

ORDINANCE NO. 07-148

**AN ORDINANCE TO AMEND THE MUNICIPAL ZONING
ORDINANCE NO. 95-20 OF THE TOWN OF UNICOI,
TENNESSEE FOR THE PURPOSE OF AMENDING ARTICLE IV,
SECTION 410, SITE PLAN REVIEW.**

WHEREAS, Sections 13-7-201 – 13-7-211 of the Tennessee Code Annotated provides the Town of Unicoi, Tennessee with the powers and authority to enact local municipal zoning codes; and

WHEREAS, said sections provide a process for the amendment of local municipal zoning codes; and

WHEREAS, the Town of Unicoi, Tennessee Mayor and Board of Aldermen feels it to be in the best interest and to the best general welfare of the citizens of the Town of Unicoi, Tennessee to amend the local municipal zoning codes;

NOW THEREFORE BE IT ORDAINED, by the Mayor and Board of Aldermen of the Town of Unicoi, Tennessee that Article IV, General Provisions, Section 410, Site Plan Review, of the Town of Unicoi Municipal Zoning Ordinance No. 95-20 is hereby amended to read as follows:

410. **Site Plan Review**

A site plan shall be submitted to the planning commission prior to the issuance of a building permit in the following Zoning Districts: B-1, B-2, B-3, B-4, M-1, M-2, and PBD Districts, or any duplex, two-family, and multi-family developments.

A site plan shall contain and be subject to the following general provisions:

1. General Provisions
 - a. All site plans shall be prepared and certified by a licensed engineer, landscape architect, architect, and/or surveyor as may be appropriate, and in accordance with state law regarding the practice of these professions. Drawings shall be at a scale of not less than 1" = 20' for small tracts and 1" = 50' for large tracts.
 - b. All site plans shall show:
 - i. Topography of existing and finished grades.

- ii. Location of all land subject to flooding; including a flood zone certification stating zone, community number, panel number and date.
- iii. Dimensions and calls of all property lines.
- iv. North point, scale, acreage of site, and location map.
- v. Location of all existing and proposed structures (including signs), street rights-of-way, sidewalks, easements, and covenants.
- vi. Dimensions of all existing and proposed structures, including height.
- vii. Plans for vehicular and pedestrian circulation, utilities, solid waste disposal, landscaping and open space, buffer strips, signs, off-street parking, traffic patterns, and storm water drainage.

2. Open Space and Landscaping Plan

To obtain sufficient space between uses and buildings for adequate light, air, privacy, and amenities, the following requirements for open space and landscaping are established:

- a. Landscaping shall mean the planting of grass, trees, shrubs, or other comparable surface cover or decorative plazas and/or pools. Where existing landscape features exist at the site, all or part of such features may be used to meet the requirements of this section upon the approval of the planning commission.
- b. All developments shall meet the minimum yard requirements as per the appropriate zone.
- c. The setback space between a public street and parking areas shall be landscaped with berms and/or appropriate landscaping plants which shall be maintained in a healthy, growing condition through a permanent maintenance program.
- d. Buffer Strip

A buffer strip shall be required on any site plan adjacent to residential properties. A buffer strip shall be composed of plant material to provide an obscuring screen consisting of shrubs spaced not more than five feet apart that will grow to at least five feet in width and six feet in height after one full growing season. Buffer strips shall be a minimum of ten feet in width and shall be landscaped with trees, shrubs, grass and in a manner as

- b. Outdoor sales of merchandise shall be permitted as an accessory use and shall be located outside the required front yard setback and any required setback from an arterial street.
9. Utility Lines

All new utility lines and service lines shall be placed underground, including, but not limited to, electric, telephone, and cable. Electric power lines in excess of 100 amp, 3 phase, 2500 KVA may be placed aboveground.
10. Lighting

Direct light and glare from lights can be both a hazard and a nuisance to drivers and neighboring residential development. Exterior lighting shall not emit any light above the roof line, nor project onto adjacent properties or streets. Searchlights, laser source lights, or any similar high intensity light for advertising purposes shall be prohibited.
11. Wireless Transmission Facilities

All Wireless Transmission Facilities shall be governed by the provisions of the Wireless Transmission Facilities Regulations of the Town of Unicoi Zoning Ordinance.
12. Stormwater Drainage

A certified plan for stormwater drainage shall be included with the site plan, which identifies all easements, drainage structures, including sizes/capacities, and other pertinent information concerning the assumptions upon which the plan is based. The estimated stormwater runoff based on a 10, 25, 50, and 100-year storm shall be calculated for pre-development and post-development. The amount of runoff shall not be increased, and shall be accommodated on site. A Notice of Intent and Notice of Coverage may be required to be submitted and approved by the Tennessee Department of Environment and Conservation (TDEC) prior to planning commission approval and issuance of a building permit.
13. Expiration of Approved Site Plans

Approval of a site plan shall expire six (6) months after the date of its approval unless a building permit has been issued and substantial progress has been made toward completion of the project.

NOW, THEREFORE BE IT FURTHER ORDAINED, by the Board of Mayor and Aldermen of the Town of Unicoi, Tennessee that this ordinance shall be effective from and after its passage, the public welfare requiring it.

specified by the Planning Commission. Other material or method of screening than that outlined above may be approved by the planning commission. The type of buffer shall take into consideration all existing and proposed utilities (power, phone, cable, water, sewer, subsurface sewage disposal systems - septic systems, etc...)

3. Signs

Sign size and placement shall be governed by the provisions of Article IV, Section 409.

4. Off-Street Parking and Access

The off-street parking; off-street loading and unloading; vision clearance; design, construction and maintenance of off-street parking and unloading; access control; points of ingress/egress, and driveways shall be developed in accordance with the provisions of Article IV, Sections 402, 403, 404, and 405.

5. Waste Disposal

All waste disposal facilities are to be located to the rear of the development and shall be 100% screened by wood, vinyl, or solid brick walls, in such a way that they are not visible from any public street or adjoining properties. Any other type of alternative screening shall be approved by the Planning Commission.

6. Mechanical Equipment

All ground mounted mechanical equipment shall be screened from view from an arterial street by the use of walls, fences, or landscaping. All roof mounted mechanical equipment shall be properly screened to minimize visual impact, where such screening will be effective. Where screening will not be effective, the color of the equipment shall be the same as the building.

7. Service, Loading, and Equipment Storage Areas

Service areas, including storage, special equipment, maintenance, and loading areas, shall be 100% screened by wood, vinyl, or solid brick walls, in such a way that they are not visible from an arterial street. Any other type of alternative screening shall be approved by the Planning Commission.

8. Outdoor Storage and Sales of Merchandise

- a. Outdoor storage shall only be permitted as an accessory use and shall be located behind the front building line and outside any required setback from an arterial street.

Approved by the Planning Commission: December 4, 2006


Voting by the Board, as follows, on January 15, 2007:
First Reading:

	<u>AYE</u>	<u>NAY</u>
Dwight Bennett	<u>✓</u>	_____
Doug Hopson	<u>✓</u>	_____
Ken Kisiel	<u>✓</u>	_____
Mark Ramsey	<u>✓</u>	_____
Mayor Johnny Lynch	<u>✓</u>	_____

Voting by the Board, as follows, on February 12, 2007:
Second and Final Reading:

	<u>AYE</u>	<u>NAY</u>
Dwight Bennett	<u>✓</u>	_____
Doug Hopson	<u>✓</u>	_____
Ken Kisiel	<u>✓</u>	_____
Mark Ramsey	<u>✓</u>	_____
Mayor Johnny Lynch	<u>✓</u>	_____

Public Hearing Held: February 12, 2007


Johnny Lynch, Mayor

Attest:

Connie R. Mullins
Town Recorder

Approved as to Form:

J. B. Shultz, Jr.
Town Attorney