

NOTICE OF PUBLIC HEARING. In accordance with Tennessee Code Annotated Sections 5- 5-105 and 13-7-105, the Board of County Commissioners of Blount County, Tennessee, will hold public hearing on December 17 at 5:30 P.M., at the Blount County Courthouse for the following proposed amendment to the Zoning Resolution of Blount County, Tennessee, being Resolution 00-06-010.

In accordance with Governor Lee's Executive Order Nos. 16, 34, 51, 60 and 65 regarding limiting gatherings to prevent the further spread of COVID-19 and allowing public meetings to be conducted by electronic means, THESE MEETINGS WILL BE CONDUCTED WITH COMMISSIONERS AND BOARD MEMBERS PARTICIPATING ELECTRONICALLY via Zoom webinar and can be viewed by members of the public at: <https://zoom.us/join> Webinar ID: 937 0714 9647. Public comment will be permitted in-person at the Blount County Courthouse Commission Meeting Room 430 in Maryville, TN.

Meeting electronically and limiting public access to the meeting is necessary to protect the public health, safety, and welfare in light of COVID-19. We hope to return to in-person meetings as soon as possible.

**A RESOLUTION TO AMEND THE ZONING RESOLUTION OF BLOUNT COUNTY, TENNESSEE, BY MODIFYING ARTICLES 2, 7, AND 13 TO RESOLVE CONFLICTS, INCORPORATE TECHNICAL CORRECTIONS, AND ADD CLARITY. PURSUANT TO SECTIONS 13-7-101, et seq., TENNESSEE CODE ANNOTATED AND HAVING ALREADY BEEN ADOPTED AS PART OF THE ZONING ORDINANCE (RESOLUTION 00-06-010). That the amendments to read as follows:**

(Note: Additions are *italicized and underlined*. Deletions are ~~struck through~~.)

**1. That Article 2 be amended to read as follows:**

**Article 2. EXEMPTIONS, EXCLUSIONS AND EXCEPTIONS.**

*Section 2.8 Uncovered stairs, landings, terraces, porches, balconies, decks, fire escapes, ramps, etc. may project into any yard, but such projection may not exceed six (6) feet and such projection may not be closer than five (5) feet to any lot line. Architectural projections, such as chimneys, flues, sills, eaves, belt courses, and ornaments, may project into any required yard, but such projection shall not exceed three (3) feet.*

**2. That Article 7 be amended to read as follows:**

**Section 7.3. Planned Unit Development.** The purposes of these provisions for planned unit development are to allow flexibility in design of a large development, and to allow mixed use where such mixed use ~~may~~ **shall** be reasonably designed and integrated into a large development. The following shall apply:

A. The minimum size of a planned unit development shall be ~~fifteen~~ **five** acres under unified ownership prior to development.

B. A site plan shall be required as provided in Section 7.2.

C. The use regulations of the zone shall apply to any planned unit development, with ***additional appropriate nonresidential uses to be considered by*** special exceptions ~~for mixed uses to be~~ ***and*** integrated in the planned unit design.

[...]

### **Section 7.5. Signs.**

I. Unless otherwise regulated by this Resolution, signs shall be illuminated in accordance with the following provisions, ***and in no case may a sign be illuminated in such a way as to distract motorists or create other hazards:***

1. Signs within one hundred and fifty (150) feet of a residential use shall not be illuminated between the hours of midnight and 6 a.m., unless the impact of such lighting beyond the boundaries of the lot where it is located is entirely inconsequential. To be considered entirely inconsequential, such lighting shall not cast light at the joint property line of adjacent residential use of more than 0.5 footcandles, certified as designed and installed by a licensed engineer or architect with documented experience in exterior lighting.

2. ~~Signs with area greater than 10 square feet shall be lighted only with indirect lighting.~~ ***The direct lighting of signs shall be prohibited. For purposes of this Section, "direct lighting" means the use of reflective-type bulbs or incandescent lamps on the exterior surface of a sign to form the text or images of sign copy. Any lighting directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly into a public right-of-way or residential premises. Such lighting shall be directed in a downward angle toward the sign.***

### **3. That Article 13 be amended to read as follows:**

#### **Article 13. DEFINITIONS.**

**BUILDING SETBACK LINE:** A line delineating the minimum allowable distance between the property line and a building on a lot, ***as measured from the foundation or exterior building wall***, within which no building, or other structure shall be placed except as otherwise provided.

a. **Building Setback Line, Front:** A line delineating the minimum allowable distance between the street right-of-way, ***platted access easement***, or an official future street right-of-way line, and the front of a building on a lot. The front building setback line extends the full width of the lot and is parallel to or concentric with the street right-of-way. ***Lots***

along more than one right of way (corner, etc.) are considered to have multiple frontages. Front setbacks shall be applied to each such frontage. The minimum front setbacks prescribed by the various districts shall not be applicable to frontages along common driveway easements. These shall instead be enforced consistent with the standards set by the Subdivision Regulations.

b. Building Setback Line, Rear: A line delineating the minimum allowable distance between the rear property line and a building on a lot (other than for permitted accessory structures). The rear setback extends the full width of the lot. Standard lots with multiple frontages would have no rear, but rather fronts and side(s) only.

c. Building Setback Line, Side: A line delineating the minimum distance between the side property line and a building on a lot. The side setback line extends from the front building setback line to the rear building setback line. Townhomes, condominiums, etc. with shared common walls are subject to all of the multifamily design standards of Section 7.6, except the side setbacks between units with common walls may be 0 feet.

**CLUSTER DEVELOPMENT:** Cluster Development is a type of subdivision which allows for reduced lot sizes and setbacks in exchange for preserved open space. Cluster Development is regulated in accordance with the Subdivision Regulations and is allowed in any district where a standard subdivision would be allowed, subject to review and approval by the Planning Commission. In approving a Cluster Development, the Planning Commission may vary the dimensional requirements of the various districts with respect to lot size and setbacks provided the overall required density of development by use is maintained; no subdivided lot is less than one-half the minimum applicable lot size by use within the district; setbacks on the perimeter of the cluster development are maintained at district minimum or greater with no variance; and no principal structure is located nearer than ten feet to any other principal structure. Cluster Developments differ from Planned Unit Developments (PUDs) in that the former consists exclusively of single family homes on detached lots while the latter must include both residential and nonresidential uses.

ELECTRONIC MESSAGE CENTER (EMC) SIGN: A type of changeable copy sign that uses words, letters, figures, symbols, pictures or patterns to convey a message without altering the sign face. An EMC sign shall only be used as a marquee or message center on-premise business sign and shall be attached to a pylon, monument or wall sign. LED fuel price identification is not considered to be an EMC. Instead, such changeable copy signage is permissible as part of the total allowable signage associated with any approved fuel dispensing location, provided that all other applicable provisions of this resolution are met.

**PLANNED UNIT DEVELOPMENT: A Planned Unit Development is one constructed on a tract of at least twenty-five (25) acres under single ownership at the time of application, planned and developed as an integral unit, and consisting of a combination of residential and nonresidential uses on land found within the S, R-1, R-2, C (by reference to 9.1; Suburbanizing), and RAC (by reference to 9.2) districts. Planned Unit Developments are subject to review and approval by the Board of Zoning Appeals as Special Exception in any of these districts. Planned Unit Developments that are intended to be subdivided into separate lots are also subject to review and approval by the Planning Commission of any required plat(s).**

Copy of resolution may be reviewed at the offices of the County Commission in the Blount County Courthouse.

APPROVED:

ATTEST:

Ron French \_\_\_\_\_  
Commission Chairman

Gaye Hasty \_\_\_\_\_  
County Clerk

Ed Mitchell \_\_\_\_\_  
County Mayor