

ORDINANCE NO. 2008-7

AN ORDINANCE TO AMEND TITLE 2, CHAPTER 5, SECTION 2-508, OF THE SIGNAL MOUNTAIN TOWN CODE RELATIVE TO THE SIGNAL MOUNTAIN DESIGN REVIEW COMMISSION DESIGN PRINCIPLES AND STANDARDS.

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SECTION 1. BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, THAT Title 2, Chapter 5, Section 2-508, of the Signal Mountain Town Code is deleted in its entirety and the following is substituted in lieu thereof:

**Sec. 2-508. Design Principles and Standards.** The Signal Mountain Design Review Commission shall apply the following Design Principles and Standards during its review of any applicants' development plans. The scope of review of the Design Review Commission to develop aesthetic and architectural controls for this Town shall be included in seven (7) articles under this section as follows:

**Article I - Introduction**

100 Intent and Purpose

101 Intent. To create and maintain a comprehensive program of community beautification and improvement through its commercial buildings and properties by the establishment of guidelines for the development, construction, remodeling, or alteration of all non-single family residential property within the Town of Signal Mountain.

102 Purpose.

102.1 To maintain and enhance the property values and taxable value of property in the Town.

102.2 To maintain the Town as a predominantly single-family residential community by protecting the character and integrity of present and future residential areas from encroachment by non-compatible land uses.

102.3 To maintain a balance among land uses within the Town by insuring that commercial, industrial and multi-family development do not impair the property values of single-family detached residential development within the Town.

200 General Information.

- 201 Conflicting Information. In the case of any ambiguity or apparent conflict between the requirements of the Signal Mountain Design Principles and Standards, the Sign Ordinance, the Zoning Ordinance or other codes, ordinances or regulations, the more restrictive requirement shall govern.

## **Article II – Developments Subject to Review**

- 100 The following types of improvements are subject review for all categories of construction except single-family residential detached structures regardless of the dollar value of the project:

New construction including site improvements and signage  
 Moving a structure  
 Demolition or change in use for either land, buildings, or buildings and land  
 Planned unit developments

- 200 The following types of improvements or repairs are subject review for the specific referenced sections of the Design Manual for all categories of construction except single-family residential detached structures where the gross area of the improvements or repairs exceeds twenty-five percent (25%) of the area of those same original improvements:

Alteration of Exterior Appearance Article IV Appearance Criteria, Section 200 Building and Structures Design (This does not include painting or re-roofing unless colors change.)  
 Landscaping Article IV Appearance Criteria, Section 102 Landscaping and Site Treatment  
 Paving. Article N Appearance Criteria, Section 100 Site Design and Layout

Example 1: If the area of paving repair in a parking lot exceeds 25% of the original area of site improvements (i.e. paving, sidewalks, landscaping, curb work, etc.) then the project would be subject to the Commission's review based on compliance with all appropriate paragraphs of Article IV, Section 100 Site Design and Layout.

Example 2: If the area of exterior building repair or replacement exceeds 25% of the total surface area of the building (excluding flat roofs) then the project would be subject to the Commission's review based on compliance with all appropriate paragraphs of Article IV, Section 200 Building and Structures Design.

## **Article III - Definitions**

**Appearance** - The outward aspect visible to the public.

**Applicant** - The party whose has been assigned the rights by the Owner to seek approval from the Commission.

**Appropriate** - Sympathetic-Fitting the context of the site and the whole community.

**Attractive** - Having qualities which arouse interest and pleasure in the observer.

**Berm** - A raised form of earth to provide screening or to improve the aesthetic character.

**Compatibility** - Harmony in the appearance of two or more external design features in the same vicinity.

**Commission** - The Signal Mountain Design Review Commission.

**Council** - The Signal Mountain Town Council.

**Design Manual** - This document officially called the Signal Mountain Design Review Commission, Design Principles and Standards.

**Harmony** - A quality that represents an appropriate and congruent arrangement of parts, as in an arrangement of varied architectural and landscape elements.

**Landscaping** - Plant materials, topography, and other natural physical elements combined in relation to one another and to man-made structures.

**Owner** - The term Owner shall refer to the party which by rights and responsibilities conveyed through title, lease or rental agreement is charged with the responsibility of providing the improvements described in the Design Manual. In the absence of any agreement the Owner shall be defined as the person or entity who holds title to the land.

**Proportion** - The balanced relationship of parts of a building, landscape, structures, or buildings to each other and to the whole.

**Public Amenity** - An element, either natural or built, which is attractive and accessible to the public.

**Scale** - Proportional relationship of the size of parts to one another and to the human figure.

**Siting** -the process of placing a building and its related elements on a piece of property.

**Signage** - The term includes all graphic elements such as letters, symbols, illustrations, figures, insignias, logos, or other devices employed to express a message or part thereof.

**Shall** - The term "shall" as used in the Design Manual indicates a requirement for adherence to the noted guidelines.

**Should** - The term "should" as used in the Design Manual indicates a strong desire by the Commission to have the Owner incorporate the noted ideas into the project. While not a mandatory requirement the user is strongly encouraged to follow the guidelines and the Commission will look at the overall cooperation of the Owner in final approval of plans where latitude is granted.

**Streetscape** - The scene as may be observed along a public street or way composed of natural and man-made components, including buildings, paving, planting, street hardware, and miscellaneous structures.

**Town** - The Town of Signal Mountain.

#### **Article IV – Appearance Criteria**

100 Site Design and Layout.

## 101 Relationship of Building to Site and Adjoining Areas

101.1 Site planning with setbacks and yards in excess of zoning restrictions is encouraged to provide an interesting relationship between buildings. Setbacks established as part of a planned unit development (PUD) are also encouraged.

101.2 Parking areas shall be treated with decorative elements, such as building wall extensions, planting, berms, or other innovative means to enhance the appearance of parking areas.

101.3 Buildings and improvements on the site should be organized to minimize changes to existing topography and the loss of existing mature vegetation.

101.4 Smooth topographic transitions should be provided at the edges of properties. Slope of 1:3 (rise to run) or shallower are encouraged but in no case shall slopes be steeper than allowed by ordinance or regulation.

101.5 Adjacent buildings of different architectural styles shall be made compatible by such means as screens, sight breaks or similar materials.

101.6 Attractive landscape transition to, or buffers from, adjoining properties shall be provided.

## 102 Landscaping and Site Treatment

### 102.1 Design Intent

102.1.1 The overall landscape design should complement and contribute to beauty and utility of the development.

102.1.2 Plant material shall be selected for its structure, texture, color, and its ultimate growth. Plants shall be hardy and harmonious to the design.

102.1.3 Where healthy plant material exists on a site prior to its development, the Commission may allow credit for such plant material if such an adjustment is in keeping with the intent of this Ordinance, and provided that the existing plant material remains protected and ecologically healthy after the construction process.

### 102.2 Required Landscape Areas and Planting

102.2.1 In areas where general planting will not prosper other materials such as fences, walls, and pavings of wood, brick, stone, river gravel, and cobbles shall be used. Carefully selected plants shall be combined with such materials

where possible. The Owner also has the option to use any of the above materials in combination with planting to achieve a good visual image where planting alone is noted in this section.

102.2.2 The perimeter of parking areas, or other vehicular use areas, bordering public streets or adjacent property should consist of a planting area at least ten feet (10') in depth. Exceptions may be made if such areas are screened visually from an abutting right-of-way or adjacent property. Landscaping in these areas is to include one tree with a minimum caliper of 2-1/2" every twenty-five (25) linear feet or fraction thereof in combination with shrubbery.

102.2.3 Off-street parking areas shall have at least five (5) square feet of interior landscaping for each parking space excluding those spaces abutting a landscaped perimeter or spaces which are directly served by an aisle abutting and running parallel to such a perimeter.

102.2.4 As a general standard, there should be at least one tree, of at least 2-1/2" caliper, planted for each 300 sq. ft. of parking area islands. The total number of trees shall not be less than one tree every 50 linear feet or fraction thereof of required interior landscaped area.

102.2.5 Shrubby should be used as a design element to transition from the vertical nature of trees or building elements to the horizontal portions of the site such as grass, paving and ground cover. Except for plants listed as "prostrate" type, the minimum spread of any shrubby shall be 18".

102.2.6 Grass areas may be seeded, sprigged, plugged or sodded in all areas except solid sod shall be used in swales, slopes greater than 1 :3 or other areas subject to erosion.

102.2.7 Shrubby and ground covers shall be sized and spaced in a manner which will present a finished appearance with reasonably complete coverage, under normal growing conditions within one (1) year after planting.

102.2.8 Where bark chips, mulch, pine needles or other non-living materials are used as a ground cover they shall be contained by use of perimeter curbing and properly sloped to prevent erosion.

### 102.3 Planting Installation, Maintenance and Irrigation

102.3.1 Continued maintenance of landscaped areas is the responsibility of the property owner. Planting plans must be maintained as originally designed and approved. Any diseased, dying or dead plants should be treated or replaced by the property owner.

- 102.3.2 Irrigation is strongly encouraged to ensure adequate moisture in planting areas. Irrigation systems must be installed below-ground, with spray heads flush with the ground surface where they might pose a safety hazard. Exposed heads may be used in planting areas or other areas remote from normal pedestrian access. Irrigation is not required where the Owner can demonstrate the proper use of vegetation found naturally in the native woods of Signal Mountain.
- 102.3.3 When plant materials are installed, they shall be healthy plants installed according to accepted commercial planting procedures and maintained in a healthy condition.
- 102.3.4 In locations where plants will be susceptible to injury by pedestrian or motor traffic, they shall be protected by appropriate curbs, guards, barriers, or other devices.
- 102.3.5 Where planting cannot reasonably be accomplished before building occupancy the Owner shall furnish a bond or other acceptable guaranty equal to the cost of all site landscaping to the Town of Signal Mountain guaranteeing the installation at the first season when installation can reasonably be expected to produce healthy plants.

### 103 Screening

- 103.1 The design intent is to require screening of all items similar to those mentioned in this section.
- 103.1.1 Service yards, garbage collection areas, utility meters, heating and air-conditioning equipment, outside equipment storage, vending machines and other places that tend to be unsightly shall be screened by use of walls, fencing, planting, or combinations of these.
- 103.1.2 Screening shall be equally effective in winter and summer.
- 103.1.3 Garbage collection areas must be enclosed by opaque screening at least 6 feet in height. In the event that the collection areas enclose dumpsters or other equipment, the screening should be at least 2 feet taller than the equipment, and not less than 6 feet in height.

### 103.2 Fences as Screening

- 103.2.1 The maximum heights of fences should generally be 6 feet, except for tennis court fences, which may be 10 feet and fencing at garbage collection areas. The use of chain link, plastic or wire fencing is not permitted for fences in yards abutting streets.

103.2.2 Fences designed to create privacy or separations should be made of materials compatible with the designs of the building.

103.2.3 Solid fences should not create a stockade appearance. The use of offsets and adjacent planting is encouraged. Fences facing streets shall have no more than forty (40) feet in a straight line unless appropriate landscaping treatment and/or design elements create unusual breaks to eliminate the straight line appearance.

### 103.3 Planting as Screening

103.3.1 Screening by plantings requires the use of evergreen plants to provide effective year round screening. Evergreen screening may be enriched with plants having seasonal color variation.

103.3.2 When a berm is used to form a visual screen in lieu of, or in conjunction with other screening elements; such berm shall be completely covered with shrubs, grass or other living ground cover.

103.3.3 Changes in elevation or earth berms may be used along the perimeter of parking areas to reinforce planting screens. The slope of earth should not exceed 1:3 rise to run, and should be densely planted with ground cover or shrubs to prevent erosion.

### 104 Miscellaneous Landscaping Requirements

104.1 All required landscaping, except planting covered by a bond or other acceptable guaranty, must be in place prior to final inspection and approval by the Building Inspector. On site areas adjacent to streets and the front lawn areas must be established or be sodded prior to occupancy of the project.

104.2 No landscaping element or similar item shall be installed or maintained in the vicinity of any corner, street, intersection or access way intersecting a public right-of-way that, in the opinion of the Commission or Building Inspector is an obstruction to visibility or is a traffic hazard.

104.3 Where site run-off requires detention areas, the areas should be attractively designed.

### 105 Site Lighting

105.1 Lighting Design Intent. Exterior lighting and building fixtures shall be of a design and size comparable with the building and adjacent areas.

105.2 Lighting shall be restrained to avoid excessive brightness. Site lighting in excess of 20 foot candles shall not be allowed except under canopies where motor fuels are dispensed, under covered walkways, for automated bank

tellers or other similar uses which require a higher light level by a regulatory agency.

- 105.3 Pole-mounted fixtures shall be provided with reflectors which prevent light from spilling onto adjacent property. Poles no taller than thirty feet (30') are recommended for parking areas and poles no taller than twelve feet (12') are recommended for walkways.

106 Parking and Paved Areas

- 106.1 Design Intent. The intent of the Guidelines is to subdue the visual impact of parking areas.

106.2 Orientation

- 106.2.1 Parking areas should be organized as a series of small parking bays with planted islands separating them. As a general guideline, no more than ten contiguous parking spaces are recommended.

- 106.2.2 If, in the opinion of the Commission, bicycle traffic is anticipated parking facilities should be provided within commercial or retail areas. These facilities should not interfere with pedestrian movement.

- 106.2.3 The bumper overhang of a vehicle may encroach upon any interior landscaped area when said area is at least three and one-half (3-1/2) feet in depth per abutting parking space and protected by wheel stops or curbing. Two (2) feet of said landscaping area may be part of the required depth of each abutting parking space.

- 106.3 Tree Preservation. Preservation of existing healthy trees in parking areas is encouraged.

- 106.4 Paving Materials. Parking areas shall be paved with asphalt, concrete, or masonry materials. Asphalt shall not be used for paving sidewalks.

200 Building and Structures Design

201 Style

- 201.1 Design Intent. While a diversity of architectural styles is encouraged, structures generally should be domestic in scale and be compatible with the character of the single-family community.

- 201.2 Lengthy unbroken facades should be avoided. As a general guide, the maximum horizontal length of an unbroken facade plane should be fifty (50)

feet in residential districts, and seventy-five (75) feet in commercial and office districts. Facade offsets should be sufficient to create a strong shadow line.

- 201.3 Roofs should project beyond the facade. Flat roofs are discouraged, but if flat roofs are used a quality cornice line shall be used.

202 Scale and Proportion of Building Elements

- 202.1 Design Intent. Buildings and structures shall be designed based on accepted architectural principles for scale, mass, rhythm and proportion.

202.2 The height, width and proportions of a building should create a pleasing visual experience with the other buildings and open spaces in the immediate vicinity.

202.3 The height and width of building elements such as doors, windows and other openings shall have scale and proportions which are in harmony with the building yet create a strong human scale.

203 Exterior Forms and Materials

203.1 Design Intent. It is the intent of the Commission to require building materials which are lasting in quality, residential in scale, have good architectural character and appearance.

203.2 Types of Materials. Durable grades of materials such as stone, brick, wood and stucco are preferred. Synthetic and imitation materials are generally considered inappropriate but may be approved on a case by case basis. EIFS Systems (proprietary names of "Sto" or "Drivit") are acceptable equals to stucco.

203.2.1 The use of windows and doors similar in appearance to those used in residential structures is encouraged. Large expanses of glass is discouraged unless it is broken up into smaller components by the use of window mullions.

203.2.2 Painted or factory finished metal should be Used with great care and is normally only Acceptable for windows, doors, roofs and trim preferably in non-metallic colors. Metal siding is generally considered unacceptable.

203.2.3 Plywood and hardboard siding should be avoided unless it is broken up into smaller components by the use of reveals, battens or other design features.

203.2.4 Large expanses of concrete shall be avoided unless the scale of the material is reduced through the use of offsets and texture.

203.2.5 The use of standard three-tab shingles are normally not acceptable but will be considered on a case by case basis. Dimensional asphalt/fiberglass shingles, cedar shakes, slate, or metal shingle or seam roofs are acceptable.

204 Building or Roof-Mounted Equipment

204.1 Design Intent. All roof and building-mounted equipment such as air-conditioning units, exhaust fans, vents, satellite dishes, and other similar devices be fully screened from public view. Screening materials shall be of the same general character and compatible with the materials used for walls and roofs.

205 Building Lighting Requirements noted under Site Lighting shall also apply to building lighting.

206 Miscellaneous Structures and Hardware

206.1 Design Intent. The use of custom hardware which is in character with the building development is encouraged over the use of standard, prefab hardware. The use of custom enclosures is also encouraged.

206.2 Types Customized. Miscellaneous structures and hardware such as mailboxes, trash receptacles, benches, grocery cart racks, bicycle racks, planting pots, etc. shall be designed to be part of the design concept for the building development.

206.3 Standard Hardware. It is recognized that some hardware such as newspaper vending machines, ice machines and soft drink vending machines cannot be easily customized. However, unless properly screened or enclosed these types of devices shall be factory or field-painted with muted colors and have all backlighting covered or removed.

207 Exceptions. Utility buildings used for the storage of equipment or supplies where the equipment or supply storage is not the primary function of the business may use metal building components and discard other paragraphs of Section 200 (Building and Structures Design) providing that the building is completely screened with berms or permanent evergreen vegetation and is not visible from any public access or private residence.

300 Signage

301 Design Intent. To enhance the Sign Ordinance of the Town of Signal Mountain by defining appearance and design criteria. Applicants are urged to study the Sign Ordinance carefully for specific requirements on sizes and dimensions, types, siting restrictions and other requirements. Signs in Signal

Mountains are controlled in order to preserve and not detract from the natural surroundings of the community.

### 302 Sign Types

- 302.1 Ground-mounted signs are to be integrated into the landscaping plan.
- 302.2 Building directory signs should not be apparent from the street, but should be designed to direct people to individual tenants once they have reached the building.
- 302.3 Signs mounted on buildings should be integrated with the architecture of the building, and generally should not project above or beyond the drip line of sloped roof buildings. They should be placed on the building background or other neutral surface and be located either above windows, adjacent to entry doors, or on surfaces such as fascias specifically designed for signage.
- 302.4 Traffic directional signs should incorporate conventional instructions and symbols but should be integrated in form and character with other signage or landscape elements on the site. Standard painted steel "hat channel" posts are not acceptable.
- 302.5 Signs identifying miscellaneous structures and hardware as defined in Section 206 shall be displayed on the surface of the device in such a manner that they do not "shout" for attention. Where several similar devices are used such as newspaper vending machines the signage shall be consistent and uniform.

### 303 Design Criteria

- 303.1 Signage should be consistent in size, material and location within each development. Signs should be designed as an architectural element of the building and should reflect or compliment the architectural style of the building.
- 303.2 Signs should normally consist of individual three dimensional letters and numbers only, but the use of logos or some graphic elements may be permitted. Generally such graphic elements are restricted to no more than ten (10) percent of the sign area. Monolithic, backlit, molded or vacuum formed acrylic signs are discouraged even where the molding process gives some three dimensional character. Small signs (less than 12 square feet) may be monolithic particularly where the size and style of the framing adds richness to the final appearance.
- 303.3 Illumination of signs, where permitted, should be shaded, shielded, subdued or directed so that the light intensity will not create glare or be objectionable to surrounding areas. Exposed bulbs and exposed neon are not allowed.

- 303.4 Signs should not attract attention excessively. Specifically precluded are signs which: are an imitation of traffic signals or may be confused with them; have moving parts; are changing, blinking, flashing or fluttering; have reflective materials, pulsating light or strobe lights or are beacons.
- 303.5 Signs shall be self-supporting without the use of guy wires or unsightly bracing.

## **Article V – Submittal Requirements**

### 100 General

101 Applicants are encouraged to submit preliminary information at the schematic design phase (pre-manufacturing commitment phase for signs) of a project to allow preliminary review before a large investment has been made in construction documents. Failure of the applicant to submit preliminary plans will not relieve him/her of compliance with requirements of the Design Standards. While the Commission will endeavor to make appropriate comments and recommendations at the preliminary phase this early review will not eliminate the requirement for a final review and approval by the Commission prior to any construction.

### 102 Minimum Final Submission Documentation

All illustrations shall be drawn to scale.

102.1 New Construction, Remodeling and Renovation. Two sets of the following information shall be submitted to the Commission's staff for approval at least eight days prior to a regularly scheduled meeting of the Commission. The information shall be complete enough to illustrate all design information, dimensional data, quality of materials, colors, and textures. Where remodeling or renovation is planned the unaffected items may be deleted from the submission if color photographs are provided indicating all present conditions.

1. Site Plan including topographic elevations and property improvements.
2. Site Landscaping Plan indicating all planting, screening, and fencing, etc.
3. Site Utility Plan indicating drainage, exterior lighting, and all utility services.
4. Exterior elevation drawings of all sides of the building.
5. Sample boards indicating materials, colors and textures of the exterior.
6. Garbage collection point and proposed screening.
7. Parking layout.

8. Master Signage Plan. If the structure is a multi-tenant facility a master signage plan shall be submitted indicating all proposed signs with locations, sizes, styles, and types of messages. The approved master sign plan will be the basis for approval of all subsequent tenant signs. Single-tenant buildings shall meet the signage submittal requirements of paragraph 102.2.

9. Floor plans (or similar drawings of exterior walls) in sufficient detail to indicate all perimeter offsets.

10. Construction manuals or specifications where detailed information is not indicated in the other documents.

11. Vicinity plan indicating buildings in adjacent lots with photographs of those structures.

102.2 Signs. Two sets (nine sets of any drawing larger than 11" x 17") of the following information shall be submitted to the Commission's staff for approval at least eight days prior to a regularly scheduled meeting of the Commission. The information shall be complete enough to illustrate the design intent.

1a. Sign-Mounted to Building. Provide drawings indicating all major building and sign components and illustrating the proposed "as-built" conditions.

1b. Freestanding: Sign. Provide illustration of actual sign and a site diagram indicating the location of nearby improvements (i.e. parking, landscaping, streets, utility poles, etc.). Color photographs or renderings of the building as seen from the street.

2. Drawings and descriptions of sign indicating type of materials, construction, sizes, dimensional data, proportions, colors, letter styles, lighting, etc. Suggested drawings are included in Appendix A.

3. Copy of the Approved master signage plan for multi-tenant buildings.

103 It is the intent of the Commission to review the applicant's information promptly. However, the Commission review and approval is only one step in the construction process. In no case may construction start without all required regulatory agency permits and approvals including a building permit from the Town of Signal Mountain.

104 Remodeling/Renovation. The submittal requirements for remodeling and renovation will be modified to describe the extent and scope of actual improvements planned. For example: Paving and landscaping would only require drawings related to the site work. Exterior renovation would only require drawings of the building envelope.

**Article VI – Appeals Process**

Applicants whose plans are conditionally approved or are disapproved by the Commission may appeal the Commission's action to the Town Council. Appeals to the Council shall be filed with the Town Manager ten (10) days prior to the next regular meeting of the Council not more than sixty (60) days after the date of the Commission's action. The members of the Commission will be notified of the appeals request and will be given the opportunity to address the Council. The Council, after hearing all parties who desire to be heard, shall approve, approve with conditions, or not approve the application by a written statement setting forth the reasons for its action. If the Council approves or conditionally approves the application, the Building Official may issue the building permit forthwith provided that the applicant has complied with the terms of approval or conditional approval; with other provisions of this section, and with all other codes, ordinances, regulations and procedures regarding building permits.

**Article VII – Project Development Contract**

A project development contract incorporating, among other elements, any conditions or requirements imposed on the applicant pursuant to this chapter, must be executed by and between the Commission and the applicant or, when appealed and approved, between the Council and the applicant before a building permit can be issued for any development outlining the requirements in writing, in addition to any drawings or sketches.

Copies of the Project Development Contract to be executed after Commission or Council approval of the project are available from the Town office.

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

Passed First Reading May 12, 2008.

Passed Second Reading June 9, 2008.

  
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 PAUL M. HENDRICKS, Mayor

  
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 MARK A. JOHNSON, Town Recorder

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