

**Minutes for the Meeting of the  
City of Dyersburg Municipal-Regional Planning Commission  
December 10, 2015  
10:00 am  
Municipal Courtroom**

**Commission Members Present:** Alderwoman Carolyn Norman, Sherry Guthrie, Eddie Burks, Tony Dement, John Presslor, and Paul Newbill.

**Staff and Others Present:** Will Radford, Planner/Consultant, Nelson Community Development Group, Thomas Mullins, Codes Enforcement Office, Scott Ball City Storm Water Director, Tiffany Heard, SSR, Mark Sykes and Chief Time Dyersburg Fire Department, Matt Irving, Director, Operations, Today's Power.

Chairman Burks declared that a quorum was present and called the meeting to order. Chairman Burks called for a motion to approve the minutes of the July 9, September 24, and October 8, 2015 Commission meeting. The motion was made by Commissioner Paul Newbill with second by Commissioner Tony Dement. The motion passed and the minutes were approved.

Chairman Burks called for any old business. No old business was presented.

**New Business:**

**A. Proposed Text Amendment – Solar Farm Screening Requirements**

**Background**

Matt Irving, Director, Operations, Today's Power presented before the Commission requesting an amendment to the previously adopted Solar Farm regulations regarding fencing. The following request was presented to the planning staff:

“It is our intention to request for an amendment to the ordinance that requires screening around an Accessory Solar Collection System. We would like the Planning commission to consider an exemption to the screening for an ASCS located in an industrial area that is not adjacent to a residential area”.

**Staff Analysis**

Mr. Radford presented the sections of the Ordinance that requires fencing and screening as listed below:

2. Solar farms and Accessory Solar Collection Systems shall be enclosed by perimeter fencing to restrict unauthorized access at a height of eight and a half (8.5) feet.
3. Adequate screening shall be provided that adequately buffers the solar farm or Accessory Solar Collection System from any nearby uses.

Staff is unsure at this time the exact wording that is being requested. “From any nearby uses” means all land uses in this case. There is no distinction between residential, commercial, and industrial uses which was the intent of the ordinance at the time of the adoption.

Based upon the information presented, the Commission felt that it would be appropriate to further review the proposed ordinance text amendment regarding Solar Farm Screening Requirements.

Mr. Matt Irving, Director, Operations, Today's Power requested to withdraw the proposal, allowing the Commission to study the request and represent at the January 2016 meeting.

## **B. Proposed Text Amendment - Temporary Storage Units**

### **Background**

Staff has been asked to research regulations governing Temporary Storage Units. (Rail cars that are being used as storage containers) Staff is proposing the following language to be added to **Article III, DEFINITIONS:**

**Temporary Storage Unit.** Any ocean or ground transportation container, semi-trailer, railcar box or any other container used for transportation of goods and material from one point to another by sea, air, or land.

Staff is proposing the following language to be added to **Article XXIII, GENERAL PROVISIONS EXCEPTIONS AND MODIFICATIONS:**

### **Section W. Standards for Temporary Storage Units**

**Temporary Storage Units, as defined by this Ordinance, shall be allowed in industrial districts. Temporary Storage Units may be allowed in residential and commercial districts by permit on a limited basis, not to exceed sixty (60) consecutive days unless an extension of the permit is requested and granted by the Building Official. Under no circumstances shall a Temporary Storage Unit be placed on a residential or commercial lot for a period of more than six (6) months. Temporary Storage Units shall be considered Accessory Uses as defined by this Ordinance and shall comply with all Accessory Use regulations of the zoning district.**

The intent of this proposed ordinance is to allow for Temporary Storage Containers to be used as Accessory Buildings in the Industrial Districts, but only for a limited basis in residential and commercial districts. Currently, there is no restriction on a Temporary Storage Unit being used as an Accessory Building, the same as any garage, in any district.

### **Recommendation**

Staff recommends that the Planning Commission send a positive recommendation on the proposed text amendment to the Board of Mayor and Aldermen.

The Commission recommended the further study of the proposed text amendment.

## **C. Discussion on Shared Parking Requirements**

The Planning Staff of the City of Dyersburg has been asked to research and discuss Shared Parking Requirements within the City of Dyersburg. Currently, all development must provide parking in compliance with the zoning ordinance on the same lot as the development. Staff is recommending a committee be appointed by the Chairman of the Planning Commission to further research this issue. If appointed, the committee will report findings to the Planning Commission at a later date.

The Commission took no action on this agenda item; however, Chairman Burks appointed a committee to review and make recommendations at a future Planning Commission meeting on the following:

1. Proposed Text Amendment – Solar Farm Fencing Requirements.
2. Proposed Text Amendment - Temporary Storage Units.
3. Shared Parking Regulations within the City of Dyersburg.

Vice-Chairman Paul Newbill was asked to chair the committee. Also appointed to serve on the committee were Sherry Guthrie, John Presslor, Craig Barron and Rusty Norville.

#### **D. Discussion on Front Yard/Side Street Yard Fencing Regulations**

Staff discussed the following section of the Zoning Ordinance with the Planning Commission:

#### **Section E. Fences, Walls and Hedges**

Notwithstanding other provisions of this Ordinance, fences, walls, and hedges may be permitted in any required yard, or along the edge of any yard, provided that no fence, wall, or hedge along the sides or front edge of any front yard shall be over two and one-half (2 1/2) feet in height. The requirements of this section shall not be deemed to prohibit any necessary retaining wall.

Recently, the Board of Zoning Appeals was posed a question regarding the above section. This section restricts fences in any front yard above 2 ½ feet. The above section does not address side street yards on corner lots. The BZA ruled that the language above was not sufficient to restrict fences to be only 2 ½ feet in side street yards.

Staff was requested to add and or change the existing text in order to prevent fencing within front and side street yard from becoming a site impairment and or traffic hazard. A distinction between Industrial, Commercial and Residential needs to be addressed during this process. This change will be brought back to the Planning Commission for approval.

#### **E. Discussion on Hotel/Motel Regulations**

The Planning Staff is currently researching the issue of Hotels and Motels being used as permanent residences in commercial districts where residential uses are not allowed. This issue is likely to be presented to the Board of Zoning Appeals in the near future.

**Any other new business that may be accepted by the Planning Commission.** None presented.

**Other Business/Reports:** None presented.

**Administrative Reports.** None presented.

The meeting adjourned at 11:30 a.m.

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Tony Dement, Secretary

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Robert C. Jones, Recorder

