

ORDINANCE -2025

AN ORDINANCE AMENDING PART B OF THE LAND DEVELOPMENT CODE OF THE CITY OF MT. JULIET, TENNESSEE, KNOWN AS THE ZONING REGULATIONS (ORDINANCE 2001-29), ADOPTED OCTOBER 8, 2001, AS AMENDED, BY AMENDING ARTICLE IX, SECTION 9-106, ACCESS MANAGEMENT

WHEREAS, the Board of Commissioners of the City of Mt. Juliet desires to amend Article IX, Section 9-106 of the Zoning Regulations, specifically Section 9-106.4 regarding joint use driveways and cross access corridors; and

WHEREAS, the amendments ensure joint use driveways and cross access corridors are properly constructed and recorded, preventing any gaps or obstacles that could hinder vehicular circulation or compromise safety; and

WHEREAS, the Planning Commission considered this request during their meeting of _____, 2025 and (positively/negatively) recommended it to the Board of Commissioners with a vote of ____; and

WHEREAS, Section 9-106.4, Joint and Shared Accessways, of the Zoning Regulations is desired to be amended as follows:

ARTICLE	SECTION	SECTION TITLE	ACTION
Article IX	Section 9-106.4.1	Joint use driveways	No Change
Article IX	Section 9-106.4.2	Cross access corridors	Amended
Article IX	Section 9-106.4.3	Recording access easements	Amended
Article IX	Section 9-106.4.4	Closing interim driveways	No Change
Article IX	Section 9-106.4.5	Construction and maintenance	Added
Article IX	Section 9-106.4.6	Waiver or modification	Added
Article IX	Section 9-106.4.7	Responsibility	Added

;and

WHEREAS, the specific amendments desired to be made to Section 9-106.4 of the Zoning Regulations are exhibited in redline form in the attached.

NOW, THEREFORE, BE IT ORDAINED by the City of Mt. Juliet Board of Commissioners, that Part B, Article IX, Section 9-106.4 of the Land Development Code of the City of Mt. Juliet, known as the Zoning Regulations is amended as follows:

Section 1. Zoning Regulation Article IX Section 9-106.4.2, Cross access corridors, is amended to read in its entirety as follows:

Cross-access corridors. The Planning Commission, in conjunction with the City Engineer shall be authorized to designate cross-access corridors on properties adjacent to arterial and major collector streets. All developments within the affected area shall be designed so as to provide for mutually coordinated access easement(s).

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Section 2. Zoning Regulation Article IX Section 9-106.4.3, Recording access easements, is amended to read in its entirety as follows:

Recording accessways. Whenever joint access driveways and/or cross access corridors are provided in accordance with the provisions of this section, no development/site plan shall be approved unless such plan grants an easement for cross access for abutting properties. Such designation and/or easement shall be referenced on all plats for any affected property. Easements shall be recorded by the applicant in the Wilson County, Tennessee, Register of Deeds Office, and constitute a covenant running with the land. Cross-access easements shall provide perpetual, non-exclusive access for the purposes of vehicular ingress and egress across the cross-access easement; to include pedestrian if applicable or to match existing connectivity. Whenever joint access driveways and/or cross-access corridors are provided in accordance with the provisions of this section, it is understood that the new development will not be required to get the adjoining property owner to sign any document to provide this access.

Section 3. Zoning Regulation Article IX Section 9-106.4.5, Construction and maintenance, is added to read in its entirety as follows:

Construction and Maintenance. Whenever joint access driveways and/or cross-access corridors are provided in accordance with the provisions of this section, pavement shall be extended to connect to stubs on adjacent properties at the property line(s) or stubbed to the property line(s) where a full connection is not yet possible; when both stubs can be connected it is the financial responsibility of each owner to pay for their property portion of the connection. Property shall not be subdivided to avoid this requirement. Property owner(s) shall maintain and keep the cross access and driveway area within their development in a commercially reasonable condition, state of repair, and free from obstructions or barricades.

Section 4. Zoning Regulation Article IX Section 9-106.4.6, Waiver or modification, is added to read in its entirety as follows:

Waiver or modification. The City may waive or modify joint use driveways or cross access corridors provided in accordance with the provisions of this section on determining that such is impractical or undesirable due to natural features, site design features, or any other features affecting vehicular circulation or safety.

Section 5. Zoning Regulation Article IX Section 9-106.4.7, Responsibility, is added to read in its entirety as follows:

Responsibility. If an adjoining property has already been developed and did not provide stub at property line for future cross access, it is not the responsibility of any new/current property being developed to persuade any adjoining property to connect to them or construct/finance/obtain access agreements for connectivity to the new developing property. It is only the responsibility of new/current property developing to provide access stub to the minimum distance from property line and/or have it noted on recorded plat so

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future connectivity could be considered/accomplished. If the adjoining property has already been developed with cross access, the new developing property would match the connection(s) to the new developing property line. If the adjoining property is developed or undeveloped, the developer of the new property will not be required to get a signed easement for cross access from the owner of the adjoining property, but will provide the cross-access easement to property line as described above in this section.

BE IT FURTHER ORDAINED

Section 6. In case of conflict between this ordinance or any part hereof, and the whole part of any existing ordinance of the City, the conflicting ordinance is repealed to the extent of the conflict but no further.

Section 7. If any section, clause, or provision or portion of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, or provision or portion of this ordinance.

Section 8. This ordinance shall take effect on the earliest date allowed by law.

PASSED:

FIRST READING:

SECOND READING:

James Maness, Mayor

Kenny Martin, City Manager

ATTEST:

Sheila S. Luckett, MMC, City Recorder

APPROVED AS TO FORM:

Samantha A. Burnett, City Attorney