

**MINUTES
MONTEAGLE REGIONAL PLANNING COMMISSION
SEPTEMBER 15, 2022
6:03 PM**

**PRESENT: CHAIRMAN, MICHELLE RUSSELL
 RICHARD BLACK
 JANET MILLER-SCHMIDT
 PETER BEASLEY
 ED PROVOST
 DORRAINE PARMLEY
 MARILYN RODMAN**

Mr. Jim Waller gave a 15 minute presentation on protecting our water from pollution and runoff from RBT.

APPROVAL OF MINUTES

Ms. Dorraine Parmley made a motion to approve the minutes of August 2, 2022. Mr. Richard Black seconded the motion and it passed 7/0.

STAFF AND COMMUNITY REPORTS

Dixie Lee Avenue Mr. Dean Lay – Minor Subdivision B was approved by staff.

Maxwell Estates – Minor Subdivision A Not approved yet.

**MINUTES
P C MEETING
SEPT. 15, 2022
Page Two**

OLD BUSINESS

Joint IDA-IES Model Lighting Ordinance – Janet Miller-Schmidt made a motion to table this for more information. Mr. Peter Beasley seconded the motion and it passed unanimously 7/0.

NEW BUSINESS

REZONING REQUEST FROM R-1 TO C-2 BRIAN MASTERSON – After discussion Mr. Ed Provost made a motion to recommend this to the city council. Mr. Richard Black seconded the motion and it passed unanimously 7/0.

ADU ORDINANCE – After discussion Mr. Ed Provost made a motion to recommend this to the city council. Ms. Janet Miller-Schmidt seconded the motion and it passed unanimously 7/0.

CITIZENS HEARING

Ms. Mary Beth Best discussed a copy of a complaint. She discussed flooding and drainage issues.

Mr. Nate Wilson discussed building permits. This will be put on the agenda for next month. MTAS is working on an ordinance for stormwater.

There being no other business the meeting adjourned at 6:38 pm.

Respectfully submitted,



Chairman, Michelle Russell



City Recorder, Debbie Taylor

Monteagle Regional Planning Commission Meeting Minutes
Thursday, September 15, 2022 – 6:00 P.M. CST

Town Hall
24 Dixie Lee Avenue
Monteagle, TN 37356

- I. Call to Order
Chairman Iva Michelle Russell called the meeting to order at 6:03 P.M. Ms. Russell called the roll of the Commissioners. Richard Black, Vice-Chairman; Janet Miller-Schmidt, Secretary; Ed Provost; Dorraine Parmley; Peter Beasley; Marilyn Rodman, Mayor. All Present.
- II. Mr. Jim Waller made previous arrangements with Ms. Russell to have the floor for a video presentation for the first 15 minutes of the Planning Commission Meeting. Ms. Miller-Schmidt set a timer. Mr. Waller's presentation was about stopping pollution of Laurel Lake, the source of the City Water. When the timer went off, Ms. Russell asked Mr. Waller to stop his presentation. Mr. Waller asked if she wanted him to stop, she responded, "we had an agreement didn't we, Jim." Mr. Waller responded, "yes." The presentation was terminated.
- III. Approval of Previous Meeting Minutes
 1. Ms. Parmley made a motion, seconded by Mr. Black to approve the minutes of the August 2, 2022 Monteagle Regional Planning Commission as distributed. The motion was approved unanimously.
- IV. Staff and Community Reports
 - A. Dixie Lee Avenue (Dean Lay) – minor Subdivision B
 1. Annya Shalun, explained the subdivision of the property near Dixie Lee Avenue was done and in order and had been approved by the Southeastern Tennessee Development District.
 - B. Maxwell Estates – Minor Subdivision A
 1. Not approved yet by Southeastern Tennessee Development District.
- V. Old Business
 - A. Joint IDA-IES Model Lighting Ordinance
 1. Ms. Shalun explained she wants to discuss further with Alderman Wilson and the state regarding the ordinance. Ms. Miller-Schmidt made a motion to table the Ordinance, seconded by Mr. Provost. The motion carried.
- VI. New Business
 - A. Parcel 022G A 015.00 Rezoning Request (R-1 to C-2) (Brian Masterson)
 1. Ms. Shalun explained to the commissioners all of the property around and near the above-named property is zoned C-2. All of the neighboring property owners have been notified of Mr. Masterson's request to rezone this property. Mr. Masterson wants to build an RV and Boat Storage facility. Ms. Russell ask Mr. Tony Gilliam, if he had any thoughts or objections to Mr. Masterson's plan. He replied, "No objections." Mr. Gilliam said he would discuss with Rebecca Todd, a neighbor.
 2. Mr. Provost made a motion to recommend to the Town Council the Parcel 022G A 015.00 be rezoned from R-1 to C-2, seconded by Mr. Black. The motion carried unanimously.
 - B. Mountain Graphics site Plan (Jason Tate/John Childers) The plan has been pulled.
 - C. Accessory Dwelling Unit Ordinance
 1. All Commissioners have read the ordinance that was written after the special workshop meeting to discuss ADU's held September 15, 2022 t 12:30 P.M. in the Town Hall.
 2. Mr. Provost made a motion to recommend the ADU ordinance for approval to the Town Council, seconded by Ms. Miller-Schmidt. The motion carried unanimously.
- VII. Hearing of Person having Business Before the Commission
 - A. Mary Beth Best
 1. Given 3 minutes to speak. Mrs. Best explained she had spoken with Jennifer Innes at TDEC about whose responsible for the Storm Water. She said she was told it is the towns responsibility, She had contact on these dates concerning the storm water issues 8/1, 8/17 and 9/15. She expressed she was upset that the Mayor had responded to her concerns on Facebook rather than directly.
 - B. Nate Wilson
 1. Mr. Wilson an Alderman on the Town Council, said he had sent to Ms. Russell a recommendation to change an ordinance concerning building permits to add a sentence with a hard date to expire after 6 months if nothing has been done on the building site. Mr. Provost asked if the Vesting Law of the state would affect this change for local Building Permits. It would not.
 2. After some discussion, it was determined the whole ordinance, discussed by Mr. Wilson, would be brought to the Commission for the October 4, 2022 Monteagle Regional Planning Commission for further study. Mr. Provost asked if RBT had an extension, no response as Mr. Geary, code officer was not present. Mr. Wilson and Mr. Provost will confer with Ms. Shalun regarding the Building Permit Ordinance. Ms. Russell asked if anyone knew if the RBT was having a Supply issue. No one responded.
- VIII. Adjournment
 - A. Ms. Parmley made a motion to adjourn the meeting, seconded by Mr. Black. The motion carried. The meeting was adjourned at 6:38 P.M.
 - B. The next regular meeting of the Monteagle Regional Planning Commission will be held October 4th, 2022 at 6:00 P.M. Prior to the regular meeting there will be open workshop at 5:30 P.M. in the Town Hall.

Iva Michelle Russell, Chairman

Janet Miller-Schmidt, Secretary

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Iva Michelle Russell, Chairman

Janet Miller-Schmidt, Secretary

From: [Nate Wilson](#)
To: [Annya Shalun](#)
Subject: Fwd: zoning code amendment
Date: Friday, September 16, 2022 11:38:39 AM

FYI

----- Forwarded message -----

From: **Nate Wilson** <diospyros42@gmail.com>
Date: Wed, Aug 17, 2022 at 5:02 PM
Subject: zoning code amendment
To: Mayor Rodman <rodmanmayor@benlomand.net>, Sam Elliott <selliott@gearhiserpeters.com>, iva <iva@ivamichellerussell.com>

Marilyn,

Per the recommendation of the codes review committee, I would like to recommend we amend the zoning ordinance to limit the number of times a building permit can be renewed without substantial progress to one. The current ordinance (section 1203) currently reads as follows:

**To
this end, the application for a building permit for excavation, construction, moving or alteration shall
be accompanied by a site plan approved by the planning commission, where required, or a sketch plan
showing sufficient detail to enable the enforcement officer to ascertain whether the proposed
excavation, construction, moving, or alteration is in conformance with this ordinance.
If the proposed excavation, construction, moving, or alteration as set forth in the application is in
conformity with the provisions of this ordinance, the zoning officer shall issue a building permit for
such excavation, construction, moving, or alteration. If an application for a building permit is not
approved, the enforcement officer shall state in writing on the application the cause for such
disapproval. Issuance of a permit shall in no case be construed as waiving any provisions of this
ordinance. Building permits shall be void after 6 months from the date of issuance unless
substantial
progress on the project has been made by that time.**

I would like to add some variation to the following language. : **The enforcement officer may extend a building permit for an additional 6 months at their discretion. If no substantial progress has been made on the project after 12 months, the building permit will be void and the project site or sketch plan must be updated and resubmitted to the planning commission prior to issuance of a new building permit.**

I think the recommendation from this change must originate from the planning commission, so I have cc'd the chair as well.

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Storage Facilities

Self-Storage Facilities

A building or group of buildings that contain varying sizes of individual, compartmentalized, and controlled-access stalls or lockers for the dead storage of a customer's goods or wares, and from which no sales, service, or repair activities other than the rental of dead storage units are conducted.

INDUSTRIAL USES	C-1	C-2	C-3	I-1	R-1	R-2	R-3	R-4	I-D	Additional Requirements
General warehouses				•						
Hazardous and flammable materials sales and storage				•						Section 520
Heavy vehicle and equipment service facilities				•						
Industrial uses and services				•						
Junkyards				•						Section 522
Self-storage facilities		•		•						Section 532
Wrecker services				•						Section 542

532 Self-Storage Facilities

Self-storage facilities shall comply with all applicable general provisions of this zoning ordinance and the requirements of this section. Where there is a conflict with another regulation or dimensional requirement, the standard specified in this section shall control.

- A. Units shall not be used to house or conduct sales, service, or repair activities on the premises.
- B. Self-storage facilities abutting a residential district shall add 10 feet to the setback required by the base zoning district.
- C. Facilities with exterior units shall be access-controlled and enclosed by an approved security or screening fence as set forth in Section 715.
- D. In addition, a landscaped screen as outlined in Section 706 shall be planted on the exterior of the fence as to conceal the fence and the compound from public view.

Site Plan Parking Lot Requirements

612 Paving Requirements

Parking areas with 20 or more spaces shall be surfaced with a suitable paving material such as asphalt, concrete, brick, or specialty pavers; nonpermanent groundcover such as gravel, dirt, crushed stone, and grass shall not be permitted for such lots.

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Monteagle Regional Planning Commission
Tuesday, October 4th, 2022, 6:00pm CST

Town Hall
24 Dixie Lee Avenue
Monteagle, TN 37356

Agenda

- Iva Michelle Russell, Chairman
- Richard Black, Vice-Chairman
- Janet Miller-Schmidt, Secretary
- Ed Provost Dorraine Parmley
- Peter Beasley Marilyn Rodman, Mayor

I. Call to Order

II. Approval of Previous Meeting Minutes

A. September 15th, 2022

III. Staff and Community Reports

A. Bear Den Subdivision – Combination of 2 lots

a. Not approved yet

B. Maxwell Estates – Minor Subdivision A

a. Not approved yet

IV. Old Business

A. None

V. New Business

A. Building Permit Expiration Zoning Code Amendment (Nate Wilson)

B. Permitting Storage Facilities as Special Exceptions Use in C-3

a. Discussing conditions for allowing

C. Changing Zoning Ordinance requirement for paved parking lots only for site plans

a. Discussing conditions for allowing gravel parking lots

VI. Hearing of Persons Having Business Before the Commission

VII. Adjournment

Next Regularly Scheduled Meeting: November 1st, 2022

From: Janet Miller-Schmidt <jrms2777@gmail.com>
Sent: Thursday, September 15, 2022 8:45 AM
To: Iva Michelle Russell
Cc: Janet Miller-Schmidt; Jim Waller; Mayor Rodman; Debbie Taylor; Annya Shalun
Subject: Re: Sept 15 @ 6pm

Hello Jim,

I will be at the Town Hall at 4:30 this afternoon, to check all of the tech installations. If you have a special need, please meet me there then, so I can work out your needs.

Thank you,
Janet

On Sep 12, 2022, at 5:15 PM, iva ivamichellerussell.com <iva@ivamichellerussell.com> wrote:

Hello Jim,

We have received your request and have added your presentation to the beginning of our 9/15 planning commission agenda. Fifteen minutes will be allotted.

Janet Miller-Schmidt is our volunteer tech gal. If you need help setting up, you can arrange to meet with her sometime Thursday before our workshop at 5:30 pm. I am sure she would be happy to help.

Regards,

Iva Michelle Russell
Chairman, Monteagle Regional Planning Commission
931-871-6040
iva@ivamichellerussell.com

Get [Outlook for Android](#)

Monteagle Regional Planning Commission Meeting Minutes
Thursday, September 15, 2022 – 6:00 P.M. CST

Town Hall
24 Dixie Lee Avenue
Monteagle, TN 37356

- I. Call to Order
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 2. Mr. Provost made a motion to recommend to the Town Council the Parcel 022G A 015.00 be rezoned from R-1 to C-2, seconded by Mr. Black. The motion carried unanimously.
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 - B. Nate Wilson
 1. Mr. Wilson, an Alderman on the Town Council, said he had sent to Ms. Russell a recommendation to change an ordinance concerning building permits to add a sentence with a hard date to expire after 6 months if nothing has been done on the building site. Mr. Provost asked if the Vesting Law of the state would affect this change for local Building Permits. It would not.
 2. The text of Mr. Wilson recommendation – "permit with a hard date to expire after 6 months if nothing has been done on the building site, renewable only once."
 3. After some discussion, it was determined the whole ordinance, discussed by Mr. Wilson, would be brought to the Commission for the October 4, 2022 Monteagle Regional Planning Commission for further study. Mr. Provost asked if RBT had and extension, no response as Mr. Geary, code officer was not present. Mr. Wilson and Mr. Provost will confer with Ms. Shalun regarding the Building Permit Ordinance. Ms. Russell asked if anyone knew if the RBT was having a Supply issue. No one responded.
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September 8, 2022

Ms. Iva Michelle Russell
Chairman, Monteagle Regional Planning Commission
City Hall
Monteagle, TN 37356

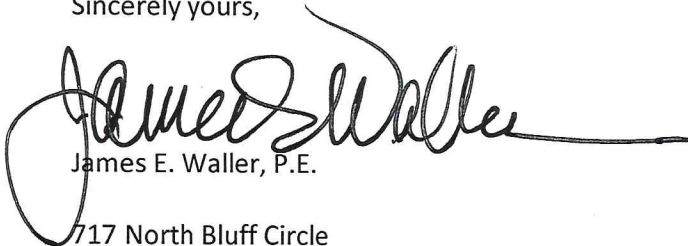
Delivered by Hand to City Hall

Dear Ms. Russell:

I am requesting a 15-minute opportunity to present important information relevant to issues concerning the Town of Monteagle during the Planning Commission meeting on Thursday, September 15th. The 15 minutes will be used to present specific concerns regarding the current manner of collection and treatment of stormwater runoff from the RBT property and evidence of pollution of Monteagle's water reservoir, Laurel Lake. The presentation will include photographs and video. Therefore, I am also requesting that computer/screen WiFi and equipment be available for the meeting.

I would appreciate notification of approval for this presentation as soon as possible.

Sincerely yours,



James E. Waller, P.E.

717 North Bluff Circle
P. O. Box 585
Monteagle, TN 37356
Phone: 931-636-7297
Email: remagen6@benlomand.net

Received by: Jersey William

**Monteagle Regional Planning Commission
Special Called Meeting
Thursday, September 15th, 2022, 6:00pm CST**

*Town Hall
24 Dixie Lee Avenue
Monteagle, TN 37356*

Agenda

- Iva Michelle Russell, Chairman
- Richard Black, Vice-Chairman
- Janet Miller-Schmidt, Secretary
- Ed Provost Dorraine Parmley
- Peter Beasley Marilyn Rodman, Mayor

I. Call to Order

II. Approval of Previous Meeting Minutes

A. August 2nd, 2022

III. Staff and Community Reports

- A. Dixie Lee Avenue (Dean Lay) – Minor Subdivision B
 - a. Approved
- B. Maxwell Estates – Minor Subdivision A
 - a. Not approved yet

IV. Old Business

A. Joint IDA-IES Model Lighting Ordinance

V. New Business

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- B. Mountain Graphics Site Plan (Jason Tate/John Childers)
- C. Accessory Dwelling Unit Ordinance

VI. Hearing of Persons Having Business Before the Commission

VII. Adjournment

Next Regularly Scheduled Meeting: October 4th, 2022

**Monteagle Regional Planning Commission
WORKSHOP
Thursday, September 15th, 2022, 5:30pm CST**

*Town Hall
24 Dixie Lee Avenue
Monteagle, TN 37356*

Agenda

- Iva Michelle Russell, Chairman
- Richard Black, Vice-Chairman
- Janet Miller-Schmidt, Secretary
- Ed Provost Dorraine Parmley
- Peter Beasley Marilyn Rodman, Mayor

I. Call to Order

II. Discussion Items

- A. Joint IDA-IES Model Lighting Ordinance
- B. Parcel 022G A 015.00 Rezoning Request (R-1 to C-2) (Brian Masterson)
- C. Mountain Graphics Site Plan (Jason Tate/John Childers)

III. Hearing of Persons Having Business Before the Commission

IV. Adjournment

Next Regularly Scheduled Meeting: October 4th, 2022

Monteagle Regional Planning Commission
Monthly Meeting Minutes
Tuesday, August 2, 2022, 6:00 P.M.

*Town Hall
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Present: Richard Black, Vice Chair; Janet Miller-Schmidt, Secretary; Dorraine Parmley; Ed Provost; and Anya Shalun, Southeast Tennessee Development District. Not present: Peter Beasley and Mayor Marilyn Rodman.

- II. Approval of Previous Meeting Minutes
 - A. July 5th, 2022
 - a. Ms. Parmley made a motion seconded by Mr. Provost to approve the minutes as distributed. The motion carried.

- III. Staff and Community Reports
 - A. Earl Geary, Building Inspector, reported he had not inspected Bear Hollow, to be auctioned off on August 6th. He distributed to the commissioners copy of a letter he sent to Winton Auction and Realty regarding the advertisement describing the Tract to be auctioned. His letter explained that no building permits or inspections for the change to living space had been issued or inspected. That the buildings listed as living spaces had been designed as rough retail, not living spaces. There are life safety issues that will require future inspections and fire safety walls constructed between the units. He also gave the secretary a copy of the auction advertisement. Mr. Geary's letter and the action advertisement are attached to these minutes.
 - B. Mr. Geary explained to the commissioners Ms. Cindy Church has a 12 X 40 ft building she wants to turn into a rental. Without a permit or engineer's approval, Ms. Church added a toilet to the building. Monteagle ordinance does not allow two (2) principal structures on the same lot. Ms. Church attended the Planning Commission meeting explaining that she did not realize or know that she needed a building permit and acknowledged she had been informed by Mr. Geary, after he learned of the changes made to the building, she needed to get a licensed engineer's approval but that that approval did not negate the fact there are now two principal buildings on a single lot. She explained she planned to add an efficiency kitchen, but no washer and dryer. Further investigation is required regarding Ms. Church's dilemma.
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 - a. Ms. Shalun asked for direction to the Special Planning Commission Workshop to be held August 29, 2022 at 12:30 P.M. in the Town Hall. The subject of the Special Workshop will be an ADU (Accessory Dwelling Units) ordinance.
 - b. The Commissioners were advised to review the two documents Ms. Shalun had emailed all the commissioners (Jasper, TN ADU ordinance and Chattanooga ADU ordinance – attached) and send her each of their comments and questions and not to discuss with each other those concerns, comments or questions.
 - B. Mr. Provost wanted to discuss how to handle zoning issues – omissions, overlaps as a member of the Special Zoning Ordinance Committee and a member of the Monteagle Regional Planning Commission, he would like to know what options are open to help eliminate conflicts. He asked how to help eliminate the potential high cost of site plans, whether or not the project is viable or not before the cost of site plans has been invested

by a developer. Ms. Shalun explained most developers reach out to her office for verification before site plans are invested and many times, once the site plans are submitted to her office, the developer will receive deficiency notes upon the site plan before it comes to the Monteagle Planning Commission. Questions are directed to the Building Inspector as well. Ms. Shalun said some municipalities have instituted site plan review fees.

VI. Hearing of Persons Having Business Before the Commission

A. Cooley's Rift

Mr. Henning asked about the subdivision's ability to have ADU's. According to the 2017 HOA for Cooley's Rift, the home owner is allowed to have ADU's but that is in conflict with the Zoning Ordinances of the Town of Monteagle at this time.

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Mr. Lay wanted to tell the commissioners, he does not think the average citizen, like Ms. Church, did not know the process to get small projects done. He also wanted the commissioners to know that it does not seem fair that small projects \$10,000 or 10% of the project cost has to be invested in Landscaping. Mr. Lay complimented Ms. Shalun on the quickness of getting his recent site plan turned around. He sent it on July 29 and received it back on August 2 with the deficiencies explained. Mr. Lay gave a copy of the first submitted site plan and the site plan with the deficiencies to the secretary for the permanent record of this meeting (attached). He told the commissioners he thinks they are working hard at listening and making Monteagle better. He said Mr. Geary's retirement is well deserved but will be hard to fill his shoes. Mr. Geary knows the ordinances, fire safety rules and zoning areas of Monteagle. He thinks the Town of Monteagle should not spend on a feasibility study by a consultant as the plan done several years ago should be approved as the Town of Monteagle business district has not changed.

C. Mary Beth Best, citizen, 521 Lautzenheiser Place, Monteagle

Ms. Best mentioned she had been a special PC playground program in one of the towns she once lived. She reminded the commissioners of their duty to the individual property owners and gave them a copy of the Developer's Quick Reference from the Monteagle Zoning Ordinances. She explained that she is unhappy with the RBT development's lack of progress and that the Planning Commission makes recommendations to the Town Council. She feels that RBT development has been out of compliance 90% of the time. She does not feel the Planning Commission paid prudent attention to the site plan presented to the commissioners. She handed out an emailed letter to the Mayor's office and photos she had taken 7/30-8/1, 2022 after a hard downpour of rain. She explained the picture show the effects of the runoff from the RBT site. The pictures, letter and the reference to the Developer's Quick Reference are attached.

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Mr. Waller, gave each of the commissioners a letter he had written August 1, 2022 regarding the RBT development and his 3/21/21 analysis prepared at the request of Mayor Rodman. He contends there is a serious silt contamination of Laurel Lake as a result of the RBT Enterprises' earthwork activity. Mr. Waller "calls on the commissioners to rely on Professional Judgement" required by the ordinance "1000 Q", containment and treatment of runoff.

VII. Adjournment

- A. A motion made by Mr. Black and seconded by Mr. Provost to adjourn the meeting carried unanimously. The meeting was adjourned at 7:13 P.M.
- B. The next regularly scheduled meeting of the Monteagle Regional Planning Commission, originally scheduled for September 6, 2022 at 6:00 P.M., will be canceled. (Staff Planner will be absent). A special called meeting will be scheduled for September 15th, 2022 at 6:00 P.M.
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Iva Michelle Russell, Chairman

Janet Miller-Schmidt, Secretary

Monteagle Regional Planning Commission
Monthly Meeting Minutes
Tuesday, August 2, 2022, 6:00 P.M.

*Town Hall
24 Dixie Lee Avenue
Monteagle, TN 37356*

- I. Call to Order
 - A. Chairman Iva Michelle Russell, called the meeting to order at 6:03 P.M. The Chair called roll.
Present: Richard Black, Vice Chair; Janet Miller-Schmidt, Secretary; Dorraine Parmley; Ed Provost; and Annya Shalun, Southeast Tennessee Development District. Not present: Peter Beasley and Mayor Marilyn Rodman.
- II. Approval of Previous Meeting Minutes
 - A. July 5th, 2022
 - a. Ms. Parmley made a motion seconded by Mr. Provost to approve the minutes as distributed. The motion carried.
- III. Staff and Community Reports
 - A. Earl Geary, Building Inspector, reported he had not inspected Bear Hollow, to be auctioned off on August 6th. He distributed to the commissioners copy of a letter he sent to Winton Auction and Realty regarding the advertisement describing the Tract to be auctioned. His letter explained that no building permits or inspections for the change to living space had been issued or inspected. That the buildings listed as living spaces had been designed as rough retail, not living spaces. There are life safety issues that will require future inspections and fire safety walls constructed between the units. He also gave the secretary a copy of the auction advertisement. Mr. Geary's letter and the action advertisement are attached to these minutes.
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Monteagle Lighting Ordinance Draft

I. Introduction

The purpose of this Ordinance is to provide regulations for outdoor lighting that will:

- a. Permit the use of outdoor lighting that does not exceed the minimum levels specified in IES recommended practices for night-time safety, utility, security, productivity, enjoyment, and commerce.
- b. Minimize adverse offsite impacts of lighting such as light trespass, and obtrusive light.
- c. Curtail light pollution, reduce skyglow and improve the nighttime environment for astronomy.
- d. Help protect the natural environment from the adverse effects of night lighting from gas or electric sources.
- e. Conserve energy and resources to the greatest extent possible.

II. Lighting Zones

The Lighting Zone shall determine the limitations for lighting as specified in this ordinance. The Lighting Zones shall be as follows:

LZ0: No ambient lighting

Areas where the natural environment will be seriously and adversely affected by lighting. Impacts include disturbing the biological cycles of flora and fauna and/or detracting from human enjoyment and appreciation of the natural environment. Human activity is subordinate in importance to nature. The vision of human residents and users is adapted to the darkness, and they expect to see little or no lighting. When not needed, lighting should be extinguished.

LZ1: Low ambient lighting

Areas where lighting might adversely affect flora and fauna or disturb the character of the area. The vision of human residents and users is adapted to low light levels. Lighting may be used for safety and convenience but it is not necessarily uniform or continuous. After curfew, most lighting should be extinguished or reduced as activity levels decline.

LZ2: Moderate ambient lighting

Areas of human activity where the vision of human residents and users is adapted to moderate light levels. Lighting may typically be used for safety and convenience but it is not necessarily uniform or continuous. After curfew, lighting may be extinguished or reduced as activity levels decline.

LZ3: Moderately high ambient lighting

Areas of human activity where the vision of human residents and users is adapted to moderately high light levels. Lighting is generally desired for safety, security and/or convenience and it is often uniform and/or continuous. After curfew, lighting may be extinguished or reduced in most areas as activity levels decline.

LZ4: High ambient lighting

Areas of human activity where the vision of human residents and users is adapted to high light levels. Lighting is generally considered necessary for safety, security and/or convenience and it is mostly uniform and/or continuous. After curfew, lighting may be extinguished or reduced in some areas as activity levels decline.

III. General Requirements

A. Conformance with All Applicable Codes

All outdoor lighting shall be installed in conformance with the provisions of this Ordinance, applicable Electrical and Energy Codes, and applicable sections of the Building Code.

B. Applicability

Except as described below, all outdoor lighting installed after the date of effect of this Ordinance shall comply with these requirements. This includes, but is not limited to, new lighting, replacement lighting, or any other lighting whether attached to structures, poles, the earth, or any other location, including lighting installed by any third party.

Exemptions from III.(B.) The following are not regulated by this Ordinance:

- a. Lighting within public right-of-way or easement for the principal purpose of illuminating streets or roads. No exemption shall apply to any lighting within the public right of way or easement when the purpose of the luminaire is to illuminate areas outside the public right of way or easement, unless regulated with a streetlighting ordinance.*
- b. Lighting for public monuments and statuary.*
- c. Lighting solely for signs (lighting for signs is regulated by the Sign Ordinance).*
- d. Repairs to existing luminaires not exceeding 25% of total installed luminaires.*
- e. Temporary lighting for theatrical, television, performance areas and construction sites;*
- f. Underwater lighting in swimming pools and other water features*
- g. Temporary lighting and seasonal lighting provided that individual lamps are less than 10 watts and 70 lumens.*
- h. Lighting that is only used under emergency conditions.*
- i. In lighting zones 2, 3 and 4, low voltage landscape lighting controlled by an automatic device that is set to turn the lights off at one hour after the site is closed to the public or at a time established by the authority.*

C. Lighting Control Requirements

1. Automatic Switching Requirements

Controls shall be provided that automatically extinguish all outdoor lighting when sufficient daylight is available using a control device or system such as a photoelectric switch, astronomic time switch or equivalent functions from a programmable lighting controller, building automation system or lighting energy management system, all with battery or similar backup power or device.

Exceptions to III.(C.) 1. Automatic lighting controls are not required for the following:

- a. Lighting under canopies.*
- b. Lighting for tunnels, parking garages, garage entrances, and similar conditions.*

2. Automatic Lighting Reduction Requirements

The Authority shall establish curfew time(s) after which total outdoor lighting lumens shall be reduced by at least 30% or extinguished.

Exceptions to III.(C.) 2. Lighting reductions are not required for any of the following:

- a. With the exception of landscape lighting, lighting for residential properties including multiple residential properties not having common areas.*
- b. When the outdoor lighting consists of only one luminaire.*
- c. Code required lighting for steps, stairs, walkways, and building entrances.*

- d. *When in the opinion of the Authority, lighting levels must be maintained.*
- e. *Motion activated lighting.*
- f. *Lighting governed by special use permit in which times of operation are specifically identified.*
- g. *Businesses that operate on a 24 hour basis.*

IV. Commercial Lighting

For all commercial and non-residential properties, and for multiple residential properties of seven domiciles or more and having common outdoor areas, all outdoor lighting shall comply either with the prescription method.

All new or redeveloped properties in the downtown corridor (C-1 & C-2 Zones) are required to update lights to fall under **LZ2: Moderate ambient lighting** requirements.

All new or redeveloped properties in the highway corridor (C-3 Zones) are required to update lights to fall under **LZ3: Moderately high ambient lighting** requirements.

A. Prescriptive Method

An outdoor lighting installation complies with this section if it meets the requirements of subsections 1 and 2, below.

1. Total Site Lumen Limit

The total installed initial luminaire lumens of all outdoor lighting shall not exceed the total site lumen limit. The total site lumen limit shall be determined using either the Parking Space Method (Table A) or the Hardscape Area Method (Table B). Only one method shall be used per permit application, and for sites with existing lighting, existing lighting shall be included in the calculation of total installed lumens. The total installed initial luminaire lumens is calculated as the sum of the initial luminaire lumens for all luminaires.

2. Limits to Off Site Impacts

All luminaires shall be rated and installed according to Table C.

3. Light Shielding for Parking Lot Illumination

All parking lot lighting shall have no light emitted above 90 degrees.

Exception:

- a. *Ornamental parking lighting shall be permitted by special permit only, and shall meet the requirements of Table C-1 for Backlight, Table C-2 for Uplight, and Table C-3 for Glare, without the need for external field-added modifications.*

V. Lighting By Special Permit Only

1. High Intensity and Special Purpose Lighting

The following lighting systems are prohibited from being installed or used except by special use permit:

- a. Temporary lighting in which any single luminaire exceeds 20,000 initial luminaire lumens or the total lighting load exceeds 160,000 lumens.
- b. Aerial Lasers.
- c. Searchlights.
- d. Other very intense lighting defined as having a light source exceeding 200,000 initial luminaire lumens or an intensity in any direction of more than 2,000,000 candelas.

2. Complex and Non-Conforming Uses

Upon special permit issued by the Authority, lighting not complying with the technical requirements of this ordinance but consistent with its intent may be installed for complex sites or uses or special uses including, but not limited to, the following applications:

1. Sports facilities, including but not limited to unconditioned rinks, open courts, fields, and stadiums.
2. Construction lighting.
3. Lighting for industrial sites having special requirements, such as petrochemical manufacturing or storage, shipping piers, etc.
4. Parking structures.
5. Urban parks
6. Ornamental and architectural lighting of bridges, public monuments, statuary and public buildings.
7. Theme and amusement parks.
8. Correctional facilities.

To obtain such a permit, applicants shall demonstrate that the proposed lighting installation:

- a. Has sustained every reasonable effort to mitigate the effects of light on the environment and surrounding properties, supported by a signed statement describing the mitigation measures. Such statement shall be accompanied by the calculations required for the Performance Method.
- b. Employs lighting controls to reduce lighting at a Project Specific Curfew (“Curfew”) time to be established in the Permit.
- c. Complies with the Performance Method after Curfew.

The Authority shall review each such application. A permit may be granted if, upon review, the Authority believes that the proposed lighting will not create unwarranted glare, sky glow, or light trespass.

VI. Existing Lighting

Lighting installed prior to the effective date of this ordinance shall comply with the following.

A. Amortization

On or before [amortization date], all outdoor lighting shall comply with this Code.

B. New Uses or Structures, or Change of Use

Whenever there is a new use of a property (zoning or variance change) or the use on the property is changed, all outdoor lighting on the property shall be brought into compliance with this Ordinance before the new or changed use commences.

C. Additions or Alterations

1. Major Additions.

If a major addition occurs on a property, lighting for the entire property shall comply with the requirements of this Code. For purposes of this section, the following are considered to be major additions:

- a. Additions of 25 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces, either with a single addition or with cumulative additions after the effective date of this Ordinance.
- b. Single or cumulative additions, modification or replacement of 25 percent or more of installed outdoor lighting luminaires existing as of the effective date of this Ordinance.

2. Minor Modifications, Additions, or New Lighting Fixtures for Non-residential and Multiple Dwellings

For non-residential and multiple dwellings, all additions, modifications, or replacement of more than 25 percent of outdoor lighting fixtures existing as of the effective date of this Ordinance shall require the submission of a complete inventory and site plan detailing all existing and any proposed new outdoor lighting.

Any new lighting shall meet the requirements of this Ordinance.

3. Resumption of Use after Abandonment

If a property with non-conforming lighting is abandoned for a period of six months or more, then all outdoor lighting shall be brought into compliance with this Ordinance before any further use of the property occurs.

VII. Tables

Table A. Allowed Total Initial Luminaire Lumens per Site for Commercial Outdoor Lighting, Per Parking Space Method

May only be applied to properties up to 10 parking spaces (including handicapped accessible spaces).

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
350 lms/space	490 lms/space	630 lms/space	840 lms/space	1,050 lms/space

Table B. Allowed Total Initial Lumens per Site for Commercial Outdoor Lighting, Hardscape Area Method

May be used for any project. When lighting intersections of site drives and public streets or road, a total of 600 square feet for each intersection may be added to the actual site hardscape area to provide for intersection lighting.

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Base Allowance				
0.5 lumens per SF of Hardscape	1.25 lumens per SF of Hardscape	2.5 lumens per SF of Hardscape	5.0 lumens per SF of Hardscape	7.5 lumens per SF of Hardscape

Table B. Lumen Allowances, in Addition to Base Allowance

	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Additional allowances for sales and service facilities. No more than two additional allowances per site, Use it or Lose it.					
Outdoor Sales Lots. This allowance is lumens per square foot of un-covered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non sales areas. To use this allowance, luminaires must be within 2 mounting heights of sales lot area.	0	4 lumens per SF	8 lumens per SF	16 lumens per SF	16 lumens per SF
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area	0	0	1,000 per LF	1,500 per LF	2,000 per LF
Drive Up Windows. In order to use this allowance, luminaires must be within 20 feet horizontal distance of the center of the window.	0	2,000 lumens per drive-up window	4,000 lumens per drive-up window	8,000 lumens per drive-up window	8,000 lumens per drive-up window
Vehicle Service Station. This allowance is lumens per installed fuel pump.	0	4,000 lumens per pump (based on 5 fc horiz)	8,000 lumens per pump (based on 10 fc horiz)	16,000 lumens per pump (based on 20 fc horiz)	24,000 lumens per pump (based on 20 fc horiz)

Table C. Maximum Allowable Backlight, Uplight and Glare (BUG) Ratings

May be used for any project. A luminaire may be used if it is rated for the lighting zone of the site or lower in number for all ratings B, U and G. Luminaires equipped with adjustable mounting devices permitting alteration of luminaire aiming in the field shall not be permitted.

	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Allowed Backlight Rating*					
Greater than 2 mounting heights from property line	B1	B3	B4	B5	B5
1 to less than 2 mounting heights from property line and ideally oriented**	B1	B2	B3	B4	B4
0.5 to 1 mounting heights from property lines and ideally oriented**	B0	B1	B2	B3	B3
Less than 0.5 mounting height to property line and properly oriented**	B0	B0	B0	B1	B2
Allowed Uplight Rating	U0	U1	U2	U3	U4
Allowed % light emission above 90° for street or Area lighting	0%	0%	0%	0%	0%
Allowed Glare Rating	G0	G1	G2	G3	G4
Any luminaire not ideally oriented*** with 1 to less than 2 mounting heights to any property line of concern	G0	G0	G1	G1	G2
Any luminaire not ideally oriented*** with 0.5 to 1 mounting heights to any property line of concern	G0	G0	G0	G1	G1
Any luminaire not ideally oriented*** with less than 0.5 mounting heights to any property line of concern	G0	G0	G0	G0	G1

*For property lines that abut public walkways, bikeways, plazas, and parking lots, the property line may be considered to be 5 feet beyond the actual property line for purpose of determining compliance with this section. For property lines that abut public roadways and public transit corridors, the property line may be considered to be the centerline of the public roadway or public transit corridor for the purpose of determining compliance with this section. NOTE: This adjustment is relative to Table C-1 and C-3 only and shall not be used to increase the lighting area of the site.

** To be considered 'ideally oriented', the luminaire must be mounted with the backlight portion of the light output oriented perpendicular and towards the property line of concern.

*** Any luminaire that cannot be mounted with its backlight perpendicular to any property line within 2X the mounting heights of the luminaire location shall meet the reduced Allowed Glare Rating in Table C-3.

Definitions

Architectural Lighting Lighting designed to reveal architectural beauty, shape and/or form and for which lighting for any other purpose is incidental.

Authority The adopting municipality, agency or other governing body.

Automatic Time Switch An automatic lighting control device that switches outdoor lighting relative to time of solar day with time of year correction.

Backlight For an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the opposite direction of the intended orientation of the luminaire. For luminaires with symmetric distribution, backlight will be the same as front light.

BUG. A luminaire classification system that classifies backlight (B), uplight (U) and glare (G).

Canopy. A covered, unconditioned structure with at least one side open for pedestrian and/or vehicular access. (An unconditioned structure is one that may be open to the elements and has no heat or air conditioning.)

Common Outdoor Areas. One or more of the following: a parking lot; a parking structure or covered vehicular entrance; a common entrance or public space shared by all occupants of the domiciles.

Curfew. A time defined by the authority when outdoor lighting is reduced or extinguished.

Emergency Conditions. Generally, lighting that is only energized during an emergency; lighting fed from a backup power source; or lighting for illuminating the path of egress solely during a fire or other emergency situation; or, lighting for security purposes used solely during an alarm.

Glare. Lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.

Hardscape. Permanent hardscape improvements to the site including parking lots, drives, entrances, curbs, ramps, stairs, steps, medians, walkways and non-vegetated landscaping that is 10 feet or less in width. Materials may include concrete, asphalt, stone, gravel, etc.

Hardscape Area. The area measured in square feet of all hardscape. It is used to calculate the Total Site Lumen Limit in both the Prescriptive Method and Performance Methods. Refer to Hardscape definition.

Lamp. A generic term for a source of optical radiation (i.e. "light"), often called a "bulb" or "tube". Examples include incandescent, fluorescent, high-intensity discharge (HID) lamps, and low pressure sodium (LPS) lamps, as well as light-emitting diode (LED) modules and arrays.

Landscape Lighting. Lighting of trees, shrubs, or other plant material as well as ponds and other landscape features.

Light pollution. Any adverse effect of artificial light including, but not limited to, glare, light trespass, sky-glow, energy waste, compromised safety and security, and impacts on the nocturnal environment.

Light trespass. Light that falls beyond the property it is intended to illuminate.

Lighting. “Electric” or “man-made” or “artificial” lighting. See “lighting equipment”.

Lighting Zone. An overlay zoning system establishing legal limits for lighting for particular parcels, areas, or districts in a community.

Low Voltage Landscape Lighting. Landscape lighting powered at less than 15 volts and limited to luminaires having a rated initial luminaire lumen output of 525 lumens or less.

Lumen. The unit of measure used to quantify the amount of light produced by a lamp or emitted from a luminaire (as distinct from “watt,” a measure of power consumption).

Luminaire. The complete lighting unit (fixture), consisting of a lamp, or lamps and ballast(s) (when applicable), together with the parts designed to distribute the light (reflector, lens, diffuser), to position and protect the lamps, and to connect the lamps to the power supply.

Luminaire Lumens. For luminaires with relative photometry per IES, it is calculated as the sum of the initial lamp lumens for all lamps within an individual luminaire, multiplied by the luminaire efficiency. If the efficiency is not known for a residential luminaire, assume 70%. For luminaires with absolute photometry per IES LM-79, it is the total luminaire lumens. The lumen rating of a luminaire assumes the lamp or luminaire is new and has not depreciated in light output.

Mounting height. The height of the photometric center of a luminaire above grade level.

New lighting. Lighting for areas not previously illuminated; newly installed lighting of any type except for replacement lighting or lighting repairs.

Ornamental Lighting. Lighting that does not impact the function and safety of an area but is purely decorative, or used to illuminate architecture and/or land-scaping, and installed for aesthetic effect.

Outdoor Lighting. Lighting equipment installed within the prop-erty line and outside the building envelopes, whether attached to poles, building structures, the earth, or any other location; and any associated lighting control equipment.

Photoelectric Switch. A control device employing a photocell or photodiode to detect daylight and automatical-ly switch lights off when sufficient daylight is available.

Property line. The edges of the legally-defined extent of privately owned property.

Relative photometry. Photometric measurements made of the lamp plus luminaire, and adjusted to allow for light loss due to reflection or absorption within the luminaire. Reference standard: IES LM-63.

Repair(s). The reconstruction or renewal of any part of an existing luminaire for the purpose of its on-going operation, other than relamping or replacement of components including capaci-tor, ballast or photocell. Note that retrofitting a luminaire with new lamp and/or ballast tech-nology is not considered a repair and for the purposes of this ordinance the luminaire shall be treated as if new. “Repair” does not include normal relamping or replacement of components including capacitor, ballast or photocell.

Replacement Lighting. Lighting installed specifically to replace exist-ing lighting that is sufficiently broken to be beyond repair.

Sales area. Uncovered area used for sales of retail goods and materials, including but not limited to automobiles, boats, tractors and other farm equipment, building supplies, and gardening and nursery products.

Seasonal Lighting. Temporary lighting installed and operated in connection with holidays or traditions.

Sky glow. The brightening of the nighttime sky that results from scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Skyglow is caused by light directed or reflected upwards or sideways and reduces one's ability to view the night sky.

Temporary lighting. Lighting installed and operated for periods not to exceed 60 days, completely removed and not operated again for at least 30 days.

Third party. A party contracted to provide lighting, such as a utility company.

Time switch. An automatic lighting control device that switches lights according to time of day.

Uplight. For an exterior luminaire, flux radiated in the hemisphere at or above the horizontal plane.

07/15/2022

Dear Planning Commission Members,

My name is Brian Masterson and I live in Spring Hill TN with my wife and two daughters. I started my first business at the age of 23 and have always been an entrepreneur. I moved to TN in 2013 from a small town in northwest Ohio. Small towns, such as Monteagle, are the backbones of America. I hold these types of communities near and dear to my heart.

It is my desire to purchase parcel # 022G A 015.00 from seller Jerry Argo contingent on proper rezoning of the parcel so I may build in compliance approx. 6,000 sq ft of Class A storage. This parcel is directly across the street from a flea market with run down portable sheds and a mini self-storage warehouse.

My objective is to develop this small parcel with very nice state of the art storage building (not mini storage). This would give Monteagle better curb appeal for north and south bound I-24 traffic while passing or getting on/off the Main St exit. I believe this is the entrance into the community and stands to be physically appealing to the visitor's eye. This property and storage business would also generate more taxes for the community.

Thank you kindly for your consideration in rezoning,



Brian Masterson

419-260-0245



Southeast Tennessee Development District
 Community Development
 P.O. Box 4757 | 1000 Riverfront Parkway
 Chattanooga, TN 37405
 Phone: (423) 266-5781 Fax: (423) 267-7705
 www.sedev.org

STAFF REVIEW

To: Town of Monteagle Regional Planning Commission
 From: Annya Shalun, Regional Planner
 Date: 8/9/22
 Subject: Rezoning Request – R-1 Low Density Residential District to C-2 Highway Commercial District

Property Owner:

Jerry Argo
 6231 Arno Road
 Franklin, TN 37064

Property Location:

355 Wells St
 Monteagle, TN 37356
 Marion County

Tax Map: 022G A

Parcel: 015.00
Flood Zone: NO
Current Zoning: R-1
Proposed Zone: C-2

Applicant:

Brian Masterson
 2911 Stewart Campbell Pt.
 Thompsons Station, TN 37179

Adjacent Zoning Districts:

North: R-1
 South: R-1
 West: C-1
 East: R-1

Setbacks for C-2:

Front: 30 feet
 Rear: 10 feet
 Side: 10 feet

Background

An application for a zoning map amendment (rezoning) has been submitted for a roughly 0.69 acre/29,855 square feet property located along Catherine Avenue in Monteagle, TN. The property owner is looking to be able to build a storage facility on the property, which is prohibited in R-1 zoning and permitted in C-2.

Analysis

Please note the zoning districts in the table below from section 501 regarding what industrial uses are currently permitted in Monteagle’s zoning districts. C-2 is the only zoning district that permits storage facilities. To the west, north, and south of the parcel are parcels that are zoned R-1, but to the east and one parcel north are properties with storage facilities. The zoning map does not coincide with the actual land use of the properties that are storage facilities but are zoned for C-1 districts.

INDUSTRIAL USES	C-1	C-2	C-3	I-1	R-1	R-2	R-3	R-4	I-D	Additional Requirements
General warehouses				●						
Hazardous and flammable materials sales and storage				●						Section 520
Heavy vehicle and equipment service facilities				●						
Industrial uses and services				●						
Junkyards				●						Section 522
Self-storage facilities		●		●						Section 532
Wrecker services				●						Section 542

532 Self-Storage Facilities

Self-storage facilities shall comply with all applicable general provisions of this zoning ordinance and the requirements of this section. Where there is a conflict with another regulation or dimensional requirement, the standard specified in this section shall control.

- A. Units shall not be used to house or conduct sales, service, or repair activities on the premises.
- B. Self-storage facilities abutting a residential district shall add 10 feet to the setback required by the base zoning district.
- C. Facilities with exterior units shall be access-controlled and enclosed by an approved security or screening fence as set forth in Section 715.
- D. In addition, a landscaped screen as outlined in Section 706 shall be planted on the exterior of the fence as to conceal the fence and the compound from public view.

706 Screening Requirements

The purpose of a screen is to install an evergreen buffer that will provide year-round visual obstruction between incompatible land uses and zoning districts. Existing natural areas and trees should be preserved, when possible, and may be used as a substitute for a screen, subject to the approval of the planning commission. Otherwise, screening shall be installed in accordance with the following matrix:

ZONING OF ABUTTING PROPERTY	ZONING OF DEVELOPMENT			
	C-1, C-2	C-3	I-1	R-3, R-4, I-D
C-1, C-2	None	Required	Required	Required
C-3	None	Required	Required	Required
I-1	None	Required	Required	Required
R-3, R-4, I-D	Required	Required	Required	Required
R-1, R-2	Required	Required	Required	Required

The screen shall consist of a 10-foot-wide yard around the building or along the abutting side and rear property lines in accordance with the matrix above and planted with either (A) or (B) as follows:

- A. One row of screening trees planted on-center and spaced 10 feet apart.
- B. Two staggered rows of screening shrubs with 7 feet of separation between the rows and shrubs planted 8 feet apart.

Spot-Zoning

Spot zoning is not a legal practice in Tennessee, but it is not always easy to determine if a particular rezoning can be considered spot zoning. Tennessee courts have viewed spot zoning as, “the process of singling out a small parcel of land for use classification totally different from that of the surrounding area, for the benefit of the owner of such property, and to the detriment of other owners.”

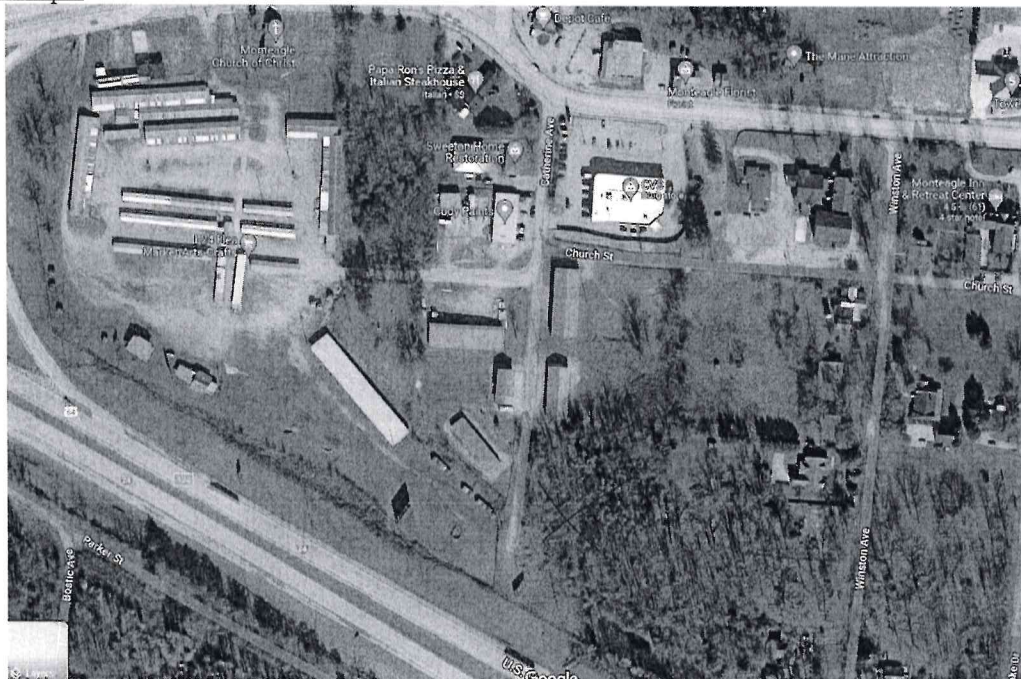
Abutting the proposed development are several single-family residences. If the Planning Commission recommends rezoning of this particular parcel, planning staff suggests that all the proper screening and landscaping requirements are met to protect the adjacent residential properties.

Potential Next Steps

The Planning Commission needs to hear the concerns and opinions of the surrounding property and business owners before they should make their decision on what is the best option for the community. Staff also suggests that if this property is recommended by the planning commission to be rezoned to C-2, then next steps should be to reevaluate the zoning map in that area to rezone additional parcels to C-2 that are existing storage facilities.

This review is based solely on analysis of information presented as well as the information staff has available. Staff reserves the right to alter this recommendation should new information be presented detrimental to adherence with county and state regulations.

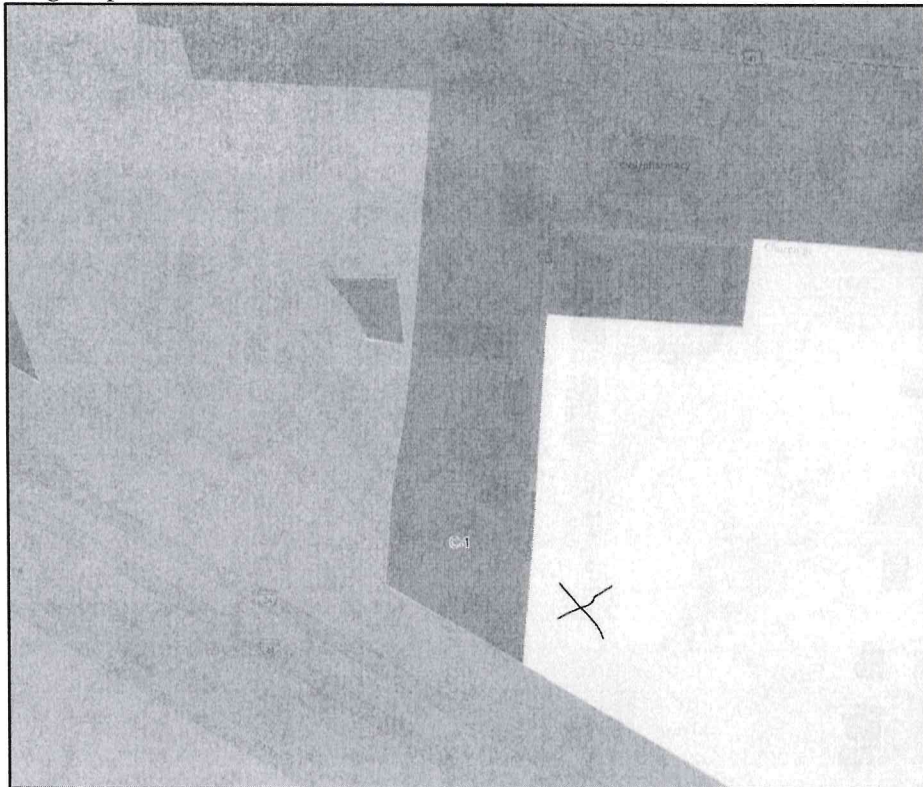
Google Maps:



Aerial Imagery:



Current Zoning Map:





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STAFF REVIEW

To: Christopher Jason & Shasta Leigh Tate / Childers Land Surveying

From: Annya Shalun, Regional Planner

Date: 8.19.22

Subject: Site Plan Review for Mountain Graphics (Tax Map 101 Parcel 84.46)

Missing Elements:

- Need to include landscaping guarantee and show that a min of 20% of the total property between the street and front of the building shall be landscaped or kept in a natural state. (Section 705)

705 Landscaping Percentage Requirements

A minimum of 20% of the total property between the street and front of the principal building, plus the side yard if located on a corner lot, shall be landscaped or kept in a natural state. Street yards, screening, and landscaping installed in parking lots shall count towards this 20% requirement.

Hatched area must be 20% landscaped.

For the purposes of meeting this requirement, landscaping may include bushes, shrubs, gardens, flowers, landscaping islands, natural areas, water features, and areas planted with trees. Sod, grass lawns, dirt, sand, gravel, stone rip-rap, buildings, and impervious surfaces shall not count towards this requirement.

A minimum of one Class I or Class II shade tree shall be planted for every 3,500 square feet of the gross front yard and side yard area (shown as the hatched area in the above illustration), or part thereof. Existing trees in the front and side yards consisting of native species or those meeting the standards of Section 708 may count towards this requirement.

Trees should be located to break up the expanse of pavement in parking lots, create continuity in the progression of vegetation along the corridor, and enhance the viewshed from the public right-of-way.

- Gravel parking lots are not permitted according to the zoning code (Section 612)

612 Paving Requirements

Parking areas with 20 or more spaces shall be surfaced with a suitable paving material such as asphalt, concrete, brick, or specialty pavers; nonpermanent groundcover such as gravel, dirt, crushed stone, and grass shall not be permitted for such lots.

- Show how no parking space shall be more than 60 ft from a tree and landscaped islands shall be equal to 10% of the total paved surface (Section 610)

610 Design of Parking Lots

In general, parking lots should be designed to break up the expanse of asphalt, provide shade, and reduce glare and heat from vehicles. The following specific requirements shall apply:

- A. In all parking lots, no parking space shall be more than 60 feet from a tree.
- B. For parking lots with 20 or more spaces, landscaped islands or bioretention basins equal to 10% of the total paved surface area shall be provided. These landscaped areas shall be distributed throughout the parking area with the configuration presented to the planning commission on the site plan for approval.
- C. One Class I or Class II shade tree (see Section 708) shall be planted for every 250 square feet of landscaping required under this section. Such required trees shall be planted in the landscaped islands and/or around the perimeter of the parking lot in the fulfillment of subsection (A) above.

- Make a note that signage plan will be turned in later, if a sign is planned for the business.
- Need to include 24-hour contact info for responsible project manager.
- Show drainage plan and sewer lines. And please show or add a note about the plans for collecting stormwater/methods of treating.
- Show that surrounding property is zoned R-3. C-2 to R-3 zoning requires landscaped screening. It looks like there is a natural tree line existing. Just make sure to show to the Planning Commission how this is sufficient as a natural screening to the surrounding residential zone.
- A 10' street yard will be required as well as part of the landscaping. Show that this will be done keeping the natural state of the 10' street yard, if that is your plan.
- The width of all access points shall not exceed 30', but your site plan is showing 40'.

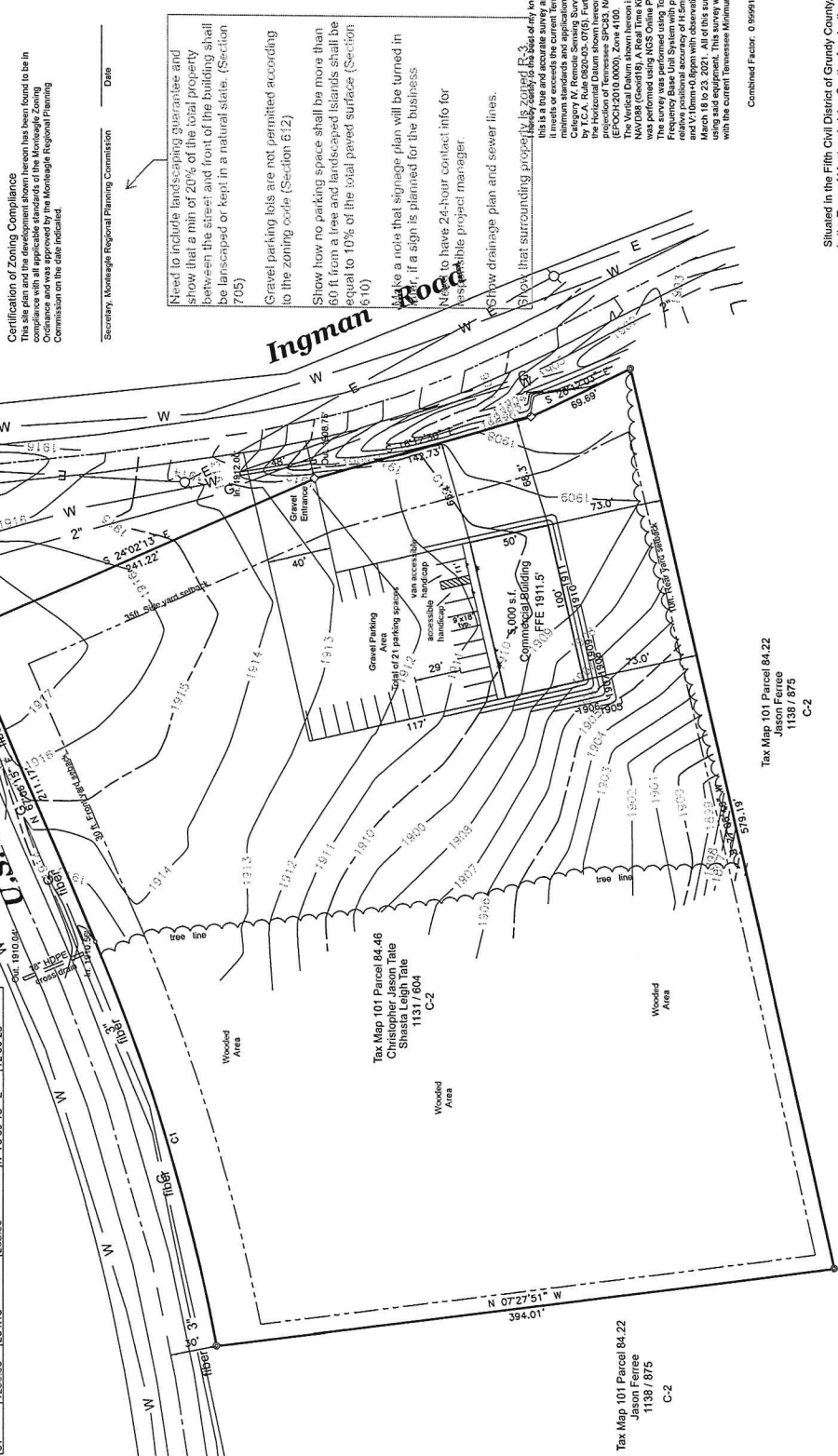
MOUNTAIN GRAPHICS SITE PLAN

Total Area of Site = 5.00 Acres
Total Area of Land Disturbance = +/- 2.63 Ac, 114,571 s.f.



Grid North

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1250.00'	1284.15'	1263.65'	N 73°09'18" E	12°05'28"



LEGEND

- = adjacent's deed line
- = centerline of road
- = 5/8" iron rod found 60' with a plastic cap stamped "Childers 2023"
- = unmarked survey point
- = Fixed GPS "BL53E" Station 89' iron rod
- = cap stamped "Childers 2023"
- N235638.5624
- E2033052.6891
- Elav. 1919.39'
- = concrete right-of-way monument found
- = power pole
- = overhead electric / telephone
- = existing 6" waterline
- = existing gas
- = existing underground fiber optic cable
- = handicapped parking sign
- = fire hydrant

Certification of Zoning Compliance
This site plan and the development shown hereon has been found to be in compliance with the zoning code of the Monticello Regional Planning Ordinance and was approved by the Monticello Regional Planning Commission on the date indicated.

Secretary, Monticello Regional Planning Commission _____ Date _____

Need to include landscaping guarantee and show that a min of 20% of the total property between the street and front of the building shall be landscaped or kept in a natural state. (Section 705)

(Gravel parking lots are not permitted according to the zoning code (Section 612))

Show how no parking space shall be more than 60 ft from a tree and landscaped islands shall be equal to 10% of the total paved surface (Section 610)

Make a note that signage plan will be turned in when a sign is planned for the business.

Make a note to have 24-hour contact info for responsible project manager.

Show drainage plan and sewer lines.

Block that surrounding property is zoned R-3.

Verify that all work is done in accordance with the minimum standards and applications of a surveying instrument used in this survey as set forth by I.C.A. Rule 0320-06-0155. Furthermore, the Horizontal Datum shown hereon is a North American Datum of 1983 (NAD83) and the Vertical Datum shown hereon is NAVD83 (geoid). A Real Time Kinematic survey was performed using a Real Time Position User Service (RTK) system with a Real Time Position User Service (RTK) system with published relative positional accuracy of 10 millimeters (10 mm) and a horizontal accuracy of 10 millimeters (10 mm) and a vertical accuracy of 10 millimeters (10 mm) on March 18 (2023, 2021). All of this survey was performed using said equipment. This survey was done in compliance with the current Tennessee Minimum Standards of Practice.

Tax Map 101 Parcel 84.22
Jason Ferise
1138 / 875
C-2

Tax Map 101 Parcel 84.22
Jason Ferise
1138 / 875
C-2

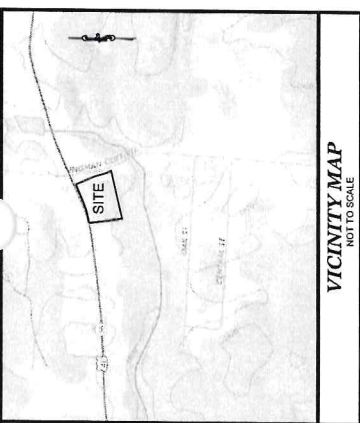
Tax Map 101 Parcel 84.46
Christopher Jason Tate
Shasia Leigh Tate
1131 / 604
C-2

Wooded Area

Wooded Area

Combined Feature: 0.65691175

Situated in the Fifth Civil District of Grundy County, TN
the County of Grundy and the State of Tennessee
U.S. Highway 41 and West of adjacent to Highman Road
as shown on Tax Map 101 Parcel 84.46
DEED REFERENCE: Record Book 1131, page 604 recorded
in the Register of Deeds Office of Grundy County, TN.



VICINITY MAP
NOT TO SCALE

- NOTES:**
- The surveyor has made no investigation or independent search for easements, record, encumbrances, restrictive covenants, ownership and current title, or other matters that occur or may occur in the future that may affect the property.
 - Property contains a total area of 5.00 acres.
 - The parcel of land shown hereon is subject to, any and all other surveys, records, and/or prescriptions that a complete title search may reveal.
 - Subsurface and environmental conditions were not investigated.
 - All buildings and surface and subsurface improvements on and adjacent to subject parcel are not necessarily shown.
 - This document must be compared to the original hard copy issued at the survey date with its original seal and signature of the surveyor to ensure that no changes have been made, and to further ensure that no documents of record that may affect this parcel.
 - There may exist other documents of record that may affect this parcel.
 - Locations of underground utilities/structures may vary from locations shown hereon.
 - Additional buried utilities and/or structures may exist.
 - For information regarding utilities, please contact the appropriate utility.
 - Declaration is made to the original purchaser of this survey. It is not transferable to additional institutions or subsequent owners.
 - No reliance should be made on a document transmitted by electronic means, including but not limited to the original sealed document issued at the time of the survey.
 - The word "certify" or "certification" as shown and used hereon means that the surveyor certifies that the survey was conducted and does not constitute a warranty or guarantee, expressed or implied.
 - This survey does not constitute a title search by the surveyor.
 - This property is subject to all easements, restrictive covenants and other matters that may be shown on any applicable plat of record.
 - Current zoning is C-2, Highway Commercial District.
 - According to FEMA Flood Map 4706 03020F with effective date 9/29/2009, the subject property is in an Area of Minimal Flood Hazard, Zone "X".
 - Existing contours are at 1 foot intervals.

Owners: Christopher Jason Tate
Shasia Leigh Tate
P.O. Box 1642
Tracy City, TN 37387

Property Address: U.S. Highway 41
Monticello, TN 37356



CHILDERS'
LAND SURVEYING
1804 Flat Branch Road
Tracy City, TN 37387
931-592-2714

Surveyor for: Christopher Jason Tate and wife, Shasia Leigh Tate
Date: 03/18/2023
Sector: 14 - 60 ft
Surveyed by: John Childers, RLS #2023
Job #: J13-62