

ORDINANCE NO. 2006-2

AN ORDINANCE TO AMEND SIGNAL MOUNTAIN TOWN CODE, TITLE 2, SECTIONS 2-506 THROUGH 2-507, TO INCLUDE REVIEW OF PROPOSED MEMORIALS AND MONUMENTS WITHIN THE TOWN OF SIGNAL MOUNTAIN AS PART OF THE DUTIES AND POWERS OF THE DESIGN REVIEW COMMISSION AND TO ESTABLISH CERTAIN PROCEDURES FOR THE REVIEW OF PROPOSED MEMORIALS AND MONUMENTS.

SECTION 1. BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, that Title 2, Sections 2-506 through 2-507 are deleted in their entirety and the following new language is substituted in lieu thereof:

2-506. Construction and Development subject to Design Review Commission review.

- (1) Plans shall be submitted to the Design Review Commission for all development requiring building permits for:
 - (a) Any new construction, change in exterior appearance, exterior alteration, moving a structure, demolition or change in use for either land, buildings or buildings or land of all categories of construction; except single-family residential detached structures.
 - (b) Any planned unit developments.
 - (c) Any proposed memorials or monuments involving construction or land disturbance activity within the Town.
- (2) Plans shall be submitted to the design review commission for improvements in any zone other than low density residential, even where a building permit is not required, for the following:
 - (a) For re-roofing if there is a color change in the roofing.
 - (b) For exterior painting, if there is a color change.
 - (c) For landscaping if there is a change of more than twenty-five percent (25%) in the area currently landscaped.
 - (d) For new or repaired driveways, or parking lots, if there is new paving in an area of more than twenty-five percent (25%) of the area currently paved.
 - (e) For any proposed memorials or monuments showing the dimension and size of any memorial or monument and the location where the monument or memorial will be placed on any property within the Town.

Work shall not begin in the above mentioned items (a) through (e) until the design review commission review and approval of the plans is made.

In no case shall a building permit be issued prior to design review commission review and approval of these plans. For categories of development for which planning commission review is also required, applicants shall, at the time of submission of plans to the design review commission, also submit to the planning commission such plans, plats or sketches as may be required by law. Plans subject to approval both by the planning commission and by the design review commission shall ordinarily be reviewed first by the planning commission with the exception of planned unit development final plans, which shall first be reviewed by the design review commission; provided, however, that the planning commission, at its option, may secure the preliminary views of the design review commission prior to rendering its approval of plans. (as added by Ord. #93-8, § 7, June 1993, as amended by Ord. #99-9, April 1999)

2-507. Plan submissions. (1) All plan submissions shall be in a written form approved by the commission.

(2) Should the commission, either on its own motion or in response to a recommendation from the building official or town manager, determine that an application is incomplete, it shall notify the applicant of such additional materials as it may require to review the application. The commission shall certify the date, on which an application, whether in original form or as supplemented, is complete. Unless the commission agrees, no additional supplemental material may be submitted by the applicant after the certification date other than such modifications in the original or supplemental plans as the commission may request in the course of its consideration of these plans. Modified plans and additional supplemental materials shall be submitted to the building official for review and subsequent transmission to the commission.

(3) The commission shall approve, approve with conditions, or disapprove plans submitted to it within sixty (60) days of their receipt in a form specified by the commission, or within such longer period as the commission and applicant may agree. The commission shall set forth its decision and the reasons therefore in writing. In cases of conditional approval or disapproval, the commission shall include in its report comments advising the applicant of the right of appeal provided in the appeal section below, and informing the applicant, the building official, the town manager, and the town council how the conditionally approved or disapproved plans might be modified to secure their conformity with this division. (as added by Ord. #93-8, § 8, June 1993)

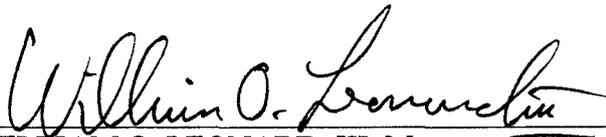
(4) Notwithstanding the provisions set forth in subparagraph (3), any proposed memorials or monuments involving construction or land disturbance activity within the Town shall not be acted upon by the commission until at least 90 days after the death of any individual for which a memorial or monument is sought within the Town. Recommendations for placement of memorials and monuments shall be considered by the commission based upon health, safety and design standards of similar memorials and monuments which are located elsewhere within the Town. The commission may develop certain design and size criteria for monuments and memorials which may be considered in its recommendations to the Town Council. A written recommendation shall be made by the commission chair to the Town Council upon approval of any memorial or monument by the commission, for further consideration at a Town Council meeting. It is proposed that no action should be taken by the Town Council on the creation of

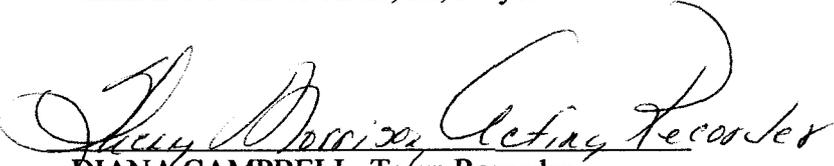
any proposed memorial or monument for at least an additional 90 days after receipt of a recommendation by the commission on any memorial or monument, in order to provide ample time for public notification and deliberation prior to approval of any memorial or monument. The Town Council may also choose to approve a memorial or monument by majority vote, within 90 days from the date that the Commission either recommends against the creation of any proposed memorial or monument or fails to make a recommendation to the Town Council within the procedure and time set forth above. No memorial or monument shall be placed within the Town of Signal Mountain without approval by a majority vote of the entire membership of Town Council.

SECTION 2. That this Ordinance shall become effective immediately from and after its passage as provided by law.

Passed First Reading January 9, 2006

Passed Second Reading 2/13, 2006


WILLIAM O. LEONARD, III, Mayor


DIANA CAMPBELL, Town Recorder