

John Roberts
Mayor

City of Red Bank
Municipal Planning Commission

Randall G. Smith
City Manager

WORK SESSION AGENDA
May 14th, 2018
6:00 pm
Red Bank Community Center

I. CALL TO ORDER

II. ROLL CALL – Secretary – Billy Cannon

☐ Commissioner Cannon

☐ Commissioner Baker

☐ Commissioner Hafley

☐ Commissioner Smith

☐ Commissioner Browder

III. Agenda items for the April 19th regular planning commission meeting:

A. CONSIDERATION OF THE MINUTES

1. April 19th, 2018

B. NEW BUSINESS

1. Midvale Highlands Revised PUD Plan and Subdivision Plat
2. Zoning Ordinance Amendment to Outdoor Storage Regulations
3. City Code Amendment to the Red Bank Sign Ordinance
4. Discussion of Zoning Ordinance Amendments and Table of Uses

C. UNFINISHED BUSINESS

D. OTHER BUSINESS

IV. ADJOURNMENT

John Roberts
Mayor

City of Red Bank
Municipal Planning Commission

Randall G. Smith
City Manager

REGULAR MEETING AGENDA
May 17th, 2018
6:00 pm
Red Bank Community Center

I. CALL TO ORDER

II. ROLL CALL – Secretary – Billy Cannon

☐ Commissioner Cannon

☐ Commissioner Baker

☐ Commissioner Hafley

☐ Commissioner Smith

☐ Commissioner Browder

III. INVOCATION – Commissioner Baker

IV. PLEDGE OF ALLEGIANCE – Commissioner Hafley

V. CONSIDERATION OF THE MINUTES

A. April 19th, 2018

VI. NEW BUSINESS

A. Midvale Highlands Revised PUD Plan and Subdivision Plat

B. Zoning Ordinance Amendment to Outdoor Storage Regulations

C. City Code Amendment to the Red Bank Sign Ordinance

D. Discussion of Zoning Ordinance Amendments and Table of Uses

VII. UNFINISHED BUSINESS

VIII. OTHER BUSINESS

IX. ADJOURNMENT



John Roberts
Mayor

MUNICIPAL PLANNING COMMISSION

Randall G. Smith
City Manager

MINUTES
April 19, 2018
6:00 p.m.
Red Bank City Hall

I. CALL TO ORDER

Commissioner Cannon called the meeting to order at 6:00 pm.

II. ROLL CALL

Commissioner Cannon called the roll. Commissioners Cannon, Smith and Baker were in attendance. The City Manager and the Commission's planning advisor from the Southeast Tennessee Development District were also present. Additional attendees are included on the sign-in sheet and in the below minutes.

III. INVOCATION

Commissioner Baker gave the invocation.

IV. PLEDGE OF ALLEGIANCE

Commissioner Cannon led the pledge of allegiance.

V. CONSIDERATION OF THE MINUTES

A. March 15th, 2018 Meeting Minutes

Motion by Commissioner Smith to approve the March minutes as revised. Second by Commissioner Baker. Motion passed unanimously.

VI. NEW BUSINESS

A. Zoning Map Amendment, 128 Goodson Ave, R-1 to R-T/Z

Staff gave an overview of the proposed rezoning at 128 Goodson Avenue.

The applicant, Lynn Bodine, came forward to give an overview of the his plans to subdivide the property into two lots and build a home on each lot. Commissioner Baker asked how large the homes would be. Lynn Bodine responded that the homes would be 1,600 square feet in size. He also noted that there would be ample space for the required off-street parking.

Motion by Commissioner Smith to recommend approval of the zoning map amendment to rezone the property at 128 Goodson Avenue from R-1 Residential to R-T/Z Residential Townhouse / Zero Lot Line. Second by Commissioner Cannon. Motion passed unanimously.

B. Zoning Map Amendment, 252 Hedgewood Ave, R-1 to R-T/Z

Staff gave an overview of the proposed rezoning. Staff noted that unopened street shown in the development would need to be paved to city standards in order to meet the Red Bank Subdivision Regulations.

The application, Tyler Smith, came forward to give an overview of his site plan to the Commission and the other public hearing attendees. Mr. Smith believed that his proposed development would fill out the neighborhood and remove an eyesore in the community. Mr. Smith pointed out that the site plan had been revised to create space to back up in driveway and avoid backing out onto Hedgewood Avenue.

Sabrina Daniel at 107 Lynda Drive said she was concerned about the high density and home design. She said that Duncan Hills is a bungalow neighborhood and believed the modern style would clash with the surrounding Duncan Hills neighborhood. She was worried that R-T/Z development would worsen traffic.

Adam Holland, an attorney representing his mother at 102 Alden Avenue, said that his mother was concerned with a contextual overlay problem. The number of homes is out of character with the surrounding neighborhood. Development here it needed, but too intense.

Peter Phillips at 217 W Newberry Street spoke in support of the applicant. He noted that Tyler Smith did a great job renovating his business on Dayton Boulevard.

A resident at 119 Lynda Drive said she was concerned with number of homes and how cars would be entering Hedgewood Avenue.

Charles Gardner at 108 Lynda Drive expressed concern about plans to backfill the ditch. He asked what would prevent the homes from sinking. He was also concerned about the amount of run-off from the site. Mr. Gardner ask believed that the high-density development proposed would create traffic problems.

Mandy Moore at 118 Alden Avenue asked what the applicant will be doing with the existing home. Mr. Smith responded that they would be divided into townhomes. Ms. Moore said she did not see how it was possible to put all the homes on Hedgewood and that it seems dangerous for traffic. She asked about his timeframe for the project. Mr. Smith responded that the proposed development would be built out over two years.

Joy Goins of 211 Hedgewood said she wanted Mr. Smith to do something, but believed this development was going to stand out and clash with Duncan Hills. She believed there was a need for a traffic light at this dangerous hill. Ms. Goins believed the development would need to address drainage and traffic issues. She noted that people only have one way out of Duncan Hills.

Amy H at 102 Alden Avenue said she looks down on the property and sees everything. She asked Mr. Smith if he would put up a privacy fence. Mr. Smith responded that there would be screening trees installed as required by the Red Bank Zoning Ordinance.

Barrett Taylor of 115 Alden Avenue spoke in support of the Hedgewood R-T/Z rezoning. He said that something needs to happen on Hedgewood and Tyler has invested a lot of time and money to make something happen. He said he agreed with traffic concerns, but noted that this is a city issue.

Bob Eichler at 108 Alden Ave suggested a three way stop or a speed bump at Lynda that would protect the bus stop. Commissioner Cannon asked the City Manager about passed studies of traffic counts on Hedgewood. The City Manager responded that there is a plan to study traffic counts on this road.

Commissioner Cannon asked Mr. Smith about stormwater BMPs recommended by the county to use pervious surfaces. Mr. Smith noted that he was familiar with several, including pervious pavers that his company used for a townhome. Cannon noted that pervious concrete worked well. Mr. Smith explained that these are net zero homes, and we can also consider capturing greywater or storing rain water.

Commissioner Baker asked how the City addresses question of homes being out of character with the neighborhoods.

Mr. Smith said that the aesthetic on Hedgewood is a hodge-podge of different homes. He said that his homes would have a modern style. Mr. Smith said that property values will undoubtedly increase as a result of the development.

Ms. Goins asked Mr. Smith if he was planning to sell or rent. Mr. Smith responded that they are planning to sell all homes except for the back two single family homes.

Mike Holland asked if the driveways would allow cars to turn around on the property. Mr. Smith confirmed this.

Motion by Commissioner Smith to recommend approval of the zoning map amendment to rezone 252 Hedgewood Avenue from R-1 Residential to R-T/Z Residential Townhouse / Zero Lot Line, subject to the following conditions.

- (a) The applicant shall pave the unopened street shown on the site plan to the development standards of the City of Red Bank for open and publicly maintained streets; and**
- (b) The applicant shall install a professionally engineered stormwater BMP to address stormwater issues on and around the subject property.**

Second by Commissioner Cannon. Motion passed unanimously.

C. City Code Amendment to Red Bank Design Review Standards

Staff gave an overview of the proposed changes to the Design Review Standards, including changes to the application process and changes to streetscape and sidewalk standards.

Staff noted that sidewalks would be the responsibility of the City to install, ut that language was included that would allow the City to charge a fee-in-lieu to help finance sidewalk improvements as required in the Design Review ordinance. Commissioner Baker asked for clarification on how a fee-in-lieu would work. The City Manager explained how a special fund could be set up within public works, assuming the board of commissioners would approve the establishment of a fee-in-lieu

Motion by Commissioner Smith to recommend approval of the design review ordinance amendment as written. Second by Commissioner Cannon. Motion passed unanimously.

D. City Code Amendment to the Red Bank Sign Ordinance

Motion by Commissioner Baker to table agenda items D and E for the May meeting of the Red Bank Planning Commission. Second by Commissioner Smith. Motion passed unanimously.

E. Discussion of Zoning Ordinance Amendments and Table of Uses

VI. UNFINISHED BUSINESS

IX. ADJOURNMENT

Commissioner Baker moved to adjourn; second by Commissioner Smith. Adjourned at 7:50 PM.

Chairman



Southeast Tennessee Development District
1000 Riverfront Parkway
Chattanooga, TN 37405
Phone: (423) 266-5781
www.sedev.org

MEMORANDUM

To: Members of the Red Bank Planning Commission
Cc: Tim Thornbury, Public Works Director; Rocky Chambers, Chattanooga Engineering Group
From: Brian Taylor, Regional Planner
Date: May 9, 2018
Subject: Midvale Highlands Revised PUD Plan

SUMMARY

Property Address:	1777 to 1807 Seven Pines Lane, Red Bank, TN		
Tax ID:	Tax Map 126F Group G Parcels 001-070; Tax Map 126K Group B Parcel 002.01 ; Tax Map 126F Group F Parcels 013 and 015		
Deed Book:	DB 11057 P 0006, DB 11057 P 0003, DB 11080 P 0446, DB 11080 P 0511, DB 11082 P 0490, DB 11114 P 0135		
Property Owner:	November Papa Properties LLC, RTB Holdings LLC		
Present Zoning:	R-3 (PUD)	Area:	18.07 acres
Purpose:	Reduced rear setbacks and lot line revisions		
Background:	Chattanooga Engineering Group has submitted a revised PUD Plan on behalf of November Papa Properties LLC for the Midvale Highlands Planned Unit Development, located on 18.07 acres of property on the ridge above Ashmore Avenue. A preliminary PUD plan was submitted by Bell Development and approved in March 2016. The final PUD plan and corresponding final plat was approved by the Planning Commission in March 2017 and recorded with the Hamilton County Register of Deeds. The revised Midvale Highlands PUD plan adds a strip of property to the PUD that increases the depth of lots 2 through 17. A revised final plat showing lot line revisions has also been submitted with this PUD plan.		
Recommendation:	Approval of PUD and revised final plat.		

ANALYSIS

The revised Midvale Highlands PUD plan proposes expands the boundaries of the PUD by consolidating a strip of land purchased from adjacent land owners into lots 2 through 17. This revised PUD plan will allow the developer to construct larger homes on these lots while still maintaining the required 25-foot rear setback.

Figure 1. Existing Lots Affected by Revised Midvale Highlands PUD Plan

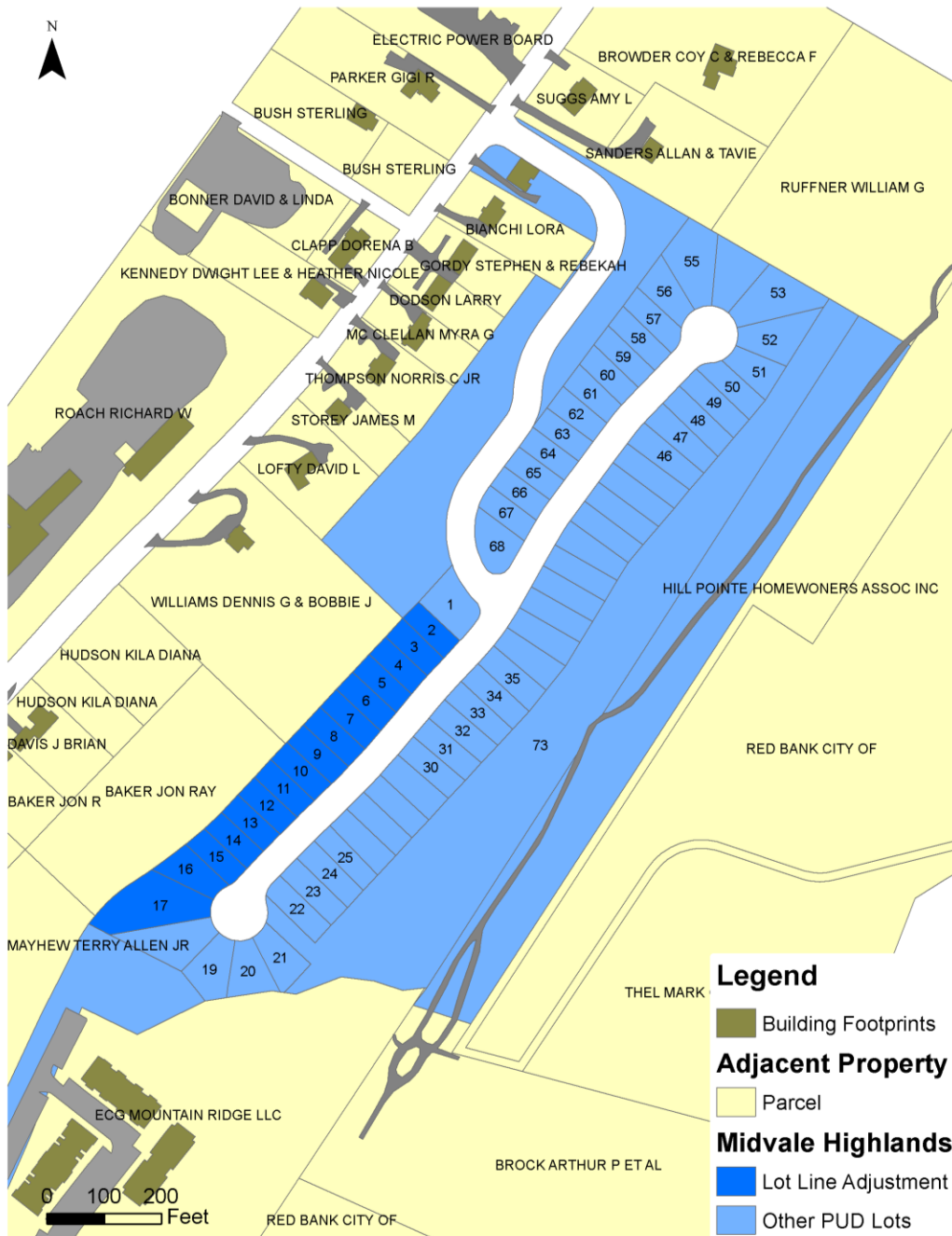


Figure 2. Excerpt from Revised Midvale Highlands Plat, submitted May 2018

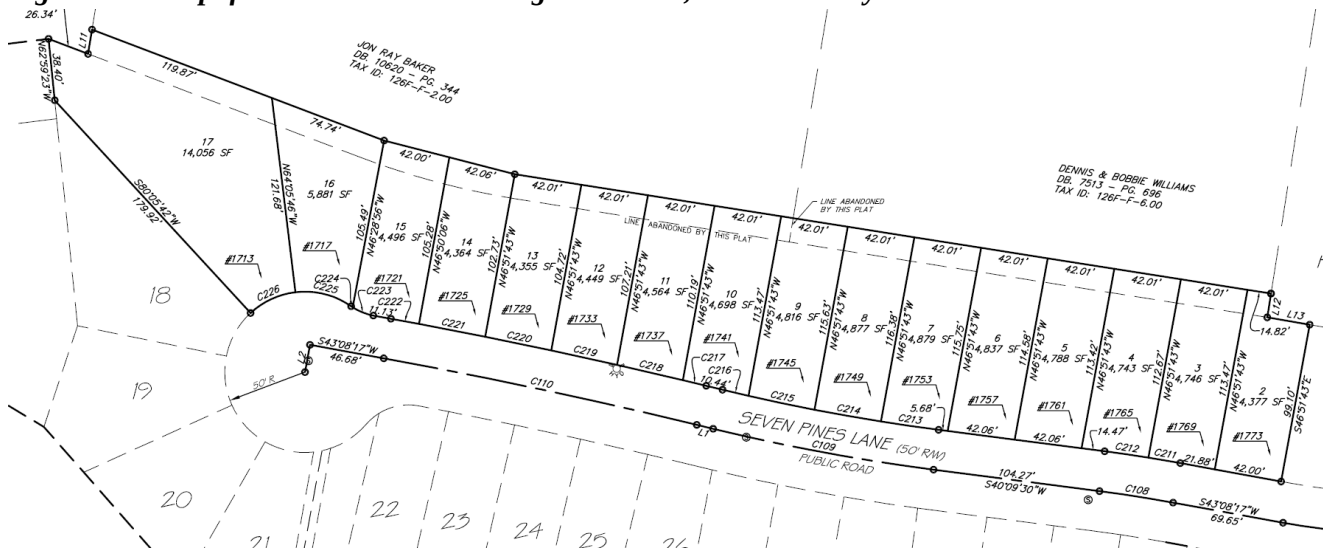
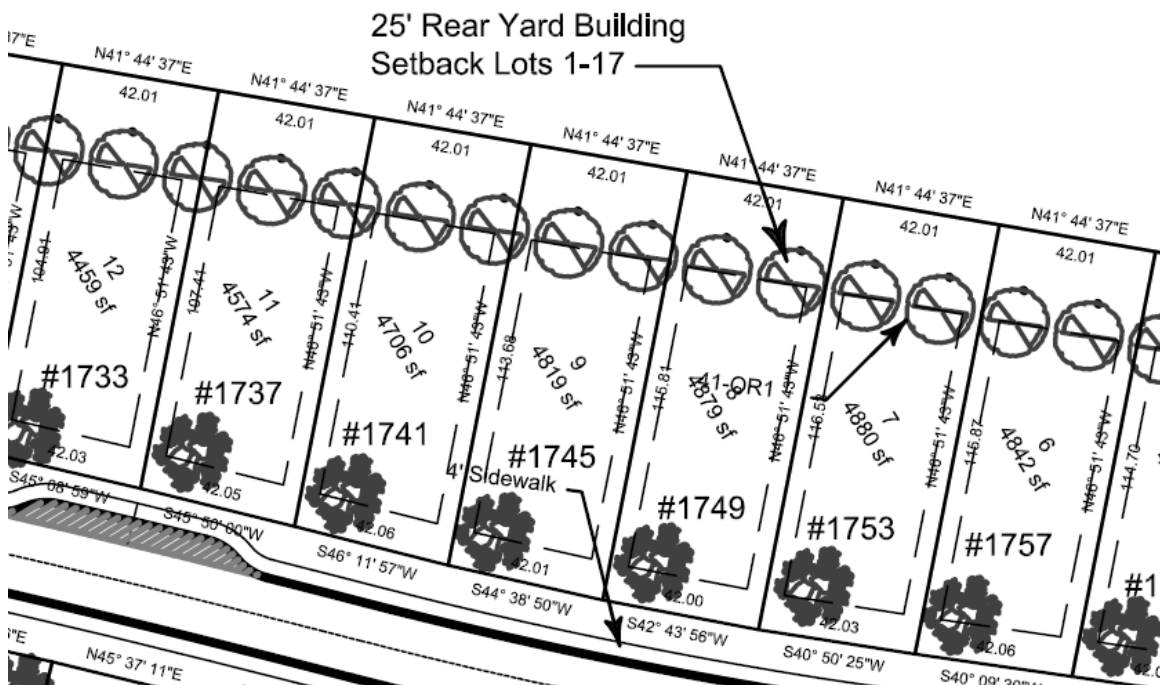


Figure 3. Excerpt from Revised Midvale Highlands PUD Plan, submitted May 2018



Lot Line Adjustment

The lot line adjustment increases the depth of lots 2 through 17 in the Midvale Highlands PUD by approximately 15 feet. This lot line revision will have little to no impact on the compatibility of the PUD with the adjacent residential properties.

Subdivision Regulations

The revised PUD Plan and revised final plat meet all requirements in the Red Bank Subdivision Regulations.

Zoning Ordinance

The revised PUD Plan meets all dimension requirements in the Red Bank Zoning Ordinance.

Final Plat Clerical Corrections

The following clerical corrections are required on the revised final plat.

- Add signature lines under the ownership and dedication certificate for the adjacent landowners involved with the lot line revision.

RECOMMENDATION

Staff recommends approval of the revised Midvale Highlands Final PUD Plan and the revised final plat.

The following clerical corrections are required on PUD Plan.

- Add signature lines for Jon Ray Baker and Dennis & Bobbie Williams.

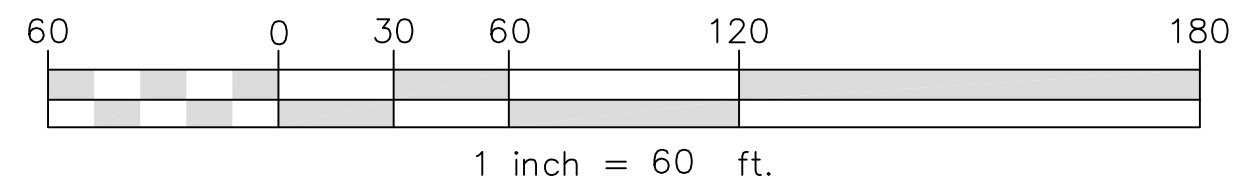
Note: This recommendation is subject to change if information contrary to this analysis is presented between now and the time of approval.



LOCATED ON ASHMORE AVENUE IN THE CITY OF RED BANK, HAMILTON COUNTY, TENNESSEE.

DATE: 5-3-18, Rev. 3.1

SCALE: 1"=60'



1. PUD cannot be expanded beyond its current boundary.
2. Cannot expand the number of lots platted.
3. No houses allowed on community lots.
4. Sidewalks and landscaping to be added at time of home construction to each lot prior to Certificate of Occupancy.

Variances granted by BZA from Zoning Ordinance

A variance from Section 14-307.09(B) requiring that sidewalks to be installed throughout the PUD to exempt the developer from constructing sidewalks along the access road to Ashmore Ave.

Variances granted by Planning Commission from Subdivision Regulations

A variance from Section 303 requiring pavement width of 26 feet to allow for roads that are 20 feet in width. A pavement width of 26 feet is still required around fire hydrants.

A variance from Section 303.11 requiring a road grade greater than 12% for over 400 feet to allow a 650 foot section of the access road to be constructed at a 15% grade.

Curve Table			
Curve #	Length	Radius	Delta
C40	28.86	20.00	082°39'48"
C46	46.71	360.22	007°25'48"
C47	73.33	175.00	024°00'30"
C43	0.84	35.00	001°22'33"
C42	36.91	50.00	042°17'31"
C40	31.25	50.00	039°48'32"
C39	31.25	50.00	039°48'32"
C38	31.25	50.00	039°48'32"
C37	36.71	50.00	042°04'07"
C35	25.74	37.54	039°17'12"
C33	40.18	504.96	004°33'34"
C32	41.05	415.66	005°39'51"
C29	7.48	375.00	001°08'38"
C28	41.28	383.20	006°00'52"
C27	6.95	294.09	001°21'16"
C26	6.74	74.44	000°41'30"
C25	23.98	35.53	039°10'29"
C24	24.35	58.46	023°51'59"
C23	34.36	47.24	014°40'00"
C21	30.45	48.73	038°45'30"

Curve Table			
Curve #	Length	Radius	Delta
C20	31.25	50.00	035°48'29"
C15	11.37	50.00	013°01'50"
C6	14.50	111.32	007°27'42"
C5	42.06	430.67	005°35'46"
C4	7.70	345.20	001°16'38"
C3	39.69	131.09	017°20'50"
C2	39.93	20.00	114°22'46"
C1	118.60	123.22	055°08'49"

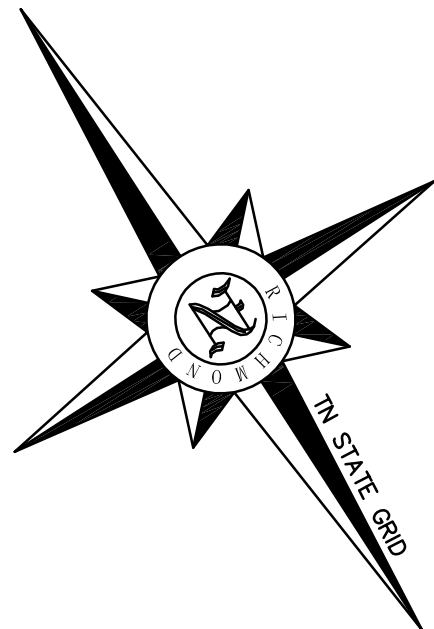
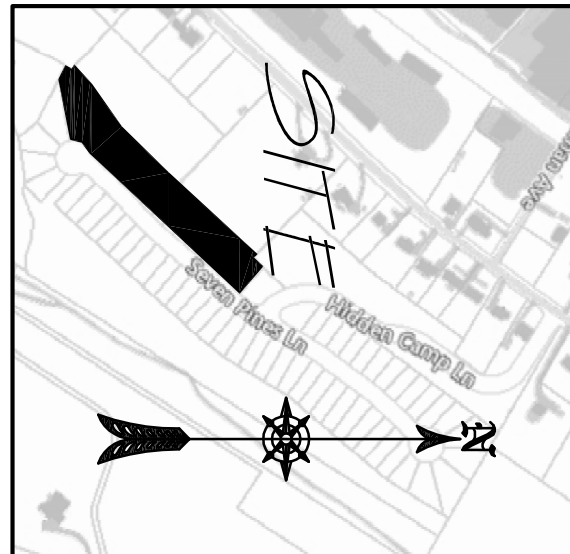
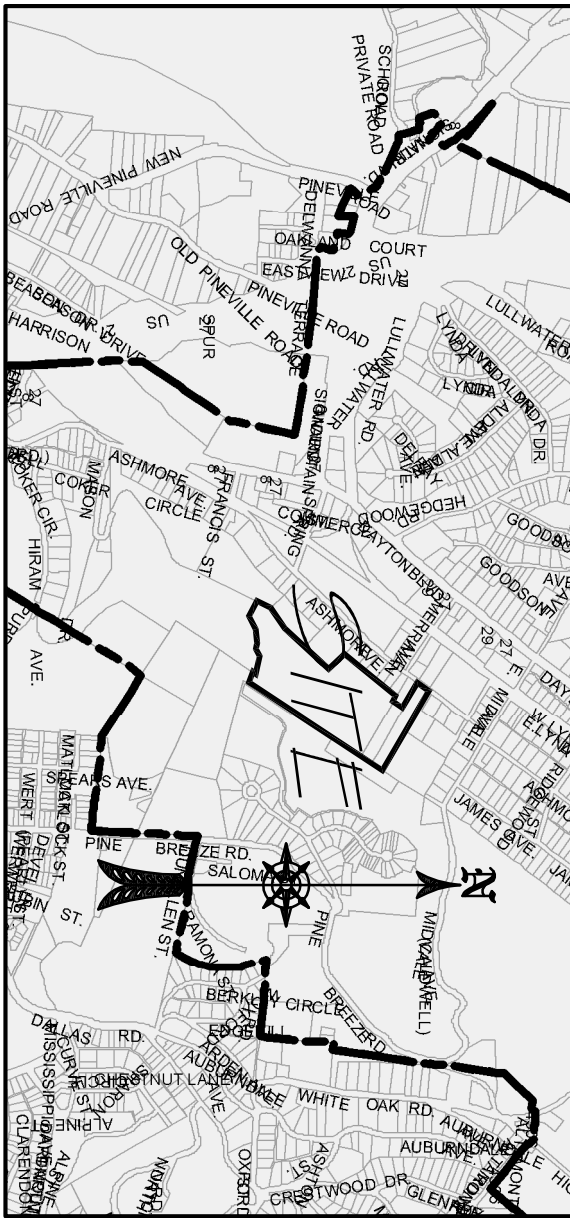
OWNER-DEVELOPER
NOVEMBER PAPA PROPERTIES LLC
1644 ROSSVILLE AVE
Chattanooga, TN 37408

**CHATTANOOGA
ENGINEERING GROUP**
400 East Main Street, Suite 130
Chattanooga, TN 37408

Phone: 423-600-9110

www.ChattanoogaEngineeringGroup.com

Qty	Code	Scientific Name	Common Name	Planting Size	Notes
Proposed Class I Trees					
4	BR	<i>Betula nigra</i>	River Birch	1.5" Cal. min.	
Proposed Class II Trees					
44	CF	<i>Cornus florida</i>	Flowering Dogwood	1.5" Cal. min.	25' Spacing on west side of entrance road, 50' spacing on east side of entrance road
73	OR1		Ornamental Variety 1	10" Ht. min.	20' Spacing
68	OR2		Ornamental Variety 2	10" Ht. min.	One in each front yard.
Proposed Shrubs					
13	PS	<i>Prunus laurocerasus</i>	Schip Laurel	5 gal	25' Spacing on west side of entrance road, 50' spacing on east side of entrance road
9	TG	<i>Thuja standishii</i> x <i>plicata</i> "Green Giant"	Green Giant Arborvitae	6"-8" Ht.	10' Spacing
40	PA	<i>Pachysandra procumbens</i>	Allegheny Spurge	1 gal	2' Spacing
8	LR	<i>Loropetalum chinense</i> "Ruby"	Ruby Loropetalum	5 gal	3' Spacing
8	HP	<i>Hydrangea paniculata</i> "Dyppinky" PINKY-PINKY	Pinky-Winky Hydrangea	5 gal	5' Spacing
16	VD	<i>Viburnum davidii</i>	David Viburnum	5 gal	3' Spacing
9	MP	<i>Maclurehbergia capillaris</i>	Pink Muhlygrass	5 gal	3' Spacing
12	AR	<i>Abelia</i> x "Rose Creek"	Rose Creek Abelia	1 gal	2' Spacing
12	LP	<i>Ligustrum amurense</i>	Privet	3 gal	3' Spacing
3	TA	<i>Thuja occidentalis</i> "Degroot's Spire"	American arborvitae	5 gal	4' Spacing



REVISED PLAT

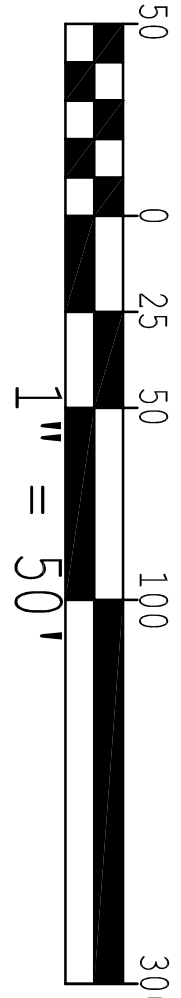
LOTS 2 - 17

MIDVALE HIGHLANDS SUBDIVISION

BEING A REVISION OF LOTS AS RECORDED IN PB. 108 - PGS. 135-137, LOCATED ON SEVEN PINES DRIVE, LYING IN THE CITY OF RED BANK, HAMILTON COUNTY, TENNESSEE.

DATE: 5-06-2018

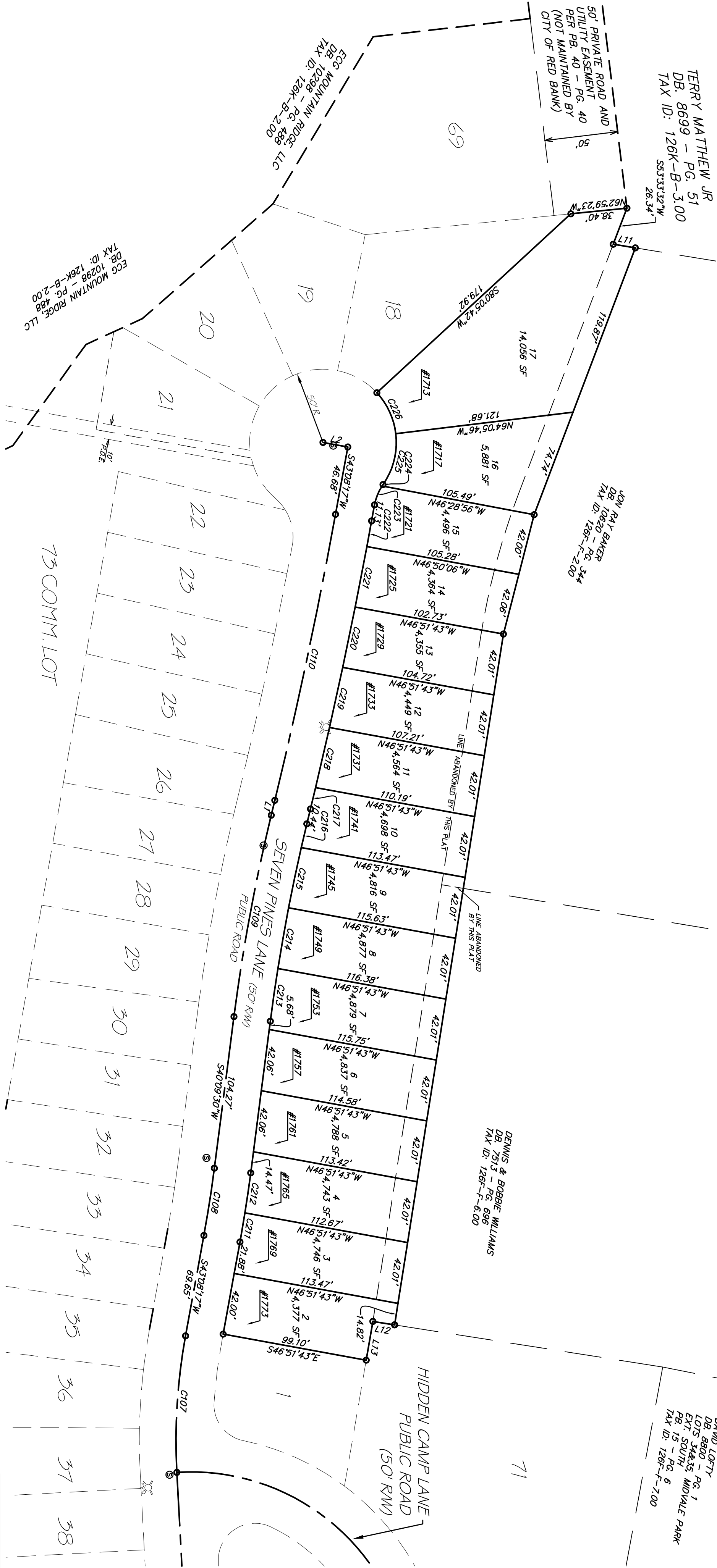
SCALE: 1" = 50'



APPROVED FOR RECORDING
HAMILTON COUNTY GIS DEPT
DATE _____
BY CHATTA/HAM CNTY WMTA
DATE _____
JURISDICTIONAL AUTHORITY
DATE _____
BY _____
RECORD PLANNING COMMISSION
DATE _____
BY _____

NOTES

1. PROPERTY ZONED R-3 (RUD)
2. TOTAL AREA DIVIDED: 1.85 ACRES
3. THIS SUBDIVISION HAS BEEN DESIGNED ACCORDING TO THE DESIGN STANDARDS OF THE TENNESSEE DEPARTMENT OF REVENUE, DIVISION OF REVENUE, AND THE CITY OF RED BANK.
4. THIS PLAT SHOWS PROPERTY DESCRIBED BY DEED RECORDED IN R.O.H.C.:
- DB. 11057 - PG. 6, RIGHT (LOTS 2-6, 8, 11-13 & 15-16)
- DB. 11228 - PG. 28 (LOT 7)
- DB. 11261 - PG. 712 (LOT 9)
- DB. 11272 - PG. 539 (LOT 10)
- DB. 11292 - PG. 299 (LOT 14)
- DB. 11292 - PG. 650 (LOT 17)
5. 1 = LOT NUMBER
6. TAX ID: MAP 126 - GROUP G - PARCELS 54.00 - 69.00
7. WATER BY: TENNESSEE AMERICAN
8. SEWER AVAILABLE BY HOWMIRA
9. NO BUILDING PERMIT IS TO BE ISSUED FOR A RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL BUILDING ON THE COMMUNITY LOT. THE COMMUNITY LOT IS TO BE USED FOR RESIDENTIAL PURPOSES ONLY. THE HOMEOWNERS ASSOCIATION (HOA) IS TO BE ASSUMED BY THE DEVELOPER UNTIL THE LOT(S) IS DEED TO THE HOME OWNERS IN THE SUBDIVISION, OR TO A HOMEOWNERS ASSOCIATION. THE FINAL PUD PLAN WAS APPROVED BY RED BANK PLANNING COMMISSION ON MARCH 16, 2017.
10. MINIMUM BUILDING SETBACKS: (AS PER APPROVED PUD PLAN)
FRONT - 10' REAR - 25' SIDELINE - 5'
11. IRON PINS WITH CAPS PLACED ON ALL LOTS CORNERS, IRON PINS WITH CAPS PLACED ON ALL LOTS CORNERS ON 10' OF SLOPE, WHERE NEEDED.
12. VARIANCES:
A variance granted by BZA from Zoning Ordinance
A variance from Section 14-307.09(b) resulting that setbacks to be installed throughout the PUD to exempt the developer from constructing sidewalks along the access road to Astmore Ave.
A variance from Section 14-302.01 to allow for the placement of screening along the screening required along the northwest property line between the PUD and the R-1 zoning district.
A variance granted by Planning Commission from Subdivision Regulations
A variance from Section 303 requiring pavement width of 26 feet to allow for roads that are 20 feet in width. A pavement width of 26 feet is still required for the access road to Astmore Ave.
A variance from Section 303.11 requiring a road grade greater than 12% for over 400 feet to allow a 650 foot section of the access road to be constructed of a 15% grade.
13. AS PER FEMA FIRM PANEL NO. 470650C0336 (DATED 2-03-2016), THIS TRACT DOES NOT LIE IN A FLOOD HAZARD AREA.



CERTIFICATION OF OWNERSHIP AND DEDICATION OF RIGHTS-OF-WAY

I, we hereby adopt this as my/our plan of subdivision and certify that the rights-of-way are dedicated to the public use forever. I, we also certify that the dedication of the rights-of-way is irrevocable and that I/we am/are the owner(s) of the property shown in fee simple, and dedicate the lots so specified on the plat to the City of Red Bank.

INDUSTRY PAPA PROPERTIES, LLC DATE
CHATTANOOGA, TN 37409
PHONE: 423-475-6915
R144 ROSSVILLE AVENUE DATE
CHATTANOOGA, TN 37409
PHONE: 423-475-6915
SEVEN PINES LANE DATE
CHATTANOOGA, TN 37405
PHONE: 423-602-9170

ENGINEER'S CERTIFICATION

I, hereby certify that I have designed all drainage structures, with stormwater flows in excess of the capacity of a 42" diameter concrete stormwater pipe, on this plat and that the design meets proper engineering criteria.

CHATTANOOGA ENGINEERING GROUP DATE
400 E. MAIN STREET, SUITE 120
CHATTANOOGA, TN 37405
PHONE: 423.602.9170

SURVEYOR'S CERTIFICATION

I hereby certify that I have surveyed the property shown hereon, that this survey is correct to the best of my knowledge and belief and that I am a duly licensed surveyor of the unadvised survey is greater than 1' per 10,000 as shown hereon.

RICHMOND SURVEYING COMPANY DATE
363 1st STREET, SW
CLEVELAND, TN 37311
PHONE: 423.479.7749

Curve #	Delta	Radius	Curve Length	Ch. BEARING	Ch. DISTANCE
C107	0033°37'	48.00	40.00	S36°37'34"	53.33
C108	0025°47'	23.50	80.00	S41°38'54"	64.38
C109	000°45'	48.00	158.88	S32°16'53"	159.87
C110	000°35'	48.00	346.88	S18°44'34"	346.88
C111	001°32'	10.00	916.88	S21°32'55"	2012
C112	001°43'	13.75	916.88	S42°38'11"	2137
C113	001°39'	16.16	1026.88	S35°39'13"	2355
C114	001°53'	21.00	1026.88	S42°46'22"	2400
C115	001°53'	21.00	1026.88	S44°41'16"	2402
C116	000°45'	48.00	1026.88	S46°01'28"	1168.8
C117	000°13'	7.48	3502.88	S46°08'07"	42.00
C118	000°13'	7.48	3502.88	S46°08'07"	42.00
C119	000°13'	7.48	3502.88	S46°08'07"	42.00
C120	000°45'	21.00	3502.88	S46°27'08"	42.00
C221	000°45'	21.00	3502.88	S46°27'08"	42.00
C222	000°45'	21.00	3502.88	S46°27'08"	42.00
C223	000°45'	21.00	3502.88	S46°27'08"	42.00
C224	000°45'	21.00	3502.88	S46°27'08"	42.00
C225	000°45'	21.00	3502.88	S46°27'08"	42.00
C226	000°45'	21.00	3502.88	S46°27'08"	42.00
C227	000°45'	21.00	3502.88	S46°27'08"	42.00
C228	000°45'	21.00	3502.88	S46°27'08"	42.00
C229	000°45'	21.00	3502.88	S46°27'08"	42.00
C230	000°45'	21.00	3502.88	S46°27'08"	42.00
C231	000°45'	21.00	3502.88	S46°27'08"	42.00
C232	000°45'	21.00	3502.88	S46°27'08"	42.00
C233	000°45'	21.00	3502.88	S46°27'08"	42.00
C234	000°45'	21.00	3502.88	S46°27'08"	42.00
C235	000°45'	21.00	3502.88	S46°27'08"	42.00
C236	000°45'	21.00	3502.88	S46°27'08"	42.00
C237	000°45'	21.00	3502.88	S46°27'08"	42.00
C238	000°45'	21.00	3502.88	S46°27'08"	42.00
C239	000°45'	21.00	3502.88	S46°27'08"	42.00
C240	000°45'	21.00	3502.88	S46°27'08"	42.00
C241	000°45'	21.00	3502.88	S46°27'08"	42.00
C242	000°45'	21.00	3502.88	S46°27'08"	42.00
C243	000°45'	21.00	3502.88	S46°27'08"	42.00
C244	000°45'	21.00	3502.88	S46°27'08"	42.00
C245	000°45'	21.00	3502.88	S46°27'08"	42.00
C246	000°45'	21.00	3502.88	S46°27'08"	42.00
C247	000°45'	21.00	3502.88	S46°27'08"	42.00
C248	000°45'	21.00	3502.88	S46°27'08"	42.00
C249	000°45'	21.00	3502.88	S46°27'08"	42.00
C250	000°45'	21.00	3502.88	S46°27'08"	42.00
C251	000°45'	21.00	3502.88	S46°27'08"	42.00
C252	000°45'	21.00	3502.88	S46°27'08"	42.00
C253	000°45'	21.00	3502.88	S46°27'08"	42.00
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C263	000°45'	21.00	3502.88	S46°27'08"	42.00
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C272	000°45'	21.00	3502.88	S46°27'08"	42.00
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C347	000°45'	21.00	3502.88	S46°27'08"	42.00
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Southeast Tennessee Development District
www.sedev.org

MEMORANDUM

To: Members of the Red Bank Planning Commission

Cc: Tim Thornbury, Red Bank Public Works

From: Brian Taylor, Regional Planner

Date: 5/8/2018

Subject: Storage Facility Amendment

SUMMARY

The City has submitted an amendment to the Zoning Ordinance that establishes business hours and frontage requirements for outdoor display and storage uses in the C-2 Central Business District and the C-3 Neighborhood Commercial District.

ANALYSIS

Section 1 of the draft ordinance amends section 404.03 (I) to prohibit outdoor display and storage in the C-2 Central Business District, **except**

- between 8:00 a.m. and 8:00 p.m., and
- provided that storage or sale shall not occupy more than 33% of the frontage space or street facing façade.

Section 2 of the draft ordinance amends section 405.06 (A) to prohibit outdoor display and storage in the C-3 Neighborhood Commercial zoning district, **except**

- between 8:00 a.m. and 8:00 p.m., and
- provided that storage or sale shall not occupy more than 33% of the frontage space or street facing façade.

An updated copy of the Zoning Ordinance is needed to ensure that these amendments are directed at the appropriated zoning districts and subsections. It appears that the C-1 Commercial District may have been inadvertently left out of the amendment. Outdoor storage and display is currently a permitted use in the C-1 Commercial district with additional requirements under Section 402.02 (L).

RECOMMENDATION

Staff recommends approval with the addition of a Section 3 to add similar business hour and frontage requirements for outdoor display and storage in the C-1 Commercial District.

APPENDIX

Summary of Proposed Revisions to Outdoor Storage and Display

SECTION 14-404. C-2 Commercial Zone (Central Business District)

404.03 Prohibited Uses

~~(I) Outdoor display, storage or sale of merchandise~~

(I) Outdoor display or storage or sale of merchandise, except between 8:00 a.m. and 8:00 p.m. and provided further that any such display, storage or sale shall not occupy more than 33 1/3% of the frontage space or of the total outdoor street facing facade of the building itself and may not obstruct the entrance to the building to pedestrian traffic.

SECTION 14-405. C-3 Neighborhood Commercial Zone

405.06 Prohibited uses and structures

~~(A) Outdoor sales, service, display or storage, except for outdoor seating for restaurants~~

(A) Outdoor display or storage or sale of merchandise, except between 8:00 a.m. and 8:00 p.m. and provided further that any such display, storage or sale shall not occupy more than 33 1/3% of the frontage space or of the total outdoor street facing facade of the building itself and may not obstruct the entrance to the building to pedestrian traffic.

ORDINANCE NO. 18-

**AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO AMEND
THE ZONING ORDINANCE AND CLARIFY THE ZONING ORDINANCE
CODIFIED AT TITLE 14, CHAPTER 4, SUBSECTION 404.03(I)**

WHEREAS, the City Commission had previously, during March, 2017, enacted amendments to Title 14 in order to regulate outdoor displays, storage and sale of merchandise in certain instances and circumstances; and

WHEREAS, the regulations thereby enacted have fallen short of one of the objectives of Ordinance No. 17-1082, amending multiple sections of the Red Bank Zoning Ordinance, in that utilization of the term “lawful business hours and when actually open for business” has proven unworkable and of little benefit to address multiple issues intended to be ameliorated by Ordinance No. 17-1082; and

WHEREAS, in order to continue to allow commercial and/or outdoor warehousing businesses and/or storage of personal property, equipment, vehicles in restricted areas and to give added definition, structure, and predictability to rules, regulations, standards and equipment within the commercial zones and to provide for more desirable development in the City; and

WHEREAS, this Ordinance has been submitted to the Planning Commission for the City of Red Bank; and

WHEREAS, the Red Bank Planning Commission held a public hearing of and with respect to this Ordinance during the course of its regularly scheduled meeting on the ____ day of _____, 2018, at which time input and comments for and against the Ordinance were heard and received by the Planning Commission; and

WHEREAS, the Red Bank Planning Commission has recommended that this Ordinance should be approved and adopted by the Red Bank City Commission; and

WHEREAS, the City of Red Bank held a duly noticed and advertised public hearing of and with respect to the terms, conditions and provisions of this Ordinance, reviewed the recommendations of the Red Bank Planning Commission at said public hearing and has given an opportunity to citizens to express their opinion for or against the terms, provisions and conditions of this Ordinance, said hearing having been held at a regularly scheduled meeting of the City of Red Bank on the ____ day of _____, 2018.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Red Bank, Tennessee, as follows:

SECTION 1. That Red Bank City Code Title 14, Chapter 4, Section 404.03(I) shall be amended as follows:

- (A) Delete (I) as written and provide instead:

(I) Outdoor display or storage or sale of merchandise, except between 8:00 a.m. and 8:00 p.m. and provided further that any such display, storage or sale shall not occupy more than 33 1/3% of the frontage space or of the total outdoor street facing facade of the building itself and may not obstruct the entrance to the building to pedestrian traffic.

SECTION 2. That Red Bank City Code Title 14, Chapter 4, Section 405.06(A) shall be amended as follows:

- (A) Delete (A) as written and provide instead:

(A) Outdoor display, storage or sale of merchandise, except between 8:00 a.m. and 8:00 p.m. and provided further that any such display, storage or sale shall not occupy more than 33 1/3% of the frontage space or of the total outdoor street facing facade of the building itself and may not obstruct the entrance to the building to pedestrian traffic.

SECTION 3. Every section, clause, and phrase of this Ordinance is separable and severable. Should any section, sentence, clause, or phrase be declared unconstitutional or invalid by a court of competent jurisdiction, said unconstitutionality or invalidity shall not effect or impair any other section, sentence, clause, or phrase.

SECTION 4. This Ordinance shall take effect from and after the date of its final passage the health, safety and welfare of the citizens of the City of Red Bank requiring it.

Mayor

City Recorder

Passed on First Reading

Passed on Second and Final Reading

Approved as to form:

City Attorney



Southeast Tennessee Development District
1000 Riverfront Parkway
Chattanooga, TN 37405
Phone: (423) 266-5781
www.sedev.org

MEMORANDUM

To: Members of the Red Bank Planning Commission
Cc: Tim Thornbury, Public Works Director; Randall Smith, City Manager
From: Brian Taylor, Regional Planner
Date: May 9, 2018
Subject: Review of City of Red Bank Sign Ordinance

SUMMARY

The City of Red Bank is proposing to repeal and replace the existing Red Bank Sign Ordinance with a revised ordinance. The revisions in the draft Sign Ordinance are extensive. This memo highlights several potential areas for review. Proposed Flag Regulations should be reviewed to ensure that they do not conflict with recent legislation passed by the Tennessee General Assembly. Proposed regulations permitting pole signs as a special exception will need to be reconciled with Design Review Standards Ordinance which prohibits pole signs.

ANALYSIS

Flag Regulations and State Legislation

The proposed regulation of flags in the draft Sign Ordinance may be in conflict with the SB 2117 / HB 2195 which amends TCA to prevent local governments from prohibiting or restricting the display of a flag on a property owner's property except when necessary to promote public health and safety.

Proposed Flag Regulations in draft Red Bank Sign Ordinance

9-844. "Flags". In addition to the display of the flag of the United States, the state of Tennessee, the County of Hamilton, the City of Red Bank, each premise may display one (1) additional flag provided that such additional flag in no case shall exceed the size of the flag of the United States displayed on the same premises. Such additional flag may be displayed only on a flagpole and only when the flag of the United States, a state within the United States, the County of Hamilton, or the City of Red Bank is being displayed on a flagpole. At no time may such additional flag be secured by any means on more than one (1) side of the flag. The foregoing limitation on the display of flags shall not apply to

stadium or athletic fields in which sporting events are routinely held.

TAPA Legislative Update – SB 2117 / HB 2195

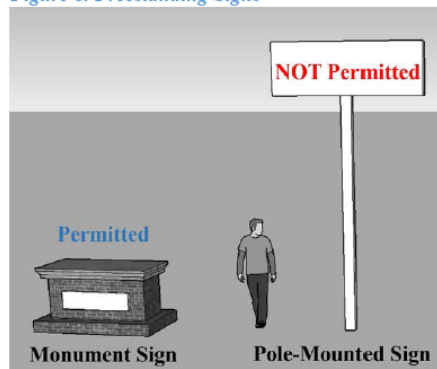
<u>SB 2117</u> by <u>*Niceley</u> (<u>HB 2195</u>) by <u>*Goins</u> Local Government, General - As introduced, prohibits local governments from adopting or enforcing regulations that prohibit or restrict the display of a flag on a property owner's property except when necessary to promote public health and safety. - Amends TCA Title 5, Chapter 5; Title 6, Chapter 54 and Title 13, Chapter 7. Analysis: The caption is descriptive. Another pre-emption. This bill came about after one city passed a sign ordinance that placed some restrictions on erecting the flag.	Senate: Introduced; referred to State & Local Comm.; on calendar for 3-21; passed; on Senate floor for 4-11; reset and on calendar for 4-16; House: Introduced; assigned to Local Gov. Subcomm.; on calendar for 2-28; passed; on committee calendar for 3-6; passed; on House floor 3-26; passed House.
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Pole Signs

Pole-mounted Signs are permitted as a special exception in the draft Sign Ordinance. However, the Design Review Standards Ordinance prohibits pole-mounted signs.

Figure 1. Excerpt from Red Bank Design Review Standards

Figure 8. Freestanding Signs



Additional Sign Regulations in the Draft Sign Ordinance

Regulations have been updated or newly established for other types of signs include wall murals, billboards and digital billboards, message centers, and monument signs.

Digital Billboards

Up to five (5) Special Exceptions Permits can be granted for digital billboards, and when one (1) such a permit is issued five (5) traditional billboards of similar size must be removed.

Wall Murals

Wall murals are permitted to be 20% of the facade that they are painted upon, and 30% if no monument or pole sign on the site is used for this purpose.

Political Signs

Political signs are defined as signs which support or oppose a candidate for public office or urge action on any other issue on the ballot of a primary, general or special election. Political signs over 32 square feet are regulated as off-premise signs. Political signs under 32 square feet must be placed at least 7' from a public street, except that poster signs no larger than 18" x 24" are permitted within 3' of public streets. All political signs may be placed 60 days before an election and shall be removed within 15 days after the election.

Excerpts from the proposed amendment to the Red Bank Sign Ordinance are included in the Appendix with important sections highlighted.

RECOMMENDATION

Staff recommends review of proposed Flag Regulations to ensure that they do not conflict with recent legislation passed by the Tennessee General Assembly. Proposed regulations permitting pole signs as a special exception should be reconciled with Design Review Standards Ordinance which prohibits pole signs. There are many other revisions to the ordinance to be considered, but additional information is needed from City staff regarding the changes that have been made and the reasoning behind those decisions.

APPENDIX

Summary of Proposed Revisions to Red Bank Sign Ordinance

4/10/18

Excerpts from the proposed amendment to the Red Bank Sign Ordinance are included below with important sections highlighted. These revisions included below are not comprehensive, and exclude many lesser changes proposed in the amendment.

9-802. Definitions. For the purposes of this chapter, the following definitions shall apply:

1. **“Auxiliary Signs”** Are signs that operate by incandescent light bulbs, Neon tube lights, or digital LED technology such as open signs, lottery signs or similar that are attached to the outside or inside of the window facade or within 5 feet of the inside or outside of the window.
6. **“Billboards”** Are considered off-premise signs and are **only permitted by a Special Exceptions Permit** issued by the Red Bank City Commission upon recommendation from the Red Bank Planning Commission. Section 9-822 through 9-825 also Section 14-403 of the Red Bank Zoning Ordinance limits the number of billboards permitted within the City.
12. **“Digital Billboard”** A Digital Billboard is an off-premise billboard sign that is digital in nature and uses LCD, LED, or similar electronic technology for providing changeable content to the billboard with a single message or any number of messages in sequence. Are considered off-premise signs and are only permitted by a Special Exceptions Permit issued by the Red Bank City Commission upon recommendation from the Red Bank Planning Commission. Section 9-822 through 9-825 Scenic Corridors established and 14-403 of the Red Bank Zoning Ordinance limits the number of permitted billboards within the City of Red Bank.
13. **“Digital Message Center”** Any electronic sign that conveys information using electronic technology. Also known as a digital changeable copy sign.
29. **“Mobile Digital Billboard”** Mobile digital billboard shall mean an off-premise billboard sign mounted upon a movable device such as truck, trailer, or similar that is digital in nature and uses LCD, LED, or similar electronic technology for providing changeable content to the billboard with a single message or any number of messages in sequence. Are considered off-premise signs and are only permitted by a Special Exceptions Permit issued by the Red Bank City Commission upon recommendation from the Red Bank Planning Commission. Section 9-822 through 9-825 Scenic Corridors established and 14-403 of the Red Bank Zoning Ordinance limits the number of permitted billboards within the City of Red Bank

30. **"Monument Sign that has no more than two (2) Occupants"** A sign that is ground mounted no larger than 32 square feet in sign area and 6 feet in height and that there is no space between the ground and the bottom of the sign that is on-premise only. Section 9-832 through 9-835.

31. **"Monument Sign that has more than two (2) Occupants"** A sign that is ground mounted no larger than 100 square feet in sign area and 8 feet in height and there is no space between the ground and the bottom of the sign that is on-premise only. Section 9-832 through 9-835.

36 **"Pole Signs"** Are Freestanding On-Premise signs or Off-Premise signs. See definitions for freestanding signs, Off-Premise signs Section 9-821 through 9-825 and On-Premise signs Section 9-836 through 9-840

37 **"Snipe sign"** Snipe sign shall mean any on-premise sign that is electrically illuminated, including neon tube lights or any style of LED digital lights or sign for which a permit has not been issued which is attached in any way to a building facade, window façade, inside or outside of the window or within five (5) feet of the inside or outside of the window or building. Including utility poles, trees, rocks, fences or post of any kind or similar in character. Except window signs will be allowed for no more than 25% percent of the total window facade area. Auxiliary signs shall be included in the 25% calculation of the total window facade area. Incidental signs are not included in the 25% calculation of the total window facade area. See definitions for Window signs, Auxiliary signs, and Incidental signs. Section 9-827 through 9-828.

38 **"Wall graphics or Wall murals"** Wall graphics or wall murals shall mean a painted scene, figure, or decorative design so as to enhance the building architecture, and which does not include written trade names, advertising or commercial messages. Wall graphics or Wall murals are permitted to be 20% of the facade that they are painted upon. Except if a monument or pole sign is not used then the graphics or mural may be increased to 30%.

9-821. Billboards or Digital billboards whether structural or mobile are not allowed within the City of Red Bank. Except by Special Exceptions permit issued by the Red Bank City Commission upon recommendation from the Red Bank Planning Commission. There shall be no more than five Special Exemptions Permits issued within the city for digital billboards.

If a Special Exceptions Permit for a digital billboard is granted by the Red Bank City Commission then five (5) traditional billboards of the same size including the structural supports thereof shall be removed from the City of Red Bank and the total number of allowable traditional billboards will be reduced by five (5).

Sections 9-822 through 9-825. Scenic Corridors Established and the Red Bank Zoning Ordinance Section 14-403 number of permitted billboards allowed within the City of Red Bank. No sign shall exceed thirty-five (35) feet in height or fifty (50) feet in width, more particularly, the highest portion of a sign or sign structure shall not exceed the lower of and

no larger than (288) square feet in sign area.

9-826. Prohibited on-premise signs and devices.

1. Use of the following on-premise signs shall be prohibited:

- (a) Portable signs, except where specifically permitted for an authorized temporary use in accordance with this chapter.
- (b) Banners in excess of thirty-two (32) square feet in sign area.
- (c) Snipe signs. See definition.
- (d) Roof signs, except balloon signs which may be permitted as temporary signs under 9-827 through 9-830 of this chapter.
- (e) Any sign printed on or attached to a vehicle and used as a stationary sign.
- (f) Freestanding signs or devices are prohibited with moving parts, wind activated, flags feather signs or animation or sound-emitting devices or similar except not to exceed 30 days by a temporary sign permit and no more than ninety (90) days running consecutive in any one calendar year.
- (g) Grand opening events not lasting more than ten (10) days are not required to be permitted but must inform the public works office of such event.
 - (i) That permanently attached message centers are allowed if built in the monument sign provided, that a sign permit is obtained pursuant to this chapter, and
 - (ii) That signs displaying messages, through lights or digital technology that vary in illumination or intensity shall be allowed, provided, that each display shall remain constant for a minimum of at least six (6) seconds.
- (h) Neon tube lights, LED digital signs or Reader boards shall not be attached to any building or window facade. Except Auxiliary Signs, Snipe signs or similar will be included in the 25% calculation of the total building or window facade. See Definitions Auxiliary signs, Snipe signs, Incidental signs.
- (i) Liquor Store Sign Requirements Title 8 Section 8-128 through 8-129 of the Red Bank Municipal code for Liquor Store Sign Requirements.
- (j) Lights which outline windows, buildings, doors on any on- premise or off-premise structures shall not blink, pulsate, flash or strobe.
- (k) Billboards Off-Premise or On-Premise Freestanding pole signs “Except by Special Exception Permit” issued by the Red Bank City Commission upon recommendation from

the Red Bank Planning Commission.

2. Except as provided in 9-827 through 9-830 the use of streamers, pennants, pinwheels, flags (other than those permitted by 9-839), tinsel and any other device which hangs freely and is intended to be wind-activated or to circulate, flap, rotate, blow or otherwise be put in motion by the wind shall be prohibited. Except Temporary signs, Special events, Grand openings, Section 9-827.
3. Any on-premise sign with a sign area exceeding (175) square feet.

9-827. **Authorized use of temporary signs, banners, Wind activated devices and Special events Grand openings and Sales events.** Banners, portable signs and balloon and inflatable signs shall be allowed on-premise for certain temporary uses only. A temporary sign permit and Fee shall be required prior to placement or erection of such sign or banner. Each occupant of a premises shall be entitled to obtain a temporary sign permit. Any such temporary sign permit shall be issued only in accordance with the following:

2. **Limit on use of temporary signs, banners, wind activated devices.** No person or occupant shall be eligible for issuance of the following signs for more than a total of 90 days during any calendar year, and no occupant or premises shall be allowed to display signs within any consecutive 30 day period. Each occupant shall be allowed no more than two (2) of the follow signs at any one time temporary signs, banners, or wind activated devices of any type.

9-830. **“Banners”.** All banners shall not exceed 32 square feet in size. A sign permit and fee shall be required for all banners but shall be subject to the provisions of Section 9-827. Banners shall be allowed by permit meeting the requirements of this ordinance for off-premise and on-premise signs. An occupant may display only (2) banners at any one time whether attached or detached. (Except Sport Field Sponsorship banners on-premise). Off-premise banners for Sport fields are subject to the provisions of 9-827.

9-833. **“Number and size of permitted Monument On-Premise signs”.**

4. The number of attached signs for a premises, or for each occupant of a premises, shall not be limited, but the total sign area of attached signs shall not exceed twenty (20%) percent of the area of the facade to which the signs are attached. The number of words in an attached sign (excluding a message center) shall not be limited, but not more than eight (8) words attached to a facade may contain any letters in excess of eight (8) inches in height. If any premises is entitled to use a Monument sign pursuant hereto but does not do so, then the total sign area of attached signs an each facade may be increased but shall in no event exceed thirty (30%) percent of the area of the facade to which the signs are attached.

9-834. **Maximum size limitations for Monument signs.**

1. **“On-Premise Monument signs no more than 2 occupants”** Support system can be no greater than 32 square feet and can not be higher than 6 feet. The support material permitted will be masonry or masonry in combination with construction material (EFIS) Exterior Finish Insulation System and match the architecture features of the building that the sign serves. The sign copy face area of a Monument sign shall not exceed 16 square feet

in size per sign face and may not be higher than 4 feet per side. Submit drawings, renderings or photograph showing sign design and placement location and distance of the sign in relation to the right-of-way of any roads, driveways, sidewalks or easements.

2. **“On-Premise Monument signs which have more than two (2) occupants”**. The Monument sign support system shall be **no greater than 100 square feet and may not be higher than 8 feet**. The support material permitted will be masonry or masonry in combination with construction material (EFIS) Exterior Finish Insulation System and match the architecture features of the building that the sign serves. Submit drawings, rendition or photographs showing sign design and placement location and distances from right-of-ways. A set of stamped plans will be required from a registered architect showing design, wind loads, footing details, electrical and the placement location of the signs in relation to the right-of-way of any roads, driveways, sidewalks or easements when the sign is larger than 32 square feet or more than 6 feet in height.
3. **Message Centers, Reader Boards. Changeable copy signs are permitted** but must be built within the construction of the sign. They can not be attached to any part of the outside of the monument sign.

9-836. “General regulations of permitted permanent On-Premise Freestanding Pole signs”. Other than signs which are prohibited under the provisions of this chapter or which are permitted as temporary signs pursuant to this chapter, the section hereinafter shall regulate the general use of on-premise signs. **Freestanding pole signs are only permitted by a Special Exceptions permit issued by the Red Bank City Commission upon recommendation of approval from the Red Bank Planning Commission.**

9-838. “Maximum size limitations for On-Premise Freestanding Pole signs”.

(1) The permitted size of a detached sign shall be determined in accordance with the distance which such sign is set back from the right-of-way as specified in § 9-834 but the sign area of a detached sign (whether a freestanding sign or projecting sign) **shall not exceed one hundred seventy-five (175) square feet in size per sign face**. The sign area of a sign shall be calculated in accordance with the provisions of the defined term "sign area" in § 9-802 of this chapter, except that the dimensions of any reader board, message center whether digital or not shall be calculated individually and not as if the reader board, message center whether or not digital were included within the rectangular sign area of any other sign. If, instead of being supported by a simple pole or beam system, a freestanding sign

is supported by or attached to any other type of freestanding opaque structure which serves as a background for the sign and obscures vision through such structure, then the structure shall itself be included in determining the size of the sign.

(2) For premises which have frontage along any single public road or public right-of-way in excess of three hundred fifty (350) linear feet along such road or right-of-way and which have more than two (2) occupants, the sign area of a freestanding sign located along such frontage shall not exceed three hundred (300) square feet. In addition, if any premise which has more than two (2) occupants has less than three hundred fifty (350) linear feet of frontage along a public road or public right-of-way but has a developed store or building frontage of greater than five hundred (500) linear feet, then the sign area of a

detached sign shall not exceed three hundred (300) square feet.

9-839. “Set-back requirements for On-Premise Freestanding Pole signs”. No pole sign may be closer than ten (10) feet to any street or right-of-way; no pole sign with a sign area larger than forty (40) square feet may be closer than fifteen (15) feet to any street or right-of-way; and no pole sign which is larger than one hundred (100) square feet may be closer than twenty (20) feet to any street or right-of-way. Notwithstanding the foregoing set-back limitations, any projecting sign which is attached to a building whose building line adjoins a public sidewalk or public right-of-way may extend out over the public sidewalk or right-of-way, but no over any public street and not in excess of the distance otherwise permitted hereunder. Notwithstanding the foregoing, any owner from whose property any sign may project over any public right-of-way shall, prior to erecting or installing such sign, obtain a temporary use permit from the city subject to such conditions as may be required by the Board of Commissioners.

9-840. “Minimum and Maximum height limitations for on-premise Freestanding Pole signs”.

All pole signs shall have a minimum clearance between the ground and the lowest portion of such sign of not less than ten (10) feet. A pole sign or its supporting structure whose closest point is located no closer than ten (10) feet from any right-of-way may not exceed twenty (20) feet in height above the adjacent public right-of-way at its closest point. For each additional foot of set-back beyond (10) feet from the right-of-way, a pole sign may extend an additional one (1) foot in height above the level of the adjacent public right-of-way at its closest point, up to a maximum of thirty (30) feet in height. Notwithstanding the foregoing provisions of this section, in the event a pole sign is placed on ground which is higher than the closest point on the adjacent public right-of-way, the maximum height of such sign shall be measured from the lowest point of the ground over which such sign is located, if, and only if, every part of such sign and its supporting structure is located within fifty (50) feet of the closest adjacent public right-of-way.

9-844. “Flags”. In addition to the display of the flag of the United States, the state of Tennessee, the County of Hamilton, the City of Red Bank, each premise may display one (1) additional flag provided that such additional flag in no case shall exceed the size of the flag of the United States displayed on the same premises. Such additional flag may be displayed only on a flagpole and only when the flag of the United States, a state within the United States, the County of Hamilton, or the City of Red Bank is being displayed on a flagpole. At no time may such additional flag be secured by any means on more than one (1) side of the flag. The foregoing limitation on the display of flags shall not apply to stadium or athletic fields in which sporting events are routinely held.

9-847. “Political signs regulated”.

1. **Scope of article - definition of political sign.** Notwithstanding anything in this chapter to the contrary, the provisions of this chapter shall govern the use and placement of

political signs. "Political sign" shall mean any sign which supports or opposes the candidacy of any candidate for public office or urges action on any other issue on the ballot of a primary, general or special election.

2. **Political signs regulated.** Political signs with a sign area of more than 32 square feet shall be subject to the provisions of this code and/or this chapter governing off-premise signs, provided, that any political sign at campaign headquarters shall be governed as on-premise signs. Political signs with a sign area of 32 square feet or less shall be subject to the following restrictions:
- (a) No such political sign may be placed closer than 7 feet to the pavement or curb of any public or private street, except that poster type signs, no larger than 18" (eighteen inches) by 24" (twenty-four inches) may be placed not closer than 3 feet from the pavement or curb of any public or private street.
 - (e) All such political signs may be placed sixty (60) days before an election and shall be removed within fifteen days after the election to which they refer has been held. Such signs erected for a primary election may remain only if they continue to be valid for the next general election.

Proposed Edits and Review of Red Bank Zoning Ordinance

NOVEMBER 2017

Proposed Edits

Flag Lots

- Delete flag lot requirements under 204.08 and reference Sub Regs, **p.24**

C-1

- Remove uses from under outdoor storage in 402.02 (L) , **p.79-80**
- Remove 402.02(U) – uses similar in character from C-1, **p.80**
- Special exceptions permits under 402.03 only for properties adjacent to residential development, **p.81**

C-2

- C-2 Intent 404.01 poorly defined, **p.77**
- Remove 404.02 (U) – Uses similar in character from C-2, **p.79**
- Add auto service uses to c-2 prohibited uses under 404.03, **p.79**
- Add special exceptions permit category to C-2, **p.80**
- Add prohibited uses to C-2 Section 404.03, **p.79**

Design Review Ordinance

- Delete Chapter X **p.145-6**, Delete TOC **p.vi** , update p.51, 53, 54, 61, 63, 66, 69, 73, 74, 77, 80, 83, 87, 91

Summary of Zoning Ordinance Regulations by Zone

- Add Table of Uses to Zoning Ordinance
- Add Table of Dimensional Requirements to Zoning Ordinance

Ordinance 105 and Amendments

- Delete page 7 from previous Zoning Ordinance, **p. 7**

Proposed Review

R-T/Z vs RZ-1: Site Plan, Setbacks, Minimum Lot Area

	R-T/Z	RZ-1
Site Plan Required	Yes	No
Setback from R-1 / R1-A	None	25' buffer
Minimum Lot Area for Single Family Detached	8 dwelling units / acre ~5,445 sq. ft.	2,625 sq. ft.

- Copied from Chattanooga Code. Need explanation from RPA.

Frontage requirements for R-1 vs R1-A

- Half a dozen owners have tried to subdivide their R-1 property into lots well above 7,500 sq. ft. , but with just under 60' frontage. What is the justification for the 60' frontage requirement?
- R-1 and R1-A are almost identical zones, and do not provide any transition towards Dayton Boulevard.

Tree Preservation Ordinance for New Residential Development

- Preserving existing trees in new residential development can preserve the character of areas facing redevelopment pressures.

Design Review Ordinance

- Tim Thornbury has suggested reducing the length of time for Design Review.

Neighborhood Commercial Zone for Dayton Boulevard between of Meadowbrook and Daytona

- A less intensive commercial zoning district may be appropriate for Dayton Blvd north of Meadowbrook and south of Daytona, but does not currently exist. The C-3 zone is too restrictive for properties fronting Dayton Boulevard.
- A modification of C-3 that moves more uses from prohibited to special exceptions could be appropriate for this section of the commercial corridor.

Land Use	Use	C1	C2	C3	C4	O1	L1	M1	R1	R1A	R2	R3	R4	PUD	RT1	RZ1	RTZ	R5
Commercial	Adult oriented establishments of any type	X	X	X	X	X	SE	SE	X	X	X	X	X	X	X	X	X	X
Commercial	Automobile fueling stations, except for electric vehicle charging stations.	P	X	X	X													
Commercial	Automobile repair and/or maintenance and similar uses	P	X	X	X													
Commercial	Automobile washes, car detail and similar uses	SE	X	X	X													
Commercial	Bakeries, provided all goods are sold on premise	P	P	P	P													
Commercial	Banks	P	P	P	P	P							P					
Commercial	Barber\Beauty shops	P	P	P	P								SE					
Commercial	Bed and Breakfast Establishments	P	P	P	P													
Commercial	Bowling alleys, or other indoor amusement	SE	SE	P														
Commercial	Cleaning and laundry establishments	P	SE	P	P													
Commercial	Commercial parking lots	P	P			SE*							SE					
Commercial	Convenience stores without gasoline sales	P	P	P	P													
Commercial	Day care centers	P	SE	SE	P	SE			P		SE	BA	SE				SE	SE
Commercial	Day care homes								P	P	P	SE	P					P
Commercial	Dog Kennel, dog boarding, or similar uses	SE	X										SE					
Commercial	Drug stores or restaurants in office buildings												P					
Commercial	Entertainment or recreational facilities	SE	SE	X														
Commercial	Florists	P	P	P	P													
Commercial	Funeral homes, memorial chapels, crematories and undertaking	SE	X		X								SE					
Commercial	Golf courses, except driving ranges, miniature courses and other similar commercial operations				SE				SE	SE	SE	SE	SE	SE				SE
Commercial	Grocery stores	P	SE															
Commercial	Hardware stores	P	P	P	P													
Commercial	Health clubs and athletic facilities	P	P	P	P													
Commercial	Hotels/Motels	P	SE		X													
Commercial	Laboratories and research centers					P							P					

Land Use	Use	C1	C2	C3	C4	O1	L1	M1	R1	R1A	R2	R3	R4	PUD	RT1	RZ1	RTZ	R5
Commercial	Liquor stores	P	P	X	X													
Commercial	Meat and fish markets	P	P	P	P													
Commercial	Medical and dental offices	P	P	P	P	P							P					
Commercial	Micro-breweries and/or brew pubs	P*	P*		P													
Commercial	Miniature golf courses and similar outdoor amusement facilities	SE	X															
Commercial	Music stores	P	P	P	P													
Commercial	New or used sales facilities for autos, boats, motorcycles, farm equipment and similar uses	P	X	X	X													
Commercial	Offices up to 5,000 square feet, unless otherwise prohibited or subject to special exception review under Section 14-406 or elsewhere in the Red Bank Zoning Ordinance	P	P		P													
Commercial	Offices with over 5,000 square feet, unless otherwise prohibited or subject to special exception review under Section 14-406 or elsewhere in the Red Bank Zoning Ordinance	P	P															
Commercial	Offices	P	P	P	P	P							P					
Commercial	Outdoor amusement facilities	SE	SE	X														
Commercial	Outdoor sales, service, or display or storage at any time, except for outdoor seating for restaurants	SE	X		X													
Commercial	Pawn, Title Pawn, check cashing and similar uses	P	X	X	X													
Commercial	Pet supply stores without sale of pets	P	P		P													
Commercial	Pharmacies and drug stores	P	P	P	P													
Commercial	Plumbing, electrical, radio, TV workshops and similar uses.	P	P															

Land Use	Use	C1	C2	C3	C4	O1	L1	M1	R1	R1A	R2	R3	R4	PUD	RT1	RZ1	RTZ	R5
Commercial	Plumbing, electrical, radio, TV workshops and similar uses provided no more than five (5) persons are employed and that all related trucks and equipment are not visible from Dayton Blvd or abutting residences.				P													
Commercial	Repair shops for shoes, household articles or appliances			P	P													
Commercial	Restaurants and other establishments serving food and beverages	P	P															
Commercial	Restaurants or Delicatessens with fewer than fifty (50) seats with no drive-thru or drive-in trade or curb service	P	P	P	P													
Commercial	Commercial establishments up to 5,000 square feet, unless otherwise prohibited or subject to special exception review under Section 14-406 or elsewhere in the Red Bank Zoning Ordinance	P	P		P													
Commercial	Commercial establishments with over 5,000 square feet, unless otherwise prohibited or subject to special exception review under Section 14-406 or elsewhere in the Red Bank Zoning Ordinance	P	P															
Commercial	Shoe stores	P	P	P	P													
Commercial	Small printer shops, except that the gross floor area shall not exceed 2,000 square feet	P	P															
Commercial	Specialty shops and stores	P	P	P	P													
Commercial	Stationary stores	P	P	P	P													
Commercial	Studios and art galleries	P	P	P	P													
Commercial	Tattoo parlors and similar uses	P	X	X														
Commercial	Taverns, bars, wine and cocktail bars, and similar uses	P	P		P													

Land Use	Use	C1	C2	C3	C4	O1	L1	M1	R1	R1A	R2	R3	R4	PUD	RT1	RZ1	RTZ	R5
Commercial	Theaters	P	P		P													
Commercial	Veterinarians offices	P	P			P												
Commercial	Veterinarians offices with no outdoor run areas				P													
Other	Cemetaries								SE									
Other	Communication towers				SE	SE			SE	SE	SE	SE	SE	SE	SE	SE	SE	SE
Other	Drive-thru or Drive-in uses	SE	X	X														
Other	Home occupations	P	P	P	P				P	P	P	P	P	P	P	P	P	P
Other	Horses for personal use								SE									
Other	On-premise signs with flashing, strobe or blinking lights or light which vary in color or intensity which are visible from outside the building			X														
Other	Signs advertising goods and services provided on premises subject to height, setback and size limitations provided by Ordinance of this City	P	P			P*												
Other	Parks and playgrounds				P	P	P	P	P	P	P	P	P	P	P	P	P	P
Public / Institutional	Animal hospitals and pet cemetaries												SE					
Public / Institutional	Assisted living facilities	SE	X						SE*				SE					
Public / Institutional	Boarding and lodging houses											P	SE					
Public / Institutional	Colleges												P					
Public / Institutional	Community buildings				P	P			P	P	P	P	P	P	P	P	P	P
Public / Institutional	Dormitories												P					
Public / Institutional	Fire Stations and other publicly owned buildings	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

Land Use	Use	C1	C2	C3	C4	O1	L1	M1	R1	R1A	R2	R3	R4	PUD	RT1	RZ1	RTZ	R5
Public / Institutional	Fraternal, professional or hobby organizations					SE							SE					
Public / Institutional	Group homes for intellectually, developmentally and physically handicapped persons operated on a commercial basis.								SE*				SE*					
Public / Institutional	Group homes for intellectually, developmentally and physically handicapped persons operated on a non-commercial basis.				P*				P*	P*	P*	P*	P*	P*				P*
Public / Institutional	Halfway house, alcohol and drug rehabilitation centers, or any similar use	SE	X										SE					
Public / Institutional	Hospitals and clinics and social agencies	SE	SE										SE					
Public / Institutional	Kindergartens, excluding public and religious												SE				SE	SE
Public / Institutional	Kindergartens, public or religious				P				P	P	P	P	P				P	P
Public / Institutional	Libraries				P				P	P	P	P	P	P	P	P	P	P
Public / Institutional	Meeting halls for civic, social and fraternal uses	P	P	P		SE							SE					
Public / Institutional	Nursing homes	SE	X										SE					
Public / Institutional	Places of worship	P	SE	P	P				P	P	P	P	P	P	P	P	P	P
Public / Institutional	Residential homes for handicapped and/or aged persons operated on a commercial basis for no more than eight (8) persons.								SE									
Public / Institutional	Schools	P	SE		P				P	P	P	P	P	P	P	P	P	P
Public / Institutional	Social agencies and other non-commercial public and semipublic uses												SE			SE		SE

Land Use	Use	C1	C2	C3	C4	O1	L1	M1	R1	R1A	R2	R3	R4	PUD	RT1	RZ1	RTZ	R5
Residential	A residence for a watchman and family						P											
Residential	Manufactured or mobile homes	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P
Residential	Mobile home parks, campsites and similar uses	SE*	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P
Residential	Multi-family dwellings	SE	SE		X				X	X	X	P*	SE	P*				
Residential	Residential uses when part of a mixed-use commercial development with offices and/or commercial uses on the ground floor.	P	P	P								P*		P				
Residential	Single-family detached dwellings	P	P	P	P	P			P	P	P	P	P	P	P	P	P	P
Residential	Townhomes, condominiums	SE	SE		P										P		P*	
Residential	Two-family dwellings								X	X	P	P*	SE	P				P
Residential	Zero Lot Line single-family detached dwellings															P*	P*	
Similar to Prohibited	In general, all uses which are not in keeping with the intent of this zone	X	X	X														
Similar Accessory	Accessory buildings and uses customarily incident to the above uses	P	P	P	P				P	P	P	P	P	P	P	P	P	P
Similar to Permitted	In general, any use that is similar in character and impact as the above uses	P	P	P														
Industrial	Storage or warehousing facilities, including self-storage or mini-warehouses	X	X	X														
Industrial	Bakeries						P											
Industrial	Blast furnace							P*										
Industrial	Boiler works							P*										
Industrial	Bottling works						P											
Industrial	Building material yards and contractor's yards						P											
Industrial	Cabinet making, millwork, carpenter's shops						P											
Industrial	Clothing manufacturers						P											
Industrial	Coal screening and sieving plants							P*										
Industrial	Contractors plants and storage yards							P*										
Industrial	Dyeing and dry cleaning works						P											
Industrial	Electric welding, machine, tinsmith shops						P											

Land Use	Use	C1	C2	C3	C4	O1	L1	M1	R1	R1A	R2	R3	R4	PUD	RT1	RZ1	RTZ	R5
Industrial	Feed storage establishments						P											
Industrial	Forge plants							P*										
Industrial	Foundries							P*										
Industrial	Fruit canning or packing establishments						P											
Industrial	Fuel yards						P											
Industrial	Ice Plants						P											
Industrial	Junk yards							P*										
Industrial	Laundries						P											
Industrial	Milk distributing stations						P											
Industrial	Optical goods establishments						P											
Industrial	Ore reduction							P*										
Industrial	Paper box and pencil manufacturing						P											
Industrial	Planing mills							P*										
Industrial	Printing, publications, and engraving						P											
Industrial	Rock crushers							P*										
Industrial	Rolling mills							P*										
Industrial	Sawmills							P*										
Industrial	Smelting							P*										
Industrial	Stockyards							P*										
Industrial	Stone mills or quarries							P*										
Industrial	Warehouses and trucking terminals						P											