



**AGENDA
FARRAGUT MUNICIPAL PLANNING COMMISSION**

**February 20, 2020
7:00 p.m. Farragut Town Hall**

For questions please e-mail Mark Shipley at mshipley@townoffarragut.org or Bart Hose at bhose@townoffarragut.org

- 1. Citizen Forum**
- 2. Approval of agenda**
- 3. Approval of minutes – January 16, 2020**
- 4. Discussion on a draft of the update to the Farragut Sign Ordinance**
- 5. Discussion and overview of the Comprehensive Land Use Plan Update 2012 and land use descriptions for select residential land uses**
- 6. Approval of utilities**

Planning Commission Meeting Public Comment Protocol

The Planning Commission welcomes and invites citizens to participate in public meetings.

At the beginning of each meeting, there will be time reserved for public comment under the Citizen Forum agenda item. If you are interested in speaking, please fill out a blue comment card and turn it in to the Town Planner or staff member. This time is set aside specifically for comments on items that are not on the Planning Commission regular agenda for the meeting. Each speaker will be given five (5) minutes to speak on his/her topic.

During the regular agenda portion of the meeting there may be an allowance for public comment for each agenda item. The Chairman may recognize individuals for public comment based on the following guidelines:

1. The Chairman shall maintain and control the meeting to provide a professional and objective environment conducive to presentation and discussion of the agenda items;
2. Anyone interested in speaking should fill out a blue comment card stating which agenda item they would like to comment on and turn in to the Town Planner or a staff member;
3. Speakers shall come to the podium and identify themselves by name and address;
4. Public comment shall be limited to five (5) minutes per individual, time may be extended at the discretion of the Chairman; time is not transferable to other speakers;
5. Speakers should strive to avoid redundancy;
6. Comments shall address issues, not individuals or personalities;
7. Comments may support or oppose particular issues or measures, but the motives of those with differing views shall not be questioned or attacked;
8. Personal attacks and malicious comments shall not be tolerated;
9. An applicant, and/or their representative(s), for an item on the regular agenda shall be afforded the time necessary to present their request and respond to questions. The five (5) minute limitation shall not apply. However, the Chairman may ask an applicant to stay on point in order to facilitate the efficiency of the meeting.



**MINUTES
FARRAGUT MUNICIPAL PLANNING COMMISSION**

January 16, 2020

MEMBERS PRESENT

Rita Holladay, Chairman
Ed St. Clair, Vice-Chairman
Ron Williams, Mayor
Louise Povlin
Scott Russ
Betty Dick
Jon Greene
Noah Myers
Rose Ann Kile
Melanie Cionfolo, Youth Representative

MEMBERS ABSENT

Staff Representatives: Mark Shipley, Community Development Director
David Smoak, Town Administrator
Tom Hale, Town Attorney
Bart Hose, Assistant Community Development Director

Chairman Holladay called the meeting to order at 7 p.m.

1. Citizen Forum

Chairman Holladay reminded commissioners to send in their ethics forms to the State and commended the Parks and Recreation and Public Works Departments on the opening of the Community Center. Mayor Williams announced that the Town has now officially been assigned the 37934 Zip Code.

2. Approval of agenda

Staff recommended approval of the agenda as presented.

A motion was made by Mayor Williams to follow staffs' recommendation. Motion was seconded by Commissioner Myers and motion passed unanimously.

3. Approval of minutes – December 19, 2019

Staff recommended approval.

A motion was made by Mayor Williams to follow staffs' recommendation. Motion was seconded by Commissioner St. Clair and motion passed unanimously.

4. Discussion and public hearing on a final plat for Brookmere Phase II, 13.57 Acres, 39 Houselots and 1 Open Space Lot, Zoned R-1/OSR and FPD (Ryan Lynch, Applicant)

Staff reviewed the project and noted that there were actually 40 rather than 39 proposed house lots. Staff recommended approval subject to the following comments being satisfactorily addressed as verified in writing by the Town staff:

- 1) Several of the certificates reference Phase I of the subdivision. Please correct all certificates and other notations on the plat to correctly reference this plat, as titled. In addition, there is a Phase II notation under the numbered notes referencing future development. It, along with several other similar notes need to be updated given that this plat is now being called Phase II. The number of lots acreage should also reflect this phase. Please review all notes to make sure they are correct;
- 2) A LOC will be required to guarantee that the corner monuments are set. This will be in addition to the other LOC's typically accepted for a final plat. Please provide a cost estimate to the Town Engineer for setting all pins in this phase of the development;
- 3) Inadequate space is provided on the certification block for letter of credit value to be added where the Town Engineer signs the plat;
- 4) Please complete all items on staff's punchlist, including stabilization of all disturbed areas (at least seed and straw). As January is a difficult time for germination of seed, in lieu of full grow-in the developer may submit a separate letter of credit in an amount equal to cost for hydroseeding of all disturbed areas (in addition to seed/straw);
- 5) The Town will allow a completion letter of credit for surface course of asphalt and sidewalk. If that is preferred, please submit completion LOC in the amount of \$190,000;
- 6) Please submit 2-year maintenance LOC in the amount of \$40,000; and
- 7) Please provide a digital as-built of the public improvements.

A motion was made by Commissioner St. Clair to follow staffs' recommendation. Motion was seconded by Commissioner Povlin and motion passed unanimously.

5. Discussion and public hearing on a final plat for the Campbell Crossing Subdivision, 1107 N. Campbell Station Road, 10.19 Acres, 22 Houselots and 1 Open Space Lot, Zoned R-1/OSR (Lemay and Associates, Applicant)

Staff reviewed this item and recommended approval subject to the following comments being satisfactorily addressed as verified in writing by the Town staff:

- 1) Please ensure that the sign easement is large enough to provide for setback compliance for the sign and sign structure;
- 2) Please provide an arborist assessment as to whether any measures need to be taken to lessen any stress that may have been created to the large beech tree that is adjacent to the walking trail between Lots 17 and 18. Any noted recommendations will need to be completed and coordinated with the Town staff;
- 3) The walking trail must be constructed so it can tie into pedestrian improvements that will be part of the left turn lane on N. Campbell Station Road. It appears the driveway becomes the northern end the walking trail tie to N. Campbell Station Road. This is where the easement is shown in this area;

- 4) Please complete all items on staff's punchlist;
- 5) Please submit completion LOC for sidewalks and greenway in the amount of \$70,000;
- 6) Please submit 2-year maintenance LOC for roadway, drainage, sidewalk and greenway in the amount of \$22,000;
- 7) Based on the formula provided for in the OSR Overlay, the total square footage of building coverage should be 110,969 square feet. This would be divided by 22 houselots to provide a building coverage of 5,044 square feet per lot;
- 8) Based on the formula provided for in the OSR Overlay, the total square footage of total lot coverage should be 155,356 square feet. This would be divided by 22 houselots to provide a total coverage of 7,062 square feet per lot. If coverages are not being equally distributed, please show how coverages are being applied to each lot individually;
- 9) Please remove Note #9. It does not apply in this zoning district;
- 10) Is the owner information still correct on the plat? and
- 11) Please provide a digital as-built of the public improvements.

The project engineer, Richard Lemay, questioned staff comment item #3 and asserted that the preliminary plat did not require the walking trail to be constructed eventually to N. Campbell Station Road. Staff indicated that they would double check the preliminary plat and follow whatever action was taken with regards to the walking trail and its extension to N. Campbell Station Road, as provided for on the approved preliminary plat.

With this stipulation noted, a motion was made by Commissioner Kile follow staffs' recommendation. Motion was seconded by Commissioner Povlin and motion passed unanimously.

6. **Discussion and public hearing on a revision to the site plan approved on August 15, 2019 for a generator at the Summit View Nursing Home, 12823 Kingston Pike, 5 Acres, Zoned C-1 (Falconnier Design Company, Applicant)**
Staff reviewed this item and recommended that a thicker (1½ inch minimum) wood material be used for the screening.

A motion was made by Commissioner Povlin to follow staffs' recommendation. Motion was seconded by Mayor Williams and motion passed unanimously.

7. **Discussion and public hearing on a site plan for the property located at 11807 Kingston Pike, 1.5 Acres, Zoned C-1 (GBS Engineering, Applicant)**
Staff reviewed this item and recommended approval subject to the following comments being satisfactorily addressed as verified in writing by the Town staff:

- 1) Existing fire hydrant data is older than 12 months. Please provide current flow information;
- 2) Please provide height and area calculations as requested. Need to prove building can occupy this spot as designed;
- 3) Please correct and coordinate all notes and notations to avoid confusion where different specifications are called for on plan and/or detail sheets;

- 4) Please ensure that the sidewalk along Boring Road ties into the existing sidewalk and is far enough off the road to ensure that a minimum 6-foot grass strip will be
- 5) provided between the edge of the sidewalk and the curb-line of Boring Road when it is improved to meet Town standards;
- 6) An 8' grass strip is required between the sidewalk and Kingston Pike. Please correct on the plans;
- 7) Please provide cut-sheet details on the lighting plan sheet for all proposed external fixtures and ensure that they will meet Town standards for glare elimination;
- 8) The parking "Provided" note is a bit confusing given the parking notes above it. It would be more-clear if it read something like "total actually provided."
- 9) The parking space in the southeastern most corner of the lot will force the user to backup further than normal to make a clear turn. This should be re-visited;
- 10) A separate landscape plan application will need to be made for review and approval by the Visual Resources Review Board. Please also ensure that the landscape plan is coordinated with any planned signage for the building/site and that it is prepared by an appropriate professional consistent with state law;
- 11) Please submit erosion control LOC in the amount of \$10,000;
- 12) 6-30 curb & gutter should be extended along Kingston Pike to complete radius return on Boring Road. Use minimum 30' radius, and tie at 12' left of center of Boring;
- 13) Please submit TDOT permit for working on state ROW;
- 14) Prior to the issuance of a Certificate of Occupancy, a letter of credit will be required for both pedestrian facility and landscape maintenance. The amount will be provided by Town staff; and
- 15) Please provide a digital as-built prior to the issuance of a Certificate of Occupancy.

Mark Bialik spoke on behalf of the applicant and noted that the grass strips referenced in staff comment #'s 4 and 5 were not doable due to topographic reasons. Staff indicated that the applicant would need to apply for a variance with the Board of Zoning Appeals (BZA). Consequently, staff comment #'s 4 and 5 would be subject action taken by the BZA.

With this stipulation noted a motion was made by Commissioner Povlin to follow staffs' recommendation. Motion was seconded by Commissioner Myers and motion passed unanimously.

8. Discussion and public hearing on a request for approval for small cell support structures within the public rights of ways adjacent to 100 S. Campbell Station Road, 500 N. Campbell Station Road, 10809 Dineen Drive, 10870 Kingston Pike, 11124 Kingston Pike, 11840 Kingston Pike, 12001 Kingston Pike, 11433 Parkside Drive, 11534 Parkside Drive, 11101 Sonja Drive, 11221 Sonja Drive, Lot 75 Cove at Turkey Creek (near intersection of Turkey Cove Lane and Matthews Cove Lane) (Towersource, Applicant)

Staff noted that action would need to be taken separately on each of the 11 small cell nodes requested. Numerous individuals spoke in relation to this item with almost all individuals opposed to the small cell support structures, especially in residential areas. Verizon Wireless was represented by John Alex Brosky, Jason Kozora, and Andy Loeb.

Under this agenda item, Commissioners decided to vote on the nodes proposed in residential areas first. Those included Nodes 3, 9, 10, and 11.

Staff recommended, as part of right of way permits needed for each node, the following be addressed as conditions of approval:

Node 3 – 10809 Dineen Drive (Stonecrest Subdivision)

- 1) Please ensure pole color matches, to the greatest extent possible, the color of the utility poles in the immediate area;
- 2) Please coordinate with LCUB to see if this or any other proposed node can be contained on an existing overhead utility pole;
- 3) Please coordinate with the Town of Farragut in terms of all applicable safety related requirements and ensure that existing infrastructure and landscaping are repaired or restored if needed;
- 4) A right of way use agreement acceptable to the Town Attorney must be executed for maintenance, removal, replacement, etc.;
- 5) A letter of credit will be required to ensure that any affected areas are restored to their original condition. This letter of credit will cover all 11 nodes and the dollar amount will be calculated by the Town engineer; and
- 6) Please provide any necessary as-builts for the project (these would verify compliance with all applicable regulatory requirements and assist in coordination of future work within the public rights of ways).

After a long discussion and input from residents, staff, and the applicant, a motion was made by Commissioner Kile to follow staffs' recommendation. Motion was seconded by Commissioner St. Clair and motion passed unanimously.

Node 9 – 11101 Sonja Drive (across from where Admiral Road intersects with Sonja Drive)

- 1) Please ensure pole color matches, to the greatest extent possible, the color of the utility poles in the immediate area;
- 2) Please coordinate with LCUB to see if this or any other proposed node can be contained on an existing overhead utility pole;
- 3) Can this be moved to the north if desired by the adjoining residents? There is a 40-foot right of way for Admiral Road north of Sonja Drive – staff asks the applicant to double check on this placement;
- 4) Please coordinate with the Town of Farragut in terms of all applicable safety related requirements and ensure that existing infrastructure and landscaping are repaired or restored if needed;
- 5) A right of way use agreement acceptable to the Town Attorney must be executed for maintenance, removal, replacement, etc.;
- 6) A letter of credit will be required to ensure that any affected areas are restored to their original condition. This letter of credit will cover all 11 nodes and the dollar amount will be calculated by the Town engineer; and
- 7) Please provide any necessary as-builts for the project (these would verify compliance with all applicable regulatory requirements and assist in coordination of future work within the public rights of ways).

A motion was made by Commissioner St. Clair to follow staffs' recommendation. Motion was seconded by Commissioner Kile and motion passed unanimously.

Node 10 – 11221 Sonja Drive (near and to the east of the pedestrian crossing sign for the Farragut High School)

- 1) Please ensure pole color matches, to the greatest extent possible, the color of the utility poles in the immediate area;
- 2) Please coordinate with LCUB to see if this or any other proposed node can be contained on an existing overhead utility pole;
- 3) Please work with the property owner at 11221 Sonja Drive and LCUB to assess whether the existing utility service pole on the property at 11221 Sonja Drive can be removed and the utility service added to the proposed small cell node so that there are not two poles in the immediate area. Please also evaluate whether the small cell pole can be moved slightly to the east and further from the driveway;
- 4) Please coordinate with the Town of Farragut in terms of all applicable safety related requirements and ensure that existing infrastructure and landscaping are repaired or restored if needed;
- 5) A right of way use agreement acceptable to the Town Attorney must be executed for maintenance, removal, replacement, etc.;
- 6) A letter of credit will be required to ensure that any affected areas are restored to their original condition. This letter of credit will cover all 11 nodes and the dollar amount will be calculated by the Town engineer; and
- 7) Please provide any necessary as-builts for the project (these would verify compliance with all applicable regulatory requirements and assist in coordination of future work within the public rights of ways).

A motion was made by Commissioner St. Clair to follow staffs' recommendation. Motion was seconded by Commissioner Greene and motion passed unanimously.

Node 11 – Cove at Turkey Creek Subdivision near intersection of Turkey Cove Lane and Matthews Cove Lane

- 1) Please ensure pole color matches, to the greatest extent possible, the color of the street-light poles in the Cove at Turkey Creek and coordinate this with the Cove at Turkey Creek Homeowners Association;
- 2) If a light is included on the small cell pole, please ensure that the fixture style and illumination are consistent with the streetlights in the Cove at Turkey Creek Subdivision;
- 3) Please assess whether the pole could be moved closer to Parkside Drive so it is in a commercial area;
- 4) Please coordinate with the Town of Farragut in terms of all applicable safety related requirements and ensure that existing infrastructure and landscaping are repaired or restored if needed;
- 5) A right of way use agreement acceptable to the Town Attorney must be executed for maintenance, removal, replacement, etc.;
- 6) A letter of credit will be required to ensure that any affected areas are restored to their original condition. This letter of credit will cover all 11 nodes and the dollar amount will be calculated by the Town engineer; and

- 7) Please provide any necessary as-builts for the project (these would verify compliance with all applicable regulatory requirements and assist in coordination of future work within the public rights of ways).

A motion was made by Commissioner Dick to follow the staffs' recommendation. Motion was seconded by Commissioner Myers and motion passed unanimously.

Node 1 – 100 S. Campbell Station Road (southeast intersection of Kingston Pike and S. Campbell Station Road)

- 1) Please ensure light fixture style, illumination, and mounted height of fixture is compatible with other light fixtures along Campbell Station Road;
- 2) Please ensure pole color matches, to the greatest extent possible, the color of the light pole being replaced;
- 3) Please coordinate with TDOT and the Town of Farragut in terms of all applicable safety related requirements and ensure that existing infrastructure and landscaping are repaired or restored if needed;
- 4) A right of way use agreement acceptable to the Town Attorney must be executed for maintenance, removal, replacement, etc.;
- 5) A letter of credit will be required to ensure that any affected areas are restored to their original condition. This letter of credit will cover all 11 nodes and the dollar amount will be calculated by the Town engineer; and
- 6) Please provide any necessary as-builts for the project (these would verify compliance with all applicable regulatory requirements and assist in coordination of future work within the public rights of ways).

A motion was made by Commissioner Myers to follow staffs' recommendation with staff comment #2 potentially meaning that the pole would be painted black assuming the light poles and traffic signal mast arms are being changed to black as part of the ATMS project. Motion was seconded by Commissioner St. Clair and motion passed unanimously.

Node 2 – 500 N. Campbell Station Road (south of Home Federal Bank across from the Knox County Primary School)

- 1) *This pole does not appear to be in the right of way and will need to be verified in relation to this node;*
- 2) Please ensure light fixture style, illumination, and mounted height of fixture is compatible with other light fixtures along Campbell Station Road;
- 3) Please ensure pole color matches, to the greatest extent possible, the color of the light pole being replaced – this pole would also need to be black if the other poles and traffic signal mast arms along Campbell Station Road are painted black as part of the ATMS project;
- 4) Please coordinate with TDOT and the Town of Farragut in terms of all applicable safety related requirements and ensure that existing infrastructure and landscaping are repaired or restored if needed;
- 5) A right of way use agreement acceptable to the Town Attorney must be executed for maintenance, removal, replacement, etc.;

- 6) A letter of credit will be required to ensure that any affected areas are restored to their original condition. This letter of credit will cover all 11 nodes and the dollar amount will be calculated by the Town engineer; and
- 7) Please provide any necessary as-builts for the project (these would verify compliance with all applicable regulatory requirements and assist in coordination of future work within the public rights of ways).

A motion was made by Commissioner St. Clair to follow staffs' recommendation. Motion was seconded by Commissioner Dick and motion passed unanimously.

Node 4 – 10870 Kingston Pike (near O'Reilly's Auto Parts)

- 1) Please ensure pole color matches, to the greatest extent possible, the color of the utility poles in the immediate area;
- 2) Can this be more stealth in terms of the structure proposed on the pole? – please revisit;
- 3) Please coordinate with TDOT and the Town of Farragut in terms of all applicable safety related requirements and ensure that existing infrastructure and landscaping are repaired or restored if needed;
- 4) A right of way use agreement acceptable to the Town Attorney must be executed for maintenance, removal, replacement, etc.;
- 5) A letter of credit will be required to ensure that any affected areas are restored to their original condition. This letter of credit will cover all 11 nodes and the dollar amount will be calculated by the Town engineer; and
- 6) Please provide any necessary as-builts for the project (these would verify compliance with all applicable regulatory requirements and assist in coordination of future work within the public rights of ways).

Commissioners discussed the bulky appearance of the 4G related structure to be mounted on the small cell pole and if any of this could be placed underground. Staff asked the applicant to explore more stealth options with the understanding that the area where this node is proposed is within an area where other utilities are above ground.

A motion was made by Commissioner Kile to follow staffs' recommendation. Motion was seconded by Chairman Holladay and motion passed 8-1 with Mayor Williams voting in opposition due to the need for a more stealth structure on the pole.

Node 5 – 11124 Kingston Pike (near Jet's Pizza)

- 1) Please ensure pole color matches, to the greatest extent possible, the color of the utility poles in the immediate area;
- 2) Can this be more stealth in terms of the structure proposed on the pole? – please revisit;
- 3) Please coordinate with the Town of Farragut in terms of all applicable safety related requirements and ensure that existing infrastructure and landscaping are repaired or restored if needed;
- 4) The node must be moved to the other side of the sidewalk given the narrow grass strip and proximity to the street curb. The proposed location would create a public safety issue;

- 5) A right of way use agreement acceptable to the Town Attorney must be executed for maintenance, removal, replacement, etc.;
- 6) A letter of credit will be required to ensure that any affected areas are restored to their original condition. This letter of credit will cover all 11 nodes and the dollar amount will be calculated by the Town engineer; and
- 7) Please provide any necessary as-builts for the project (these would verify compliance with all applicable regulatory requirements and assist in coordination of future work within the public rights of ways).

Commissioners noted that the original staff comment regarding the placement of the node should be changed to indicate that the node must be moved to the other side of the sidewalk due to public safety concerns. Staff comment #4 was changed accordingly.

A motion was made Commissioner Kile to follow staffs' recommendation with the alteration noted to Comment #4. Motion was seconded by Commissioner St. Clair and motion passed unanimously.

Node 6 – 11840 Kingston Pike (near Knox Valley Dental)

- 1) Please ensure pole color matches, to the greatest extent possible, the color of the utility poles in the immediate area
- 2) Can this be more stealth in terms of the structure proposed on the pole? – please re-visit;
- 3) Can this be moved a few feet to either the south or the north so it is not in the middle portion of the dentist office as viewed from Chaho Road?
- 4) Please correct the spelling of Chaho Road;
- 5) Please coordinate with TDOT and the Town of Farragut in terms of all applicable safety related requirements and ensure that existing infrastructure and landscaping are repaired or restored if needed;
- 6) A right of way use agreement acceptable to the Town Attorney must be executed for maintenance, removal, replacement, etc.;
- 7) A letter of credit will be required to ensure that any affected areas are restored to their original condition. This letter of credit will cover all 11 nodes and the dollar amount will be calculated by the Town engineer; and
- 8) Please provide any necessary as-builts for the project (these would verify compliance with all applicable regulatory requirements and assist in coordination of future work within the public rights of ways).

A motion was made by Commissioner Dick to follow staffs' recommendation. Motion was seconded by Commissioner Myers and motion passed unanimously.

Node 7 – 12001 Kingston Pike (near Weigel's at Smith Road and Kingston Pike)

- 1) Please ensure pole color matches, to the greatest extent possible, the color of the utility poles in the immediate area;
- 2) Can this be more stealth since it is planned as a metal pole that could contain within the pole some of the structures associated with this node?

- 3) Please coordinate with TDOT and the Town of Farragut in terms of all applicable safety related requirements and ensure that existing infrastructure and landscaping are repaired or restored if needed;
- 4) A right of way use agreement acceptable to the Town Attorney must be executed for maintenance, removal, replacement, etc.;
- 5) A letter of credit will be required to ensure that any affected areas are restored to their original condition. This letter of credit will cover all 11 nodes and the dollar amount will be calculated by the Town engineer; and
- 6) Please provide any necessary as-builts for the project (these would verify compliance with all applicable regulatory requirements and assist in coordination of future work within the public rights of ways).

A motion was made by Commissioner Myers to the follow staffs' recommendation. Motion was seconded by Commissioner Greene and motion passed unanimously.

Node 8 – 11433 Parkside Drive (along JCPenney frontage)

- 1) Please ensure light fixture style, illumination, and mounted height of fixture is compatible with other light fixtures along Parkside Drive;
- 2) Please ensure pole color matches, to the greatest extent possible, the color of the light pole being replaced;
- 3) Please coordinate with the Town of Farragut in terms of all applicable safety related requirements and ensure that existing infrastructure and landscaping are repaired or restored if needed;
- 4) Please coordinate with the Town's Public Works Director as to where the pole being replaced is to be taken;
- 5) A right of way use agreement acceptable to the Town Attorney must be executed for maintenance, removal, replacement, etc.;
- 6) A letter of credit will be required to ensure that any affected areas are restored to their original condition. This letter of credit will cover all 11 nodes and the dollar amount will be calculated by the Town engineer; and
- 7) Please provide any necessary as-builts for the project (these would verify compliance with all applicable regulatory requirements and assist in coordination of future work within the public rights of ways).

A motion was made by Commissioner Myers to follow staffs' recommendation. Motion was seconded by Commissioner St. Clair and motion passed unanimously.

9. Discussion and public hearing on amendments to the future land use map in relation to the area east of the roundabout that provides access to McFee Park off McFee Road (Town of Farragut, Applicant)

Staff recommended approval of Resolution PC-20-01.

A motion was made by Mayor Williams to follow staffs' recommendation. Motion was seconded by Commissioner Myers and motion passed unanimously.

10. Approval of utilities

Staff reported that there were no additional utilities (beyond those addressed under Agenda Item #8) for review.

The meeting was adjourned at 11:41 p.m.

Rose Ann Kile, Secretary

REPORT TO THE FARRAGUT MUNICIPAL PLANNING COMMISSION

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Discussion on a draft of the update to the Farragut Sign Ordinance

INTRODUCTION AND BACKGROUND: This agenda item is for training and discussion purposes only. As you may recall, on April 29, 2019, staff conducted a public workshop to review updates that would be needed to the Farragut Sign Ordinance. These updates included, most notably, ensuring that the ordinance was compliant with the 2015 Supreme Court decision in *Reed vs. Town of Gilbert*.

This decision was unanimous and essentially affirmed that sign restrictions based on the content included on the sign are a violation of the First Amendment. This decision has likely had an impact on most communities and their sign ordinance provisions. The Farragut Sign Ordinance is no exception and currently is laden with content-based provisions. Consequently, a work program item for the past couple of years has been to update the Town's sign ordinance to ensure that it is compliant with the ruling in the *Reed* case.

The formal process of updating the ordinance began with a staff review of the current provisions and a recommendation that a committee with varied interests and perspectives be appointed to assist the staff in this update effort. This committee would include a representative from the Planning Commission, the Visual Resources Review Board, the Board of Mayor and Aldermen, citizen groups, the Chamber of Commerce, a real estate representative, and the director of the Farragut Business Alliance.

The Planning Commission appointed their representative at the May 16, 2019 meeting and the full committee was in place in June. The first committee meeting was on July 10, 2019 and the committee has held seven meetings since its creation. At each meeting, staff has had specific discussion points for the committee's consideration. In addition to addressing content-based provisions, the committee has worked with staff to also look at other provisions in the ordinance that may either need clarification or some modification.

DISCUSSION: Staff will e-mail the latest draft of the update to the Farragut Sign Ordinance. At the workshop session, staff will revisit the original objectives of the update and go through each section and explain the updates and modifications. The following is a general summary of the significant changes made to the ordinance and the page number references:

- 1) *Sections were moved to more logical locations.* For example, the current ordinance has the "Definition" section before the "Authority" and the "Purpose and Intent" Sections. The Authority and the Purpose and Intent Sections should be at the beginning of the ordinance as proposed in the draft;
- 2) *Headings were added for different sections* to help the reviewer find information more easily. When the text of the final draft is complete, staff will add diagrams, exhibits, and a table to help illustrate different aspects of the ordinance;

- 3) A new “*purpose*” section (Page 1) was added to specifically address content and to better tie the ordinance to community objectives;
- 4) A “*severability*” section (Page 2) was added. This helps protect against the entire ordinance being found invalid should one section or provision be ruled invalid. This is a common section included in many ordinances;
- 5) A “*substitution*” section (Page 2) was added. This is an important addition for compliance with the Reed decision. Basically, this section allows a noncommercial form of speech to be permitted anywhere a business or commercial sign is permitted. In other words, someone could have a sign saying “go vols” instead of the name of the business. The current ordinance would prohibit this for certain types of signs due to content-based provisions;
- 6) The “*definition*” section (Pages 2-4) was completely revised. The current definition section of the ordinance has a number of content-based terms that need to be removed. Staff has also added some clarification to the definition of a “sign;”
- 7) The “*administration*” section (Pages 4-7) was updated to reflect current processes and address provisions that needed to be clarified or enhanced;
- 8) The “*legal nonconforming signs*” section (Page 8-9) was clarified;
- 9) The “*signs not requiring permits*” section (Page 9) was replaced to remove content-based language;
- 10) The “*prohibited signs*” section (Pages 9-10) was clarified;
- 11) The “*criteria in determining sign area*” section (Pages 10-11) was clarified;
- 12) The “*signs permitted in all zoning districts*” section (Page 12) was replaced to remove content-based language;
- 13) The “*signs permitted on land for residential uses*” (Pages 12-15) was modified as follows:
 - a. Retained the physical parameters of signs currently permitted but removed content-based language;
 - b. Clarified ground mounted sign placement, illumination, and landscaping requirements;
 - c. Provided for a permanent and temporary parcel sign for individual house lots; and
 - d. Clarified provisions for flags.
- 14) The “*signs permitted for developments being used for single-use non-residential purposes*” (Pages 15-20) was modified as follows:
 - a. Retained many of the physical parameters of signs currently permitted but removed content-based language;
 - b. Clarified and modified provisions for primary permanent ground mounted signs, including an additional foot being permitted for sign height to accommodate the address numbers, specific requirements for landscaping, illumination, sign base size, and architectural compatibility;
 - c. Created content neutral provisions for temporary signs;
 - d. Clarified and modified provisions for primary permanent wall mounted signs, including sign area, signs permitted on corner lots, and compatibility of wall mounted signs with the building and other wall mounted signs on the building;
 - e. Provided for an interior accessory freestanding sign;
 - f. Revised and clarified provisions for window signs;
 - g. Provided for a freestanding building frontage sign;
 - h. Modified the provisions for interstate/interchange pole signs;
 - i. Modified the provisions for athletic field signage; and
 - j. Clarified provisions for flags.
- 15) The “*signs permitted on land for multiple use buildings or multiple building complexes*” (Pages 20-27) was modified as follows:

- a. Retained many of the physical parameters of signs currently permitted but removed content-based language;
 - b. Clarified and modified provisions for primary permanent ground mounted signs, including provisions for additional sign options for properties with over 400 feet of frontage and more than ten tenants, increased sign height based on its setback, provided for an additional foot of sign height to accommodate the address numbers, and include specific requirements for landscaping, illumination, sign base size, architectural compatibility, and legibility;
 - c. Created content neutral provisions for temporary signs;
 - d. Clarified and modified provisions for primary permanent wall mounted signs, including sign area, signs permitted on corner lots, shared entrance buildings, and compatibility of wall mounted signs for both new and older developments;
 - e. Provided for an interior accessory freestanding sign;
 - f. Revised and clarified provisions for window signs;
 - g. Provided for a freestanding building frontage sign in the Town Center area;
 - h. Provided for a projecting sign in the Town Center area;
 - i. Modified the provisions for interstate/interchange pole signs;
 - j. Modified the provisions for athletic field signage; and
 - k. Clarified provisions for flags.
- 16) *Retained the existing provisions for the O-1-3 and O-1-5 Zoning Districts (Page 27)* since these are not content-based;
- 17) *Retained the existing provisions for signs specific to banks, theaters, drive-throughs, and gas stations (Pages 28-29)* since these provisions do not currently specify what content is to be included on the signs permitted;
- 18) *Retained most of the existing provisions for signs permitted for large medical campuses (Pages 29-30)* since these provisions do not currently specify what content is to be included on the signs permitted; and
- 19) Removed signage specific for churches and other places of worship since those provisions are covered in the remainder of the ordinance.

General Framework for Content Neutral Sign Ordinance (February 2020 – Version 4)

Review legend: Areas highlighted in **blue** represent changes that were made based on feedback provided at/for or received after the January 21 meeting. Areas in **red** reflect new or otherwise modified provisions.

Section 109-1. Authority.

Remain the same as currently worded but moved to the beginning of the ordinance.

This chapter shall be known as the "Sign Ordinance of the Town of Farragut, Tennessee." This chapter is adopted under the authority granted by T.C.A. § 6-2-201.

Section 109-2. Purpose, Intent, and General Scope.

This section is proposed to be replaced with the following that specifically addresses content. The section has also been moved to the second section of the ordinance:

(a) The purpose and intent of this chapter is the following:

- (1) Regulate the number, location, size, type, illumination and other physical characteristics of signs within the Town in order to promote the public health, safety and welfare;
- (2) Maintain, enhance and improve the aesthetic environment of the Town by preventing visual clutter;
- (3) Improve the visual appearance of the Town while providing for effective means of communication, consistent with constitutional guarantees;
- (4) Avoid signage that is a threat to safety due to its placement and other physical characteristics;
- (5) Ensure the safe construction and maintenance of signs;
- (6) Support businesses in the Town by providing for fair and consistent sign allocations and enforcement of the sign regulations set forth herein; and

(b) This ordinance is not intended to regulate the message displayed on any sign, any building design or any display not defined as a sign, or any sign which cannot be viewed from outside a building.

Section 109-3. Provisions declared to be minimum requirements.

Remain the same as currently worded.

The provisions of this chapter are considered to be minimum requirements. Wherever there is a discrepancy between the minimum standards noted in this chapter and those contained in any other lawfully adopted regulation or ordinance of the town, the **strictest** standard shall apply.

Section 109-4. Severability.

This section has been added in the event that some aspect of the sign ordinance is challenged and found invalid.

If any section, subsection, sentence, clause, or phrase of this chapter is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 109-5. Substitution.

This section has been added to avoid claims that an ordinance favors commercial signs over noncommercial messages.

Signs containing noncommercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to such signs.

Section 109-6. Definitions.

Many of the terms in the current sign ordinance are content based. As a result, this section has been mostly replaced. This section has also been moved from the beginning of the ordinance to a more logical location.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned sign means a sign which identifies or advertises a business, lessor, owner, product, or activity that has been discontinued for 90 days or more.

Architectural compatibility means visual harmony and consistency with regard to color, building/sign materials, style, mounting, and **illumination**.

Banner sign means any sign of flexible lightweight material that allows movement caused by wind. **Flags, as defined herein, shall not be considered as banners.**

Changeable copy sign means any sign where letters or numbers displayed on the sign are designed to be changed frequently to display different messages.

Dilapidated sign means a sign that is in a bad, unsafe, or unsightly condition due to neglect or misuse.

Flag means a fabric sign of distinctive color and design that is used as an emblem, standard, decoration, or symbol and that is hoisted on a permanent freestanding flagpole or mounted with a pole attached to a building.

Freestanding sign means a sign that is either anchored in the ground or secured so that it is not subject to being moved by wind and that is independent of any building.

Freestanding building frontage sign means a sign with copy that is meant to be readable only to a pedestrian and that is placed near the front of a building.

Ground-mounted sign means a sign erected on a freestanding frame and not attached to any building. Such signs may be two-sided, provided that both sides cannot be seen simultaneously from any point. Such signs have a solid base with no exposed poles.

Interior accessory freestanding sign means a sign permitted interior to a development and not intended to be readable from a public street/public access easement, or adjacent property.

Interstate/interchange pole sign means a sign permitted near the interstate interchange as stipulated in this ordinance.

Legibility means how easy a sign is to read. This is based on the characteristics of letters, numbers, and characters that make it possible to differentiate one from another.

Manual on Uniform Traffic Control Devices (MUTCD) means the manual produced by the Federal Highway Administration that addresses three specific types of signs: guide, warning, and directional. The manual includes minimum size, height, and placement standards to achieve readability and prevent traffic accidents.

Normal maintenance means painting, staining, repairing a damaged element of a sign, or replacing a sign face that has faded over time with exposure to the elements with an identical sign face. Normal maintenance shall not include any other modifications to a sign.

Peripheral accessory freestanding sign means a sign permitted near the entrance and exit points to a development.

Permanent ground mounted subdivision sign means a permanent sign permitted near the entrance to a subdivision.

Permanent parcel sign means a wall mounted sign permitted on a principal dwelling unit.

Portable sign means a sign not permanently attached to the ground or a building and is easily removable using ordinary hand tools.

Primary permanent ground mounted sign means the primary sign permitted for each public entrance to a development.

Primary permanent wall sign means the primary wall sign for a development or tenant.

Prohibited sign means any sign not specifically permitted in this ordinance or that is not compliant with the applicable provisions of this ordinance.

Projecting sign means a sign, other than a wall sign, which is affixed to and projects from a building, wall or support structure such as a column, forming an angle between said building or wall and the face of the sign.

Roof sign means any sign attached to a building which projects in part or in whole above the top edge of a building wall.

Sign means any letter, number, figure, symbol, trademark, graphic, logo, design, or device mounted or otherwise placed and intended to be visible from outside of a building, used to attract attention in order to advertise, identify, announce, notify, direct, or communicate. *Sculptures, artwork, and architectural accents shall not generally be considered a sign unless they would otherwise be used as outlined in this definition.*

Sign area means the entire face of a sign, including the advertising surface and any framing, trim, or molding but not including the supporting structure.

Snipe sign means a sign affixed to trees, utility poles, fences or other objects.

Temporary freestanding subdivision entrance sign means a sign permitted on a temporary basis near the entrance to a subdivision.

Temporary parcel sign means a sign permitted on a parcel for a temporary basis.

Temporary subdivision sign means a sign permitted on a temporary basis for a subdivision.

Under-canopy sign means a sign that is hung perpendicular to a building under a canopy which projects over the public entrances into a building.

Visibility obstruction means a sign that by virtue of its placement has created a visibility obstruction harmful to the public safety.

Wall sign means a sign attached parallel to and projecting not more than 12 inches from the wall of a building and does not project in part or in whole above the top edge of a building wall.

Window sign means a sign that is painted on, attached to, or suspended directly behind or in front of a window or the glass portion of the door.

Section 109.7. Administration.

Remains largely the same with proposed changes in red. Most updates reflect addressing issues with past application submittal requirements and acknowledging the Town's transition from a paper to an electronic application process.

- (a) *Sign administrator to enforce chapter.* The town administrator or his designee shall act as the sign administrator and shall enforce and carry out all provisions of this chapter. In the event there is a question concerning the general intent or meaning of any provision of this chapter, the sign administrator shall have the authority to make such administrative decisions and interpretations. Administrative interpretation shall in no way be construed as permitting or granting an exception to the provisions of this chapter. When the definition of a sign **or an issue concerning compatibility, illumination, or some unique physical characteristic of a sign are** questioned by the sign administrator, the sign administrator may consult with the Visual Resources Review Board about such question.
- (b) *Application and permit process.* Unless otherwise provided by this chapter, permits are required for all types of signs. It shall be unlawful for any person, agency, firm, or corporation to erect, structurally repair (other than normal maintenance), replace, alter, relocate, change the panels of, change the establishment being advertised on a sign, as defined in this chapter, without first obtaining a permit to do so from the town.
 - (1) ***General application requirements and fees.*** Applicants shall submit a completed sign application and the required fee to the Town prior to commencing any work on installation of a new or replacement sign. The required fee is per the schedule approved by the Town Board of Mayor and Aldermen. Per the approved fee schedule, an additional penalty fee shall be paid if work is commenced prior to receiving a permit from the town. Public entities are waived from the fee requirement;
 - (2) ***Application required for each sign.*** A separate application must be completed and submitted for each new or replacement sign;
 - (3) ***Wall-mounted sign application reviews.*** Wall sign applications shall be reviewed by the sign administrator for conformance with the requirements. The sign administrator shall approve or deny the application within 15 working days of submittal. When architectural compatibility, **illumination, or some unique physical characteristic** of a sign are questioned by the sign administrator, the sign administrator may consult with the Visual Resources Review Board about such matter;
 - (4) ***Wall-mounted sign application submittal requirements.*** All wall sign applications shall include the following:
 - a. A dimensioned schematic drawing of the building showing the proposed sign location;

- b. A photograph of the businesses located on either side which demonstrates the color, material, and illumination of these adjacent signs;
 - c. The width of the building wall or lease space upon which the sign is to be mounted;
 - d. A dimensioned colored drawing (or simulated photograph) of the sign showing the copy on the sign face; and
 - e. An indication of how the sign is to be mounted and illuminated.
- (5) *Ground-mounted sign application reviews.* Ground-mounted sign applications shall be reviewed by the Visual Resources Review Board for conformance with the requirements of this chapter and any overlapping regulations, including the Architectural Design Standards, as amended, prior to the issuance of a sign permit;
- (6) *Ground-mounted sign submittal deadlines.* Ground-mounted sign applications shall be submitted in accordance with the deadlines established for the meeting at which the ground mounted sign is to be considered by the Visual Resources Review Board;
- (7) *Ground-mounted sign coordination with site and landscape plans.* As part of a site plan and landscape plan review process with the Planning Commission and Visual Resources Review Board, applicants for new developments or redevelopments shall take into account anticipated locations for ground mounted signs. These should be shown on both the site and landscape plans in order to help lessen conflicts with landscaping, utilities, and other site development components;
- (8) *Ground-mounted sign application submittal requirements.* All ground-mounted sign applications shall be accompanied by complete sets of plans which include the following:
 - a. A dimensioned site plan of the parcel showing the proposed sign location in relation to property lines and platted easements;
 - b. A proposed landscaping plan for the sign base;
 - c. A detail of the sign lighting;
 - d. A detail of the materials and colors used for the sign structure; and
 - e. A dimensioned colored drawing of the sign showing the copy on the sign face, height and length of the sign face and sign structure, overall height of the sign, and size of the address numbers required at the top of the sign; and
 - f. An acknowledgment that an as-built survey may be required by the sign administrator to verify compliance with applicable provisions associated with ground-mounted signs.

- (9) *Expiration of sign permits.* A sign permit shall become null and void if erection is not commenced within 180 days of issuance. If work authorized by such permit is suspended or abandoned for 180 days any time after the work is commenced, the sign permit shall be void and a new permit shall be first obtained to resume work. A new permit shall be required if changes have been made in the original plans. After a permit expires, a partially completed sign structure must be removed within 30 days if no new permit is issued.
- (c) *Text amendment process.* Amendments to the text of this chapter shall first be reviewed by the Visual Resources Review Board and the Town Municipal Planning Commission with recommendations regarding the proposed change forwarded to the Town Board of Mayor and Aldermen.

Section 109-8. Enforcement.

Remain the same as currently worded.

- (a) *Sign enforcement process.* Noncompliance with this chapter shall be deemed a violation. When the sign administrator finds violations of the provisions of this chapter, the administrator shall document such findings and take the appropriate action to correct said violations. A citation to municipal court may be issued to the owner, agent, or employee for violations of this chapter.
- (b) *Separate offense.* Each day a violation continues shall be considered a separate offense. The owner or tenant of any building, sign, premises, or sign thereon, and any architect, builder, contractor, agent or other person who commits, or participates in, assists in, or maintains any violation hereunder may be found responsible of a separate offense. Nothing herein contained shall prevent the town from taking such lawful action as is necessary to prevent or remedy any violation of this article.

Section 109-9. Appeals.

Remain largely the same with a minor change that acknowledges the Town's transition from a paper to an electronic application process.

- (a) The Town Board of Zoning Appeals shall have the following responsibilities:
 - (1) *Interpretations/General Appeals.* To hear and decide appeals where it is alleged by the appellant that there is an error in any order, requirement, permit, decision, or refusal made by the sign administrator and/or the Visual Resources Review Board in the carrying out or enforcement of any provision of this chapter;
 - (2) *Variances.* To authorize, upon an appeal relating to said property, a variance from such strict application so as to relieve such difficulties or hardship.

Variances shall not be granted to allow a larger sign or a sign which is otherwise not permitted in this chapter. Variances shall be granted only whereby special physical characteristics of the lot, parcel, or tract exist, that the strict application of the provisions of this chapter would deprive the applicant of an otherwise permitted sign.

(b) Appeals procedure.

- (1) *Denial required.* After a written denial of a sign permit from the sign administrator, a party may make an application for an interpretation or a variance;
- (2) *General application requirements and fees.* The application shall be submitted to the Town in accordance with the deadlines established for the meeting at which the application is to be considered by the Board of Zoning Appeals. The required fee associated with the application is per the schedule approved by the Town Board of Mayor and Aldermen. The Board of Zoning Appeals shall consider and decide all appeals within 30 days of first hearing the appeal; and
- (3) *Minutes.* The minutes of the Board of Zoning Appeals shall fully set forth such circumstances or conditions warranting the granting of a variance.

Section 109-10. Legal nonconforming signs.

Remain largely the same with proposed changes in red.

- (a) *Definition.* Existing signs which were legally in existence prior to the adoption of the ordinance from which this chapter is derived which do not conform to the specific provisions of this article are declared legal nonconforming signs.
- (b) *Continuance.* Any legal nonconforming sign may be continued in operation and maintenance after the effective date of the ordinance from which this chapter is derived, provided:
 - (1) The sign is not relocated or replaced;
 - (2) The structure or size of the sign is not altered in any way except toward compliance with this chapter. This does not refer to the change of text of changeable copy signs or normal maintenance;
 - (3) No new or additional signs are added to the premises; and
 - (4) Other than changing the text of changeable copy signs or normal maintenance, no other existing permanent signs are changed or replaced on the premises.
- (c) *Maintenance/damage/deterioration.* A legal nonconforming sign is subject to all requirements of this chapter regarding safety, maintenance, and repair. However, if the sign suffers more than 50 percent damage or deterioration, as

based on a **certified** appraisal, it must be brought into conformance with this **chapter** or removed.

Section 109-11. General restrictions.

The existing section "signs not requiring permits" is heavily content based and inconsistent with the purpose and intent of this chapter. The proposed list below is more limited and content neutral.

(a) All signs erected, replaced, reconstructed, expanded, or relocated on any property within the Town shall conform with the provisions of this section.

(1) Signs not requiring permits. The following types of signs are exempted from permit requirements but must be in conformance with all other requirements of this chapter:

- a. Signs authorized in accordance with the Manual of Uniform Traffic Control Devices (MUTCD), as amended;**
- b. Signs placed by or on behalf of a governmental entity;**
- c. Permanent parcel sign, as defined in this chapter;**
- d. Signs, as provided for in TCA, Title 2, Chapter 7, Section 143. Tennessee Freedom of Speech Act;**
- e. Temporary signs of any kind, unless a permitting process is specifically required for coordination purposes, such as in a multiple tenant development, or in association with specific events, programs, or community objectives promoted by the Town of Farragut; and**
- f. Window signs.**

Modify the "prohibited signs" section as follows (proposed language is shown in red):

(2) Prohibited signs. The following types of signs are prohibited in all districts:

- a. Abandoned or dilapidated signs, which shall be removed by the property owner or responsible entity;**
- b. Any sign placed on public property or right-of-way without the written consent of the public authority having jurisdiction over the property;**
- c. Any sign which bears or contains statements, or words of an obscene, pornographic, or immoral character, as defined by the United States Supreme Court;**
- d. Any signs with flashing, chasing, pulsating, twinkling, dancing, scintillating, and/or oscillating lights or any other rotating, revolving, or otherwise moving part or the appearance of moving parts or motion. This includes individuals holding signs not otherwise provided for in accordance with the United States Constitution;**
- e. Off-premises signs, unless required by and in accordance with the MUTCD or placed by or authorized on behalf of or by a governmental entity;**
- f. Off-premises outdoor advertising (billboards);**

- g. **Banners**, pennants, ribbons, festoons, buntings, streamers, spinners, balloons, or other types of lighter-than-air or wind-activated signs and attention getting devices;
- h. **Portable signs that do not comply with the location, size, or use restrictions of this chapter;**
- i. Search lights;
- j. Signs attached to, suspended from, or painted on any vehicle **or similar mobile structure** which is regularly parked or situated on any street, **parking lot**, or private property when one of the purposes of so locating such vehicle **or similar mobile structure** is to display, demonstrate, advertise, or attract the attention of the public;
- k. Signs imitating or resembling official traffic or government signs or signals;
- l. **Roof signs, or signs extending beyond the main roof line, provided that signs may be mounted on an architectural feature extending beyond the roof line if such feature is fully enclosed and considered an integral part of the occupied space, such as an atrium or high ceiling;**
- m. **Snipe signs;** and
- n. All other signs not specifically permitted **or that are not a lawful nonconforming sign.**

Modify the “criteria in determining sign area” section as follows:

(3) Criteria in determining sign area.

a. Ground Mounted and Other Non-Wall Mounted Signs.

- (1) The sign area for all ground mounted (and other non-wall mounted) signs shall include and encompass the entire sign face, framing, trim, and associated moldings. The area shall not include the supporting sign structure.
- (2) For a sign with two parallel faces, only the area of a single face shall be considered. If the faces of a multiple-faced sign are not parallel, then the total sign area shall be the sum of the areas of the individual, non-parallel faces.
- (3) Where a ground sign is mounted on a larger ornamental wall structure, such as on a subdivision entrance wall feature, its area shall be measured in the same fashion as a wall sign (see part b., as follows).

b. Wall Mounted Signs.

- (1) For cabinet type/style signs, the sign area shall include the external perimeter of the entire cabinet measured to include all sign elements, including any internal spaces where such sign includes cut-out areas.
- (2) For signs that include channel letters and/or other individual elements (letters, logos, etc.) mounted on raceways or directly on a wall, the sign area shall be measured by drawing an imaginary single, regular geometric shape of a rectangle, circle, or equilateral triangle around

and encompassing all sign elements. The text and other graphics (sign elements) do not have to be physically, visually, or topically related, or physically connected to be included in the measured area.

- (3) For window signs, the sign area shall be calculated separately for each window sign and, for each sign, shall include all background, framing, or other supporting material that forms the physical extent of the sign.
- (4), (5), (6), and (7) - *Remain generally the same as currently worded.*
- (4) *Criteria in determining sign height for ground-mounted signs.* Unless provided for otherwise in this chapter, the sign height shall be measured by the vertical dimension from the ground level at the base of the sign, including the supporting structure, to the top most point of the sign and/or its associated framing/support, exclusive of the additional one foot permitted to accommodate address numbers. Unless otherwise specified in this article, if the ground level at the base of the sign is lower than the adjacent street grade, the height shall be computed from the adjacent street grade, excluding elevated bridges or interchanges.
- (5) *Criteria in determining setback for ground-mounted and pole signs.* The setback shall be measured from the farthest most protrusion of the sign to the nearest point of a property line. All signs shall be located outside of the visibility triangle. For the purposes of this article, the interstate highway right-of-way shall be considered a side or rear lot line.
- (6) *Construction specifications.* All signs shall be installed in compliance with all building and fire codes adopted by the town. All electrical service to ground-mounted and pole signs shall be under ground. Any lighting of signs shall be installed so as to prevent any glare upon adjoining properties or rights-of-way.
- (7) *Sign maintenance and removal.*
 - a. All signs shall be properly maintained. Exposed surfaces shall be clean and painted if paint is required. Defective parts shall be replaced. The sign administrator shall have the right to order the repair or removal of any sign which is defective, damaged, or substantially deteriorated.
 - b. When any sign is removed, all structural components shall be removed with the sign and such removal shall be in compliance with all building and fire codes adopted by the town. All structural components of ground-mounted and pole signs shall be removed to ground level. The structural components of all other signs, including painted wall signs, shall be removed back to the original building configuration. All visual remains of the sign shall be removed.

Section 109-12. Sign regulations by land use and/or zoning districts.

All signs shall comply with the following regulations. Any sign that is not specifically permitted shall be prohibited.

This section was heavily content based and has been replaced with the following:

- (1) *Signs permitted in all zoning districts.* The following signs are permitted in all zoning districts subject to compliance with all applicable provisions of this chapter or other applicable Town regulations, standards, or requirements:
 - a. Flags, as regulated in this chapter;
 - b. Signs authorized in accordance with the Manual of Uniform Traffic Control Devices (MUTCD), as amended;
 - c. Signs, as provided for in TCA, Title 2, Chapter 7, Section 143. Tennessee Freedom of Speech Act;
 - d. Signs placed by or on behalf of a governmental entity;
 - e. Street or address identification numbers/letters as stipulated in the adopted building and/or fire code;
 - f. Temporary parcel sign; and
 - g. Temporary signs specifically authorized by the Town of Farragut to promote specific events, programs, or community objectives.

The existing section governing “Signs permitted on land for residential uses” should be replaced with the following so that reference to content is removed:

- (2) *Signs permitted on land for residential uses.* The following signs are permitted on land used for residential purposes. Recreational facilities developed as part of a residential development shall also follow these regulations:
 - a. *Permanent ground mounted subdivision sign.* Once a preliminary plat or a site plan has been approved in relation to a subdivision, a permanent ground mounted subdivision sign shall be permitted as follows:
 1. *Sign area.* A subdivision is permitted a total of 40 square feet per single-family or multi-family development entrance, with either one ground-mounted sign not to exceed 40 square feet or two ground mounted signs not to exceed 20 square feet each;
 2. *Sign placement.* Such signs and the structures/walls on which they are affixed shall be out of any platted drainage or utility easements and shall be set back a minimum of ten feet from any front property line(s) and five feet from any side or rear property line. Such signs and the structures/walls on which they are affixed shall be located on either a platted open space lot or within a platted sign easement. Any signs or structures proposed within the public right of way as part of a streetscape plan submittal, shall be recommended for approval by the

Planning Commission and Visual Resources Review Board before being presented to the Farragut Board of Mayor and Aldermen for approval;

3. *Sign height.* Permanent freestanding subdivision signs, excluding the supporting structure, shall not exceed six feet in height;
 4. *Sign illumination.* If such sign or its supporting structures are to be illuminated, external illumination shall be used and such illumination shall be directed only onto the sign face. Each individual light fixture shall not exceed 850 lumens per fixture and shall be shielded so that no glare is created.
 5. *Sign landscaping.* Each sign shall be landscaped with at least six shrubs that are a minimum of 12 inches in height and/or an evenly distributed area of seasonal or perennial flowers with such area being not less than 50 square feet. All qualifying landscaping shall be within seven feet of the sign base.
- b. *Temporary freestanding subdivision entrance sign.* One hard surface (minimum of one inch in thickness) non-illuminated temporary sign is permitted per public street entrance into a new subdivision development, provided the following criteria are met:
1. The sign shall not exceed 32 square feet;
 2. The sign shall not exceed 10 feet in overall height;
 3. The sign shall be set back a minimum of 20 feet from the back of street curb;
 4. The sign shall not be erected until a preliminary plat or site plan has been approved; and
 5. The sign shall be removed within 15 days of the installation of the permanent freestanding subdivision sign.
- c. *Temporary freestanding subdivision sign.* One hard surface (minimum of one inch in thickness) non-illuminated temporary sign is permitted per new subdivision development provided the following criteria are met:
1. The sign shall not exceed 32 square feet;
 2. The sign shall not exceed 10 feet in overall height;
 3. The sign shall be set back a minimum of 20 feet from the back of street curb;
 4. The sign shall not be erected until a preliminary plat or site plan has been approved; and
 5. The sign shall be removed when at least 75% of the units/lots within the development, as based on the approved preliminary plat, have received Certificates of Occupancy.

- d. *Permanent parcel sign.* Each individual lot shall be permitted one non-illuminated permanent wall mounted sign not to exceed two square feet.
- e. *Temporary parcel sign.* Each individual house lot shall be permitted one temporary parcel sign not to exceed six square feet. This may include a sign where the owner consents and the property is being offered for sale or lease.

All temporary signs shall be non-illuminated and shall be placed either out of the public right of way or at least ten feet from the back of the public street curb or edge of street where curbing is not provided, whichever is greater, and shall not exceed six feet in overall height. Such signs shall be removed within two days of the termination of the event/activity for which the sign was used. Where the termination of an activity is questioned by the sign administrator, the burden shall be on the sign holder to verify that the event/activity has not terminated.

- f. *Flags.* Each single-family house lot with an occupied dwelling unit shall be permitted one flagpole not to exceed 25 feet in height with up to two flags not to exceed 15 square feet each being permitted on such pole. The flag pole shall meet the setbacks that apply to the principal building (the dwelling unit).

In lieu of a freestanding flagpole, an occupied dwelling unit shall be permitted one house mounted flagpole provided the pole does not exceed six feet in length and the flag does not exceed 15 square feet.

- g. *Subdivision exit sign.* One non-illuminated ground-mounted sign not to exceed six square feet in size and four feet in height shall be permitted per single-family or multi-family development entrance. Such sign shall be placed at the rear of the permanent subdivision sign so that it is only visible to vehicles exiting the development.

Where a single-family or multi-family development does not have a permanent subdivision sign at its egress point or because of the setback or angle of the permanent subdivision sign is such that the message area would not be readable; one non-illuminated single-faced freestanding homeowner association notification sign shall be permitted per egress point. Such freestanding sign shall be set back a minimum of five feet from all property lines and shall be located on property which is part of the subdivision and which is zoned the same as the subdivision.

Where such sign is proposed on property which is not owned by the homeowners' association, an appropriate easement shall be recorded as a condition for approval of the sign. Such signs shall be landscaped per this

chapter and the sign face shall be oriented so that it is only visible to vehicles exiting the development. The back of the sign face shall be constructed of material which is non-reflective and the sign shall be generally compatible with other entrance features in the immediate area.

The existing section governing “Signs permitted on land for freestanding commercial purpose, office, country club, golf course, school or government-owned facilities” should be replaced with the following:

(3) Signs permitted for developments being used for single-use non-residential purposes, including freestanding churches and schools, are as follows:

- a. Primary permanent ground mounted sign. Unless provided for otherwise in this chapter, one primary permanent ground mounted sign shall be permitted provided the following criteria are met:*
 - 1. Sign area and setback determination. The sign area is based on its setback from the front property line. The minimum setback from a front property line is ten feet with the maximum permitted sign face area being 20 square feet. For each additional foot that the sign is set back from the ten-foot minimum, the sign face area may be increased by two square feet with the maximum sign face area being 40 square feet at a 20-foot setback. Sign structures shall also be outside of any platted easements and at least ten feet from any side or rear property line;*
 - 2. Corner lot. If a property accesses two different public streets, a primary permanent ground mounted sign shall be permitted for each street provided the signs are at least 150 feet apart, as measured from a straight line connecting the closest points of each sign structure. Each sign shall face, in a perpendicular manner, the nearest public street from which the access is provided;*
 - 3. Signs on same frontage. If a property fronts the same public street for at least 400 feet, a second primary permanent ground-mounted sign shall be permitted along such frontage provided the structure of such sign is at least 350 feet from the structure of the other sign permitted along the same frontage;*
 - 4. Height and addressing. Unless otherwise provided for in Section 109-11. (4), the maximum height of a primary permanent ground-mounted sign is six feet, with an additional one foot permitted to enclose or otherwise provide for address numbers. Address numbers shall be at the top of the sign and shall be eight inches in number height. Where a property abuts two public streets and has a sign facing each street, the address numbers shall be required on the sign that is perpendicular to the street with the assigned address;*

5. *Landscaping.* Each sign shall be landscaped with at least six shrubs that are a minimum of 12 inches in height and/or an evenly distributed area of seasonal or perennial flowers with such area being not less than 50 square feet. All qualifying landscaping shall be within seven feet of the sign base. Ground-mounted sign placement and site landscaping shall be coordinated to the greatest extent possible as part of the site plan and landscape plan review processes. Landscaping proposed around a ground mounted sign shall also be specifically evaluated in terms of ensuring that the copy on a sign face is not obstructed;
 6. *Illumination.* If external illumination is used, such illumination shall be directed only onto the sign face and shall be shielded so that no glare is created. Each individual light fixture shall not exceed 850 lumens per fixture; and
 7. *Sign base and architectural compatibility.* Each primary permanent ground mounted sign, regardless of permitted height and sign face area, shall have a minimum two-foot above grade base below the sign face. The sign base shall be solid with no exposed poles. The base and other elements of the support structure of the sign shall be constructed of material that is compatible with the primary exterior material(s) used on the principal building(s).
- b. *Temporary parcel sign.* Unless provided for otherwise in this chapter, one temporary parcel sign shall be permitted for the development provided the following criteria are met:
1. Such sign does not exceed 20 square feet in area and 6 feet in overall height and is placed at least 20 feet from the back of the public street curb or edge of street where curbing is not provided. Temporary parcel signs shall be a minimum of ten millimeters (.39 inches) in thickness and supported by metal t-posts. Banners, pennants, streamers and similar flexible or wind activated signs shall not be permitted;
 2. A temporary parcel sign shall be permitted for no more than 40 calendar days per year with such time tracked through a temporary sign permitting process. During any period when a parcel is offered for sale or property within the parcel is offered for lease, one additional temporary parcel sign shall be permitted provided it is a minimum of 50 feet from any other ground mounted sign (temporary or permanent) on the parcel. Such additional sign shall not be subject to the 40-day limitation but shall be subject to all other physical requirements associated with temporary parcel signs and shall be removed within two days of the termination of the event/activity for which the sign was used. Where the termination

of an activity is questioned by the sign administrator, the burden shall be on the sign holder to verify that the event/activity has not terminated;

c. *Primary permanent wall mounted sign.* Unless provided for otherwise in this chapter, each principle building shall be permitted one wall mounted sign which may be installed on any single building elevation subject to the following criteria:

1. *Sign area.* The sign area, unless provided for otherwise in this chapter, shall be based on the width of the building wall (same horizontal plane) on which the sign is to be mounted with one square foot of sign area being permitted for each one linear foot of building width, as measured from exterior wall edge to exterior wall edge. Such signs shall not exceed 350 square feet, unless provided for otherwise in this chapter;
2. *Corner lot.* Where a principle building directly faces more than one public street or public access easement that provides access to the property, one wall mounted sign shall be permitted for each frontage. One of the permitted signs shall be limited to .75 square feet of sign area for each one (1) linear foot of building wall on which the sign is to be mounted;
3. *Buildings exceeding 300 linear feet of wall length.* If a building has more than 300 linear feet of wall length, there shall be a maximum of one sign per principal building entrance, such signs shall be located within the entrance vicinity, plus one additional sign, which may be located anywhere on the building wall. Such signs shall be spaced a minimum of 50 feet apart. Each sign shall be calculated so that the total sign area of all signs combined shall not exceed the 1:1 ratio of one square foot of sign area per each linear foot of building wall upon which the signs are mounted. No individual sign shall exceed 350 square feet. Such signage shall be limited to one wall;
4. *Developments with no paved surfaces in front yard.* If a building has no paved surfaces located in the front yard between the building and the street, one wall mounted sign shall be permitted on the side of the building which fronts upon a public street(s) and one wall mounted sign shall be permitted on the side of the building which faces upon a customer parking area. One of the permitted signs shall be limited to .75 square feet of sign area for each one linear foot of building wall on which the sign is to be mounted. *If, in the case of a corner lot, a building is permitted more than two wall mounted signs, two of the three signs shall be limited to .75 square feet of sign area*

- for each one linear foot of building wall on which the sign is to be mounted;
5. *Developments abutting the Interstate.* Within the C-2, Regional Commercial District, one wall mounted sign shall be permitted on the building elevation that faces the interstate, provided such elevation is at least 100 linear feet in length. Such building elevation is permitted one square foot of sign area for each one linear foot of building wall on which the sign is to be mounted not to exceed 350 square feet;
 6. *Compatibility.* All wall signs shall be architecturally compatible with the principal building and shall be consistent in terms of sign material, general color, mounting style, and illumination with the other signs on the same building.
- d. *Interior accessory freestanding sign.* For each public street or public access easement that provides direct access to the property, one interior accessory freestanding sign shall be permitted provided the following criteria are met:
1. Such sign shall not exceed six square feet in sign area and four feet in overall height;
 2. Such sign shall be at least 60 feet from any property line;
 3. Such sign shall be at least five feet from any parking lot or accessway curb;
 4. Such sign shall not create a visibility obstruction; and
 5. Such sign shall have a base constructed of material that is compatible with the primary exterior material used on the principal building(s).
- e. *Peripheral accessory freestanding sign.* For each public street or public access easement that provides direct access to the property, one peripheral accessory freestanding sign shall be permitted provided the following criteria are met:
1. Such sign shall not exceed two square feet in sign area and 30 inches in overall height;
 2. Such sign shall have a base that is architecturally compatible with the building it is associated with; and
 3. Such sign shall be at least 15 feet from the back of the public street/access easement curb and at least five feet from any parking lot or accessway curb.

f. *Window sign.* On each first-floor building elevation, window signage shall be permitted provided the following criteria are met:

1. Window signage shall not exceed 25% of the total window area of a building elevation or 20 square feet (as measured by the cumulative total of all window signs on the same building elevation), whichever is less; and
2. Up to six square feet of window signage may be internally illuminated but shall not have any moving, blinking, or flashing message.

g. *Freestanding building frontage sign.* Along one building elevation, one freestanding building frontage sign shall be permitted, provided the following criteria are met:

1. Such sign shall be placed within 10 feet of the building;
2. Such sign shall not obstruct pedestrian facilities;
3. Such sign shall not interfere with or cause the removal of landscaping;
4. Such sign shall not exceed six square feet in sign area and four feet in overall height;
5. Such sign shall only be readable by pedestrians at the building frontage of the development; and
6. Such sign shall be of a solid (non-flexible) material and securely supported. Banners, pennants, streamers and similar flexible or wind activated signs shall not be permitted.

h. *Interstate/interchange pole sign.* Establishments located within the C-2 Regional Commercial District shall be permitted one internally illuminated interchange pole sign, subject to the following criteria:

1. The existing lot of record (at the time of this ordinance adoption) for the establishment shall be located within 250 feet of the right of way of the Campbell Station Road/I40 Interchange (Exhibit...);
2. Such sign shall not exceed 400 square feet;
3. Such sign shall be set back a minimum of 20 feet from the front property line and ten feet from the side and rear property lines;
4. Such sign shall have a maximum of two sides provided both sides cannot be seen simultaneously from any point; and
5. The maximum height for such sign relative to mean sea level shall be 1,030 feet or 60 feet above the centerline elevation of the interstate road at the point nearest the sign, whichever is less. A certified

survey which verifies the sign height shall be submitted to the sign administrator within ten days after the sign is installed.

- i. *Athletic fields.* Athletic field signage on non-County property shall not be visible from public rights of ways and adjacent properties.
- j. *Flags.* Two flags shall be permitted on one pole per 400 feet of property frontage on a public street. Such flags shall not individually exceed 25 square feet in size and 25 feet in mounted height. Flag poles shall meet the setback requirements for principal buildings in the corresponding zoning district.

In lieu of a freestanding flagpole, a principal building shall be permitted one building mounted flagpole provided the pole does not exceed 6 feet in length and the flag does not exceed 15 square feet.

- (4) *Signs permitted on land for multiple use buildings or multiple building complexes for commercial purposes, offices, or government facilities.* The following signs are permitted on land used for multiple use buildings (including schools and churches with multiple buildings) used for commercial purposes, offices, or government facilities or land used for multiple building complexes used for commercial purposes, offices, or government facilities:

- a. *Primary permanent ground mounted sign.* Unless provided for otherwise in this chapter, one primary permanent ground mounted sign is permitted provided the following criteria are met:
 1. *Sign area and setback determination.* The sign area is based on its setback from the front property line. Signs with only one entity represented on the sign face shall be subject to the provisions for primary permanent ground mounted signs that govern freestanding establishments in Section 109-12 (3).

Where a building has more than one tenant and more than one entity represented on the sign face, the minimum setback from a front property line is ten feet with the maximum permitted sign face area being 20 square feet. Beyond this minimum, for each additional one foot the sign is set back from the ten foot minimum setback, the sign face area may be increased by four square feet up to a maximum permitted sign face area of 60 square feet at the 20 foot setback from the front property line.

In lieu of the above provided 60 square foot sign, an owner with a multiple tenant development that fronts the same public street for at least 400 feet and contains at least ten tenants, may substitute this

permitted sign with two smaller signs along this 400 feet of street frontage. Each smaller sign shall not exceed 40 square feet and shall be at least 150 feet apart, as measured from a straight line connecting the closest points of each sign structure. Such signs shall be set back a minimum of 15 feet from the front property line. This sign option shall be permitted for each 60 square foot sign that would otherwise qualify for the property based on its public street frontage.

In addition to the setback from the front property line, all primary permanent ground-mounted signs and the structures on which they are mounted shall be placed outside of any platted easements and set back at least ten feet from any side or rear property line.

An applicant may use the allocated sign face area to distribute tenant listings in any manner desired, provided the sign administrator and the VRRB review and approve the arrangement in terms of its legibility, compatibility, and general appearance.

2. *Corner lot.* If a property accesses two different public streets, a primary permanent ground mounted sign shall be permitted for each street provided the signs are at least 150 feet apart, as measured from a straight line connecting the closest points of each sign structure. Each sign shall face, in a perpendicular manner, the nearest public street from which the access is provided;
3. *Signs on same frontage.* If a property fronts the same public street for at least 400 feet, a second primary permanent ground-mounted sign shall be permitted along such frontage, provided the structure of such sign is at least 350 feet from the structure of the other sign permitted along the same frontage.

Should a development qualify, as provided for in Subsection 1., above, for two smaller primary permanent ground-mounted signs in lieu of one larger 60 square foot primary permanent ground-mounted sign, each 400 feet of public street frontage may have two smaller signs, provided these smaller signs are at least 150 feet apart. Should an owner with the qualifying frontage mix a 60 square foot sign with two smaller 40 square foot signs, the sign nearest the 60 square foot sign shall be at least 350 feet from such sign;

4. *Height Determination.* Permitted sign height is based on the setback from the front property line. Unless otherwise provided for in Section 109-11. (4), where the sign is set back the minimum of ten feet from the front property line, the maximum permitted height shall be six feet. Beyond this point, a sign with more than one tenant shall be permitted two inches of increased allowable sign height for each additional one foot of setback from the front property line up to a maximum of 92 inches in

overall height (exclusive of addressing) at a 20-foot setback from the front property line;

5. *Addressing.* An additional one foot of overall sign height is permitted to enclose or otherwise provide for address numbers. Address numbers shall be at the top of the sign and shall be 8 inches in number height. Where a property abuts two public streets and has a sign facing each street, the address numbers shall be required on the sign that is perpendicular to the street with the assigned address;
 6. *Landscaping.* Each sign shall be landscaped with at least six shrubs that are a minimum of 12 inches in height and/or an evenly distributed area of seasonal or perennial flowers with such area being not less than 50 square feet. All qualifying landscaping shall be within seven feet of the sign base. The placement of landscaping should be evaluated as part of the sign permit review process to ensure that selected landscaping will not block the sign message;
 7. *Illumination.* If external illumination is used, such illumination shall be directed only onto the sign face and shall be shielded so that no glare is created. Each individual light fixture shall not exceed 850 lumens per fixture; and
 8. *Sign base and architectural compatibility.* Each primary permanent ground mounted sign, regardless of permitted height and sign face area, shall have a minimum two-foot above grade base below the sign face. The sign base shall be solid with no exposed poles. The base and other elements of the support structure of the sign shall be constructed of material that is compatible with the primary exterior material(s) used on the principal building(s).
 9. *Legibility.* All written and numerical information included on a multiple tenant permanent ground mounted sign shall be legible for a person driving the posted speed limit on the corresponding street. Individual letters or figures used within a logo or emblem are not required to be legible. However, the logo or emblem, as a whole, must be legible. The background color shall be consistent on all tenant panels so that the sign in its entirety has a general cohesion and no single tenant panel appears out of place.
- b. *Temporary parcel sign.* Unless provided for otherwise in this chapter, each tenant is permitted one temporary parcel sign provided the following criteria are met:
1. Such sign does not exceed 20 square feet in area and six feet in overall height and is placed at least 20 feet from the back of the public street curb or edge of street where curbing is not provided. Temporary parcel signs shall be a minimum of ten millimeters (.39 inches) in thickness

and supported by metal t-posts. Banners, pennants, streamers and similar flexible or wind activated signs shall not be permitted;

2. A temporary parcel sign shall be permitted for no more than 40 calendar days per year with such time tracked through a temporary sign permitting process. During any period when a parcel is offered for sale or property within the parcel is offered for lease, one additional temporary parcel sign shall be permitted for the entire development (not each tenant) provided it is a minimum of 50 feet from any other ground mounted sign (temporary or permanent) on the parcel. Window signage may be used for individual tenant spaces for lease. Such additional sign shall not be subject to the 40-day limitation but shall be subject to all other physical requirements associated with temporary parcel signs and shall be removed within two days of the termination of the event/activity for which the sign was used. Where the termination of an activity is questioned by the sign administrator, the burden shall be on the sign holder to verify that the event/activity has not terminated.

c. *Primary permanent wall mounted sign.* Unless provided for otherwise in this chapter, each separate use within a building which has its own separate and exclusive exterior public entrance to the building shall be permitted one wall mounted sign provided the following criteria are met:

1. *Sign area.* The sign area shall be based on the width of the tenant space on the exterior building wall (same horizontal plane) on which the sign is to be mounted with one square foot of sign area being permitted for each one linear foot of tenant space width as measured from the centers of the exterior wall where the tenant separations occur. If a tenant is on the end of the building, the recognized tenant space would terminate at the end of the building. Such signs shall not exceed 350 square feet, unless provided for otherwise in this chapter. Such wall mounted sign shall be limited to the side of a building which fronts upon a public street/public access easement, faces upon a customer parking area, faces upon a pedestrian mall, or is the point of the principal public access into the establishment;
2. *Corner lot.* Where a tenant directly faces more than one public street or public access easement that provides access to the property, one wall mounted sign shall be permitted for each frontage. One of the permitted signs shall be limited to .75 square feet of sign area for each one linear foot of building wall on which the sign is to be mounted;
3. *Tenant space exceeding 300 linear feet.* If an individual tenant has more than 300 linear feet of building wall of lease space, there shall be a maximum of one sign per principal building entrance, such signs shall be located within the entrance vicinity, plus one additional sign, which

may be located anywhere on the building wall. Such signs shall be spaced a minimum of 50 feet apart. Each sign shall be calculated so that the total sign area of all signs combined shall not exceed the 1:1 ratio of one square foot of sign area per each linear foot of building wall upon which the signs are mounted. No individual sign shall exceed 350 square feet. Such signage shall be limited to one wall;

4. *Development with no paved surfaces in front yard.* If a building has no paved surfaces located in the front yard between the building and the street, an individual tenant space which is located in the building and fronts upon a public street and faces upon a customer parking area shall be permitted one wall mounted sign on the side of the building which fronts upon a public street(s) and one wall mounted sign on the side of the building which faces upon a customer parking area. One of the permitted signs shall be limited to .75 square feet of sign area for each one linear foot of building wall on which the sign is to be mounted. *If, in the case of a corner lot, an individual tenant is permitted more than two wall mounted signs, two of the three signs shall be limited to .75 square feet of sign area for each one linear foot of building wall on which the sign is to be mounted;*
5. *Shared entrance building.* With the exception of the O-1-3 and O-1-5 Zoning Districts, a building with multiple uses that all share the public exterior entrances into the building shall be allowed to distribute wall mounted signage from an overall square footage determined by applying one square foot of sign area for each linear foot of building wall on which the sign(s) is(are) to be mounted. Such signs may be calculated separately provided the cumulative total square footage of all signs does not exceed the overall square footage permitted. Such signs shall be limited to the side of the building which fronts a public street or faces upon a customer parking area and shall be compatible in terms of sign material, general color, mounting style, and illumination;
6. *Pedestrian mall.* In the case where a building has a pedestrian mall, the property owner may opt for a different wall signage alternative. When a wall has a pedestrian mall access, each separate use which faces upon such wall shall be permitted one wall sign not to exceed 25 square feet. In addition, each separate use which faces upon the pedestrian mall shall be permitted one wall sign not to exceed 25 square feet with the total signage for mall uses not to exceed 100 square feet. In no case shall a use have more than one sign. Such signs shall be placed on the wall that has the pedestrian mall access and which fronts upon a public street or faces upon a customer parking area. The maximum sign area

allowed on such wall shall be two square feet per linear foot of building wall length.

7. *Development abutting the interstate.* Within the C-2, Regional Commercial District, one wall mounted sign shall be permitted on the building elevation that faces the interstate, provided the individual tenant space has at least 100 linear feet of building wall abutting the interstate. Such building elevation is permitted one square foot of sign area for each one linear foot of building wall on which the sign is to be mounted not to exceed 350 square feet;
 8. *Compatibility.* Wall mounted signage within a multiple tenant development shall be compatible in terms of sign material, general color, mounting style, and illumination. Where a center has an existing mixture of different types of signs, the property owner shall submit to the sign administrator and the VRRB a plan for ensuring compatibility as individual tenant signs transition. The objective is that over time the center will have wall mounted signs that are compatible with each other.
- d. *Interior accessory freestanding sign.* For each public street or public access easement that provides direct access to the property, one interior accessory freestanding sign shall be permitted, provided the following criteria are met:
1. Such sign shall not exceed 12 square feet in sign area and six feet in overall height;
 2. Such sign shall be at least 60 feet from any property line;
 3. Such sign shall be at least five feet from any parking lot or accessway curb;
 4. Such sign shall not create a visibility obstruction; and
 5. Such sign shall have a base constructed of material that is compatible with the primary exterior material used on the principal building(s).
- e. *Peripheral accessory freestanding sign.* For each public street or public access easement that provides direct access to the property, one peripheral accessory freestanding sign shall be permitted provided the following criteria are met:
1. Such sign shall not exceed two square feet in sign area and 30 inches in overall height;
 2. Such sign shall have a base that is architecturally compatible with the building it is associated with; and

3. Such sign shall be at least 15 feet from the back of the public street/access easement curb and at least five feet from any parking lot or accessway curb.
- f. *Window sign.* On each first-floor building elevation, window signage shall be permitted provided the following criteria are met:
1. Window signage shall not exceed 25% of the total window area of an individual tenant or 20 square feet (as measured by the cumulative total of all window signs on the same building elevation), whichever is less; and
 2. Up to six square feet of window signage may be internally illuminated but shall not have any moving, blinking, or flashing message.
- g. *Freestanding building frontage sign – Town Center.* Due to its emphasis on the pedestrian, within the Mixed-Use Town Center land use area, each tenant within a multiple tenant development shall be permitted one freestanding building frontage pedestrian-oriented sign, provided the following criteria are met:
1. Such sign shall be placed within ten feet of the building;
 2. Such sign shall not obstruct pedestrian facilities;
 3. Such sign shall not interfere with or cause the removal of landscaping;
 4. Such sign shall not exceed three square feet in sign area and three feet in overall height;
 5. Such sign shall only be readable by pedestrians at the multiple tenant development; and
 6. Such sign shall be of a solid (non-flexible) material and securely supported. Banners, pennants, streamers and similar flexible or wind activated signs shall not be permitted.
- h. *Projecting sign – Town Center.* Due to its emphasis on the pedestrian, within the Mixed-Use Town Center land use area, an individual tenant may be permitted one non-illuminated projecting sign near the principal entrance not to exceed four square feet in size. Such sign shall comply with adopted building code clearance requirements and shall be hung perpendicular to the building.
- i. *Under canopy sign.* When the roof of a building is extended as a canopy over the public entrances in the building, one non-illuminated sign per principal entrance shall be permitted. Such signs shall not exceed four square feet in size, shall comply with adopted building code clearance requirements, and shall be hung perpendicular to the building.

j. Athletic fields. Athletic field signage on non-County property shall not be visible from public rights of ways and adjacent properties.

k. Flags. Two flags shall be permitted on one pole per 400 feet of property frontage on a public street. Such flags shall not individually exceed 25 square feet in size and 25 feet in mounted height. Flag poles shall meet the setback requirements for principal buildings in the corresponding zoning district.

In lieu of a freestanding flagpole, a principal building shall be permitted one building mounted flagpole provided the pole does not exceed six feet in length and the flag does not exceed 15 square feet.

Sections (5)-(11) below are mostly existing. Staff has removed from these sections language that refers to content. These provisions are related to specific types of zoning districts or developments with unique signage needs. The sign provisions do not stipulate what content must be included on the permitted signs.

(5) *Wall signs in the Office District, Three Stories (O-1-3) and Office District, Five Stories (O-1-5); shared entrance building.*

a. A building with multiple uses that all share the public exterior entrances into the building and that has more than 225 feet of building wall facing a public street shall be permitted four wall signs. Each sign shall be roughly proportional in size and general appearance. The cumulative total square footage of all four signs shall not exceed one square foot per each linear foot of building wall which faces a public street, not to exceed 350 square feet. Such wall signs shall be limited to two on the side of a building which fronts upon a public street and shall be a minimum of 50 feet apart. Building elevations that do not face a public street shall be limited to one wall sign per elevation and shall be centered on said elevation.

b. All such wall signs shall be architecturally compatible with the principal structure and shall be consistent in terms of style, color, and illumination with the other signs in the complex. All wall signage shall be limited to two colors on all building elevations.

(6) *Signs permitted on land for banks and other lending institutions.* In addition to the applicable regulations above, the following additional signs are permitted on land used for banks and other lending institutions:

a. *Automatic teller machines.* One sign, not to exceed two square feet in size, which shall be posted at the machine. One sign, not to exceed two square feet in size, which shall be posted above the drive-thru lane on the overhead canopy; and

- b. *Drive-thru teller lanes.* One sign, not to exceed two square feet in size, which shall be posted at the service window. One sign per drive-thru lane, not to exceed two square feet in size, which shall be posted above the lane on the overhead canopy.
- (7) *Signs permitted on land for theaters.* In addition to the applicable regulations above, the following additional signs are permitted on land used for theaters:
- a. *Marquee signs.* A marquee sign shall be limited to the side of the theater building with the principal public entrance. Such signs are permitted a total area of one square foot per each linear foot of building wall upon which the sign is mounted, not to exceed 350 square feet; and
 - b. *Poster case signs.* One poster case per movie screen or stage, not to exceed 16 square feet in size each, including frames. Illumination shall be in such a manner so as to light the poster for readability only. Poster case signs shall be used in lieu of any temporary window signs. Such signs shall be mounted on the building wall with the principal public entrance.
- (8) *Signs permitted on land for other businesses with drive-thru windows.* In addition to the applicable regulations above, the following additional signs are permitted on land used for other businesses with drive-thru windows:
- a. *Wall signs.* One sign per drive-thru lane, not to exceed two square feet in size, which shall be posted at the ordering point. One sign per drive-thru lane, not to exceed two square feet in size, which shall be posted at the pick-up point.
 - b. *Canopy signs.* One sign per drive-thru lane, not to exceed two square feet in size, which shall be posted above the lane on the overhead canopy.
- (9) *Signs permitted on land for restaurants with drive-thru windows.* In addition to the applicable regulations above, the following additional signs are permitted on land used for restaurants with drive-thru windows:
- Menu board signs (outside of the Mixed-Use Town Center land use area):
- a. *Generally.* One sign per drive-thru lane, not to exceed 30 square feet in size and six feet in height; and
 - b. *Order box signs.* One sign per drive-thru lane, not to exceed one square foot in size and 30 inches in height.
- (10) *Signs permitted for gasoline stations/convenience stores.* For the purposes of this chapter, gasoline service stations/convenience stores shall be considered freestanding commercial uses and such sign regulations shall apply. If such establishments also have a restaurant with a drive-thru window, such drive-thru window sign regulations shall apply. In addition to these signs, the following additional signs are permitted:
- a. *Canopy signs.* Two signs, not to exceed nine square feet in size each, which shall be posted on two different sides of the canopy over the gas pumps.

- b. *Gas pump signs.* Any number of signs, not to exceed a total area of eight square feet per gas pump island. Only one sign permit shall be required for all the gas pump islands on the site.
 - c. *Car wash signs.* In addition to the wall signs permitted elsewhere in this chapter, one additional wall sign located on the wall of the vehicle entrance shall be allowed. Such wall signs are permitted a total area of one square foot per each linear foot of building wall upon which the sign is mounted, not to exceed 20 square feet.
 - d. *Car wash order box signs.* One sign per car wash entrance, not to exceed one square foot in size and 30 inches in height.
- (11) *Signs permitted on land for large medical campuses on tracts of land ten acres or larger.* In addition to the applicable regulations above, the following additional signs are permitted on land used for large medical campuses located on tracts of land larger than ten acres:
- a. *Parking lot directory signs.* Parking lot directory signs shall be located at key decision-making locations within the parking lot in relation to building entrances. The physical layout of the campus shall determine the total number of signs needed. Such signs are not intended to be legible from adjacent streets and shall meet the following criteria:
 - 1. Such signs shall be set back a minimum of 35 feet from side and rear property lines, 60 feet from front property lines, and five feet from the edge of driveway pavement;
 - 2. The entire sign structure shall not exceed 30 square feet, the sign area of such signs shall not exceed 12 square feet in size, and the sign shall not exceed six feet in height;
 - 3. At a single key decision making location within the parking lot, if one parking lot directory sign is not large enough to accommodate the essential directional information, two such signs may be placed side by side;
 - 4. The letters and numbers on the signs shall not exceed five inches in height with each tenant/occupant listing to be limited to the same color, size, and shape.
 - 5. Such signs shall be architecturally compatible with the principal building.
 - b. *Wall signs.*
 - 1. With the exception of individual medical offices, each separate principal medical use within a building shall be allowed one wall sign. Such wall signs shall be limited to the side of a building which fronts upon a public street or faces upon a customer parking area. The permitted sign area shall be as provided for in this chapter.

Due to its unique safety related characteristics, an emergency room shall be allowed one wall sign for each building wall approach to the emergency room portion of the building. The permitted sign area shall be as provided for in this chapter.

Section 11 of the existing sign ordinance provides for signage for churches and other places of worship. Since these signs are now provided for in the remainder of this chapter, Section 11 has been deleted.

DRAFT

REPORT TO THE FARRAGUT MUNICIPAL PLANNING COMMISSION

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Discussion and overview of the Comprehensive Land Use Plan Update 2012 and land use descriptions for select residential land uses

INTRODUCTION AND BACKGROUND: This agenda item is for training and discussion purposes only and will involve an overview of the Town's adopted land use plan. One of the most important roles of any Planning Commission is to help foster a community vision as reflected in its adopted plan. The "Plan" is the basis for the development and implementation of regulatory tools, such as the Subdivision Regulations, Zoning Ordinance, and Architectural Design Standards and helps guide decisions concerning land use related matters and capital investments.

Historically, the Town has focused heavily on its vision. In the early 2000's, there was the development of the *Farragut 2000 Plan* and *Farragut 2004 Plan*. The Town then adopted in February of 2001 the more comprehensive *Farragut Land Use and Transportation Policy Plan 2001-2011*. And, most recently, the Planning Commission adopted, as Resolution PC-12-18 on December 20, 2012, the *Comprehensive Land Use Plan (CLUP)*.

Though most plans have a certain time frame for which they are intended to cover (the current CLUP is intended to provide a vision for the target year 2025), they are not intended to be a purely static document. Rather, a plan that is actively used, such as the Town's CLUP, is dynamic and constantly in a state of exploration and re-evaluation.

The Town's current CLUP specifies, as Policy 2 on Page 5, that the "plan should undergo a major review (and update if appropriate) at least once every five years." As the staff will note at the workshop session, the Plan adopted in 2012 was an assessment of issues that Farragut faces. To address these issues, the plan provided for 8 key strategies. Those strategies included the following:

- 1) Bringing about a downtown
- 2) Repair aging shopping centers
- 3) Allow/encourage greater housing choice
- 4) Increase connectivity
- 5) Capitalize on our heritage
- 6) Expand our borders
- 7) Enhance our identity and
- 8) Plan for remaining vacant parcels.

For each strategy implementation tools were provided. The CLUP also included, for the first time in a vision document for the Town, a map for future land uses and general transportation networks. Unlike many communities that adopt plans but rarely use them, the Town has worked closely with its CLUP and

has used it extensively in land use related decisions, budgetary considerations, and the development of and amendments to other visioning and regulatory documents.

In fact, in the summer of 2017, the Planning Commission recommended the formation of a CLUP Steering Committee to more intensely focus on the strategies identified in the plan. This group decided to focus primarily on Key Strategy #8 “Planning for remaining vacant parcels” since the Town has a limited amount of remaining vacant parcels. In this capacity, the committee identified priority areas in Town that are particularly critical to the Town’s future.

This focus led to public visioning sessions and amendments to the Future Land Use Map in the Watt Road, Outlet Drive, Snyder Road, and McFee Road portions of Town. In most cases, these priority areas are gateway areas and are important to the Town’s image and what it wishes to convey as a community. The Steering Committee has also prioritized Strategy 1 “Bringing about a downtown” as a critical element for the Town’s future and establishing its identity.

At the workshop session, staff will review the plan as a whole and note actions that have been taken in relation to the 8 strategies identified in the CLUP since the plan was adopted by the Planning Commission. Staff will also review some text amendments that should be considered to ensure that the plan is consistent with the map. Some of the areas include the following:

- 1) That the text of the CLUP provide for a Land Use Description section for the High-Density Residential land use and that multi-family residential would only be prescribed for this land use and provided for in the Mixed-Use Neighborhood and Mixed-Use Town Center land use areas;
- 2) The Medium-Density Residential land use is currently described in the CLUP in very broad terms. The description section for this land use needs to be revised so that it is clear and would only apply to attached single-family and small lot detached single-family. Multi-family would only be prescribed in High Density Residential, Mixed-Use Neighborhood, and/or Mixed-Use Town Center land uses;
- 3) The densities currently described in the CLUP for Low Density Residential and Very Low Density Residential need to be re-visited to reflect the densities typically seen in the Town of Farragut. Low Density Residential may also include a mixture of small lot detached and small scale attached single-family (duplexes). This may be a good land use for infill or transitional areas; and
- 4) Table 3-1 in the CLUP will need to be revised to reflect changes that are ultimately recommended by the Planning Commission to both the map and text of the CLUP.

Included in your packet are the applicable pages from the existing text of the CLUP related to the above discussion items.

5 Medium density residential

Intent

- Increase diversity of housing choices in Farragut
- Allow/encourage significant residential uses within walking distance of pedestrian-oriented commercial uses such as hubs or mixed use neighborhoods.
- Ample pedestrian amenities such as parks, trails, or landscaping.
- Connect to existing or potential pedestrian ways.
- 'Gridded' or semi-gridded street network.

Location

- Vacant/underdeveloped parcels near major roadways.
- Areas with a similar existing density (built or zoned).
- Adjacent to non-residential uses.
- Proximate to mixed use.
- Near large parks.

Density

- 6-12 units per acre.

Character

- A mix of attached and detached housing types. May include single-family houses as well as small multi-family dwellings such as duplex, triplex, townhomes, and small condo/apartment buildings.



Figure 31: Residential land uses (Medium density, Low density, and Very low density residential).

Residential land uses

residential land uses are intended to increase housing option while preserving the town's existing stable neighborhoods. (See [Chapter 2: Smart City Strategies](#), Strategy 3: Allowing/Encouraging Greater Housing Choice.)



Figure 32: Medium density residential character.

6 Low density residential

Intent

- Protect existing low and very low density subdivisions and neighborhoods.
- Foster on-going development of the predominant Farragut housing type.

Location

- Served by local streets.

Density

- 3-6 units per acre.

Character

- Single-family detached housing.
- Encourage a mix of lot sizes to add some diversity, avoid "cookie cutter" subdivisions.
- Suburban.



Figure 33: Low density residential character.

7 Very low density residential

Intent

- Protect existing very low density subdivisions by allowing/encouraging adjacent and infill development that is compatible.
- Foster on-going development of the predominant Farragut housing type.

Location

- Stable, very low density subdivisions.
- Served by local roads, buffered from major roadways.

Density

- 2-4 units per acre.

Character

- Primarily single-family, detached housing.
- Mix of lot sizes to avoid "cookie cutter" character and to preserve the existing informal character of most of these neighborhoods.
- Encourage a mix of lot sizes to add diversity, avoid "cookie cutter" subdivisions.



Figure 34: Very low density residential character.

8 Rural residential

Intent

- Preserve and protect existing rural areas within Town as a lifestyle.
- Maintain open vistas and rural image of Farragut.

Location

- Existing rural parcels.
- Served by local roads.

Density

- A mix of lot sizes, usually 1 acre and larger, with an average of 3-acre lots.

9 Open space cluster residential

Intent

- Cluster development to preserve sensitive lands including steep slopes, flooding, sinkholes, ridge lines, mature tree stands, and wetlands.

Location

- Large areas, known or suspected to have significant environmental constraints.

Density

- ### Character

- Generally larger lots, with an estate or agricultural character.
- Uses include those typically associated with agriculture, including farming, livestock, nurseries, greenhouses, or can be solely residential.
- Rural designation will encourage clustering to preserve areas of active agriculture.



Figure 35: Rural residential character.



Figure 36: Residential land uses (Rural and Open space cluster residential).

Land Use/Zoning Conversions

Table 3-1 correlates future land use designations with the closest current town zoning categories. It is best to have consistency between land use and zoning. Farragut's existing zoning designations may not be adequate to translate land use designations into recommended uses. This plan recommends a mix of uses in several locations. Existing zones do not permit this mix.

To allow these uses and ensure that the comprehensive plan land uses can be 'applied', use one of the following:

1. Adding residential in existing categories, as use by special review to ensure that residential amenities are provided. (use by special review can be problematic as all conditions must be specified and if met, must be granted.)
2. The creation of several new zoning categories that would only apply to new development.

In either case, the form of the buildings is as, or more important than, the use. The goal should be buildings that can adapt themselves to a changing market over time and what is to be avoided is single use buildings that become outmoded and are often left vacant for prolonged times before they are replaced. For example, in a new mixed use office zone, if the buildings are placed adjacent to the street, the majority of the ground floor uses would be office, but a small commercial use 'coffee-shop, office supplies' might be justified by the market. And if over time the market justified additional commercial, the building could easily adapt. If an executive suite were desired, it could fit in. This would not be possible in a typical office park arrangement where the buildings are surrounded by parking lots.

Table 3-1: Future Land Use / Zoning Conversions

Land Use Types	Density	Closest Existing Zone
Mixed use town center	8-15 units per acre	TCD
Mixed use neighborhood	6-10 units per acre	n/a
Commercial	4-7 units per acre*	C-1, C-1-3,
Regional commercial	n/a	C2-R/W
Medium density	6-12 units per acre	R-6
Low density	3-6 units per acre	R-4, R-5
Very low density	2-4 units per acre	R-1, R-2
Rural residential	1 acre or larger	A
Open space cluster residential	Varies by restraints and base zone	OSR, OSMR
Office/light industrial	4-7 units per acre*	O-1, O 1-3, O 1-5
Open space	n/a	OS-P
Parks and recreation	n/a	OS-P
Civic/institutional	n/a	S, S-1

*Residential density requires adequate pedestrian amenities (see individual land use for more info)