (2) Any commercial or quasi-commercial use or usages except as expressly permitted herein.
- (3) Any industrial uses.
- (4) Any use not closely similar in character and impact

as the above specified and allowed/permitted uses including but not limited to the prohibited uses specified below, provided that the final interpretation of this subsection, if necessary, shall be by the Red Bank City Commission upon recommendation of the Red Bank Planning Commission.

- (5) Short term residential rental units

IX. SECTION 14-309. RZ-1 Zero Lot Line Residential Zone

(A) Renumber subsection 309.02, Permitted Uses, as 309.02(A), Permitted Uses.

(B) Add a new subsection, to wit:

309.02(B) Prohibited Uses

- (1) Uses expressly permitted in any other zoning district unless also expressly permitted in this zoning district.
- (2) Any commercial or quasi-commercial use or usages except as expressly permitted herein.
- (3) Any industrial uses.
- (4) Any use not closely similar in character and impact as the above specified and allowed/permitted uses including but not limited to the prohibited uses specified below, provided that the final interpretation of this subsection, if necessary, shall be by the Red Bank City Commission upon recommendation of the Red Bank Planning Commission.
- (5) Short term residential rental units

X. SECTION 14-310. R-T/Z Residential Townhouse/Zero Lot Line Zone

(A) Renumber subsection 310.02, Permitted Uses, as 310.02(A), Permitted Uses.

(B) Add a new subsection, to wit:

310.02(B) Prohibited Uses

- (1) Uses expressly permitted in any other zoning district unless also expressly permitted in this zoning district.
- (2) Any commercial or quasi-commercial use or usages except as expressly permitted herein.
- (3) Any industrial uses.

(4) Any use not closely similar in character and impact as the above specified and allowed/permitted uses including but not limited to the prohibited uses specified below, provided that the final interpretation of this subsection, if necessary, shall be by the Red Bank City Commission upon recommendation of the Red Bank Planning Commission.

(5) Short term residential rental units

XI. SECTION 14-311. R-5 Residential Zone

(A) Renumber subsection 311.01, Permitted Uses, as 311.01(A), Permitted Uses.

(B) Add a new subsection, to wit:

311.01(B) Prohibited Uses

(1) Uses expressly permitted in any other zoning district unless also expressly permitted in this zoning district.

(2) Any commercial or quasi-commercial use or usages except as expressly permitted herein.

(3) Any industrial uses.

(4) Any use not closely similar in character and impact as the above specified and allowed/permitted uses including but not limited to the prohibited uses specified below, provided that the final interpretation of this subsection, if necessary, shall be by the Red Bank City Commission upon recommendation of the Red Bank Planning Commission.

(5) Short term residential rental units

XII. SECTION 14-402. C-1 Commercial Zone

(A) Amend subsection 402.02(K), Permitted Uses, to read as follows:

(K) Hotels/motels, short term residential rental units, subject to certification and issuance and maintenance of current short term residential rental permit and/or certification as otherwise provided by in Title 9, Chapter 16, Section 101, et seq., of the Red Bank City Code.

XIII. SECTION 14-404. C-2 Commercial Zone (Central Business District)

(A) Amend subsection 404.02, Permitted Uses, at subsection (S) thereof to read:

(S) Single-family detached dwellings, except manufactured

homes, but to include short term residential rental units, subject to certification and issuance and maintenance of current short term residential rental permit and/or certification as otherwise provided by in Title 9, Chapter 16, Section 101, et seq., of the Red Bank City Code.

(B) Amend subsection 404.03, Prohibited Uses, at subsection (H) thereof to correct a typographical/stenographic error so that subsection (H) reads:

(H) New or used automobile, boat, farm equipment, motorcycle, recreational vehicle sales or dealerships or uses similar in character

(C) Amend subsection 404.03(K), Prohibited Uses, to read as follows:

(K) In general, any use not in keeping with the character and intent of this zone, i.e. uses expressly permitted in any other zoning district unless also expressly permitted in this zoning district, any industrial uses

XIV. SECTION 14-405. C-3 Neighborhood Commercial Zone

(A) Amend subsection 405.03(Q), Permitted Uses, to read as follows:

(Q) Dwellings, excluding manufactured or mobile homes when in the same building as one of the permitted uses, including, if applicable, short term residential rental units, subject to certification and issuance and maintenance of current short term residential rental permit and/or certification as otherwise provided by in Title 9, Chapter 16, Section 101, et seq., of the Red Bank City Code.

SECTION 2. Every section, clause, and phrase of this Ordinance is separable and severable. Should any section, sentence, clause, or phrase be declared unconstitutional or invalid by a court of competent jurisdiction, said unconstitutionality or invalidity shall not effect or impair any other section, sentence, clause, or phrase.

SECTION 3. This Ordinance shall take effect from and after the date of its final passage the health, safety and welfare of the citizens of the City of Red Bank requiring it.

Mayor

City Recorder

Air BnB Bill Summary and Analysis from Bill Terry (4/30/2017)

SUMMARY OF NEW SENATOR STEVENS AirBnb AMENDMENT

1. Requires that any residential dwelling, whether it is owned by investors or occupied by the owner, which is rented for any period of time may not be considered a commercial activity, regardless of the length of time it is rented. In other words, the operation of an STRP within a residential neighborhood must be considered a residential use; and, therefore is a permissible use of property within a residential neighborhood.
2. Prohibits a local governing body from taking any action that would prohibit or limit the use of owner-occupied as a short-term rental anywhere in the city. Grandfathers any action taken by a governing body to limit or prohibit owner-occupied properties as STRPs prior to January 1, 2017.
3. For period of time between April 1, 2017 and March 31, 2019 , prohibits a local governing body from taking any action that would prohibit or limit the use of investor-owned property as a short-term rental anywhere in the city. Grandfathers any action taken by a governing body to limit or prohibit the use of investor-owned properties as STRPs prior to April 1, 2017.
4. Any action taken by a local governing body that is grandfathered under points 2 and 3 above may not be amended to expand the grandfathered prohibition, limitation or effective prohibition.
5. Allows HOA, condominium and cooperatives to prohibit or restrict use of property under its jurisdiction as an STRP.
6. Requires TACIR to complete a review and evaluation of property as a STRP and the economic impact of STRPs by July 1, 2018.

ANALYSIS

Contrary to other committee's and Senate sponsor's prior actions this latest amendment is contrary to and in direct conflict with the actions of the Senate Commerce Committee, House Local Government Committee, House Budget Subcommittee and House Finance Committee.

It is even more confounding that the sponsor of this latest amendment is the author of the amendment adopted by these four committees that deletes the preemption language.

ANALYSIS CONTINUED

Owner-occupied properties as STRPs

This amendment preempts local zoning and removes local resident's voice in determining the composition of residential neighborhoods. Plain and simple, single-family residential neighborhoods will be open game for operation of STRPs. If this amendment is adopted, any owner could begin to operate his/her property as an STRP in a residential neighborhood at any time in the future.

Investor-owned properties as STRPs

While the ban on local action to prohibit or limit investor-owned properties from operating as and STRP expires on March 31, 2019, inclusion of this provision is certain to invite a speculative land rush as investors are given advance warning of the limited window within which they must begin to operate an STRP. Remember, investor-owned means the owner is not present in the home during the rental.

Moreover, it is likely that few, if any, of the investors operating the STRP reside within the city. And what is to become of these properties after the 2-year moratorium on local action expires? Well, supporters of this legislation have made it abundantly clear that any property operating as a STRP should be permitted to continue to operate in that capacity regardless of any subsequent actions by the state or local government. So, it stands to reason that this amendment will be followed by another bill seeking to grandfather those investor-owned STRPs in operation at the conclusion of the moratorium.

Sure, the bill allows local regulation of STRPs so long as the regulation doesn't interfere with the owner's ability to operate as an STRP. Well, cities already possess the authority to regulate properties within their corporate limits. Therefore, cities don't need legislation in order to regulate STRPS, it can be done today. The point is that a community may not want STRPs operating in some or all of its residential neighborhoods. As such, it offers neighborhoods little comfort to say that you have to accept these properties in your neighborhood against your wishes, but once they are there, your local governing body can regulate these rentals. In preempting local zoning authority, the state is mandating that every community allow STRPs to operate anywhere in the city, including residential neighborhood. Thus, the wishes, desires and preferences of the residents directly affected will be silenced, if this amendment is adopted.



Southeast Tennessee Development District
1000 Riverfront Parkway
Chattanooga, TN 37405
Phone: (423) 266-5781
www.sedev.org

MEMORANDUM

To: Members of the Red Bank Municipal Planning Commission
From: Brian Taylor, SETDD Regional Planner
Date: February 7, 2018
Subject: Draft Amendments to Parking Regulations and Penalties in Red Bank City Code

SUMMARY

Proposal:	Amendments to Parking Regulations and Penalties in City Code
Background:	The City has proposed an amendment to the City Code that modifies parking regulations and citations.

ANALYSIS

The proposed amendments to the Red Bank City Code are summarized below.

Amendment to Title 15, Chapter 6, Adding Section 616

AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO ADDRESS THE TOPIC OF PROBLEMATIC OFFSTREET PARKING, REGULATIONS AND PROHIBITIONS OF AUTOMOBILES, TRUCKS, TRAILERS AND OTHER SIMILAR VEHICLES AND EQUIPMENT UPON STREETS, ROADWAYS AND RIGHTS-OF-WAY WITHIN THE CITY OF RED BANK AND TO ADD A NEW SECTION TO TITLE 15, CHAPTER 6, OF THE RED BANK CITY CODE

- Automobiles shall be parked a minimum of 3' from rear or side lot line and 10' from public ROW
- Travel trailers shall have a maximum length of 35' and maximum height of 8'
- Only 1 motor home, travel trailer, camper or RV permitted on a residential lot
- No motor home, travel trailer, camper or RV shall remain in storage for more than 11 months
- Only 1 commercial vehicle with weight capacity under 2 tons permitted on a residential lot
- Exception for construction vehicles and trailers actively engaged in construction activity on site

Amendment to Title 15, Chapter 7, Section 706

AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO AMEND TITLE 15, CHAPTER 7, SECTIONS 706, OF THE RED BANK CITY CODE IN ORDER TO UPDATE THE PENALTY PROVISIONS OF SAID SECTION AS RELATES TO PARKING CITATIONS

- Parking meter violations raised from \$2 to \$10
- \$25 fine for other parking violations in specified in Section 15-601 for first 10 days; \$50 fine thereafter for each occurrence

Amendment to Title 15, Chapter 6, Section 601

AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO ESTABLISH A GENERAL PENALTY CLAUSE FOR VIOLATIONS OF TITLE 15, CHAPTER 6, SECTIONS 601, ET SEQ.

- A fine not to exceed \$50 for violation of provisions in Chapter 6

Amendment to Title 15, Chapter 6, Section 604 and Chapter 7, Section 704

AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO REGULATE THE PARKING OF AUTOMOBILES, TRUCKS, TRAILERS AND OTHER SIMILAR VEHICLES AND EQUIPMENT UPON STREETS, ROADWAYS AND RIGHTS-OF-WAY WITHIN THE CITY OF RED BANK AND TO AMEND TITLE 15, CHAPTER 6, SECTION 16-604 AND CHAPTER 7, SECTION 15-704 OF THE RED BANK CITY CODE

- “Vehicle” defined as any automobile, truck, tractor, tractor trailer, trailer, trailer body, mobile home, house trailer, camper trailer, bus or any similar vehicle, means of conveyance or equipment and whether or not motorized or capable of movement.
- Locations where parking of vehicles is prohibited:
 - Sidewalks, within 10’ of driveway or curb, within 20’ of intersection, within 30’ of stop sign or traffic control device, on bridge, in tunnel, within 50’ of RR crossing, within 15’ of fire hydrant, within crosswalk
 - In or adjacent to any residentially zoned real property in the City where the width of pavement is $\leq 24'$
- Police officers and/or fire officials authorized to impound vehicles under certain circumstances
- Unspecified impoundment fee to be established

ORDINANCE NO. 17-

AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO ADDRESS THE TOPIC OF PROBLEMATIC OFFSTREET PARKING, REGULATIONS AND PROHIBITIONS OF AUTOMOBILES, TRUCKS, TRAILERS AND OTHER SIMILAR VEHICLES AND EQUIPMENT UPON STREETS, ROADWAYS AND RIGHTS-OF-WAY WITHIN THE CITY OF RED BANK AND TO ADD A NEW SECTION TO TITLE 15, CHAPTER 6, OF THE RED BANK CITY CODE

WHEREAS, the proliferation of the number of vehicles and residents in the City of Red Bank, both in terms of transient and residents, have, over time, tended to result in multiple issues related to traffic, not the least of which is parked vehicles blocking the view of vehicular traffic, restricting access to neighborhoods, impeding and possibly impeding the passage of police, fire, and emergency vehicles, garbage trucks, public works vehicles, school buses and other larger motor vehicles which much necessarily traverse the City's roads and rights-of-way; and

WHEREAS, such proliferation of traffic and additional vehicles upon the streets, roadways and rights-of-way of the City tend to create an unsafe environment for children playing in the neighborhood, other recreational activities, such as bicycling, running, walking; and

WHEREAS, such proliferation of traffic and additional vehicles upon the streets, roadways and rights-of-way of the City also have a tendency to detract from neighborhood and area aesthetics, has often resulted in a proliferation and/or conception of multiple larger type vehicles being parked or stored on the grounds of residential neighborhoods; and

WHEREAS, the existing regulatory framework for parking, and the stopping and standing of vehicles and automobiles, trucks, trailers, delivery vehicles and similar modes of conveyance have not been addressed, in terms of Ordinances or regulations, in several years; and

WHEREAS, it is necessary to enact further and to revise existing Ordinances, rules and regulations with respect to outdoor parking and stopping and standing of motor vehicles both on or public and/or private property.

NOW, THEREFORE, in order to address and regulate the parking of automobiles, trucks, trailers, vans, and motor vehicles and other means of conveyances upon roadways and rights-of-way and upon privately owned residentially zoned within the City of Red Bank, BE IT ORDAINED by the City Commission of the City of Red Bank, Tennessee, as follows:

Section 1. That Title 15, Chapter 6, Section 16-616, is amended by adding a new Section as follows:

15-616. Offstreet parking prohibitions and private properties residential property zones. It shall be unlawful for anyone to store outside of an enclosed building any vehicles, automobiles, trucks, trailers, commercial vehicles, motor vehicles, recreational vehicles, boats, motor homes, travel trailers, or campers on properties in any residential zoned districts except and unless in compliance with the following rules and regulations:

- (1) Such parking or storage shall be located not closer than three (3) feet to any side or rear lot line and ten (10) feet from any property line fronting upon any street or right-of-way.
- (2) Travel trailers or campers shall not exceed thirty-five (35) feet in length, eight (8) feet in width, and/or _____ () feet in height.
- (3) Only one (1) such motor home, travel trailer, camper or recreational vehicle or boat shall be permitted to be stored outdoors on any residential lot in any residential zoned district.
- (4) No travel trailer, camper, camper trailer, motor home, boat or other recreational motor vehicle otherwise stored in conformance with this subsection shall remain in storage for more than eleven (11) consecutive months in any running twelve (12)

month period and with a required minimum absence of at least thirty (30) consecutive days during any such time period.

- (5) Any such vehicle otherwise stored in compliance with this subsection shall be placed only for storage and parking and shall not, under any circumstances or for any period of time, be occupied by any person or persons as a temporary place of abode or otherwise utilized for sleeping, or occupancy under any circumstances and shall not be provided with any utility connections, water, electricity, gas, or other temporary or permanent connections of same except of and with respect to minimal vehicle maintenance. Neither shall any such vehicles, trailers, or motor homes be used for a work shop of any kind or for storage for any non-recreational type material.
- (6) Construction trailers and vehicles, actively engaged in construction on sitet and for an active construction site are exempted from the provisions of this Ordinance use provisions provided that the same shall not remain in place for any period of time exceeding thirty (30) days beyond which active construction shall have been interrupted or ceased and/or for a longer period of time than _____ () months in any running _____ () month period, with at least a 30 day hiatus and removal of the trailer from the premises during such running month. Any such construction trailers and/or vehicles shall be required to adhere to all set-back distance requirements hereof.
- (7) Only one (1) commercial vehicle of a weight capacity not exceeding two (2) tons and with no more than two (2) axles owned or used by a resident of the premises shall be permitted to be regularly parked or garaged on any lot in any residential zoning district and/or on any residential zoned property. For the purposes of this Ordinance a commercial vehicle is a bus, van or vehicle, trailer, truck, recreational vehicle, motor home, travel trailer, camper, or camper trailer which displays advertising material of any kind or nature whatsoever intended to promote the interest of any business, whether or not said vehicle is registered as a commercial vehicle with the State of Tennessee and/or any other state division motor vehicles of the like.

SECTION 2. Every section, clause, and phrase of this Ordinance is separable and severable. Should any section, sentence, clause, or phrase be declared unconstitutional or invalid by a court of competent jurisdiction, said unconstitutionality or invalidity shall not effect or impair any other section, sentence, clause, or phrase.

SECTION 3. This Ordinance shall take effect from and after the date of its final passage the health, safety and welfare of the citizens of the City of Red Bank requiring it.

Mayor

City Recorder

Passed on First Reading

Passed on Second and Final Reading

Approved as to form:

City Attorney

ORDINANCE NO. 17-

AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO AMEND TITLE 15, CHAPTER 7, SECTIONS 706, OF THE RED BANK CITY CODE IN ORDER TO UPDATE THE PENALTY PROVISIONS OF SAID SECTION AS RELATES TO PARKING CITATIONS

WHEREAS, the City Commission for the City of Red Bank has determined and it is necessary to update and modernize the penalty section for parking citations and parking violations found in the above recited section of the Red Bank City Code.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Red Bank, Tennessee, as follows:

SECTION 1. Title 15, Chapter 7, Section 706, subsection (2), Parking Citations. (a) Parking meter, is revised so as to provide that the fine for parking meter violation(s) shall be Ten (\$10.00) dollars and all references to two (\$2.00) dollars are deleted.

SECTION 2. Title 15, Chapter 7, Section 706, subsection (2), Parking Citations, (b) Other parking violations, shall be revised so as to read as follows:

- (b) Other parking violations. For other parking violations, including but not limited to those specified in Title 15, Chapter 6, Sections 15-601, et seq., of this Code, any person found in violation thereof may similarly waive his right to a judicial hearing and have the charges disposed of out of court but the fine shall be Twenty-Five (\$25.00) dollars within the first ten (10) days and Fifty (\$50.00) dollars thereafter for each occurrence, as to which each day constitutes a separate offense and except that, if said offense and citation be predicated upon a failure by the offender to obey an order of a police officer or of a fire department official or fire department personnel to move a parked vehicle, a separate offense occurs every hour (60 minute interval) that such order is not obeyed and shall be thereby subject to the imposition of multiple fines within any given twenty-four (24) hour period.

SECTION 3. Every section, clause, and phrase of this Ordinance is separable and severable. Should any section, sentence, clause, or phrase be declared unconstitutional or invalid by a court of competent jurisdiction, said unconstitutionality or invalidity shall not effect or impair any other section, sentence, clause, or phrase.

SECTION 4. This Ordinance shall take effect from and after the date of its final passage the health, safety and welfare of the citizens of the City of Red Bank requiring it.

Mayor

City Recorder

Passed on First Reading

Passed on Second and Final Reading

Approved as to form:

City Attorney

ORDINANCE NO. 17-

AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO ESTABLISH
A GENERAL PENALTY CLAUSE FOR VIOLATIONS OF TITLE 15, CHAPTER
6, SECTIONS 601, ET SEQ.

WHEREAS, the proliferation of the number of vehicles and residents in the City of Red Bank, both in terms of transient and residents, have, over time, tended to result in multiple issues related to traffic, not the least of which is parked vehicles blocking the view of vehicular traffic, restricting access to neighborhoods, impeding and possibly impeding the passage of police, fire, and emergency vehicles, garbage trucks, public works vehicles, school buses and other larger motor vehicles which must necessarily traverse the City's roads and rights-of-way; and

WHEREAS, such proliferation of traffic and additional vehicles upon the streets, roadways and rights-of-way of the City tend to create an unsafe environment for children playing in the neighborhood, other recreational activities, such as bicycling, running, walking; and

WHEREAS, such proliferation of traffic and additional vehicles upon the streets, roadways and rights-of-way of the City also have a tendency to detract from neighborhood and area aesthetics; and

WHEREAS, the existing regulatory framework for parking, and the stopping and standing of vehicles and automobiles, trucks, trailers, delivery vehicles and similar modes of conveyance have not been addressed, in terms of Ordinances or regulations, in several years; and

WHEREAS, it is necessary to enact further and to revise existing Ordinances, rules and regulations with respect to parking and stopping and standing of motor vehicles both on or within City streets and rights-of-way and on adjacent public and/or private property.

NOW, THEREFORE, in order to address and regulate the parking of automobiles, trucks, trailers, vans, and motor vehicles and other means of conveyances upon roadways and rights-of-way within the City of Red Bank, and to provide for measured and appropriate enforcement of such Ordinance and regulations, BE IT ORDAINED by the City Commission of the City of Red Bank, Tennessee, as follows:

SECTION 1. Any persons violating the provisions of any of the provisions of this Chapter shall be subject to a fine of not to exceed Fifty (\$50.00) dollars for each incident. If the violation is continuing in nature, each and every day during which it continues will constitute a separate and distinct offense except that, in the event that any owner, operator, or person possessing or in possession of any motor vehicle found to be in violation of the terms, provisions and conditions of this Ordinance who shall disobey or refuse to obey an order of a police officer of the City of Red Bank and/or Fire Department personnel on active duty shall be subject to a fine of Fifty (\$50.00) for each failure to remove any such vehicle, and/or for obstructing and/or interfering with the efforts of any such police officer to remove a vehicle pursuant to the terms of this Chapter for any period or multiple periods of one (1) hour or more. Said violations to be noted by citation to the City Court to answer for any such violation.

SECTION 2. Notwithstanding the provisions of Section 1, supra, any such vehicle(s) which are not removed as ordered by Police or Fire personnel are nevertheless also subject to impoundment or removal as otherwise provided in this Chapter.

SECTION 3. Every section, clause, and phrase of this Ordinance is separable and severable. Should any section, sentence, clause, or phrase be declared unconstitutional or invalid by a court of competent jurisdiction, said unconstitutionality or invalidity shall not effect or impair any other section, sentence, clause, or phrase.

SECTION 4. This Ordinance shall take effect from and after the date of its final passage the health, safety and welfare of the citizens of the City of Red Bank requiring it.

Mayor

City Recorder

Passed on First Reading

Passed on Second and Final Reading

Approved as to form:

City Attorney

ORDINANCE NO. 17-

AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO REGULATE THE PARKING OF AUTOMOBILES, TRUCKS, TRAILERS AND OTHER SIMILAR VEHICLES AND EQUIPMENT UPON STREETS, ROADWAYS AND RIGHTS-OF-WAY WITHIN THE CITY OF RED BANK AND TO AMEND TITLE 15, CHAPTER 6, SECTION 16-604 AND CHAPTER 7, SECTION 15-704 OF THE RED BANK CITY CODE

WHEREAS, the proliferation of the number of vehicles and residents in the City of Red Bank, both in terms of transient and residents, have, over time, tended to result in multiple issues related to traffic, not the least of which is parked vehicles blocking the view of vehicular traffic, restricting access to neighborhoods, impeding and possibly impeding the passage of police, fire, and emergency vehicles, garbage trucks, public works vehicles, school buses and other larger motor vehicles which must necessarily traverse the City's roads and rights-of-way; and

WHEREAS, such proliferation of traffic and additional vehicles upon the streets, roadways and rights-of-way of the City tend to create an unsafe environment for children playing in the neighborhood, other recreational activities, such as bicycling, running, walking; and

WHEREAS, such proliferation of traffic and additional vehicles upon the streets, roadways and rights-of-way of the City also have a tendency to detract from neighborhood and area aesthetics; and

WHEREAS, the existing regulatory framework for parking, and the stopping and standing of vehicles and automobiles, trucks, trailers, delivery vehicles and similar modes of conveyance have not been addressed, in terms of Ordinances or regulations, in several years; and

WHEREAS, it is necessary to enact further and to revise existing Ordinances, rules and regulations with respect to parking and stopping and standing of motor vehicles both on or within City streets and rights-of-way and on adjacent public and/or private property.

NOW, THEREFORE, in order to address and regulate the parking of automobiles, trucks, trailers, vans, and motor vehicles and other means of conveyances upon roadways and rights-of-way within the City of Red Bank, BE IT ORDAINED by the City Commission of the City of Red Bank, Tennessee, as follows:

Section 1. That Title 15, Chapter 6, Section 16-604, be and the same is hereby deleted in its entirety and there is substituted in its place and stead the following:

15-604. Stopping, standing, and parking prohibited and/or regulated in certain specified places and/or circumstances.

- (1) Definitions. For the purposes of this Chapter of the Red Bank City Code, "vehicle" shall be defined to be and reference any automobile, truck, tractor, tractor trailer, trailer, trailer body, mobile home, house trailer, camper trailer, bus or any similar vehicle, means of conveyance, or equipment and whether or not motorized or capable of movement.
- (2) No person shall stop, stand or park any vehicle except when necessary to avoid conflict with other traffic or in compliance with law and/or directions of a police officer, fire department personnel, emergency response personnel, or any traffic control device in any of the following circumstances, places, or on any city street or city right-of-way regardless of width of pavement:
 - (a) On a sidewalk.
 - (b) Within ten (10) feet of or in front of any public or private driveway or curb cut.
 - (c) Within twenty (20) feet of any intersection.

- (d) Within fifteen (15) feet of any fire hydrant.
- (e) On or within any crosswalk for pedestrians or non-motorized vehicular traffic.
- (f) Within twenty (20) feet of a crosswalk at any intersection.
- (g) Within thirty (30) feet upon the approach to any flashing beacon, stop sign or other traffic-control signal located at the side of any street or roadway.
- (h) Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless the local traffic authority indicates a different length by signs or markings.
- (i) Within fifty (50) feet of the nearest rail of a railroad crossing.
- (j) Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance of any fire station within seventy-five (75) feet of such entrance, when properly signposted.
- (k) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic.
- (l) On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
- (m) Upon any bridge or other elevated structure upon a highway or within a highway tunnel.
- (n) At such place or places, marked by signage as the City shall determine, and designated by the City Manager who, upon consultation with the Chief of Police and/or the Fire Chief or other professionals, as shall have or potentially have the possibility of impeding the passage and/or access by police, fire, emergency response vehicles, school buses, garbage trucks or public works vehicles, and/or which may be otherwise potentially detrimental to the safe passage of motor vehicles, bicycles or similar conveyances or which may otherwise potentially create an unsafe environment for children playing or for other recreational type activities.
- (o) Alongside any curb painted the color "yellow" or otherwise designated "NO PARKING" by the City.
- (p) In or adjacent to any residentially zoned real property in the City where the width of pavement is equal to or less than twenty-four (24) feet measured from curb to curb or where there is no such curb from pavement edge to pavement edge.
- (q) In any other manner or fashion, so as to impede or potentially impede the safe and free passage of any fire, police, or other emergency responders, school buses, garbage trucks or any City Public Works vehicles and/or the motoring public in general.

Provided and except that the prohibitive provisions of this Ordinance shall not apply to any vehicle belonging to any governmental entity or agency while engaged in official business of such governmental entity or agency, provided further that personnel from or of and with respect to such governmental agency or entity shall obey the lawful orders and commands of any police officer of the City of Red Bank engaged in official business of and with respect to requiring such governmental employee or officer to adhere to all terms of this Ordinance and of this Section.

Section 2. That Title 15, Chapter 7, Section 15-704, be and the same is hereby deleted in its entirety and there is substituted in its place and stead the following:

15-704. Impoundment of vehicles. Police officers and/or fire officials are authorized, when reasonably necessary, to prevent the obstruction of traffic to remove from the streets and impound any vehicle:

- (1) Whose operator is arrested or otherwise impaired or unable to operate such vehicle(s);
- (2) Which is illegally parked or abandoned; or
- (3) Which in the judgment of such officer is an obstruction or hazard to normal traffic.
- (4) In the circumstance of a lawful order of any police officer not to park in any particular designated area and/or to remove a vehicle already parked, the above

sections and prohibitions shall not apply to onstreet parking for registered commercial vehicles for parcel pick up or delivery not to exceed, in any event, a time period of ten (10) minutes in any given circumstance or occurrence.

The provisions of this Section shall not apply to the driver of any vehicle which is mechanically disabled while on a paved or improved or traveled portion of a street or highway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such vehicle in such position. "Temporarily" for the provisions of this Ordinance shall be defined as being a time span of thirty (30) minutes or less. In addition, even if left for less than thirty (30) minutes, any Red Bank Police Officer and of Fire Department officials or personnel is authorized and shall, when reasonably necessary to prevent the obstruction of traffic, remove from the streets or impound the vehicle, regardless of the time the vehicle is left parked, in which event all other provisions of this Code relative to the abandonment or removal of parked, wrecked, damaged or inoperable vehicles shall be applicable and the owner of the vehicle shall pay, for reclaiming same, any applicable fines, an impoundment fee of \$_____, all wrecker charges and storage of \$_____ per day if stored by the City until reclaimed. If stored at a private storage facility the storage cost will be the charge of the private facility.

SECTION 3. Every section, clause, and phrase of this Ordinance is separable and severable. Should any section, sentence, clause, or phrase be declared unconstitutional or invalid by a court of competent jurisdiction, said unconstitutionality or invalidity shall not effect or impair any other section, sentence, clause, or phrase.

SECTION 4. This Ordinance shall take effect from and after the date of its final passage the health, safety and welfare of the citizens of the City of Red Bank requiring it.

Mayor

City Recorder

Passed on First Reading

Passed on Second and Final Reading

Approved as to form:

City Attorney

Proposed Commercial Table of Uses with Edits

Land Use Type	Use	C1	C2	C3
Retail	(G) Retail sales establishments with over 2,500 square feet	P	P	SE
Retail	Retail sales establishments up to 2,500 square feet	P	P	P
Retail	(G) Retail sales and service establishments	P		
Retail	(A) Grocery stores, provided that no gasoline pumps and/or car washes shall be permitted as either a principal or accessory use	P	P	SE
Retail	(A) Grocery stores	P	SE	SE
Retail	Convenience stores without gasoline sales	P	P	SE
Retail	(B) Pharmacies and drug stores	P	SE	SE
Retail	(D) Meat and fish markets	P	P	P
Retail	(E) Hardware stores	P	P	P
Retail	(F) Stationary stores	P	P	P
Retail	(I) Music stores	P	P	P
Retail	(R) Specialty shops and stores	P	P	P
Retail	Pet supply stores without sale of pets	P	P	SE
Retail	(G) Shoe stores	P	P	P
Retail	(H) Florists	P	P	P
Retail / Micro-Industry	(C) Bakeries, provided all goods are sold on premise	P	P	P
Retail / Micro-Industry	(W) Micro-breweries and/or brew pubs	P	P	SE
Retail / Micro-Industry	(P) Small printer shops, except that the gross floor area shall not exceed 2,000 square feet	P	P	X
Retail Alcohol	(V) Taverns, bars, wine and cocktail bars, brew-pubs, micro-breweries and similar uses	P	P	SE
Retail Alcohol	(C) The sale or consumption of any alcoholic beverage on the premises	P	P	X
Retail Alcohol	(G) Liquor stores	P	P	X
Retail Outdoor	Farmers markets	SE	SE	SE
Retail Outdoor	(A) Outdoor sales, service, or display or storage at any time, except for outdoor seating for restaurants	SE	X	X
Retail Outdoor-Storage	(I) Outdoor display, storage or sale of merchandise		X	X
Retail Outdoor	(L) Outdoor storage, provided that any area used for storage shall be screened by an eight (8) foot high site obscuring fence. Existing natural vegetation or topography may be used if the City Manager or his/her designee determines that the intent of the site obscuring quality has been met. The following uses may be permitted:	SE		
Auto Sales/Service	(L) 2) Automobile service stations and fueling stations, except for electric vehicle charging stations auto repair	P	X	X
Auto Sales/Service	Electric vehicle charging stations	P	P	P
Auto Sales/Service	Automobile repair and/or maintenance and similar uses	P	X	X
Retail Auto-Sales	(L) 1) New & used car, motorcycle, boat, farm equipment dealers	P	X	X

Proposed Commercial Table of Uses with Edits

Land Use Type	Use	C1	C2	C3
Auto Sales/Service	(H) New or used sales or repair facilities for autos, boats, motorcycles, farm equipment and similar uses	P	X	X
Auto Sales/Service	Automobile washes, car detail and similar uses	SE	X	X
Dining	(B) Restaurants or Delicatessens with fewer than fifty (50) seats with no drive-thru or drive-in trade or curbside service	P	P	SE
Dining	(D) Restaurants and other establishments serving food and beverages	P	P	SE
Dining	(D) Restaurants and Delicatessens	P	P	SE
Office	(P) Banks	P	P	SE
Office	(M) Offices	P	P	SE
Office	(O) Medical and dental offices and clinics	P	P	SE
Office	(F) Veterinarians offices	P	P	SE
Service	(J) Barber\Beauty shops	P	P	P
Service	(K) Cleaning and laundry establishments	P	SE	SE
Service	(G) Funeral homes, memorial chapels, crematories and undertaking establishments	SE	X	X
Service	(H) Automobile washes, car detail and similar uses	SE	X	X
Service	(J) Plumbing, electrical, radio, TV workshops and similar uses provided no more than five (5) persons are employed and that all related trucks and equipment are stored at the rear of the building, not visible from Dayton Blvd.	P	SE	SE
Service	(J) Plumbing, workshops, electrical, radio and TV shops and other similar uses provided that not more than five (5) persons are employed therein.	P	SE	
Service	(L) Repair shops for shoes, household articles or appliances	P	SE	SE
Service	(F) Tattoo parlors and similar uses	P	X	X
Service	(I) Pawn, Title Pawn, check cashing and similar uses	P	X	X
Day Care	(A) Day care centers	P	SE	SE
Service	Dog Kennel, dog boarding, or similar uses	SE	X	X
Entertainment	(N) Studios / Galleries	P	P	P
Entertainment	(E) Theaters	P	P	SE
Entertainment	(E) Entertainment or recreational facilities	SE	SE	X
Entertainment	(D) Outdoor amusement facilities	SE	SE	X
Entertainment	(B) Miniature golf courses and similar outdoor amusement facilities	SE	X	X
Entertainment	(D) Bowling alleys, or other indoor amusement	SE	SE	SE
Entertainment	Health clubs and athletic facilities	P	P	SE
Music	(B) The playing of music or making of announcements directly or through mechanical or electronic devices in a manner audible at any residential lot line.			X
Adult	(D) Adult oriented establishments of any type	X	X	X
Warehouse	(B) Storage or warehousing facilities, including self-storage or mini-warehouses	X	X	X
Residential	(Q) Dwellings, excluding manufactured or mobile homes, when in the same building as one of the permitted uses	P	P	P

Proposed Commercial Table of Uses with Edits

Land Use Type	Use	C1	C2	C3
Residential	(Q) Residential uses when part of a mixed-use commercial development with only offices and/or commercial uses on the ground floor.	P	P	P
Residential	(T) Single-family detached dwellings except manufactured homes	P	P	P
Residential	(L) Mobile home parks, campsites and similar uses	SE	X	X
Residential	(N) Apartments	SE	SE	SE
Residential	Townhomes, condominiums	SE	SE	SE
Residential	Manufactured or mobile homes	X	X	X
School / Church	(I) Schools, churches and other public and semi-public buildings	P	SE	SE
School / Church	Places of worship	P	P	P
School / Church	Meeting halls for civic, social and fraternal uses	P	P	P
Group Home	(E) Drug, alcohol or correctional halfway houses, drug or alcohol rehabilitation centers or any similar use		X	
Group Home	(E) Halfway house, alcohol and drug rehabilitation centers, or any similar use	SE	X	X
Group Home	(J) Assisted living facilities	SE	X	SE
Group Home	(K) Nursing homes	SE	X	SE
Hospital	(I) Hospitals and clinics and social agencies	SE	SE	X
Lodging	(K) Hotels/motels	P	SE	SE
Lodging	Bed and Breakfast Establishments	P	SE	SE
Other	Drive-thru or Drive-in uses	SE	X	X
Other	Home occupations	P	P	P
Accessory Permitted	(R) Accessory buildings and uses customarily incident to the above uses	P	P	P
Similar to Permitted	(S) In general, any use that is similar in character and impact as the above uses	P	P	P
Similar to Permitted	(L) 3) Uses similar to the above in character and impact.	P		
Similar to Prohibited	(K) In general, all uses which are not in keeping with the intent of this zone	X	X	X
Signs	(K) Signs advertising goods and services provided on premises subject to height, setback and size limitations provided by Ordinance of this City	P	P	P
Signs	(J) On-premise signs with flashing, strobe or blinking lights or light which vary in color or intensity which are visible from outside the building	X	X	X

Proposed Commercial District Intent Statements

SECTION 14-402. C-1 Commercial Zone

402.01 Intent

It is the intent of the C-1 Commercial Zone to

- (a) Promote a diverse mix of retail and service uses to serve both area residents and customers traveling to and from other neighborhoods and places of employment;
- (b) Balance the need to accommodate automobile-oriented commerce with the need to promote more pedestrian-oriented development in the commercial corridor;
- (c) Minimize conflicts between uses in and around the district through landscape and buffering requirements;
- (d) Emphasize access control to manage traffic generated by general commercial uses;
- (e) Promote quality residential development that enhances the character of the commercial corridor; and
- (f) Ensure that new development that meets the intent of the Red Bank Design Review Standards.

SECTION 14-404. C-2 Commercial Zone (Central Business District)

404.01 Intent

It is the intent of the C-2 Commercial Zone to

- (a) Function as the Central Business District for the City of Red Bank;
- (b) Promote a mix of retail, service, civic and related uses that enhance the character of the Central Business District as a pedestrian-friendly town center where people come to shop, dine, work, and gather;
- (c) Create pedestrian-oriented development that connects businesses with the sidewalk and contributes to a continuous commercial frontage of a size and scale that is compatible with a small town;
- (d) Encourage mixed-use development and residential development that enhances the character of the Central Business District;
- (e) Ensure that uses are compatible with surrounding neighborhoods;
- (f) Discourage uses that cater exclusively to automobile-oriented customers; and
- (g) Ensure that new development meets the intent of the Red Bank Design Review Standards.

404.02 Location

The District is bounded on the South end by Newberry Street and includes frontage properties on both the East and West sides of Dayton Boulevard. The District extends North on the East side of Dayton Boulevard to Woodrow Avenue and on the West side of Dayton Boulevard to a point that is the North property line of 4039 Dayton Boulevard/Tax Map # 1091 E 002 (situated somewhat across from Woodrow Avenue). The Central Business District shall also include all frontage properties on the South side of Morrison Springs Road extending West to U.S. 27 Highway.

SECTION 14-405. C-3 Neighborhood Commercial Zone

405.01 Intent

It is the intent of the C-3 Neighborhood Commercial Zone to

- (a) Promote small-scale retail and service uses which are both compatible with and complimentary to nearby neighborhoods;
- (b) Create pedestrian-oriented development that connects businesses with adjacent neighborhoods;
- (c) Promote quality residential development that enhances the character of the commercial corridor; and
- (d) Ensure the new development meets the intent of the Red Bank Design Review Standards.

405.02 Location

Neighborhood Commercial Zones shall be located so as to primarily serve traffic on arterial or collector streets. All businesses developed within such zones shall be situated on sites so as to offer convenient and safe ingress and egress to such streets.