

# **MORRISTOWN REGIONAL PLANNING COMMISSION**

## **Agenda January 8, 2019**



### **Call to Order**

**I.** Approval of December 11<sup>th</sup>, 2018 Minutes

**II.** Old Business: none

**III.** New Business:

Text Amendments: Regional Gateway Commercial District  
Tourist Accommodation District  
Sign Regulations

**IV.** Departmental Reports:

Minor Subdivisions Approved:

MISD-2233: 5780 Buell St:

Blue Grass Acres S/D, Resubdivision of Lots 37, 38, 39, and 40

MISD-2246: 890 Panther Creek Rd:

Lot 1 "Tim W. Munsey Property" & Lot 20 "H. William Dick Farm"

### **Adjournment**

*The next meeting of the Morristown Regional Planning Commission is scheduled for February 12, 2019 at 4:00 pm.  
The deadline to submit applications for this meeting is January 14, 2019.*

**Morristown Regional Planning Commission**  
**Minutes**  
**December 11, 2018**

**Members Present**

Chairman Frank McGuffin  
Vice-Chairman Jack Kennerly  
Secretary Roni Snyder  
Mayor Gary Chesney  
Commissioner Sylvia Hinsley  
Councilmember Robert (Bob) Garrett  
Commissioner Wanda Neal  
Commissioner Bill Thompson

**Others Present**

Steve Neilson, Development Director  
Lori Matthews, Senior Planner  
Josh Cole, Planner  
Tina Allison, Admin. Asst. Planning  
Debra Stamey, City Clerk/Executive Asst.  
Greg Ellison, Chief Building Inspector  
Michael D. Price  
James Soule  
Terry Ball

Chairman Frank McGuffin called the meeting to order and invited anyone who wished to join the Commission in an Invocation and the Pledge of Allegiance.

**I. Approval of November 13<sup>th</sup>, 2018 minutes:**

Secretary Roni Snyder made a motion for approval of the November 13<sup>th</sup>, 2018 minutes seconded by Vice-Chairman Jack Kennerly.

Voting Results upon voice vote all Ayes. Motion carries.

**II. Old Business:**

None

**III. New Business:**

**MASD-2247-2018: Devault St. Final Plat**

Planner Josh Cole discussed the request for Final Plat approval for a portion of Devault Street currently classified as a private street. The owners purchased the property with this private street and are seeking to have the city accept it as a public street prior to any future development. Property surrounding this road is currently zoned R-2, Medium Density Residential District and slightly under 19 acres. City crews have been maintaining this portion of Devault Street with the understanding that is public.

Mr. Cole stated the property owners provided a geotechnical engineering report for the street to Staff. Following a review, Staff did determine that the street construction does conform to City standards for public streets. The street is 24' wide with curb and gutters and will be classified as a local street with a dedicated 50' right-of-way.

The street is built to City standards and the City has previously been maintaining it, thus Staff recommends approval.

Mayor Chesney made a motion for the request be approved seconded by Commissioner Sylvia Hinsley.

Voting Results 9 yes, 0 no. Motion carries.

**IV. Departmental Reports:**

None

There being no further business, the meeting was adjourned.

Respectfully submitted,

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Roni Snyder, Secretary

RS/ta

DRAFT

# City of Morristown

Incorporated 1855

## DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING



TO: Morristown Regional Planning Commission  
FROM: Lori Matthews, Senior Planner  
DATE: December 11<sup>th</sup>, 2018  
SUBJECT: Amendment to Chapter 35 – Regional Gateway Commercial District

### **SUBMITTAL:**

Recent developments impacting Progress Parkway/ETPP combined with possible TDOT revisions to the area have prompted Staff, in their continuing efforts to update City Zoning Code, to clarify Chapter 35, the Regional Gateway Commercial District. This district was created in 2012 to ensure future development around this important interstate interchange was held to a higher standard which is a view fully supported by Staff. However, language used in the creation of this district did not make clear it was to be an 'overlay' district to those existing underlying districts. In addition, some language was found to be in conflict with other regulations so Staff set upon clarifying this section of code.

While Staff is in agreement with the intent of the overlay district, it was felt the parameters of the boundary should be focused on those properties closest to Interstate 81 so the proposed northern limits would now stop at Old Witt Road as opposed to Benton Hale Road as it currently does. Other proposed changes include an allowance of taller signage (35 feet) for the entire district and only a specified area being allowed to have ultra-tall highway signs for interstate visibility. This is a change from the existing language allowing all properties in the overlay to have 125 foot tall signage. Minor changes to building aesthetics and landscaping have also been proposed. Much of the language that has been omitted is simply redundant of underlying code(s).

The following is that section of code with the preferred changes made by Staff – red denotes language added: text with a strikethrough represents language to omit. The last pages of this memo feature the newly proposed section written in ordinance format.

Chapter 35  
(RGC) Regional Gateway Commercial District  
**Gateway Overlay District**  
(3450-09/04/2012)

#### 14-3501. PURPOSE

~~The Regional Gateway Commercial District provides a higher standard of appearance for transportation corridors that serve as the main entrances to the community. The purpose of this district is to distinguish the entry points into the city from other areas, enhance the visual appearance to motorists, tourists, visitors, and prospective investors and citizens of the natural and built environment. The City takes pride in being a community in control of its future. The city affirms that the quality of the physical environment has a direct bearing on its livability and its economic prosperity.~~ **Design elements along Davy Crockett Highway should promote a positive experience for those entering the City from Interstate 81/Exit 8 by elevating standards for development while providing some flexibility for developers along this scenic byway. Properties within this overlay are required to meet all underlying zoning standards in addition to those applicable under this chapter. All new construction must receive approval from the Morristown Regional Planning Commission prior to construction. A site plan and elevation plan of the development are to be submitted to City Staff a minimum of 20 days prior to the scheduled Planning Commission meeting in order to be placed on the agenda. The Planning Commission will decide if the development is compatible with the overall district and if it meets the intent of the overlay district when giving their approval.**

#### 14-3502. PERMITTED USES

~~Permitted uses are limited to those in the underlying zoning districts.~~



The following uses shall be prohibited within the Regional Gateway District:

1. Adult Entertainment
2. Automobile Salvage Yards
3. Incinerators
4. Junkyards
5. Methadone Treatment Facilities
6. Pain Clinics
7. Recycling Facilities
8. Sanitary Landfills
9. Automobile Repair and Sales

14-3503. LOT REQUIREMENTS AND SETBACKS:

~~The following minimum requirements shall apply in the Gateway Overlay district. Additional requirements, exceptions and modifications are set forth in this title for the underlying districts; the more restrictive shall apply.~~

~~A. Lot Area: Requirements specified in the underlying district shall apply.~~

~~B. Lot Width: Requirements specified in the underlying district shall apply.~~

~~C. Setbacks: No commercial or industrial building or structure (excluding permitted signage) may be constructed, placed, or erected on any Lot nearer than fifty feet (50 ft.) to the right-of-way line of any Street that is classified as an arterial street in the City of Morristown Major Thoroughfare Plan; or nearer than thirty feet (30 ft.) to any property line, and no parking lot shall be constructed nearer than five feet (5 ft.) to the right-of-way line of any street or property line except where access to public streets or adjoining properties is proposed. Lots under 200 feet in depth shall meet the setback requirements of the underlying zoning district (3459-12/04/2012). Residential and Mixed Use buildings and structures shall follow the requirements specified in the underlying district.~~

14-3504. SITE AND BUILDING REQUIREMENTS

~~Multi-family, commercial and industrial properties abutting gateways or their frontage road shall meet the following site standards:~~

- a. A. Buildings & Similar Structures: The exterior solid wall of all buildings and similar structures constructed, placed or erected on the land shall be composed of face brick, stone, masonry material or stucco to finish grade, vinyl, ~~metal siding~~, wood or fabricated wood. A building elevation plan shall be submitted as part of the site plan approval process. ~~All HVAC or other equipment located on the roof of any building, or other equipment affixed to, or located on the ground, shall be landscaped or screened from public view. Designers are encouraged to vary materials from building to building while limiting the number of different materials to three (3) on any individual structure. In general, neutral or muted tones should be used. All development designs are to be consistent or compatible within a development in terms of architectural design, exterior building materials, colors and/or arrangement of buildings.~~

B. Signage: Signage allowed in the underlying district shall apply. However, No Temporary signage shall be allowed within the rights of ways. In addition to the signs allowed within that district, Planned Commercial Developments and Industrial Uses with a combined retail use shall be permitted one Highway Identification Sign. A "Highway Identification Sign" shall be oriented towards the major highway (Interstate 81). The "Highway Identification Sign" may be permitted up to one hundred twenty five (125) feet in height, and four hundred (400) square feet per sign face with a maximum of two sign faces. If the visibility is such that a sign less than one hundred twenty five (125) feet in height or four hundred (400) square feet can be identified 1,275 feet from the exit ramp, the Planning Commission may direct the sign height and dimensions be less than stated. An elevation plan of the proposed signage shall be submitted as part of the site plan. ~~In addition to those underlying provisions as provided for by Chapter 29, Sign Regulations, free-standing signs within this overlay district shall be permitted to increase the overall height (from finished grade) to thirty-five (35) feet and not~~

more than two-hundred (200) square feet in sign face size. Those properties located on the south side of Progress Parkway and Thoroughbred Run Road, east of Twin Spires Lane within this overlay district shall be permitted to increase the overall height of their free-standing sign to eighty-five (85) feet (from finished grade) and the sign face shall not exceed four hundred (400) square feet in size.

- C. Landscaping and Buffer yards: Plantings used to fulfill the requirements of the City guidelines shall be grouped for visual impact from the gateways, located to accentuate the building and maximize environmental benefits. Each lot shall contain a minimum of ~~two (2)~~ **four (4)** trees **(2 canopy and 2 understory)** for each ~~forty feet (40 ft.)~~ **fifty (50) feet** of frontage. Each tree shall be at least three inches (3") in caliper when planted. ~~50% of the total amount of required Trees shall be evergreen. A Landscaping plan illustrating these requirements shall be submitted as part of the site plan approval process.~~ **All landscaping required on any lot shall be completed within sixty days of substantial completion of construction, or within schedules set forth in the approved plans.**
- ~~D. — Lighting: Any lighting used to illuminate an off street parking area, sign or other structure, shall be arranged as to deflect light away from any adjoining residential zone or from the public streets and shall only illuminate the ground or building. This section shall not apply to sports stadiums and athletic fields or to public recreational facilities.~~
- E. Storage and Display shall not be stored in the open or exposed to public view or view from the Adjacent Land or any improvements. Any storage shall be fenced with a screening fence of permanent construction designed of materials used in the principal structure. No screening or fencing shall be less than eight feet (8 ft.) in height. All storage shall be limited to the rear of any building improvements and in no event shall any materials or equipment be stored closer than ten feet (10 ft.) to any side or rear property line. Dumpster's must be screened **on all sides** with one of the following: Brick, stone or masonry walls, picket fence style gate or solid metal gate, or evergreen trees.

#### ~~14-3504. —~~ VIEW FROM GATEWAYS

~~Development plans for property adjacent to gateways or their frontage roads shall include both building elevation and vista drawings. Context and compatibility with neighboring buildings shall be considered in the plan review.~~

#### ~~14-3505. —~~ REVIEW AND APPROVAL

~~All development plans, site plans, landscaping and lighting plans herein described shall be approved by the Morristown Regional Planning commission prior to the issuance of a building permit to begin construction.~~

#### **RECOMMENDATION:**

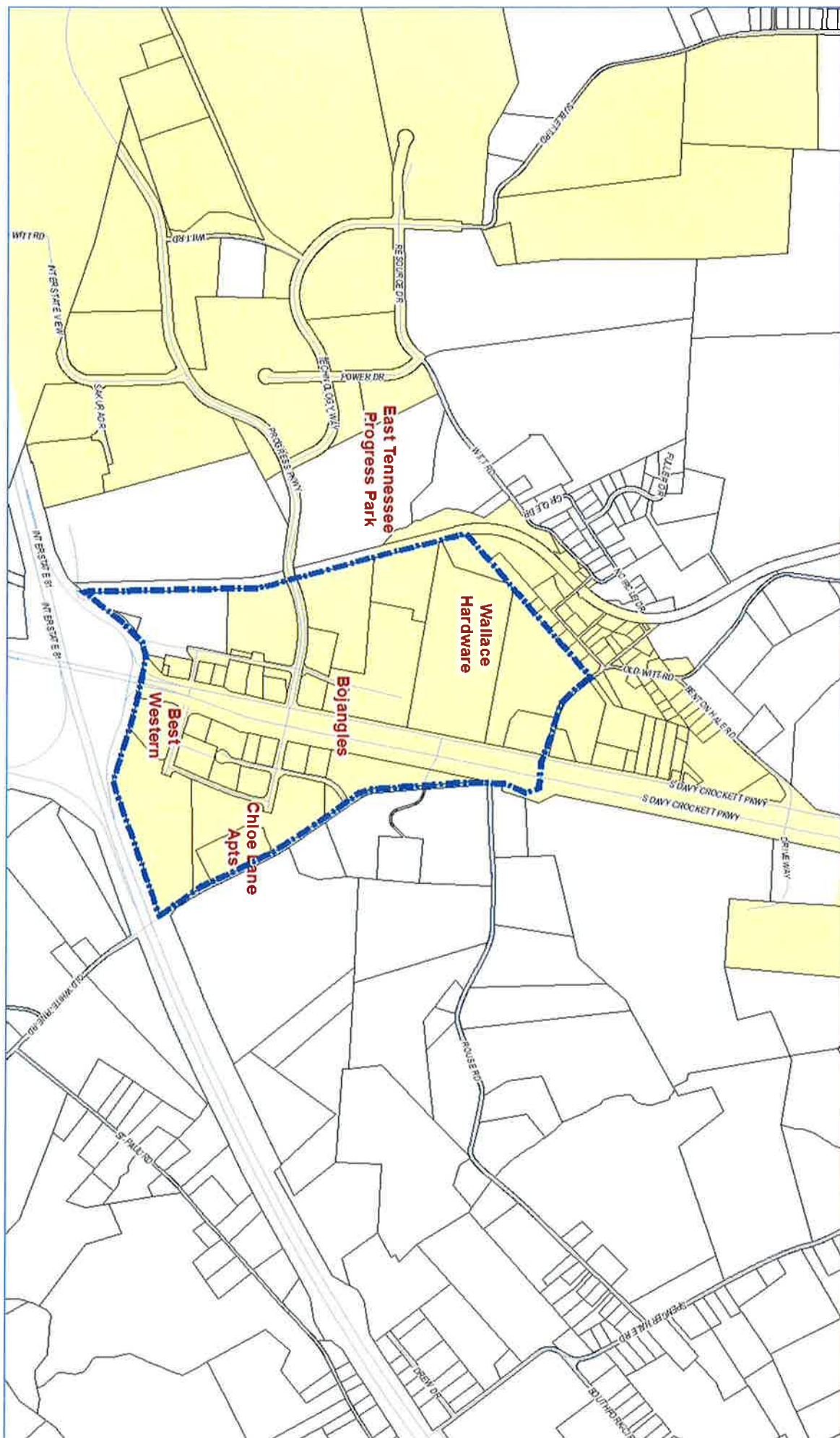
Staff would ask that the Planning Commission recommend the text changes as submitted to City Council for approval.



This map shows a section of East Tennessee Progress Park. A blue dashed line delineates a specific area within the park. Key locations labeled in red text include Wallace Hardware, Eojangles, Chloe Kane Apts, and Best Western. The map also shows several roads, including S Davy Crockett Pkwy, N State St, Wallace Pkwy, and others. The area is divided into various lots and parcels, some of which are shaded in yellow.

Chloe Lane

**PROPOSED  
OVERLAY  
BOUNDARY**





Chapter 35  
Gateway Overlay District  
(xxxx – 1/1/2019)

14-3501. PURPOSE

The City of Morristown feels design elements along Davy Crockett Highway should promote a positive experience for those entering the City from Interstate 81/Exit 8 by elevating standards for development while providing some flexibility for developers along this scenic byway. Properties within this district are required to meet all underlying zoning standards in addition to those applicable under this chapter. All new construction must receive approval from the Morristown Regional Planning Commission prior to construction. A site plan and elevation plan of the development are to be submitted to City Staff a minimum of 20 days prior to the scheduled Planning Commission meeting in order to be placed on the agenda. The Planning Commission will decide if the development is compatible with the overall district and if it meets the intent of the overlay district when giving their approval.

14-3502. UNPERMITTED USES

The following uses shall be prohibited within the Regional Gateway District:

1. Adult Entertainment
2. Automobile Salvage Yards
3. Incinerators
4. Junkyards
5. Methadone Treatment Facilities
6. Pain Clinics
7. Recycling Facilities
8. Sanitary Landfills
9. Automobile Repair and Sales

14-3503. SITE AND BUILDING REQUIREMENTS

- A. Buildings & Similar Structures: The exterior solid wall of all buildings and similar structures constructed, placed or erected on the land shall be composed of face brick, stone, masonry material or stucco to finish grade, vinyl, wood or fabricated wood. A building elevation plan shall be submitted as part of the site plan approval process. All HVAC or other equipment located on the roof of any building, or other equipment affixed to, or located on the ground, shall be landscaped or screened from public view. Designers are encouraged to vary materials from building to building while limiting the number of different materials to three (3) on any individual structure. In general, neutral or muted tones should be used. All development designs are to be consistent or compatible within a development in terms of architectural design, exterior building materials, colors and/or arrangement of buildings.
- B. Signage: In addition to those underlying provisions as provided for by Chapter 29, Sign Regulations, free-standing signs within this overlay district shall be permitted to increase their overall height (from finished grade) to 35 feet with the sign facing not to exceed 200 square feet. Those properties located on the south side of Progress Parkway and Thoroughbred Run Road, east of Twin Spires Lane within this overlay district shall be permitted to increase the overall height of their free-standing sign to 85 feet (from finished grade) and the sign face shall not exceed 400 square feet in size.
- C. Landscaping and Buffer yards: Plantings used to fulfill the requirements of the City guidelines shall be grouped for visual impact from the gateways, located to accentuate the building and maximize environmental benefits. Each lot shall contain a minimum of four (4) trees (2 canopy and 2 understory) for each fifty (50) feet of frontage. Each tree shall be at least three inches (3") in caliper when planted. All landscaping required on any lot shall be completed within sixty days of substantial completion of construction, or within schedules set forth in the approved plans.

- D. Storage and Display shall not be stored in the open or exposed to public view or view from the Adjacent Land or any improvements. Any storage shall be fenced with a screening fence of permanent construction designed of materials used in the principal structure. No screening or fencing shall be less than eight feet (8 ft.) in height. All storage shall be limited to the rear of any building improvements and in no event shall any materials or equipment be stored closer than ten feet (10 ft.) to any side or rear property line. Dumpster's must be screened on all sides with one of the following: Brick, stone or masonry walls, picket fence style gate or solid metal gate, or evergreen trees.

#### Existing Exit 8 Signage

Hampton Inn Sign – 345 square feet in size; 65 feet from finished grade



# City of Morristown

Incorporated 1855

## DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING



TO: Morristown Regional Planning Commission  
FROM: Lori Matthews, Senior Planner  
DATE: December 11<sup>th</sup>, 2018  
SUBJECT: Amendment to Chapter 35 – Tourist Accommodation District (TA)

### **SUBMITTAL:**

Recent developments impacting areas along South Davy Crockett Parkway at Exit 8 has prompted Staff, in their continuing efforts to update City Zoning Code, to clarify Chapter 35, Tourist Accommodation District (TA). This district was created in 1995 as a highway oriented commercial district, the requirements of which would ensure future development around Exit 8 was held to a higher standard.

Staff is proposing changes to include updating uses and omitting outdoor advertising which is in conflict with other underlying zoning requirements. Currently, the TA district allows each commercial development the ability to have one 400 square foot sign up to 125 feet in height in addition to a 30 foot tall free-standing sign. This language is in conflict with Chapter 29 (Sign Regulations). Staff agrees there exists a need for taller advertising for direction of traffic off of the interstate but not necessarily for every property (existing or future) zoned TA.

Below is that section of code with recommended revisions: strikethrough to be omitted; red text to be added.

### 14-1601. TA TOURIST ACCOMMODATION DISTRICT

This district provides the traveling public with convenient services, but only adjacent to major highway interchanges.

### 14-1602. USES PERMITTED (3591-11/07/2017)

1. ~~Automobile Service Stations~~
2. Business, Professional or Governmental Offices
3. Church, school, college or trade school
4. ~~Convalescent home, nursing home, retirement home or sanitarium~~
5. Convenient store
6. ~~Gift shops~~
7. Governmental uses.
8. ~~Hospital or Medical Campus~~
9. Hotel or Motel
10. Limited Service Restaurant (3591-11/07/2017).
11. ~~Lounges~~
12. Microbreweries (3591-11/07/2017).
13. ~~Mortuary or Funeral Parlor~~
14. ~~Public Parks~~
15. Residential (Single Family, two family and multi-family)
16. Retail Establishments
17. Restaurants
18. Utilities to service development



14-1603. USES PERMITTED ON REVIEW (3451-09/04/2012)

1. ~~Automobile Sales and repairs~~
2. ~~Farm, Garden, Lawn Supplies and Equipment Sales —this is still retail~~
3. ~~Hotel Apartments —what is this?~~
4. Non-Owner Occupied Short-Term Rental Units (3613- 07/17/2018)
  - a. Meet all conditions under 14-228.4
5. ~~Nursery, gardening center or produce market~~
6. ~~Overnight camping/trailer facilities~~
7. ~~Places of Assembly~~
8. ~~Research and Development Facilities~~

14-1604. DEPTH OF FRONT YARD

Any principal building shall be located no nearer than thirty-five (35) feet to the front lot line.

14-1605. DEPTH OF REAR YARD

Any principal building shall be located no nearer than thirty (30) feet to the rear lot line.

14-1606. DEPTH OF SIDE YARDS

Any principal building shall on any lot shall be located no nearer than twenty (20) feet to any side lot line.

14-1607. BUILDING AREA

The principal building and all accessory buildings shall cover no more than thirty-five (35) percent of the total lot area.

14-1608. BUILDING HEIGHT

Buildings shall not exceed three (3) stories or thirty-five (35) feet in height.

14-1609. SIGNS

Signs permitted in the Tourist Accommodation (TA) District:

- ~~a. No more than two (2) freestanding signs per lot provided:~~
  - ~~1. The lot meets or exceeds the minimum requirements of the Zoning District and the lot frontage is on an arterial or collector street.~~
  - ~~2. One (1) sign shall be designated as a "Highway Identification Sign" and shall be oriented towards the major highway (Interstate 81). The secondary sign shall be for identification on the arterial or collector street the lot fronts.~~
  - ~~3. The "Highway Identification Sign" may be permitted up to one hundred twenty-five (125) feet in height, and four hundred (400) square feet per sign face with a maximum of two sign faces. If the visibility is such that a sign less than one hundred twenty-five (125) feet in height or four hundred (400) square feet can be identified 1,275 feet from the exit ramp, the Planning Commission may direct the sign height and dimensions be less than stated.~~

- ~~4. The secondary freestanding sign shall not exceed one (1) square foot per one (1) linear foot of road frontage with a maximum of one hundred (100) square feet per sign face, or two hundred (200) square feet total for all sides. The maximum height limit shall not exceed thirty (30) feet.~~
- ~~b. Wall Signs may be located anywhere on the surface of the building, but shall not project into any required yard, nor beyond a property line; and no wall sign shall extend beyond the building envelope in any direction or the roof line (see section 2905-1-d).~~

Tourist Accommodation Zoned Areas in Yellow





# City of Morristown

Incorporated 1855

## DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING



TO: Morristown Regional Planning Commission  
FROM: Lori Matthews, Senior Planner  
DATE: December 11<sup>th</sup>, 2018  
SUBJECT: Amendment to Chapter 29 – Outdoor Advertising

### **SUBMITTAL:**

Recent proposed impacts to South Davy Crockett Highway/25 E have prompted Staff to clarify language in the City's Zoning Ordinance, specifically, Chapter 29 (Sign Regulations) which is in conflict with other advertising requirements. Staff initiated changes to this section of Code include omitting that entire passage devoted to signage within TA zoned properties which currently grants signage heights up to 125 feet and signage size up to 400 square feet. Half of this total sign size is allowed to be an EMC (Electronic Message Center). In addition, many of the regulations found within this passage are redundant of those found in other commercial districts. By omitting the entire passage and adding the district itself to the existing commercial signage regulations, both the intent and language are clarified and conflicts resolved.

Currently the only properties designated as Tourist Accommodation are located around Exit 8, the majority of which are also included under the City's Gateway Commercial Corridor District. This overlay district is also being revised to reflect the intent of the overlay district and resolve conflicts with underlying zoning requirements.

The following is that section of code, Chapter 29 of the Zoning Ordinance with the preferred changes made by Staff – red denotes language added; text with a strikethrough represents language was omitted.

**e. Signs allowed in Intermediate Business District (IBD), Planned Commercial District (PCD), Light Industrial (LI), Airport Light Industrial (ALI), and Heavy Industrial Districts (HID), and Tourist Accommodation (TA) for land uses permitted in those particular zoning districts:** It is the intent of this Section to permit businesses on parcels having more than one (1) public street frontage in these commercial zoning districts to place monument signs as *secondary access signs* in addition to the one freestanding sign that is permitted in these zoning districts. A Secondary Access Sign must be situated within twenty-five (25) feet of the secondary street driveway access and at least fifty (50) feet from the nearest street or highway intersection.

1. Signs listed in Section 14-2906(a) herein.
2. Signs listed in Section 14-2906(b)(2), (3), (4), (5), (6), (7), (8), and (9).
3. Signs listed in Section 14-2906(c)(4), (7), and (8).
4. In addition to those listed above, the following freestanding signs are allowed in these zoning districts:
  - a. One (1) freestanding Development Complex Sign at each primary entrance to a Development Complex (maximum of (3) entrances), and shall be located upon private property or within the common open space. Each sign face shall not exceed forty (40) square feet, with a maximum of two sign faces. The maximum height for the freestanding sign is six (6) feet. The sign shall be maintained by a private owner or entity. A Development Complex Sign shall be situated within twenty-five (25) feet of the driveway access and at least fifty (50) feet from the nearest street or highway intersection.

No permanent freestanding development complex sign is allowed if a "shopping center sign" as provided below exists and is approved by the Building Inspections Department.

- b. Professional Offices, Medical, Commercial (other than shopping centers) and Industrial Uses are allowed:
1. one freestanding pole sign  
*Specifications:* The sign face is not to exceed one (1) square foot per linear street frontage for the first 100 linear feet of street frontage, plus one (1) square foot of sign area for each 10 linear feet over 100 feet of frontage, not to exceed 200 square feet in area per sign face, with a maximum of two sign faces, back to back. Maximum height of the freestanding sign shall be no greater than twenty-five (25) feet.

OR

2. one monument ground sign  
*Specifications:* The maximum height of the monument sign shall not exceed six (6) feet high. The maximum sign area per sign face shall not exceed forty-eight (48) square feet. An Electronic Message Center (EMC), as defined in this article, may be used on the face of a monument sign, but it must be included in the 48 square foot total maximum area of the sign face and the EMC portion of the total sign area shall not exceed twenty-four (24) square feet.
- c. Shopping Centers as defined herein are allowed to erect one of the following freestanding permanent sign arrangements (provided that no development complex sign exists or is approved by the Building Inspections Department):
- 1.a. One freestanding sign may be located within the development. The sign shall be located on private property or within the common open space as approved by the Planning Commission. The size of the shopping center sign per sign face shall not exceed one (1) square foot of area per linear street frontage; and no such sign shall exceed 300 square feet per sign face. The maximum height of the sign, above grade, shall not exceed 25 feet.; and
  - b. Each parcel shall be allowed one monument sign on such parcel. The maximum height of the monument sign shall not exceed six (6) feet high. The maximum sign area per sign face shall not exceed forty-eight (48) square feet. An Electronic Message Center (EMC), as defined in this article, may be used on the face of a monument sign, but it must be included in the 48 square foot total maximum area of the sign face and the EMC portion of the total sign area shall not exceed twenty-four (24) square feet.

OR

- 2.a. A monument sign located within twenty-five (25) feet of each driveway access and at least fifty (50) feet from the nearest street intersection. The total sign area per sign face for each monument sign at each main entrance shall not exceed forty-eight (48) square feet. The maximum height for any monument sign is six (6) feet; and
  - b. Each parcel shall be allowed one monument sign. The maximum height of the monument sign shall not exceed six (6) feet high. The maximum sign area per sign face shall not exceed forty-eight (48) square feet. Such monument sign shall be located within twenty-five (25) feet of the driveway access and at least fifty (50) feet from the nearest street intersection. An Electronic Message Center (EMC), as defined in this article, may be used on the face of a monument sign, but it must be included in the 48 square foot total maximum area of the sign face and the EMC portion of the total sign area shall not exceed twenty-four (24) square feet.
5. An Electronic Message Center must meet the following requirements for display in these zoning districts:
- a. They shall be permissible only in monument or ground signs as allowed in this ordinance. Existing freestanding pole or pylon signs that are remodeled or modified to accommodate an Electronic Message Center must be reduced in height and size to meet the standards included herein (i.e. reformed to monument-type ground signs not exceeding six (6) feet in height. The maximum sign area per sign face shall not exceed forty-eight (48) square feet. An Electronic Message Center (EMC), as defined in this article, may be used

on the face of a monument sign, but it must be included in the 48 square foot total maximum area of the sign face and the EMC portion of the total sign area shall not exceed twenty-four (24) square feet.

- b. The electronically activated message section (Electronic Message Center) of the sign shall not exceed twenty-four (24) square feet in area.
- c. Each intermittently lit display of text, numbers, characters or other graphic means of advertising shall constitute one (1) message. Each electronically activated message:
  - 1. Shall not change more frequently than once every eight (8) seconds with a maximum change time of two (2) seconds;
  - 2. Video, continuous scrolling messages and animation are prohibited; in correlation and pursuant to Tennessee Code Annotated 54-21-122 as it may hereafter be amended.
- d. The area surrounding the sign base shall be landscaped with appropriate planting materials.
- e. Electronic Message Center Luminance Levels shall not exceed the following standards:
  - 1. For daylight hours, the maximum luminance level for digital signage should be similar to what the luminance of an identical sign would be if it was printed out and installed on a static advertising structure. In other words, the digital sign would appear no brighter, no more intense, than the printed sign next to it, or the landscape surrounding it. In practice, setting a limit of 5000 nits (setting the sign's intensity so that an area on it displaying full-brightness white has no higher luminance than that figure) ends up delivering a surface brightness similar to landscape illuminated by sunlight during daytime hours and 0.3 foot-candles limit of light trespass from the property line for dusk, dawn and nighttime light trespass onto adjoining property similarly zoned for commercial purposes.
  - 2. All self-luminous outdoor signs shall be subject to surface luminosity limits, both during the daytime and nighttime hours. During the daytime, based on normal daylight illumination, a maximum limit of 5,000 nits will keep luminous signage balanced with the surrounding landscape. During the nighttime hours, a luminosity limit of 150 nits will provide a surface brightness for digital signs which is comparable to the nighttime signage which is widespread across this nation, and is in line with the sign illumination level recommendations of the Illuminating Engineering Society of North America (IESNA).
    - a. If the nighttime luminance setting and limit is based on the sign in question being set to display full white, full brightness field, a limit as high as 200 nits for this method of calibration and testing is suitable.
    - b. Incremental luminance limits between the nighttime limit and the full sunlight limit may also be specified for overcast or foggy days, or for dusk; or
    - c. The Building Official shall require of the sign owner an automatic control of sign luminance based on the ambient lighting condition, to throttle the sign luminance between the sunny-day and night maximums.
  - 3. Surface luminosity measurements shall be made directly with a calibrated luminosity meter, following the instrument manufacturer's instructions. Readings should be taken from the area (generally of roadway) where the sign in question will be visible from, and which is closest to being directly in front of the sign (where the luminosity output is most focused).



4. Outdoor signage shall obey light trespass regulations.
  - a. Into areas zoned for any type of residential occupation (including parks and preserves so zoned), a trespass limit of 0.1 foot-candles shall be enforced at the property line.
  - b. Properties zoned for commercial purposes shall utilize a trespass limit of 0.3 footcandles or less at the property line.
  - c. The above light trespass limits are based on considerations of "light trespass," as developed in a report (*IESNA TM-11-00 Light Trespass: Research, Results and Recommendations*), wherein a recommended "brightness" limit and measurement technique is presented.
  - d. The technique uses an illuminance meter ("footcandle" meter) held at a height of 5 feet above the ground and a distance of between 150 and 350 feet from the sign under consideration, depending on the size of the sign, and aimed at the sign.
  - e. The illuminance level with the sign lighting on is compared with a measure made with the sign off: if the value differs by 0.3 foot candles or less is at an acceptable level.
  - f. This method effectively limits the luminance of signage to 300-350 nits.
5. Electronic Message Centers shall not be located any closer than 50 feet from any intersecting right-of-ways.
6. All monument sign structures including Electronic Message Centers must be reviewed by the building codes official and the applicant advised of conformance prior to construction.
6. Secondary Access signs. Such signs shall be located:
  - a. Within twenty-five (25) feet of the driveway entrance from a public street.
  - b. At least fifty (50) feet from the nearest street or highway intersection.
  - c. The signs may be located in a joint user access easement or private platted sign easement abutting the nearest public road, if specifically approved by the planning commission prior to construction.

*Specifications:* Sign area = forty-eight (48) square feet maximum, sign height - six (6) feet maximum.
7. Temporary signs for office, commercial, and industrial use. Temporary freestanding signs shall be limited to five per lot at any given time. Such signs include but are not limited to real estate signs, construction signs, political preference signs, notices such as "now hiring" or "grand opening" and social/special event announcements. One real estate sign may be maintained while the property is available for sale or while ten percent or more of the rentable space is available for lease. One construction sign may be maintained for the duration of the construction project, from the issuance of the building permit to the issuance of a certificate of occupancy. Other temporary freestanding signs shall be limited to a period of not to exceed 60 days in any calendar year. Any signs announcing a social/special event shall be removed within 48 hours after the event.

*Specifications:* Sign area - 32 square feet sign maximum, which may be divided by a maximum of two sign faces; sign height - six(6) feet, maximum, **excepting feather flag signs which may be no higher than ten (10) feet maximum (Ordinance 3526-11/03/05)**. When a temporary sign contains two back to back sign faces, the sign area shall be computed using only one of the sign faces.
8. Wall signs. One (1) wall sign per road frontage shall be mounted in a flat fashion, which is-limited to ten percent 10% of the measurement of the front wall, from ground to roof, multiplied by length of wall, measured end to end, per road frontage, and which may be illuminated but not be animated or include an Electronic Message Center.

9. Commercial flags/non-governmental flags.

*Specifications:* Sign area - No flag shall exceed 24 square feet per face; flag pole height - 30 feet, maximum.

10. Directory signs located on private property not exceeding 48 square feet nor six (6) feet in height, providing orientation within a planned residential development, development complex, shopping center, mixed use development, or medical park listing such information as on-site businesses and other tenants and their respective activities.

**e. Signs Allowed in Tourist Accommodation (TA) District.**

— 1. Signs listed in Section 14-2906(a) herein.

— 2. Each lot which meets or exceeds the minimum requirements of the Zoning District may erect two freestanding permanent signs, as follows:

a. One — designated

"Interstate Highway Identification Sign" which shall be placed so as to display towards the major highway (Interstate 81). This primary sign has a maximum height of one hundred twenty five (125) feet and a maximum sign face area of 400 square feet per sign face with a maximum of two sign faces. An Electronic Message Center (EMC), as defined in this article, may be used on the primary sign, but the EMC must be included in the 400 square foot maximum area sign face and shall not exceed 50% of the total sign face.

— b. One secondary which shall be placed so as to display towards an arterial or collector street. The secondary sign has a maximum height of twenty five (25) feet, and a maximum sign face area of one (1) square foot per one (1) linear foot of road frontage with a maximum sign face area

— of one hundred (100) square feet per sign face, with a maximum of two sign faces. An Electronic Message Center, as defined in this article, may be used on the secondary sign, but it must meet the following provisions:

1. The electronically activated message section (EMC) shall not exceed 50 percent of the permitted sign area nor be located above fifty percent (50%) of the permitted sign height.

2. Each intermittently lit display of text, numbers, characters or other graphic means of advertising shall constitute one (1) message. Each electronically activated message shall not change more frequently than once every eight (8) seconds with a maximum change time of two (2) seconds; video, continuous scrolling messages and animation are prohibited in correlation and pursuant to Tennessee Code Annotated 54-21-122 as it may hereafter be amended.

3. The area surrounding the sign base of a highway identification sign and a secondary access sign shall be landscaped with appropriate planting materials.

4. Electronic Message Center Luminance Levels shall not exceed the following standards:

a. For daylight hours, the maximum luminance level for digital signage should be similar to what the luminance of an identical sign would be if it was printed out and installed on a static advertising structure. In other words, the digital sign would appear no brighter, no more intense, than the printed sign next to it, or the landscape surrounding it. In practice, setting a limit of 5000 nits (setting the sign's intensity so that an area on it displaying full brightness white has no higher luminance than that figure) ends up delivering a surface brightness similar to landscape illuminated by sunlight during daytime hours and 0.3 foot-candles limit of light trespass from the property line for dusk, dawn and nighttime light trespass onto adjoining property similarly zoned for commercial purposes.

b. ~~All self-luminous outdoor signs shall be subject to surface luminosity limits, both during the daytime and nighttime hours. During the daytime, based on normal daylight illumination, a maximum limit of 5,000 nits will keep luminous signage balanced with the surrounding landscape. During the nighttime hours, a luminosity limit of 150 nits will provide a surface brightness for digital signs which is comparable to the nighttime signage which is widespread across this nation, and is in line with the sign illumination level recommendations of the Illuminating Engineering Society of North America (IESNA).~~

1. ~~If the nighttime luminance setting and limit is based on the sign in question being set to display full white, full brightness field, a limit as high as 200 nits for this method of calibration and testing is suitable.~~

2. ~~Incremental luminance limits between the nighttime limit and the full sunlight limit may also be specified for overcast or foggy days, or for dusk; or~~

3. ~~The Building Official shall require of the sign owner an automatic control of sign luminance based on the ambient lighting condition, to throttle the sign luminance between the sunny-day and night maximums.~~

e. ~~Surface luminosity measurements shall be made directly with a calibrated luminosity meter, following the instrument manufacturer's instructions. Readings should be taken from the area (generally of roadway) where the sign in question will be visible from, and which is closest to being directly in front of the sign (where the luminosity output is most focused).~~

d. ~~Outdoor signage shall obey light trespass regulations.~~

1. ~~Into areas zoned for any type of residential occupation (including parks and preserves so zoned), a trespass limit of 0.1 foot-candles shall be enforced at the property line.~~

2. ~~Properties zoned for commercial purposes shall utilize a trespass limit of 0.3 footcandles or less at the property line.~~

3. ~~The above light trespass limits are based on considerations of "light trespass," as developed in a report (IESNA TM-11-00 Light Trespass: Research, Results and Recommendations), wherein a recommended "brightness" limit and measurement technique is presented.~~

4. ~~The technique uses an illuminance meter ("footcandle" meter) held at a height of 5 feet above the ground and a distance of between 150 and 350 feet from the sign under consideration, depending on the size of the sign, and aimed at the sign.~~

5. ~~The illuminance level with the sign lighting on is compared with a measure made with the sign off: if the value differs by 0.3 foot-candles or less is at an acceptable level.~~

6. ~~This method effectively limits the luminance of signage to 300-350 nits.~~

e. ~~Electronic Message Centers shall not be located any closer than 50 feet from any intersecting right-of-ways.~~

f. ~~All monument sign structures including Electronic Message Centers must be reviewed by the building codes official and the applicant advised of conformance prior to construction.~~

— 3. ~~One wall sign per roadway frontage that is mounted in a flat fashion and not to exceed ten percent (10%) of the measurement of the front wall, (measuring from ground to roof, multiplied by length of wall, measured end-to-end, per road frontage), and which may be illuminated but not animated nor include an Electronic Message Center~~



may be located on the surface of any building up to 1/3 of the total front wall area.

4. Gasoline trade signs:

a. Freestanding signs. Premises that dispense retail bulk petroleum products by pump shall be allowed to display the pricing of such products within a single freestanding sign.

*Specifications:* Sign area—80 feet, maximum, which may be divided by a maximum of two sign faces (no single sign face shall exceed 40 square feet); sign height—six (6) feet.

b. Canopy signs. When an enclosed principal structure exists, all canopy signs shall be calculated and deducted from the total allowable wall sign area

5. Menu Boards, as defined herein, may be used in conjunction with a restaurant providing drive-through or curb-side service, provided that:

a. Such structures shall be included in the development site plan as approved by the planning commission and shall be contained within the buildable area of the site;

b. Restaurants providing drive-through but not curb-side service may have no more than two menu boards, not to exceed six feet in height and 30 square feet in total size; and

c. Restaurants providing curb-side service may have no more than one menu board per bay, not to exceed six (6) square feet per sign face for each menu board.

6. Temporary freestanding signs shall be limited to five per lot at any given time. Such signs include but are not limited to real estate signs, construction signs, political preference signs, notices such as "now hiring" or "grand opening" and social/special event announcements. One real estate sign may

be maintained while the property is available for sale or while ten percent or more of the rentable space is available for lease. One construction sign may be maintained for the duration of the construction project, from the issuance of the building permit to the issuance of a certificate of occupancy. Other temporary freestanding signs shall be limited to a period of not to exceed 60 days in any calendar year. Any signs announcing a social/special event shall be removed within 48 hours after the event.

Temporary signs shall be located at least ten feet from the back of the street curb, edge of pavement or stabilized shoulder, unless a greater distance is required to remove such sign from the street right-of-way or sight distance triangle. No temporary signs shall be permitted within any median which is within a public right-of-way.

*Specifications:* Sign area—32 square feet sign maximum, which may be divided by a maximum of two sign faces; sign height—six (6) feet, maximum, **excepting feather flag sign which may be no higher than ten (10) feet maximum (Ordinance 3526-11/03/2015)**. When a temporary sign contains two back to back sign faces, the sign area shall be computed using only one of the sign faces.

## **RECOMMENDATION:**

Staff would ask the Planning Commission to recommend to City Council that the revisions as submitted by Staff be approved.