

ORIGINAL

ORDINANCE NO. 152-05-1C

AN ORDINANCE AMENDING THE ZONING CODE OF THE CITY OF TOWNSEND BY AMENDING CHAPTER 2, SECTION 8-203; CHAPTER 3, SECTIONS 8-308 OF TITLE 8 OF THE TOWNSEND MUNICIPAL CODE

WHEREAS, the Townsend Board of Commissioners, in accordance with Section 13-7-203 and 13-7-204 of the Tennessee Code Annotated may from time to time amend the zoning code; and

WHEREAS, the Townsend Municipal Planning Commission has considered the zoning requirements of the City, and has forwarded its recommendation to the Townsend Board of Commissioners to amend the "Zoning Code of the City of Townsend", Tennessee; and

WHEREAS, the Townsend Board of Commissioners has found this amendment necessary in order to provide for the health, safety, welfare, and convenience of the citizens of the City of Townsend;

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TOWNSEND, TENNESSEE THAT:

Section 1. Chapter 2, Section 8-203. Definitions. shall be amended by adding the following section:

48.1 Parcel: A deeded lot described by metes and bounds and/or subdivision plat.

Section 2. Chapter 3, Section 8-308. Sign Regulations. 1. General Provisions: shall be amended by deleting the following section in its entirety:

e. No freestanding sign shall exceed twenty-five (25) feet in height.

And replacing with the following:

e. No freestanding sign shall exceed fifteen (15) feet in height above ground level at sign or fifteen (15) feet above road profile at location of sign. Sign frame shall not exceed a total of sixteen (16) feet tall.

Section 3. Chapter 3, Section 8-308. Sign Regulations. 1. General Provisions: shall be amended by adding the following section:

- q. No freestanding sign shall exceed fifteen (15) feet in width. Sign frame shall not exceed a total of seventeen (17) feet wide.

Section 4. Chapter 3, Section 8-308. Sign Regulations. 2. Prohibited Signs. shall be amended by adding the following language and sections:

2. Prohibited Signs. When it is determined by appropriate authorities (building inspector, planning commission) that a sign is a prohibited sign, the city will issue a single notice of warning to the owner of the property, who will be provided an opportunity for an informal hearing by representatives of the City prior to the institution of formal violation. The following types of signs are prohibited:

- h. Signs containing characters, cartoons, or statements of an obscene, indecent or immoral character which would offend public morals or decency.
- i. Signs containing or are an imitation of an official traffic sign or signal or contain the words "stop", "go slow", "caution", "danger", "warning", or similar words.
- j. Signs which are of a size, location, movement, content, coloring, or manner or illumination which may be confused with or construed as a traffic control device or which hide from view any traffic or street sign or signal.
- k. Interior lighted translucent signs prohibited on freestanding signs and exterior wall signs.
- l. Neon lighting prohibited on freestanding signs, exterior wall signs, and exterior of building.
- m. Signs attached to, suspended from or painted on any vehicle which is regularly parked on any street or private property when one of the purposes of so locating is to display, demonstrate, and advertise or attract attention of the public:
 - 1) It is not a violation of this section merely to have common logo of business sign attached to, suspended from, or painted on a company vehicle regularly engaged in the business of the owner.

Section 5. Chapter 3, Section 8-308. Sign Regulations. 2. Prohibited Signs. shall be amended by deleting the following section in its entirety:

- f. All figures/figurines visible from adjacent rights-of-way shall be considered a sign and shall not be permitted.

And replacing with the following:

- f. All figures/figurines/merchandise visible from adjacent rights-of-way shall be considered a sign and shall not be permitted, unless locally crafted.

Section 6. Chapter 3, Section 8-308. Sign Regulations. 3. Signs Permitted - No Permit Required. shall be amended by deleting the following section in its entirety:

- b. Spot lights shall not be considered signs and shall be permitted in all districts. All spot lights shall be directed in such a manner so that they do not shine on travelled rights-of-way or on neighboring properties and they shall not flash.

Section 7. Chapter 3, Section 8-308. Sign Regulations. 3. Signs Permitted - No Permit Required. shall be amended by deleting the following section in its entirety:

- d. One construction sign noting information about the development shall be permitted in all districts. The maximum size shall be one hundred (100) square feet. The sign shall be located on the property being developed and shall be removed when the project is completed. The sign shall be removed prior to the issuance of a certificate of occupancy.

And replacing with the following:

- d. One construction sign noting information about the development shall be permitted in all districts. The maximum size shall be thirty-two (32) square feet. The sign shall be located on the property being developed and shall be removed when the project is completed. The sign shall be removed prior to the issuance of a certificate of occupancy.

Section 8. Chapter 3, Section 8-308. Sign Regulations. 4. Off-Premise Directory/Directional Signs. shall be amended by deleting the following section in its entirety:

- d. The individual off-premise directional signs which are attached to the directory sign structure shall be subject to the following requirements:
 - 1) The directional sign shall be attached to a directory sign structure approved by the planning commission.
 - 2) The directional sign shall be forty-eight (48) inches in width and eighteen (18) inches in height.
 - 3) The core of the directional sign shall be one-half (1/2) inch thick plywood which shall be faced with eight (8) inch or six (6) inch tongue and groove or shiplap siding running at a forty-five (45) degree angle.
 - 4) The perimeter of the directional sign shall be framed with two (2) inch by four (4) inch pressure treated lumber.
 - 5) The directional sign facing shall be dark brown color and the lettering shall be a color of the sign owner's choice.
 - 6) The directional sign shall only display the name of the business, establishment, commodity, service or activity, along with an optional directional arrow.

Section 9. Chapter 3, Section 8-308. Sign Regulations. 4. Off-Premise Directory/Directional Signs. shall be amended by deleting the following section in its entirety:

- c. The directory sign structure shall be a dark brown color and the design shall be approved by the planning commission.

And replacing with the following:

- c. The directional sign shall be two (2) square feet.

Section 10. Chapter 3, Section 8-308. Sign Regulations. 5. Freestanding Signs. shall be amended by deleting the following sections in its entirety:

- b. Shopping Centers, office complexes, or any other multi-tenant or multi-use commercial development shall be permitted one (1) freestanding sign and wall signage subject to the provisions of Section 8-308.6. of this ordinance.
 - 1) The freestanding sign shall not exceed one hundred and seventy-five (175) square feet.
 - 2) Only one side of the freestanding sign shall be counted when calculating total sign area.
- c. 4) The freestanding sign and associated lighting shall be located so as not to cause inconvenience to the general public or surrounding uses.
- d. 4) The freestanding sign and associated lighting shall be located so as not to cause inconvenience to the general public or surrounding uses.
- e. 4) The freestanding entrance sign and associated lighting shall be located so as not to cause inconvenience to the general public or surrounding uses.

Section 11. Chapter 3, Section 8-308. Sign Regulations. 5. Freestanding Signs. shall be amended by deleting the following sections in its entirety:

- a. All commercial establishments and approved commercial Planned Unit Developments (PUD's) shall be permitted two (2) freestanding signs with no wall signage OR one (1) freestanding sign and wall signage subject to the provisions of Section 8-308.6. of this ordinance.
 - 1) Total freestanding sign area shall not exceed three hundred (300) square feet when two (2) freestanding signs are constructed.
 - 2) No individual freestanding sign shall exceed one-hundred and seventy-five (175) square feet.
 - 3) No freestanding sign shall be placed within two hundred (200) feet of another freestanding sign located

at the same business, within the same PUD, or on the same parcel.

- 4) Only one (1) side of the freestanding sign shall be counted when calculating total sign area.

And replacing with the following:

- a. Each parcel included within a B-1 zone shall be permitted:
 - 1) One (1) freestanding sign per business, on the same parcel, with the restriction that any freestanding sign must be one hundred and fifty (150) feet within any other freestanding sign.
 - 2) No freestanding sign shall exceed one hundred and twenty-eight (128) square feet.
 - 3) Wall Signage subject to provisions of Section 8-308.6. of this ordinance.

Section 12. Chapter 3, Section 8-308. Sign Regulations. 5. Freestanding Signs. shall be amended by adding the following section:

- d. 6) A church in a residential zone shall be considered an exception and shall not exceed thirty-two (32) square feet.

Section 13. Chapter 3, Section 8-308. Sign Regulations. 6. Wall Signs. shall be amended by deleting the following sections in its entirety:

- h. The square footage of total wall sign area permitted in all commercial zones shall be determined by the size of the building. For each linear foot of building length, one (1) square foot of sign area shall be permitted. For example, if a building is eighty (80) feet long, eighty (80) square feet of sign area shall be permitted along that exterior wall. This concept will keep signs proportional to the size of the building.
- j. 1) Wall signs for individual buildings within the PUD shall only be permitted on the exterior walls which face a public street and/or customer parking area.

And replacing with the following:

- h. The square footage of total wall sign area permitted in all commercial zones shall be determined by the size of the building. For every two (2) linear feet of building length, one (1) square foot of sign area shall be permitted with a maximum square footage of total wall signage of thirty-two (32) square feet per business.
- j. 1) Wall signs for individual businesses within the PUD shall only be permitted a maximum of one (1) exterior pedestrian sign at the front door and one (1) exterior pedestrian sign at the back/side door. The front door sign may be a maximum of nine (9) square feet and the back/side door sign may be a maximum of three (3) square feet.

Section 14. That this ordinance shall take effect forthwith upon it's final passage, the public welfare requiring it.

Public Notice Given May 21, 2005

Public Hearing Held June 7, 2005

Ordinance First Reading June 7, 2005

Ordinance Second Reading June 21, 2005

Randy Meyer
Mayor 6-21, 2005

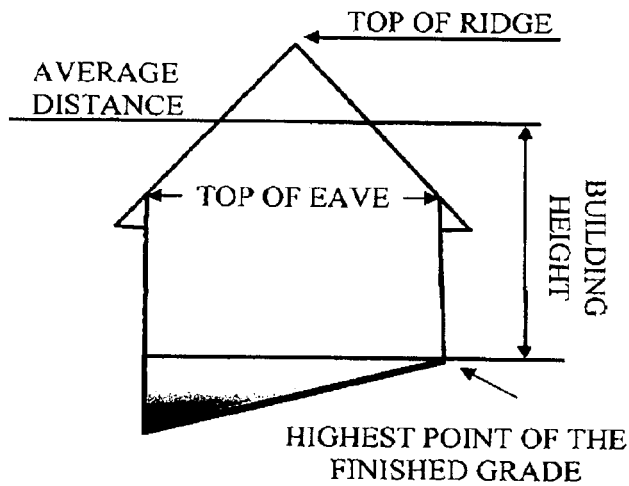
James Jordan
Recorder 6-21, 2005

William A. [Signature]
City Attorney 10-11, 2005

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SECTION 3. Chapter 2, Section 8-203. Definitions shall be amended by adding Illustration: Building Height after Section 8-203, 18a. Building: Top of Eave and before Section 8-203 Example: Measuring Building Height.

Illustration: Building Height



SECTION 4. Chapter 2, Section 8-203. Definitions. shall be amended by adding Example: Measuring Building Height after Section 8-203, Illustration: Building Height.

Example: Measuring Building Height

- Distance between the Top of Eave and the Top of Ridge..... 18 ft.
- Average distance between the Highest Top of Eave and the Highest Top of Ridge..... 9 ft.
- Distance between the Highest Point of the Finished Grade and the Top of Eave..... 16 ft.
- Building Height..... 25 ft.

SECTION 5. That this ordinance shall take effect immediately after its passage, the public welfare requiring it.

Ordinance 245-09-1C

Public Notice Given July 25th, 2009

Public Hearing Held August 18, 2009

Passed on First Reading July 21st, 2009

Passed on Second Reading August 18, 2009

[Signature] 8/19/09, 2009
Mayor

[Signature] August 18, 2009
City Clerk

AS TO FORM:

[Signature] Sept 3, 2009
City Attorney

TOWNSEND

1 b) In the case of a multi-unit structure within a zero lot line development, wall signs shall be no less than three feet from the lot line and/or lot lines.

SECTION 2. That Illustration B.1. *Permitted Wall Signs in Planned Unit Developments* be inserted after Section 8-308 Sign Regulations, Illustration B *Permitted Wall Signs*.

**Illustration B.1.
Permitted Wall Signs in Planned Unit Developments:
Townsend, Tennessee**

**Example 1: Combinations of Wall Signs Permitted for a 40' x 25' Building
Maximum Wall Signage Permitted: 32 Square feet**

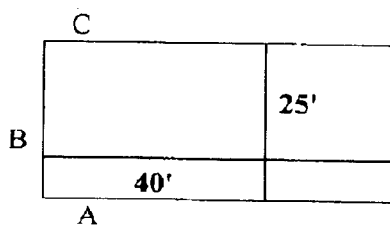
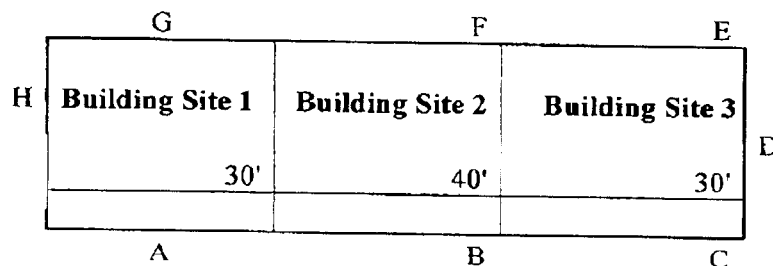


Table 1: Possible Combinations of Signs Permitted (in square feet)

	Side A	Side B	Side C
Combination 1	32	0	0
Combination 2	0	32	0
Combination 3	8	8	16

Example 2: Possible Combinations within a Zero Lot Line Development

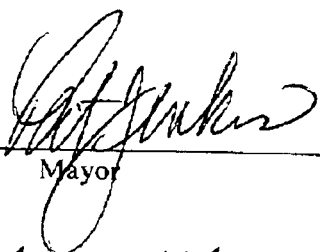


Public Notice Given July 25th, 2009

Public Hearing Held August 18, 2009

Passed on First Reading July 21st, 2009

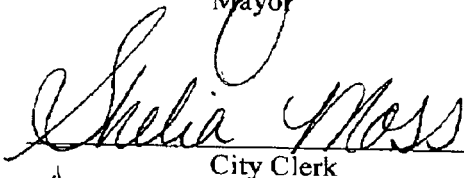
Passed on Second Reading August 18, 2009



Mayor

8/18/09

, 2009

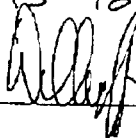


City Clerk

August 18

, 2009

As To Form:



City Attorney

9.3.09

, 2009