

2016 AMENDMENTS
MARYVILLE ZONING AND LAND USE ORDINANCE

- 2016-01 Move regulations pertaining to adult day care use to subsection 8 under §14-211
- 2016-02 Addition of Nursery Schools to definitions and Permissible Uses table
- 2016-06 Amendment to §14-214 with regard to setbacks for decks, patios, and accessory buildings
- 2016-07 Amendment to §14-218 with regard to electronic message center (EMC) signs
- 2016-12 Change to signage requirements in Washington Street Commercial Corridor zone
- 2016-26 Amends §14-222, Fences and Vegetation, as it relates to fences within historic districts

ORDINANCE NO. 2016-01

**AN ORDINANCE AMENDING MARYVILLE
MUNICIPAL CODE TITLE 14, CHAPTER 2,
SECTION 14-211 SUPPLEMENTAL USE
REGULATIONS WITH REGARD TO ADULT DAY
CARE USE**

WHEREAS, the Maryville Regional Planning Commission has heard, reviewed and recommended that this amendment be granted favorable consideration by the Council of the City of Maryville; and,

WHEREAS, the purpose of the amendment is to move the regulations pertaining to adult day care use to an appropriate subsection.

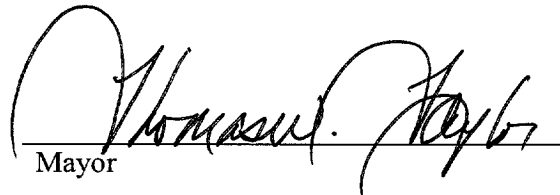
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARYVILLE, TENNESSEE, THAT TITLE 14 ZONING AND LAND USE ORDINANCE OF THE MARYVILLE MUNICIPAL CODE IS HEREBY AMENDED, as follows:

SECTION 1. That Title 14, Chapter 2, Section 14-211 Supplemental Use Regulations. (7) General provisions – continuous care facility of community is renumbered as subsection (8) and subsequent subsections be renumbered and lettered accordingly through subsection (23).

SECTION 2. That Title 14, Chapter 2, Section 14-211 Supplemental Use Regulations. (23) Adult day care as a special exception use and in existing health care facilities is deleted from subsection (23) and moved to Subsection (7).

SECTION 3. That Title 14, Chapter 2, Section 14-211 Supplemental Use Regulations. (7) Adult day care as a special exception use and in existing health care facilities subsection (vii) is deleted in its entirety.

SECTION 4. This ordinance shall be effective from and after its passage, the public welfare requiring it.



Mayor

ATTEST:

Deborah P. Caughion
City Recorder

APPROVED AS TO FORM:

Melan
City Attorney

Passed 1st Reading 12/1, 2015

Deborah P. Caughion
City Recorder

Passed 2nd Reading 1/5, 2016

Deborah P. Caughion
City Recorder

ORDINANCE NO. 2016-02

**AN ORDINANCE AMENDING MARYVILLE
MUNICIPAL CODE TITLE 14, CHAPTER 2,
SECTION 14-202 BASIC DEFINITIONS AND
INTERPRETATIONS AND SECTION 14-210
PERMISSIBLE USES WITH REGARD TO
NURSERY SCHOOLS**

WHEREAS, the Maryville Regional Planning Commission has heard, reviewed and recommended that this amendment be granted favorable consideration by the Council of the City of Maryville; and,

WHEREAS, the purpose of the amendment is to define “nursery schools,” and to modify the permissible use table to include these changes.

WHEREAS, nursery schools should be allowed by right in the Business and Transportation and Central Community zoning districts; and,

WHEREAS, the purpose of the amendment is to adjust the permissible use table to include these changes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARYVILLE, TENNESSEE, THAT TITLE 14 ZONING AND LAND USE ORDINANCE OF THE MARYVILLE MUNICIPAL CODE IS HEREBY AMENDED, as follows:

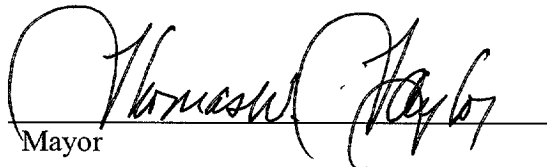
SECTION 1. That within Title 14, Chapter 2, Section 14-202 “Basic Definitions and Interpretations,” “Nursery Schools” be placed under subsection (mmm) with the following definition, and that subsequent terms and definitions be re-lettered accordingly:

(mmm) “Nursery schools.” A facility for the organized instruction of pre-kindergarten children.

SECTION 2. That Title 14, Chapter 2, Section 14-210 Permissible Uses. (1) Table of Permissible Uses is amended to add NURSERY SCHOOLS to the DAY CARE CENTERS to read as follows:

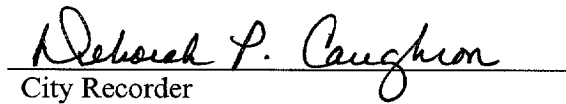
LAND USE	ZONES						
	I	II	III	IV	V	VI	VII
DAY CARE CENTERS, NURSERY SCHOOLS	2	1	3	1	3	3	3

SECTION 2. This ordinance shall be effective from and after its passage, the public welfare requiring it.



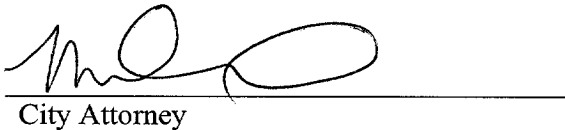
Mayor

ATTEST:



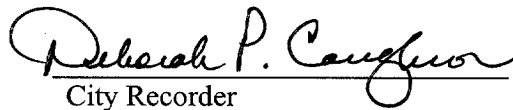
City Recorder

APPROVED AS TO FORM:



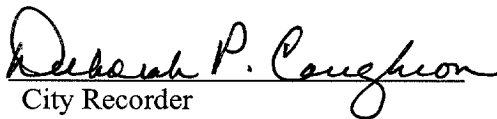
City Attorney

Passed 1st Reading 12/1 ,2015



City Recorder

Passed 2nd Reading 1/5 ,2016



City Recorder

ORDINANCE NO. 2016-06

**AN ORDINANCE AMENDING MARYVILLE
MUNICIPAL CODE TITLE 14, CHAPTER 2,
SECTION 14-202 BASIC DEFINITIONS AND
INTERPRETATIONS AND SECTION 14-214
DENSITY AND DIMENSIONAL REGULATIONS**

WHEREAS, the Maryville Regional Planning Commission has heard, reviewed and recommended that this amendment be granted favorable consideration by the Council of the City of Maryville; and,

WHEREAS, the purpose of the amendment is to provide specific setback regulations for decks.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARYVILLE, TENNESSEE, THAT TITLE 14 ZONING AND LAND USE ORDINANCE OF THE MARYVILLE MUNICIPAL CODE IS HEREBY AMENDED, as follows:

SECTION 1. That Title 14, Chapter 2, Section 14-202 Basic definitions is amended by adding “Deck – a roofless, outdoor space built as an aboveground platform that adjoins a house and is also supported by means other than the principal structure” as (t) and “Developer” and subsequent terms be re-lettered accordingly.

SECTION 2. That to Title 14, Chapter 2, Section 14-214 Density and dimensional regulations Section (7) Building setback requirements, paragraph (iii) is added:

“The minimum setback requirements for decks/patio are the same as for accessory buildings (which do not exceed 12’ in height) or is 2 feet for every foot of height (measured from grade to the top of the railing), whichever is greater”.

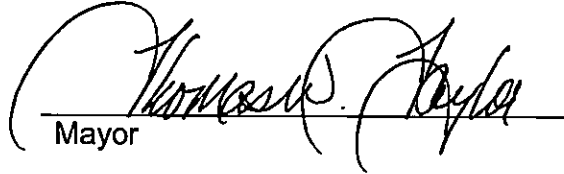
SECTION 3. That to Title 14, Chapter 2, Section 14-214 Density and dimensional regulations Section (7) Building setback requirements, below the *City of Maryville Residential Accessory Building Setback Requirements* tables is added:

“Accessory structure setbacks are not required to exceed primary structure setbacks.”

And the “EXAMPLE (other than estate zone)” table be removed.

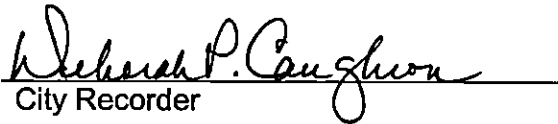
SECTION 4. This ordinance shall be effective from and after its passage, the public welfare requiring it.

SECTION 5. This ordinance shall be effective from and after its passage, the public welfare requiring it.



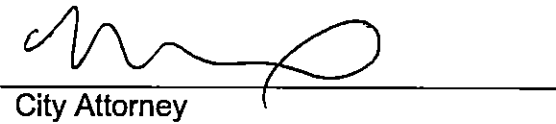
Mayor

ATTEST:



City Recorder

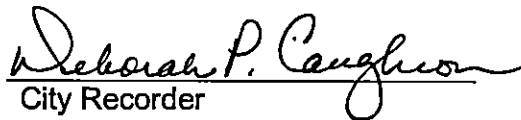
APPROVED AS TO FORM:



City Attorney

Passed 1st
Reading

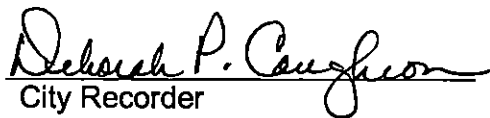
2/2, 2016



City Recorder

Passed 2nd
Reading

3/1, 2016



City Recorder

ORDINANCE NO. 2016-07

AN ORDINANCE TO AMEND VARIOUS SECTIONS OF TITLE 14 CHAPTER 2 (ZONING AND LAND USE ORDINANCE) OF THE MARYVILLE MUNICIPAL CODE AS IT RELATES TO THE REGULATION OF ELECTRONIC MESSAGE CENTER (EMC) SIGNS.

WHEREAS, the Maryville Regional Planning Commission has heard, reviewed, and recommended that this amendment be granted favorable consideration by the Council of the City of Maryville; and,

WHEREAS, the purpose of this amendment is to consolidate and clarify various references to EMC signs, eliminate redundant passages, and allow EMC signs in the Central Community zoning district for properties that front on arterial roadways, and

WHEREAS, it is the intent of this legislation to reasonably regulate the location, size and operation of said EMC signs.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARYVILLE, TENNESSEE, THAT TITLE 14 ZONING AND LAND USE ORDINANCE OF THE MARYVILLE MUNICIPAL CODE IS HEREBY AMENDED, as follows:

SECTION 1. That the text of Section 14-218 (13) (f) be deleted in its entirety and replaced with two new sections of text to read as follows:

(f) Subject to subsection (i), no sign may contain or be illuminated by flashing or intermittent lights or lights of changing intensity. Typical "time and temperature" displays are exempt from this requirement.

(g) Electronic Message Center (EMC) signs permitted as changeable copy on-premise signs shall be allowed subject to the following standards:

(i) EMC signs are allowed in the Business & Transportation, High Intensity Retail and Institutional zoning districts; as well as in the Central Community zoning district if located along an arterial roadway as designated on the most recent City of Maryville Major Road Plan; and EMC signs may also be located at public schools and the Blount County Public Library in any zoning district as long as they conform to the EMC sign standards herein.

- (ii) EMC signs shall be limited to one display per development, regardless of the number of tenants or owners within the project.
- (iii) The maximum size of an EMC sign display area shall be twenty square feet in the Business & Transportation and Central Community zoning districts, and for EMC signs used by public schools and the public library; and thirty square feet in the High Intensity Retail and Institutional zoning districts.
- (iv) The area of an EMC sign does not count against the calculated total sign area for a given property.
- (v) EMC signs must hold a constant message for a minimum of sixty seconds. Messages on an EMC sign cannot scroll, be animated, contain moving video images, etc.
- (vi) EMC signs must be located at least one hundred feet from a residential structure, measured on a straight line from the nearest point on the sign face to the nearest point of the residence.

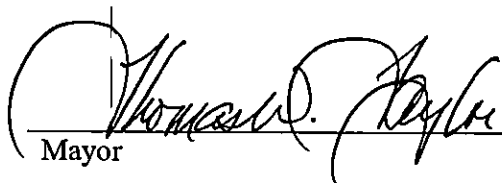
SECTION 2. That the current subsections (g) and (h) of 14 – 218 (13) shall become subsections (h) and (i), respectively.

SECTION 3. That the text of Section 14 – 209 (18) (f) (ii) be deleted in its entirety and replaced with the following text:

- (ii) The sign surface area for a marquee or changeable copy sign within the High Intensity Retail zoning district may not exceed thirty square feet. For Electronic Message Center (EMC) signs, see section 14-218 (13) (f). Only one such sign per development will be allowed, regardless of the number of tenants or owners within the project.

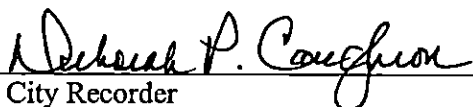
SECTION 4. That the text of Section 14 – 218 (8) (h) and Section 14 – 218 (8) (i) be deleted in their entirety and replaced with the following texts:

- (h) The surface area for a marquee or changeable copy sign may not exceed twenty square feet (thirty square feet in the High Intensity Retail and Institutional zoning districts – see section 14 – 209 (18) (f) (ii)). This provision shall be in accordance with paragraph (e) of this section. The area of this type of sign does not count against the calculated total sign area for a given property. Only one such sign per development will be allowed.
- (i) An Electronic Message Center (EMC) sign is a type of electronically changeable copy sign. For EMC signs see section 14 – 218 (13) (g).



Mayor

ATTEST:



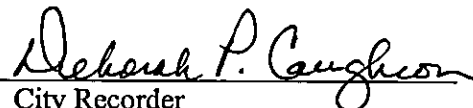
City Recorder

APPROVED AS TO FORM:



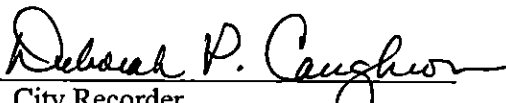
City Attorney

Passed 1st Reading 2/2 ,2016



City Recorder

Passed 2nd Reading 3/1 ,2016



City Recorder

ORDINANCE NO. 2016-12

**AN ORDINANCE AMENDING MARYVILLE
MUNICIPAL CODE TITLE 14, CHAPTER 2,
SECTION 14-209 ZONING DISTRICTS AND
ZONING MAP § (5) WASHINGTON STREET
COMMERCIAL CORRIDOR REGARDING SIGNS**

WHEREAS, the Maryville Regional Planning Commission has heard, reviewed and recommended that this amendment be granted favorable consideration by the Council of the City of Maryville; and,

WHEREAS, the purpose of the amendment is to allow for more appropriate signage for businesses located on parcels in the Washington Street Corridor district which front Washington Street by increasing the allowable sign surface area, extending the height of freestanding signs, allowing internal lighting of signs and allowing electronic message center signs.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARYVILLE, TENNESSEE, THAT TITLE 14 ZONING AND LAND USE ORDINANCE OF THE MARYVILLE MUNICIPAL CODE IS HEREBY AMENDED, as follows:

SECTION 1. That Title 14, Chapter 2, Section 14-209 Washington Street Commercial Corridor.
(c) Signs: (i) Sign area allowed, the following is added:

(A) ...The total sign surface allowance for parcels along Washington Street shall be calculated based on 50% of the lot frontage along each public street. Properties along Washington Street with total frontage of 50 feet or less shall be allowed a maximum sign area of 25 square feet.

SECTION 2. That Title 14, Chapter 2, Section 14-209 Washington Street Commercial Corridor.
§ (ii) Sign allowances. Change “Businesses may add signs...” to “Businesses not on Washington Street may add signs...”

SECTION 3. That Title 14, Chapter 2, Section 14-209 Washington Street Commercial Corridor.
(iv) Freestanding signs: After “Freestanding signs of not taller than twelve (12) feet and not greater than sixty square feet are allowed” add “For parcels along Washington Street, the maximum height of a freestanding sign is 20 feet”.

Delete “Marquee or” from “Marquee or changeable message signs”

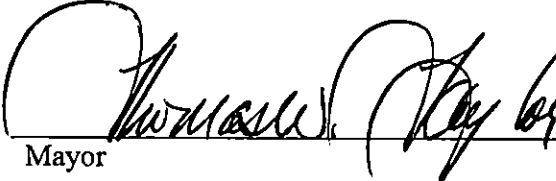
Delete “Only indirect/exterior illumination is permissible”.

SECTION 4. That Title 14, Chapter 2, Section 14-209 Washington Street Commercial Corridor. (viii) Prohibited Signs. Delete (viii) and replace with (viii) Changeable message signs. Along Washington Street changeable message signs are allowed and may be in addition to the maximum allowable total signage. Only one changeable message sign is allowed. Changeable message signs, which include electronic message center signs, shall be no larger than 20 square feet, except for gasoline product signs which shall be no larger than 25 square feet. Changeable message signs can only be on the building or on a freestanding sign.

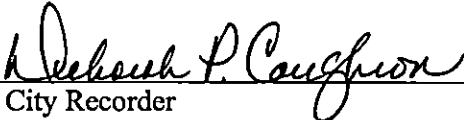
SECTION 5. That Title 14, Chapter 2, Section 14-209 Washington Street Commercial Corridor. (ix) Sign lighting. To “Only indirect/external lighting is allowed” add “except along Washington Street”. Add to existing paragraph “Neon signs, flashing signs, signs with intermittent lights, and rotating signs are prohibited”.

SECTION 6. That Title 14, Chapter 2, Section 14-209 Washington Street Commercial Corridor. (xviii) Amortization of non-conforming sign. The subsection (xviii) be deleted in its entirety.

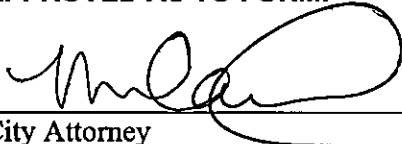
SECTION 7. This ordinance shall be effective from and after its passage, the public welfare requiring it.


Mayor

ATTEST:


City Recorder

APPROVED AS TO FORM:


City Attorney

Passed 1st Reading 3/1, 2016

Deborah P. Caughion
City Recorder

Passed 2nd Reading 4/5, 2016

Deborah P. Caughion
City Recorder

ORDINANCE NO. 2016-26

AN ORDINANCE TO AMEND, SECTION 14-222 (FENCES AND VEGETATION ADJACENT TO ROADWAYS) OF THE MARYVILLE MUNICIPAL CODE AS IT RELATES TO FENCES WITHIN THE HISTORIC DISTRICTS.

WHEREAS, the Maryville Regional Planning Commission has heard, reviewed, and recommended that this amendment be granted favorable consideration by the Council of the City of Maryville; and,

WHEREAS, the purpose of this amendment is to clarify Section 14-222 (6) (f) of the municipal code concerning chain link fences in the College Hill and Oak Park Historic Districts, and

WHEREAS, it is the intent of this legislation to allow, under certain conditions, chain link fences within the side and rear yards of residential properties in these two historic districts.

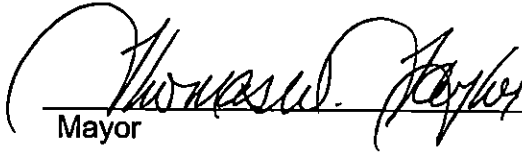
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARYVILLE, TENNESSEE, THAT TITLE 14 ZONING AND LAND USE ORDINANCE OF THE MARYVILLE MUNICIPAL CODE IS HEREBY AMENDED, as follows:

SECTION 1. That the text of Section 14-222 (6) (f) be deleted in its entirety and replaced with a new section of text to read as follows:

- (f) The use of uncoated-chain-link or vinyl/similar-material is not allowed.
- (g) The use of coated-chain-link is allowed, provided that:
 - (i) The proposed fencing would be located in a rear yard and would not be readily visible from a public street; or
 - (ii) The proposed fencing would be located in a side yard in which the fencing is recessed back at least 20 feet from the plane of the structure's front wall and is not highly visible from a public street.
 - (iii) The fence must have a permanent black, brown or green coating. Other colors are allowed provided the applicant can demonstrate that the fence blends-in with its background.

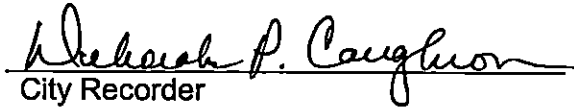
SECTION 2. That current sub-sections 14-222 (6) (g) through (j) be re-designated (h) through (k) respectively.

SECTION 3. This ordinance shall be effective from and after its passage, the public welfare requiring it.



Mayor

ATTEST:



City Recorder

APPROVED AS TO FORM:

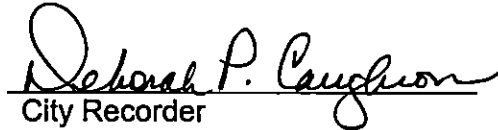


City Attorney

Passed 1st
Reading

9/6

,2016

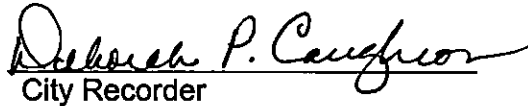


City Recorder

Passed 2nd
Reading

10/4

,2016



City Recorder