

OFFICIAL MINUTES OF THE MEETING

GOODLETTSVILLE PLANNING AND ZONING COMMISSION

January 8, 2024

Goodlettsville City Hall

5:00 p.m.

Massie Chambers-Auditorium

Present: Jeff Duncan, Grady McNeal, Jeff Parnell, Mayor Rusty Tinnin, and Judy Wheeler.

Absent: Scott Trew

Also Present: Addam McCormick (Staff), Tim Ellis-City Manager, Russell Freeman-City Attorney, Jenni Lester (Staff), Sharon Reed (Staff) and Alex West (Staff).

Jeff Duncan (temporary chairman) called the meeting to order, and Duncan offered prayer.

Item #1 Approval of Agenda: Parnell made a motion to approve the agenda, Tinnin seconded the motion. The motion passed unanimously.

Annual Chair and Vice-Chair Officer Election

Parnell made a motion to nominate Scott Trew for Chairman. Wheeler seconded the motion. The motion passed. Members voted unanimously to approve Scott Trew Chairman of the Goodlettsville Planning and Zoning Commission.

Duncan made a motion to nominate Mayor Rusty Tinnin for Vice-Chairman. Mayor Rusty Tinnin made a motion to nominate Jeff Parnell for Vice-Chairman. Wheeler seconded the motion for Mayor Rusty Tinnin. McNeal seconded the motion for Jeff Parnell. Mayor Rusty Tinnin declined the nomination for Vice-Chairman. Jeff Parnell accepted the nomination for Vice-Chairman. The motion passed. Members voted unanimously to approve Jeff Parnell for Vice-Chairman of the Goodlettsville Planning and Zoning Commission.

Item #2 Approval of December 4, 2023 Meeting Minutes: Tinnin made a motion to approve the minutes of the December 4, 2023 meeting, McNeal seconded the motion. The motion passed unanimously.

Item #3 Duncan opened the Public Forum on Planning Related Topics.

No one requested to speak at the meeting.

Parnell made a motion to close the public forum, seconded by Tinnin. The motion passed unanimously.

The Public Forum was closed.

AGENDA

Item #4 Debar Land Company LLC: Request one-year performance bond extension for Copper Creek Subdivision Phase 1 Section 2B

Item Representative: Addam McCormick, Staff

Staff Discussion:

- The developer requests to maintain the current bond (\$246,242) amount for the 2023-2024 time period due to the remaining cost improvements.
- Project Status: Seven (7) of fifteen (15) lots under construction. No completed lots.
- Subdivision Plat Recording Date: March 24, 2023
- Current Project Bond: \$ 246,242- performance bond- January 13, 2024 Expiration
- Remaining Project Improvements: Final asphalt paving, Landscaping, Street lighting, Site finish grading/stabilization and Sidewalk sections with unit/lot construction
- Improvement Cost Estimate: \$ 185,000 based on original cost estimates
- Motion Option- Approval for one-year bond extension at current amount \$ 246,242
- Motion Option- Approval for one-year bond extension at amount determined by Planning Commission based on information provided during meeting.

Planning Commission Discussion: N/A

Motion: Motion by Tinnin to approve the request, seconded by Wheeler. The motion passed unanimously.

Item #5 Community Development Staff: (per request of property owner at 128 Two Mile Pike)

Requests recommendation to the City Commission to amend the Zoning Ordinance Section 14-205 (3)(ii)(E) to permit chickens and coops in additional residential zoning districts.

Item Representative: Addam McCormick, Staff**Staff Discussion:**

- A Zoning Ordinance violation was sent on October 24, 2023 regarding a chicken at 128 Two Mile Road. -
- The property owner representative has requested the City to amend the Zoning Ordinance to permit a pet rooster on the property.
- The violation enforcement has been on hold to allow the Planning Commission to review the proposed amendment.
- If the Planning Commission recommends approval of the amendment to the City Commission, then the violation enforcement will continue to be on hold until the determination by the City Commission.
- If the Planning Commission does not recommend approval to the City Commission, staff will continue the violation enforcement including the issuance of a City Court citation if the chicken remains at the property.
- A proposed amendment was prepared by staff per the request of the property owner representative.
- Staff based the amendment on other local regulations except the proposed section permitting a single rooster. This section was included since the property owner representative has requested to keep a single rooster.
- The Zoning Ordinance only permits chickens within the Agricultural and R-40, Low Density Residential zoning districts.
- The City's Zoning Ordinance also requires conditional use review and approval by the City's Board of Zoning and Sign Appeals for keeping farm animals, including but not limited to chickens, in the R-40, Low Density Residential for properties including five (5+) or more acres.
- The amendment is to include a limited provision for personal-use hobby chickens in all residential zoning districts.
- Staff presented the proposed amendment for Zoning Ordinance Section 14-205 (3)(ii)(E).

- Motion Option-Recommend approval to the City Commission to permit hobby chickens/domestic hen per the proposed amendment.
- Motion Option-Recommend approval to the City Commission to permit hobby chickens/domestic hen with amendments to the proposed amendment as determined by the Planning Commission.
- Motion Option-Recommend denial to the City Commission to not amend the Zoning Ordinance and maintain the current requirement.
- Motion Option-Defer request to include additional information as determined by the Planning Commission.
- Staff would recommend approval to the City Commission to permit hobby chickens/domestic hens per the proposed amendment.

Planning Commission Discussion:

- Parnell discussed the current zoning in Agricultural and R-40 zoning districts and the proposed amendment is to include all residential zoning districts.
- Duncan shared his experience as a City official in previous City meetings regarding this subject matter and the number of complaint calls he received on the matter. He could not support this request.
- Parnell asked if the Planning Commission denies the request can it go to the City Commission anyways?
- Duncan responded if they do not recommend then a City Commissioner would have to bring forward.
- Tinnin discussed the staff recommendation and appreciates all the research on the subject matter.
- McCormick responded in the proposed amendment he included all the residential zoning districts including planned unit developments.
- McCormick discussed amending the proposed amendment taking out some districts and including minimum lot sizes.
- Tinnin asked for clarification on a crow collar for roosters.
- McCormick responded that a rooster collar based on information provided to him doesn't necessarily stop the rooster from physically crowing, but it reduces the sound.
- Freeman responded he did not have chickens but gave his opinion on when you have chickens you will have predators and they do not have boundaries when they are loose.
- Freeman discussed the rooster concept of the amendment and in his opinion should be looked at separately.
- Tinnin asked in the ordinance will the rooster to be in a cage or can they walk around freely?
- McCormick responded they are to be kept in a predator-proof coop with a run and cannot be open.
- Freeman discussed other types of fowl being included in the ordinance.
- Tinnin asked if the owners can be violated if they get a complaint?
- McCormick responded yes, if they did not keep the animals right and we get complaints we will have a violation notice.
- Ellis discussed the history of the 2012 request for chicken/rooster with the City Commission.
- Ellis discussed a chicken/rooster request in 2016 that was denied by the City Commission.
- Parnell asked what the least negative answer would be the Planning Commission could provide and will this be a permit use that the staff would review the request and permit based on the situation rather than a blanket yes, or no?
- McCormick responded and gave an example like fences, typically they do not require a permit for a fence unless there are certain criteria they fall under.
- Parnell discussed a permit process being site specific and request specific before approval.
- Duncan discussed the 2012 request and why he did not support the request.
- Duncan discussed the issue and, in his opinion, why they will never be able to make everybody happy.

- Ellis stated because of the rooster crowing they received complaints from the neighbors.
- McNeal discussed a problem with predators around the area and not only would they attack chickens but they could attack people.
- Wheeler stated she appreciated McCormick's research and work on this issue however, based on the lack of a crowd on this issue including the requestor, my motion will be to maintain the current Zoning Ordinance and not make a recommendation for a change.
- Duncan asked for additional discussion and hearing no further discussion, and asked Wheeler for a formal motion.

Motion: Motion by Wheeler to deny the request to amend the Zoning Ordinance and maintain the current requirement, seconded by McNeal. Tinnin abstained. The motion passed.

Item #6 Community Development Staff: Requests approval of the 2023 Planning Commission Annual Report

Item Representative: Addam McCormick, Staff

Staff Discussion:

- Staff requests the Planning Commission discuss any requested ordinances or policies to include in the 2024 proposed work plan section and any roadway or pedestrian improvements to include in the recommended proposed infrastructure improvements for review by the City Commission.

Planning Commission Discussion: N/A

Motion: Motion by Wheeler to approve the request, seconded by McNeal. The motion passed unanimously.

DISCUSSION ITEM

-Public Development Improvements Requirements Utilities, Storm Water, Roadways

Staff has contacted White House Utility District, Metro Water Department, and Madison Suburban Utility District representatives about the public versus private water service design issue discussed by the Planning Commission at the November and December meetings. Staff will coordinate meetings with the Utility Districts and report back to the Planning Commission. A district representative discussed their concern with public versus private streets and access issues for their equipment with some narrower private streets.

With no further business, the meeting was adjourned at 5:43 pm.

Jeff Duncan (Temporary Chairman)

Sharon Reed, Planning Assistant