

MORRISTOWN REGIONAL PLANNING COMMISSION
Agenda
September 13, 2016



Call to Order

I. Annual Meeting:

- a. Election of Officers: Chairman, Vice-Chairman, Secretary
- b. Review of By-Laws
- c. Review of Ethics
- d. Review of 2017 Meeting Dates and Deadlines
- e. Review of Development Fees

II. Approval of August 9th, 2016 minutes

III. Old Business: none

IV. New Business: none

- A. Annexations:
- B. Zoning Issues:
- C. Subdivisions/Site Plans:
- D. Bond Reviews:
- E. Right-of -Ways:
- F. Ordinance Reviews:

V. Departmental Reports:

Review of Planning Commission Training Hours

Minor Subdivisions Approved:

- MISD-1701-2016- Hopson Property at 1424 Dougherty Drive
- MISD-1833-2016- W.W. Brown Second Addition at 733/735 Beulah Street
- MISD- 1978-2016- Resub division of Lot 1 in Charles Nichols Subdivision

Adjournment

*The next meeting of the Morristown Regional Planning Commission is scheduled for October 11th, 2016 at 4:00 pm.
The deadline to submit applications for this meeting is September 19th, 2016.*

**BY-LAWS OF THE
MORRISTOWN REGIONAL PLANNING COMMISSION**

FOR THE

CITY OF MORRISTOWN, TENNESSEE

Prepared by

MORRISTOWN PLANNING COMMISSION

and

PLANNING DEPARTMENT

BY-LAWS
OF THE
MORRISTOWN REGIONAL PLANNING COMMISSION

September 10, 1974

ARTICLE I - THE COMMISSION

- SECTION 1. NAME OF COMMISSION. The name of the Commission shall be "Morristown Regional Planning Commission" as established and provided by Chapter 34 of the Public Acts of Tennessee for 1935, and Title 13-7-205 of the Tennessee Code Annotated.
- SECTION 2. OFFICE OF COMMISSION. The office of the Commission shall be at City Hall where the official meetings shall be held, except that such meetings may be held at such other places as may be designated by resolution.
- SECTION 3. CODE OF ETHICS. Membership on the Commission shall require adherence to the Morristown Regional Planning Commission Members Code of Ethics.

ARTICLE II - OFFICERS

- SECTION 1. OFFICERS. The officers of the Commission shall be a Chairman, a Vice-Chairman, and a Secretary.
- SECTION 2. ELECTIONS. The Chairman and Vice-Chairman shall be elected at the annual meeting of the Commission from among the appointive members to serve for terms of one year, with eligibility for re-election. The Secretary shall be elected from the appointive members unless provided by the City Council.
- SECTION 3. CHAIRMAN. The Chairman shall preside at all meetings of the Commission. Except as otherwise authorized by resolution of the Commission, the Chairman shall sign all contracts, reports and instruments made by the Commission. At each meeting the Chairman shall submit recommendations and information as he may consider proper concerning the business affairs and policies of the Commission.
- SECTION 4. VICE-CHAIRMAN. In the absence or incapacity of the Chairman, the Vice-Chairman shall perform his duties until such time as a new Chairman is elected. In the absence of the Secretary, the Vice-Chairman shall be authorized to sign documents on behalf of the Commission.
- SECTION 5. SECRETARY. The Secretary shall keep a full record of all proceedings of the Commission, including a record of all votes, in a journal of proceedings kept for the purpose and identified as the "Minutes of the Planning Commission", and

shall perform such other duties in regard to records, including the certification of record transcripts, as the Commission may direct.

SECTION 6. VACANCIES. Should the office of Chairman or Vice-Chairman become vacant, the Commission, shall, at its next regular monthly meeting, elect a successor in the manner prescribed for the election of such officer and such election shall be for the unexpired term of said office.

SECTION 7. DIRECTOR OF PLANNING. There shall be a Director of Planning who shall be qualified by special training and experience in the field of city planning. He shall be the technical advisor to the Commission.

ARTICLE III - MEETINGS

SECTION 1. REGULAR MEETINGS. Regular meetings of the Commission shall be held monthly on the Second Tuesday of each month at 4:00 p.m. in the Council Chambers, or at such other place as may be designated.

SECTION 2. ANNUAL MEETINGS. The annual meeting of the Commission shall be held on the Second Tuesday in September at the place established for regular meetings unless otherwise designated from time to time by resolution of the Commission.

SECTION 3. SPECIAL MEETINGS. The Chairman of the Commission may, when he deems it expedient, and shall, upon the written request of two (2) members of the Commission, call a special meeting of the Commission for the purpose of transacting any business designated in the call. The call for such special meeting may be delivered to each Commissioner or may be mailed to each Commissioner at such address as he shall have previously designated. At such special meeting no business shall be considered other than is designated in the call, but if all the members of the Commission are present at a special meeting any and all business may be transacted at such special meeting.

SECTION 4. QUORUM. Five Commissioners shall constitute a quorum for the purpose of conducting the business of the Commission, but a small number may adjourn from time to time until a quorum is obtained. The concurring vote of four (4) Commissioners shall be required to take final action on any matter before the Commission.

SECTION 5. MANNER OF VOTING. The voting on all questions coming before the Commission shall be by roll call and the ayes and nays shall be entered upon the Minutes of such meeting, except that when the vote of all Commissioners present is unanimous the record of such unanimous vote shall be sufficient.

SECTION 6. ATTENDANCE AT MEETINGS. Should a member of the Morristown Regional Planning Commission miss any three (3) consecutive meetings or fail to attend at least 50% of regularly scheduled meetings during any 12 month period, his position as a member of the Morristown Regional Planning Commission shall become vacant. In the event that a vacancy occurs under this section, the Chairman shall notify the Mayor so that a replacement may be appointed.

ARTICLE IV - AMENDMENTS

SECTION 1. THE BY-LAWS OF THIS COMMISSION MAY BE AMENDED AT A REGULAR OR SPECIAL MEETING BUT NO AMENDMENT SHALL BE ADOPTED UNLESS AT LEAST FOUR (4) DAYS WRITTEN NOTICE THEREOF HAS BEEN PREVIOUSLY GIVEN TO ALL MEMBERS OF THE COMMISSION.

Adopted: _____

Chairman: _____

[Amended October 8, 2002--Morristown Regional Planning Commission added/Article III, Section 6 correction]
[Amended October 11, 2005-Article I, Section 3 added]
[Amended February 8, 2008-Article III, Section 4 correction]
[Amended September 9, 2014-Article II, Section 4 added]

**MORRISTOWN REGIONAL PLANNING COMMISSION MEMBERS
CODE OF ETHICS STANDARDS**

PLANNING PROCESS PARTICIPANTS SHOULD:

1. Exercise fair, honest and independent judgment in their roles as decision makers and advisors. To serve the "Public Interest" and not "Public Opinion".
2. Make public disclosure of all "personal interests" they may have regarding any decision to be made in the planning process in which they serve; and abstain completely from direct or indirect participation as an advisor or decision maker in any matter in which they have a personal interest, unless their personal interest has been made a matter of public record at the beginning of discussion at public meetings.
3. Define "personal interests" broadly to include any actual or potential benefits or advantages that they, employers, a spouse, family member or person living in their household might directly or indirectly obtain from a planning decision.
4. Seek no gifts or favors, nor offer any, under circumstances in which it might reasonably be inferred that the gifts or favors were intended or expected to influence a participant's objectivity as an advisor or decision maker in the planning process.
5. Serve as advocates only when the client's objectives are legal and consistent with the public interest.
6. Not use confidential information acquired in the course of their duties to further a personal interest.
7. Not disclose confidential information acquired in the course of their duties except when required by law, to prevent a clear violation of law or to prevent substantial injury to third persons; provided that disclosure in the latter two situations may not be made until after verification of the facts and issues involved and consultation with other planning process participants to obtain their separate opinions.
8. Not participate in any matter unless adequately prepared and sufficiently capacitated to render thorough and diligent service.
9. Respect the rights of all persons and not improperly discriminate against or harass others based on characteristics that are protected under civil rights laws and regulations.
10. Should a member of the Planning Commission miss any three (3) consecutive meetings or fail to attend at least 50% of regularly scheduled meetings during any twelve (12) month period, his position as a member of the Morristown Regional Planning Commission shall become vacant.

I, _____, appointed by the Mayor of the City of Morristown being engaged in the practice of planning for the future growth and development of the Morristown Planning Region, acknowledge the above Code of Ethical Standards and do solemnly affirm to uphold the principles of the Code in association with my duties in connection with the City of Morristown.

(Signature)

(Date)



MORRISTOWN REGIONAL PLANNING COMMISSION, BOARD OF ZONING APPEALS & UTILITY MEETING DATES

Application deadlines and scheduled meeting dates of the *Morristown Regional Planning Commission, Board of Zoning Appeals and Utility Meeting & Submission Dates for 2017:*

MEETING DATE *	APPLICATION DEADLINE **	Utility Meeting Date	Utility Plan Submission Date
12:00 PM Work Session 4:00 PM Public Meeting	Due by 9:00 AM on the date below	8:30 A.M in the Training Room	Due by 9:00 AM on the date below
January 10, 2017	December 19, 2016	January 19, 2017	January 5, 2017
February 14, 2017	January 16, 2017	February 16, 2017	February 2, 2017
March 14, 2017	February 20, 2017	March 16, 2017	March 2, 2017
April 11, 2017	March 20, 2017	April 20, 2017	April 6, 2017
May 9, 2017	April 17, 2017	May 18, 2017	May 4, 2017
June 13, 2017	May 15, 2017	June 15, 2017	June 1, 2017
July 11, 2017	June 19, 2017	July 20, 2017	July 6, 2017
August 8, 2017	July 17, 2017	August 17, 2017	August 3, 2017
September 12, 2017	August 14, 2017	September 21, 2017	September 7, 2017
October 10, 2017	September 18, 2017	October 19, 2017	October 5, 2017
November 14, 2017	October 16, 2017	November 16, 2017	November 2, 2017
December 12, 2017	November 20, 2017	December 21, 2017	December 7, 2017

- * The Morristown Regional Planning Commission and Board of Zoning Appeals regularly meet on the second Tuesday of each month in the Council Chambers of the City Center. There is a work session at 12:00 p.m. on the scheduled meeting date to review items on the agenda. The public meeting begins at 4:00 p.m.
- ** Deadline dates for the next month's meeting are commonly on the first Monday following a regularly scheduled Regional Planning Commission and Board of Zoning Appeals meeting. It is expected that all information (application, drawings, etc.) be complete at the time of submittal. If, after staff review, minor corrections or revisions are required, a second deadline date will be provided by staff in order to remain on that month's agenda. Complex projects such as **major subdivisions** require additional review time. Therefore, it is highly recommended that such projects be submitted at least two months prior to the requested planning commission date. Deadline dates that fall on a holiday shall be extended to the next business day.

DEVELOPMENT FEES FOR MORRISTOWN, TENNESSEE
(passed by Resolution 07/16/2002)

<u>REQUEST</u>	<u>COST</u>
1. ANNEXATION:	\$ -0-
2. BOARD OF ZONING APPEALS:	
A. Variance	\$ 50.00
B. Use on Review Approval (either BZA or PC)	\$ 50.00
C. Special Called Meeting (Requested)	\$250.00
3. ZONING/REZONING:	
A. Rezoning Request	\$100.00
B. Zoning Text Amendment	\$100.00
C. Special Called Meeting (Requested)	\$250.00
4. SITE PLANS:	
A. 1 ST Submittal Review	\$ -0-
B. 2 ND Submittal Review (Final)	\$ -0-
C. For Each Review after two (2) previous reviews of the same plan	\$100.00
D. Special Called Meeting (Requested)	\$250.00
5. SUBDIVISIONS:	
A. MINOR (Less than 10 Lots/ infrastructure already in place)	
\$10.00 + recording fee (per sheet)	\$ _____
B. MAJOR (Where infrastructure is required)	
\$50.00 + recording fee (per sheet)	\$ _____
C. Special Called Meeting (Requested)	\$250.00
D. Survey Control Monuments:	
a. 1 st monument	\$150.00 {sewer}
b. Each Additional Monument Required	\$ 50.00 {sewer}
6. STANDARD MAPS AND PLATS:	
Topo 1993 Flyover (Paper Copy)\$300.00 each x _____	\$ _____ {sewer}
Topo 1993 Flyover (Digital Copy)\$500.00 each x _____	\$ _____ {sewer}
Topo 2000 Flyover (Paper Copy)\$350.00 each x _____	\$ _____ {sewer}
Topo 2000 Flyover (Digital Copy)\$750.00 each x _____	\$ _____ {sewer}
48" x 36" \$30.00 each x _____	\$ _____
36" x 24" \$25.00 each x _____	\$ _____
18" x 24" \$15.00 each x _____	\$ _____
8.5" X 11" \$10.00 each x _____	\$ _____
7. CUSTOM MAPS:	
\$0.65 per inch x _____ inches (measured on longest side)	\$ _____
Staff Time (one hour minimum) \$23.00 per hour x _____	\$ _____
8. REPORTS:	
Sewer Ordinance \$10.00 per copy x _____	\$ _____ {sewer}
Zoning Ordinance \$25.00 per copy x _____	\$ _____
Survey Control Data \$10.00 per copy x _____	\$ _____
Subdivision Regulations \$10.00 per copy x _____	\$ _____
Transportation Plan \$25.00 per copy x _____	\$ _____
Future Land Use Plan \$25.00 per copy x _____	\$ _____
Developer's Guide (City) \$ 7.00 per copy x _____	\$ _____
Developer's Guide (Regional) \$ 5.00 per copy x _____	\$ _____
9. PHOTO COPIES:	
\$0.25 per page x _____ pages	\$ _____
Plan Deposits	\$ _____
10. LAND DISTURBANCE PERMIT REVIEW FEE: (passed on 10/07/2003)	
0 to 2 acres -\$ 50.00	
2.01 acres to 3 acres -\$ 75.00	
3.01 acres to 4 acres -\$100.00	
4.01 acres & up -\$125.00 (maximum fee)	\$ _____

Morristown Regional Planning Commission

Minutes

August 9, 2016

Members Present

Chairman Jim Beelaert

Vice Chairman Jack Kennerly

Mayor Gary Chesney

Commissioner Sylvia Hinsley

Commissioner Doug Beier

Others Present

Lori Matthews, Senior Planner

Logan Engle, Planner

Eual Noah, Fire Marshal

Kat Morilak, Development Services

Ralph "Buddy" Fielder, Asst. City Administrator

Greg Ellison, Chief Building Inspector

Terry Ball

Michael Price

Debra Williams

Michael Parvin

Aaron Woody

Scott Voigt

Rebecca Leach

Members Absent

Secretary Rose Parella

Councilmember Robert Garrett

Commissioner Bob Thompson

Commissioner Wanda Neal

Chairman Beelaert called the meeting to order and welcomed the Morristown Leadership group. He also invited anyone who wished to join the Commission in an Invocation and the Pledge of Allegiance to do so.

I. Chairman Beelaert called for the approval of the June 12, 2016 minutes.

Mayor Gary Chesney made a motion for the approval of the June 12, 2016 minutes; seconded by Commissioner Sylvia Hinsley. Upon voice vote, all Ayes.

II. Old Business: None

III. New Business:

A. REZN 1704-2016: 1211 Buffalo Trail (LB) Local Business to (IB) Intermediate Business

Senior Planner Lori Matthews discussed the rezoning request submitted by Ms. Wanda Sexton for property located at 1211 Buffalo Trail. The property owner, Ms. Sexton, is requesting a zoning designation for Intermediate Business. It is currently zoned Local Business (LB). She would like to sell the property and have it accommodate an automotive sales and repair center. Mr. Terry Ball is representing her this evening. This property is just over one acre in size and it contains one principal building and four smaller accessory buildings. The lot is a regular pie shape as it sits at a major intersection at Buffalo Trail and Shield's Ferry Road. The land is bounded by residential uses to the south across Buffalo Trail, all of which are zoned Local Business (LB).

Most of the housing in this vicinity is in negligible condition. There exists to the west of the intersection and across Shield's Ferry Road; automotive tire sales which are zoned Light Industrial (LI) and a convenience store which is zoned Intermediate Business (IB). Directly behind the subject site, is an automotive repair shop which is zoned Intermediate Business (IB) and to the east is yet another pawn shop which is zoned Local Business (LB). Essentially to some rise, all land surrounding the site is zoned commercially, though all are not of the same zoning designation. Zoning has not changed in this area since 1975.

Under Local Business district guidelines, automotive repair and sales is not an allowed use. This district in broader terms is indicative of more pedestrian friendly type plan uses, those traditionally found in residential neighborhoods. Therefore, the Intermediate Business (IB) districts tend to be located on more heavily traveled roads, such as Buffalo Trail and tend to have heavier impacts to surrounding properties because of their permitted uses. Predominantly larger scale businesses tend to generate more traffic.

Staff does see that Intermediate Business (IB) is the most appropriate designation for the property at this time if not for most of the businesses that front Buffalo Trail today.

Therefore, staff asked that The Planning Commission recommend this to City Council for approval at their next meeting.

Mayor Chesney made a motion to adopt this zoning change and Commissioner Beier seconded the motion.

Chairman Beeleart then explains that it appears that this zoning is keeping with a long tradition along that street that is certainly heavily traveled. His definition of Local Business (LB) is more of a parochial definition. The two kind of run together and he sometimes wonders why the City even has the Local Business (LB) but regardless this request is open for questions or comments for Commissioners or anyone in the audience who would like to speak to it. Chairman Beeleart explained that all are in favor and the motion is approved to recommend rezoning to Intermediate Business (IB).

Voting Results: 5 yes, 0 no. Motion carries.

B. REZN 1705-2016: 1156 and 1216 East Main Street from Medium Density (R2) to Intermediate Business (IB)

Senior Planner Lori Matthews discussed the rezoning request submitted by Mr. John Hale for his properties located along the southwest intersection of East Main Street and North Liberty Hill Road, behind the Popkin Field Food City. Mr. Hale is also seeking an Intermediate Business (IB) zoning approval for both of his properties which are currently zoned Medium Density Residential (R2). Mr. Paul LeBel is representing Mr. Hale.

The smaller of the two lots, which is 1156 East Main Street is roughly one half acre in size and has onsite a contractor's truck repair facility. The larger parcel at 1216 East Main Street has two structures; one is a small office building and the other is a large commercial building which is just around 9,000 square feet in size. Both lots have access off of East Main Street with the larger lot having access from North Liberty Hill Road as well. Properties are bounded by single family residences and zoning across South Liberty Hill Road to the east and by the north of the Southern Railroad and recently constructed Popkin Field Food City which is zoned Planned Commercial District (PCD) to the south. To the north, across East Main Street is a self-serve carwash and an array of small apartment complexes along both sides of King Street. All of them are zoned Local Business (LB) and multi-family uses, respectively.

Traveling west, the majority of the properties to the north are zoned are Intermediate Business (IB) and to the south, they are mostly zoned Light Industrial (LI). A patchwork of residences and small businesses exist the west but the majority seem to be in pretty stable condition. This area also has not changed significantly since 1975. The site has been home to a truck repair shop, a grocery store, and most recently, a furniture store. Under normal circumstances, Local Business (LB) zoning would be the preferred designation for these properties due to their proximity to the surrounding residential neighborhoods and adjacency to the downtown area. Currently, the staff feels that due to the size of the site itself and the uses which are forecast for both properties, the Intermediate Business (IB) zoning designation at this time would offer more flexibility when the owner develops the site. The staff would recommend that the rezoning of these two properties from Medium Density Residential (R2) to Intermediate Business (IB) be sent to City Council for approval. Ms. Matthews states that she would be happy to address any questions.

Chairman Beelaert explained that this one is a little different because this rezoning would be a two-step upgrade since it is going from Medium Density Residential (R2) to Intermediate Business (IB).

Commissioner Beier made a motion to approve this zoning change and Commissioner Hinsley seconded it. Chairman Beelaert asked if anyone had any questions.

Voting Results: 5 yes, 0 no. Motion carries

C. Release of Surety: Masengill Springs infrastructure in the amount of \$881,595.00

Senior Planner Lori Matthews discussed the request for release of the infrastructure bond in place on the Masengill Springs site on West A. J. Hwy. She explained that she believed that everyone was familiar with that and it was in the amount of \$881,595.00. The entire infrastructure along Cold Creek and Sandstone Drive as well as all and any erosion and storm water facilities and structures have been installed and completed to the satisfaction of the City of Morristown. Staff asks that the Planning Commission release that bond in full today.

Commissioner Beier made a motion to approve the release of the bond and Commissioner Hinsley seconded it. Chairman Beelaert explained that everything had been taken care of to release the bond.

Vice Chairman Jack Kennerly asked if the work that had been taking place over the last several weeks on some of the vacant lots was part of this infrastructure. Asst. City Administrator Buddy Fielder replied that he was not aware of this activity but he would have his staff look into it. He also stated that he did not currently think that it was anything to worry about.

Voting Results: 5 yes, 0 no

D. Street Renaming: Requested Street name of “Shelby Williams Drive” to change to “Orbit Electric Drive”

Senior Planner Lori Matthews discussed the renaming of “Shelby Williams Drive” to “Orbit Electric Drive” submitted by the owners of Orbit Electric Group. Scott Voigt was present for the Orbit Electric Group. Scott Voigt introduced himself and explained who he was and how their company was excited to get the street renamed. He states that the Orbit Electric Company will do a lot for Morristown. He also says that they have over six thousand products to offer to consumers at their distribution centers. The plan is to eventually turn the buildings into a manufacturing facility since they already have shipping and receiving bays. Chairman Beelaert explained that one of the issues with the name change is that “Shelby Williams Drive” had been there so long and they did not want to disrespect such a respectable company. Chairman Beelaert explains they are also hesitant to approve it because of it setting a precedent for more companies to request their street names be changed to match their company name. Commissioner Beier made a motion to approve the request for the renaming of the street and Mayor Chesney seconded it.

Voting Results: 4 yes, 1 no

E. Ordinance Reviews:

1.) Changes to the sign ordinance per Chapter 29- City of Morristown Zoning Ord.

Planner Logan Engle discussed the Chapter 29 regulations and how they are categorized. Since the most recent sign ordinances have been in place, a variety of administrative concerns have arisen. Staff had spent some time researching the ordinances and what changes could be made. Staff is requesting the Subdivision Temporary Development Sign Ordinance to state that developments with more than ten acres should not exceed 200 square feet of said signage across more than five signs per public street frontage. The idea there is to increase the available temporary signage for larger parcels that are trying to advertise or develop property.

Staff is also requesting a change to the Central Business District (CB). Currently it is included with Office Medical and Professional (OMP), Local Business (LB) signage, and Mixed Use (MUD) Districts. It is less intensive commercial districts. The staff proposes to move that out of the section and create a new section specifically for the Central Business District (CB) in order to make some adaptations and alterations to it that work a little better than what is currently in place.

The staff also proposes electronic message center signs be allowed in parcels greater than three acres in size and only in the Central Business District (CB). Monuments are the only ones currently allowed in Central Business District (CB). That would not change but the staff is

requesting that the electronic message signs also be allowed. Currently, they may not exceed forty square feet in sign face area and that would not change. They may not be more than six feet in height and that would also not change. The only change would be the electronic message sign portion and they would be restricted to no more than twenty square feet of that sign face area allotment. The sections in the sign ordinance for more commercial intensive zones already allow this. The staff “mimicked” that on a smaller scale.

They would also require that these signs match the architectural design and integrity. EMC regulations regarding luminescent levels and timing have also been included in this section from the existing regulations within the sign ordinance to insure that they are not overly bright or they don't have too much movement or motion.

The second portion of this is secondary access signs. These are currently allowed in those more commercially intensive districts that I previously mentioned. The idea here is for the signs to navigate people to the right way to come into the property when trying to access secondary driveways. These are not allowed in Central Business (CB) currently. We are proposing to add them in. But again, they would only be allowed for parcels greater than three acres and there are several specifications about their location. They have to be within twenty five feet of that secondary access driveway point and they have to be at least fifty feet away from an intersection of a public street. So, there are other regulations on where these can be.

Also, on parcels greater than three acres in the Central Business District (CB), we are proposing a change in wall signage requirements and allotments. Currently, parcels in this district are limited to a total of forty square feet of wall signage for parcels greater than three acres. We are suggesting altering this for those parcels to allow ten percent of the measurement of the front wall area. Again, this is what allowed in those more commercial intensive zones and not to exceed more than four hundred square feet in total. So, that is kind of what we are going with there.

Finally, the third item is in regard to shopping center signage. We are proposing to delete a sentence from the passage about shopping center signs that indicates that they must have a minimum height clearance from the ground to the top of the sign of at least ten feet. That was done primarily to keep them out of the sight distance triangle. So, if you were at an intersection and they were pushed up close to the road, you wouldn't have a traffic issue of turning in or out. Someone asked if Ms. Engle had an example of anybody that could be negatively affected by changes like that. Ms. Engle verified that he was referring to the sight distance issue. Ms. Engle explained that currently, the signs can't be in the sight distance triangle anyway due to the way the ordinance is written. The idea is that it is really redundant and not necessary anymore.

Someone also asks what the importance of reviewing the entire sign ordinance was. Ms. Engle explained that over the past couple of years, there have been some concerns and questions on some of these things. Specifically, on the temporary signs, we have had more commercial

developments that have cropped up into town recently. Currently, they are limited to thirty two square feet of temporary signage and that doesn't matter if it is a quarter of an acre or two hundred and fifty acres of land. As long as it only one parcel, you can only have thirty two square feet of signage. In reviewing that, we have some issues with it primarily because if you get these larger parcels, it is like a postage stamp on a big building and it looks funny. So, there are some questions.

Vice-Chairman Kennerly asked if they have to submit their proposed signage to governing bodies for approval. Ms. Engle explained that they do not. The sign permit is provided to staff. Staff has enforcement power in the ordinance and of course the ordinance is proposed to Planning Commission and then passed by City Council. That ordinance gives permission not to a governing body but to staff to enforce that ordinance. So, in the current case, they submit that to staff, and Ms. Engle is the administrator of that ordinance.

Vice-Chairman Kennerly asked if it is well known to the public that the city is proposing to change the sign ordinance. Ms. Engle explained that it had been advertised publicly and it will have to appear on the City Council's agenda two times for the public hearing if it is recommended by the Planning Commission. Someone asked if the staff had gotten any feedback on the proposal. Ms. Engle explained that they had met with some people and groups and got some information on what the likelihood would be if the changes took effect and it was all fairly positive. The feedback was also reviewed by the staff's legal board and it would not be out of compliance with any first amendment rights.

Vice-Chairman Kennerly asked if "we" (the city of Morristown), would end up "looking like the strip in Vegas". Ms. Engle said that is not their intentions. Chairman Beelaert asked Ms. Engle if there are any current parcels that are over three acres in size. Ms. Engle explained that there are a few and Fred Miller Park is actually one of them. Also, the Healthstar building which has Burger King sitting on it is actually about nine acres in size. First Baptist Church is about four acres in size and there are a few more that could become that size if you were to join some of the smaller parcels together. Staff took a long and intensive study on which ones would qualify and there is only a handful that would be eligible in the Central Business (CB) zone.

Chairman Beelaert explained that if the intention is to clean up and modernize the ordinance, then he doesn't feel that it should be that restrictive. He said that he feels that it should be dropped to the requirement of more than an acre in size from the standpoint that it applies to as many people as possible. Ms. Engle explained that staff had studied the requirements of one and a half acres against a three acre requirement. They felt that if they aired the side of three acres, it would not get the city "looking like the Vegas strip".

Chairman Beelaert asked the commissioners how they feel about the restrictions and qualifications. They stated that they feel like the three acre standard would be more fitting.

Someone asks if modifications could be made after it was recommended to the City Council. Ms. Engle replied that there could be modifications made at that point.

Mayor Chesney made a motion to approve recommendation to City Council and Chairman Beier seconded it.

Voting Results: 5 yes, 0 no. Motion carries.

E. Ordinance Reviews:

2.) Hamblen County Zoning Amendments

Chairman Beelaert explains that they have unique situation where the County Planning Commission had already voted on a subject that the city is just hearing for the first time. The Regional Planning Commission is not only charged with planning for the city but also with planning for the Urban Growth Boundary which is where the city is expected to grow within the next twenty years. That was a map that designed by the city and county officials together and it is open to review every ten years. In this case, the county has already approved the change and is coming to us for approval.

Planner Logan Engle discussed that the county has two requests that can be taken together or separately. The first one is Part K, Section 7.4 of the Hamblen County Zoning Resolution. This deals with grandfathered junk yards. In 2005, the county passed an amendment to the zoning resolution stating that grandfathered junk yards were to come into compliance with county rules, regulations, and codes within five years of 2005 or they would be forced to go out of business. The county would essentially come in and shut them down by revoking their licenses. This requirement was a problem for a few different reasons.

First of all, particular grandfathered land use was identified by the ordinance and required to come into compliance when this did not apply to any other grandfathered land uses. So, they were singling out this particular land use. Second of all, state law indicates that legal non-conforming or grandfathered type uses can continue operation and perpetuity unless the use is abandoned for at least thirty months at which time the grandfathered status is surrendered by the property owner. It is in conflict with state law, so the county and city planning staffs have recognized this as an issue. Both staff groups recommend that that this issue is brought before the county body for approval.

The second request deals with accessory structures within Section 6.11 in the Hamblen County Zoning Resolution. Currently, their ordinance limits accessory structures to one thousand square feet. This has posed many problems and the granting of illegal variances on their part as well as cluttering up their agenda. A lot of times they get requests for structures that are greater than one thousand square feet in size. In order to stop granting these illegal variances, the county would

like to just delete that maximum requirement and just ensure that any accessory structures that are built meet the required setbacks or any other regulations. Chairman Beelaert asked if anyone has any questions.

Mayor Chesney made a motion to combine the two requests in one vote and Commissioner Beier seconded it. Chairman Beeleart asks if there are any questions.

Voting Results: 5 yes, 0 no. Motion carries.

There being no further business, the meeting was adjourned

Respectfully submitted,

Rose Parella

Secretary

RP/jc/km