

WHEREAS, When worthy circumstances, the Memphis City Council has seen fit to name certain public roads to honor citizens who served this community, and **Lee A. Harris** certainly worthy of this recognition; and

WHEREAS, **Lee Ardrey Harris** was born and raised in Memphis, Tennessee, and has dedicated his professional life to public service, education, law, and the advancement of communities throughout Shelby County; and

WHEREAS, **Mayor Lee Harris** is a graduate of Overton High School, Morehouse College, and Yale Law School, where he developed the academic foundation and leadership skills that would guide his distinguished career in law, education, and government; and

WHEREAS, **Lee Harris** began his elected public-service career as a member of the Memphis City Council, representing District 7, where he demonstrated a commitment to constituent services, neighborhood development, economic opportunity, and improving the quality of life for Memphis residents; and

WHEREAS, During his tenure in the Tennessee Senate, **Lee Harris** made history as the first Black legislator to serve in a Senate leadership position, becoming Senate Minority Leader and establishing a significant milestone in Tennessee's political history; and

WHEREAS, In 2018, **Lee Harris** was elected as the Mayor of Shelby County, becoming the chief elected executive of one of Tennessee's largest and most diverse counties and assuming responsibility for serving nearly one million residents; and

WHEREAS, **Mayor Harris** has consistently demonstrated a commitment to young people and the future of Shelby County, supporting programs and initiatives that recognize youth achievement, expand opportunity, and encourage the next generation of leaders to remain engaged in their communities; and

NOW, THEREFORE, BE IT RESOLVED, that Union Avenue between Dunlap Street and Manassas Street shall be honorarily dedicated as

Lee A. Harris Avenue

BE IT FURTHER RESOLVED, that the City Engineer is requested to affix suitable signs so designating such public road..

Adopted: Tuesday, August 18, 2026



Councilwoman Jerri Green
Memphis City Council, District 2

**CITY OF MEMPHIS
COUNCIL AGENDA CHECK OFF SHEET**

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 08/18/2026

DATE

PUBLIC SESSION: 09/1/2026

DATE

ITEM (CHECK ONE)

X ORDINANCE _____ RESOLUTION X REQUEST FOR PUBLIC HEARING

ITEM CAPTION:

Zoning ordinance amending Ordinance No. 5367 of Code of Ordinance, City of Memphis, Tennessee, adopted on August 10, 2010, as amended, known as the Memphis and Shelby County Unified Development code, to authorize a zoning use district reclassification for land located on 2021 Berryhill Road. By taking the land out of the Conservation Agriculture (CA) Use District and including it in the Residential Single-Family – 6 (R-6) Use District, known as case number Z 2026-005

CASE NUMBER:

Z 2026-005

LOCATION:

2021 Berryhill Road

COUNCIL DISTRICTS:

District 1 and Super District 9 – Positions 1, 2, and 3

OWNER/APPLICANT:

Berryhill Wisdom Property Trust

REPRESENTATIVES:

Josh Burnette

REQUEST:

Rezoning of +/-3.36 acres from Conservation Agriculture (CA) to Residential Single-Family – 6 (R-6)

RECOMMENDATION:

The Division of Planning and Development recommended *Approval*
The Land Use Control Board recommended *Approval*

RECOMMENDED COUNCIL ACTION: **Public Hearing Required**

Set date for first reading – August 4, 2026

Second reading – August 18, 2026

Third reading – September 1, 2026

PRIOR ACTION ON ITEM:

(1) _____
07/09/2026 _____
(1) Land Use Control Board

APPROVAL - (1) APPROVED (2) DENIED

DATE

ORGANIZATION - (1) BOARD / COMMISSION

(2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

(2) _____
\$ _____
\$ _____

REQUIRES CITY EXPENDITURE - (1) YES (2) NO

AMOUNT OF EXPENDITURE

REVENUE TO BE RECEIVED

SOURCE AND AMOUNT OF FUNDS

\$ _____
\$ _____
\$ _____

OPERATING BUDGET

CIP PROJECT # _____

FEDERAL/STATE/OTHER

ADMINISTRATIVE APPROVAL:

Chloe Christian

DATE

7/27/26

POSITION

PLANNER II

DEPUTY ADMINISTRATOR

7/27/26

ADMINISTRATOR

DIRECTOR (JOINT APPROVAL)

COMPTROLLER

FINANCE DIRECTOR

CITY ATTORNEY

CHIEF ADMINISTRATIVE OFFICER

COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

Z 2026-005

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED ON 2021 BERRYHILL ROAD. BY TAKING THE LAND OUT OF THE CONSERVATION AGRICULTURE (CA) USE DISTRICT AND INCLUDING IT IN THE RESIDENTIAL SINGLE-FAMILY – 6 (R-6) USE DISTRICT, KNOWN AS CASE NUMBER Z 2026-006

- Approval of this zoning district reclassification will be reflected on the Memphis and Shelby County Zoning Atlas; and
- No contracts are affected by this item; and
- No expenditure of funds/budget amendments are required by this item.

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on **Thursday, July 9, 2026**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: Z 2026-005

LOCATION: 2021 Berryhill Road

COUNCIL DISTRICT(S): District 1, Super District 9 – Positions 1, 2, and 3

OWNER/APPLICANT: Berryhill Wisdom Property Trust

REPRESENTATIVE: Josh Burnette

REQUEST: Rezoning of +/-3.36 acres from Conservation Agriculture (CA) to Residential Single-Family – 6 (R-6)

The following spoke in support: None

The following spoke in opposition: None

The Land Use Control Board reviewed the application and the staff report. A motion was made and seconded to recommend approval of the application.

The motion passed by a unanimous vote of 7-0 on the consent agenda.

Respectfully,



Chloe Christion
Planner II
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

0. BERRYHILL ROAD



ORDINANCE NO: _____

ZONING ORDINANCE AMENDING ORDINANCE NO. 5367 OF CODE OF ORDINANCE, CITY OF MEMPHIS, TENNESSEE, ADOPTED ON AUGUST 10, 2010, AS AMENDED, KNOWN AS THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, TO AUTHORIZE A ZONING USE DISTRICT RECLASSIFICATION FOR LAND LOCATED ON 2021 BERRYHILL ROAD. BY TAKING THE LAND OUT OF THE CONSERVATION AGRICULTURE USE DISTRICT AND INCLUDING IT IN THE RESIDENTIAL SINGLE-FAMILY – 6 (R-6) USE DISTRICT, KNOWN AS CASE NUMBER Z 2026-005

WHEREAS, a proposed amendment to the Memphis and Shelby County Unified Development Code, being Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee, as amended, has been submitted to the Memphis and Shelby County Land Use Control Board for its recommendation, designated as **Case Number: Z 2026-005**; and

WHEREAS, the Memphis and Shelby County Land Use Control Board has filed its recommendation and the Division of Planning and Development has filed its report and recommendation with the Council of the City of Memphis; and

WHEREAS, the Council of the City of Memphis has reviewed the aforementioned amendment pursuant to Tennessee Code Annotated Section 13-4-202(B)(2)(B)(iii) and has determined that said amendment is consistent with the Memphis 3.0 General Plan; and

WHEREAS, the provisions of the Code of Ordinances, City of Memphis, Tennessee, as amended, relating to the proposed amendment, have been complied with.

NOW THEREFORE, BE IT ORDAINED, BY THE COUNCIL OF THE CITY OF MEMPHIS:

SECTION 1:

THAT, the Memphis and Shelby County Unified Development Code, Ordinance No. 5367 of the Code of Ordinances, City of Memphis, as amended, be and the same hereby is amended with respect to Use Districts, as follows:

BY TAKING THE FOLLOWING PROPERTY OUT OF THE CONSERVATION AGRICULTURE (CA) USE DISTRICT AND INCLUDING IT IN THE RESIDENTIAL SINGLE-FAMILY – 6 (R-6) USE DISTRICT.

The following property located in the City of Memphis, Tennessee being more particularly described as follows:

DESCRIPTION

Description of the Berryhill Wisdom Property Trust property recorded in Instrument No. 16021935 in Memphis, Shelby County, Tennessee:

Beginning at a set pk nail in the centerline of existing pavement in Berryhill Road (Public), said point being the northeast corner of said property recorded in Instrument No. 16021935 and the southeast corner of the Elizabeth S. Todd (Trustee) property recorded in Instrument No. 14025886; thence South 04 degrees 04 minutes 07 seconds West along the centerline of existing pavement in said Berryhill Road, 99.39 feet to a set pk nail at the southeast corner of said property recorded in Instrument No. 16021935 and in the eastwardly projection of the north line of Lot 1, Miller's Point P.D. recorded in Plat Book 210, Page 48; thence North 87 degrees 42 minutes 06 seconds West along the south line of said property recorded in Instrument No. 16021935, along the eastwardly projection of the north line of Lot 1 of said Subdivision recorded in Plat Book 210, Page 48, along a north line of said Berryhill Road per said Subdivision recorded in Plat Book 210, Page 48 and along the north line of Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, Lot 6 Lot 7, Lot 8, Lot 9, Lot 10, Lot 11 and Lot 12 of said Subdivision recorded in Plat Book 210, Page 48 and along the north terminus of Berry Hollow Drive (31' R.O.W.) – (Public), 938.68 feet to a found 1/2" rebar at the northwest corner of Lot 12 of said Subdivision recorded in Plat Book 210, Page 48, the northwest corner of Lot 13 of said Subdivision recorded in Plat Book 210, Page 48 and the northeast corner of Lot 53, Section "A", Summerfields of Berryhill Subdivision recorded in Plat Book 161, Page 71; thence North 87 degrees 45 minutes 43 seconds West along the south line of said property recorded in Instrument No. 16021935 and along the north line of Lot 53, Lot 52, Lot 51, Lot 32, Lot 31 and Lot 30 of said Subdivision recorded in Plat Book 161, Page 71, 546.45 feet to a set 1/2" rebar with plastic cap (OLLAR) at the southwest corner of said Property recorded in Instrument No. 16021935 and in the east line of Lot 116, Section "B", Summerfields of Berryhill Subdivision recorded in Plat Book 152, Page 14; thence North 01 degrees 48 minutes 44 seconds East along the west line of said property recorded in Instrument No. 16021935 and along the east line of Lot 116 and Lot 115 of said Subdivision recorded in Plat Book 152, Page 14, 99.10 feet to a set 1/2" rebar with plastic cap (OLLAR) at the northwest corner of said property recorded in Instrument No. 16021935 and the southwest corner of said property recorded in Instrument No. 14025886; thence South 87 degrees 44 minutes 00 seconds East along the north line of said property recorded in Instrument No. 16021935 and along the south line of said property recorded in Instrument No. 14025886, passing a set 1/2" rebar with plastic cap (OLLAR) at 1432.01 feet and continuing for a total distance of 1489.04 feet to the POINT OF BEGINNING and containing 3.38 acres of land.

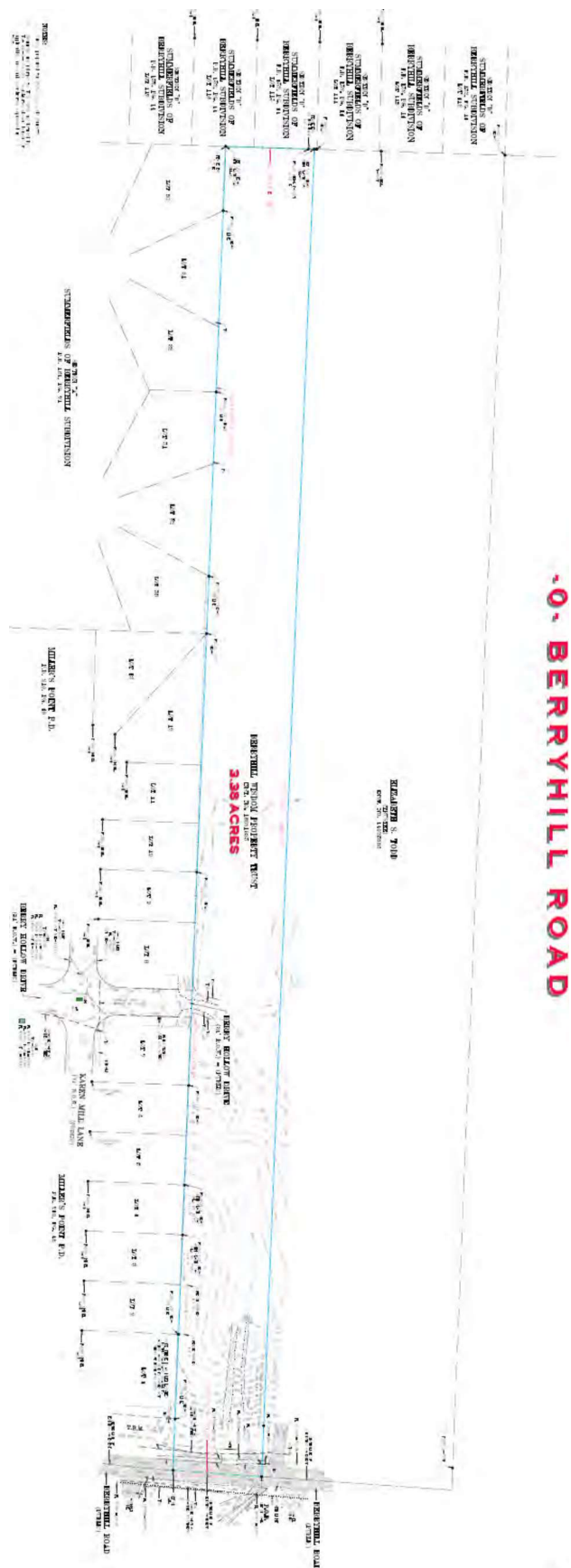
All bearings are based on the Tennessee Coordinate System of 1983.

SECTION 2:

THAT, the Zoning Administrator of the Division of Planning and Development be, and is hereby directed to make the necessary changes in the Official Use District Maps to conform to the changes herein made; that all official maps and records of the Memphis and Shelby County Land Use Control Board and the City of Memphis be, and they hereby are, amended and changed so as to show the aforementioned amendment of the said Zoning Ordinance.

SECTION 3:

THAT, this ordinance take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by the comptroller, and become effective as otherwise provided by law.

[illegible]

ATTEST:

CC: Division of Planning and Development
– Land Use and Development Services
– Office of Construction Enforcement
Shelby County Assessor

AGENDA ITEM: 12 **L.U.C.B. MEETING:** July 9, 2026

CASE NUMBER: Z 2026-005

LOCATION: 2021 Berryhill Road

COUNCIL DISTRICT: District 1 and Super District 9

OWNER/APPLICANT: Berryhill Wisdom Property Trust

REPRESENTATIVE: Josh Burnette

REQUEST: Rezoning of +/-3.36 acres from Conservation Agriculture (CA) to Residential Single-Family – 6 (R-6)

CONCLUSIONS

1. The applicant seeks approval to rezone +/- 3.36 acres of vacant land from Conservation Agriculture (CA) to Residential Single-Family – 6 (R-6) to allow future development for single-family residential lots.
2. While the underlying zoning is also CA, the land abutting the subject property to the southeast is a part of the Millers Point Planned Development (PD 2002-358CC) which follows the bulk regulations of the R-6 district, which allows a minimum lot size of 6,000 square feet for conventional homes. Additionally, the Summerfields of Berryhill Subdivision to the southwest known as S 1993-016CC allows a minimum lot size of 8,000 as required in the R-8 district. The applicant's proposal is compatible with the nature of the development of surrounding area.
3. Given the residential nature of the adjacent zoning and land uses, staff finds a zoning change to R-6 is appropriate and recommends approval. If approved, a corresponding subdivision application subject to review and approval by the Land Use Control Board will be required.

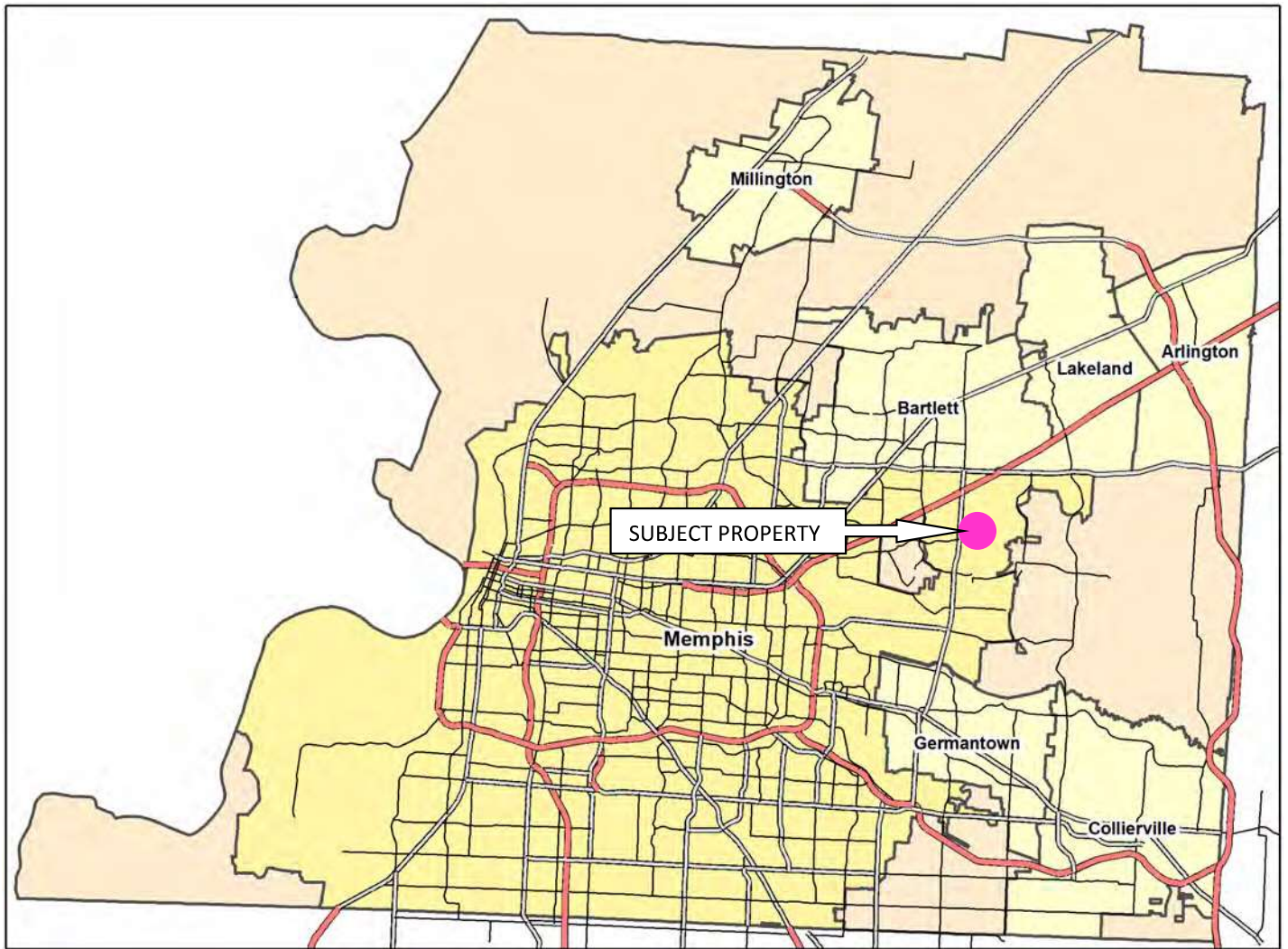
CONSISTENCY WITH MEMPHIS 3.0

This proposal is consistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on page 13-15 of this report.

RECOMMENDATION:

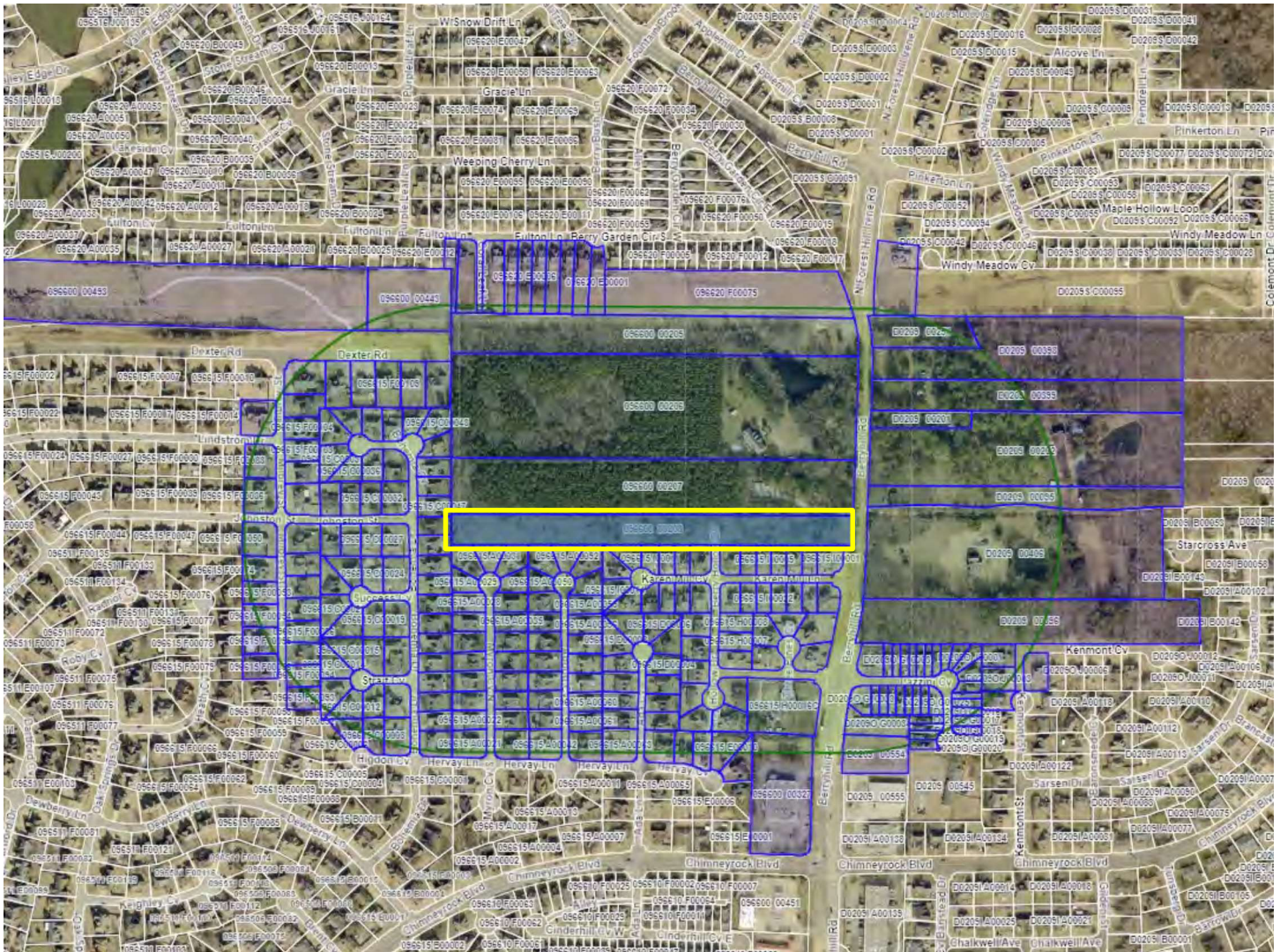
Approval

LOCATION MAP



Subject property located within the pink circle

PUBLIC NOTICE VICINITY MAP



Subject property outlined in yellow

PUBLIC NOTICE DETAILS

In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signage posted. A total of 220 notices were mailed on June 15, 2026 and 250 revised notices were mailed on June 25, 2026 see page 16 of this report for copies of said notices. Additionally, one sign was posted at the subject property, see page 17 of this report for a copy of the sign affidavit.

NEIGHBORHOOD MEETING

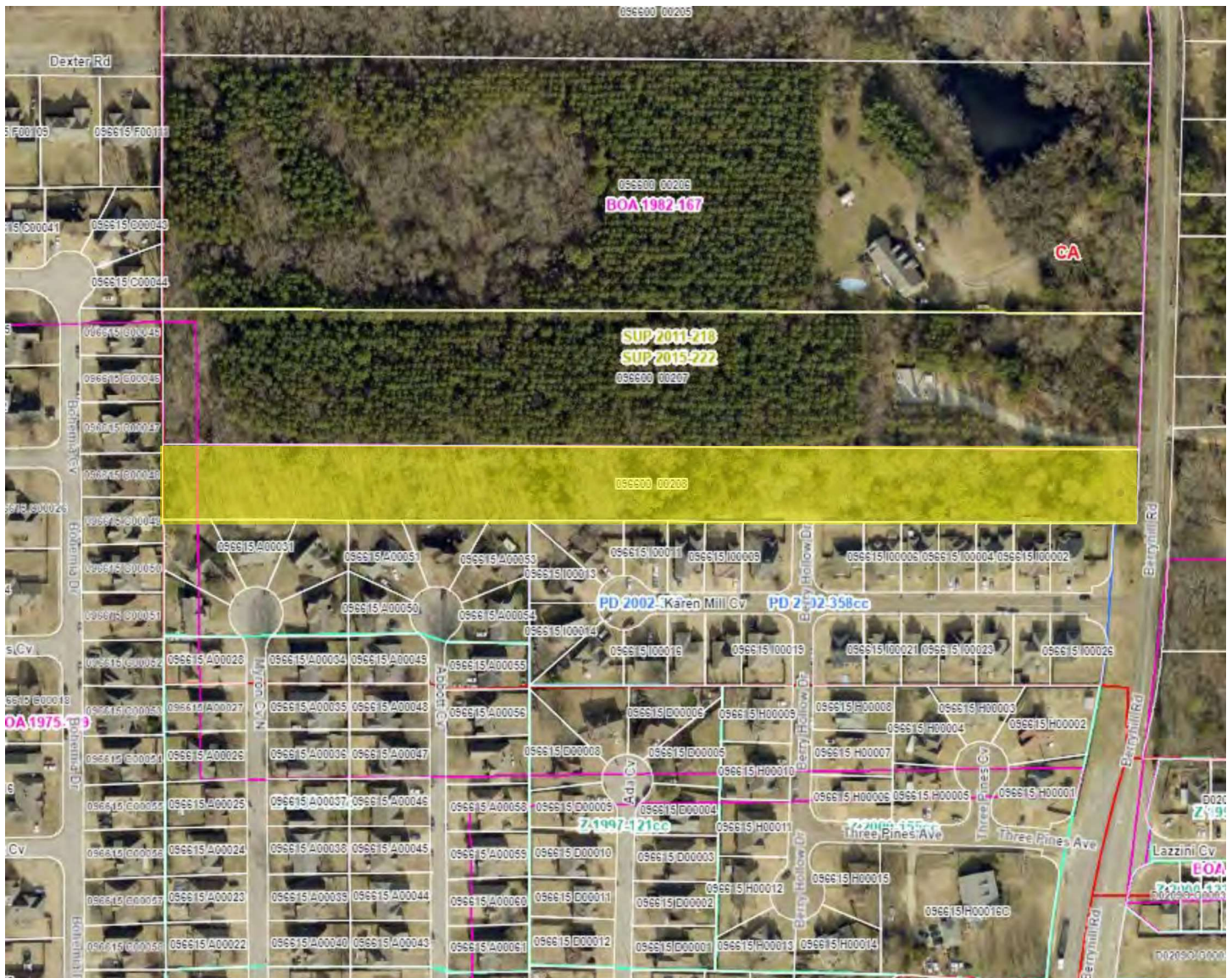
The meeting was held at 5:30 PM on Thursday, June 25, 2026, at Vantage Point Golf Center on 9580 Macon Road.

AERIAL



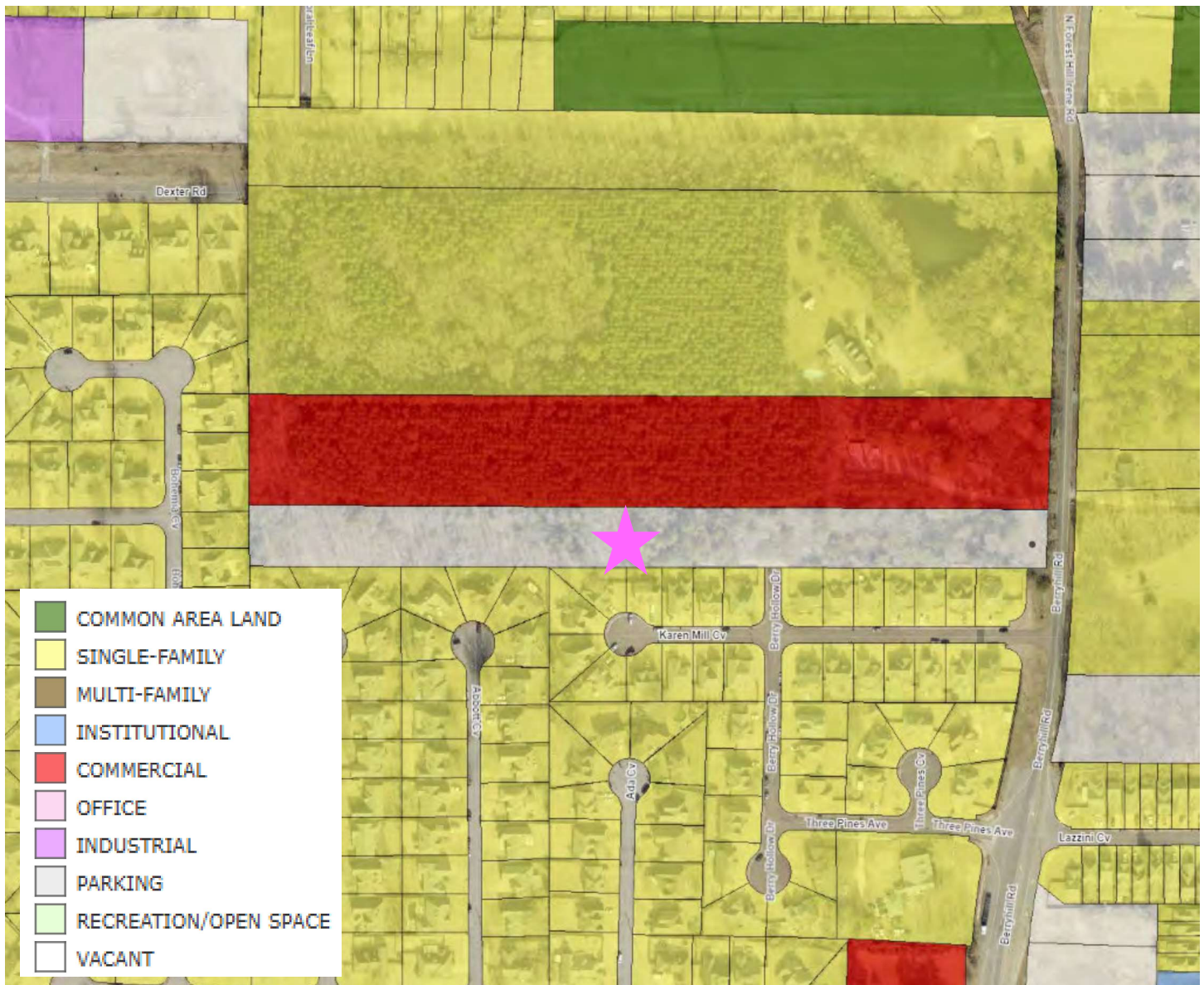
Subject property outlined in yellow, imagery from 2025

ZONING MAP



Subject property highlighted in yellow

LAND USE MAP



Subject property indicated by a pink star

SITE PHOTOS



View of subject property from Berryhill Road.



View of subject property from Berry Hollow Drive.

0. BERRYHILL ROAD



DESCRIPTION

Description of the Berryhill Wisdom Property Trust property recorded in Instrument No. 16021935 in Memphis, Shelby County, Tennessee:

Beginning at a set pk nail in the centerline of existing pavement in Berryhill Road (Public), said point being the northeast corner of said property recorded in Instrument No. 16021935 and the southeast corner of the Elizabeth S. Todd (Trustee) property recorded in Instrument No. 14025886; thence South 04 degrees 04 minutes 07 seconds West along the centerline of existing pavement in said Berryhill Road, 99.39 feet to a set pk nail at the southeast corner of said property recorded in Instrument No. 16021935 and in the eastwardly projection of the north line of Lot 1, Miller's Point P.D. recorded in Plat Book 210, Page 48; thence North 87 degrees 42 minutes 06 seconds West along the south line of said property recorded in Instrument No. 16021935, along the eastwardly projection of the north line of Lot 1 of said Subdivision recorded in Plat Book 210, Page 48, along a north line of said Berryhill Road per said Subdivision recorded in Plat Book 210, Page 48 and along the north line of Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, Lot 6 Lot 7, Lot 8, Lot 9, Lot 10, Lot 11 and Lot 12 of said Subdivision recorded in Plat Book 210, Page 48 and along the north terminus of Berry Hollow Drive (31' R.O.W.) – (Public), 938.68 feet to a found 1/2" rebar at the northwest corner of Lot 12 of said Subdivision recorded in Plat Book 210, Page 48, the northwest corner of Lot 13 of said Subdivision recorded in Plat Book 210, Page 48 and the northeast corner of Lot 53, Section "A", Summerfields of Berryhill Subdivision recorded in Plat Book 161, Page 71; thence North 87 degrees 45 minutes 43 seconds West along the south line of said property recorded in Instrument No. 16021935 and along the north line of Lot 53, Lot 52, Lot 51, Lot 32, Lot 31 and Lot 30 of said Subdivision recorded in Plat Book 161, Page 71, 546.45 feet to a set 1/2" rebar with plastic cap (OLLAR) at the southwest corner of said Property recorded in Instrument No. 16021935 and in the east line of Lot 116, Section "B", Summerfields of Berryhill Subdivision recorded in Plat Book 152, Page 14; thence North 01 degrees 48 minutes 44 seconds East along the west line of said property recorded in Instrument No. 16021935 and along the east line of Lot 116 and Lot 115 of said Subdivision recorded in Plat Book 152, Page 14, 99.10 feet to a set 1/2" rebar with plastic cap (OLLAR) at the northwest corner of said property recorded in Instrument No. 16021935 and the southwest corner of said property recorded in Instrument No. 14025886; thence South 87 degrees 44 minutes 00 seconds East along the north line of said property recorded in Instrument No. 16021935 and along the south line of said property recorded in Instrument No. 14025886, passing a set 1/2" rebar with plastic cap (OLLAR) at 1432.01 feet and continuing for a total distance of 1489.04 feet to the POINT OF BEGINNING and containing 3.38 acres of land.

All bearings are based on the Tennessee Coordinate System of 1983.

CASE REVIEW

Request

The request is a Rezoning of +/-3.36 acres from Conservation Agriculture (CA) to Residential Single-Family – 6 (R-6)

Review Criteria

Staff agrees the review criteria as set out in Sub-Section 9.5.7B of the Unified Development Code are met.

9.5.7B Review Criteria

In making recommendations, the Land Use Control Board shall consider the following matters:

- 9.5.7B(1) Consistency with any plans to be considered (see Chapter 1.9);*
- 9.5.7B(2) Compatibility with the present zoning (including any residential corridor overlay district) and conforming uses of nearby property and with the character of the neighborhood;*
- 9.5.7B(3) Suitability of the subject property for uses permitted by the current versus the proposed district;*
- 9.5.7B(4) Whether the proposed change tends to improve the balance of uses, or meets a specific demand in the City or County; and*
- 9.5.7B(5) The availability of adequate police services, fire services, school, road, park, wastewater treatment, water supply and stormwater drainage facilities for the proposed zoning.*

Site Details

Address:

2021 Berryhill Road

Parcel ID:

096600 00208

Area:

+/-3.36 acres

Description:

The subject property is not a part of any known platted subdivisions of planned developments. It is zoned Conservation Agriculture with nearby land uses consisting of predominately single-family uses. The subject property is vacant with one street frontage on Berryhill Road and on Berry Hollow Drive.

Analysis

The applicant seeks approval to rezone +/- 3.36 acres of vacant land from Conservation Agriculture (CA) to Residential Single-Family – 6 (R-6) to allow future development for single-family residential lots.

While the underlying zoning is also CA, the land abutting the subject property to the southeast is a part of the Millers Point Planned Development (PD 2002-358CC) which follows the bulk regulations of the R-6 district, which allows a minimum lot size of 6,000 square feet for conventional homes. Additionally, the Summerfields of Berryhill Subdivision to the southwest known as S 1993-016CC allows a minimum lot size of 8,000 as required in the R-8 district. The applicant's proposal is compatible with the nature of the development of surrounding area.

Given the residential nature of the adjacent zoning and land uses, staff finds a zoning change to R-6 is appropriate and recommends approval. If approved, a corresponding subdivision application subject to review and approval by the Land Use Control Board will be required.

RECOMMENDATION

Staff recommends approval.

DEPARTMENTAL COMMENTS

The following comments were provided by agencies to which this application was referred:

City Engineer:

1. Sewer capacity is available to serve this development.
2. The developer shall extend Sewer to serve upstream properties.
3. A sanitary sewer plan is required to be submitted (via 901 portal) to the City Land Development Office for review and approval.
4. All required design plans and potential traffic control plan must be prepared in accordance with the City's Standard Requirements and must be stamped by a Professional Engineer registered in the State of Tennessee.
5. A Sewer Development fee is required per the City of Memphis Sewer Use Ordinance.
6. The developer shall extend Sewer to serve upstream properties.
7. May be sewer extension will be required to serve this development.
8. Existing 8" sewer at the edge of south property line.

County Engineer: No comments received.

City Fire Division:

1. All design and construction shall comply with the 2021 edition of the International Fire Code with local amendments and referenced standards.
2. Fire apparatus access shall comply with section 503.
3. Where security gates are installed that affect required fire apparatus access roads, they shall comply with section 503.6.

4. Fire protection water supplies (including fire hydrants) shall comply with section 507.
5. Where fire apparatus access roads or a water supply for fire protection are required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except when approved alternate methods of protection are provided.
6. IFC 510 In-building two-way emergency responder communication coverage shall be provided in all new and existing buildings. Buildings and structures that cannot support the required level of coverage shall be equipped with systems and components to enhance signals and achieve the required level of communication coverage.
7. A detailed plans review will be conducted by the Memphis Fire Prevention Bureau upon receipt of complete construction documents. Plans shall be submitted to the Shelby County Office of Code Enforcement.

County Fire Division:	No comments received.
City Real Estate:	No comments received.
County Health Department:	No comments received.
Shelby County Schools:	No comments received.
Construction Code Enforcement:	No comments received.
Memphis Light, Gas and Water:	No comments received.
Office of Sustainability and Resilience:	No comments received.
Office of Comprehensive Planning:	See pages 13-16.

Comprehensive Planning Review of Memphis 3.0 Consistency

This summary is being produced in response to the following application to support the Land Use and Development Services department in their recommendation: LUCB 2026-005 Cordova

Site Address/Location: 2021 BERRYHILL RD, CORDOVA 38016

Overlay District/Historic District/Flood Zone: The site is not located in an overlay district, historic district, or flood zone.

Future Land Use Designation: Primarily Single-Unit Neighborhood (NS) / Low Intensity Residential

Street Type: Local Street

The applicant is seeking approval to rezone the subject property from Conservation Agriculture (CA) to Residential Single Family (R-6).

The following information about the land use designation can be found on pages 76 – 122:

1. Future Land Use Planning Map



Red polygon indicates the application site on the Future Land Use Map.

2. Land Use Description/Intent

Primarily Single-Unit Neighborhood (NS) are residential neighborhoods consisting primarily of single-unit houses that are not near a Community Anchor. Graphic portrayal of NS is above.



“NS” Form & Location Characteristics

Primarily detached, House scale buildings, Primarily residential, 1 – 3 stories; Beyond ½ mile from a Community Anchor

“NS” Zoning Notes

Generally compatible with the following zone districts: R-E, R-15, R-10, R-8, R-6 in accordance with Form and characteristics listed above.

Existing, Adjacent Land Use and Zoning

Existing Land Use and Zoning: Conservation Agriculture (CA)

Adjacent Land Use and Zoning: Single Family, R-8

Overall Compatibility: The requested use is consistent with the Memphis 3.0 Comprehensive Plan and the Future Land Use Planning Map, classifications, intent, and form. As the subject parcel has already been identified for further single-unit residential development through the Future Land Use (FLU) Map, and given it abuts an existing residential development of the same intensity and form, the requested use is consistent with all pertinent sections of Memphis 3.0 and Future Land Use guidance.

Degree of Change Map



Red polygon denotes the proposed site on the Degree of Change Map. There is no Degree of Change.

3. Degree of Change Description

The subject property has not been assigned a degree of change classification.

4. Objectives/Actions Consistent with Goal 1, Complete, Cohesive, Communities

N/A

5. Pertinent Sections of Memphis 3.0 that Address Land Use Recommendations

Although Memphis 3.0 provides little guidance for routine cases such as this, the Future Land Use does provide direct feedback. Cordova residents identified this zone to be suitable for further residential development and frequently cited the importance of enabling homeownership opportunities, with extra emphasis on single-family units.

Consistency Analysis Summary

The applicant is seeking approval to rezone the subject property from Conservation Agriculture (CA) to Residential Single Family (R-6).

The requested use is consistent with the Memphis 3.0 Comprehensive Plan and the Future Land Use Planning Map, classifications, intent, and form. As the subject parcel has already been identified for further single-unit residential development through the Future Land Use (FLU) Map, and given it abuts an existing residential development of the same intensity and form, the requested use is consistent with all pertinent sections of Memphis 3.0 and Future Land Use guidance.

Based on the information provided, the proposal is CONSISTENT with the Memphis 3.0 Comprehensive Plan.

Summary Compiled by: Eli Askren, Comprehensive Planning.

MAILED PUBLIC NOTICES

NOTICE OF PUBLIC HEARING

You have received this notice because you own or reside on a property that is near the site of a development application to be considered at an upcoming public hearing of the Memphis and Shelby County Land Use Control Board. You are not required to attend this hearing, but you are invited to do so if you wish to speak for or against this application. You may also submit a letter of comment to the staff planner listed below no later than **Wednesday, July 1, 2026 at 8 AM.**

CASE NUMBER: Z 2026-005
ADDRESS: 2047 Berryhill Drive
REQUEST: Rezoning from Conservation Agriculture (CA) to Residential Single—6 (R-6)
APPLICANT: Josh Burnette

Meeting Details

Location: Council Chambers
City Hall 1st Floor
125 N Main St.
Time: 9:00 AM
Date: Thursday, July 9, 2026

Staff Planner Contact:
Chloe Christion
✉ chloe.christion@memphistn.gov
☎ (901) 636-7494

MEMPHIS AND
SHELBY COUNTY DIVISION OF PLANNING
AND DEVELOPMENT

VICINITY MAP



To learn more about this proposal,
contact the staff planner or use the
QR code to view the full application.



230 Notices Mailed 6/15/2026

REVISED NOTICE OF PUBLIC HEARING

You have received this notice because you own or reside on a property that is near the site of a development application to be considered at an upcoming public hearing of the Memphis and Shelby County Land Use Control Board. You are not required to attend this hearing, but you are invited to do so if you wish to speak for or against this application. You may also submit a letter of comment to the staff planner listed below no later than **Wednesday, July 1, 2026 at 8 AM.**

CASE NUMBER: Z 2026-005
ADDRESS: 2021 Berryhill Road
REQUEST: Rezoning from Conservation Agriculture (CA) to Residential Single—6 (R-6)
APPLICANT: Josh Burnette

Meeting Details

Location: Council Chambers
City Hall 1st Floor
125 N Main St.
Time: 9:00 AM
Date: Thursday, July 9, 2026

Staff Planner Contact:
Chloe Christion
✉ chloe.christion@memphistn.gov
☎ (901) 636-7494

MEMPHIS AND
SHELBY COUNTY DIVISION OF PLANNING
AND DEVELOPMENT

VICINITY MAP



To learn more about this proposal,
contact the staff planner or use the
QR code to view the full application.



230 Notices Mailed 6/25/2026

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, Josh Burnette, being duly sworn, depose and say that at 12 am/pm
on the 26th day of June, 2026, I posted 1 Public Notice Sign(s)
pertaining to Case No. Z 2026-005 at 2021 Berryhill Road
providing notice of a Public Hearing before the (check one):

☒ Land Use Control Board
☐ Board of Adjustment
☐ Memphis City Council
☐ Shelby County Board of Commissioners

for consideration of a proposed land use action, a photograph of said sign(s) being
attached hereon and a copy of the sign purchase receipt or rental contract attached
hereto.

Josh Burnette
Owner, Applicant or Representative

6-26-2026
Date

Subscribed and sworn to before me this 26th day of June, 2026.

Lieke
Notary Public

My commission expires:



APPLICATION



**Memphis and Shelby County Division of
Planning and Development**

East Service Center: 6465 Mullins Station Rd; Memphis,
Tennessee 38134
Downtown Service Center: 125 N. Main Street;
Memphis, Tennessee 38103

website: www.develop901.com

Record Summary for Rezoning

Record Detail Information

Record Type: Rezoning

Record status: Pending

Opened Date: May 28, 2026

Record Number: Z 2026-005

Expiration Date:

Record Name: Berryhill Road Rezoning

Description of Work: On behalf of the property owner, we respectfully submit this request to rezone Parcel
096600

00208 from CA (Conservation Agriculture) to R-6 (Residential Single-Family – 6). The subject
property consists of approximately 3.38 acres located along Berryhill Road in unincorporated
Shelby County.

Parent Record Number:

Address:

2021 BERRYHILL RD, CORDOVA 38016

Owner Information

Primary Owner Name

Y BERRYHILL WISDOM PROPERTY TRUST

Owner Address

11781 MAGNOLIA PARK CT, LAS VEGAS, NV 89141

Owner Phone

7025538619

Parcel Information

096600 00208

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner

Chloe Christian

Date of Meeting

04/07/2026

Pre-application Meeting Type

Virtual

GENERAL INFORMATION

Have you held a neighborhood meeting?

No

Is this application in response to a citation from

No

GENERAL INFORMATION

Construction Code Enforcement or Zoning
Letter?

If yes, please provide additional information

-

GIS INFORMATION

Case Layer

BOA1975-129

Central Business Improvement District

No

Class

R

Downtown Fire District

No

Historic District

-

Land Use

VACANT

Municipality

MEMPHIS

Overlay/Special Purpose District

Fletcher Creek Overlay

Zoning

CA

State Route

-

Lot

0 5

Subdivision

-

Planned Development District

-

Wellhead Protection Overlay District

No

County Commission District

-

City Council District

-

City Council Super District

-

Data Tables

ADDRESS AND PARCEL LIST

Property Address: 2021 Berryhill

Property Parcel Number: 096600 002808

Contact Information

Name

BLAKE SY

Contact Type

APPLICANT

Address

Phone

(702)553-6619

Name

JOSH BURNETTE

Contact Type

REPRESENTATIVE

Address

Phone

(501)605-2998

Fee Information

Invoice #	Fee Item	Quantity	Fee	Status	Balance	Date Assessed
1734933	Residential Rezoning - 5 acres or less	1	750.00	INVOICED	0.00	05/28/2026
1734933	Credit Card Use Fee (.026 x fee)	1	19.50	INVOICED	0.00	05/28/2026

Total Fee Invoiced: \$769.50

Total Balance: \$0.00

Payment Information

Payment Amount	Method of Payment
\$769.50	Credit Card

OWNER AFFIDAVIT

**MEMPHIS AND
SHELBY COUNTY**  **DIVISION OF PLANNING
AND DEVELOPMENT**

City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103 – (901) 636-6619

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

OWNER: Includes the holder of legal title as well as holders of any equitable interest, such as trust beneficiaries, contract purchasers, option holders, lessees under leases having an unexpired term of at least ten years, and the like. Whenever a statement of ownership is required by the Memphis and Shelby County Unified Development Code, full disclosure of all legal and equitable interest in the property is required. Memphis and Shelby County Unified Development Code Section 12.3.1

I, Anthony Joseph Sy state that I have read the definition of
(Print Name) (Sign Name)

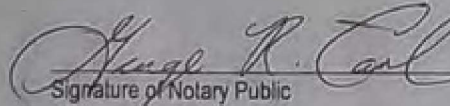
"Owner" as outlined in the Memphis and Shelby County Unified Development Code Section 12.3.1 and hereby state that (select applicable box).

☒ I am the owner of record as shown on the current tax rolls of the county Assessor of Property; the mortgage holder of record as shown in the mortgage records of the county Register of Deeds; purchaser under a land contract; a mortgagee or vendee in possession; or I have a freehold or lesser estate in the premises

☐ I have charge, care or control of the premises as trustee, agent, executor, administrator, assignee, receiver, guardian or lessee (and have included documentation with this affidavit)

of the property located at 0 Berryhill Road
and further identified by Assessor's Parcel Number 096600 00208
for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 28th day of May in the year of 2026.

  10-26-29
Signature of Notary Public My Commission Expires

LETTER OF INTENT



May 26, 2026

Shelby County Land Use Control Board
125 N. Main Street
Memphis, TN 38103

RE: Rezoning Justification Letter – Request to Rezone Property to R-6
0 Berryhill Road, Parcel 096600 00208

Dear Members of the Land Use Control Board and Planning Staff:

On behalf of the property owner, we respectfully submit this request to rezone Parcel 096600 00208 from CA (Conservation Agriculture) to R-6. The subject property consists of approximately 3.38 acres located along Berryhill Road in unincorporated Shelby County. The property is currently zoned CA; however, the parcel does not meet the minimum width requirements associated with long-term agricultural or estate-residential land use.

The proposed rezoning to R-6 is intended to allow for a small-scale single-family residential development consisting of approximately six (6) lots. Public sanitary sewer service is available to the site, making the property suitable for residential development consistent with the intent of the Unified Development Code.

The surrounding zoning and development pattern support the proposed request:

- The property immediately south is developed as Miller's Point Planned Development, which contains approximately 6,000-square-foot residential lots.
- Properties farther south along Berryhill Road are primarily zoned RU-2.
- The subdivision to the east, Summerfields of Berryhill, is zoned R-8.
- The property to the north contains a cell tower operating under a Special Use Permit and is not agricultural in nature.

The proposed R-6 zoning serves as an appropriate transition between the adjacent planned residential developments and the remaining undeveloped property in the area. The request is compatible with the surrounding residential character and represents a logical extension of existing residential development patterns already established along Berryhill Road.

The Memphis and Shelby County Unified Development Code states that the R-6 district is intended to accommodate single-family detached residential development in areas where similar lot sizes are already part of the surrounding development fabric. The proposed rezoning is consistent with this intent, particularly given the adjacent Miller's Point development pattern and nearby R-8 and RU-2 zoning classifications.

The request also satisfies the standards and considerations applicable to zoning amendments. The legal purposes for which zoning exists are not contravened by this request. Rather, the rezoning promotes orderly residential growth in an area already characterized by surrounding subdivisions, available sanitary sewer infrastructure, and urban development patterns. The proposed amendment is consistent with the intent and purposes of the Unified Development Code, including encouraging orderly development, protecting neighborhood character, and ensuring development occurs where infrastructure is available and adequate.

To the extent the request differs from any prior land use pattern, conditions in the area have substantially changed over time through continued residential development along Berryhill Road and the extension of urban services. The surrounding area is no longer predominantly agricultural in character, as evidenced by the adjacent planned developments and residential zoning classifications surrounding the property.

The proposed rezoning will not create a material adverse impact on adjoining property owners. The proposed use consists of low-density single-family residential lots that are compatible with surrounding residential development. The request is less intensive than nearby RU-2 zoning classifications and is buffered to the north by the existing Special Use Permit cell tower property.

Additionally, the request is not intended to create a special benefit for a single property owner to the detriment of the public. Instead, it allows reasonable residential development of a parcel located within an area where the surrounding development pattern, zoning, and available infrastructure are consistent and support the request.

Traffic impacts associated with the proposed rezoning are expected to be minimal. The proposed development is anticipated to yield approximately six (6) single-family residential lots. Based on standard trip generation rates for single-family detached residential development, the project would generate only approximately 4 to 6 vehicle trips during the typical peak hour. By comparison, existing traffic volumes along the Berryhill Road corridor are substantially greater, with reported traffic counts of approximately 11,038 AADT near the intersection of Berryhill Road and Macon Road and approximately 5,243 AADT near Berryhill Road and Highway 64. The subject property is located between these two traffic count locations along an already established collector corridor serving surrounding residential development. Access is anticipated from Berryhill Road and Berry Hollow Drive, both of which already serve existing residential subdivisions in the area. Given the limited number of lots proposed, the low projected peak-hour trip generation, and the existing roadway capacity and traffic volumes along the corridor, the proposed rezoning is not expected to create a material traffic or circulation concern.

Public infrastructure is adequate to support the proposed zoning classification. Public sanitary sewer, water, gas, and electric are available to the property, and the anticipated development yield of approximately six single-family lots represents a minor extension of the existing residential development pattern already served by public roads and utilities in the area.

Thank you for considering this request. Please contact us if additional information is needed.

Regards,

A handwritten signature in black ink, appearing to read "Josh Burnette". The signature is stylized with a large, looping initial "J" and a cursive "Burnette".

Josh Burnette, P.E.

LETTERS RECEIVED

No letters received at the time of completion of this report.



Memphis and Shelby County Division of Planning and Development

East Service Center: 6465 Mullins Station Rd; Memphis,
Tennessee 38134

Downtown Service Center: 125 N. Main Street;
Memphis, Tennessee 38103

website: www.develop901.com

Record Summary for Rezoning

Record Detail Information

Record Type: Rezoning

Record Status: Pending

Opened Date: May 28, 2026

Record Number: Z 2026-005

Expiration Date:

Record Name: Berryhill Road Rezoning

Description of Work: On behalf of the property owner, we respectfully submit this request to rezone Parcel
096600

00208 from CA (Conservation Agriculture) to R-6 (Residential Single-Family – 6). The subject
property consists of approximately 3.38 acres located along Berryhill Road in unincorporated
Shelby County.

Parent Record Number:

Address:

2021 BERRYHILL RD, CORDOVA 38016

Owner Information

Primary Owner Name

Y BERRYHILL WISDOM PROPERTY TRUST

Owner Address

11781 MAGNOLIA PARK CT, LAS VEGAS, NV 89141

Owner Phone

7025538619

Parcel Information

096600 00208

Data Fields

PREAPPLICATION MEETING

Name of DPD Planner

Chloe Christion

Date of Meeting

04/07/2026

Pre-application Meeting Type

Virtual

GENERAL INFORMATION

Have you held a neighborhood meeting?

No

Is this application in response to a citation from

No

GENERAL INFORMATION

Construction Code Enforcement or Zoning

Letter?

If yes, please provide additional information

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GIS INFORMATION

Case Layer

BOA1975-129

Central Business Improvement District

No

Class

R

Downtown Fire District

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Historic District

-

Land Use

VACANT

Municipality

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Overlay/Special Purpose District

Fletcher Creek Overlay

Zoning

CA

State Route

-

Lot

0 5

Subdivision

-

Planned Development District

-

Wellhead Protection Overlay District

No

County Commission District

-

City Council District

-

City Council Super District

-

Data Tables**ADDRESS AND PARCEL LIST**

Property Address: 2021 Berryhill

Property Parcel Number: 096600 002808

Contact Information**Name**

BLAKE SY

Contact Type

APPLICANT

Address**Phone**

(702)553-8619

Name

JOSH BURNETTE

Contact Type

REPRESENTATIVE

Address**Phone**

(901)605-2998

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed
1734933	Residential Rezoning - 5 acres or less	1	750.00	INVOICED	0.00	05/28/2026
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Total Fee Invoiced: \$769.50

Total Balance: \$0.00

Payment Information

Payment Amount	Method of Payment
\$769.50	Credit Card

MEMPHIS AND SHELBY COUNTY

DIVISION OF PLANNING AND DEVELOPMENT

City Hall - 125 N. Main Street, Suite 468 - Memphis, Tennessee 38103 - (901) 636-6619

Property Owner's Affidavit

Memphis and Shelby County Unified Development Code Section 12.3.1

OWNER: Includes the holder of legal title as well as holders of any equitable interest, such as trust beneficiaries, contract purchasers, option holders, lessees under leases having an unexpired term of at least ten years, and the like. Whenever a statement of ownership is required by the Memphis and Shelby County Unified Development Code, full disclosure of all legal and equitable interest in the property is required. Memphis and Shelby County Unified Development Code Section 12.3.1.

I, Anthony Joseph Sy
(Print Name)

(Signature)
(Sign Name)

state that I have read the definition of

"Owner" as outlined in the Memphis and Shelby County Unified Development Code Section 12.3.1 and hereby state that (select applicable box):

☒ I am the owner of record as shown on the current tax rolls of the county Assessor of Property; the mortgage holder of record as shown in the mortgage records of the county Register of Deeds; purchaser under a land contract; a mortgagee or vendee in possession; or I have a freehold or lesser estate in the premises

☐ I have charge, care or control of the premises as trustee, agent, executor, administrator, assignee, receiver, guardian or lessee (and have included documentation with this affidavit)

of the property located at 0 Berryhill Road

and further identified by Assessor's Parcel Number 096600 00208

for which an application is being made to the Division of Planning and Development.

Subscribed and sworn to (or affirmed) before me this 28th day of May in the year of 2026.



(Signature)
Signature of Notary Public

10-26-29
My Commission Expires



May 26, 2026

Shelby County Land Use Control Board
125 N. Main Street
Memphis, TN 38103

**RE: Rezoning Justification Letter – Request to Rezone Property to R-6
0 Berryhill Road, Parcel 096600 00208**

Dear Members of the Land Use Control Board and Planning Staff:

On behalf of the property owner, we respectfully submit this request to rezone Parcel 096600 00208 from CA (Conservation Agriculture) to R-6. The subject property consists of approximately 3.38 acres located along Berryhill Road in unincorporated Shelby County. The property is currently zoned CA; however, the parcel does not meet the minimum width requirements associated with long-term agricultural or estate-residential land use.

The proposed rezoning to R-6 is intended to allow for a small-scale single-family residential development consisting of approximately six (6) lots. Public sanitary sewer service is available to the site, making the property suitable for residential development consistent with the intent of the Unified Development Code.

The surrounding zoning and development pattern support the proposed request:

- The property immediately south is developed as Miller's Point Planned Development, which contains approximately 6,000-square-foot residential lots.
- Properties farther south along Berryhill Road are primarily zoned RU-2.
- The subdivision to the east, Summerfields of Berryhill, is zoned R-8.
- The property to the north contains a cell tower operating under a Special Use Permit and is not agricultural in nature.

The proposed R-6 zoning serves as an appropriate transition between the adjacent planned residential developments and the remaining undeveloped property in the area. The request is compatible with the surrounding residential character and represents a logical extension of existing residential development patterns already established along Berryhill Road.

The Memphis and Shelby County Unified Development Code states that the R-6 district is intended to accommodate single-family detached residential development in areas where similar lot sizes are already part of the surrounding development fabric. The proposed rezoning is consistent with this intent, particularly given the adjacent Miller's Point development pattern and nearby R-8 and RU-2 zoning classifications.

The request also satisfies the standards and considerations applicable to zoning amendments. The legal purposes for which zoning exists are not contravened by this request. Rather, the rezoning promotes orderly residential growth in an area already characterized by surrounding subdivisions, available sanitary sewer infrastructure, and urban development patterns. The proposed amendment is consistent with the intent and purposes of the Unified Development Code, including encouraging orderly development, protecting neighborhood character, and ensuring development occurs where infrastructure is available and adequate.

To the extent the request differs from any prior land use pattern, conditions in the area have substantially changed over time through continued residential development along Berryhill Road and the extension of urban services. The surrounding area is no longer predominantly agricultural in character, as evidenced by the adjacent planned developments and residential zoning classifications surrounding the property.

The proposed rezoning will not create a material adverse impact on adjoining property owners. The proposed use consists of low-density single-family residential lots that are compatible with surrounding residential development. The request is less intensive than nearby RU-2 zoning classifications and is buffered to the north by the existing Special Use Permit cell tower property.

Additionally, the request is not intended to create a special benefit for a single property owner to the detriment of the public. Instead, it allows reasonable residential development of a parcel located within an area where the surrounding development pattern, zoning, and available infrastructure are consistent and support the request.

Traffic impacts associated with the proposed rezoning are expected to be minimal. The proposed development is anticipated to yield approximately six (6) single-family residential lots. Based on standard trip generation rates for single-family detached residential development, the project would generate only approximately 4 to 6 vehicle trips during the typical peak hour. By comparison, existing traffic volumes along the Berryhill Road corridor are substantially greater, with reported traffic counts of approximately 11,038 AADT near the intersection of Berryhill Road and Macon Road and approximately 5,243 AADT near Berryhill Road and Highway 64. The subject property is located between these two traffic count locations along an already established collector corridor serving surrounding residential development. Access is anticipated from Berryhill Road and Berry Hollow Drive, both of which already serve existing residential subdivisions in the area. Given the limited number of lots proposed, the low projected peak-hour trip generation, and the existing roadway capacity and traffic volumes along the corridor, the proposed rezoning is not expected to create a material traffic or circulation concern.

Public infrastructure is adequate to support the proposed zoning classification. Public sanitary sewer, water, gas, and electric are available to the property, and the anticipated development yield of approximately six single-family lots represents a minor extension of the existing residential development pattern already served by public roads and utilities in the area.

Thank you for considering this request. Please contact us if additional information is needed.

Regards,

A handwritten signature in black ink, appearing to read "Josh Burnette". The signature is stylized with a large, looping initial "J" and a long, sweeping horizontal stroke at the end.

Josh Burnette, P.E.

Description of the Berryhill Wisdom Property Trust property recorded in Instrument No. 16021935 in Memphis, Shelby County, Tennessee:

Beginning at a set pk nail in the centerline of existing pavement in Berryhill Road (Public), said point being the northeast corner of said property recorded in Instrument No. 16021935 and the southeast corner of the Elizabeth S. Todd (Trustee) property recorded in Instrument No. 14025886; thence South 04 degrees 04 minutes 07 seconds West along the centerline of existing pavement in said Berryhill Road, 99.39 feet to a set pk nail at the southeast corner of said property recorded in Instrument No. 16021935 and in the eastwardly projection of the north line of Lot 1, Miller's Point P.D. recorded in Plat Book 210, Page 48; thence North 87 degrees 42 minutes 06 seconds West along the south line of said property recorded in Instrument No. 16021935, along the eastwardly projection of the north line of Lot 1 of said Subdivision recorded in Plat Book 210, Page 48, along a north line of said Berryhill Road per said Subdivision recorded in Plat Book 210, Page 48 and along the north line of Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, Lot 6 Lot 7, Lot 8, Lot 9, Lot 10, Lot 11 and Lot 12 of said Subdivision recorded in Plat Book 210, Page 48 and along the north terminus of Berry Hollow Drive (31' R.O.W.) – (Public), 938.68 feet to a found 1/2" rebar at the northwest corner of Lot 12 of said Subdivision recorded in Plat Book 210, Page 48, the northwest corner of Lot 13 of said Subdivision recorded in Plat Book 210, Page 48 and the northeast corner of Lot 53, Section "A", Summerfields of Berryhill Subdivision recorded in Plat Book 161, Page 71; thence North 87 degrees 45 minutes 43 seconds West along the south line of said property recorded in Instrument No. 16021935 and along the north line of Lot 53, Lot 52, Lot 51, Lot 32, Lot 31 and Lot 30 of said Subdivision recorded in Plat Book 161, Page 71, 546.45 feet to a set 1/2" rebar with plastic cap (OLLAR) at the southwest corner of said Property recorded in Instrument No. 16021935 and in the east line of Lot 116, Section "B", Summerfields of Berryhill Subdivision recorded in Plat Book 152, Page 14; thence North 01 degrees 48 minutes 44 seconds East along the west line of said property recorded in Instrument No. 16021935 and along the east line of Lot 116 and Lot 115 of said Subdivision recorded in Plat Book 152, Page 14, 99.10 feet to a set 1/2" rebar with plastic cap (OLLAR) at the northwest corner of said property recorded in Instrument No. 16021935 and the southwest corner of said property recorded in Instrument No. 14025886; thence South 87 degrees 44 minutes 00 seconds East along the north line of said property recorded in Instrument No. 16021935 and along the south line of said property recorded in Instrument No. 14025886, passing a set 1/2" rebar with plastic cap (OLLAR) at 1432.01 feet and continuing for a total distance of 1489.04 feet to the POINT OF BEGINNING and containing 3.38 acres of land.

All bearings are based on the Tennessee Coordinate System of 1983.



Tom Leatherwood
Shelby County Register / Archives

As evidenced by the instrument number shown below, this document
has been recorded as a permanent record in the archives of the
Office of the Shelby County Register.

16021935

03/08/2016 - 09:13 AM

4 PGS

CHRISTINAM	1434079-16021935
VALUE	12500.00
MORTGAGE TAX	0.00
TRANSFER TAX	46.25
RECORDING FEE	20.00
DP FEE	2.00
REGISTER'S FEE	1.00
WALK THRU FEE	0.00
TOTAL AMOUNT	69.25

TOM LEATHERWOOD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that the County of Shelby, a political subdivision of the State of Tennessee, for and in consideration of:

TWELVE THOUSAND, FIVE HUNDRED DOLLARS & NO/100

\$12,500.00 Dollars,

does hereby bargain, sell, remise, quit claim and convey unto the said:

BERRYHILL WISDOM PROPERTY TRUST

the following described real estate located in Shelby County, Tennessee, to-wit:

(SEE ATTACHED EXHIBIT "A")

Being the same property conveyed to Shelby County Government in Tax Sale 1102 on which sale was confirmed in Docket #

Property Address: 0 BERRYHILL

Parcel # 09660000002080

Conveyance of the above described property is made without warranties of any sort.

IN WITNESS WHEREOF, the grantor has caused this instrument to be executed by the duly authorized County Trustee, this 17th day of February, 2016.

BY David C. Lenoir

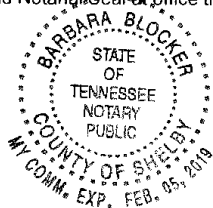
DAVID C. LENOIR, SHELBY COUNTY TRUSTEE

STATE OF TENNESSEE, COUNTY OF SHELBY

Before me, a Notary Public in and for said County, duly commissioned and qualified, personally appeared David C. Lenoir, as Trustee of Shelby County, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal at office this 17th day of Feb, 2016.

My Commission Expires:



Barbara Blocker
NOTARY PUBLIC

IN WITNESS WHEREOF, the grantor has caused this instrument to be executed by the duly authorized County Mayor, this 17th day of February, 2016.

BY Mark H. Luttrell, Jr.

MARK H. LUTTRELL, JR. SHELBY COUNTY MAYOR

STATE OF TENNESSEE, COUNTY OF SHELBY

Before me, a Notary Public in and for said County, duly commissioned and qualified, personally appeared Mark H. Luttrell, Jr. as Mayor of Shelby County, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal at office this 17th day of February, 2016.

My Commission Expires:

My Commission Expires May 11, 2019

Sarah Faulkner
NOTARY PUBLIC

APPROVED AS TO FORM:

BY John Zelinka
(JOHN ZELINKA DPR#18303)
DELINQUENT TAX ATTORNEY



RECORDING DATA ONLY

Return Address:

Office of the Shelby County Trustee
157 Poplar Avenue - Third Floor
Memphis, TN 38103

ATTENTION: SABRINA SAMUELS

Property Address:

0 BERRYHILL
09660000002080

Mail Tax Bills To:

BERRYHILL WISDOM PROPERTY TRUST
11781 MAGNOLIA PARK COURT
LAS VEGAS NV 89141

Property Owner:

BERRYHILL WISDOM PROPERTY TRUST
11781 MAGNOLIA PARK COURT
LAS VEGAS NV 89141

This instrument prepared by:
(JOHN ZELINKA BPR#18303)
DELINQUENT TAX ATTORNEY
157 POPLAR AVENUE, 2ND FLOOR
MEMPHIS, TN 38103

STATE TAX _____

REGISTER'S FEE _____

RECORDING FEE _____

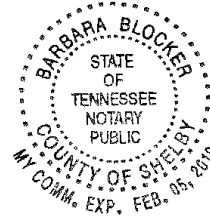
TOTAL _____

I/We hereby swear/affirm that to the best of
affiant's knowledge, information, and belief,
the actual consideration for this transfer
is \$12,500.00

Wendie Blanton
AFFIANT

Subscribed and sworn to before me
this 17 day of Feb, 2016
Barb Blocher
NOTARY

My Commission expires:



“Exhibit A”

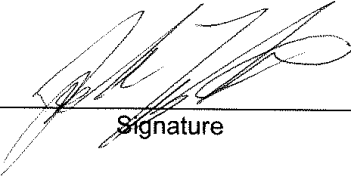
Part of Lot 5, R. B. Davis Estate, in Memphis, Shelby County, Tennessee, and being more particularly described as follows:

Beginning at a point in the east line of Lot 5, said point being located 206.20 feet northwardly from the southeast corner of said Lot 5; thence westwardly parallel with the south line of Lot 5 of said subdivision, a distance of 1478.40 feet to a point; thence northwardly parallel to Berryhill Road, a distance of 99.10 feet to a point; thence eastwardly and parallel with the south line of Lot 5 of said subdivision, a distance of 1478.40 feet to a point in the center line of Berryhill Road, the east line of Lot 5 of said subdivision; thence southwardly along the center line of Berryhill Road, a distance of 99.10 feet to the point of beginning.

Being the same property as described in Instrument No. L9 7763. The above description is the same as found in prior deed of record as a boundary line survey was not done at the time of this conveyance.

PARCEL ID: 09660000002080

I, John Zelinka, do hereby make oath that I am a licensed attorney and/or the custodian of the paper version of the electronic record tendered for registration herewith and that this is a true and correct copy of the electronic record executed pursuant to § 47-10-112 and other provisions of the Uniform Electronic Transactions Act or other provisions of law.



Signature

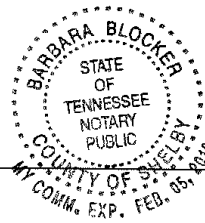
STATE OF TENNESSEE)
COUNTY OF SHELBY)

On this 2nd day of February 2016, before me personally appeared John Zelinka, to me known to be the person described in and who acknowledges that this certification is true and correct and whose signature I have witnessed.



NOTARY PUBLIC

My Commission Expires: _____



**MEMPHIS AND
SHELBY COUNTY** **DIVISION OF PLANNING
AND DEVELOPMENT**

City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103 – (901) 636-6619

July 9, 2026

Josh Burnette
3157 Highway 64, Suite 200
Eads, TN 38028

Sent via electronic mail to: josh@rendevco.net

Case Number: Z 2026-005
LUCB Recommendation: Approval

Dear applicant,

On Thursday, July 9, 2026, the Memphis and Shelby County Land Use Control Board recommended **approval** of your rezoning application located at 2021 Berryhill Road to be included in the Residential Single-Family – 6 (R-6) Zoning District.

This application will be forwarded, for final action, to the Council of the City of Memphis. Ordinances appear on three consecutive Council Agendas with the third one being the Public Hearing. The Council will review your application in a committee meeting prior to voting on it in a public hearing. The applicant or the applicant's representative(s) shall be in attendance at all meetings and hearings.

It is the applicant's responsibility to contact the City Council Records Office to determine when the application is scheduled to be heard at committee and in public session. The City Council Records Office may be reached at (901) 636-6792.

If for some reason you choose to withdraw your application, a letter should be mailed to the Land Use and Development Services Department of the Division of Planning and Development at the address provided above or emailed to the address provided below.

If you have questions regarding this matter, please feel free to contact me at (901) 636-6619 or via email at chloe.christion@memphistn.gov.

Letter to Applicant

Z 2026-005

Respectfully,

Chloe Christion

Chloe Christion

Planner II

Land Use and Development Services

Division of Planning and Development

Cc:

File

**NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT
TO THE ZONING MAP OF THE CITY OF MEMPHIS**

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Memphis in the Council Chambers, First Floor, City Hall, 125 North Main Street, Memphis, Tennessee 38103 on Tuesday, _____ at 4:00 P.M., in the matter of amending the Zoning Map of the City of Memphis, being Chapter 28, Article IV of the Code of Ordinances, City of Memphis, Tennessee, as amended, as follows:

CASE NUMBER: Z 2026-005

LOCATION: 2021 Berryhill Road

COUNCIL DISTRICTS: District 1 and Super District 9 – Positions 1, 2, and 3

OWNER/APPLICANT: Berryhill Wisdom Property Trust

REPRESENTATIVE: Josh Burnette

REQUEST: Rezoning of +/-3.36 acres from Conservation Agriculture (CA) to Residential Single-Family – 6 (R-6)

RECOMMENDATIONS:

Memphis and Shelby County Division of Planning and Development: *Approval*

Memphis and Shelby County Land Use Control Board: *Approval*

NOW, THEREFORE, you will take notice that on Tuesday, _____, at 3:30 P.M. the City Council of the City of Memphis, Tennessee will be in session at the City Hall, Council Chambers, 125 North Main Street, Memphis, Tennessee 38103 to hear remonstrance's or protests against the making of such changes; such remonstrance's or protests must be by personal appearances, or by attorneys, or by petition, and then and there you will be present if you wish to remonstrate or protest against the same.

THIS THE _____, _____

JANA SWEARENGEN WASHINGTON
CHAIRWOMAN OF COUNCIL

ATTEST:

KAMETRIS WYATT
CITY COMPTROLLER

TO BE PUBLISHED:

MOSLEY VANDER
9110 KAREN MILL CV #
CORDOVA TN 38016

PROGRESS RESIDENTIAL BOR...
PO BOX 4090 #
SCOTTSDALE AZ 85261

FLYNN STEVEN T & ANTOINETT...
200 LOYDE LN #
PIPERTON TN 38017

ROBERTS EARL A AND VERLYN...
9063 FULTON LN #
CORDOVA TN 38016

MCCONNELLKEVIN AND MARI...
2048 MILBREY ST #
CORDOVA TN 38016

NEAL SARAH C
2022 ABBOTT CV #
CORDOVA TN 38016

GARDENS OF BERRYHILL HOM...
890 WILLOW TREE CIR #1
CORDOVA TN 38018

SCHNEIDER FAMILY REVOCABL...
2042 BOHEMIA CV #
CORDOVA TN 38016

YAMASA CO LTD
PO BOX 4090 #
SCOTTSDALE AZ 85261

NEWBILL YANG C
9005 DEXTER RD #
CORDOVA TN 38016

TODD ELIZABETH S LIVING TR...
2075 BERRYHILL RD #
CORDOVA TN 38016

THOMAS ANDREA M
9010 SUCCESS CV #
CORDOVA TN 38016

WHITE YVETTE C
9033 DEXTER RD #
CORDOVA TN 38016

HILLS WINFRED & DEBORAH L ...
2036 BOHEMIA CV #
CORDOVA TN 38016

HALE NATRIKA
9001 SUCCESS CV #
CORDOVA TN 38016

GIPSON ARTEREAN & BRITNEY
9041 DEXTER RD #
CORDOVA TN 38016

LA TUYEN N
9012 JOHNSTON ST #
CORDOVA TN 38016

PROGRESS RESIDENTIAL BOR...
PO BOX 4090 #
SCOTTSDALE AZ 85261

GRANDERSON 2014 REVOCAB...
1319 PALM LN #
PHOENIX AZ 85007

GALATAS JOHN I IV & SARAH E
9026 JOHNSTON ST #
CORDOVA TN 38016

SMITH NICHOLAS D & KAYLA
2007 ABBOTT CV #
CORDOVA TN 38016

BUYSMAN KEVIN A
1140 DIVISION ST #
GENEVA IL 60134

ANTHONY REVOCABLE LIVING ...
2048 BERRYHILL RD #
CORDOVA TN 38016

FAIRCLOTH DANA
9011 SUCCESS CV #
CORDOVA TN 38016

MALDONALDO BERNARD M & A...
1944 MILBREY ST #
CORDOVA TN 38016

WILLIAMS DAVID M & DEE
9013 JOHNSTON ST #
CORDOVA TN 38016

RIDGWAY CARTER F & KIMBER...
1990 MILBREY ST #
CORDOVA TN 38016

ANTHONY REVOCABLE LIVING ...
2048 BERRYHILL RD #
CORDOVA TN 38016

JOHNSON TERENCE
2018 MILBREY ST #
CORDOVA TN 38018

BOSTON VICTOR & ANTIONETT...
1980 BERRY HOLLOW #
CORDOVA TN 38016

MOONEN TONYA M
1990 BOHEMIA DR #
CORDOVA TN 38016

SPLINTER JOSEPH T
9216 LAZZINI CV #
CORDOVA TN 38016

CASSIDY CAROLE A REVOCAB...
1965 KENMONT DR #
CORDOVA TN 38016

YAMASA CO LTD
PO BOX 4090 #
SCOTTSDALE AZ 85261

LI CHEN
52 CAMBRIDGE RD #
GREAT NECK NY 11023

ZTC PROPERTY INVESTMENTS...
4431 ROSENWALD LN #
FAIRFAX VA 22030

SHERRILL ORTRICE J
9022 STRAIT CV #
CORDOVA TN 38016

PROGRESS MEMPHIS LLC
PO BOX 1090 #
SCOTTSDALE AZ 85261

LI YUHUA & HONGZHONG ZHA...
9020 HIGDON CV #
CORDOVA TN 38016

WATKINS CYNTHIA & ROBERT ...
1987 BOHEMIA DR #
CORDOVA TN 38016

MOORE ALEXANDER AND TER...
1975 ABBOTT CV #
CORDOVA TN 38016

YAMASA CO LTD
PO BOX 4090 #
SCOTTSDALE AZ 85261

PIKE JAMES C SR & BETTY R
1982 MILBREY ST #
CORDOVA TN 38016

HUMPHREY BRENDA F
1973 ADA LN #
CORDOVA TN 38016

9100HERVAY TRUST
3592 ROSEMEAD BLVD #170
ROSEMEAD CA 91770

YOGAR NATHANIEL D & COMFO...
1990 ABBOTT CV #
CORDOVA TN 38016

GOPAUL HANSROUTIE
1974 ABBOTT CV #
CORDOVA TN 38016

DURAN MARTA A AND MANUEL ...
9130 HERVAY CV #
CORDOVA TN 38016

CLAXTON RONALD AND DERE...
1982 ABBOTT CV #
CORDOVA TN 38016

CARTWRIGHT ERICK & TASHA
9031 STRAIT CV #
CORDOVA TN 38016

EDWARDS CHANDRA
9140 HERVEY CV #
CORDOVA TN 38016

THOMAS FEREBEE
1981 ADA CV #
CORDOVA TN 38016

MONSON ALAN A
8008 ROOSEVELT ST #
MIDVALE UT 84047

CSMA BLT LLC
600 GALLERIA PWKY #300
ATLANTA GA 30339

ARMM ASSETS 2 LLC
401 CONGRESS AVE #33
AUSTIN TX 78701

PROGRESS MEMPHIS LLC
PO BOX 4090 #
SCOTTSDALE AZ 85261

ONE SMALL STEP LLC
9150 HERVAY CV #
CORDOVA TN 38016

VB NINE LLC
3500 PARK CENTER DR #100
DAYTON OH 45414

DUMAN CRAIG J & FRANCES C
31566 RAILROAD CANYON RD ...
CANYON LAKE CA 92587

ARNETT GAVIN W
1885 MUD HEN DR #
COLORADO SPRINGS CO 8092...

CARTER BRYAN D & JESSICA
1984 THREE PINES CV #
CORDOVA TN 38016

MCKINNEY TOYSHA B
9095 FULTON LN #
CORDOVA TN 38016

BAF ASSETS LLC
5001 PLAZA ON THE LAKE #2...
AUSTIN TX 78746

SHARIF RUMANA M REVOCABL...
1994 BERRY HOLLOW DR #
CORDOVA TN 38016

FLOWERS KAMISHA L
2025 MYRON CV #
CORDOVA TN 38016

WADE SHERRI L
2012 BOHEMIA DR #
CORDOVA TN 38016

SINGH NARINDER
7431 PLUM BLOSSOM DR #
CUPERTINO CA 95014

GARNER JAMES D & MARILYN ...
2008 BOHEMIA DR #
CORDOVA TN 38016

HUTSON WAYNE D REVOCABL...
PO BOX 34202 #
BARTLETT TN 38184

FKH SFR PROPCO A LP
600 GALLERIA PWKY #300
ATLANTA GA 30339

PROGRESS RESIDENTIAL BOR...
PO BO 4090 #
SCOTTSDALE AZ 85261

LUMINA HOLDINGS LLC
5100 POPLAR AVE #1503
MEMPHIS TN 38137

WHITE JOHN C III
1964 ADA CV #
CORDOVA TN 38016

THOMAS FELICIA M
1995 ADA CV #
CORDOVA TN 38016

SANCHEZ MARIO R AND MARIA...
9115 KAREN MILL CV #
CORDOVA TN 38016

HAMILTON WINFRED E
1980 ADA LN #
CORDOVA TN 38016

THOMPSON DEWAYNE & DENI...
1974 MILBREY ST #
CORDOVA TN 38016

SEDORY DANIEL B
9133 KAREN MILL CV #
CORDOVA TN 38016

VELIZ CARLOS N AND RENE A
9200 LAZZINI CV #
CORDOVA TN 38016

STINSON GLENDA
1975 MYRON CV #
CORDOVA TN 38016

MILLER MAXINE
9127 KAREN MILL CV #
CORDOVA TN 38016

CARRICK REGINALD R
1981 KENMONT ST #
CORDOVA TN 38016

SCOTT DELAWN A
9003 STRAIT CV #
CORDOVA TN 38016

PROGRESS RESIDENTIAL BOR...
PO BOX 4090 #
SCOTTSDALE AZ 85261

BRYANT JUJUANNA
9179 KAREN MILL LN #
CORDOVA TN 38016

AGUIRRE JOSE V AND ERNEST...
2054 BOHEMIA CV #
CORDOVA TN 38016

POWELL LASHONDA C
9178 KAREN MILL DR #
CORDOVA TN 38016

PERRY LAKISHA & RAMONE
9149 KAREN MILL LN #
CORDOVA TN 38018

PROGRESS RESIDENTIAL BOR...
PO BOX 4090 #
SCOTTSDALE AZ 85261

REEDER RANDY E & KIMBERLY ...
9172 KAREN MILL LN #
CORDOVA TN 38016

BRUNO ASHLEY R
9045 FULTON LN #
CORDOVA TN 38016

TODD ELIZABETH S LIVING TR...
2075 BERRYHILL RD #
CORDOVA TN 38016

GRANDERSON 2014 REVOCAB...
1319 PALM LN #
PHOENIX AZ 85007

SMITH TREVOR J
9053 FULTON LN #
CORDOVA TN 38016

MARTINEZ MANUEL & RAQUEL ...
8993 DEXTER RD #
CORDOVA TN 38016

BAF ASSETS LLC
5001 PLAZA ON THE LAKE #2...
AUSTIN TX 78746

COX TAMIKA
9069 FULTON LN #
CORDOVA TN 38016

MURSHED AHLAM
9015 DEXTER RD #
CORDOVA TN 38016

WASHINGTON MARLIN & PATRI...
8979 LINDSTROM DR #
CORDOVA TN 38016

MCPHERSON MICHELLE L
9075 FULTON LN #
CORDOVA TN 38016

PR BORROWER 26 LLC
PO BOX 4090 #
SCOTTSDALE AZ 85261

PROGRESS RESIDENTIAL BOR...
PO BOX 4090 #
SCOTTSDALE AZ 85261

GUPTA GARG FAMILY YRUST
4076 DEEP CREEK RD #
FREMONT CA 94555

LOWDER BETTY
2074 MILBREY ST #
CORDOVA TN 38016

DAVIS WILLIAM R & LEE ANN
2071 BOHEMIA CV #
CORDOVA TN 38016

SUTTON SAEED
9085 FULTON LN #
CORDOVA TN 38016

WU LIU FAMILY TRUST
692 ROLLING ROCK CV #
CORDOVA TN 38018

MATSON HERITAGE INVESTME...
2533 1575 #
VERNAL UT 84078

PATIL SWATI REVOCABLE LIVIN...
8400 SELKIRK CV #
GERMANTOWN TN 38139

BAKERKENNETH J & DENISE D
1931 230 EAST ST #
OREM UT 84057

GRUNDMAN HELEN AND DAVID...
2041 MILBREY ST #
CORDOVA TN 38016

CITY OF MEMPHIS
125 MAIN ST #
MEMPHIS TN 38103

RAJPUT GAJENDRA S
2072 BOHEMIA CV #
CORDOVA TN 38016

ALEXANDER REGINALD J & CO...
9004 JOHNSTON ST #
CORDOVA TN 38016

HARRIS MARLON M G AND LAN...
2091 BERRYHILL RD #
CORDOVA TN 38016

WILLIAMS CORNELIUS AND SH...
2066 BOHEMIA CV #
CORDOVA TN 38016

HAYES JOHN G JR & ELIZABET...
765 POPLAR AVE #
COLLIERVILLE TN 38017

GRANDERSON 2014 REVOCAB...
1319 PALM LN #
PHOENIX AZ 85007

PROGRESS RESIDENTIAL BOR...
PO BOX 4090 #
SCOTTSDALE AZ 85261

PETERSEN JUSTIN
500 STANYAN ST #405
SAN FRANCISCO CA 94117

WEBB RANDALL B
2030 BOHEMIA CV #
CORDOVA TN 38016

LEACH ONGELIA
9020 SUCCESS CV #
CORDOVA TN 38016

SMITH JILL E
9021 SUCCESS CV #
CORDOVA TN 38016

DIEP JOSEPH B AND THUYUYE...
8975 JOHNSTON ST #
CORDOVA TN 38016

HOME SFR BORROWER LLC
PO BOX 4090 #
SCOTTSDALE AZ 85261

ALLAUDDIN RAZIA
1999 BOHEMIA DR #
CORDOVA TN 38016

BERRYHILL WISDOM PROPERT...
11781 MAGNOLIA PARK CT #
LAS VEGAS NV 89141

PEARCE ANNE V
2024 MYRON CV #
CORDOVA TN 38016

MINOR TIA R
2008 ABBOTT CV #
CORDOVA TN 38016

WALLACE JAMEKA
2024 BOHEMIA DR #
CORDOVA TN 38016

AH4R-TN3 LLC
23975 PARK SORRENTO #300
CALABASAS CA 91302

BAKER CHRISTOPHER S & SAR...
1996 BOHEMIA DR #
CORDOVA TN 38016

MILLER MARC A & CYNTHIA GA...
2024 MILBREY ST #
CORDOVA TN 38016

HENDERSON BRENDA O P AND
2008 MILBREY ST #
CORDOVA TN 38016

GELLER ISSAC J
2004 MYRON CV #
CORDOVA TN 38016

BRYSON EDDIE M IV
9005 JOHNSTON ST #
CORDOVA TN 38016

PLATANIA RHONDA J
2014 ABBOTT CV #
CORDOVA TN 38016

WALKER LEONARD III & NICOL...
1999 ABBOTT CV #
CORDOVA TN 38016

MOORE LEYMONE & NYLOTICE
9019 JOHNSTON ST #
CORDOVA TN 38016

DU HAIMING & YULING ZHAO
2005 MILBREY ST #
CORDOVA TN 38016

BRANDON LINDA A
1987 MILBREY ST #
CORDOVA TN 38016

LONG BARBARA A
9027 JOHNSTON ST #
CORDOVA TN 38016

MACKLIN ZEDRIC & MICHELLE
2002 MILBREY ST #
CORDOVA TN 38016

ABUDIAB AWATIF
1965 MYRON CV #
CORDOVA TN 38016

BRANSON THOMAS W
2017 ABBOTT CV #
CORDOVA TN 38016

BROOKS CLIFTON L & VERNITA...
1496 PINECREST DR #
MEMPHIS TN 38111

YAMASA CO LTD
PO BOX 4090 #
SCOTTSDALE AZ 85261

HOME SFR BORROWER IV LLC
3505 KOGER BLVD #400
DULUTH GA 30096

PEREZ WILLIAM & EILEEN
1997 MILBREY ST #
CORDOVA TN 38016

WOOD RUSSO'S LISA PERSON...
20803 PASADENA AVE #
BUCKEYE AZ 85396

EDWARDS LEWIS
1977 MIBREY ST #
CORDOVA TN 38016

SCHUMAN LLC
3500 DUPONT HWY #
DOVER DE 19901

STRONG TIFFANY L
9203 LAZZINI CV #
CORDOVA TN 38016

OLYMPUS BORROWER LLC
PO BOX 4090 #
SCOTTSDALE AZ 85261

FKH SFR PROPCO B-HLD LP
600 GALLERIA PWKY #300
ATLANTA GA 30339

BROOKMAN BRIGID M
8332 REGIS WAY #
LOS ANGELES CA 90045

HOMAN ALAN M & KAREN S Y ...
1984 MYRON CV #
CORDOVA TN 38016

ALEXANDER LATURA
9023 STRAIT CV #
CORDOVA TN 38016

YAMASA CO LTD
PO BOX 4090 #
SCOTTSDALE AZ 85261

LEZAMA ERNESTO B & SUYAPA...
1983 ABBOTT CV #
CORDOVA TN 38016

WATSON DANIEL D & JORDAN I
1970 BOHEMIA DR #
CORDOVA TN 38018

PORT II PROPERTIES 2020-1 LL...
PO BOX 19201 #
JACKSONVILLE FL 32245

MERMAID BORROWER LLC
401 CONGRESS AVE #33
AUSTIN TX 78701

BRAVO ALEXIS & CATHERINE J
1964 MYRON CV #
CORDOVA TN 38016

WALLACE TRINA R
1954 MYRON CV #
CORDOVA TN 38016

GALLIPEAU SHAWN T
9218 LAZZINI CV #
CORDOVA TN 38016

SEVEN POINTS BORROWER LL...
PO BOX 4090 #
SCOTTSDALE AZ 85261

TURNER WENDY T
1955 ABBOTT CV #
CORDOVA TN 38016

GOLDEN PRAIRIE PROPERTIES...
9557 NAPLES DR #
CYPRESS CA 90630

VILLANUEVA DAVID & JADIYES ...
1966 ABBOTT CV #
CORDOVA TN 38016

DIAZ MICHAEL D & ROWENA C
1955 ADA LN #
CORDOVA TN 38016

ARMM ASSET COMPANY 1 LLC
5001 PLAZA ON THE LAKE #2...
AUSTIN TX 78746

HSU FAMILY TRUST
1980 ELM RIDGE DR #
VISTA CA 92081

HOBSON ROSIE L & TONY
9040 HIGDON CV #
CORDOVA TN 38016

COX CANDIS M
555 WINDING VALLEY CV #
COLLIERVILLE TN 38017

METEORITE CONSTRUCTION P...
5099 OLD SUMMER RD #
MEMPHIS TN 38122

FITZGERALD BRYANT K
1956 ABBOTT CV #
CORDOVA TN 38016

ABQUIN JENEAH L & KRISTAL ...
1974 MYRON CV #
CORDOVA TN 38016

EBERT KEVIN R & DAWN M
1740 OAKRIDGE DR #
CORONA CA 92882

ORR CHANDRA D AND JESSIC...
9250 LAZZINI CV #
CORDOVA TN 38016

SYLVESTER AND TWEETY TRU...
832 MONTEREY RD #
GLENDALE CA 91206

HENSLEY MELODY A
9271 LAZZINI CV #
CORDOVA TN 38016

EBRON SHELDON C & MARGA...
1968 BERRYHOLLOW #
CORDOVA TN 38016

CARRUTHERS SCHERVONE D ...
9076 HERVAY LN #
CORDOVA TN 38016

MILLER REVOCABLE LIVING FA...
4270 THUNDERHEAD CV #
MEMPHIS TN 38125

AL MASHAT SARAH
9263 KENMONT CV #
CORDOVA TN 38016

STREET LYNN D & VICKIE L
9086 HERVAY LN #
CORDOVA TN 38016

CRAWFORD JOHN W & MYRNA ...
1988 BERRY HOLLOW CV #
CORDOVA TN 38016

COLE CRAIG & TAMARA
1973 KENMONT ST #
CORDOVA TN 38016

LA FLOR AGATE ESTATE LLC
30 GOULD ST #
SHERIDAN WY 82801

WILLIAMS GEORGE
1974 ADA CV #
CORDOVA TN 38016

HOME SFR BORROWER IV LLC
3505 KOGER BLVD #400
DULUTH GA 30096

JONES LEE & LISA
9108 HERVAY LN #
CORDOVA TN 38016

BUFORD ANNETTE
1988 ADA LN #
CORDOVA TN 38016

ABSTON REGINA D
9166 KAREN MILL LN #
CORDOVA TN 38016

CEYHAN ERROL AND JONATHA...
506 LINKS DR #
OCEANSIDE NY 11572

HEAD CURTIS B AND BARBARA...
1996 ADA CV #
CORDOVA TN 38016

WONDE ETETU A
9160 KAREN MILL LN #
CORDOVA TN 38016

FLAGG JAMIA N & GEORGE
9134 HERVAY CV #
CORDOVA TN 38016

ELAYAN IBRAHIM
1975 BERRY HOLLOW DR #
CORDOVA TN 38016

NORRELLS JAMILLAH
9154 KAREN MILL LN #
CORDOVA TN 38016

HARRIS BRANDON L
9259 LAZZINI CV #
CORDOVA TN 38016

PROGRESS RESIDENTIAL BOR...
PO BOX 4090 #
SCOTTSDALE AZ 85261

THOMAS PERCYNTHIA
9132 KAREN MILL CV #
CORDOVA TN 38016

WYGANT STACY
9146 HERVAY CV #
CORDOVA TN 38016

BYNUM VICKI
1960 BERRYHOLLOW #
CORDOVA TN 38016

PROGRESS RESIDENTIAL BOR...
PO BOX 4090 #
SCOTTSDALE AZ 85261

AHN JASON
1027 23RD ST #
SANTA MONICA CA 90403

PIRLEPESOV FAKHRIDDIN O & ...
1993 BERRY HOLLOW DR #
CORDOVA TN 38016

JAMERSON AMOS A & ROSE M...
2116 FOREST HILL IRENE RD ...
CORDOVA TN 38016

CUMMINGS BONNIE
9101 FULTON LN #
CORDOVA TN 38016

HORSLEY DAVID L
9139 KAREN MILL CV #
CORDOVA TN 38016

KOMIS ROBERT A
1965 MYRON CV #
CORDOVA TN 38016

SMITH BENJAMIN J W
1965 BERRYHILL RD #
CORDOVA TN 38016

DANCE LINDA
9111 KAREN MILL CV #
CORDOVA TN 38016

FYR SFR BORROWER LLC
PO BOX 4090 #
SCOTTSDALE AZ 85261

PR BORROWER 26 LLC
PO BOX 4090 #
SCOTTSDALE AZ 85261

LAU DIANA & FENG SHA
47 TOBIN AVE #
GREAT NECK NY 11021

MALONE LINDA D
1955 MYRON CV #
CORDOVA TN 38016

ARC WGCDVTN001 LLC
PO BOX 1159 #
DEERFIELD IL 60015

BATES SUZETTE AND CLAUDIA ...
9120 KAREN MILL CV #
CORDOVA TN 38016

BARNES DENETRICE K
1958 BOHEMIA DR #
CORDOVA TN 38016

ARMM ASSETS 2 LLC
401 CONGRESS AVE #33
AUSTIN TX 78701

HAMILTON TASHA & CORY
2015 MYRON CV #
CORDOVA TN 38016

WARREN ANGELA
1945 MYRON CV #
CORDOVA TN 38016

ALBUNNI OMAR & SUNDUS HO...
1983 THREE PINES CV #
CORDOVA TN 38016

SMOOT AMBER J & TARRIS D
1989 ADA CV #
CORDOVA TN 38016

FKH SFR PROPCO D L P
600 GALLERIA PWKY #300
ATLANTA GA 30339

JORDAN KARESA L
9173 KAREN MILL LN #
CORDOVA TN 38016

MEMPHIS INVESTMENT PROPE...
4701 SUMMER AVE #
MEMPHIS TN 38122

DALE TERRENCE
2035 MYRON CV #
CORDOVA TN 38016

MID SOUTH INVESTMENT HOL...
92 MARYS CREEK CV #
EADS TN 38028

HEATH LEROY Q JR & DAWN
9002 STRAIT CV #
CORDOVA TN 38016

AMH 2015-1 BORROWER LLC
23975 PARK SORRENTO #300
CALABASAS CA 91302

LOBOS NESTOR A
8754 DEWBERRY LN #
CORDOVA TN 38016

JACKSON JUANA
1985 MYRON CV #
CORDOVA TN 38016

PINKSTON JOYCE J LIVING TR...
2024 BERRYHILL RD #
CORDOVA TN 38016

MIAO INVESTMENT CO INC
3789 PIPER BAY LN #
LAKELAND TN 38002

MOORE ALBERT & JOCELYN
9013 STRAIT CV #
CORDOVA TN 38016

RIGHT SEEK INC
3221 POINT HILL CV #
MEMPHIS TN 38125

WATKINS FAMILY REVOCABLE ...
8757 DEXTER RD #
CORDOVA TN 38016

MEMPHIS CITY OF
125 MAIN ST #
MEMPHIS TN 38103

GRANDERSON BETTIE M AND J...
2650 BERRYHILL RD #
CORDOVA TN 38016

DOCKERY DEXTER R & PANCH...
1965 BERRY HOLLOW #
CORDOVA TN 38016

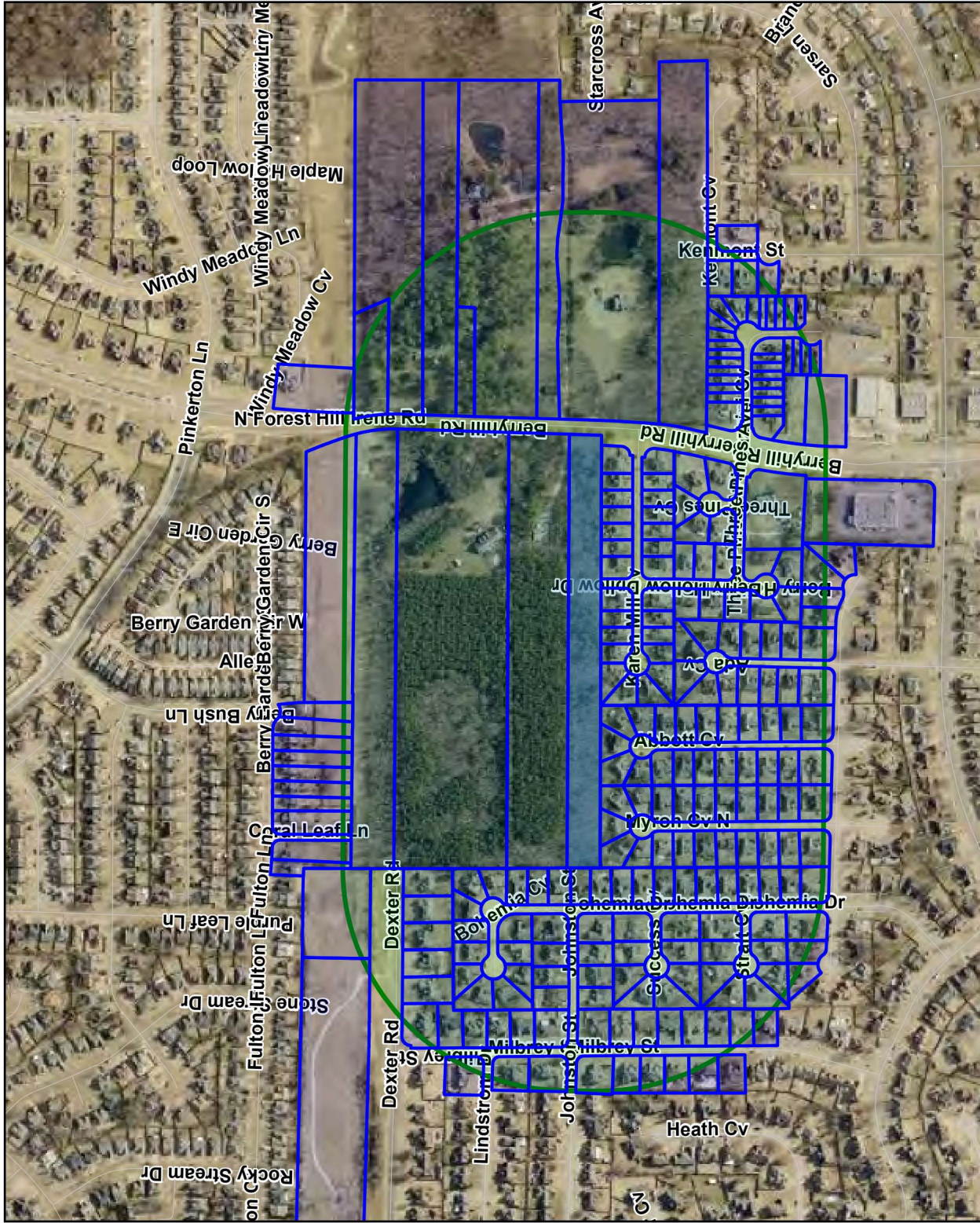
LINDSAY JESSICA A
9148 KAREN MILL LN #
CORDOVA TN 38016

COX ANTONIO & LESLIE N MOR...
1978 THREE PINES CV #
CORDOVA TN 38016

RIGHT SEEK INC
3221 POINT HILL CV #
MEMPHIS TN 38125

Legend

— Roads



SHELBY COUNTY, TENNESSEE

DISCLAIMER: THIS MAP IS PROVIDED FOR VISUAL REFERENCE ONLY. IT IS NOT INTENDED TO ESTABLISH PROPERTY BOUNDARIES, LEGAL OWNERSHIP, OR EXACT LOCATION, AND SHOULD NOT BE RELIED UPON FOR SURVEYING, LEGAL, OR PROPERTY DETERMINATION PURPOSES.
 MAP DATE: July 27, 2026



**CITY OF MEMPHIS
COUNCIL AGENDA CHECK OFF SHEET**

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 08/04/2026

DATE

PUBLIC SESSION: 08/18/2026

DATE

ITEM (CHECK ONE)

X ORDINANCE _____ RESOLUTION X REQUEST FOR PUBLIC HEARING

ITEM CAPTION: Joint ordinance to amend the Memphis and Shelby County Unified Development Code adopted by the City of Memphis on August 10, 2010, and by Shelby County on August 9, 2010, to establish a procedure for replacing the zoning map, being ZTA 2026-002

CASE NUMBER: ZTA 2026-002

LOCATION: Memphis and unincorporated Shelby County

COUNCIL DISTRICTS: All council districts

OWNER/APPLICANT: Division of Planning and Development

REPRESENTATIVES: Brett Ragsdale, Director

REQUEST: Adopt the recommended amendment to the Unified Development Code

RECOMMENDATION: The Division of Planning and Development recommended *Approval*
The Land Use Control Board recommended *Approval*

RECOMMENDED COUNCIL ACTION: **Public Hearing Required**

Set date for first reading – July 21, 2026

Second reading – August 4, 2026

Third reading – August 18, 2026

PRIOR ACTION ON ITEM:

(1) _____	APPROVAL - (1) APPROVED (2) DENIED
<u>07/09/2026</u>	DATE
(1) Land Use Control Board	ORGANIZATION - (1) BOARD / COMMISSION
	(2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

(2) _____	REQUIRES CITY EXPENDITURE - (1) YES (2) NO
\$ _____	AMOUNT OF EXPENDITURE
\$ _____	REVENUE TO BE RECEIVED

SOURCE AND AMOUNT OF FUNDS

\$ _____	OPERATING BUDGET
\$ _____	CIP PROJECT # _____
\$ _____	FEDERAL/STATE/OTHER

ADMINISTRATIVE APPROVAL:

DATE

POSITION

7-10-26

PLANNER II

DEPUTY ADMINISTRATOR

7/10/26

ADMINISTRATOR

DIRECTOR (JOINT APPROVAL)

COMPTROLLER

FINANCE DIRECTOR

CITY ATTORNEY

CHIEF ADMINISTRATIVE OFFICER

COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

ZTA 2026-002

JOINT ORDINANCE TO AMEND THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE ADOPTED BY THE CITY OF MEMPHIS ON AUGUST 10, 2010, AND BY SHELBY COUNTY ON AUGUST 9, 2010, TO ESTABLISH A PROCEDURE FOR REPLACING THE ZONING MAP, BEING ZTA 2026-002.

- This amendment will create the process by which the zoning map may be repealed and replaced in its entirety.
- Memphis City Council passed a resolution on August 22, 2023, directing the Division of Planning and Development (DPD) to proceed with public engagement and develop recommendations for the zoning map. DPD has since conducted nearly three years of public engagement and is currently working to finalize these recommendations.
- This amendment will require DPD to mail public notice to the owners of all properties in Memphis and unincorporated Shelby County prior to the Land Use Control Board public hearing for a map replacement. The amendment also regulates the content of said public notice.
- The Memphis and Shelby County Land Use Control Board considered the amendment at its July 9, 2026, meeting and voted unanimously to recommend ***approval***.
- The Division of Planning and Development recommends ***approval***.
- This joint ordinance also requires approval by the Shelby County Board of Commissioners.
- No expenditure of funds/budget amendments are required by this item.

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on **Thursday, July 9, 2026**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER:	ZTA 2026-002
LOCATION:	Memphis and unincorporated Shelby County
COUNCIL DISTRICT(S):	All Council Districts
OWNER/APPLICANT:	Division of Planning and Development
REPRESENTATIVE:	Brett Ragsdale, Director
REQUEST:	Adopt the recommended amendment to the Unified Development Code

The following spoke in support: None

The following spoke in opposition: None

The Land Use Control Board reviewed the application and the staff report. A motion was made and seconded to recommend approval of the application as amended.

The motion passed by a unanimous vote of 7-0 on the regular agenda.

Respectfully,



Nicholas Wardroup, AICP
Planner II
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

ORDINANCE NO: _____

JOINT ORDINANCE TO AMEND THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE ADOPTED BY THE CITY OF MEMPHIS ON AUGUST 10, 2010, AND BY SHELBY COUNTY ON AUGUST 9, 2010, TO ESTABLISH A PROCEDURE FOR REPLACING THE ZONING MAP, BEING ZTA 2026-002.

WHEREAS, a proposed amendment to the Memphis and Shelby County Unified Development Code, being Ordinance No. 5367 of the Code of Ordinances, City of Memphis, Tennessee, as amended, has been submitted to the Memphis and Shelby County Land Use Control Board for its recommendation, designated as **Case Number: ZTA 2026-002**; and

WHEREAS, The Board of County Commissioners and Memphis City Council concur that the Division of Planning & Development should, from its experience in administering the Unified Development Code, periodically suggest amendments to the same to make it a more practical code benefiting the needs of the public; and

WHEREAS, The City Council of the City of Memphis did by resolution charge the Division of Planning and Development with replacing the existing Unified Development Code and zoning map which has not been done in more than seventy years; further, that members of the Board of Commissioners are aware of this charge and have been kept apprised of its progress in its Land Use Committee meetings, with plans to make the same charge for the unincorporated county; and

WHEREAS, The current Unified Development Code addresses and provides a procedure for a text amendment including complete replacement, § 9.4; and for individual re-zonings, § 9.5; and for comprehensive rezoning of specific “areas designated as planning districts or planning areas, or other areas for which a plan has been approved or adopted,” § 9.5.12.B; but lacks a provision and procedure for a complete repeal and replacement of the zoning map as contemplated in state law; and

WHEREAS, The Memphis and Shelby County Land Use Control Board heard this matter on July 9, 2026, and has submitted its recommendation to this body;

WHEREAS, the Council of the City of Memphis has reviewed the aforementioned amendment pursuant to Tennessee Code Annotated Section 13-4-202(B)(2)(B)(iii) and has determined that said amendment is consistent with the Memphis 3.0 General Plan; and

WHEREAS, the provisions of the Code of Ordinances, City of Memphis, Tennessee, as amended, relating to the proposed amendment, have been complied with.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS AND BY THE BOARD OF COMMISSIONERS OF SHELBY COUNTY that Joint Ordinance Nos. 5367 and 397, are hereby amended as follows:

SECTION 1, CASE NO. ZTA 2026-002. That the various sections of the Unified Development Code be hereby amended as reflected in Exhibit A, attached hereto.

SECTION 2. That the various sections, words, and clauses of this Joint Ordinance are severable,

and any part declared or found unlawful may be elided without affecting the lawfulness of the remaining portions.

SECTION 3. That this Joint Ordinance shall take effect from and after the date it shall have been enacted according to due process of law, and thereafter shall be treated as in full force and effect in the jurisdictions subject to the above-mentioned Ordinance by virtue of the concurring and separate passage thereof by the Shelby County Board of Commissioners and the Council of the City of Memphis.

ATTEST:

CC: Division of Planning and Development
– Land Use and Development Services
– Office of Construction Enforcement
Shelby County Assessor

EXHIBIT A: Markup of Current Unified Development Code

Additions to the Code, as presently written, are indicated in red underline. Deleted language is indicated by ~~blue strikethrough~~. Explanatory notes not part of the Code text are *highlighted and italicized*.

Article 9. Administration

9.1 REVIEW BODIES

9.1.1 Governing Bodies

A. General Authority

The governing bodies may exercise additional powers as may be described elsewhere in this development code and as permitted by the City or County Code of Ordinances.

B. Final Authority

With respect to this development code, the governing bodies are responsible for final action regarding:

1. Text amendments;
2. Zoning changes;
- ~~3.~~ 3. Comprehensive rezonings;
- ~~3-4.~~ 4. Replacements of the zoning map;
- ~~4-5.~~ 5. Special uses and special use amendments;
- ~~5-6.~~ 6. Planned development outline plan and amendments;
- ~~6-7.~~ 7. Planned development public contracts;
- ~~7-8.~~ 8. Final plat public contracts;
- ~~8-9.~~ 9. Right-of-way vacation;
- ~~9-10.~~ 10. Right-of-way dedication; and
- ~~10-11.~~ 11. Historic district designation.

9.1.2 Land Use Control Board

A. Establishment

The Land Use Control Board is established pursuant to Joint Ordinance-Resolution No. 2524 (Memphis City Code § 2-50).

B. General Authority

1. The Land Use Control Board performs related duties as directed by the governing bodies.
2. The Land Use Control Board may exercise additional powers as may be described elsewhere in this development code and as permitted by the City or County Code of Ordinances.

C. Review Authority

With respect to this development code, the Land Use Control Board reviews and makes recommendations regarding:

1. Text amendments;
2. Zoning changes;
- ~~3.~~ 3. Comprehensive rezonings;
- ~~3-4.~~ 4. Replacements of the zoning map;
- ~~4-5.~~ 5. Special uses and special use amendments;
- ~~5-6.~~ 6. Planned development outline plan and amendments;
6. Street Name Change;
7. Right-of-way vacation;
8. Right-of-way dedication; and
9. Historic district designation.

D. Final Authority

With respect to this development code, the Land Use Control Board shall be responsible for final action (subject to appeal) regarding:

1. Planned development major modifications;

2. Special use major modifications;
3. Major preliminary plans;
4. Resubdivision;
5. Plat of record vacation; and
6. Special exceptions.

9.2.3 Board of Adjustment

A. Establishment

The Board of Adjustment is established pursuant to Joint Ordinance-Resolution No. 722 Memphis City Code § 2-48).

B. General Authority

1. The Board of Adjustment performs related duties as directed by the governing bodies.
2. The Board of Adjustment may exercise additional powers as may be described elsewhere in this development code and as permitted by the City or County Code of Ordinances.

C. Final Authority

With respect to this development code, the Board of Adjustment is responsible for final action regarding:

1. Variances;
2. Appeals from Administrative decisions
3. Interpretation of zoning district boundaries.
4. Change in nonconforming use permit; and
5. Conditional Use Permits.

9.2.4 Landmarks Commission

A. Defined

The Memphis Landmarks Commission is identified as having the authority to enforce certain provisions of this development code.

B. Establishment

The Landmarks Commission serves as a historic zoning commission pursuant to Tennessee Code 13-7-403 for the City of Memphis (see Memphis City Code § 14-24-5).

C. General Authority

The Landmarks Commission conducts and encourages research, planning and educational projects for the purpose of protecting historic districts and documenting the historic significance thereof, including the following:

1. Recommend to the governing bodies designated sites and districts for loans and grants under the City Landmark Fund and subject to approval by the governing bodies; make application for and administer grants for the purpose of preserving and restoring structures and sites located within a Historic Overlay District.
2. Initiate or assist in surveys, plans and studies and programs designed to identify, list and evaluate structures, objects, sites and areas worth of preservation and develop strategies and methods for their protection.
3. Consult with and consider the recommendations of civic groups, public agencies and citizens interested in historic preservation and provide information to the public.
4. Research historic properties and apply for designation to the National Register of Historic Places and establish a list of properties eligible for designation as a Historic Overlay District.

D. Review Authority

With respect to this development code, the Landmarks Commission reviews and make recommendations regarding rezoning to a Historic district designation.

E. Final Authority

With respect to this development code, the Landmarks Commission is responsible for final action regarding applications for a Certificate of Appropriateness.

9.2.5 Downtown Memphis Commission Design Review Board

A. Establishment

The Downtown Memphis Commission Design Review Board is established pursuant to Memphis City Code § 12-44.

B. General Authority

1. The Downtown Memphis Commission Design Review Board performs related duties as directed by the City Council.
2. The Downtown Memphis Commission Design Review Board may exercise additional powers as may be described elsewhere in this development code and as permitted by the City Code of Ordinances.

C. Final Authority

With respect to this development code, the Downtown Memphis Commission Design Review Board is responsible for reviewing applications and issuing permits with respect to the design of public building façades and exteriors in public view, signs and other public improvements within the Central Business Improvement District.

9.2.6 Zoning Administrator

The Zoning Administrator may designate any staff member to represent the Zoning Administrator in any function assigned by this development code. The Zoning Administrator remains responsible for any final action.

A. General Authority

1. The Zoning Administrator performs related duties as directed by the governing bodies.
2. The Zoning Administrator may exercise additional powers as may be described elsewhere in this development code and as permitted by the City or County Code of Ordinances.

B. Review Authority

With respect to this development code, the Zoning Administrator reviews and makes recommendations regarding:

1. Text amendments;
2. Zoning changes;
- ~~3.~~ 3. Comprehensive rezonings;
- ~~3-4.~~ 4. Replacements of the zoning map;
- ~~4-5.~~ 5. Special uses, special use amendments and major modifications;
- ~~5-6.~~ 6. Planned development outline plan and amendments;
- ~~6-7.~~ 7. Planned development major modifications;
- ~~7-8.~~ 8. Major preliminary plans review;
- ~~8-9.~~ 9. Resubdivision;
- ~~9-10.~~ 10. Right-of-way vacation;
- ~~10-11.~~ 11. Right-of-way dedication;
- ~~11-12.~~ 12. Street name change;
- ~~12-13.~~ 13. Plat of record vacation;
- ~~13-14.~~ 14. Special exceptions
- ~~14-15.~~ 15. Historic district designation;
- ~~15-16.~~ 16. Certificates of appropriateness; and
- ~~16-17.~~ 17. Variances.

C. Final Authority

With respect to this development code, the Zoning Administrator is responsible for final action (subject to appeal) regarding:

1. Special use minor modifications;
2. Planned development minor modifications;
3. Planned development final plats;
4. Minor preliminary plans;
5. Final plats;
6. Administrative site plans;

7. Tree removal;
8. Final plat; Demolition by neglect;
9. Administrative deviations; and
10. Written interpretations.

9.2.7 Building Official

A. Delegation of Authority

The Building Official may designate any staff member to represent the Building Official in any function assigned by this development code. The Building Official remains responsible for any final action.

B. General Authority

1. The Building Official performs related duties as directed by the governing bodies.
2. The Building Official may exercise additional powers as may be described elsewhere in this development code and as permitted by the City or County Code of Ordinances.

C. Final Authority

With respect to this development code, the Building Official is responsible for final action (subject to appeal) regarding the following:

1. Temporary use review;
2. Sign permit; and
3. Certificate of occupancy.

9.2.8 Technical Review Committee

The Technical Review Committee is comprised of City and County agencies and is established to provide technical assistance in the review of certain provisions of this development code as set forth below.

A. Composition

The Technical Review Committee shall consist of a representative from the following. The Zoning Administrator shall serve as chairman of the Technical Review Committee and shall be responsible for all final recommendations.

1. Division of Planning and Development – Land Use and Development Services.
2. Division of Planning and Development – Comprehensive Planning.
3. Division of Planning and Development – Construction Enforcement.
4. City Traffic Engineer.
5. City and County Public Works Divisions.
6. City and County Engineering Divisions.
7. City and County Fire Departments.
8. Shelby County Health Department.
9. Memphis Light, Gas, and Water Division.

B. Review Authority

1. With respect to this development code, the Technical Review Committee may review at the discretion of the Zoning Administrator the following:
 - a. Text amendments;
 - b. Special uses and special use revisions;
 - c. Planned development outline plan amendments;
 - d. Planned development major modifications;
 - e. Planned development minor modifications;
 - f. Planned development final plats;
 - g. Minor preliminary plans;
 - h. Right-of-way vacation;
 - i. Administrative site plans; and
 - j. Special exceptions.

2. With respect to this development code, the Technical Review Committee shall review the following:
 - a. Planned development outline plans;
 - b. Major preliminary plans;
 - c. Resubdivision;
 - d. Right-of-way dedication;
 - e. Street name change; and
 - f. Plat of record vacation.

9.2 SUMMARY OF REVIEW AUTHORITY

9.2.1 Governing Bodies

The City Council retains review and approval or appeal authority within the City limits of Memphis and the Board of Commissioners retains review and approval or appeal authority within unincorporated Shelby County.

9.2.2 Summary of Review Table

	x-ref	Review, Recommendation, Decision and Approval							
		City or County Engineer	Building Official	Technical Review Committee	Zoning Administrator or	Board of Adjustment	Landmarks Commission	Land Use Control Board	Governing Bodies
Text Amendment	9.4			Δ	RR			RR	D
Zoning Change	9.5				RR			RR	D
Comprehensive Rezoning	9.5.12				RR			RR	D
Replacement of the Zoning Map	9.5.13				RR			RR	D
Special Uses & Planned Developments:									
Special Uses & Special Use Amendments	9.6 & 9.6.12A			Δ	RR			RR	D*
Special Use Major Modification	9.6.12B			Δ	RR			D	A
Special Use Minor Modification	9.6.12C			Δ	D			A*	
P. D. Outline Plan & Amendments	9.6 & 9.6.11E (1)			R	RR			RR	D*
P. D. Major Modifications	9.6.11E (2)			Δ	RR			D	A
P. D. Minor Modifications	9.6.11E (3)			Δ	D			A*	
P. D. Final Plan	9.6			Δ	D			A*	
P. D. Public Contract	9.6	RR							D
Subdivision:									
Minor Preliminary Plan	9.7.6			Δ	D			A	
Major Preliminary Plan	9.7.7			R	RR			D	A
Resubdivision				R	RR			D	A
Final Plat without Standard Contract	9.7.8			Δ	D			A*	
Final Plat w/Standard Contract	9.7.8	RR							D
Right-of-Way Vacation	9.8			Δ	RR			RR	D
Right-of-Way Dedication	9.9			R	RR			RR	D
Street Name Change	9.10			R	RR			RR	D
Plat of Record Revocation	9.11			R	RR			D	A
Administrative Site Plan	9.12			Δ	D	A**			
Special District Administrative Review	9.13			Δ	D	A**			
Special Exception	9.14			Δ	RR			D	A
Historic District Designation	8.6				RR		RR	RR	D
Certificate of Appropriateness	8.6.3				RR		D		
Historic District (Demolition by Neglect)	8.6.4				D		A*		
Board of Adjustment					RR	D			
Administrative Decision		D	D		D	A**			
Change in Nonconforming Use Permit	10.2.5				RR	D			

D = Decision

D* = Decision but no public hearing unless a request for a hearing is properly filed by an individual who was either present at LUCB and made a vocal objection or who submitted written comments to DPD prior to LUCB.

R = Review

RR = Review & Recommendation

Δ = Review at Discretion of Zoning Administrator

A = Appeal

A* = Only the subject property owner or his or her representative may appeal decisions of the Zoning Administrator, Building Official or City or County Engineer.

A** = Only the subject property owner and those property owners within 1000 feet of the subject property, as measured from property line to property line, may appeal decisions of the Zoning Administrator, Building Official or City or County Engineer.

9.3 COMMON REVIEW PROCEDURES

9.3.1 Pre-Application Conference

- A. The pre-application conference is a meeting in which the Zoning Administrator discusses the procedures, standards and regulations required for approval in accordance with this development code with the applicant.
- B. A mandatory pre-application conference with the Zoning Administrator shall be required for the following:
 - 1. Zoning change;
 - 2. Special use permit;
 - 3. Planned development outline plan;
 - 4. Minor preliminary plan;
 - 5. Major preliminary plan;
 - 6. Right-of-way vacation;
 - 7. Right-of-way dedication;
 - 8. Plat of record;
 - 9. Plat revocation;
 - 10. Historic district designation; and
 - 11. Certificate of Appropriateness.
- C. A pre-application conference is optional for any application not listed in Sub-Section B above.

9.3.2 Neighborhood Notification and Meeting

- A. At least ten days, but not more than 120 days, prior to a hearing before the Land Use Control Board, the applicant shall host and/or attend a neighborhood meeting with representatives from neighborhoods adjacent to the development site which the hearing involves:
 - 1. Zoning change;
 - 2. Special use permit or amendment to a special use permit;
 - 3. Planned development outline plan or amendment to a planned development outline plan; and
 - 4. All subdivisions except minor subdivisions.
- B. Procedure
 - 1. Where applicable, the Division of Planning and Development shall mail notification of the neighborhood meeting prepared and provided by the applicant to the following individuals: 1) the officers of any neighborhood or business associations registered with the City of Memphis Office of Community Affairs whose boundaries include properties within 1,500 feet of the subject property; 2) all current residents of single-family and two-family dwellings within the notification area; 3) all property owners within the notification area, if different from the current residents; 4) the members of the Memphis City Council who represent the district and super-district in which the development is planned, or for areas in unincorporated Shelby County, the member of the Shelby County Board of Commissioners who represent the district in which the development is planned; and 5) all residents of multi-family dwellings within the notification area; to inform the community of the proposed development and solicit comments. If the applicant is unable to make notification to the multi-family dwellings, he or she shall provide notice to the Division of Planning and Development the reason and shall mail notification of the neighborhood meeting to the rental or management offices of all multi-family dwellings within the notification area with a request that said rental or management office post the notification in a conspicuous location within a common area(s), including, but not limited to: entry doors, hallways, mailbox areas and laundry rooms.
 - 2. The neighborhood notification requirements shall be the same as the mailed public notice requirements in 9.3.4A. The notification shall identify the time and place of the neighborhood meeting, as well as a description and map of the project. The notification shall also include the public hearing date of when the application will be heard by the Land Use Control Board. The applicant shall contact the officer(s) of any neighborhood or business association registered with the City of Memphis Office of Community Affairs prior to determining a date for the neighborhood meeting.
 - 3. The notification shall be prepared by the applicant and presented to the Division of Planning and Development no later than two working days prior to the date set out in the mailing requirement provided in Paragraph 5 below. The notification shall be folded, sealed and placed in stamped envelopes when presented to the Division of Planning

and Development. The following items shall accompany the notification when presented to the Division of Planning and Development: a copy of the letter to be mailed to all parties, a copy of the address labels to whom notification will be mailed and a map of the notice area.

4. If practicable, the neighborhood meeting shall be held at a public building or place of worship within a one-mile radius of the subject property, or at the subject property itself.
 5. If the notification package is determined to be complete by the Zoning Administrator, the Division of Planning and Development shall mail the notification no later than 20 days prior to the hearing before the Land Use Control Board and no later than 10 days prior to the date of the neighborhood meeting. If the neighborhood notification package is determined to be incomplete by the Zoning Administrator, the application is subject to being considered incomplete and removed from the Land Use Control Board agenda.
 6. Neighborhood meetings are the sole responsibility of the applicant. Documentation of its proceedings shall also be provided to the Division of Planning and Development. The applicant may request neighborhood organizations' contact information, if available, from the Division of Planning and Development.
- C. The purpose of the neighborhood notification and meeting is to inform the neighborhood of the nature of the proposed land use and development features and solicit comments. Applicants shall reserve at least 15 minutes of the neighborhood meeting for community members, businesses and/or neighborhood associations wishing to make a presentation regarding the development.
- D. Any neighborhood or business association registered with the City of Memphis Office of Community Affairs whose boundaries include properties within 1,500 feet of the development area will have the opportunity to submit a Community Impact Statement (CIS). The purpose of the CIS is to provide community members a chance to give an opinion and any recommendation regarding the development project. The CIS shall not exceed 500 words. Neighborhood or business associations who intend to file a CIS must submit said statement to the Land Use Control Board or governing bodies prior to the scheduled hearing. If provided prior to the publishing of the Land Use Control Board staff report, the CIS shall be included within the staff report in a prominent position alongside the Division of Planning and Development recommendation. If provided after the publishing of the Land Use Control Board staff report, the CIS will be referenced during the Land Use Control Board public hearing and contained in the materials that are forwarded to the legislative body, where applicable.
- E. Exigent circumstances. A neighborhood meeting may be conducted through electronic or telephonic means if holding an in-person meeting is impractical due to an ongoing public health crisis or other similar situation that is out of the control of the applicant, provided all notice requirements of this section are met. In addition, a neighborhood meeting may be held after the Land Use Control Board votes on the matter but before the governing body does so in the event the Division of Planning and Development makes a determination that a zoning change is not in compliance with a Chapter 1.9 plan with the publishing of its Land Use Control Board staff report (see Paragraph 9.3.2A(1)). In such an event, all notice and timing requirements of this Section shall still apply, but will be timed in conjunction with date the governing body is expected to vote on the matter.

9.3.3 Application Requirements

A. Initiation of Request

A request for development approval may be initiated in accordance with the following. For the purpose of this Sub-Section, “body” shall mean either the Memphis City Council or the Shelby County Board of Commissioners; “board” shall mean the Land Use Control Board and “staff” shall mean the Chief Administrative Officer of either the City of Memphis or Shelby County, or the Zoning Administrator.

	Agent/ Owner/ Applicant	Body/ Board/ Staff
Text Amendment		■
Zoning Change	■	■
Comprehensive Rezoning		■*
<u>Replacement of the Zoning Map</u>		■*
Special Uses and Planned Developments:		
Special Uses & Special Use Amendments	■	
Special Use Minor Modifications	■	
Special Use Major Modifications	■	
P. D. Outline Plan & Amendments	■	
P. D. Minor Modifications	■	
P. D. Major Modifications	■	
P. D. Final Plan	■	
P. D. Public Contract	■	
Subdivision:		
Minor Preliminary Plan	■	
Major Preliminary Plan	■	
Resubdivision	■	
Final Plat	■	
Public Contract	■	
Right-of-Way Vacation	■	■
Right-of-Way Dedication	■	
Street Name Change	■	■
Plat of Record Revocation	■	■
Administrative Site Plan Review	■	
Special District Administrative Review	■	
Special Exception Review	■	
Temporary Use Review	■	
Tree Removal	■	
Sign Permit	■	
Certificate of Occupancy	■	
Historic District Designation	■	■
Certificate of Appropriateness	■	
Demolition by Neglect		■
Written Interpretations	■	
Administrative Deviation	■	
Variance and Conditional Use Permit	■	
Appeal of Administrative Decision	■	
Change in Nonconforming Use Permit	■	

*Only the body(s) may initiate a request for a comprehensive rezoning or replacement of the zoning map (see Sub-Sections 9.5.12A and 9.5.13A).

B. Submittals

Applications required under this development code shall be filed with the Division of Planning and Development in accordance with the following.

	Zoning Administrator	Building Official
Text Amendment	■	
Zoning Change	■	
Comprehensive Rezoning	■	
<u>Replacement of the Zoning Map</u>	■	
Special Uses and Planned Developments:		
Special Uses & Special Use Amendments	■	
Special Use Minor Modifications	■	
Special Use Major Modifications	■	
P. D. Outline Plan & Amendments	■	
P. D. Minor Modifications	■	
P. D. Major Modifications	■	
P. D. Final Plan	■	
P. D. Public Contract	■	
Subdivision:		
Minor Preliminary Plan	■	
Major Preliminary Plan	■	
Resubdivision	■	
Final Plat	■	
Public Contract	■	
Right-of-Way Vacation	■	
Right-of-Way Dedication	■	
Street Name Change	■	
Plat of Record Revocation	■	
Administrative Site Plan Review	■	
Special District Administrative Review	■	
Special Exception Review	■	
Temporary Use Review		■
Tree Removal	■	
Sign Permit	■	
Certificate of Occupancy		■
Historic District Designation	■	
Certificate of Appropriateness	■	
Demolition by Neglect	■	
Written Interpretations	■	
Administrative Deviation	■	
Variance and Conditional Use Permit	■	
Appeal of Administrative Decision	■	
Change in Nonconforming Use Permit	■	

C. Forms

Applications required under this development code must be submitted on forms and in such numbers as required by the Division of Planning and Development.

D. Fees

Filing fees have been established to defray the cost of processing the application, as listed with the Division of Planning and Development and adopted by the governing bodies. Before review of an application, all filing fees must be paid in full.

E. Completeness Determination

1. All applications must be complete before the Zoning Administrator/Building Official is required to review the application.
2. An application is considered complete when it contains all of the information necessary to decide whether or not the development as proposed will comply with all of the requirements of this development code.
3. The presumption is that all of the information required in the application forms is necessary to satisfy the requirements of this Article. However, it is recognized that each application is unique, and therefore more or less information may be required according to the needs of the particular case. The applicant may rely on the recommendations of the Zoning Administrator/Building Official as to whether more or less information shall be submitted.
4. Once the application has been determined complete, copies of the application shall be referred by the Zoning Administrator/Building Official to the reviewing entities.
5. The Zoning Administrator/Building Official may require an applicant to present evidence of authority to submit the application.

F. Application Deadline

Complete applications shall be submitted in accordance with the published calendar schedule. Schedules indicating submittal dates shall be developed each year and made available to the public.

G. Staff Consultation after Application Submitted

1. Upon receipt of a complete application, within 21 days after the filing deadline, the Zoning Administrator/Building Official shall review the application and confer with the applicant to ensure an understanding of the applicable requirements of this development code; that the applicant has submitted all of the information they intend to submit; and that the application represents precisely and completely what the applicant proposes to do.
2. Once the applicant indicates that the application is as complete as the applicant intends to make it, the application shall be placed on the agenda of the appropriate review board in accordance with standard procedures. However, if the application is determined incomplete, a recommendation to deny the application on that basis shall be provided to the appropriate reviewing entity.

H. Concurrent Applications

Applications may be filed and reviewed concurrently, at the option of the applicant, provided there is not a pending appeal filed by applicant on the subject site (see Paragraph 9.23.1D(1)).

9.3.4 Public Hearings and Notification

A. Required Hearings and Notification

A public hearing shall be required and notification given as set forth below:

		Public Hearing					Public Hearing Notice			Public Notice Mailed To			
		Board of Adjustment	Technical Rev. Committee	Landmarks Commission	Land Use Control Board	Governing Bodies	Sign Posted	Mailed	Newspaper Publication	Subject Property	Adjacent Owners ⁴	Owners within 750 Ft. Radius ¹	Neighborhood Associations ⁵
	x-ref												
Text Amendment	9.4				PH	PH			LUCB/GB				
Zoning Change & Residential Corridors	9.5 & 8.5				PH	PH	SP	M	GB	■	■	■	■
Comprehensive Rezoning	9.5.12				PH	PH	SP	M	LUCB/GB	■			■
Replacement of the Zoning Map	9.5.13				PH	PH		M ⁹	LUCB/GB	■ ⁹			
Special Uses & Planned Developments:													
Special Uses & Special Use Amendments	9.6 & 9.6.12A				PH	PH-AO	SP	M		■	■	■	■
Special Use Major Modifications	9.6.12B				PH	PH-AO	SP	M		■	■	■	■
Special Use Minor Modifications	9.6.12C				PH-AO			M-AO		■	□		□
P. D. Outline Plan & Amendments	9.6 & 9.6.11E(1)				PH	PH-AO	SP	M		■	■	■	■
P. D. Major Modifications	9.6.11E(2)				PH	PH-AO	SP	M		■	■	■	■
P. D. Minor Modifications	9.6.11E(3)				PH-AO			M-AO		■	□		□
P. D. Final Plan	9.6												
P. D. Public Contract	9.6												
Subdivision:													
Minor Preliminary Plan	9.7.6		PH		PH-AO			M		■	■		■
Major Preliminary Plan	9.7.7				PH	PH-AO		M		■	■		■
Resubdivision					PH	PH-AO		M		■	■	■	■
Final Plat	9.7.8												
Public Contract	9.7.8												
Right-of-Way Vacation													
Conversions	9.8				PH	PH-AO	SP	M		■	■		■
Physical Closures	9.8				PH	PH-AO	SP	M		■	■	■ ⁶	■
Abandonment	9.8				PH	PH-AO		M		■	■		■
Right-of-Way Dedication	9.9				PH	PH-AO		M		■	■		■
Street Name Change	9.10				PH	PH		M		■	■		■
Plat of Record Revocation	9.11				PH	PH-AO		M		■	■		■
Administrative Site Plan	9.12	PH-AO						M-AO		■	□		□
Special Exception	9.14				PH	PH-AO	SP	M		■	■		■
Special District Administrative Review	9.13	PH-AO								■	□ ³		□
Historic District Designation	8.6			PH	PH	PH	SP	M	LM/LUCB/GB	■	■		■
Major Certificate of Appropriateness	8.6.3			PH				M		■	■	■ ⁷	
Historic District (Demolition by Neglect)	8.6.4			PH-AO						□	□		
Non-Use Variance ² and Cond. Use Perm.	9.22 & 9.24	PH						M		■	■	■	
Use Variance	9.22	PH					SP ⁸	M		■	■	■	
Board of Adjustment Correspondence	2.4.5, 9.22.9, 9.23.1E(2) & 9.24.10	PH						M		■	■		
Administrative Decision		PH-AO								□			
Change in Nonconforming Use Permit	10.2.5	PH						M		■	■	■	

1. If the 750-foot radius includes less than 25 property owners, the radius shall be extended at 100-foot intervals to reach a minimum of 25 property owners provided, however, that the maximum total radius is 1,500 feet.
2. In the case of setback variation requests less than 5 feet only adjacent property owners shall be notified.
3. Public notice mailed to property owners within a 300-foot radius of the subject property.
4. "Adjacent owners" includes abutting owners and those across the street or other ROW from the subject site.
5. Public Notice to Neighborhood Associations may be mailed or sent via electronic mail.
6. The 750-foot radius shall be measured from the entire segment of the road affected by the closure rather than the area of right-of-way to be vacated. The segment of road affected shall be defined to mean that portion of public right-of-way that contains the proposed closure between the two nearest intersecting streets on either side of the closure.
7. A 150-foot radius is utilized for Certificates of Appropriateness.
8. Sign posting is not required for use variances for single-family residences.
9. See Sub-Section 9.5.13B for the mailed notice requirements applicable to replacements of the zoning map

PH = Public Hearing
 PH-AO = Public Hearing Upon Appeal or Objection Only (see Section 9.2.2)
 LUCB = Land Use Control Board
 GB = Governing Body

SP = Public Hearing Sign Posted
 LM = Landmarks Commission
 M = Public Hearing Notice Mailed
 M-AO = Public Hearing Notice Mailed - Appeal Only

GB-RO = Governing Body Publication for Hearing upon Request Only
 P = Sign posted prior to administrative approval

■ = Public Notice Sent To
 □ = Public Notice Sent Only On Appeal

B. Published Notice

Where published notice is required, a distinctive advertisement shall be placed by the Zoning Administrator in a local newspaper of general circulation in the City of Memphis and Shelby County not more than 30 or less than ten days prior to the date of the public hearing.

C. Posted Notice (Sign)

1. Sign Size and Type

Each sign shall be two feet by three feet in size made to standards and specifications as provided by the Zoning Administrator. All signs will include language stating that defacing or removal of the sign by anyone other than the owner or his or her agent is an illegal act and the person who defaces or removes the sign without permission of the owner will be penalized. Public notice signs are not subject to any sign permit or sign permit fees.

2. Location

a. Zoning Change, Special Use, Planned Development, Special Exception

Signs shall be posted at the nearest right-of-way with the largest traffic volumes as determined by the Zoning Administrator. Each sign shall be placed no further than five feet from the right-of-way visible from each public street on which the subject property has frontage and placed outside the sight distance triangle. Additional signs may be required to be posted at each major roadway entrance to the development or as otherwise determined to be needed by the Zoning Administrator.

b. Comprehensive Rezoning and Historic District Designation

A sign shall be posted at each major roadway entrance to any area being comprehensively rezoned as determined by the Zoning Administrator.

c. Right-of-Way Vacation

A sign shall be posted at each end of the right-of-way to be vacated.

3. Responsibility for Installation and Removal

- a. The applicant shall be solely responsible for signage installation and removal and associated costs.
- b. Signs shall be erected not more than 30 or less than 10 days prior to the date of the public hearing. Applicants may temporarily remove the signs after each public hearing, provided they reinstall the signs at least 10 days prior to the next public hearing. The applicant shall submit a signed affidavit stating that the signs were installed and the date and posting of the property.
- c. Signs shall be removed within 14 days following final action by the governing bodies.

D. Mailed Notice

1. Where mailed notice is required, notification shall be mailed not more than 45 or less than 20 days prior to the date of the public hearing. Mailed notice shall be provided to all property owners within Shelby County in accordance with the provisions of this Code.
2. All of the neighborhood associations registered with the City of Memphis Office of Community Affairs whose boundaries include properties within 1,500 feet of the subject property shall be provided mailed notice in accordance with Sub-Section 9.3.4A. Notice via electronic mail may substitute for mailed notice.

E. Content of Notice

1. Published or Mailed Notice

Published or mailed notice shall provide at least the following:

- a. A case number;
- b. The address of the subject property (if available);
- c. The general location of the land that is the subject of the application, which may include, a location map
- d. A description of the action requested;
- e. Where a zoning change is proposed, the current and proposed districts;
- f. The time, date and location of the public hearing (or neighbor meeting if applicable);
- g. A phone number and email address to contact the Zoning Administrator; and

- h. A statement that interested parties may appear at the public hearing.

2. Posted Notice

Required posted notice shall indicate the following:

- a. A case number;
- b. Type of action; and
- c. A phone number to contact the Zoning Administrator; and
- d. All signs shall include language stating that defacing or removal of the sign by anyone other than the owner or his agent is an illegal act and the person who defaces or removes the sign without permission of the owner will be penalized.

F. Constructive Notice

- 1. Minor defects in notice shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with applicable notice requirements.
- 2. Undelivered mailed notice in excess of 25% of total required mailing within a 750-foot radius of the property only, shall constitute failed notice and shall serve to invalidate proceedings unless sufficient notice is provided in accordance with this section.

9.3.5 Notice of Decision

Within seven days after a decision is made, a copy of the decision shall be sent to the applicant and filed with the Zoning Administrator, where it shall be available for public inspection during regular office hours.

9.3.6 Withdrawal of Application

- A. An applicant may withdraw an application at any time, by filing a statement of withdrawal with the Zoning Administrator/Building Official except as provided in paragraph C below.
- B. The statement of withdrawal shall be in writing and may be delivered by hand, through mail or electronically.
- C. If a valid zoning protest petition has been filed, the application may be withdrawn only if the statement of withdrawal is filed no later than five days prior to the date of the public hearing upon which the matter is to be returned for action by the governing bodies. Thereafter, the application may be withdrawn only by action of the governing bodies, by majority vote.

The Zoning Administrator/Building Official may withdraw applications due to the failure of the applicant to submit required information within 90 days of the initial request.

NOTE- Skip to Section 9.5.13 (pg. 454). No changes proposed to text for Chapter 9.4.

NOTE- The below is a new Section to be inserted after existing Section 9.5.12

9.5.13 Replacement of the Zoning Map

A. Purpose and Intent

The governing bodies may from time to time repeal and completely replace the zoning map in order to make necessary and appropriate revisions. In so doing, consideration will be given to the character of the areas, suitability of particular uses, protecting natural areas, conservation and protection of aesthetics, conserving the value of buildings and communities, and encouraging the most appropriate use of land throughout the City and County. These procedures shall further the protection of the health, safety and general welfare of the citizens of the City and County. Only the legislative bodies may initiate a repeal and complete replacement of the zoning map. Repeal and complete replacement of the map shall be accomplished by majority vote.

B. Mailed Notice

1. Replacements of the zoning map shall be subject to only the mailed notice requirements of this Sub-Section
2. Not more than 45 or less than 20 days prior to the date of the Land Use Control Board hearing, the Zoning Administrator shall issue a mailed notice to the owners of all properties within Memphis and unincorporated Shelby County. The notice shall contain the following information:
 - a. The current zoning district of the subject property
 - b. The proposed zoning district of the subject property
 - c. Information on how the recipient may review the proposed map in its entirety
 - d. The time, date, and location of the Land Use Control Board public hearing
 - e. A statement that interested parties may appear at the public hearing
 - f. A statement that that the proposed zoning district is subject to change prior to the final decision of the governing body
 - g. A statement that the Land Use Control Board will be making a recommendation on the proposed map at the public hearing, with a final decision to be made by the appropriate governing body
 - h. Notice that the governing body will then meet for a final decision, including citation to or location where the governing body's agenda may be found
3. For the purposes of this Sub-Section, "owner" shall mean the owner of record according to the most recent tax roll published by the County Assessor of Property.
4. For the purposes of mailed notice, the current and proposed zoning district for each property shall be those in which the property's centroid lies. The Zoning Administrator need not issue multiple notices for split-zoned properties.
5. Minor defects in notice shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with the applicable notice requirements.

AGENDA ITEM: 4

CASE NUMBER: ZTA 2026-002 **L.U.C.B. MEETING:** July 9, 2026

APPLICANT: Memphis and Shelby County Division of Planning and Development

REPRESENTATIVE: Brett Ragsdale, Director

REQUEST: Adopt the recommended amendment to the Unified Development Code

FINDINGS

1. Staff has been clear throughout the UDC Update process that we intend to recommend the replacement of the zoning map in its entirety.
2. The current UDC is silent on the procedural requirements for complete replacements of the zoning map. This silence has created uncertainty among stakeholders that this amendment will eliminate.
3. The issuance of mailed notice prior to the Land Use Control Board hearing for zoning map replacements is practical and will advance public understanding of the impacts the updates on properties throughout the County.
4. The proposed amendment will ensure all parties have a clear, shared understanding of the process by which the zoning map may be replaced in its entirety.

RECOMMENDATION:

Approval

INTRODUCTION

Throughout the ongoing effort to update the Unified Development Code (UDC), now approaching three years in length, staff has been clear that we intend to recommend the complete replacement of the zoning map. The zoning map, having not been replaced in more than 70 years, has grown increasingly out of alignment with city- and county-wide goals, including but not limited to those outlined in the Memphis 3.0 Comprehensive Plan. Additionally, as our draft code text has been developed alongside the draft zoning map, it cannot achieve its resident-identified goals without the replacement of the zoning map. Put simply, complete replacement of the zoning map is an overdue and necessary step to achieving our mission of affordable, livable communities for all residents of Memphis and Shelby County.

However, the current UDC is silent on the procedural requirements of replacing the zoning map. Section 9.5.12 discusses comprehensive rezonings, but these are small area rezonings, such as the comprehensive rezoning of Lamar Ave. undertaken in 2020 (Z 2020-004). In fact, the UDC explicitly limits comprehensive rezonings to “planning districts or planning areas” (Sub-Section 9.5.12B, see next page). Clearly, the current UDC does not contemplate the complete replacement of the zoning map.

The UDC’s silence on map replacements has led to a lack of clarity regarding, among other things, their public notice requirements. ***This amendment will eliminate this ambiguity and ensure public understanding of the process for replacing the entire zoning map.*** Importantly, we are recommending that the Zoning Administrator be required to mail notice to the owner of each property in our jurisdiction informing them of the proposed map replacement. These notices would feature the current and proposed zoning district for each property and largely resemble the public notices staff issues for other zoning cases.

In short, this zoning text amendment will ensure that staff, stakeholders, residents, and elected officials all possess the same, clear understanding of the procedural requirements for zoning map replacements. It will ensure general public understanding of the UDC Update and how it may impact properties throughout the County. Finally, it will allow staff to continue our progress toward adoption of the new UDC, including the new zoning map, transforming three years of public engagement into modern, simple, and logical zoning regulations for the future of Memphis and Shelby County.

For these reasons, staff recommends ***approval.***

CURRENT UDC SECTION 9.5.12: COMPREHENSIVE ZONING CHANGE

As shown in the highlighted section, the current UDC language for comprehensive rezonings is only applicable to zoning changes within designated “planning districts or planning areas.” This section, therefore, is not applicable to complete replacements of the zoning map, necessitating the subject Zoning Text Amendment.

9.5.12 Comprehensive Zoning Change

A. Purpose

The purpose of a comprehensive zoning change is to rezone areas in conformance with the principles of comprehensive land use planning and staged development as reflected by established public plans and policies, and planned public facilities. Through comprehensive zoning change, consideration will be given to the character of the areas, suitability of particular uses, protecting natural areas, conservation and protection of aesthetics, conserving the value of buildings and communities and encouraging the most appropriate use of land throughout the City and County. These procedures shall further the protection of the health, safety and general welfare of the citizens of the City and County. Only the legislative bodies may initiate a comprehensive rezoning. If 100% of the subject property owners do not approve of the rezoning, a majority of the full legislative body (see Section 9.2.1) shall be required for final approval.

B. Designated Areas

Comprehensive zoning changes shall be limited to those areas designated as planning districts or planning areas, or other areas for which a plan has been approved or adopted by the governing bodies after a public hearing and notice has been given in accordance with Section 9.3.4, Public Hearings and Notification.

TEXT SUMMARY

This amendment provides for the following:

- Upon initiation by one of or both governing bodies, the Zoning Administrator may propose an entirely new zoning map for consideration by the Land Use Control Board.
- Prior to the Land Use Control Board’s consideration of the new map, the Zoning Administrator shall mail notice to the owner of each property within the UDC’s jurisdiction. These notices shall include the current and proposed zoning district for each property, as well as direction for appearing at a public hearing and reviewing the map in its entirety.
- The amendment would also require newspaper publication prior to both the Land Use Control Board and governing body public hearings.

ATTACHMENTS

Attached to this document is the full redline of the proposed amendment as well as proof of newspaper notice publication in the May 29 and June 30 editions of the Memphis Daily News.

Article 9. Administration

REVIEW BODIES

Governing Bodies

A. General Authority

The governing bodies may exercise additional powers as may be described elsewhere in this development code and as permitted by the City or County Code of Ordinances.

B. Final Authority

With respect to this development code, the governing bodies are responsible for final action regarding:

1. Text amendments;
2. Zoning changes;
3. Comprehensive rezonings;
- ~~3.4.~~ Replacements of the zoning map;
- ~~4.5.~~ Special uses and special use amendments;
- ~~5.6.~~ Planned development outline plan and amendments;
- ~~6.7.~~ Planned development public contracts;
- ~~7.8.~~ Final plat public contracts;
- ~~8.9.~~ Right-of-way vacation;
- ~~9.10.~~ Right-of-way dedication; and
- ~~10.11.~~ Historic district designation.

Land Use Control Board

A. Establishment

The Land Use Control Board is established pursuant to Joint Ordinance-Resolution No. 2524 (Memphis City Code § 2-50).

B. General Authority

1. The Land Use Control Board performs related duties as directed by the governing bodies.
2. The Land Use Control Board may exercise additional powers as may be described elsewhere in this development code and as permitted by the City or County Code of Ordinances.

C. Review Authority

With respect to this development code, the Land Use Control Board reviews and makes recommendations regarding:

1. Text amendments;
2. Zoning changes;
3. Comprehensive rezonings;
- ~~3.4.~~ Replacements of the zoning map;
- ~~4.5.~~ Special uses and special use amendments;
- ~~5.6.~~ Planned development outline plan and amendments;
6. Street Name Change;
7. Right-of-way vacation;
8. Right-of-way dedication; and
9. Historic district designation.

D. Final Authority

With respect to this development code, the Land Use Control Board shall be responsible for final action (subject to appeal) regarding:

1. Planned development major modifications;
2. Special use major modifications;
3. Major preliminary plans;
4. Resubdivision;

5. Plat of record vacation; and
6. Special exceptions.

Board of Adjustment

A. Establishment

The Board of Adjustment is established pursuant to Joint Ordinance-Resolution No. 722 Memphis City Code § 2-48).

B. General Authority

1. The Board of Adjustment performs related duties as directed by the governing bodies.
2. The Board of Adjustment may exercise additional powers as may be described elsewhere in this development code and as permitted by the City or County Code of Ordinances.

C. Final Authority

With respect to this development code, the Board of Adjustment is responsible for final action regarding:

1. Variances;
2. Appeals from Administrative decisions
3. Interpretation of zoning district boundaries.
4. Change in nonconforming use permit; and
5. Conditional Use Permits.

Landmarks Commission

A. Defined

The Memphis Landmarks Commission is identified as having the authority to enforce certain provisions of this development code.

B. Establishment

The Landmarks Commission serves as a historic zoning commission pursuant to Tennessee Code 13-7-403 for the City of Memphis (see Memphis City Code § 14-24-5).

C. General Authority

The Landmarks Commission conducts and encourages research, planning and educational projects for the purpose of protecting historic districts and documenting the historic significance thereof, including the following:

1. Recommend to the governing bodies designated sites and districts for loans and grants under the City Landmark Fund and subject to approval by the governing bodies; make application for and administer grants for the purpose of preserving and restoring structures and sites located within a Historic Overlay District.
2. Initiate or assist in surveys, plans and studies and programs designed to identify, list and evaluate structures, objects, sites and areas worth of preservation and develop strategies and methods for their protection.
3. Consult with and consider the recommendations of civic groups, public agencies and citizens interested in historic preservation and provide information to the public.
4. Research historic properties and apply for designation to the National Register of Historic Places and establish a list of properties eligible for designation as a Historic Overlay District.

D. Review Authority

With respect to this development code, the Landmarks Commission reviews and make recommendations regarding rezoning to a Historic district designation.

E. Final Authority

With respect to this development code, the Landmarks Commission is responsible for final action regarding applications for a Certificate of Appropriateness.

Downtown Memphis Commission Design Review Board

A. Establishment

The Downtown Memphis Commission Design Review Board is established pursuant to Memphis City Code § 12-44.

B. General Authority

1. The Downtown Memphis Commission Design Review Board performs related duties as directed by the City Council.

2. The Downtown Memphis Commission Design Review Board may exercise additional powers as may be described elsewhere in this development code and as permitted by the City Code of Ordinances.

C. Final Authority

With respect to this development code, the Downtown Memphis Commission Design Review Board is responsible for reviewing applications and issuing permits with respect to the design of public building façades and exteriors in public view, signs and other public improvements within the Central Business Improvement District.

Zoning Administrator

The Zoning Administrator may designate any staff member to represent the Zoning Administrator in any function assigned by this development code. The Zoning Administrator remains responsible for any final action.

A. General Authority

1. The Zoning Administrator performs related duties as directed by the governing bodies.
2. The Zoning Administrator may exercise additional powers as may be described elsewhere in this development code and as permitted by the City or County Code of Ordinances.

B. Review Authority

With respect to this development code, the Zoning Administrator reviews and makes recommendations regarding:

1. Text amendments;
2. Zoning changes;
3. Comprehensive rezonings;
- 3.4. Replacements of the zoning map;
- 4.5. Special uses, special use amendments and major modifications;
- 5.6. Planned development outline plan and amendments;
- 6.7. Planned development major modifications;
- 7.8. Major preliminary plans review;
- 8.9. Resubdivision;
- 9.10. Right-of-way vacation;
- 10.11. Right-of-way dedication;
- 11.12. Street name change;
- 12.13. Plat of record vacation;
- 13.14. Special exceptions
- 14.15. Historic district designation;
- 15.16. Certificates of appropriateness; and
- 16.17. Variances.

C. Final Authority

With respect to this development code, the Zoning Administrator is responsible for final action (subject to appeal) regarding:

1. Special use minor modifications;
2. Planned development minor modifications;
3. Planned development final plats;
4. Minor preliminary plans;
5. Final plats;
6. Administrative site plans;
7. Tree removal;
8. Final plat; Demolition by neglect;
9. Administrative deviations; and
10. Written interpretations.

Building Official

A. Delegation of Authority

The Building Official may designate any staff member to represent the Building Official in any function assigned by this development code. The Building Official remains responsible for any final action.

B. General Authority

1. The Building Official performs related duties as directed by the governing bodies.
2. The Building Official may exercise additional powers as may be described elsewhere in this development code and as permitted by the City or County Code of Ordinances.

C. Final Authority

With respect to this development code, the Building Official is responsible for final action (subject to appeal) regarding the following:

1. Temporary use review;
2. Sign permit; and
3. Certificate of occupancy.

Technical Review Committee

The Technical Review Committee is comprised of City and County agencies and is established to provide technical assistance in the review of certain provisions of this development code as set forth below.

A. Composition

The Technical Review Committee shall consist of a representative from the following. The Zoning Administrator shall serve as chairman of the Technical Review Committee and shall be responsible for all final recommendations.

1. Division of Planning and Development – Land Use and Development Services.
2. Division of Planning and Development – Comprehensive Planning.
3. Division of Planning and Development – Construction Enforcement.
4. City Traffic Engineer.
5. City and County Public Works Divisions.
6. City and County Engineering Divisions.
7. City and County Fire Departments.
8. Shelby County Health Department.
9. Memphis Light, Gas, and Water Division.

B. Review Authority

1. With respect to this development code, the Technical Review Committee may review at the discretion of the Zoning Administrator the following:
 - a. Text amendments;
 - b. Special uses and special use revisions;
 - c. Planned development outline plan amendments;
 - d. Planned development major modifications;
 - e. Planned development minor modifications;
 - f. Planned development final plats;
 - g. Minor preliminary plans;
 - h. Right-of-way vacation;
 - i. Administrative site plans; and
 - j. Special exceptions.
2. With respect to this development code, the Technical Review Committee shall review the following:
 - a. Planned development outline plans;
 - b. Major preliminary plans;
 - c. Resubdivision;
 - d. Right-of-way dedication;
 - e. Street name change; and

- f. Plat of record vacation.

SUMMARY OF REVIEW AUTHORITY

Governing Bodies

The City Council retains review and approval or appeal authority within the City limits of Memphis and the Board of Commissioners retains review and approval or appeal authority within unincorporated Shelby County.

Summary of Review Table

	x-ref	Review, Recommendation, Decision and Approval							
		City or County Engineer	Building Official	Technical Review Committee	Zoning Administrator	Board of Adjustment	Landmarks Commission	Land Use Control Board	Governing Bodies
Text Amendment	9.4			Δ	RR			RR	D
Zoning Change	9.5				RR			RR	D
Comprehensive Rezoning	9.5.12				RR			RR	D
Replacement of the Zoning Map	9.5.13				RR			RR	D
Special Uses & Planned Developments:									
Special Uses & Special Use Amendments	9.6 & 9.6.12A			Δ	RR			RR	D*
Special Use Major Modification	9.6.12B			Δ	RR			D	A
Special Use Minor Modification	9.6.12C			Δ	D			A*	
P. D. Outline Plan & Amendments	9.6 & 9.6.11E(1)			R	RR			RR	D*
P. D. Major Modifications	9.6.11E(2)			Δ	RR			D	A
P. D. Minor Modifications	9.6.11E(3)			Δ	D			A*	
P. D. Final Plan	9.6			Δ	D			A*	
P. D. Public Contract	9.6	RR							D
Subdivision:									
Minor Preliminary Plan	9.7.6			Δ	D			A	
Major Preliminary Plan	9.7.7			R	RR			D	A
Resubdivision				R	RR			D	A
Final Plat without Standard Contract	9.7.8			Δ	D			A*	
Final Plat w/Standard Contract	9.7.8	RR							D
Right-of-Way Vacation	9.8			Δ	RR			RR	D
Right-of-Way Dedication	9.9			R	RR			RR	D
Street Name Change	9.10			R	RR			RR	D
Plat of Record Revocation	9.11			R	RR			D	A
Administrative Site Plan	9.12			Δ	D	A**			
Special District Administrative Review	9.13			Δ	D	A**			
Special Exception	9.14			Δ	RR			D	A
Historic District Designation	8.6				RR		RR	RR	D
Certificate of Appropriateness	8.6.3				RR		D		
Historic District (Demolition by Neglect)	8.6.4				D		A*		
Board of Adjustment					RR	D			
Administrative Decision		D	D		D	A**			
Change in Nonconforming Use Permit	10.2.5				RR	D			

D = Decision

D* = Decision but no public hearing unless a request for a hearing is properly filed by an individual who was either present at LUCB and made a vocal objection or who submitted written comments to DPD prior to LUCB.

R = Review

RR = Review & Recommendation

Δ = Review at Discretion of Zoning Administrator

A = Appeal

A* = Only the subject property owner or his or her representative may appeal decisions of the Zoning Administrator, Building Official or City or County Engineer.

A** = Only the subject property owner and those property owners within 1000 feet of the subject property, as measured from property line to property line, may appeal decisions of the Zoning Administrator, Building Official or City or County Engineer.

COMMON REVIEW PROCEDURES

Pre-Application Conference

- A. The pre-application conference is a meeting in which the Zoning Administrator discusses the procedures, standards and regulations required for approval in accordance with this development code with the applicant.
- B. A mandatory pre-application conference with the Zoning Administrator shall be required for the following:
 - 1. Zoning change;
 - 2. Special use permit;
 - 3. Planned development outline plan;
 - 4. Minor preliminary plan;
 - 5. Major preliminary plan;
 - 6. Right-of-way vacation;
 - 7. Right-of-way dedication;
 - 8. Plat of record;
 - 9. Plat revocation;
 - 10. Historic district designation; and
 - 11. Certificate of Appropriateness.
- C. A pre-application conference is optional for any application not listed in Sub-Section B above.

Neighborhood Notification and Meeting

- A. At least ten days, but not more than 120 days, prior to a hearing before the Land Use Control Board, the applicant shall host and/or attend a neighborhood meeting with representatives from neighborhoods adjacent to the development site which the hearing involves:
 - 1. Zoning change;
 - 2. Special use permit or amendment to a special use permit;
 - 3. Planned development outline plan or amendment to a planned development outline plan; and
 - 4. All subdivisions except minor subdivisions.
- B. Procedure
 - 1. Where applicable, the Division of Planning and Development shall mail notification of the neighborhood meeting prepared and provided by the applicant to the following individuals: 1) the officers of any neighborhood or business associations registered with the City of Memphis Office of Community Affairs whose boundaries include properties within 1,500 feet of the subject property; 2) all current residents of single-family and two-family dwellings within the notification area; 3) all property owners within the notification area, if different from the current residents; 4) the members of the Memphis City Council who represent the district and super-district in which the development is planned, or for areas in unincorporated Shelby County, the member of the Shelby County Board of Commissioners who represent the district in which the development is planned; and 5) all residents of multi-family dwellings within the notification area; to inform the community of the proposed development and solicit comments. If the applicant is unable to make notification to the multi-family dwellings, he or she shall provide notice to the Division of Planning and Development the reason and shall mail notification of the neighborhood meeting to the rental or management offices of all multi-family dwellings within the notification area with a request that said rental or management office post the notification in a conspicuous location within a common area(s), including, but not limited to: entry doors, hallways, mailbox areas and laundry rooms.
 - 2. The neighborhood notification requirements shall be the same as the mailed public notice requirements in 9.3.4A. The notification shall identify the time and place of the neighborhood meeting, as well as a description and map of the project. The notification shall also include the public hearing date of when the application will be heard by the Land Use Control Board. The applicant shall contact the officer(s) of any neighborhood or business association registered with the City of Memphis Office of Community Affairs prior to determining a date for the neighborhood meeting.
 - 3. The notification shall be prepared by the applicant and presented to the Division of Planning and Development no later than two working days prior to the date set out in the mailing requirement provided in Paragraph 5 below. The notification shall be folded, sealed and placed in stamped envelopes when presented to the Division of Planning

and Development. The following items shall accompany the notification when presented to the Division of Planning and Development: a copy of the letter to be mailed to all parties, a copy of the address labels to whom notification will be mailed and a map of the notice area.

4. If practicable, the neighborhood meeting shall be held at a public building or place of worship within a one-mile radius of the subject property, or at the subject property itself.
 5. If the notification package is determined to be complete by the Zoning Administrator, the Division of Planning and Development shall mail the notification no later than 20 days prior to the hearing before the Land Use Control Board and no later than 10 days prior to the date of the neighborhood meeting. If the neighborhood notification package is determined to be incomplete by the Zoning Administrator, the application is subject to being considered incomplete and removed from the Land Use Control Board agenda.
 6. Neighborhood meetings are the sole responsibility of the applicant. Documentation of its proceedings shall also be provided to the Division of Planning and Development. The applicant may request neighborhood organizations' contact information, if available, from the Division of Planning and Development.
- C. The purpose of the neighborhood notification and meeting is to inform the neighborhood of the nature of the proposed land use and development features and solicit comments. Applicants shall reserve at least 15 minutes of the neighborhood meeting for community members, businesses and/or neighborhood associations wishing to make a presentation regarding the development.
- D. Any neighborhood or business association registered with the City of Memphis Office of Community Affairs whose boundaries include properties within 1,500 feet of the development area will have the opportunity to submit a Community Impact Statement (CIS). The purpose of the CIS is to provide community members a chance to give an opinion and any recommendation regarding the development project. The CIS shall not exceed 500 words. Neighborhood or business associations who intend to file a CIS must submit said statement to the Land Use Control Board or governing bodies prior to the scheduled hearing. If provided prior to the publishing of the Land Use Control Board staff report, the CIS shall be included within the staff report in a prominent position alongside the Division of Planning and Development recommendation. If provided after the publishing of the Land Use Control Board staff report, the CIS will be referenced during the Land Use Control Board public hearing and contained in the materials that are forwarded to the legislative body, where applicable.
- E. Exigent circumstances. A neighborhood meeting may be conducted through electronic or telephonic means if holding an in-person meeting is impractical due to an ongoing public health crisis or other similar situation that is out of the control of the applicant, provided all notice requirements of this section are met. In addition, a neighborhood meeting may be held after the Land Use Control Board votes on the matter but before the governing body does so in the event the Division of Planning and Development makes a determination that a zoning change is not in compliance with a Chapter 1.9 plan with the publishing of its Land Use Control Board staff report (see Paragraph 9.3.2A(1)). In such an event, all notice and timing requirements of this Section shall still apply, but will be timed in conjunction with date the governing body is expected to vote on the matter.

Application Requirements

A. Initiation of Request

A request for development approval may be initiated in accordance with the following. For the purpose of this Sub-Section, “body” shall mean either the Memphis City Council or the Shelby County Board of Commissioners; “board” shall mean the Land Use Control Board and “staff” shall mean the Chief Administrative Officer of either the City of Memphis or Shelby County, or the Zoning Administrator.

	Agent/ Owner/ Applicant	Body/ Board/ Staff
Text Amendment		■
Zoning Change	■	■
Comprehensive Rezoning		■*
<u>Replacement of the Zoning Map</u>		■*
Special Uses and Planned Developments:		
Special Uses & Special Use Amendments	■	
Special Use Minor Modifications	■	
Special Use Major Modifications	■	
P. D. Outline Plan & Amendments	■	
P. D. Minor Modifications	■	
P. D. Major Modifications	■	
P. D. Final Plan	■	
P. D. Public Contract	■	
Subdivision:		
Minor Preliminary Plan	■	
Major Preliminary Plan	■	
Resubdivision	■	
Final Plat	■	
Public Contract	■	
Right-of-Way Vacation	■	■
Right-of-Way Dedication	■	
Street Name Change	■	■
Plat of Record Revocation	■	■
Administrative Site Plan Review	■	
Special District Administrative Review	■	
Special Exception Review	■	
Temporary Use Review	■	
Tree Removal	■	
Sign Permit	■	
Certificate of Occupancy	■	
Historic District Designation	■	■
Certificate of Appropriateness	■	
Demolition by Neglect		■
Written Interpretations	■	
Administrative Deviation	■	
Variance and Conditional Use Permit	■	
Appeal of Administrative Decision	■	
Change in Nonconforming Use Permit	■	

*Only the body(s) may initiate a request for a comprehensive rezoning or replacement of the zoning map (see Sub-Sections 9.5.12A and 9.5.13A).

B. Submittals

Applications required under this development code shall be filed with the Division of Planning and Development in accordance with the following.

	Zoning Administrator	Building Official
Text Amendment	■	
Zoning Change	■	
Comprehensive Rezoning	■	
Replacement of the Zoning Map	■	
Special Uses and Planned Developments:		
Special Uses & Special Use Amendments	■	
Special Use Minor Modifications	■	
Special Use Major Modifications	■	
P. D. Outline Plan & Amendments	■	
P. D. Minor Modifications	■	
P. D. Major Modifications	■	
P. D. Final Plan	■	
P. D. Public Contract	■	
Subdivision:		
Minor Preliminary Plan	■	
Major Preliminary Plan	■	
Resubdivision	■	
Final Plat	■	
Public Contract	■	
Right-of-Way Vacation	■	
Right-of-Way Dedication	■	
Street Name Change	■	
Plat of Record Revocation	■	
Administrative Site Plan Review	■	
Special District Administrative Review	■	
Special Exception Review	■	
Temporary Use Review		■
Tree Removal	■	
Sign Permit	■	
Certificate of Occupancy		■
Historic District Designation	■	
Certificate of Appropriateness	■	
Demolition by Neglect	■	
Written Interpretations	■	
Administrative Deviation	■	
Variance and Conditional Use Permit	■	
Appeal of Administrative Decision	■	
Change in Nonconforming Use Permit	■	

C. Forms

Applications required under this development code must be submitted on forms and in such numbers as required by the Division of Planning and Development.

D. Fees

Filing fees have been established to defray the cost of processing the application, as listed with the Division of Planning and Development and adopted by the governing bodies. Before review of an application, all filing fees must be paid in full.

E. Completeness Determination

1. All applications must be complete before the Zoning Administrator/Building Official is required to review the application.
2. An application is considered complete when it contains all of the information necessary to decide whether or not the development as proposed will comply with all of the requirements of this development code.
3. The presumption is that all of the information required in the application forms is necessary to satisfy the requirements of this Article. However, it is recognized that each application is unique, and therefore more or less information may be required according to the needs of the particular case. The applicant may rely on the recommendations of the Zoning Administrator/Building Official as to whether more or less information shall be submitted.
4. Once the application has been determined complete, copies of the application shall be referred by the Zoning Administrator/Building Official to the reviewing entities.
5. The Zoning Administrator/Building Official may require an applicant to present evidence of authority to submit the application.

F. Application Deadline

Complete applications shall be submitted in accordance with the published calendar schedule. Schedules indicating submittal dates shall be developed each year and made available to the public.

G. Staff Consultation after Application Submitted

1. Upon receipt of a complete application, within 21 days after the filing deadline, the Zoning Administrator/Building Official shall review the application and confer with the applicant to ensure an understanding of the applicable requirements of this development code; that the applicant has submitted all of the information they intend to submit; and that the application represents precisely and completely what the applicant proposes to do.
2. Once the applicant indicates that the application is as complete as the applicant intends to make it, the application shall be placed on the agenda of the appropriate review board in accordance with standard procedures. However, if the application is determined incomplete, a recommendation to deny the application on that basis shall be provided to the appropriate reviewing entity.

H. Concurrent Applications

Applications may be filed and reviewed concurrently, at the option of the applicant, provided there is not a pending appeal filed by applicant on the subject site (see Paragraph 9.23.1D(1)).

Public Hearings and Notification

A. Required Hearings and Notification

A public hearing shall be required and notification given as set forth below:

	x-ref	Public Hearing					Public Hearing Notice			Public Notice Mailed To			
		Board of Adjustment	Technical Rev. Committee	Landmarks Commission	Land Use Control Board	Governing Bodies	Sign Posted	Mailed	Newspaper Publication	Subject Property Owners	Adjacent Owners ⁴	Owners within 750 Ft. Radius ¹	Neighborhood Associations ⁵
Text Amendment	9.4				PH	PH			LUCB/GB				
Zoning Change & Residential Corridors	9.5 & 8.5				PH	PH	SP	M	GB	■	■	■	■
Comprehensive Rezoning	9.5.12				PH	PH	SP	M	LUCB/GB	■			■
Replacement of the Zoning Map	9.5.13				PH	PH		M ⁹	LUCB/GB	■ ⁹			
Special Uses & Planned Developments:													
Special Uses & Special Use Amendments	9.6 & 9.6.12A				PH	PH-AO	SP	M		■	■	■	■
Special Use Major Modifications	9.6.12B				PH	PH-AO	SP	M		■	■	■	■
Special Use Minor Modifications	9.6.12C				PH-AO			M-AO		■	□		□
P. D. Outline Plan & Amendments	9.6 & 9.6.11E(1)				PH	PH-AO	SP	M		■	■	■	■
P. D. Major Modifications	9.6.11E(2)				PH	PH-AO	SP	M		■	■	■	■
P. D. Minor Modifications	9.6.11E(3)				PH-AO			M-AO		■	□		□
P. D. Final Plan	9.6												
P. D. Public Contract	9.6												
Subdivision:													
Minor Preliminary Plan	9.7.6		PH		PH-AO			M		■	■		■
Major Preliminary Plan	9.7.7				PH	PH-AO		M		■	■		■
Resubdivision					PH	PH-AO		M		■	■	■	■
Final Plat	9.7.8												
Public Contract	9.7.8												
Right-of-Way Vacation													
Conversions	9.8				PH	PH-AO	SP	M		■	■		■
Physical Closures	9.8				PH	PH-AO	SP	M		■	■	■ ⁶	■
Abandonment	9.8				PH	PH-AO		M		■	■		■
Right-of-Way Dedication	9.9				PH	PH-AO		M		■	■		■
Street Name Change	9.10				PH	PH		M		■	■		■
Plat of Record Revocation	9.11				PH	PH-AO		M		■	■		■
Administrative Site Plan	9.12	PH-AO						M-AO		■	□		□
Special Exception	9.14				PH	PH-AO	SP	M		■	■		■
Special District Administrative Review	9.13	PH-AO								■	□ ³		□
Historic District Designation	8.6			PH	PH	PH	SP	M	LM/LUCB/GB	■	■		■
Major Certificate of Appropriateness	8.6.3			PH				M		■	■	■ ⁷	
Historic District (Demolition by Neglect)	8.6.4			PH-AO						□	□		
Non-Use Variance² and Cond. Use Perm.	9.22 & 9.24	PH						M		■	■	■	
Use Variance	9.22	PH					SP ⁸	M		■	■	■	
Board of Adjustment Correspondence	2.4.5, 9.22.9, 9.23.1E(2) & 9.24.10	PH						M		■	■		
Administrative Decision		PH-AO								□			
Change in Nonconforming Use Permit	10.2.5	PH						M		■	■	■	

1. If the 750-foot radius includes less than 25 property owners, the radius shall be extended at 100-foot intervals to reach a minimum of 25 property owners provided, however, that the maximum total radius is 1,500 feet.

2. In the case of setback variation requests less than 5 feet only adjacent property owners shall be notified.

3. Public notice mailed to property owners within a 300-foot radius of the subject property.

4. "Adjacent owners" includes abutting owners and those across the street or other ROW from the subject site.

5. Public Notice to Neighborhood Associations may be mailed or sent via electronic mail.

6. The 750-foot radius shall be measured from the entire segment of the road affected by the closure rather than the area of right-of-way to be vacated. The segment of road affected shall be defined to mean that portion of public right-of-way that contains the proposed closure between the two nearest intersecting streets on either side of the closure.

7. A 150-foot radius is utilized for Certificates of Appropriateness.

8. Sign posting is not required for use variances for single-family residences.

9. See Sub-Section 9.5.13B for the mailed notice requirements applicable to replacements of the zoning map

PH = Public Hearing
 PH-AO = Public Hearing Upon Appeal or Objection Only (see Section 9.2.2)
 LUCB = Land Use Control Board
 GB = Governing Body
 P = Sign posted prior to administrative approval

LM = Landmarks Commission
 M = Public Hearing Notice Mailed
 M-AO = Public Hearing Notice Mailed - Appeal Only

■ = Public Notice Sent To
 □ = Public Notice Sent Only On Appeal

B. Published Notice

Where published notice is required, a distinctive advertisement shall be placed by the Zoning Administrator in a local newspaper of general circulation in the City of Memphis and Shelby County not more than 30 or less than ten days prior to the date of the public hearing.

C. Posted Notice (Sign)**1. Sign Size and Type**

Each sign shall be two feet by three feet in size made to standards and specifications as provided by the Zoning Administrator. All signs will include language stating that defacing or removal of the sign by anyone other than the owner or his or her agent is an illegal act and the person who defaces or removes the sign without permission of the owner will be penalized. Public notice signs are not subject to any sign permit or sign permit fees.

2. Location**a. Zoning Change, Special Use, Planned Development, Special Exception**

Signs shall be posted at the nearest right-of-way with the largest traffic volumes as determined by the Zoning Administrator. Each sign shall be placed no further than five feet from the right-of-way visible from each public street on which the subject property has frontage and placed outside the sight distance triangle. Additional signs may be required to be posted at each major roadway entrance to the development or as otherwise determined to be needed by the Zoning Administrator.

b. Comprehensive Rezoning and Historic District Designation

A sign shall be posted at each major roadway entrance to any area being comprehensively rezoned as determined by the Zoning Administrator.

c. Right-of-Way Vacation

A sign shall be posted at each end of the right-of-way to be vacated.

3. Responsibility for Installation and Removal

- a. The applicant shall be solely responsible for signage installation and removal and associated costs.
- b. Signs shall be erected not more than 30 or less than 10 days prior to the date of the public hearing. Applicants may temporarily remove the signs after each public hearing, provided they reinstall the signs at least 10 days prior to the next public hearing. The applicant shall submit a signed affidavit stating that the signs were installed and the date and posting of the property.
- c. Signs shall be removed within 14 days following final action by the governing bodies.

D. Mailed Notice

1. Where mailed notice is required, notification shall be mailed not more than 45 or less than 20 days prior to the date of the public hearing. Mailed notice shall be provided to all property owners within Shelby County in accordance with the provisions of this Code.
2. All of the neighborhood associations registered with the City of Memphis Office of Community Affairs whose boundaries include properties within 1,500 feet of the subject property shall be provided mailed notice in accordance with Sub-Section 9.3.4A. Notice via electronic mail may substitute for mailed notice.

E. Content of Notice**1. Published or Mailed Notice**

Published or mailed notice shall provide at least the following:

- a. A case number;
- b. The address of the subject property (if available);
- c. The general location of the land that is the subject of the application, which may include, a location map
- d. A description of the action requested;

- e. Where a zoning change is proposed, the current and proposed districts;
- f. The time, date and location of the public hearing (or neighbor meeting if applicable);
- g. A phone number and email address to contact the Zoning Administrator; and
- h. A statement that interested parties may appear at the public hearing.

2. Posted Notice

Required posted notice shall indicate the following:

- a. A case number;
- b. Type of action; and
- c. A phone number to contact the Zoning Administrator; and
- d. All signs shall include language stating that defacing or removal of the sign by anyone other than the owner or his agent is an illegal act and the person who defaces or removes the sign without permission of the owner will be penalized.

F. Constructive Notice

- 1. Minor defects in notice shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with applicable notice requirements.
- 2. Undelivered mailed notice in excess of 25% of total required mailing within a 750-foot radius of the property only, shall constitute failed notice and shall serve to invalidate proceedings unless sufficient notice is provided in accordance with this section.

Notice of Decision

Within seven days after a decision is made, a copy of the decision shall be sent to the applicant and filed with the Zoning Administrator, where it shall be available for public inspection during regular office hours.

Withdrawal of Application

- A. An applicant may withdraw an application at any time, by filing a statement of withdrawal with the Zoning Administrator/Building Official except as provided in paragraph C below.
- B. The statement of withdrawal shall be in writing and may be delivered by hand, through mail or electronically.
- C. If a valid zoning protest petition has been filed, the application may be withdrawn only if the statement of withdrawal is filed no later than five days prior to the date of the public hearing upon which the matter is to be returned for action by the governing bodies. Thereafter, the application may be withdrawn only by action of the governing bodies, by majority vote.

The Zoning Administrator/Building Official may withdraw applications due to the failure of the applicant to submit required information within 90 days of the initial request.

NOTE- Skip to Section 9.5.13 (pg. 454). No changes proposed to text for Chapter 9.4.

9.5.13 Replacement of the Zoning Map

A. Purpose and Intent

The governing bodies may from time to time repeal and completely replace the zoning map in order to make necessary and appropriate revisions. In so doing, consideration will be given to the character of the areas, suitability of particular uses, protecting natural areas, conservation and protection of aesthetics, conserving the value of buildings and communities, and encouraging the most appropriate use of land throughout the City and County. These procedures shall further the protection of the health, safety and general welfare of the citizens of the City and County. Only the legislative bodies may initiate a repeal and complete replacement of the zoning map. Repeal and complete replacement of the map shall be accomplished by majority vote.

B. Mailed Notice

1. Replacements of the zoning map shall be subject to only the mailed notice requirements of this Sub-Section
2. Not more than 45 or less than 20 days prior to the date of the Land Use Control Board hearing, the Zoning Administrator shall issue a mailed notice to the owner of all properties within Memphis and unincorporated Shelby County. The notice shall contain the following information:
 - a. The current zoning district of the subject property
 - b. The proposed zoning district of the subject property
 - c. Information on how the recipient may review the proposed map in its entirety
 - d. The time, date, and location of the Land Use Control Board public hearing
 - e. A statement that interested parties may appear at the public hearing
 - f. A statement that that the proposed zoning district is subject to change prior to the final decision of the governing body
 - g. A statement that the Land Use Control Board will be making a recommendation on the proposed map at the public hearing, with a final decision to be made by the appropriate governing body
 - h. Notice that the governing body will then meet for a final decision, including citation to or location where the governing body's agenda may be found
3. For the purposes of this Sub-Section, "owner" shall mean the owner of record according to the most recent tax roll published by the County Assessor of Property.
4. For the purposes of mailed notice, the current and proposed zoning district for each property shall be those in which the property's centroid lies. The Zoning Administrator need not issue multiple notices for split-zoned properties.
5. Minor defects in notice shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with the applicable notice requirements.

NOTICE

CASE NUMBER: ZTA 2026-002

Notice is hereby given that the Memphis and Shelby County Land Use Control Board will hold a public hearing on Thursday, June 11, 2026, at 9:00 AM to consider amendments to Memphis and Shelby County Unified Development Code (UOC). The proposed amendments would clarify the process by which the existing zoning map may be repealed and replaced in its entirety.

The text of the proposed amendment will be published no later than Friday, June 5 alongside the full meeting agenda. The text will be available for public review via Develop901.com or at the Division of Planning and Development's offices at City Hall, 125 N Main St., Ste. 477 (please call to make an appointment). Interested parties may appear and/or testify during the public hearing, which will be held in the City Council Chambers in the first floor of City Hall, 125 N Main St. Those with questions may direct them to zoning@memphistn.gov or call (901) 636-6619.

May 29, 2026 Mdl14743

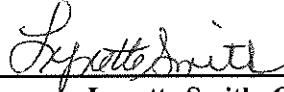
PROOF OF PUBLICATION

THE DAILY NEWS PUBLISHING COMPANY, the Publisher of THE DAILY NEWS, a daily newspaper of general circulation printed in the City of Memphis, County of Shelby and State of Tennessee and distributed in Shelby County in Tennessee, states that the hereto attached publication appeared in THE DAILY NEWS on the following dates:

May 29, 2026

THE DAILY NEWS PUBLISHING COMPANY

By:



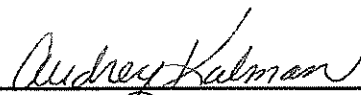
Lynette Smith, Office Administrator

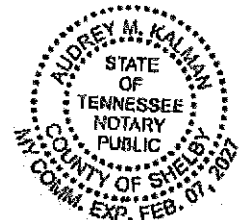
STATE OF TENNESSEE
COUNTY OF SHELBY

On this 29th day of May 2026, the individual above appeared before me, personally known, who, being by me duly sworn did say that she is an authorized agent of the corporation (or association) of The Daily News Publishing Company, that this instrument was signed and sealed on behalf of the corporation (or association), by authority of its CEO and Owner.

This legal notice was published online at www.memphisdailynews.com and www.tnpublicnotice.com for the duration of the run dates listed above. This publication fully complies with all public notice statutes in Tennessee Code Annotated.

WITNESS my hand and Official Seal at office this 29th day of May 2026.


Notary Public



NOTICE

CASE NUMBER: ZTA 2026-002

Notice is hereby given that the Memphis and Shelby County Land Use Control Board will hold a public hearing on Thursday, July 9, 2026, at 9:00 AM to consider amendments to Memphis and Shelby County Unified Development Code (UDC). The proposed amendments would clarify the process by which the existing zoning map may be repealed and replaced in its entirety. The text of the proposed amendment will be published no later than Friday, July 3 alongside the full meeting agenda. The text will be available for public review via Develop901.com or at the Division of Planning and Development's offices at City Hall, 125 N Main St., Ste. 477 (please call to make an appointment). Interested parties may appear and/or testify during the public hearing, which will be held in the City Council Chambers in the first floor of City Hall, 125 N Main St. Those with questions may direct them to zoning@memphistn.gov or call (901) 636-6619.
June 30, 2026 Md115269

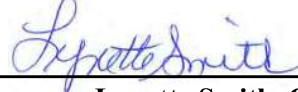
PROOF OF PUBLICATION

THE DAILY NEWS PUBLISHING COMPANY, the Publisher of THE DAILY NEWS, a daily newspaper of general circulation printed in the City of Memphis, County of Shelby and State of Tennessee and distributed in Shelby County in Tennessee, states that the hereto attached publication appeared in THE DAILY NEWS on the following dates:

June 30, 2026

THE DAILY NEWS PUBLISHING COMPANY

By:



Lynette Smith, Office Administrator

STATE OF TENNESSEE
COUNTY OF SHELBY

On this 30th day of **June 2026**, the individual above appeared before me, personally known, who, being by me duly sworn did say that she is an authorized agent of the corporation (or association) of The Daily News Publishing Company, that this instrument was signed and sealed on behalf of the corporation (or association), by authority of its CEO and Owner.

This legal notice was published online at www.memphisdailynews.com and www.tnpublicnotice.com for the duration of the run dates listed above. This publication fully complies with all public notice statutes in Tennessee Code Annotated.

WITNESS my hand and Official Seal at office this 30th day of **June 2026**.


Notary Public

**MEMPHIS AND
SHELBY COUNTY** **DIVISION OF PLANNING
AND DEVELOPMENT**

City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103 – (901) 636-6619

LAND USE CONTROL BOARD ZONING TEXT AMENDMENT APPLICATION

Date: May 14, 2026

Case/Docket #: ZTA 2026-002

PLEASE TYPE OR PRINT

Applicant: Brett Ragsdale, Director Phone #: 901-636-7147

Mailing Address: 125 N. Main St., Ste. 468 City/State: Memphis, TN Zip: 38103

Applicant Email Address: brett.ragsdale@memphistn.gov



Signature

May 14, 2026

Date

Attachments: Proposed text changes (redline)

Article 9. Administration

9.1 REVIEW BODIES

9.1.1 Governing Bodies

A. General Authority

The governing bodies may exercise additional powers as may be described elsewhere in this development code and as permitted by the City or County Code of Ordinances.

B. Final Authority

With respect to this development code, the governing bodies are responsible for final action regarding:

1. Text amendments;
2. Zoning changes;
- ~~3.~~ 3. Comprehensive rezonings;
- ~~3-4.~~ 4. Replacements of the zoning map;
- ~~4-5.~~ 5. Special uses and special use amendments;
- ~~5-6.~~ 6. Planned development outline plan and amendments;
- ~~6-7.~~ 7. Planned development public contracts;
- ~~7-8.~~ 8. Final plat public contracts;
- ~~8-9.~~ 9. Right-of-way vacation;
- ~~9-10.~~ 10. Right-of-way dedication; and
- ~~10-11.~~ 11. Historic district designation.

9.1.2 Land Use Control Board

A. Establishment

The Land Use Control Board is established pursuant to Joint Ordinance-Resolution No. 2524 (Memphis City Code § 2-50).

B. General Authority

1. The Land Use Control Board performs related duties as directed by the governing bodies.
2. The Land Use Control Board may exercise additional powers as may be described elsewhere in this development code and as permitted by the City or County Code of Ordinances.

C. Review Authority

With respect to this development code, the Land Use Control Board reviews and makes recommendations regarding:

1. Text amendments;
2. Zoning changes;
- ~~3.~~ 3. Comprehensive rezonings;
- ~~3-4.~~ 4. Replacements of the zoning map;
- ~~4-5.~~ 5. Special uses and special use amendments;
- ~~5-6.~~ 6. Planned development outline plan and amendments;
6. Street Name Change;
7. Right-of-way vacation;
8. Right-of-way dedication; and
9. Historic district designation.

D. Final Authority

With respect to this development code, the Land Use Control Board shall be responsible for final action (subject to appeal) regarding:

1. Planned development major modifications;

2. Special use major modifications;
3. Major preliminary plans;
4. Resubdivision;
5. Plat of record vacation; and
6. Special exceptions.

9.2.3 Board of Adjustment

A. Establishment

The Board of Adjustment is established pursuant to Joint Ordinance-Resolution No. 722 Memphis City Code § 2-48).

B. General Authority

1. The Board of Adjustment performs related duties as directed by the governing bodies.
2. The Board of Adjustment may exercise additional powers as may be described elsewhere in this development code and as permitted by the City or County Code of Ordinances.

C. Final Authority

With respect to this development code, the Board of Adjustment is responsible for final action regarding:

1. Variances;
2. Appeals from Administrative decisions
3. Interpretation of zoning district boundaries.
4. Change in nonconforming use permit; and
5. Conditional Use Permits.

9.2.4 Landmarks Commission

A. Defined

The Memphis Landmarks Commission is identified as having the authority to enforce certain provisions of this development code.

B. Establishment

The Landmarks Commission serves as a historic zoning commission pursuant to Tennessee Code 13-7-403 for the City of Memphis (see Memphis City Code § 14-24-5).

C. General Authority

The Landmarks Commission conducts and encourages research, planning and educational projects for the purpose of protecting historic districts and documenting the historic significance thereof, including the following:

1. Recommend to the governing bodies designated sites and districts for loans and grants under the City Landmark Fund and subject to approval by the governing bodies; make application for and administer grants for the purpose of preserving and restoring structures and sites located within a Historic Overlay District.
2. Initiate or assist in surveys, plans and studies and programs designed to identify, list and evaluate structures, objects, sites and areas worth of preservation and develop strategies and methods for their protection.
3. Consult with and consider the recommendations of civic groups, public agencies and citizens interested in historic preservation and provide information to the public.
4. Research historic properties and apply for designation to the National Register of Historic Places and establish a list of properties eligible for designation as a Historic Overlay District.

D. Review Authority

With respect to this development code, the Landmarks Commission reviews and make recommendations regarding rezoning to a Historic district designation.

E. Final Authority

With respect to this development code, the Landmarks Commission is responsible for final action regarding applications for a Certificate of Appropriateness.

9.2.5 Downtown Memphis Commission Design Review Board

A. Establishment

The Downtown Memphis Commission Design Review Board is established pursuant to Memphis City Code § 12-44.

B. General Authority

1. The Downtown Memphis Commission Design Review Board performs related duties as directed by the City Council.
2. The Downtown Memphis Commission Design Review Board may exercise additional powers as may be described elsewhere in this development code and as permitted by the City Code of Ordinances.

C. Final Authority

With respect to this development code, the Downtown Memphis Commission Design Review Board is responsible for reviewing applications and issuing permits with respect to the design of public building façades and exteriors in public view, signs and other public improvements within the Central Business Improvement District.

9.2.6 Zoning Administrator

The Zoning Administrator may designate any staff member to represent the Zoning Administrator in any function assigned by this development code. The Zoning Administrator remains responsible for any final action.

A. General Authority

1. The Zoning Administrator performs related duties as directed by the governing bodies.
2. The Zoning Administrator may exercise additional powers as may be described elsewhere in this development code and as permitted by the City or County Code of Ordinances.

B. Review Authority

With respect to this development code, the Zoning Administrator reviews and makes recommendations regarding:

1. Text amendments;
2. Zoning changes;
- ~~3.~~ 3. Comprehensive rezonings;
- ~~3-4.~~ 4. Replacements of the zoning map;
- ~~4-5.~~ 5. Special uses, special use amendments and major modifications;
- ~~5-6.~~ 6. Planned development outline plan and amendments;
- ~~6-7.~~ 7. Planned development major modifications;
- ~~7-8.~~ 8. Major preliminary plans review;
- ~~8-9.~~ 9. Resubdivision;
- ~~9-10.~~ 10. Right-of-way vacation;
- ~~10-11.~~ 11. Right-of-way dedication;
- ~~11-12.~~ 12. Street name change;
- ~~12-13.~~ 13. Plat of record vacation;
- ~~13-14.~~ 14. Special exceptions
- ~~14-15.~~ 15. Historic district designation;
- ~~15-16.~~ 16. Certificates of appropriateness; and
- ~~16-17.~~ 17. Variances.

C. Final Authority

With respect to this development code, the Zoning Administrator is responsible for final action (subject to appeal) regarding:

1. Special use minor modifications;
2. Planned development minor modifications;
3. Planned development final plats;
4. Minor preliminary plans;
5. Final plats;
6. Administrative site plans;

7. Tree removal;
8. Final plat; Demolition by neglect;
9. Administrative deviations; and
10. Written interpretations.

9.2.7 Building Official

A. Delegation of Authority

The Building Official may designate any staff member to represent the Building Official in any function assigned by this development code. The Building Official remains responsible for any final action.

B. General Authority

1. The Building Official performs related duties as directed by the governing bodies.
2. The Building Official may exercise additional powers as may be described elsewhere in this development code and as permitted by the City or County Code of Ordinances.

C. Final Authority

With respect to this development code, the Building Official is responsible for final action (subject to appeal) regarding the following:

1. Temporary use review;
2. Sign permit; and
3. Certificate of occupancy.

9.2.8 Technical Review Committee

The Technical Review Committee is comprised of City and County agencies and is established to provide technical assistance in the review of certain provisions of this development code as set forth below.

A. Composition

The Technical Review Committee shall consist of a representative from the following. The Zoning Administrator shall serve as chairman of the Technical Review Committee and shall be responsible for all final recommendations.

1. Division of Planning and Development – Land Use and Development Services.
2. Division of Planning and Development – Comprehensive Planning.
3. Division of Planning and Development – Construction Enforcement.
4. City Traffic Engineer.
5. City and County Public Works Divisions.
6. City and County Engineering Divisions.
7. City and County Fire Departments.
8. Shelby County Health Department.
9. Memphis Light, Gas, and Water Division.

B. Review Authority

1. With respect to this development code, the Technical Review Committee may review at the discretion of the Zoning Administrator the following:
 - a. Text amendments;
 - b. Special uses and special use revisions;
 - c. Planned development outline plan amendments;
 - d. Planned development major modifications;
 - e. Planned development minor modifications;
 - f. Planned development final plats;
 - g. Minor preliminary plans;
 - h. Right-of-way vacation;
 - i. Administrative site plans; and
 - j. Special exceptions.

2. With respect to this development code, the Technical Review Committee shall review the following:
 - a. Planned development outline plans;
 - b. Major preliminary plans;
 - c. Resubdivision;
 - d. Right-of-way dedication;
 - e. Street name change; and
 - f. Plat of record vacation.

9.2 SUMMARY OF REVIEW AUTHORITY

9.2.1 Governing Bodies

The City Council retains review and approval or appeal authority within the City limits of Memphis and the Board of Commissioners retains review and approval or appeal authority within unincorporated Shelby County.

9.2.2 Summary of Review Table

	x-ref	Review, Recommendation, Decision and Approval							
		City or County Engineer	Building Official	Technical Review Committee	Zoning Administrator or	Board of Adjustment	Landmarks Commission	Land Use Control Board	Governing Bodies
Text Amendment	9.4			Δ	RR			RR	D
Zoning Change	9.5				RR			RR	D
Comprehensive Rezoning	9.5.12				RR			RR	D
Replacement of the Zoning Map	9.5.13				RR			RR	D
Special Uses & Planned Developments:									
Special Uses & Special Use Amendments	9.6 & 9.6.12A			Δ	RR			RR	D*
Special Use Major Modification	9.6.12B			Δ	RR			D	A
Special Use Minor Modification	9.6.12C			Δ	D			A*	
P. D. Outline Plan & Amendments	9.6 & 9.6.11E (1)			R	RR			RR	D*
P. D. Major Modifications	9.6.11E (2)			Δ	RR			D	A
P. D. Minor Modifications	9.6.11E (3)			Δ	D			A*	
P. D. Final Plan	9.6			Δ	D			A*	
P. D. Public Contract	9.6	RR							D
Subdivision:									
Minor Preliminary Plan	9.7.6			Δ	D			A	
Major Preliminary Plan	9.7.7			R	RR			D	A
Resubdivision				R	RR			D	A
Final Plat without Standard Contract	9.7.8			Δ	D			A*	
Final Plat w/Standard Contract	9.7.8	RR							D
Right-of-Way Vacation	9.8			Δ	RR			RR	D
Right-of-Way Dedication	9.9			R	RR			RR	D
Street Name Change	9.10			R	RR			RR	D
Plat of Record Revocation	9.11			R	RR			D	A
Administrative Site Plan	9.12			Δ	D	A**			
Special District Administrative Review	9.13			Δ	D	A**			
Special Exception	9.14			Δ	RR			D	A
Historic District Designation	8.6				RR		RR	RR	D
Certificate of Appropriateness	8.6.3				RR		D		
Historic District (Demolition by Neglect)	8.6.4				D		A*		
Board of Adjustment					RR	D			
Administrative Decision		D	D		D	A**			
Change in Nonconforming Use Permit	10.2.5				RR	D			

D = Decision

D* = Decision but no public hearing unless a request for a hearing is properly filed by an individual who was either present at LUCB and made a vocal objection or who submitted written comments to DPD prior to LUCB.

R = Review

RR = Review & Recommendation

Δ = Review at Discretion of Zoning Administrator

A = Appeal

A* = Only the subject property owner or his or her representative may appeal decisions of the Zoning Administrator, Building Official or City or County Engineer.

A** = Only the subject property owner and those property owners within 1000 feet of the subject property, as measured from property line to property line, may appeal decisions of the Zoning Administrator, Building Official or City or County Engineer.

9.3 COMMON REVIEW PROCEDURES

9.3.1 Pre-Application Conference

- A. The pre-application conference is a meeting in which the Zoning Administrator discusses the procedures, standards and regulations required for approval in accordance with this development code with the applicant.
- B. A mandatory pre-application conference with the Zoning Administrator shall be required for the following:
 - 1. Zoning change;
 - 2. Special use permit;
 - 3. Planned development outline plan;
 - 4. Minor preliminary plan;
 - 5. Major preliminary plan;
 - 6. Right-of-way vacation;
 - 7. Right-of-way dedication;
 - 8. Plat of record;
 - 9. Plat revocation;
 - 10. Historic district designation; and
 - 11. Certificate of Appropriateness.
- C. A pre-application conference is optional for any application not listed in Sub-Section B above.

9.3.2 Neighborhood Notification and Meeting

- A. At least ten days, but not more than 120 days, prior to a hearing before the Land Use Control Board, the applicant shall host and/or attend a neighborhood meeting with representatives from neighborhoods adjacent to the development site which the hearing involves:
 - 1. Zoning change;
 - 2. Special use permit or amendment to a special use permit;
 - 3. Planned development outline plan or amendment to a planned development outline plan; and
 - 4. All subdivisions except minor subdivisions.
- B. Procedure
 - 1. Where applicable, the Division of Planning and Development shall mail notification of the neighborhood meeting prepared and provided by the applicant to the following individuals: 1) the officers of any neighborhood or business associations registered with the City of Memphis Office of Community Affairs whose boundaries include properties within 1,500 feet of the subject property; 2) all current residents of single-family and two-family dwellings within the notification area; 3) all property owners within the notification area, if different from the current residents; 4) the members of the Memphis City Council who represent the district and super-district in which the development is planned, or for areas in unincorporated Shelby County, the member of the Shelby County Board of Commissioners who represent the district in which the development is planned; and 5) all residents of multi-family dwellings within the notification area; to inform the community of the proposed development and solicit comments. If the applicant is unable to make notification to the multi-family dwellings, he or she shall provide notice to the Division of Planning and Development the reason and shall mail notification of the neighborhood meeting to the rental or management offices of all multi-family dwellings within the notification area with a request that said rental or management office post the notification in a conspicuous location within a common area(s), including, but not limited to: entry doors, hallways, mailbox areas and laundry rooms.
 - 2. The neighborhood notification requirements shall be the same as the mailed public notice requirements in 9.3.4A. The notification shall identify the time and place of the neighborhood meeting, as well as a description and map of the project. The notification shall also include the public hearing date of when the application will be heard by the Land Use Control Board. The applicant shall contact the officer(s) of any neighborhood or business association registered with the City of Memphis Office of Community Affairs prior to determining a date for the neighborhood meeting.
 - 3. The notification shall be prepared by the applicant and presented to the Division of Planning and Development no later than two working days prior to the date set out in the mailing requirement provided in Paragraph 5 below. The notification shall be folded, sealed and placed in stamped envelopes when presented to the Division of Planning

and Development. The following items shall accompany the notification when presented to the Division of Planning and Development: a copy of the letter to be mailed to all parties, a copy of the address labels to whom notification will be mailed and a map of the notice area.

4. If practicable, the neighborhood meeting shall be held at a public building or place of worship within a one-mile radius of the subject property, or at the subject property itself.
 5. If the notification package is determined to be complete by the Zoning Administrator, the Division of Planning and Development shall mail the notification no later than 20 days prior to the hearing before the Land Use Control Board and no later than 10 days prior to the date of the neighborhood meeting. If the neighborhood notification package is determined to be incomplete by the Zoning Administrator, the application is subject to being considered incomplete and removed from the Land Use Control Board agenda.
 6. Neighborhood meetings are the sole responsibility of the applicant. Documentation of its proceedings shall also be provided to the Division of Planning and Development. The applicant may request neighborhood organizations' contact information, if available, from the Division of Planning and Development.
- C. The purpose of the neighborhood notification and meeting is to inform the neighborhood of the nature of the proposed land use and development features and solicit comments. Applicants shall reserve at least 15 minutes of the neighborhood meeting for community members, businesses and/or neighborhood associations wishing to make a presentation regarding the development.
- D. Any neighborhood or business association registered with the City of Memphis Office of Community Affairs whose boundaries include properties within 1,500 feet of the development area will have the opportunity to submit a Community Impact Statement (CIS). The purpose of the CIS is to provide community members a chance to give an opinion and any recommendation regarding the development project. The CIS shall not exceed 500 words. Neighborhood or business associations who intend to file a CIS must submit said statement to the Land Use Control Board or governing bodies prior to the scheduled hearing. If provided prior to the publishing of the Land Use Control Board staff report, the CIS shall be included within the staff report in a prominent position alongside the Division of Planning and Development recommendation. If provided after the publishing of the Land Use Control Board staff report, the CIS will be referenced during the Land Use Control Board public hearing and contained in the materials that are forwarded to the legislative body, where applicable.
- E. Exigent circumstances. A neighborhood meeting may be conducted through electronic or telephonic means if holding an in-person meeting is impractical due to an ongoing public health crisis or other similar situation that is out of the control of the applicant, provided all notice requirements of this section are met. In addition, a neighborhood meeting may be held after the Land Use Control Board votes on the matter but before the governing body does so in the event the Division of Planning and Development makes a determination that a zoning change is not in compliance with a Chapter 1.9 plan with the publishing of its Land Use Control Board staff report (see Paragraph 9.3.2A(1)). In such an event, all notice and timing requirements of this Section shall still apply, but will be timed in conjunction with date the governing body is expected to vote on the matter.

9.3.3 Application Requirements

A. Initiation of Request

A request for development approval may be initiated in accordance with the following. For the purpose of this Sub-Section, “body” shall mean either the Memphis City Council or the Shelby County Board of Commissioners; “board” shall mean the Land Use Control Board and “staff” shall mean the Chief Administrative Officer of either the City of Memphis or Shelby County, or the Zoning Administrator.

	Agent/ Owner/ Applicant	Body/ Board/ Staff
Text Amendment		■
Zoning Change	■	■
Comprehensive Rezoning		■*
<u>Replacement of the Zoning Map</u>		■*
Special Uses and Planned Developments:		
Special Uses & Special Use Amendments	■	
Special Use Minor Modifications	■	
Special Use Major Modifications	■	
P. D. Outline Plan & Amendments	■	
P. D. Minor Modifications	■	
P. D. Major Modifications	■	
P. D. Final Plan	■	
P. D. Public Contract	■	
Subdivision:		
Minor Preliminary Plan	■	
Major Preliminary Plan	■	
Resubdivision	■	
Final Plat	■	
Public Contract	■	
Right-of-Way Vacation	■	■
Right-of-Way Dedication	■	
Street Name Change	■	■
Plat of Record Revocation	■	■
Administrative Site Plan Review	■	
Special District Administrative Review	■	
Special Exception Review	■	
Temporary Use Review	■	
Tree Removal	■	
Sign Permit	■	
Certificate of Occupancy	■	
Historic District Designation	■	■
Certificate of Appropriateness	■	
Demolition by Neglect		■
Written Interpretations	■	
Administrative Deviation	■	
Variance and Conditional Use Permit	■	
Appeal of Administrative Decision	■	
Change in Nonconforming Use Permit	■	

*Only the body(s) may initiate a request for a comprehensive rezoning or replacement of the zoning map (see Sub-Sections 9.5.12A and 9.5.13A).

B. Submittals

Applications required under this development code shall be filed with the Division of Planning and Development in accordance with the following.

	Zoning Administrator	Building Official
Text Amendment	■	
Zoning Change	■	
Comprehensive Rezoning	■	
<u>Replacement of the Zoning Map</u>	■	
Special Uses and Planned Developments:		
Special Uses & Special Use Amendments	■	
Special Use Minor Modifications	■	
Special Use Major Modifications	■	
P. D. Outline Plan & Amendments	■	
P. D. Minor Modifications	■	
P. D. Major Modifications	■	
P. D. Final Plan	■	
P. D. Public Contract	■	
Subdivision:		
Minor Preliminary Plan	■	
Major Preliminary Plan	■	
Resubdivision	■	
Final Plat	■	
Public Contract	■	
Right-of-Way Vacation	■	
Right-of-Way Dedication	■	
Street Name Change	■	
Plat of Record Revocation	■	
Administrative Site Plan Review	■	
Special District Administrative Review	■	
Special Exception Review	■	
Temporary Use Review		■
Tree Removal	■	
Sign Permit	■	
Certificate of Occupancy		■
Historic District Designation	■	
Certificate of Appropriateness	■	
Demolition by Neglect	■	
Written Interpretations	■	
Administrative Deviation	■	
Variance and Conditional Use Permit	■	
Appeal of Administrative Decision	■	
Change in Nonconforming Use Permit	■	

C. Forms

Applications required under this development code must be submitted on forms and in such numbers as required by the Division of Planning and Development.

D. Fees

Filing fees have been established to defray the cost of processing the application, as listed with the Division of Planning and Development and adopted by the governing bodies. Before review of an application, all filing fees must be paid in full.

E. Completeness Determination

1. All applications must be complete before the Zoning Administrator/Building Official is required to review the application.
2. An application is considered complete when it contains all of the information necessary to decide whether or not the development as proposed will comply with all of the requirements of this development code.
3. The presumption is that all of the information required in the application forms is necessary to satisfy the requirements of this Article. However, it is recognized that each application is unique, and therefore more or less information may be required according to the needs of the particular case. The applicant may rely on the recommendations of the Zoning Administrator/Building Official as to whether more or less information shall be submitted.
4. Once the application has been determined complete, copies of the application shall be referred by the Zoning Administrator/Building Official to the reviewing entities.
5. The Zoning Administrator/Building Official may require an applicant to present evidence of authority to submit the application.

F. Application Deadline

Complete applications shall be submitted in accordance with the published calendar schedule. Schedules indicating submittal dates shall be developed each year and made available to the public.

G. Staff Consultation after Application Submitted

1. Upon receipt of a complete application, within 21 days after the filing deadline, the Zoning Administrator/Building Official shall review the application and confer with the applicant to ensure an understanding of the applicable requirements of this development code; that the applicant has submitted all of the information they intend to submit; and that the application represents precisely and completely what the applicant proposes to do.
2. Once the applicant indicates that the application is as complete as the applicant intends to make it, the application shall be placed on the agenda of the appropriate review board in accordance with standard procedures. However, if the application is determined incomplete, a recommendation to deny the application on that basis shall be provided to the appropriate reviewing entity.

H. Concurrent Applications

Applications may be filed and reviewed concurrently, at the option of the applicant, provided there is not a pending appeal filed by applicant on the subject site (see Paragraph 9.23.1D(1)).

9.3.4 Public Hearings and Notification

A. Required Hearings and Notification

A public hearing shall be required and notification given as set forth below:

	x-ref	Public Hearing					Public Hearing Notice			Public Notice Mailed To			
		Board of Adjustment	Technical Rev. Committee	Landmarks Commission	Land Use Control Board	Governing Bodies	Sign Posted	Mailed	Newspaper Publication	Subject Property	Adjacent Owners ⁴	Owners within 750 Ft. Radius ¹	Neighborhood Associations ⁵
Text Amendment	9.4				PH	PH			LUCB/GB				
Zoning Change & Residential Corridors	9.5 & 8.5				PH	PH	SP	M	GB	■	■	■	■
Comprehensive Rezoning	9.5.12				PH	PH	SP	M	LUCB/GB	■			■
Replacement of the Zoning Map	9.5.13				PH	PH		M ⁹	LUCB/GB	■ ⁹			
Special Uses & Planned Developments:													
Special Uses & Special Use Amendments	9.6 & 9.6.12A				PH	PH-AO	SP	M		■	■	■	■
Special Use Major Modifications	9.6.12B				PH	PH-AO	SP	M		■	■	■	■
Special Use Minor Modifications	9.6.12C				PH-AO			M-AO		■	□		□
P. D. Outline Plan & Amendments	9.6 & 9.6.11E(1)				PH	PH-AO	SP	M		■	■	■	■
P. D. Major Modifications	9.6.11E(2)				PH	PH-AO	SP	M		■	■	■	■
P. D. Minor Modifications	9.6.11E(3)				PH-AO			M-AO		■	□		□
P. D. Final Plan	9.6												
P. D. Public Contract	9.6												
Subdivision:													
Minor Preliminary Plan	9.7.6		PH		PH-AO			M		■	■		■
Major Preliminary Plan	9.7.7				PH	PH-AO		M		■	■		■
Resubdivision					PH	PH-AO		M		■	■	■	■
Final Plat	9.7.8												
Public Contract	9.7.8												
Right-of-Way Vacation													
Conversions	9.8				PH	PH-AO	SP	M		■	■		■
Physical Closures	9.8				PH	PH-AO	SP	M		■	■	■ ⁶	■
Abandonment	9.8				PH	PH-AO		M		■	■		■
Right-of-Way Dedication	9.9				PH	PH-AO		M		■	■		■
Street Name Change	9.10				PH	PH		M		■	■		■
Plat of Record Revocation	9.11				PH	PH-AO		M		■	■		■
Administrative Site Plan	9.12	PH-AO						M-AO		■	□		□
Special Exception	9.14				PH	PH-AO	SP	M		■	■		■
Special District Administrative Review	9.13	PH-AO								■	□ ³		□
Historic District Designation	8.6			PH	PH	PH	SP	M	LM/LUCB/GB	■	■		■
Major Certificate of Appropriateness	8.6.3			PH				M		■	■	■ ⁷	
Historic District (Demolition by Neglect)	8.6.4			PH-AO						□	□		
Non-Use Variance² and Cond. Use Perm.	9.22 & 9.24	PH						M		■	■	■	
Use Variance	9.22	PH					SP ⁸	M		■	■	■	
Board of Adjustment Correspondence	2.4.5, 9.22.9, 9.23.1E(2) & 9.24.10	PH						M		■	■		
Administrative Decision		PH-AO								□			
Change in Nonconforming Use Permit	10.2.5	PH						M		■	■	■	

1. If the 750-foot radius includes less than 25 property owners, the radius shall be extended at 100-foot intervals to reach a minimum of 25 property owners provided, however, that the maximum total radius is 1,500 feet.
2. In the case of setback variation requests less than 5 feet only adjacent property owners shall be notified.
3. Public notice mailed to property owners within a 300-foot radius of the subject property.
4. "Adjacent owners" includes abutting owners and those across the street or other ROW from the subject site.
5. Public Notice to Neighborhood Associations may be mailed or sent via electronic mail.
6. The 750-foot radius shall be measured from the entire segment of the road affected by the closure rather than the area of right-of-way to be vacated. The segment of road affected shall be defined to mean that portion of public right-of-way that contains the proposed closure between the two nearest intersecting streets on either side of the closure.
7. A 150-foot radius is utilized for Certificates of Appropriateness.
8. Sign posting is not required for use variances for single-family residences.
9. See Sub-Section 9.5.13B for the mailed notice requirements applicable to replacements of the zoning map

PH = Public Hearing
 PH-AO = Public Hearing Upon Appeal or Objection Only (see Section 9.2.2)
 LUCB = Land Use Control Board
 GB = Governing Body

SP = Public Hearing Sign Posted
 LM = Landmarks Commission
 M = Public Hearing Notice Mailed
 M-AO = Public Hearing Notice Mailed - Appeal Only

GB-RO = Governing Body Publication for Hearing upon Request Only
 P = Sign posted prior to administrative approval

■ = Public Notice Sent To
 □ = Public Notice Sent Only On Appeal

B. Published Notice

Where published notice is required, a distinctive advertisement shall be placed by the Zoning Administrator in a local newspaper of general circulation in the City of Memphis and Shelby County not more than 30 or less than ten days prior to the date of the public hearing.

C. Posted Notice (Sign)

1. Sign Size and Type

Each sign shall be two feet by three feet in size made to standards and specifications as provided by the Zoning Administrator. All signs will include language stating that defacing or removal of the sign by anyone other than the owner or his or her agent is an illegal act and the person who defaces or removes the sign without permission of the owner will be penalized. Public notice signs are not subject to any sign permit or sign permit fees.

2. Location

a. Zoning Change, Special Use, Planned Development, Special Exception

Signs shall be posted at the nearest right-of-way with the largest traffic volumes as determined by the Zoning Administrator. Each sign shall be placed no further than five feet from the right-of-way visible from each public street on which the subject property has frontage and placed outside the sight distance triangle. Additional signs may be required to be posted at each major roadway entrance to the development or as otherwise determined to be needed by the Zoning Administrator.

b. Comprehensive Rezoning and Historic District Designation

A sign shall be posted at each major roadway entrance to any area being comprehensively rezoned as determined by the Zoning Administrator.

c. Right-of-Way Vacation

A sign shall be posted at each end of the right-of-way to be vacated.

3. Responsibility for Installation and Removal

- a. The applicant shall be solely responsible for signage installation and removal and associated costs.
- b. Signs shall be erected not more than 30 or less than 10 days prior to the date of the public hearing. Applicants may temporarily remove the signs after each public hearing, provided they reinstall the signs at least 10 days prior to the next public hearing. The applicant shall submit a signed affidavit stating that the signs were installed and the date and posting of the property.
- c. Signs shall be removed within 14 days following final action by the governing bodies.

D. Mailed Notice

1. Where mailed notice is required, notification shall be mailed not more than 45 or less than 20 days prior to the date of the public hearing. Mailed notice shall be provided to all property owners within Shelby County in accordance with the provisions of this Code.
2. All of the neighborhood associations registered with the City of Memphis Office of Community Affairs whose boundaries include properties within 1,500 feet of the subject property shall be provided mailed notice in accordance with Sub-Section 9.3.4A. Notice via electronic mail may substitute for mailed notice.

E. Content of Notice

1. Published or Mailed Notice

Published or mailed notice shall provide at least the following:

- a. A case number;
- b. The address of the subject property (if available);
- c. The general location of the land that is the subject of the application, which may include, a location map
- d. A description of the action requested;
- e. Where a zoning change is proposed, the current and proposed districts;
- f. The time, date and location of the public hearing (or neighbor meeting if applicable);
- g. A phone number and email address to contact the Zoning Administrator; and

- h. A statement that interested parties may appear at the public hearing.

2. Posted Notice

Required posted notice shall indicate the following:

- a. A case number;
- b. Type of action; and
- c. A phone number to contact the Zoning Administrator; and
- d. All signs shall include language stating that defacing or removal of the sign by anyone other than the owner or his agent is an illegal act and the person who defaces or removes the sign without permission of the owner will be penalized.

F. Constructive Notice

- 1. Minor defects in notice shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with applicable notice requirements.
- 2. Undelivered mailed notice in excess of 25% of total required mailing within a 750-foot radius of the property only, shall constitute failed notice and shall serve to invalidate proceedings unless sufficient notice is provided in accordance with this section.

9.3.5 Notice of Decision

Within seven days after a decision is made, a copy of the decision shall be sent to the applicant and filed with the Zoning Administrator, where it shall be available for public inspection during regular office hours.

9.3.6 Withdrawal of Application

- A. An applicant may withdraw an application at any time, by filing a statement of withdrawal with the Zoning Administrator/Building Official except as provided in paragraph C below.
- B. The statement of withdrawal shall be in writing and may be delivered by hand, through mail or electronically.
- C. If a valid zoning protest petition has been filed, the application may be withdrawn only if the statement of withdrawal is filed no later than five days prior to the date of the public hearing upon which the matter is to be returned for action by the governing bodies. Thereafter, the application may be withdrawn only by action of the governing bodies, by majority vote.

The Zoning Administrator/Building Official may withdraw applications due to the failure of the applicant to submit required information within 90 days of the initial request.

NOTE- Skip to Section 9.5.13 (pg. 454). No changes proposed to text for Chapter 9.4.

NOTE- The below is a new Section to be inserted after existing Section 9.5.12

9.5.13 Replacement of the Zoning Map

A. Purpose and Intent

The governing bodies may from time to time repeal and completely replace the zoning map in order to make necessary and appropriate revisions. In so doing, consideration will be given to the character of the areas, suitability of particular uses, protecting natural areas, conservation and protection of aesthetics, conserving the value of buildings and communities, and encouraging the most appropriate use of land throughout the City and County. These procedures shall further the protection of the health, safety and general welfare of the citizens of the City and County. Only the legislative bodies may initiate a repeal and complete replacement of the zoning map. Repeal and complete replacement of the map shall be accomplished by majority vote.

B. Mailed Notice

1. Replacements of the zoning map shall be subject to only the mailed notice requirements of this Sub-Section
2. Not more than 45 or less than 20 days prior to the date of the Land Use Control Board hearing, the Zoning Administrator shall issue a mailed notice to the owners of all properties within Memphis and unincorporated Shelby County. The notice shall contain the following information:
 - a. The current zoning district of the subject property
 - b. The proposed zoning district of the subject property
 - c. Information on how the recipient may review the proposed map in its entirety
 - d. The time, date, and location of the Land Use Control Board public hearing
 - e. A statement that interested parties may appear at the public hearing
 - f. A statement that that the proposed zoning district is subject to change prior to the final decision of the governing body
 - g. A statement that the Land Use Control Board will be making a recommendation on the proposed map at the public hearing, with a final decision to be made by the appropriate governing body
 - h. Notice that the governing body will then meet for a final decision, including citation to or location where the governing body's agenda may be found
3. For the purposes of this Sub-Section, "owner" shall mean the owner of record according to the most recent tax roll published by the County Assessor of Property.
4. For the purposes of mailed notice, the current and proposed zoning district for each property shall be those in which the property's centroid lies. The Zoning Administrator need not issue multiple notices for split-zoned properties.
5. Minor defects in notice shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with the applicable notice requirements.

T-042



Memphis City Council Summary Sheet

(Revised January 28, 2026)

1. Description of the Item (Resolution, Ordinance, etc.)

- A provision to increase the accrued benefit percentage pension multiplier for years of credited service after January 1, 1990, from 2.25% to 2.50% for Police Dispatchers, Fire Alarm Operators, and Paramedics retiring on or after July 1, 2026.
- A provision to remove the Early Retirement Reduction Factor, which imposes a 5% reduction for retirement each year before age 62 for Police Dispatchers, Fire Alarm Operators, and Paramedics.

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

Human Resources

3. State whether this is a change to an existing ordinance or resolution, if applicable.

Yes, this is a change to the existing Pension Ordinance.

4. State whether this will impact specific council districts or super districts.

This will impact COM employees.

5. State whether this requires a new contract, or amends an existing contract, if applicable.

Not Applicable

6. State whether this requires an expenditure of funds/requires a budget amendment.

These amendments require additional funding for the Actuarial Accrued Liability (AAL) of \$973,000 and an Actuarially Determined Contribution (ADC) for the next 30 years of \$210,000.

7. If same night minutes are requested, state the reason for the urgency.

Not Applicable

Initial
HL

DocuSigned by:
Fonda F Fonda 2026

August 12, 2026

T-042

**AN ORDINANCE TO AMEND
CHAPTER 25—PENSION AND RETIREMENT SYSTEM
OF THE CITY OF MEMPHIS, TENNESSEE**

WHEREAS, the City of Memphis, Tennessee (the “Employer”) has adopted a defined benefit retirement plan known as City of Memphis Retirement System for General Employees, including police officers and firefighters, as subsequently amended and restated from time to time, and consisting of a 1948 plan (that part of the plan benefiting employees participating under the provisions of sections 4-25-60 through 4-25-99) and a 1978 plan (that part of the plan benefiting employees participating under the provisions of sections 4-25-160 through 4-25-199), as amended in 2012, and a 2016 plan (that part of the plan benefiting employees participating under the provisions of sections through 4-25-210 through 4-25-274), currently codified and established under City Ordinance Chapter 25, Articles I through VII, Division 1 and Division 2 and Division 3 (collectively, “the Pension System”); and

WHEREAS, the Employer desires to amend the Pension System as provided herein,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MEMPHIS that the Pension and Retirement System of the City of Memphis be amended as follows:

1. Section 4-25-1 References, construction and definitions, subsection (A) Item (1) Accrued benefit, subsection (a) shall be amended and restated in its entirety to read as follows:

1. Accrued benefit means:

- a. i. As of any date, for each participant hired prior to July 1, 2012, including commissioned police officers, police dispatchers, firefighters, fire dispatchers, fire alarm operators, and paramedics employed in the Fire Department of the City retiring prior to July 1, 2026, a monthly benefit amount payable semi-monthly in the form of a single life annuity, equal to two and one-fourth percent of his or her average monthly compensation multiplied by the number of years of

August 12, 2026

service completed before January 1, 1990, plus two and one-half percent of his or her average monthly compensation multiplied by the number of years of service completed after January 1, 1990; provided, however, that when a participant's years of service equals 25 years, such participant shall accrue an additional one percent of his or her average monthly compensation for each year of service in excess of 25 years for a maximum of ten years; provided, however, if after 35 years of service the total percentage of his or her average monthly compensation is less than 72.5 percent, such participant shall accrue an additional one percent of his or her average monthly compensation for each year of service in excess of 35 years earned after January 1, 1990, until such total percentage shall equal 72.5 percent; or

ii. As of any date, for each participant that is hired on or after July 1, 2012, including commissioned police officers, police dispatchers, firefighters, fire dispatchers, fire alarm operators, and paramedics employed in the Fire Department retiring prior to July 1, 2026, a monthly benefit amount payable semi-monthly in the form of a single life annuity, equal to two and one-fourth percent of his or her average monthly compensation multiplied by the number of years of service completed after July 1, 2012; provided, however, that when such participant's years of service equals 25 years, such participant shall accrue an additional one percent of his or her average monthly compensation for each year of service in excess of 25 years for a maximum of ten years; provided, however, if after 35 years of service the total percentage of his or her average monthly compensation is less than 72.5 percent, such participant shall accrue an additional one percent of his or her average monthly compensation for each year of service in excess of 35 years earned; or

iii. As of any date, for each participant who is a commissioned police officer, police dispatcher, firefighter, fire dispatcher, fire alarm operator, or paramedic employed in the Fire Department of the City retiring on or after July 1, 2026, a monthly benefit amount payable semi-monthly in the form of a single life annuity, equal to two and one-fourth percent of his or her average monthly compensation multiplied by the number of years of service completed before January 1, 1990, plus two and one-half percent of his or her average monthly compensation multiplied by the number of years of service completed after January 1, 1990; provided, however, that when a participant's

August 12, 2026

years of service equals 25 years, such participant shall accrue an additional one percent of his or her average monthly compensation for each year of service in excess of 25 years for a maximum of ten years; provided, however, if after 35 years of service the total percentage of his or her average monthly compensation is less than 72.5 percent, such participant shall accrue an additional one percent of his or her average monthly compensation for each year of service in excess of 35 years earned after January 1, 1990, until such total percentage shall equal 72.5 percent.

As required by T.C.A. §9-3-506(a)(3) and the Comptroller of the State of Tennessee, the increase provided in this subsection (iii) for commissioned police officers, police dispatchers, firefighters, fire dispatchers, fire alarm operators, and paramedics employed in the Fire Department of the City shall be funded by and only to the extent of the available funds allocated for the cost of pension benefits of police officers and firefighters in the Special Revenue Fund created pursuant to the referendum passed October 3, 2019 increasing the sales and use tax in the City of Memphis by 0.5% from 2.25% to 2.75% to restore pension benefits of public safety employees from and after the date of such referendum. In the event the cost of the increase provided in this subsection (iii) exceeds the amount allocated in the Special Revenue Fund for the cost of the pension benefits for public safety employees in the 1978 Plan, then the following steps shall automatically apply in determining the pension benefit of such eligible public safety employees for such Plan Year:

1. The accrual rate of 2.50% provided in this subsection (iii) for the pension benefit of these employees for such Plan Year will be reduced from 2.50% in ten basis point increments, to such lesser accrual rate (but not below the accrual rate provided in subsections (i) and (ii) above, as applicable) as is necessary so that the costs of benefits for these employees does not exceed the amount allocated in the Special Revenue Fund for the cost of the pension benefits for these employees in the 1978 Plan. The adjustment provided above shall be effective as of July 1 next following the determination of the cost of benefits and shall not reduce the accrued pension benefit of any such eligible employee accrued immediately prior to the effective date of the adjustment.

August 12, 2026

2. Section 4-25-1(A)(30) *Normal retirement date*, subsection (c) *1978 Plan for participants hired on or after July 1, 2012*, subsection (i) *General Employees* shall be amended and restated in its entirety to provide as follows:

- i. General Employees:

1. Effective for general employees, other than police dispatchers, fire dispatchers, fire alarm operators, and paramedics employed in the Fire Department of the City retiring on or after July 1, 2026, the first day of the month coincident with or next following the earliest date on which the participant
Attains:

- (A) Age 65 and completes five years of service; or
 - (B) Twenty-five years of service and submits a written election designating the date he or she will retire not less than 30 days before such designated date. Said participant shall be entitled to receive a retirement benefit equal to his or her accrued benefit reduced by five percent per year for each year that his or her early retirement date precedes the date the participant will attain age 62.

2. Effective for police dispatchers, fire dispatchers, fire alarm operators, and paramedics employed in the Fire Department retiring on or after July 1, 2026, the first day of the month coincident with or next following earliest date on which the participant:

Attains:

- (A) Age 65 and completes five years of service; or
 - (B) Twenty-five years of service and submits a written election designating the date he or she will retire not less than 30 days before such designated date.

August 12, 2026

The provisions of this Ordinance are hereby declared to be severable. If any of the sections, amendments, provisions, sentences, clauses, phrases, or parts hereof are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

The provisions of this Ordinance shall take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of Mayor in writing by the comptroller and become effective as otherwise provided by law.

NOTE: IN THE ADOPTING ORDINANCE ADD THE FOLLOWING PROVISIONS:

The additions and amendment herein repeal and replace the relevant titled, chapters and/or sections of the 2021 Code as so amended, repealed or replaced and the Comptroller is hereby directed to make the appropriate insertions and/or deletions into the official 2021 Code, so that reference to the 2021 Code shall be understood and intended to codify such additions and amendments as part of the 2021 Code.

All ordinances or parts of ordinances in the 2021 Code in conflict herewith are, to the extent of such conflict, hereby repealed.

SPONSOR

CHAIRMAN

City Administration

APPROVED:

Mayor

08.11.2026

SUMMARY OF PROPOSED ORDINANCE AMENDMENT
TO PENSION AND RETIREMENT SYSTEM
OF THE CITY OF MEMPHIS, TENNESSEE

August 2026

1. On July 21, 2026, effective July 1, 2026, an amendment was adopted to Section 4-25-1 of the Pension System for commissioned police officers and firefighters retiring on or after July 1, 2026 to increase the multiplier for years of credited service after January 1, 1990 from 2.25% to 2.50%. The cost of the increase is to be paid from the Special Revenue Fund created pursuant to the October 3, 2019 referendum.

The current proposed amendment extends that increase to police dispatchers, fire dispatchers, fire alarm operators, and paramedics employed in the Fire Department of the City. The cost of the increase is to be paid from the Special Revenue Fund created pursuant to the October 3, 2019 referendum.

2. On July 21, 2026, effective July 1, 2026, an amendment was adopted to Section 4-25-1(30)(c)(ii) to delete the 5% reduction on retirement benefits payable to commissioned police officers and firefighters who retire at twenty-five years of service but prior to age 52.

The current proposed amendment deletes the 5% reduction on retirement benefits payable to police dispatchers, fire dispatchers, fire alarm operators, and paramedics employed in the Fire Department of the City who retire at twenty-five (25) years of service but prior to age 62. The cost of the increase is to be paid from the Special Revenue Fund created pursuant to the October 3, 2019 referendum.

ORDINANCE NO. _____

AN ORDINANCE DECLARING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, PROCESSING, APPROVAL, AND ISSUANCE OF ZONING, LAND USE, BUILDING, AND OTHER ASSOCIATED INFRASTRUCTURE PERMITS FOR DATA CENTER DEVELOPMENTS WITHIN THE CITY OF MEMPHIS

WHEREAS, pursuant to Tennessee Code Annotated § 13-7-201, the Memphis City Council possesses the authority to regulate land use, zoning, and development to protect the public health, safety, and welfare of its citizens; and

WHEREAS, there has been substantial growth nationwide and throughout Tennessee in the development of large-scale data centers and high-density computing facilities supporting cloud computing, artificial intelligence, digital storage, cryptocurrency operations, and other advanced computing technologies; and

WHEREAS, modern data centers differ significantly from traditional commercial and industrial developments because they require exceptionally high electrical loads, extensive backup generation systems, electrical substations, battery storage systems, mechanical cooling equipment, water resources, telecommunications infrastructure, and continuous twenty-four-hour operations; and

WHEREAS, these facilities may generate impacts relating to electrical infrastructure capacity, water consumption, wastewater management, stormwater runoff, emergency services, traffic, lighting, vibration, noise, air quality, fuel storage, public utilities, and surrounding neighborhoods; and

WHEREAS, the Memphis and Shelby County Unified Development Code's current zoning regulations do not specifically classify or comprehensively regulate data center developments as a distinct land use and therefore do not adequately address their unique operational characteristics or community impacts; and

WHEREAS, the Memphis City Council finds that additional study is necessary before permitting additional data center developments to ensure that appropriate zoning classifications, siting standards, buffering requirements, operational standards, utility protections, and environmental safeguards are established; and

WHEREAS, the Memphis City Council further finds that a temporary moratorium is necessary to prevent applications from vesting under existing regulations while permanent zoning amendments are developed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MEMPHIS:

SECTION 1. DEFINITIONS

Data Center means any building, structure, campus, or facility primarily designed for housing, operating, or maintaining computer servers, data storage equipment, networking equipment, telecommunications infrastructure, or other electronic systems used for processing, transmitting, or storing digital information, together with all associated cooling systems, backup generators, substations, battery storage, mechanical equipment, and supporting infrastructure.

High-Density Computing Facility means any facility engaged primarily in artificial intelligence processing, cryptocurrency mining, commercial server farming, or other computing activities requiring substantial electrical demand or specialized computing equipment.

SECTION 2. TEMPORARY MORATORIUM

Beginning on the effective date of this Ordinance, the City of Memphis shall continue to accept applications for the limited purpose of docketing and completeness review, but shall not process, schedule, hear, approve, or issue any approval identified below during the moratorium. All review deadlines otherwise applicable under state law, the Memphis and Shelby County Unified Development Code, or administrative rule are tolled for the duration of this moratorium. The Memphis and Shelby County Division of Planning and Development shall not process the following for any new Data Center or High-Density Computing Facility located within the city limits of the City of Memphis for the duration of the temporary moratorium:

- Rezoning applications;
- Planned development applications;
- Special use permits;
- Conditional use permits;
- Site plan approvals;
- Building permits;
- Grading permits;
- Land disturbance permits; or
- Any other discretionary land use approval

No City department, board, commission, agency, or official shall accept or approve such applications during the duration of this moratorium.

SECTION 3. EXEMPTIONS

This Ordinance shall not apply to:

1. Existing lawfully operating data centers that do not expand their building footprint, electrical demand, utility capacity, or operational intensity; and
2. Applications that were legally vested pursuant to applicable local and state laws prior to the introduction of this Ordinance;
3. Routine maintenance, repair, replacement, or modernization of existing facilities that does not materially increase operational impacts.
4. Accessory Computing Use Exclusion: A data center or high-density computing facility does not include computer servers, data storage equipment, networking equipment, telecommunications equipment, or related computing infrastructure that is accessory or incidental to another lawful principal use of the property and primarily serves the operational needs of that principal use. This exclusion includes, without limitation, computing infrastructure accessory to hospitals and healthcare facilities, financial institutions, educational institutions, governmental facilities, offices, retail establishments, manufacturing facilities, telecommunications facilities, and similar principal uses.
5. The Memphis City Council may grant a waiver upon written findings that strict application would deny the applicant of all economically viable uses of the property. The applicant may initiate the waiver process through the Memphis and Shelby County Division of Planning and Development by utilizing the case appeal process to the Council.

SECTION 4. STUDY

During the moratorium period, the Memphis and Shelby County Division of Planning and Development, working in conjunction with a study committee consisting of a Chair and Vice Chair who are members of the Memphis City Council, Memphis Light, Gas and Water (MLGW), and other industry experts, shall prepare recommendations regarding permanent zoning regulations governing Data Centers and High-Density Computing Facilities.

The study committee should evaluate, at minimum:

1. Appropriate zoning districts and permitted locations;
2. Classification of data centers by size, electrical demand, and operational intensity;
3. Minimum separation distances and buffering from residential neighborhoods, schools, parks, hospitals, greenways, and other sensitive land uses;
4. Noise mitigation standards, including operational sound limits and acoustic studies;
5. Water consumption, cooling technologies, and conservation measures;
6. Wastewater discharge requirements;

7. Stormwater management standards;
8. Lighting and visual screening requirements;
9. Emergency access and fire protection requirements;
10. Backup generator operations and fuel storage;
11. Electrical infrastructure impacts, including substations and transmission improvements;
12. Allocation of infrastructure costs to developers to ensure public utility customers are not responsible for costs attributable to new high-demand facilities;
13. Traffic impacts during construction and operation;
14. Environmental sustainability measures;
15. Public notification and community engagement requirements;
16. Potential capital expenditure fund for the benefit of the City of Memphis;
17. Any additional development standards necessary to ensure compatibility with surrounding land uses;
18. Guidelines for required Community Benefits Agreements.

SECTION 5. DURATION

This moratorium shall remain in effect until the earlier of:

- A. Twelve (12) months following the effective date of this Ordinance;
- B. Adoption of comprehensive zoning regulations governing Data Centers and High-Density Computing Facilities by the Memphis City Council; or
- C. Repeal or amendment by subsequent ordinance of the Memphis City Council.

The City Council may extend the moratorium if additional time is reasonably necessary to complete the study and adopt permanent regulations in the Memphis and Shelby County Unified Development Code. The Memphis City Council requests a progress report from the Division of Planning and Development on the proposed permanent zoning regulations within six months of the passage of this ordinance.

SECTION 6. SEVERABILITY

The provisions of this Ordinance are hereby severable. If any of these sections, provisions, sentences, clauses, phrases, or parts are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

SECTION 7. EFFECTIVE DATE

This Ordinance shall take effect from and after the date it shall have been passed by the Council, signed by the Chair of the Council, certified and delivered to the Office of Mayor in writing by the comptroller and become effective as otherwise provided by law.

Sponsors:

JB Smiley, Jr.

Jana Swearengen-Washington

Jerri Green

Dr. Michalyn Easter-Thomas

Chairwoman

Jana Swearengen-Washington



RESOLUTION accepting public improvements for
7 Vance Civil Plans, Phase I [CR#5384]
and releasing Bond

WHEREAS, 7 Devco, LLC., is the Developer of a certain property within the present limits of the City of Memphis as shown on the engineering plans and located at the southwest corner of Vance Avenue and Wagner Place, in Memphis, Tennessee.

and

WHEREAS, all of the public improvements required by the Standard Improvement Contract for the project are completed;

and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, that the engineering plans for **7 Vance Civil Plans, Phase I [CR#5384]**, and the completion of the public improvements therein, are and the same, are hereby accepted by the City.

BE IT FURTHER RESOLVED, that **Performance Bond No. 107481101** in the amount of **\$111,300.00**, and currently held as project security, is hereby ordered released.



RESOLUTION approving the engineering plans entitled:
7 Vance Civil Plans - Phase 1

WHEREAS, **7V Devco, LLC.**, the Developer of certain property within the present limits of
Memphis as shown on the engineering plan and located at southwest corner of Vance Avenue
and Wagner Place in the City of Memphis, Tennessee and

WHEREAS, the developer desires to develop the property.

and

WHEREAS, attached hereto is a standard improvement contract entered into by and between
7 Vance Civil Plans - Phase 1 and the City of Memphis covering the public improvements as a
part of developing the property;

and

WHEREAS, the terms and conditions of the contract are in accordance with the policies of the
City of Memphis for developing such a project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering
plans for **7 Vance Civil Plans - Phase 1** is hereby approved.

BE IT FURTHER RESOLVED, that the proper officials be and are hereby authorized to execute
the attached standard improvement contract and accept Performance Bond No. 107481101
from **Travelers Casualty and Surety Company of America**, Bond in the amount of **\$111,300.00**

CR-5384

I hereby certify that the foregoing is a true copy
and document was adopted, approved by the
Council of the City of Memphis in regular
session on

Date OCT 05 2021

Valerie C. Sripes
Deputy Comptroller-Council Records



RESOLUTION approving
**Supplemental Agreement #1 for
CR-5384 - 7 Vance Civil Plans Phase 1**

WHEREAS, **7V Devco, LLC**, the Developer of certain property within the present limits of the City of Memphis, located at 63 North B.B. King Blvd in the City of Memphis, Tennessee

and

WHEREAS, the Developer entered into a Standard Improvement Contract (CR-5384) on October 5, 2021, covering all public improvements required as part of developing the Project;

and

WHEREAS, attached hereto is a **Supplemental Agreement #1 for CR-5384 - 7 Vance Civil Plans Phase 1**, entered into between **7V Devco, LLC** and the City of Memphis covering extending the project three hundred sixty-five days due to supply chain issues and delays stemming from the COVID-19 pandemic.

and

WHEREAS, the terms and conditions of the contract are in accordance with the policies of the City of Memphis for developing such a project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the **Supplemental Agreement #1 for CR-5384 - 7 Vance Civil Plans Phase 1** are hereby approved.

CR# 5384 AM

hereby certify that the foregoing is a true copy
and document was adopted, approved by the
Council of the City of Memphis in regular
session on

Date OCT 11 2022

Valerie C. Snipes
Deputy Comptroller-Council Records



RESOLUTION accepting public improvements for
Conwood Snuff Redevelopment (BOA Case #20-03) [CR#5439]
and releasing Bond

WHEREAS, Conwood I, LLC., is the Developer of a certain property in the present limits of the City of Memphis as shown on the plans, located at the northwest corner of the intersection of Keel Avenue and North Front Street, in Memphis, Tennessee.

and

WHEREAS, all of the public improvements, required by the Standard Improvement Contract for the project, are completed;

and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, that the engineering plans for **Conwood Snuff Redevelopment (BOA Case #20-03) [CR#5439]** , and the completion of the public improvements therein, are and the same, are hereby accepted by the City.

BE IT FURTHER RESOLVED, that the **ARCH Insurance Performance Bond No. SU 1169726** in the amount of **\$ 87,000.00**, currently held as project security, is hereby ordered released.



RESOLUTION approving the engineering plans entitled **Conwood Snuff Redevelopment (BOA Case #20-03)**

WHEREAS, **Conwood I, LLC** is the Developer of certain property within the present limits of City of Memphis, located on Front Street - northwest corner of the intersection of Keel Avenue and North Front Street in the City of Memphis, Tennessee as indicated on the final plat entitled **Conwood Snuff Redevelopment (BOA Case 20-03)** and

WHEREAS, the developer desires to develop the property reflected on the engineering plans; and

WHEREAS, attached hereto is a standard improvement contract entered into by and between **Conwood I, LLC** and the City of Memphis covering the public improvements as a part of developing the property; and

WHEREAS, the terms and conditions of the contract are in accordance with the policies of the City of Memphis for developing such a project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering plans for **Conwood Snuff Redevelopment (BOA Case 20-03)** be and is hereby approved.

BE IT FURTHER RESOLVED, that the proper officials be and are hereby authorized to execute the attached standard improvement contract and accept the Arch Insurance Performance Bond No. SU 1169726 in the amount of \$87,000.00 in lieu of bond.

CR-5349

I hereby certify that the foregoing is a true copy and document was adopted, approved by the Council of the City of Memphis in regular session on

Date DEC 15 2020

Valerie C. Stripes
Deputy Comptroller-Council Records



RESOLUTION accepting public improvements for
Conwood II Development (2024) [CR#5439]
and releasing Bond

WHEREAS, Conwood II, LLC., is the Developer of a certain property in the present limits of the City of Memphis as shown on the plans, located at northwest corner of Saffarans Avenue and Front Street, in Memphis, Tennessee.

and

WHEREAS, all of the public improvements, required by the Standard Improvement Contract for the project, are completed;

and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, that the engineering plans for **Conwood II Development (2024) [CR#5439]** , and the completion of the public improvements therein, are and the same, are hereby accepted by the City.

BE IT FURTHER RESOLVED, that the **CASH Bond** in the amount of **\$ 166,200.00**, currently held as project security, is hereby ordered released.



RESOLUTION approving the Engineering plans for:
Conwood II Development (2024)
and accepting Bond as security

WHEREAS, **Conwood II, LLC.**, is the Developer of a certain property within the present limits of the City of Memphis, and located at northwest corner of Saffarans Avenue and Front Street, in Memphis, Tennessee.

and

WHEREAS, the developer desires to develop the property reflected on the engineering plans;
and

WHEREAS, attached hereto is a standard improvement contract entered into by and between **Conwood II, LLC.**, and the City of Memphis covering the public improvements as a part of developing the property; and

WHEREAS, attached improvement contract replaces Resolution **CR#5419 (EXPIRED)**.

WHEREAS, the terms and conditions of the contract are in accordance with the policies of the City of Memphis for developing such a project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering plans for **Conwood II Development (2024)** are hereby approved.

BE IT FURTHER RESOLVED, that the proper official be and are hereby authorized to execute the attached standard improvement contract and transferring security from expired **CR#5419**, and accepting the **Cash Bond** in the amount of **\$166,200.00**, as project security.

CR# 5453

I hereby certify that the foregoing is a true copy
and document was adopted, approved by the
Council of the City of Memphis in regular
session on

Date FEB 20 2024

Valerie C. Snipes
Deputy Comptroller-Council Records



RESOLUTION approving the Engineering plans for:
Conwood II Development
and accepting Bond as security

WHEREAS, **Conwood II, LLC.**, is the Developer of a certain property within the present limits of the City of Memphis, and located at northwest corner of Saffarans Avenue and Front Street, in Memphis, Tennessee.

and

WHEREAS, the developer desires to develop the property reflected on the engineering plans;

and

WHEREAS, attached hereto is a standard improvement contract entered into by and between **Conwood II, LLC.**, and the City of Memphis covering the public improvements as a part of developing the property; and

WHEREAS, the terms and conditions of the contract are in accordance with the policies of the City of Memphis for developing such a project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering plans for **Conwood II Development** are hereby approved.

BE IT FURTHER RESOLVED, that the proper official be and are hereby authorized to execute the attached standard improvement contract and accept the **Cash Bond** in the amount of **\$166,200.00**, as security.

CR-5419

EXPIRED. Replaced by **CR#5453**
(February 20, 2024)

I hereby certify that the foregoing is a true copy and document was adopted, approved by the Council of the City of Memphis in regular session on

Date AUG 09 2022

Valerie C. Snipes
Deputy Comptroller-Council Records



RESOLUTION accepting public improvements for
Peachtree Development [CR#5464]
and releasing Bond

WHEREAS, Peach Tree LP is the Developer of a certain property in the present limits of the City of Memphis as shown on the engineering plans and located at 3180 Steele Street, in Memphis, Tennessee.

and

WHEREAS, all of the public improvements required by the Standard Improvement Contract for the project are completed;

and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, that the engineering plans for **Peachtree Development [CR#5464]** , and the completion of the public improvements therein, are and the same, are hereby accepted by the City.

BE IT FURTHER RESOLVED, that the **CASH Bond** in the amount of **\$101,400.00**, and currently held as project security, is hereby ordered released.



RESOLUTION approving the Engineering plans for:
Peachtree Development
and accepting Bond as security

WHEREAS, **Peach Tree Senior, LP**, is the Developer of a certain property within the present limits of the City of Memphis, and located at 3180 Steele Street, in Memphis, Tennessee.

and

WHEREAS, the developer desires to develop the property reflected on the engineering plans;

and

WHEREAS, attached hereto is a standard improvement contract entered into by and between **Peach Tree Senior, LP**, and the City of Memphis covering the public improvements as a part of developing the property; and

WHEREAS, the terms and conditions of the contract are in accordance with the policies of the City of Memphis for developing such a project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the engineering plans for **Peachtree Development** are hereby approved.

BE IT FURTHER RESOLVED, that the proper official be and are hereby authorized to execute the attached standard improvement contract, accepting, in-lieu-of Bond, **Pinnacle Bank** Cashier's Check No. **1326963**, in the amount of **\$101,400.00**, as project security.

CR# 5464

I hereby certify that the foregoing is a true copy and document was adopted, approved by the Council of the City of Memphis in regular session on

Date OCT 15 2024

Valerie C. Snipes
Deputy Comptroller-Council Records

Eng.
4.1.2



RESOLUTION approving **Supplemental Agreement #1** for:
Peachtree Development [CR#5464]

WHEREAS, Peach Tree LP, is the Developer of a certain property within the present limits of the City of Memphis, located at 3180 Steele Street in Memphis, Tennessee.

and

HEREAS, the developer desires to develop the property reflected on the engineering plans;

and

WHEREAS, attached hereto is Supplemental Agreement #1 to the standard improvement contract, Peachtree Development [CR#5464], entered into agreement on October 15, 2024 by and between Peach Tree LP and the City of Memphis, covering the public improvements as a part of developing the property, extending contract to April 30, 2026;

and

WHEREAS, the Cash Bond, in the amount of \$101,400.00 will remain in place and confirmation of Liability coverage throughout the term of the extension has been received.

WHEREAS, the terms and conditions of the contract are in accordance with the policies of the City of Memphis for developing such a project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the **Supplemental Agreement #1 for Peachtree Development [CR#5464]** is hereby approved.

CR# 5464 AM

I hereby certify that the foregoing is a true copy and document was adopted, approved by the Council of the City of Memphis in regular session on

Date SEP 23 2025

Valerie C. Sripes
Deputy Comptroller-Council Records



T-043

Memphis City Council Summary Sheet

1. Description of the Item (Resolution, Ordinance, etc.)

A resolution to accept a donation of 3936.47 from The 100 Club of Memphis, as awarded to the city of Memphis police department, to support the TACT unit

2. Initiating Party (e.g., Public Works, at the request of City Council, etc.)

The Division of Police Services

3. State whether this is a change to an existing ordinance or resolution, if applicable.

There is no change to an existing ordinance or resolution.

4. State whether this will impact specific council districts or super districts.

All districts

This will impact all districts

5. State whether this requires a new contract or amends an existing contract, if applicable.

This resolution does not require a new contract or amendments to the existing contract.

6. State whether this requires an expenditure of funds/requires a budget amendment.

This resolution requires an expenditure of funds equal to the donation amount but does not require a budget amendment.

T-043



A Resolution to accept a donation in the amount of 3,936.47 from the 100 Club of Memphis for the purchase of two multi-gas detectors for the TACT Unit

WHEREAS, the City of Memphis Division of Police Services has been awarded a donation of three thousand nine hundred and thirty-six dollars and 47 cents (\$3936.47) from the 100 Club of Memphis; and

WHEREAS, the donation is to be used to purchase two multi-gas detectors for the TACT Unit; and

WHEREAS, it is necessary to accept the donation and amend the Fiscal Year 2027 Operating Budget to establish funds; and

WHEREAS, it is necessary to appropriate the funds in the amount of three thousand nine hundred and thirty-six dollars and forty-seven cents (3936.47) received from the 100 Club of Memphis as stated in this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the donation in the amount of three thousand nine hundred and thirty-six dollars and forty-seven cents (3936.47) be accepted by the City of Memphis for the support of the Memphis police department TACT unit.

REVENUES

Miscellaneous Revenue (049623)

Special Operations	140501-049623	\$3936.47
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EXPENDITURES

Operation Police TACT (052370)

Special Operations	140501-052370	\$3936.47
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RESOLUTION SUMMARY

1. **Short Title Description** - Amendment to 2001 Water Pilot Agreement with City of Memphis
2. **Requested Funding** - \$2,500,000.00 Annually
3. **Award Duration** - Extension- 20 years (Fiscal Year 2028-2048)
4. **Awarded To** - City of Memphis
5. **Plain Language Description** - This is an extension of the 2001 Water PILOT AGREEMENT between the City of Memphis and Memphis Light Gas & Water, term to the end 2048.
6. **Impact** - This Amendment to Water Pilot Agreement will allow for Water Division Revenues of MLGW to be paid to the City as payment of an annual dividend and as payment in lieu of taxes (the "PILOT") for the use and benefit of the facility located at 191 Beale Street Memphis, TN 38103.

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of August 19, 2026 approved the Amendment to the WATER PILOT AGREEMENT, with the City of Memphis, to extend the current contract for a period of 20 years ending fiscal year 2048, with an annual amount of \$2,500,000.00; and

WHEREAS, Tennessee Code Annotated 7-34-115(a)(1)(I) provides for an in-lieu-of tax equivalent payment to be made to the City of Memphis, if the governing body of the municipality by resolutions so requests; and

WHEREAS, the Water Division, has by contract ("WATER PILOT AGREEMENT"), agreed to pay payments in lieu of tax from the revenues of the Water System to the City of Memphis from 2001 through 2028 in the total amount of \$2,500,000 annually, which amount was pledged by the City to secure senior revenue bonds issued by the Memphis and Shelby County Sports Authority for the Memphis Arena Project ("Pledged PILOT Payments"). The Pledged PILOT payments are payable under the agreement in two equal installments each MLGW fiscal year; and

WHEREAS, the City of Memphis has requested to amend the WATER PILOT AGREEMENT to extend the agreement for a period of 20 years ending with MLGW fiscal year 2048;

WHEREAS, during the extension, the PILOT payment shall be used exclusively

for the benefit of maintaining and/or constructing the facility located at 191 Beale Street Memphis, TN 38103;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved the Amendment to the WATER PILOT AGREEMENT, to extend the current contract for a period of 20 years ending fiscal year 2048, with an annual amount of \$2,500,000.00, to be paid from the revenues of the Water Division of MLGW.

THAT, the President, or his designated representative, is authorized to execute said Amendment (Exhibit 1).

BE IT FURTHER RESOLVED THAT, upon execution of the Agreement by both parties, the Chief Financial Officer for MLGW is hereby authorized to make annual payments to the City of Memphis from the revenues of the Water Division in the amount of \$2,500,000.00 during the Term Extension of the Amended Pilot Agreement.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
August 19, 2026

The President and Vice President, Chief Financial Officer and Secretary-Treasurer recommends to the Board of Light, Gas and Water Commissioners the approval of an Amendment to the WATER PILOT AGREEMENT with the City of Memphis to extend the current agreement with an annual amount of \$2,500,000.00.

WHEREAS, Tennessee Code Annotated 7-34-115(a)(1)(I) provides for an in-lieu-of tax equivalent payment to be made to the City of Memphis, if the governing body of the municipality by resolutions so requests; and

WHEREAS, the Water Division, by contract ("WATER PILOT AGREEMENT"), agreed to make payments in lieu of tax from the revenues of the Water System in the total amount of \$2,500,000 annually to the City of Memphis from 2001 through 2028, which amount was pledged by the City to secure senior revenue bonds issued by the Memphis and Shelby County Sports Authority for the Memphis Arena Project ("Pledged PILOT Payments"). The Pledged PILOT payments are payable under the agreement in two equal installments each MLGW fiscal year; and

WHEREAS, the City of Memphis has requested to amend the WATER PILOT AGREEMENT to extend the agreement for a period of 20 years ending with MLGW fiscal year 2048; and

WHEREAS, during the extension, the PILOT payment shall be used exclusively for the benefit of maintaining and/or constructing the facility located at 191 Beale Street Memphis, TN 38103; and

WHEREAS, the annual payments to the City of Memphis will be paid from the revenues of the Water Division and shall remain in the amount of \$2,500,000.00 during the Term Extension of the Amended Pilot Agreement.

NOW THEREFORE BE IT RESOLVED by the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the Amendment to WATER PILOT AGREEMENT to extend the current contract for a period of 20 years ending fiscal year 2048, with an annual amount of \$2,500,000.00, as outlined in the above preamble and consistent with Exhibit 1, is approved; and further

THAT, the President, or his designated representative, is authorized to execute the Amendment (Exhibit 1).

BE IT FURTHER RESOLVED THAT, upon execution of the Agreement by both parties, the Chief Financial Officer for MLGW is hereby authorized to make the annual payments to the City of Memphis from the revenues of the Water Division in the amount of \$2,500,000.00 during the Term Extension of the Amended Pilot Agreement.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular meeting held on 19th day of August, 2026, at which a quorum was present.

DocuSigned by:

Rodney Clark

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VP, CFO & Secretary - Treasurer

SAME DAY MINUTES APPROVED

RESOLUTION SUMMARY

- 1. Short Title Description – Contract No. 11462 - Electronic Board Agenda Solution**
- 2. Requested Funding – \$47,699.48**
- 3. Award Duration – Increase and Extension for annual software maintenance, fees, and support services (November 1, 2026 through September 30, 2027)**
- 4. Type of Bid – Single Source**
- 5. Awarded To – Granicus (*formerly Accela, Incorporated*)**
- 6. Plain Language Description – This change is to extend the current contract for one (1) additional year to allow MLGW time to evaluate RFPs for a new Vendor/Solution.**
- 7. Impact – MinuteTraq gives MLGW an efficient process for scheduling board meetings, documenting and publishing minutes; board members' votes, approvals and recordings.**

RESOLUTION

WHEREAS, the Board of Light, Gas and Water Commissioners in their meeting of August 19, 2026 approved the Increase and Extension (*Change No. 10*) to Contract No. 11462, Electronic Board Agenda Solution with Granicus (*formerly Accela, Incorporated*) to increase the contract value and extend the current contract in the funded amount of \$47,699.48, and is now recommending to the Council of the City of Memphis that it approves said increase and extension as approved; and

WHEREAS, the project scope is to provide implementation of an Electronic Agenda Management Solution with VoteRecording and Optional Audio and Video Streaming. This contract award was selected based on the Single Source procurement process; and

WHEREAS, this change is to increase the contract value and extend the current contract for annual software maintenance, fees, and support services for the period covering November 1, 2026 through September 30, 2027 in the amount of \$47,699.48 with an overall negotiated 3.61% increase in rates from the previous term. This increase is necessary to cover inflation and the rising cost of labor and software support resources. This extension is necessary due to the vendor's scheduled end-of-life for the IQM2 agenda platform in September 2027 and ensuring MLGW has uninterrupted technical support while preparing for the future transition to a replacement solution. This single source increase and extension complies with all applicable laws and policies. The new contract value is \$580,265.22; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Memphis, that there be and is hereby approved the Increase and Extension (*Change No. 10*) to Contract No. 11462, Electronic Board Agenda Solution with Granicus (*formerly Accela, Incorporated*) to increase the contract value and extend the current contract in the funded amount of \$47,699.48 as approved.

EXCERPT
from
MINUTES OF MEETING
of
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS
CITY OF MEMPHIS
held
August 19, 2026

The Director of Procurement and Contracts & Strategic Sourcing recommends to the Board of Light, Gas and Water Commissioners the approval of the Increase and Extension (*Change No. 10*) to Contract No. 11462, Electronic Board Agenda Solution with Granicus (*formerly Accela, Incorporated*) to increase the contract value and extend the current contract in the funded amount of \$47,699.48.

The project scope is to provide implementation of an Electronic Agenda Management Solution with VoteRecording and Optional Audio and Video Streaming. This contract award was selected based on the Single Source procurement process.

This change is to increase the contract value and extend the current contract for annual software maintenance, fees, and support services for the period covering November 1, 2026 through September 30, 2027 in the amount of \$47,699.48 with an overall negotiated 3.61% increase in rates from the previous term. This increase is necessary to cover inflation and the rising cost of labor and software support resources. This extension is necessary due to the vendor's scheduled end-of-life for the IQM2 agenda platform in September 2027 and ensuring MLGW has uninterrupted technical support while preparing for the future transition to a replacement solution. This single source increase and extension complies with all applicable laws and policies. The new contract value is \$580,265.22.

NOW THEREFORE BE IT RESOLVED BY the Board of Light, Gas and Water Commissioners:

THAT, Subject to the consent and approval of the Council of the City of Memphis, the approval of the Increase and Extension (*Change No. 10*) to Contract No. 11462, Electronic Board Agenda Solution with Granicus (*formerly Accela, Incorporated*) to increase the contract value and extend the current contract in the funded amount of \$47,699.48, as outlined in the foregoing preamble, is approved and further,

THAT, the President, or his designated representative is authorized to execute the Increase and Extension.

I hereby certify that the foregoing is a true copy of a resolution adopted by the Board of Light, Gas and Water Commissioners at a regular meeting held on 19th day of August, 2026, at which a quorum was present.

DocuSigned by:


C84E2E63D810415

VP, CFO & Secretary - Treasurer

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NO. 5856 THAT ESTABLISHED RULES AND REGULATIONS RELATING TO THE OPERATION AND REGULATION OF SHORT-TERM RENTALS IN MEMPHIS BY AMENDING SECTION 8 “COMPLIANCE” TO DETAIL ENFORCEMENT OF SHORT-TERM RENTALS REPORTED AS A “PUBLIC NUISANCE”

WHEREAS, Ordinance No. 5856 was approved by the Memphis City Council on July 1, 2023, to establish rules and regulations relating to the operation and regulation of short-term rentals in Memphis; and

WHEREAS, it is deemed advisable and in the best interest of the citizens of the City of Memphis that the City of Memphis Charter be amended by ordinance as provided by Article XI, Section 9 of the Constitution of the State of Tennessee (Home Rule Amendment) for the purpose of continued operation and regulation and subsequent compliance of Short-Term Rentals in Memphis; and

WHEREAS, the current regulations pertaining to Short-Term Rentals provides a framework for general compliance that has allowed the City of Memphis to effectively enforce the established rules and regulations of Ordinance No. 5856; however, this amendment to include TN HB 1050, which clarifies the enforcement of “public nuisance” short-term rentals that have been operating since 2023 and will enable the City to expand its compliance and increase its accountability of short-term rental operators; and

WHEREAS, the Memphis City Council finds it is necessary to amend Ordinance No. 5856 by incorporating and codifying TN House Bill No. 1050, approved and signed into law on May 21st, 2025, to provide clarity for short-term rental operators of the regulations they are expected to adhere to and the resulting outcomes if the short-term rental is reported as a “public nuisance” and to inform neighbors of the enforcement parameters for short-term rentals to ensure community concerns continue to be effectively addressed.

NOW, THEREFORE, BE IT ORDAINED by the Memphis City Council that Section 8 of Ordinance No. 5856 be amended by adding a new subsection (8-1) as follows:

Section 8-1 COMPLIANCE OF SHORT-TERM RENTALS REPORTED AS A “PUBLIC NUISANCE”

It is the intent of the Council of the City of Memphis that “public nuisance” complaints for short-term rentals are submitted to the Division of Planning and Development and subjected to revoked permits or prohibited use of the site as a short-term rental according to TN House Bill No. 1050 when the following circumstances are reported:

“(A) Three (3) or more unrelated incidents occurring within a period of twenty-four (24) months on the same parcel of real property that result in sexually related charges and, after the receipt of such notice and within twenty-four (24) months of the first of the incidents resulting in a sexually related charge that is the subject of such notice, another additional unrelated incident occurs that results in a sexually related charge;

(B) Three (3) or more unrelated incidents occurring within a period of twenty-four (24) months on the same parcel of real property that result in drug-related charges and, after the receipt of such notice and within twenty-four (24) months of the first of the incidents resulting in a drug-related charge that is the subject of such notice, another additional unrelated incident occurs that results in a drug-related charge;

(C) Three (3) or more unrelated incidents occurring within a period of twenty-four (24) months on the same parcel of real property that result in assaultive charges and, after the receipt of such notice and within twenty-four (24) months of the first of the incidents resulting in an assaultive charge that is the subject of such notice, another additional unrelated incident occurs that results in an assaultive charge;

(D) Three (3) or more unrelated incidents occurring within a period of twenty-four (24) months on the same parcel of real property that result in firearm-related charges and, after the receipt of such notice and within twenty-four (24) months of the first of the incidents resulting in a firearm-related charge that is the subject of such notice, another additional unrelated incident occurs that results in a firearm-related charge; or

(E) Three (3) or more unrelated incidents occurring within a period of thirty-six (36) months on the same parcel of real property that HB1050 result in property-related or juvenile-related charges and, after the receipt of such notice and within thirty-six (36) months of the first of the incidents resulting in a property-related or juvenile-related charge that is the subject of such notice, another additional unrelated incident occurs that results in a property-related or juvenile-related charge.

If, upon the trial, the existence of a nuisance is established under § 29-3-101 (f) and, following an order of abatement, an additional incident occurs on the same parcel of real property that results in the type of charges that resulted in the original nuisance finding, then one (1) additional incident is prima facie evidence

of a nuisance per se and the existence thereof for which any of the respective officers or persons named in § 29-3-102 in the name of the state may avail themselves of any remedies available at law or in equity.

If the court finds a nuisance as described in subdivision (f)(1) and the person or entity keeping, maintaining, or carrying on such nuisance is the person or entity who was subject to the previous order of abatement, then, in addition to the remedies available at law or in equity, the court may require the person or entity keeping, maintaining, or carrying on such nuisance to pay statutory damages in an amount not less than one thousand dollars (\$1,000) and not more than fifty thousand dollars (\$50,000) to any person who owns real property within the zip code in which the nuisance exists and who files a claim with the court alleging that the person's property value was damaged by the continued existence of the nuisance.”

BE IT FURTHER ORDAINED, that if any clause, section, paragraph, sentence or part of this Ordinance shall be held or declared to be unconstitutional and void, it shall not affect the remaining parts of this Ordinance; it being hereby declared to be the legislative intent to have passed the remainder of this Ordinance notwithstanding the parts so held to be invalid, if any.

BE IT FURTHER ORDAINED, that this Ordinance shall also be published by the Comptroller at the same time and manner as required by the City’s Charter for all ordinances adopted by the City Council.

BE IT FURTHER ORDAINED, that the adoption of this Referendum Ordinance shall take effect from and after the date it shall have passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by the Comptroller, and become effective as otherwise provided by law.

Sponsor:

Philip Spinoso, Jr.



Memphis City Council Summary Sheet

(Revised January 28, 2026)

1. Description of the Item (Resolution, Ordinance, etc.)

A Resolution appropriating FY27 allocations, in the amount of \$150,000, in CIP project number GA01028 Mud Island Amphitheater.

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

General Services and Executive

3. State whether this is a change to an existing ordinance or resolution, if applicable.

Does not change an existing ordinance.

4. State whether this will impact specific council districts or super districts.

District 7 and Super District 8

5. State whether this requires a new contract, or amends an existing contract, if applicable.

Requires new contracts.

6. State whether this requires an expenditure of funds/requires a budget amendment.

A budget amendment is needed to appropriate FY27 allocations.

7. If same night minutes are requested, state the reason for the urgency.

P022



Council Resolution - Appropriating \$150,000 in FY27 Funds in GA01028 – Mud Island Amphitheater

WHEREAS, the Council of the City of Memphis did include allocations for CIP project number GA01028 – Mud Island Amphitheater, as part of the FY27 Capital Improvement Program budget; and

WHEREAS, CIP project number GA01028 – Mud Island Amphitheater funds needed ADA work at the Mud Island Amphitheater; and

WHEREAS, it is necessary to appropriate FY27 allocations in the sum of \$150,000 in Contract Construction funded by Operating Transfers In in CIP project number GA01028 Mud Island Amphitheater.

NOW, THEREFORE, BE IT RESOLVED that there be and is hereby appropriated the sum of \$150,000 in Contract Construction funded Operating Transfers In in CIP project number GA01028 Mud Island Amphitheater and credited as follows:

Project Title:	<i>Mud Island Amphitheater</i>
Project Number:	<i>GA01028</i>
Amount:	<i>\$150,000</i>



Memphis City Council Summary Sheet

(Revised January 28, 2026)

1. Description of the Item (Resolution, Ordinance, etc.)

This is a Resolution to transfer CIP funding for the Continuous Improvement Coverline to the Operational Infrastructure Fix, as listed in the FY27 CIP Budget, in the amount of \$300,000.00.

2. Initiating Party (e.g. Public Works, at request of City Council, etc.)

Information Technology Division.

3. State whether this is a change to an existing ordinance or resolution, if applicable.

This item does not require a change to an existing ordinance or resolution.

4. State whether this will impact specific council districts or super districts.

All Council and Super Districts.

5. State whether this requires a new contract, or amends an existing contract, if applicable.

This item does not require a new contract.

6. State whether this requires an expenditure of funds/requires a budget amendment.

This item will amend the budget.

7. If same night minutes are requested, state the reason for the urgency.

N/A



P006

A Resolution Transferring FY27 Capital Improvement Program Budget Allocations From CIP Project Number IT01006, Continuous Improvement Coverline of \$300,000.00 to CIP Project Number IT01007, Operational Infrastructure Fix.

WHEREAS, the Council of the City of Memphis did include the Continuous Improvement Coverline, CIP Project Number IT01006, as part of the Fiscal Year 2027 Capital Improvement Program Budget; and

WHEREAS, Information Technology will support ongoing technology improvements that address emerging needs, optimize processes, and implement incremental system enhancements across the enterprise.

WHEREAS, it is necessary to transfer \$300,000.00 in General Obligation Bond funding for CIP Project Number IT01006, Continuous Improvement Coverline, to CIP Project Number IT01007, Operational Infrastructure Fix to provide flexibility to respond to changing operational demands, improve service delivery, reduce inefficiencies, and maximize the return on existing technology investments;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that there be and is hereby appropriated the sum of \$300,000.00, funded by General Obligation Bonds, chargeable to the Fiscal Year 2027 Capital Improvement Program Budget; with said appropriation being credited as follows:

Revenues

General Obligation Bonds	<u>\$300,000.00</u>
Total	<u>\$300,000.00</u>

Expenditures

Information Technology	<u>\$300,000.00</u>
Total	<u>\$300,000.00</u>