

DUANE GRIEVE

CITY COUNCIL, SECOND DISTRICT
CITY COUNCIL SIGN TASK FORCE CHAIR

November 12, 2014

Dear MPC Commissioners:

As chair of the Knoxville City Council Sign Task Force, I wanted to send to you several critical pieces of information for your review. There seems to be some confusion as to the last recommendations the Sign Task Force made in regard to the sign ordinance documents and the vote on the sign heights.

To give you a bit of history, the Knoxville City Council determined that their preferred approach to addressing the status of an antiquated and cumbersome sign ordinance was to establish a Sign Task Force (STF), comprised of local citizens, and staffed by MPC, the City Redevelopment Office, City Codes and the City Law Department.

The Task Force met for two and one-half (2 ½) years, through July, 2014 and arrived at recommendations on a range of issues.

At the July 2014 meeting of the STF, a decision was made to suspend the work of the Task Force, due to an inability to arrive at a consensus on remaining issues. Further, the recommendation of a majority of the STF was to forward the document (Document #1) that represented what recommendations had been made, through a decision of the majority, to the MPC for their review. The STF suggested that if the MPC, and/or the City Council, wished to subsequently forward additional material to the STF for their response and recommendation, the STF would be prepared to consider that request.

The following is Motion #3 from the July, 2014 Summary Notes submitting Document #1 to MPC as noted above. (Document #1 (Exhibit B, File No. 10-B-13-OA) is attached).

Motion#3:

Don Parnell made the motion to table consideration of the ordinance and submit Document #1 to MPC (They can come back to STF, or not) and then submit it to City Council as a status report, not a recommendation.

Comment on Motion:

Mr. Parnell stated that he did not see an outcome remarkably different than what is current and he did not make his motion in a negative sense – he just feels the Task Force has done all it can do. Mr. Parnell reiterated that this is a status report, not a recommendation.

Jim Nixon seconded the motion.

Vote:

Grieve, Hayes, Nixon, Parnell, Wallace and Weigel voted "Aye."

Feld and McAdams voted "Nay."

The motion carried.

Of the many motions that were made by the Sign Task Force, one motion that was voted on and adopted, specifically dealt with sign heights. Please see the attached Summary Notes from August 21, 2013 and the attached table that documents that vote.

The MPC is now considering not only the STF work, but additional suggested changes that have been prepared by MPC staff. The additional changes have not been reviewed or voted on, nor otherwise considered by, the STF. Additionally, more suggestions have been made to MPC by citizens and local interested organizations which have not been received by the STF.

The Sign Task Force worked diligently and thoroughly reviewed many aspects of the sign ordinance. We did not make a final recommendation, but did submit Document #1 to MPC as a status report. Additional material which has been prepared by others than the STF has not been offered to, nor considered by, the STF, and therefore is not part of the process that was originally directed by the Knoxville City Council. If you have any questions, I will certainly be available to try and answer your questions.

Sincerely,

DUANE GRIEVE

City Council Member, 2nd District
Sign Task Force Chair

DOCUMENT #1**EXHIBIT B**
10-B-13-OA**A. PURPOSE AND INTENT**

1. The purpose of this section is to create a legal framework for a comprehensive and balanced system of sign regulation that will:
 - a. Implement the plans, policies, goals and objectives of the City;
 - b. Protect the health, safety and welfare of the citizens and businesses of the City;
 - c. Preserve the right of free speech and expression;
 - d. Provide for effective communication between people within the context of their environment;
 - e. Avoid visual clutter that may be harmful to traffic and pedestrian safety, property values, business opportunities and community appearance;
 - f. Facilitate effective way-finding throughout the City;
 - g. Provide clear and objective sign standards;
 - h. Provide an efficient and effective review procedure for sign applications; and
 - i. Enable consistent and equitable enforcement of the regulations set forth in this Section.
2. With these purposes in mind, it is the intent of this ordinance to authorize the use of signs that are:
 - a. Effective in communicating with the public;
 - b. Compatible with their surroundings;
 - c. Legible in the circumstances in which they are seen.
 - d. Appropriate to the activity that displays them; and
 - e. Expressive of the identity of individual activities and the community as a whole.

B. APPLICABILITY/SCOPE

1. Signs may be erected, mounted, displayed or maintained in the city in conformance with the provisions of these regulations. The scope of this section, as more specifically set forth below, is to:
 - a. Allow a wide variety of sign types in commercial zone districts, and a more limited variety of signs in other zone districts, subject to the standards of this section;
 - b. Allow certain signs incidental to the principal use of a site in all zone districts subject to the standards of this section;
 - c. Provide for temporary signs in limited circumstances;
 - d. Prohibit signs whose location, size, type, illumination or other physical characteristics are not compatible with their surroundings and may be injurious to the public health, safety and welfare; and
 - e. Provide for the enforcement of the provisions of this section.
2. The regulations of this section are applicable in zone districts without sign and other sign structure requirements exclusive to a specific zone district. Where sign requirements are provided in a specific zone district, the requirements of the specific zone districts in Article IV shall prevail.
3. The regulations for signs, billboards, and other sign structures are indicated below.
4. The interpretation or nomenclature in this section shall be as defined in subsection C below.

C. DEFINITIONS

The words, terms and phrases set out below shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Advertising - Any writing, printing, painting, display, emblem, drawing, sign, or other device designed, used or intended for advertising, which placed on the ground, rocks, trees, tree-stump, or other natural structures or on a building, structure, milestone, signboard, billboard, wallboard, roofboard, frame, support, fence or other manmade structure, and any such advertising is a structure within the meaning of the word structure used in this ordinance.

FOR MPC REVIEW

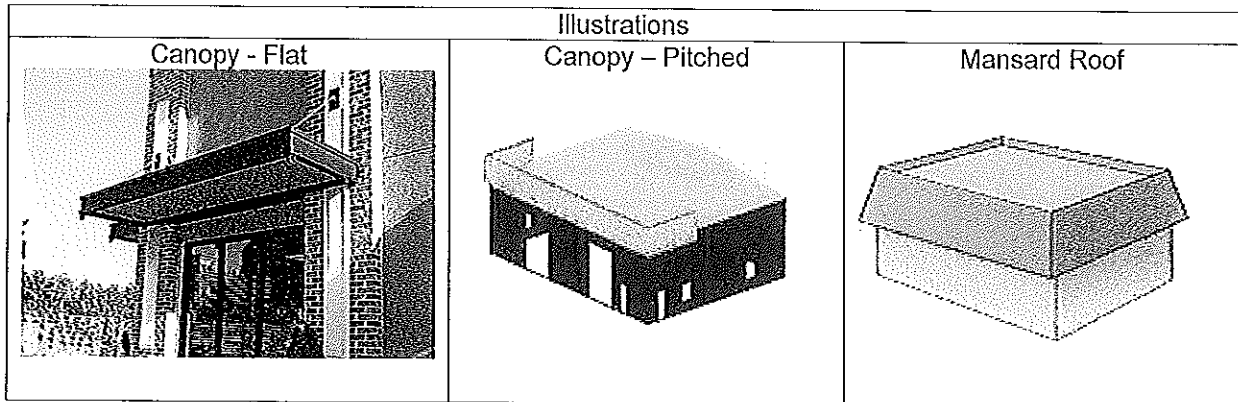
4/10/14

EXHIBIT B
10-B-13-OA

Awning - A structure, other than a canopy, made of cloth, metal or other material affixed to a building in such a manner that the structure may be raised or retracted from a from a building to a flat position against the building.

Candela - A unit which expresses the luminous intensity of a light source.

Canopy - A permanent structure, other than an awning, made of cloth, metal or other material attached to a building for the purpose of providing shelter to patrons or automobiles, or as a decorative feature on a building wall. A canopy is not a completely enclosed structure. The lower, steeper portion of a mansard roof shall be considered a canopy for the purposes of this section if there is no enclosed space below this portion of the mansard roof.



Dimmer - A device which changes the brightness of a display or which creates the capacity of increasing or decreasing the overall brightness/intensity of a display.

Erect - When used in connection with signs shall mean to build, construct, attach, hand, place, suspend, or affix and shall also include the painting of wall signs.

Footcandle - A unit of illuminance (light falling on a surface). One lumen falling on one square foot equals one footcandle.

Light detector, Light sensor - An electronic component used to detect the amount or level of ambient light surrounding a display.

Master sign plan - A site plan and associated text and illustrations submitted to the Metropolitan Planning Commission for consideration for approval of a sign system for a proposed or existing development.

Nit - One candela per square meter.

Sign, billboard, or other advertising device - Any structure or part thereof or device attached thereto or represented thereon, which shall display or include any letter, words, model, banner, flag, pennant, insignia or representation used as, or which is in the nature of an announcement, direction or advertisement. The word "sign" includes the word "billboard" or any other type of advertising device, but does not include the flag, pennant, or insignia of any nation, state, city or other political unit.

Sight triangle - The area located at the intersection of two streets, whether public or private, or a street and private driveway through which an unobstructed view of approaching traffic is necessary for motorists.

Sign illumination, internal - Lighting of a sign from internal sources, such as in light source within the framework of a sign cabinet and behind the face of the sign so that light is transmitted through the face of the sign.

EXHIBIT B

10-B-13-OA

Sign illumination, external - Lighting of a sign from a light source external to the body of the sign, so that light is directed on to the face of the sign.

Types of signs are defined in the following categories.

Abandoned sign - Any sign, including its supporting structure, erected in conjunction with a particular use, that use having been subsequently discontinued for a period of sixty (60) days or more, or a lawfully erected temporary sign for which the time period allowed for display of the sign has expired.

Arcade and hanging sign - A type of attached sign which hangs from a porch roof, awning, canopy, colonnade or similar feature whose surface area is not to exceed over six square feet.

Attached sign - A sign that is permanently affixed to or painted on a building, canopy, or wall and having a permanent or changeable copy face.

Awning sign - A type of attached sign that is comprised of the application of words, pictures, symbols and/or logos to an awning attached to the ground floor of buildings to provide shelter and shade for pedestrians

Billboard - A type of off-premise sign having more than one hundred square feet of display surface which is either erected on the ground or attached to or supported by a building or structure.

Bulletin board - A type of wall or ground sign used to identify the premises and announce meetings or programs to be held on the premises of a church, school, community recreation center, hospital, medical clinic or similar place.

Canopy sign - A type of attached sign attached to or painted or printed upon or on top of a canopy.

Changeable letter reader board sign - A sign on which message copy is changed manually through the utilization of attachable letters, numbers, symbols and other similar character of changeable pictorial panes.

Changeable price sign - A sign that shows a product or service, such as fuel or hotel/motel room rates as an unchanging element of the sign and includes an EMC component to the sign wherein the price is changeable.

Column sign - A type of detached sign which is supported by and integrated with columns (or posts), appropriate in scale and material to its related building (see illustration).

Detached sign - Any sign that is not affixed or attached to a building and is securely and permanently mounted in or on the ground.

Development directory sign - A type of detached sign identifying a shopping center, office park, commercial subdivision, or similar mixed use or commercial development, and listing individual businesses or tenants within the unified development, including businesses not located on the lot on which the sign is located. A development directory sign is not classified as an off-premise sign.

Directional sign - A type of incidental sign located on a site designed to guide vehicular and/or pedestrian traffic on a lot or parcel by using such words as "Entrance", "Exit", "Parking", "One-Way", or similar directives, but not including any advertising message. A name or logo of a business, use or place may also be included on the sign.

Directory sign, on-site - A type of incidental sign located on a site designed to identify specific businesses, offices, tenants or other uses of a lot or parcel, but not including any advertising message. A name or logo of a business, use or place may also be included on the sign

Electronic message center sign - A sign which uses a bank of lights that can be individually lit to form copy such as words, letters, logos, figures, symbols, illustrations, or patterns to form a message without altering the sign face.

EXHIBIT B

10-B-13-OA

Ground sign - A type of detached sign supported by a pole, uprights, or braces on the ground.

Historic sign - An existing, nonconforming, historically significant sign that contributes to the historical or cultural character of the community at large which has been removed from its original location within the City of Knoxville and is to be reused and relocated to a different location on its original site or relocated to another location within the community.

Incidental sign - A sign, generally directional or informational, that has a purpose secondary to the use of the lot on which it is located, such as "no parking", "entrance", "loading only", "office", "gymnasium", and other similar directives. No sign with an advertising message other than a name or logo of a business, use or place shall be considered incidental.

Identification sign - A sign displaying only the name, address, and/or crest, insignia, trademark, occupation, or profession of an occupant or the name of any building on the premises.

Information sign - A type of incidental sign located on a site designed to convey information or instructions, but not including any advertising message, for the safety and convenient use of a lot or parcel. A name or logo of a business, use or place may also be included on the sign.

Landmark sign - An existing, nonconforming, on-premise sign, which exhibits unique characteristics, enhances the streetscape or identity of a neighborhood and contributes to the historical or cultural character of the streetscape or the community at large.

Marquee sign - A type of attached sign integrated into or hung from a marquee. A marquee is a type of canopy or covered structure projecting from and supported by a building, when such canopy or covered structure extends beyond the building, building line, or property line for the purpose of providing shelter to pedestrians at an entrance to a building.

Menu board - A type of attached or detached sign primarily designed for the display of menu items and prices for the purpose of placing orders for such items in conjunction with a restaurant utilizing drive-through or curbside service.

Monument sign - A type of detached sign which is supported by and integrated with a solid base, as opposed to poles, posts, or other such supports (see illustration).

Nameplate - A plate, plaque or engraved name, e.g. on a door, or integral to a wall of a building, bearing a name and associating the name with the building to which the nameplate is attached.

Off-premise sign - A sign that directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than on the premises and only incidentally on the premises if at all.

On-premise sign - A sign that directs attention to a business, commodity, service or entertainment conducted, sold or offered on the premises on which the sign is erected. A "for sale", "to let" or "information" sign shall be deemed an on-premise sign.

Pole sign - A type of ground sign at least ten feet above the ground supported on a single post or pole.

Portable sign - All moveable or portable off-premise or on-premise signs, unless otherwise permitted by these regulations, mounted upon trailers or other structure(s) or device(s) designed to be transported with only incidental parking and assembling for reuse.

Project directional sign - A type of detached sign used to direct traffic from a collector or arterial street (as designated in the *Major Road Plan for Knoxville – Knox County, Tennessee*) to businesses located on the same or lower classification streets within the same unified development. A project directional sign is not classified as an off-premise sign.

EXHIBIT B
10-B-13-OA

Projecting sign - A type of attached sign which is attached to the face or outside wall of a building which projects out at an angle therefrom and projects more than twelve inches beyond the face of such wall.

Roof sign - A type of attached sign that is mounted on the roof of a building or which is wholly dependent upon a building roof for support.

Sidewalk sign - A type of detached sign that is made up of two opposing sign faces, hinged at the top and set up in a triangle shape with one side of the triangle being the ground surface. Such sign shall be placed on the ground or paved surface and may be placed on a sidewalk within public right-of-way or public property within fifteen (15) feet of the entry to a business or outdoor space associated with the business. For these purposes a sidewalk sign is not a portable sign.

Shingle sign - A type of attached sign not over six square feet in area, and projecting from a wall not more than two feet over public property.

Temporary sign - Any sign, banner, pennant, valance, or advertising display constructed of wood, metal, cloth, canvas, light fabric, cardboard, wallboard, or other light material, with or without frames, where either by reason of construction or purpose the sign is intended to be displayed for a short period of time only consistent with the terms of these regulations.

Umbrella sign - A sign integrated into the body of an umbrella, either on its protective covering or support structure.

Wall sign - A type of attached sign erected parallel to the face, or on the outside wall, of any building and supported throughout its entire length by such wall where the edges of the sign do not project more than twelve inches therefrom. A wall sign may not project above the wall or parapet.

Window sign - A type of attached sign placed within a window facing the street or thoroughfare, including a television or monitor placed in a window for the purpose of advertising products, services or the business, and may be composed of applied letters, symbols, neon or similar lighting, but may not obscure the view of the interior of the building.

EXHIBIT B

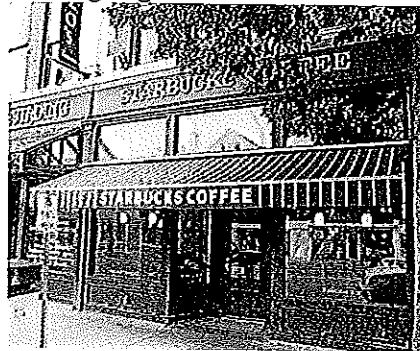
10-B-13-OA

SIGN ILLUSTRATIONS

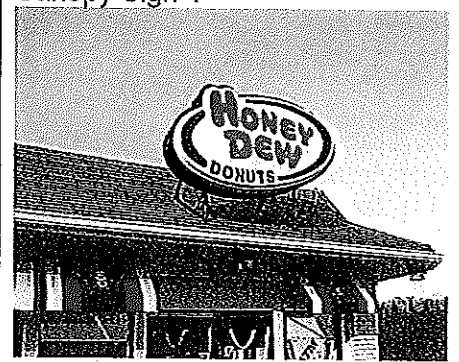
Arcade or Hanging Sign



Awning Sign



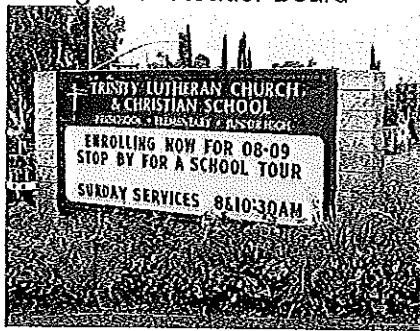
Canopy Sign 1



Canopy Sign 2



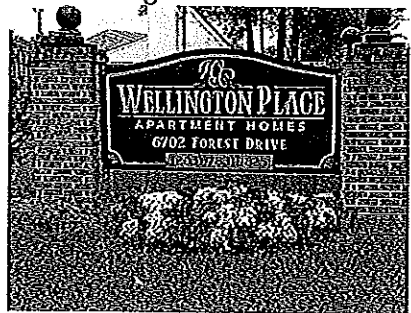
Changeable Reader Board



Changeable Price Sign



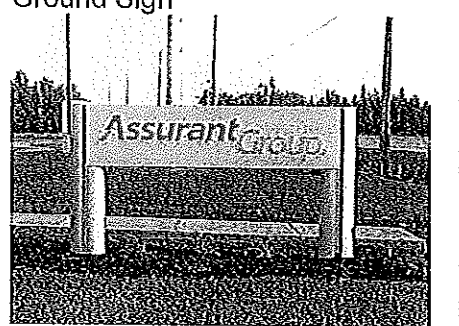
Column Sign



Electronic Message Center



Ground Sign



Marquee Sign



Menu Board (attached)



Menu Board (detached)

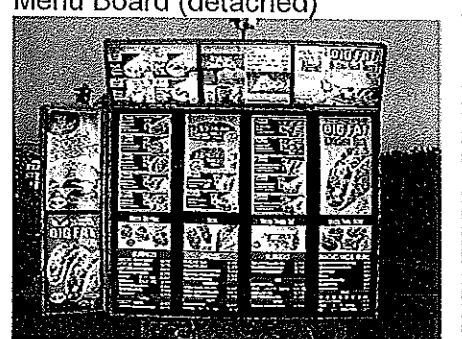


EXHIBIT B
10-B-13-OA

<p>Monument Sign</p> 	<p>Nameplate</p> 	<p>Pole Sign</p> 
<p>Portable Sign</p> 	<p>Projecting Sign</p> 	<p>Roof Sign</p> 
<p>Shingle Sign</p> 	<p>Sidewalk Sign</p> 	<p>Umbrella Sign</p> 
<p>Wall Sign (applied)</p> 	<p>Wall Sign (cabinet)</p> 	<p>Window Sign</p> 

EXHIBIT B

10-B-13-OA

D. PROHIBITED SIGNS

The following signs are prohibited in all zone districts:

1. Signs which by color, location, and/or design resemble or conflict with traffic control signs or signals.
2. Signs which contain or make use of any word, phrase, symbol, shape, form or character in such manner as to interfere with, mislead or confuse traffic. This does not include permitted incidental signs such as directional, directory or informational signs.
3. Signs which have moving parts and signs which have red, green, yellow, amber or blue lights.
4. Signs with flashing, chasing, pulsating, twinkling, dancing, scintillating, and/or oscillating lights or any other rotating, revolving or moving part; except for an approved, documented historic or reproduction sign located in any H-1 (Historic Overlay) zone district or an approved sign within the D-1 (Downtown Design Overlay) zone district.
5. Illuminated signs within one hundred (100) feet of property in any residential zone district, unless the illumination of such sign is so designed that it does not shine or reflect light onto such property within a residential zone district.
6. Signs within the public right-of-way, except publicly owned signs, such as wayfinding signs and regulatory signs, and those signs approved by the city engineer.
7. Signs placed on a parked vehicle or trailer visible from the public right-of-way where the primary purpose is to advertise a product or direct people to a business located on the same or another property. For the purposes of this regulation, logos, identification or advertising on vehicles being operated by being moved on and off the site in the normal course of business are not prohibited.
8. Billboards and other off-premise signs.
9. Portable signs.
10. Roof signs.
11. Window signs that exceed twenty-five (25) percent or twenty (20) square feet, whichever is less, of the window area in which they are displayed.

E. SIGNS EXEMPT FROM THESE REGULATIONS

The following signs, unless prohibited elsewhere in these regulations, are exempt from the regulations of this chapter but may be subject to other applicable laws and regulations:

1. Signs regulated by Article IV of the City of Knoxville zoning ordinance.
2. Signs conforming to the *Manual of Uniform Traffic Control Devices* and bearing no commercial message.
3. Signs required by federal, state or local statute.
4. Signs installed by employees or officials of the City of Knoxville and Knox County, a state or federal agency in the course of their governmental duties and bearing no commercial message.
5. Signs necessary to promote health, safety and welfare, and other regulatory, statutory, traffic control or directional signs erected on public property with permission as appropriate from the state, the United States of America, Knox County or the City of Knoxville.

FOR MPC REVIEW

4/10/14

EXHIBIT B
10-B-13-OA

6. Signs required by an order of a court of competent jurisdiction.
7. Legal notices and official instruments.
8. Signs installed by public utilities in their rights-of-way or on their facilities and bearing no commercial message other than such message as necessary to identify the public utility and the use.
9. Signs installed by a transit company with a franchise or other right to operate in the City of Knoxville, where such signs are installed along its routes and relate to schedules or other information about the transit route.
10. Signs approved as part of the City of Knoxville's adopted Wayfinding program.
11. Signs carried by a person when the person does not receive any financial compensation.
12. Signs incorporated into machinery or equipment by a manufacturer or distributor.
13. Signs located within a building or enclosed space that are not visible or legible from the public right-of-way or from private property or public property other than the property on which it is located.
14. Memorial signs or tablets, names of buildings and dates of erection when cut into any masonry surface or when constructed of bronze or other incombustible material and attached to the surface of a building.
15. Works of art bearing no commercial message.
16. Holiday lights and decorations with no commercial message.
17. Scoreboards and off-premise signs located on athletic fields if oriented toward the field of play.
18. Restaurant menu boards located on the premises of the restaurant when oriented toward a drive-through lane, with a maximum sign area of sixty (60) square feet and maximum height of ten (10) feet. The menu board shall be located within thirty (30) feet of the point at which orders are taken from the motor vehicle.
19. Restaurant menu displays located within ten (10) feet of a primary restaurant entrance provided the display area does not exceed four (4) square feet.
20. Official fraternal, religious or civic flags when mounted on permanent poles attached to the ground or building when located on the same site as the fraternal, religious or civic organization, institution or building.
21. Official governmental flags of the following governmental entities shall be the only official governmental flags recognized as such by the City of Knoxville:
 - a. The United States of America;
 - b. Any state, territory, or possession of the United States of America;
 - c. Any official flag adopted as such by the City of Knoxville and Knox County;
 - d. Any official flag adopted by a member state of the United Nations.
22. Decorative flags and bunting for a celebration, convention or commemoration, subject to removal within seven days following the event
23. In residential districts, any sign of a type described below which does not exceed two square feet in area:
 - a. A sign giving a property identification name or number or name(s) of occupant, one sign per lot;
 - b. A mailbox sign (one sign per dwelling unit), and
 - c. A sign(s) posted on property relating to private parking, trespassing or dangerous animals (limited to one sign per lot if less than one acre in size)
24. Temporary signs for political purposes.

EXHIBIT B

10-B-13-OA

25. Temporary merchandise displays and signs behind storefront windows which are not affixed permanently to the glass, nor intended for permanent display.
26. Temporary or permanent signs identifying traffic-control measures on private property, such as "stop," "yield," and similar signs, the face of which meet the standards of the "Manual for Uniform Traffic Control Devices" and which contain no logo or commercial message of any sort and which do not exceed six (6) square feet in area per sign.
27. Temporary signs for announcements by public or nonprofit organizations of special events or activities of interest to the general public, provided such signs are less than thirty-two (32) square feet in area, are limited to one (1) sign per site of such events, are erected no sooner than fourteen (14) days before the event, and are removed within three (3) days after the event.
28. Temporary signs on vehicles displaying terms of sale.
29. Umbrella signs.
30. Signs contained on vendor push carts.

F. SIGNS EXEMPT FROM PERMIT REQUIREMENT

The following signs are exempt from permit requirements, but subject to other regulations of this chapter:

1. Temporary signs announcing real estate availability in residential districts which do not exceed nine (9) square feet in area per sign, which do not exceed six (6) feet in height for detached signs, and which are limited to one ground sign per street frontage and one (1) wall sign per dwelling unit.
2. Temporary signs announcing real estate availability in nonresidential districts which are less than thirty-two (32) square feet in area per sign, which do not exceed ten (10) feet in height for detached signs, and which are limited to one (1) ground sign per street frontage and one (1) wall sign per building facade if the entire building is for sale or lease or one (1) wall sign per leasable area if subunits of the building are for lease or rent.
3. Temporary signs announcing construction in residential districts which do not exceed nine (9) square feet in area and six (6) feet in height for detached signs, which are limited to one (1) per lot, and which are installed after issuance of a building permit and removed prior to the issuance of a certificate of occupancy. If a sign is displayed pursuant to this section, but construction is discontinued for a period of more than sixty (60) days, the sign shall be removed, pending continuation of construction activities.
4. Temporary signs announcing construction in nonresidential districts which are less than sixty-four (64) square feet in area and ten (10) feet in height for detached signs, which must be spaced at least one hundred (100) feet apart, and which are installed after issuance of a building permit and removed prior to the issuance of a certificate of occupancy. Construction-related detached signs that are sixty-four (64) square feet or more in area and ten (10) feet or more in height must comply with the district requirements for a permanent detached sign. If a sign is displayed pursuant to this section, but construction is discontinued for a period of more than sixty (60) days, the sign shall be removed, pending continuation of construction activities.
5. Temporary signs announcing yard sales or real estate open houses which do not exceed six (6) square feet in area, are limited to one (1) per lot, which are erected no sooner than four (4) days before the event, and which are removed within two (2) days after the event. On the day of these events, and while event staff are on the site, up to two (2) flag signs, not to exceed sixteen (16) square feet in area, may be used to announce the event.
6. Temporary auction signs which do not exceed thirty-two (32) square feet in area per sign, which do not exceed ten (10) feet in height for detached signs, which are limited to one (1) per lot, and which are erected no more than thirty-one (31) days prior to the event and removed within twenty-four (24) hours after the auction event. On the

EXHIBIT B

10-B-13-OA

day of these events, and while event staff are on the site, up to two (2) flag signs, not to exceed sixteen (16) square feet in size, may be used to announce the event.

7. Temporary farmer's market signs, limit of two, erected on days of market operation. Any such sign shall not exceed twenty-four (24) square feet in residential districts and thirty-two (32) square feet in all other districts.

8. Sidewalk signs in the C-2, TND-1, TC-1 and SW zone districts, provided they are less than five (5) feet in height, two (2) feet in width, have a sign area less than six (6) square feet, and may be placed no closer than twenty-five (25) feet from any other sidewalk sign. Such signs cannot be located within any designated fire lane or obstruct vehicular, bicycle, or pedestrian traffic, must comply with ADA clearance and accessibility standards, must be removed from the sidewalk at the close of business each day and shall not be illuminated.

9. Window signs which do not exceed twenty-five (25) percent or twenty (20) square feet, whichever is less, of the window area in which they are displayed.

10. Signs showing historic or landmark status of a building, provided such signs do not exceed two (2) square feet.

G. CRITERIA FOR MEASUREMENTS

1. Sign Area

a. For detached signs, the total sign area shall be measured by calculating the entire area enclosed by the perimeter of the extreme limits of the sign cabinet or module, exclusive of embellishments such as pole coverings, framing, decorating roofing, and any appurtenances required by the building code.

b. For attached signs, the total sign area shall be measured by calculating the entire area enclosed by the perimeter of the extreme limits of the sign cabinet, or, if the sign face is not a part of a sign cabinet, the sign copy, including vertical and horizontal spacing between letters and logos on the sign face.

c. A sign designed to be viewed from two (2) different directions shall be considered as one (1) sign, provided that the two (2) sign faces shall not be more than forty-two (42) inches apart if parallel, nor form an angle of more than ninety (90) degrees.

d. If the attached or detached sign or sign structure is internally illuminated or back lit by any means, the entire area shall be included within the allowable sign area calculation for the site.

2. Sign Height

a. Sign height shall be computed as the distance from the base of the sign structure to the top of the highest attached component of the sign, using as the base of the sign structure either of the following provisions providing the greatest height:

(1) the finished grade of the property below the sign, or

(2) the roadway surface at the nearest edge of pavement of the street that provides primary access to the site.

b. The finished grade of the property shall be construed for this purpose to be the final established grade after development, exclusive of any filling, berming, mounding or excavating primarily for the purpose of locating a sign.

c. For detached signs subject to the provisions of subsection L.6. below on property that shares a common property line with an interstate highway or for detached signs on property that does not share a common property line but such signs are located within one hundred (100) feet of the right-of-way of an interstate highway, the highest interstate roadway surface as measured from the sign to the crown of the roadway surface on a line perpendicular to the interstate right-of-way, or radial to the right-of-way when the subject sign is located in proximity to a curved interstate right-of-way may be used to determine the greatest allowable height.

3. Sign Spacing

a. All distances related to spacing of signs shall be measured along a straight line between the two (2) closest points of the sign structures.

4. Primary Building Elevation

FOR MPC REVIEW

4/10/14

EXHIBIT B

10-B-13-OA

For the purposes of determining maximum allowed sign area for attached signs:

a. The primary building elevation shall be any elevation that faces onto a street right-of-way to which the parcel has street frontage and (1) has the principal entrance to the building, or (2) has an entry used primarily for customers or clients.

b. The wall area of the primary building elevation shall be determined as follows:

(1) When architectural elevations are provided that accurately and to scale depict the elevation of the structure, the wall area of the elevation shall be the area of the vertical wall surface of the building elevation exclusive of roofs, parapets and false facia; except that a parapet on the primary building elevation, if it is part of a parapet of a uniform height on three sides of a structure and of a similar and uniform building material may be included in the elevation area, but decorative parapet extensions of irregular height on one or two sides of a structure are excluded from the calculation.

(2) When architectural plans are not provided, it shall be assumed that the height of the elevation of the first floor is twelve (12) feet and that the height of the elevation of all floors above the first floor is ten (10) feet per floor. The area of the elevation is then calculated based on the formula: [building length x 12 ft. (first floor)] + [building length x 10 ft. per each additional floor] = elevation area.

5. Canopies Over Gasoline Pumps for Measuring Purposes

For the purposes of determining maximum allowed sign area, the vertical surface of canopies over gasoline pumps may be considered as part of the wall surface of an elevation.

6. Setback for Detached Signs. The setback shall be measured from the farthest most protrusion of the sign to the nearest point of a property line, street right-of-way or edge of pavement. The interstate highway right-of-way shall be considered a side or rear lot line for the purposes of determining the minimum setback required.

H. GENERAL SIGN STANDARDS AND REQUIREMENTS

1. Minimum Setbacks

a. All detached on-premise signs shall be set back no less than ten (10) feet from a street right-of-way or fifteen (15) feet from the edge of pavement, whichever is greater.

b. All detached on-premise signs shall be set back no less than five (5) feet from all side and rear property lines that are not also street right-of-way

c. Directional or information signs may be allowed closer than the minimum setback from a right-of-way or pavement with the approval of the city engineer.

2. Minimum Clearance for Projecting Signs

a. Signs shall project from a building no more than ten (10) feet and shall maintain a minimum clear height of ten (10) feet, except in the following districts:

(1) In the TND-1 (Traditional Neighborhood Development) district, signs shall project no more than four (4) feet and shall maintain a minimum clear height of eight (8) feet in the commercial portion of the development.

(2) In the H-1 (Historic Overlay) district and D-1 (Downtown Design Overlay) district signs shall :

(a) Shall maintain a minimum clear height of seven (7) feet above sidewalks if non-electrified.

(b) Shall maintain a minimum clear height of eight (8) feet above sidewalks if electrified.

b. Where such signs project over public property, the sign shall not extend closer than twenty (20) inches to the back of the curb of the street.

3. Illumination Standards. Sign illumination shall meet the following standards:

a. General Requirements.

(1) In residential zone districts internal sign illumination shall be prohibited. Signs may be externally illuminated, provided no light source exceeds seventy-five (75) footcandles of surface illumination nor is visible from streets or adjacent property;

(2) In nonresidential zone districts internally illuminated signs shall not exceed two hundred (200) foot-lamberts and externally illuminated signs shall not exceed seventy-five (75) footcandles of surface illumination;

EXHIBIT B

10-B-13-OA

(3) In all office districts, illuminated attached signs shall be limited to the building façade facing a street that is adjacent to the property and illuminated detached signs shall be limited to locations between the building and a street that is adjacent to the property.

b. External Illumination. Externally illuminated signs shall be shielded from adjacent buildings and streets, and shall not cause glare or other nuisances to adjacent land uses or traffic. Projecting light fixtures used for externally illuminated signs must not obscure the sign.

c. Internal Illumination. Internal illumination shall provide steady, stationary lighting through translucent materials.

d. All electrical wiring to detached signs shall be placed underground. Electrical wiring to attached signs shall be concealed from public view.

4. Sight Triangle Requirements. Detached signs shall be located so that no part of the sign structure, including the sign cabinet or sign face, shall encroach within a sight triangle having a length along the driveway or street of twenty-five (25) feet.

5. Landscape Requirements for Detached Signs. For all detached signs located within the front yard of a property, a landscape area shall be provided and maintained around the base or support structure of the detached sign. Plant material used in the landscape area shall not have a mature height of greater than forty-two (42) inches in height. For the purpose of these regulations a landscape area shall be an area reserved for the addition or augmentation of shrubs, plants, turf grasses and other natural and decorative features.

6. Covering of posts, poles, uprights and braces on detached signs. All posts, poles, uprights, braces or any other supporting structure a part of a detached sign shall be covered with material complementary to the construction of the principal building or structure on the parcel or lot, and completed with a square or rectangular perimeter footprint.

I. STANDARDS FOR SPECIFIC TYPES OF SIGNS

1. Detached Signs Near Intersections of Interstate Highways and the Scenic Highway System.

a. An on-premise detached sign located within five hundred (500) feet of a point where the center line of an intersecting street or road meets the right-of-way of an Interstate highway as described in subsection L.6.b, and also within a two thousand (2,000) foot radius of any intersection of the interstate highway and the scenic highway system shall not exceed one hundred ninety-five (195) square feet in sign area and thirty (30) feet in height, or the sign area and sign height requirements of the zone district, whichever is less. ~~The exception to height regulations near interstate highways (section H.1) shall not apply where the sign location is within two thousand (2,000) feet of the right-of-way of the scenic highway system.~~

b. At the time of application for such a sign, all existing and proposed signs shall be located on a site plan provided to the sign inspector with certification stating whether the sign is or is not within two thousand (2,000) feet of the right-of-way of the scenic highway system.

2. Temporary Signs Subject to Permit Requirements.

a. Temporary signs shall not be erected or otherwise fixed to any pole, tree, stone, fence, building, structure or any object within the right-of-way of any street.

b. No temporary sign shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision, or be confused with any authorized traffic sign, signal, or device or located in any required parking space.

c. Each business may erect or post one (1) attached and one (1) detached temporary sign on up to four (4) occasions during each calendar year, provided that each such occurrence does not exceed fifteen (15) days in duration for each occurrence. Any sign posted for a longer period must meet the requirements for a permanent detached sign.

d. No temporary sign shall exceed thirty-two (32) square feet in area.

e. Notwithstanding any provision of this section or any other section of this ordinance to the contrary, any business situated or located within basic zoning districts C-1, C-2, C-3, C-4, C-5, I-2, I-3, and I-4, and any planned development districts or form districts which allow commercial uses, may place one (1), but not more than one (1) temporary sign on the property owned or leased by them and used for that business, in addition to any other signs

EXHIBIT B

10-B-13-OA

that are permitted or allowed in those zoning district; provided that all such signs shall comply with the applicable setback and parking requirements, electrical code and safety requirements.

f. A temporary sign shall not be suspended across or above public streets or other public places.

3. Awning and Canopy Signs.

a. The sign area for awning and canopy signs shall be subject to the maximum sign area calculated for all attached signs in accordance with section L of these regulations. The surface area of awnings and canopies, except for canopies over gasoline pumps as described in section G.5 above, shall not be calculated in the total area of a primary building elevation for the purposes of determining maximum allowed sign area for attached signs.

b. The canopy sign shall not extend above the highest point of the canopy upon which it is attached or two (2) feet, whichever is greater.

4. Incidental Signs on Large Sites

a. *Purpose.* Incidental signs on large sites are for the purpose of an occupant, or occupants, of a lot or parcel to convey on a permanent basis directions or information for the safety and convenience of visitors for the use, or restriction of use, of a lot or parcel.

b. *Administrative Procedures.* Incidental signs on large sites may be allowed by permit upon receipt and approval by the building official or his/her designee of a site plan showing all incidental signs for the site.

Incidental signs on large sites are exempt from the maximum sign area requirements of Article V, Section 10.

c. *Application Requirements.* Plans shall be submitted for review and consideration by City of Knoxville Plans Review and Inspections office, and shall include the following information in the application package:

(1) An application and a consent form signed by the property owner(s) of the subject site.

(2) A scaled site plan showing the location and dimensions of all property lines, rights-of-way, easements, improvements (buildings, driveways, street access points, etc.) within the site, the location of all existing and proposed signs, and if required pursuant to other provisions of this section, building elevations showing all building signs.

(3) The site plan must show the location, dimensions and construction details for all proposed incidental signs, and include sign illumination details and landscaping plans.

(4) A table identifying each sign, the overall dimensions of each sign, and the sign area of each sign must be a part of the site plan.

(5) The minimum size of a site eligible for consideration as a large site shall be a single lot or parcel, or several contiguous lots or parcels, of no less than two and one-half (2.5) acres.

d. *Incidental Sign Standards.* Incidental signs on large sites are permitted subject to the following standards:

(1) Classification of signs permitted. Directional signs, information signs, and/or on-site directory signs may be permitted as incidental signs on large sites.

(2) Types of signs permitted. Wall, window, monument or column signs may be permitted as incidental signs on large sites.

(3) Exempt from other sign area requirements. Signs approved as incidental signs on large sites are exempt from the maximum sign area allowed for a lot or building and shall not count as one of the wall, window, monument or column signs permitted by other provisions of Article V, Section 10.

(4) Number of signs. The number of incidental signs permitted per lot or parcel shall be in accordance with the site plan submitted and approved by the building official.

(5) Maximum sign area. The maximum sign area for any directional, information or on-site directory sign approved as part of a site plan of incidental signs on large sites shall be sixteen (16) square feet. An area not to exceed twenty (20) percent of the approved sign area may be devoted to a name or logo of a business, use or place.

(6) Maximum sign height for monument and column signs. The maximum height of monument or column signs used as incidental signs on large sites shall be six (6) feet.

(7) Setbacks. Incidental signs on large sites shall be located not closer than ten (10) feet to a street right-of-way line or fifteen (15) feet from the edge of street pavement, whichever is greater, not closer than two (2) feet from any internal driveway or parking lot, and not closer than five (5) feet from any side or rear property line.

(8) Illumination. Incidental signs on large sites shall be subject to the standards for illumination in accordance with the zone district of the lot or parcel.

EXHIBIT B

10-B-13-OA

(9) Once approved as part of a site plan of incidental signs on a large site, conversion of a directional, information or on-site directory sign to an off-premise sign without proper approvals is prohibited.

5. Landmark and Historic Signs.

a. The purpose of these regulations is to promote the protection of nonconforming signs that represent important aspects of the City's heritage, to enhance the character of the community by considering such signs during development, and to assist owner(s) in the preservation and restoration of their signs.

b. Landmark Signs. The purpose of designating a sign as a landmark sign is to encourage the restoration and retention of on-premise, nonconforming signs that are historically significant. Once designated as a landmark sign, the sign shall be considered to be in compliance with any zoning regulations and will be exempt from regulations of Article V, Section 10, except as stated herein.

(1) Designation Criteria. The Building Official, upon receiving a report of recommendation from the Historic Zoning Commission, may designate an existing on-premises sign as a landmark sign if it meets the following criteria:

- (a) The sign has been in continuous existence at the present location for at least 50 years.
- (b) The sign is an on-premise sign, which meets at least four (4) of the following criteria:
 - (i) It was expressly designed for the business, institution, or other establishments at that location; or
 - (ii) A national or local emblem, logo, or other graphic that is unique to the property or the establishment is an integral part of the sign structure; or
 - (iii) The sign exhibits unique or rare characteristics that enhance the streetscape or identity of a neighborhood; or
 - (iv) The sign is significant as evidence of the history of the product, business or service advertised; or
 - (v) The sign is characteristic of a specific historic period; or
 - (vi) The sign is integral to the building's design or physical fabric; or
 - (vii) The sign represents an outstanding example of the sign maker's art due to craftsmanship, use of materials or design.
- (c) The sign complies with the appropriate provisions of the state and local building and electrical codes.
- d) The sign is structurally safe or is capable of being made so without substantially altering its historical significance.

c. Historic Signs. The restoration and retention of nonconforming, historically significant signs that have been removed from original locations and are to be reused is encouraged. Allowing these signs to move to other locations within the community may be necessary to ensure preservation. Once designated as a historic sign, certain nonconforming aspects of the sign shall be considered to be in compliance with the zoning regulations and will be exempt from regulations of Article V, Section 10, except as stated herein.

(1) Designation Criteria. The Building Official, upon receiving a report of recommendation from the Historic Zoning Commission, may designate an existing sign as a historic sign if it meets the following criteria:

- (a) The sign must be at least 50 years old.
- (b) The sign must meet at least three (3) of the following criteria:
 - (i) A national or local emblem, logo, or other graphic that is unique to a property or establishment is an integral part of the design of the sign structure; or
 - (ii) The sign exhibits unique or rare characteristics that enhance the streetscape or identity of a neighborhood; or
 - (iii) The sign is significant as evidence of the history of the product, business or service advertised; or
 - (iv) The sign is characteristic of a specific historic period; or
 - (v) The sign represents an outstanding example of the sign maker's art due to craftsmanship, use of materials or design.
- (c) The sign complies with the appropriate provisions of the state and local building and electrical codes.
- (d) The sign is structurally safe or is capable of being made so without substantially altering its historical significance.

d. Landmark and Historic Sign Administrative Procedures.

- (1) Review and Recommendation by Historic Zoning Commission.

EXHIBIT B

10-B-13-OA

(a) Authorized Applicants. Any member of City Council, the Mayor or his/her representative, the property owner of the parcel where a proposed landmark sign is located, or the owner of the site where a proposed historic sign is to be relocated, may apply for designation of an existing sign as a landmark or historic sign.

(b) Applications and Fees Submitted to MPC. Such application shall be submitted to and on a form determined by the MPC as support to the City of Knoxville Historic Zoning Commission, accompanied by a fee as established by the MPC.

(c) Required Information on Application. At the time of the filing of an application for designation of a sign, the applicant must file all necessary information in order for the Historic Zoning Commission to determine if the sign meets the criteria for the requested designation and make a recommendation. The staff of the MPC or the Historic Zoning Commission has the authority to request whatever other information is necessary in order to make a decision. The burden of proof for meeting the criteria is upon the applicant.

(d) Public Notice and Hearing. Prior to consideration of the application at a meeting of the Historic Zoning Commission, MPC shall provide notice of the public hearing in accordance with the administrative rules of the Historic Zoning Commission.

(e) Authority of the Historic Zoning Commission. After consideration of the application at a public hearing, the City of Knoxville Historic Zoning Commission shall have the authority to make a recommendation to approve or disapprove the designation of an existing sign as a landmark or historic sign upon consideration of the criteria stated above.

(f) Report on Action. In recommending approval or disapproval of a landmark or historic sign designation, the Historic Zoning Commission shall state the reasons for the decision in a report to the Building Official. Such report shall include the application and any supporting material considered by the Historic Zoning Commission and minutes of the meeting.

(2) Designation as a landmark or historic sign.

(a) Consideration of recommendation of Historic Zoning Commission. The Building Official shall take into account the recommendation of the Historic Zoning Commission in making a decision on the designation of an existing sign as a landmark or historic sign.

(b) Approval Authority. The Building Official shall have the authority to approve or disapprove the designation of an existing sign as a landmark or historic sign based upon the criteria stated above.

(c) Rationale for Approval. In approving or disapproving a landmark or historic sign application, the Building Official shall state the reasons in writing.

(d) Appeals. An appeal of the Building Official's decision must be properly filed in accordance with the provisions of this ordinance at Article VII, Section 1(C).

(e) Maintenance of a Landmark and Historic Sign Inventory. Once a sign has been designation as a landmark or historic sign, the Building Official shall add the sign to its records and send notice of the action taken to the Historic Zoning Commission and to the applicant.

(3) Issuing of Permits.

(a) Authorized Applicants. The property owner of the parcel where a proposed landmark sign is located, or the owner of the site where a proposed historic sign is to be relocated, may apply for approval of a permit to restore; repair, move and replace a landmark sign; or remove, repair and move to another location a historic sign, provided said signs are designated as landmark or historic signs.

(b) Applications Submitted to Department of Plans Review and Inspections. Such application shall be submitted to and on a form determined by the Department of Plans Review and Inspections.

(c) Required Information on Application. At the time of the filing of an application for a permit for a sign designated as a landmark or historic sign, the applicant must file all necessary information in order for the Building Official to determine if the proposed work on the sign will meet the intent of this ordinance. The Building Official has the authority to request whatever other information is necessary in order to make a decision. The burden of proof for meeting the criteria is upon the applicant.

(d) Approval Authority. The City of Knoxville Building Official shall have the authority, in accordance with Article V, Section 10(L), (N) and (O), to approve or deny a permit to restore; repair, and remove and replace a landmark sign; or remove, repair and move to another location a historic sign.

(e) Exempt Work. Owners may voluntarily remove a sign once designated as a landmark or historic sign, provided such sign is not within a designated Historic Overlay (H-1) zone district, and provided that the owner of the sign notifies the Department of Plans Review and Inspections of such action. After such

EXHIBIT B
10-B-13-OA

notification, the sign will be removed from the Landmark and Historic Sign Inventory by the Building Official.

e. Landmark and Historic Sign Regulations.

(1) Landmark Sign Location. If a landmark sign is moved on-premise, it shall be subject to the location regulations of this ordinance.

(2) Landmark Sign Use Agreement Required. If any portion of a landmark sign is permitted to remain in or over a public right-of-way, a City or State use or encroachment agreement shall be executed.

(3) Historic Sign Location. An historic sign may be moved to another location on the site where it is currently located or to another property. It is encouraged that the sign be relocated to a site within the area from which it originated. The receiving site must be located within a nonresidential zone district or mixed-use form district which allows commercial signs.

(4) Nonconforming Aspects of Historic Signs. Relocated historic signs that are nonconforming based on their size, height, animation, moving parts, or moving, flashing, color or type of lighting do not have to be brought into conformance. However, relocated signs may not move further out of conformance by any physical alterations to the sign. The lighting of such signs shall be located, screened, or shielded so that abutting lots located in any residential district are not directly illuminated and do not cause glare or impair the vision of motorists. All other regulations shall apply with the following exceptions:

(a) Projecting signs may extend beyond the maximum projecting dimension based upon the existing dimension of the sign.

(b) Roof signs and flashing, fluttering, swinging, and rotating signs, which may be currently prohibited, may be relocated and maintain the prohibited characteristics provided such features contribute to the historic or cultural character of the sign and are in keeping with the surrounding area.

6. Electronic Message Centers. Within all zone districts the following regulations shall apply to Electronic Message Centers (EMC):

a. EMCs legally existing on April 10, 2009, shall be allowed to continue operation subject to meeting the operational standards as required by subsection (m) herein. After April 10, 2009, no EMC shall be permitted in any location except in the following instances:

(1) An EMC may be permitted in those areas covered by an H-1 overlay district subject to approval as required within an H-1 district.

(2) An EMC may be permitted in those areas covered by a D-1 overlay district subject to approval as required within a D-1 district.

(3) An EMC may be permitted in those specific zone districts that allow EMCs with approved design regulations or guidelines subject to approval by the appropriate regulatory body for such district.

(4) An EMC may be permitted as a changeable price sign subject to the requirements of subsection I.7 below.

b. No EMC shall be erected or used by a business unless any existing changeable letter reader board is first removed from the parcel.

c. An EMC shall be included in the total signage permitted on the parcel.

d. An EMC shall be permitted as a wall sign, or an integrated part of the total sign surface of a detached on-premise sign. For purposes of this section, integrated into the total sign surface of a detached on-premise sign shall mean an EMC cabinet contained within or contiguous to the smallest, simple polygon enclosing all of the non-electronic advertising content of a sign.

e. An EMC permitted as part of a ground or monument sign shall have a minimum matrix area of twenty (20) square feet and a maximum size of one third (1/3) of the total signage permitted or one hundred (100) square feet, whichever is less.

f. An EMC permitted as a wall sign shall not exceed one hundred (100) sq. ft.

g. Each display on an EMC shall hold constant for a minimum of sixty (60) seconds.

h. An EMC shall not display light of such intensity or brightness to cause glare. An EMC must be equipped with an automatic dimmer device and controlled by a light detector. It is the responsibility of the sign owner to demonstrate compliance with brightness/intensity and dimming settings. Brightness, also known as intensity, shall be measured in candelas per square meter, which is also referred to as nits, and shall not exceed the following standards:

Daytime maximum brightness	3,000 nits
Nighttime maximum brightness	750 nits
Maximum brightness at the property line	0.2 footcandles

EXHIBIT B
10-B-13-OA

Maximum bulb wattage for incandescent light 40 watts

- i. No electronic message center (EMC) shall be permitted in any location which is zoned C-1.
- j. The images and messages displayed must be static. The images and messages displayed must be complete in themselves, without continuation in content to the next image or message or to any other sign.
- k. The transition from one display to another must be instantaneous without any special effects.
- l. Every line of text in an EMC shall meet or exceed the following standards:

Designated Speed Limit on Frontage Road (in MPH)	Minimum Text Size (in Inches)
25 to 34	7
35 to 44	9
45 to 54	12
55 and above	15

If there is insufficient room for text of this size in the area allowed under clause 5 above, then no text is allowed.

m. All EMCs legally existing on [the effective date of this ordinance], must comply with the operational standards listed in subsections g, h, j, k, and l above. A legally existing EMC that cannot meet the minimum text size requirement in subsection l above must use the largest size possible for one line of text to fit in the available space.

7. Changeable Price Signs. An EMC may be used as a changeable price sign subject to the following:

- (a) Changeable price signs shall be limited to parcels with a minimum of two hundred fifty (250) feet of frontage on the street where the property is addressed.
- (b) Each changeable price sign on a parcel shall be counted toward the total allowable signage allowed per parcel.
- (c) Changeable price signs shall be integrated into a detached on-premise sign or be placed on a canopy or wall in accordance with these regulations,
- (d) Changeable price signs shall be limited to three (3) per detached sign structure or three (3) per building or canopy face.
- (e) An EMC may be integrated into a changeable price sign subject to the following:
 - (1) The EMC component shall be used only as a changeable price component; and
 - (2) The minimum matrix area of each EMC component of a changeable price sign shall be six (6) square feet and the maximum shall be twenty-five (25) square feet per changeable price sign.

J. MASTER SIGN PLANS

1. *Purpose.* For the purpose of providing flexibility and incentives for coordinated, well designed sign systems for shopping centers, commercial subdivisions, office parks and other large scale commercial and mixed use developments, a master signage plan is required for certain signs identified within Article 5, Section 10, and sign systems within the TC-1 (Town Center) district. A master sign plan will promote the use of signs which are aesthetically pleasing, of appropriate scale, and integrated with surrounding buildings and landscape, in order to meet the community's expressed desire for quality development consistent with the property's land use designation.

2. *Application Requirements.* Master sign plans required pursuant to other provisions of this ordinance shall be submitted for review and consideration by the Metropolitan Planning Commission as a use permitted on review, and shall include the following information in the application package:

- a. Master sign plan application and a consent form signed by all the property owner(s), or owners' representatives, for the unified development under consideration.
- b. A site plan showing the location and dimensions of all property lines, rights-of-way, easements, improvements (buildings, driveways, street access points, etc.) within the unified development, the location of all existing and proposed signs, and if required pursuant to other provisions of this ordinance, building elevations showing all building signs.
- c. Scale drawings showing the dimensions and construction details for all proposed signs including sign illumination and landscaping plans.

EXHIBIT B

10-B-13-OA

- d. Computation of the maximum total sign area, the maximum area for individual signs, the height of signs and the number of freestanding signs allowed on the lots included in the unified development under consideration.
- e. A copy of any sign restrictions proposed or implemented for the unified development.
- f. Documentation including an accurate site plan for the development shall be provided showing that the development was approved as a shopping center, commercial subdivision, office park, or, mixed use development within the TC-1 (Town Center) district. The development may be located on both sides of a street or streets if it is determined by the Metropolitan Planning Commission that it functions as a unified development.
- g. The minimum size of a development eligible for consideration as a unified development shall be twenty-five thousand 25,000 square feet of gross floor area and must contain three (3) or more businesses or tenants.
- h. For the purposes of approving a master sign plan, the Metropolitan Planning Commission shall determine the boundaries of the unified development based on the application and evidence submitted in support of the application.
- i. The approved signs shall be located on property within the area defined by the Metropolitan Planning Commission as the unified development.

3. *Administrative Procedures.* Master Sign Plans shall be reviewed by the Metropolitan Planning Commission as a Use Permitted on Review. A Master Sign Plan may also be included as part of a development plan or use permitted on review application for a shopping center, commercial subdivision, office park or similar development. The Metropolitan Planning Commission may approve, modify or deny the request. All applications for sign permits in an area with an approved Master Sign Plan shall be in conformance with the Plan. Since approval of Master Sign Plan is a privilege and not a right, variances from the sign standards of Article 5, Section 10, shall not be granted for development directory signs or project directional signs. When a Master Sign Plan has been approved, variances shall not be granted for any signs on a lot covered by the Master Sign Plan. The action of the Planning Commission may be appealed as provided in Article 7, Section 6F.

4. *Development Directory Sign.* To encourage coordinated, well designed sign systems that allow sufficient identification of businesses within unified developments in a manner which promotes traffic safety and avoids visual blight, development directory signs may be approved by the metropolitan planning commission as a part of a master sign plan (see subsection 25, above) subject to meeting the following:

- a. The development directory sign shall meet the requirements of subsection L of these regulations for a detached sign in a commercial or industrial zone district.
- b. The development directory sign shall count as one of the detached signs permitted pursuant to these regulations for the lot on which the sign will be located. If the maximum number of business ground or monument signs and/or the maximum surface area is already met or exceeded on a lot proposed for a development directory sign, the number of signs and/or surface area must be reduced so that the addition of the development directory sign would put the signs on the lot in conformance with the maximum limitations.
- c. Only the name and/or logo for the unified development and the names and/or logos of individual establishments within the unified development shall be permitted on the sign face(s). The name of the unified development shall be located at the top of the sign and shall be designed to stand out from the listing of tenants within the unified development.
- d. Only one development directory sign shall be allowed per street frontage (per side of the street) for the unified development. Interstate frontage is considered a street frontage.
- e. Approved development directory signs shall not be converted to any other type of off-premise sign.
- f. A development directory sign approved as part of a master sign plan for a unified development of one hundred (100) acres or more fronting on an interstate highway with a 500-foot minimum may incorporate one Electronic Message Center as an integral part of a detached sign and shall have a minimum matrix area of twenty (20) square feet and a maximum matrix area of two hundred fifty (250) square feet. Such sign shall be identified on and constructed in accordance with an approved master sign plan.

5. *Project Directional Sign.* To promote the safe and efficient flow of traffic, project directional signs may be approved by the metropolitan planning commission as a part of a master sign plan (see subsection 25, above) to direct traffic from a collector or arterial street (as designated in the *Major Road Plan for Knoxville – Knox County, Tennessee*) to businesses located on the same or lower classification streets within the same unified development, subject to meeting the following:

- a. The project directional sign shall be located at the intersection of the lower classification street with the collector or arterial street and shall be oriented toward the traffic flow on the collector or arterial street.

EXHIBIT B

10-B-13-OA

- b. The project directional sign shall be located out of the right-of-way and shall comply with setback, sight distance and sight triangle requirements for the lot on which it is located.
- c. A project directional sign shall not be located closer than 500 linear feet to any other project directional sign on the same side of the collector or arterial street. Only one project directional sign may be permitted per intersection on the same side of the collector or arterial street.
- d. The project directional sign may be approved in addition to any ground or monument signs that are allowed on a specific lot.
- e. Only the name and/or logo for the unified development, name and or logo of individual establishments within the unified development and a directional arrow shall be permitted on the sign face(s).
- f. The project directional sign shall not exceed six (6) feet in height and a maximum surface area of thirty-six (36) square feet.
- g. Approved project directional signs shall not be converted to any other type of sign.

6. *Administrative Changes.* After approval of a master sign plan by the Planning Commission, the MPC executive director, or designee, may approve a change to the signage plan administratively in instances of an increase in the size of any sign by up to ten (10) percent; provided this does not exceed the maximum sizes permitted by these regulations.

K. SIGNS PERMITTED IN ALL ZONE DISTRICTS

The following regulations shall apply in all zone districts:

1. One (1) nameplate per building may be permitted with a maximum sign area of two (2) square feet for any residential building and six (6) square feet for any nonresidential building.
2. One (1) bulletin board or identification sign for public recreation uses, community facilities, hospitals, and clinics may be permitted with a maximum sign area of thirty-two (32) square feet and a maximum height of eight (8) feet. These signs may be allowed in addition to the maximum sign area as calculated by the controlling zone district,
3. Directional signs within a parking lot to designate entrances and exits may be permitted with a maximum sign area of nine (9) square feet and a maximum sign height of forty-two (42) inches. One (1) sign may be located at each entrance and exit.
4. One (1) informational sign within a parking lot identifying or designating the conditions of uses of such parking area may be permitted with a maximum sign area of twelve (12) square feet and a maximum height of eight (8) feet.
5. One (1) ground or wall sign advertising the sale, rental or lease of the premises on which the sign is located when there are two or more lots in the development and the properties are in excess of one hundred (100) feet in width may be permitted with a maximum sign area of four (4) square feet plus one (1) square foot for each five (5) lineal feet of street frontage over one hundred (100) feet, provided that in no case may the sign exceed two hundred (200) square feet. A ground sign shall have a maximum height of twelve (12) feet.
6. One (1) ground sign advertising the sale of property in an approved subdivision and located on some portion of the subdivision may be permitted with a maximum sign area of one hundred (100) square feet and a maximum height of twelve (12) feet. Such sign may be externally illuminated, may be permitted for one (1) year, and may be renewed for additional one (1) year periods.

L. SIGNS PERMITTED BY SPECIFIC ZONE DISTRICT

1. Agricultural and Open Space zone districts (A-1, OS-1 and OS-2)
 - a. In A-1, OS-1 and OS-2 districts, nameplates and wall signs for home occupations with proper approval of the home occupation use are allowed as attached signs, with a maximum sign area of two (2) square feet.

EXHIBIT B

10-B-13-OA

b. In A-1, OS-1 and OS-2 districts, detached signs are allowed, and may include ground signs, monument signs, column signs and temporary signs as permitted within this section, subject to the following requirements:

(1) For the purpose of advertising the sale of farm products produced on the premises there shall be permitted not more than two (2) non-illuminated signs with a maximum sign area of twelve (12) square feet and a maximum height of eight (8) feet.

(2) For a church, school or public building there shall be permitted one (1) bulletin board or identification sign per lot with a maximum sign area of twenty (20) square feet, a maximum height of eight (8) feet and shall be limited to indirect illumination.

c. In A-1, OS-1 and OS-2 districts, identification signs, detached or attached to a building, shall be permitted for public parks, playgrounds and other outdoor recreation uses with a maximum sign area of nine (9) square feet and a maximum height of eight (8) feet.

2. Floodway zone districts (F-1)

a. In F-1 districts, identification signs, detached or attached to a building, shall be permitted for public parks, playgrounds and other outdoor recreation uses with a maximum sign area of nine (9) square feet and a maximum height of eight (8) feet.

b. Detached identification signs shall be limited to external illumination.

3. Historic overlay zone districts (H-1)

a. In H-1 districts, one (1) information sign, detached or attached to the building, shall be permitted in connection with the use of the lot with a maximum sign area of nine (9) square feet and a maximum height of eight (8) feet.

b. An information sign is allowed in addition to any other signs allowed in accordance with the underlying base zone district.

4. Residential zone districts (R-1, R-1A, R-1E, EN-1, EN-2, R-2, R-3, R-4, RP-1, RP-2, RP-3)

a. *Type of signs and dimensions allowed for residential uses.* In residential zone districts, the following signs on a residential parcel or lot shall be allowed, subject to the following dimensional requirements:

(1) For properly approved home occupations, one (1) wall sign with a maximum sign area of two (2) square feet, or one (1) ground or column signs for properly approved home occupations with a maximum sign area of two (2) square feet and a maximum height of forty-two (42) inches.

(2) Wall signs for multi-dwelling structures or developments, rooming and boarding houses, and fraternity and sorority houses with a maximum sign area of nine (9) square feet.

(3) Monument or column signs for multi-dwelling structures or developments on sites greater than two (2) acres, mobile home parks, and subdivisions with more than twenty-five (25) lots for residential purposes with a maximum sign area of thirty-six (36) square feet, and a maximum height of six (6) feet.

b. *Type of signs and dimensions allowed for nonresidential uses.* In residential zone districts, the following signs on a nonresidential parcel or lot shall be allowed, subject to the following dimensional requirements:

(1) For medical facilities with less than one hundred fifty (150) linear feet of street frontage, clubhouses for civic or nonprofit organizations, lodge halls, studios and day care centers for more than twelve (12) children:

(a) Non-illuminated attached signs up a maximum total sign area of sixteen (16) square feet; and

(b) One monument or column sign with a maximum sign area of twenty (20) square feet, and a maximum height of five (5) feet.

(2) For medical facilities with one hundred fifty (150) linear feet or more of street frontage, churches, schools, public buildings, cemeteries and country clubs:

(a) Non-illuminated attached signs up a maximum total sign area of thirty-two (32) square feet; and

(b) One monument or column sign with a maximum sign area of thirty-six (36) square feet, and a maximum height of six (6) feet.

(3) In the RP-1, RP-2 and RP-3 zone districts only, wall signs for each tenant where there are less than five (5) tenants within a common structure with a maximum sign area of ten (10) square feet, provided that the top of the sign shall be no more than twelve (12) feet above ground level.

(4) In the RP-3 zone districts only, one (1) detached identification signs for each structure where there are five (5) or more tenants with a maximum sign area of one hundred (100) square feet, and a maximum sign height of twelve (12) feet.

EXHIBIT B

10-B-13-OA

5. Office zone districts (O-1, O-2, and O-3)

a. *Regulations for residential uses.* In office districts, regulation of signs for permitted residential uses shall be the same as for residential zone districts.

b. *Types of signs and dimensions allowed.* In office districts, the following signs on a nonresidential parcel or lot shall be allowed, subject to the following dimensional requirements:

(1) Attached signs with a total allowed sign area equal to five (5) percent of the wall area of the primary building elevation(s), provided that the sign area may be used on any elevation of the building that does not face an adjacent residential zone district and that no individual sign may exceed twenty-four (24) square feet in area.

(2) One (1) detached sign is allowed per parcel or lot, subject to the following requirements:

(a) Types of detached signs are limited to monument or column signs, except on property that is adjacent to a major arterial road, expressway or interstate, as documented in the Knoxville-Knox County Major Road Plan, a pole sign may be erected in the yard adjacent to such roads;

(b) The maximum sign area shall be thirty-six (36) square feet; and

(c) The maximum height shall be six (6) feet, except that adjacent to a major arterial road, expressway or interstate, as documented in the Knoxville-Knox County Major Road Plan, a monument or column sign may be eight (8) feet and a pole sign may be fifteen (15) feet.

6. Commercial and Industrial zone districts (C-1, C-2, C-3, C-4, C-5, C-6, C-7, PC-1, PC-2, SC-1, SC-2, SC-3, BP-1, I-1, I-2, I-3 and I-4)

a. *Types of signs and dimensions allowed.* In commercial and industrial districts, the following signs on a nonresidential parcel or lot shall be allowed, subject to the following dimensional requirements:

(1) Development directory and project directional signs may be approved as part of a master sign plan in accordance with the regulations at section J.

(2) Attached signs with a total allowed sign area equal to ten (10) percent of the wall area of the primary building elevation(s), providing that the sign area may be used on any elevation of the building.

(4) Detached signs in accordance with the standards described herein, except that standards specified for individual zone districts in Article IV shall prevail.

b. *Number and type of detached signs and dimensions allowed for secondary detached signs.* In commercial and industrial districts, the number of detached signs on a nonresidential parcel or lot shall be allowed in accordance with the following requirements:

(1) One (1) detached sign is allowed per street frontage, up to a maximum of two (2) per parcel or lot.

For these purposes, an adjacent interstate highway shall be considered a street frontage, even though there can be no access to it.

(2) The detached sign that is oriented to the street frontage from which the parcel is addressed shall be deemed primary and subject to the requirements of this subsection; and

(3) Any secondary detached sign on each lot shall be limited to a monument or column sign with a maximum sign area of thirty-two (32) square feet and a maximum sign height of eight (8) feet.

c. *Maximum sign heights for primary detached signs.* In commercial and industrial zone districts, the maximum sign height for primary detached signs shall be thirty (30) feet, except that the maximum sign height for primary signs shall be forty (40) feet for properties within five hundred (500) linear feet of a point where the center line of an intersecting street or road meets the right-of-way of an Interstate at the following interchanges:

(a) Interstate 40/75 at Lovell Road, Pellissippi Parkway/Interstate 140, Cedar Bluff Road, and Weisgarber Road/Papermill Drive/Northshore Drive;

(b) Interstate 640/75 at Clinton Highway and Western Avenue;

(c) Interstate 640 at Broadway, Washington Pike and Millertown Pike;

(d) Interstate 40 at Asheville Highway, Strawberry Plains Pike and Midway Road;

(e) Interstate 75 at Merchant Drive, Callahan Road and Emory Road; and

(f) Interstate 140 at Kingston Pike, Westland Drive, and Northshore Drive.

d. *Maximum sign area for primary detached signs.* The maximum sign area for primary detached signs shall be one hundred ninety-five (195) square feet, except that the maximum sign area for primary signs shall be two

EXHIBIT B
10-B-13-OA

hundred twenty (220) square feet for properties within 500 linear feet of a point where the center line of an intersecting street or road meets the right-of-way of an Interstate at the interchanges described above in subsection c.

e. Exceptions to the standards described above.

(1) On parcels and lots adjacent to the interstate, a secondary detached sign, if located within one hundred (100) feet of the interstate right-of-way and if its sign faces are oriented perpendicular or radial to the interstate right-of-way is subject to the maximum height and sign area requirements for a primary detached sign.

(2) In the BP-1 zone districts, the maximum sign area for detached signs is one hundred (100) square feet and the maximum height is six (6) feet.

(3) A development within a planned commercial or shopping center zone district (PC-1, PC-2, SC-1, SC-2 and SC-3) that is twenty (20) acres or more may increase the maximum sign height by ten (10) percent for a primary ground sign. This exception shall not apply where the sign location is within two thousand (2,000) feet of the right-of-way of the scenic highway system.

(4) In planned commercial, shopping, business or industrial zone district (PC-1, PC-2, SC-1, SC-2, SC-3, BP-1, and I-1), additional signs may be approved by the planning commission as part of the development plan provided that scale drawings indicate the signs will not detract from the character of the development or surrounding development and that the development plan clearly shows that because of unusual topography, building locations and relationships or developments with multiple structures, additional signs are essential to inform and direct the public.

(5) In the neighborhood commercial (C-1) and pedestrian commercial (C-7) zone districts, the maximum sign area for detached signs is fifty (50) square feet.

7. Mixed Use zone districts (TC-1 and TND-1)

a. In TC-1 and TND-1 zone districts, approval of a master sign plan in accordance with subsection J is required at the time of development plan approval. Development directory and directional signs may be approved as part of the master sign plan.

(1) The types of signs shall be shown in the master sign plan for non-residential and multi-dwelling structures within a TND. These shall be outlined in relation to the proposed uses. In order to reduce visual clutter, no more than two types of signs, other than window signs, are allowed on the front face of a building.

(2) The locations of the types of signs and the landscaping around any detached signs shall be shown in the master sign plan and the development plan.

(3) Increases in dimensions of a sign of up to ten (10) percent may be approved administratively by MPC staff. Changing the text, message, design or material of sign shall not require the approval of MPC or its staff.

b. In TC-1 and TND-1 zone districts, regulations for signs for permitted residential uses shall be the same as for residential zone districts.

c. In TC-1 and TND-1 zone districts, the following signs on a nonresidential parcel or lot shall be allowed, subject to the following specified dimensional requirements:

(1) Attached signs, including arcade and hanging signs, awning and canopy signs, historic and landmark signs marquee signs, projecting signs, shingle signs, temporary signs, and wall signs with a total allowable sign area of five (5) percent of the wall area of the primary building elevations, providing that the sign area may be used on any elevation of the building. The maximum sign area for individual projecting signs shall be twelve (12) square feet; and for hanging, arcade or shingle signs, six (6) square feet.

(2) A maximum of one (1) detached sign is allowed per street frontage, up to a maximum of two (2) per parcel or lot.

(3) Detached signs, including historic and landmark signs, incidental signs (including on-site directional, directory and informational signs), monument signs, column signs, and temporary signs with a maximum sign area and height according to the following table:

TABLE L.7.1

Dimensional Standards for Detached Signs			
Number of Stories in Building	Maximum Height (feet)	Maximum Width (feet)	Maximum Sign Area (square feet)
1 to 1½ stories	4 feet	4 feet	16 sq. ft.

EXHIBIT B
10-B-13-OA

2 stories	5 feet	5 feet	24 sq. ft.
3 stories	6 feet	6 feet	32 sq. ft.
The height of the base of a monument sign shall not exceed 18 inches.			
The column of a column sign shall not exceed 24 inches in width nor extend more than 6 inches above the sign area.			

M. CREATION OF SPECIAL SIGN DISTRICTS

Reserved for future use

N. SIGN CONSTRUCTION AND MAINTENANCE

1. Sign Construction

- a. *Conformity with Adopted Building Codes.* Any permanent sign erected, constructed, or placed on any property in the City of Knoxville shall conform to the latest adopted revision of the Standard Building Code.
- b. *Conformity with Adopted Electric Codes.* If serviced by electric power, any permanent sign shall conform to the latest adopted revision of the National Electrical Code. Electrical materials and devices incorporated into such signs shall be certified by the Underwriters' Laboratories, Inc., and shall bear the ULI label, or the label of another approved testing laboratory. Temporary signs if serviced by electrical power shall conform to the latest adopted revision of the National Electrical Code.
- c. *Address Required.* All permanent on-premise signs shall contain the street number of the business.

2. Sign Maintenance

- a. *Premises maintenance.* All signs and surrounding premises shall be maintained by the owner thereof in a clean and sanitary condition, and free and clear of all debris, trash, litter, garbage, refuse, and weeds and in full compliance with the city's ordinances concerning lot cleanliness set forth in the Code of Ordinances Chapter 13, Article VI.
- b. *Structure maintenance.* All signs, including supporting structures, shall be kept in good and safe repair and shall be maintained in good and safe condition, including the periodic application of paint and/or other weatherproofing material in order to prevent rust or other decay. The Chief Building Official, or designee, may order the removal of any sign that is not maintained in accordance with the provisions of this section. Such removal or expense incurred to assure compliance with this section shall be at the expense of the permittee or the owner of such sign.
- c. *Display surface or other advertising surface maintenance.* The display surface or other advertising material of a sign shall not be allowed to deteriorate to a broken, torn, peeling, flaking or otherwise decayed condition and shall be repaired or removed within ninety (90) days of receipt of notice mailed to the owner by certified mail, return receipt requested, from the Chief Building Official ordering such repair or removal. If the owner fails to remove or alter the display surface so as to comply with the standards herein set forth within the time specified in such notice, such display advertising material may be removed or altered to comply with such notice. Such removal or expense incurred to assure compliance with this section shall be at the expense of the permittee or the owner of such sign. An appeal may be made to overcome some exceptional condition which poses practical difficulty or particular hardship in such a way as to prevent an owner from repairing the sign within ninety (90) days.

O. ABANDONED SIGNS

1. Abandoned Sign Determination

Any sign, including its supporting structure, erected in conjunction with a particular use, that use having been subsequently discontinued for a period of sixty (60) days or more, or a lawfully erected temporary sign for which the time period allowed for display of the sign has expired. Abandonment shall be presumed if, for a period of sixty (60) days or longer, the sign has not 1) advertised goods, services, facilities, events or attractions available on the premises where located, 2) identified the owner or occupant, 3) directed traffic on the premises, or 4) displayed a noncommercial message which may or may not related to an activity located on the premises.

FOR MPC REVIEW

4/10/14

EXHIBIT B

10-B-13-OA

Any sign which otherwise conforms to the provisions of this Article, and by reason of the cessation of activity on the premises, becomes an off-premises sign, may be retained for a period of one year by one of the following methods:

- a. Painted Sign: The sign shall be covered by painting over the sign area.
- b. Removable Sign Face: The sign face shall be removed and replaced with a blank insert or the sign face may be reversed.
- c. Temporary Covering: The sign face may be temporarily covered by the installation of a sock or boot. If activity on the property has not resumed within a period of one (1) year, then the sign shall be presumed abandoned and shall be taken down and removed as provided herein.

2. Removal of Abandoned Signs

Any abandoned sign, now or hereafter existing, shall be taken down and removed by the owner, agent, or person having the beneficial use of the building, structure, or property upon which such sign may be found, within thirty (30) days after the written notification from the Chief Building Official, or designee. In making a determination that a sign is abandoned the building official shall consider among other factors, the existence or absence of a current occupational license for the premises, whether there are active utilities or a utilities service deposit at that location, and use of the premises. If such abandoned sign is not removed at the conclusion of such thirty (30)-day period, the Chief Building Official or designee is hereby authorized to cause the sign to be removed forthwith at the expense of the owner. For purposes of this section, the word "remove" shall mean:

- a. The sign face, along with posts, columns or supports of "detached" signs, shall be taken down and removed from the property.
- b. The sign face and supporting structures of "projecting", "roof", or "attached" signs shall be taken down and removed from the property.
- c. The sign face of "painted attached signs" shall be removed by painting over the wall sign in such a manner as to completely cover up and hide from sight the sign in question.

P. LEGAL NONCONFORMING SIGNS

1. An owner of any off-premise or on-premise sign or structure legally existing at the time of the adoption of this amendment which does not conform to the requirements of this ordinance shall have until July 1, 1984, to register with the City Building Inspection Department for purpose of ensuring to the owner the right to continue such non-conforming use.
2. After July 1, 1984, any non-conforming sign not registered shall be considered an illegal sign. The Chief Building Official shall notify or make reasonable effort to notify the owner of the sign of such condition. If after thirty (30) days of such notification the sign has not been removed by the owner, the City, its officials, or its employees shall have the authority to enter on the private property on which the sign is located to remove such sign and/or institute appropriate action to have the sign removed. The City is further authorized to place a lien, in the amount of the removal cost, against the property upon which the illegal non-conforming sign is located.
3. Regulations for off-premise signs approved prior to 1984.
 - a. Size, location and structure restrictions. Off-premise signs shall be placed on a unipole structure and shall not be double-decked (either one above the other, or side by side on the same structure). The total sign area per face shall not exceed forty-eight (48) feet by fourteen (14) feet (six hundred seventy-two (672) square feet) with a twenty (20) percent nonpermanent extension, except within five hundred (500) feet of interstate arteries where the total sign area per face may be seven hundred seventy-five (775) square feet.
 - b. Spacing requirements - Primary and secondary arteries. No off-premise sign structure shall be established within seven hundred fifty (750) feet of any other off-premise sign structure on either side of the same street. The minimum distance between sign structures shall be measured along a straight line and shall be made between the two (2) nearest points of the structures. The minimum spacing shall apply to off-premise sign structures located on either side of the same street or highway. Official and on-premise signs as well as any other sign which does not constitute an off-premise sign structure as defined herein, shall not be counted nor shall measurements be made from them for the purpose of determining compliance with these spacing requirements.
 - c. Spacing requirements - Interstate arteries. No off-premise sign structure shall be established within one thousand (1,000) feet of any other off-premise sign structure on the same side of the same interstate artery. The

FOR MPC REVIEW

4/10/14

EXHIBIT B

10-B-13-OA

minimum distance between sign structures shall be measured along a straight line and shall be made between the two (2) nearest points of the structures.

d. Setback requirements. All off-premise sign structures, including billboards, shall be erected in conformity with the front, side and rear yard requirements of the district in which located.

Q. ADMINISTRATION

1. Permit Requirements

a. No sign, portable sign, outdoor display, or billboard other than signs listed in subsection E (Signs Exempt From These Regulations) and subsection F (Signs Exempt From Permit Requirement) shall be placed, operated, maintained, erected or attached to, suspended from, or supported on a building, structure or ground until a permit in writing, authorizing the same has been issued by the office of the chief building official.

b. No sign permit shall be issued to any person, firm, business, or corporate entity doing business within the City until such person, firm, business, or corporate entity has obtained and a valid business license from the City of Knoxville.

c. Before a permit may be issued, complete plans and specifications showing the construction, methods of support and the materials used shall be submitted for approval to the Sign Inspector. In addition to any other required information, such plans and specifications shall include the following:

(1) A detailed site plan of the property drawn to scale, showing all existing and proposed freestanding signs, buildings, parking areas, and driveway entrances to the site, together with all roadways and informational signs located on the right-of-way of said roadways which are located immediately adjacent to the proposed site.

(2) The total number of square feet of existing and proposed signage on the parcel where the proposed sign is to be erected.

(3) The location of all existing ground signs located within the area of the proposed site which signs are within the minimum space requirements for distances between structures as set forth in Article 5, Section 10 of the zoning ordinance of the City of Knoxville.

(4) For off-premise signs and portable signs, the name and a notarized consent affidavit of the property owner and/or lessee of the proposed site.

d. Applications shall be processed within ten (10) working days of receipt of all required documents in the sign inspector's office.

e. The sign inspector shall keep and maintain accurate records of all sign permits issued by the City, which records may serve as the basis for a comprehensive inventory of the signs within the City.

f. As of June 1, 2001, there shall be a ban on the issuance of permits for new construction of off-premise signs, including billboards, at new locations within the City of Knoxville; provided however that lawfully existing off-premise signs, including billboards, shall be nonconforming uses, as regulated by Article 6 of this ordinance.

2. Authority for Approval and Enforcement. The office of the chief building official shall have primary responsibility for the administration and enforcement of these sign regulations, and shall issue sign applications and permits for all signs located within the City of Knoxville.

3. Penalties for Violation. Penalties for violation of these regulations shall be in accordance with Article VII, Section 8 of this ordinance.

R. VARIANCES AND APPEALS

1. Variances from the terms of these regulations may be requested in accordance with Article VII, Section 1 of this ordinance.

2. Appeals where it is alleged there is an error in any order, requirements, decision or determination by an administrative official in carrying out these regulations may be requested in accordance with Article VII, Section 1 of this ordinance.

SUMMARY NOTES CITY COUNCIL SIGN ORDINANCE TASK FORCE

July 23, 2014– 4:00 PM
KCDC, 901 N. Broadway

Call to Order

Chairman Duane Grieve called to order the July 23, 2014 meeting of the City Council Sign Ordinance Task Force at 4:00 p.m. in the Board Room at KCDC, 901 N. Broadway.

Roll Call

Members present:

Joyce Feld
Duane Grieve, Chair
Don Parnell
Gary Hayes
Melissa McAdams
Jim Nixon
George Wallace, Vice-Chair
Bill Weigel

Members absent:

None.

Staff Members present:

Mark Donaldson, MPC
Cindy Mitchell, City Council Office
Anne Wallace, Redevelopment Office

Staff members absent:

Opening Comments

Chairman Grieve welcomed back the Task Force after a lengthy hiatus.

Discussion

Discussion from all Task Force Members regarding the proposed sign ordinance and the different sign categories.

Motion #1

George Wallace moved to place four (4) road definitions/classifications back into the equation on size and area. The four classifications are as follows: 1) Within 500' feet of an interstate intersection; 2) Adjacent to an interstate or parkway; 3) Adjacent to a federally designated highway; 4) All other roadways.

Melissa McAdams seconded the motion.

Duane Grieve offered an amendment to the motion to change the name of the 3rd category to "Arterials" instead of federally designated highways.

Melissa McAdams and George Wallace seconded the motion.

Mark Donaldson addressed the issue and discussion ensued.
Mr. Grieve withdrew his motion. Both seconds to the motion were withdrawn.

Vote on the original motion by Mr. Wallace:
Feld, Grieve, McAdams and Wallace voted "Aye."
Hayes, Nixon, Parnell and Weigel voted "Nay."
The motion failed due to a tie vote.

Motion #2

George Wallace made a motion that the maximum sign area be 160 feet.
Melissa McAdams seconded the motion.
Discussion ensued among the Task Force.
Mr. Wallace withdrew his motion. Ms. McAdams withdrew her second.

Motion #3

Don Parnell made the motion to table consideration of the ordinance and submit Document #1 to MPC (They can come back to STF, or not) and then submit to City Council as a status report, not a recommendation.

Comment on Motion:

Mr. Parnell stated that he did not see an outcome remarkably different than what is current and he did not make his motion in a negative sense – he just feels the Task Force has done all it can do. Mr. Parnell reiterated that this is a status report, not a recommendation.

Jim Nixon seconded the motion.

Vote:

Grieve, Hayes, Nixon, Parnell, Wallace and Weigel voted "Aye."
Feld and McAdams voted "Nay."
The motion carried.

Mr. Parnell requested that the document that reflects the decisions made by the STF should be clearly labeled as such, with no subsequent amendments to that document. Any additional documents, no matter who submitted them, should be identified to the specific author and dated.

ADJOURNMENT

The meeting adjourned at 5:53 p.m.

SUMMARY NOTES CITY COUNCIL SIGN ORDINANCE TASK FORCE

August 21, 2013 – 4:00 PM
KCDC, 901 N. Broadway

Call to Order

Chairman Duane Grieve called to order the August 21, 2013 meeting of the City Council Sign Ordinance Task Force at 4:00 p.m. in the Board Room at KCDC, 901 N. Broadway.

Roll Call

Members present:

Joyce Feld
Duane Grieve, Chair
Don Parnell
Gary Hayes
Melissa McAdams
Jim Nixon
George Wallace, Vice-Chair
Bill Weigel

Members absent:

None.

Staff Members present:

Mark Donaldson, MPC
Cindy Mitchell, City Council Office

Staff members absent:

Anne Wallace, Redevelopment Office
(Attending another meeting)

Acceptance of Summary Notes

Motion: George Wallace moved to accept the Summary Notes from July 24, 2013.
Second: Joyce Feld.
Vote: Unanimous "Aye"
Disposition: Summary Notes accepted.

Opening Comments

Chairman Grieve asked Mary English from the League of Women Voters to address the Task Force on reaching a consensus.

Mary English addressed the Task Force, not as a representative of the League of Women Voters, but as an individual who has taught consensus building.

Bill Weigel discussed the idea of "compromise" over "consensus."

Information and Discussion

MPC Executive Director Mark Donaldson addressed the Task Force and handed out an amended "Height and Sign Area Analysis – As submitted by Task Force members" (See attached).

Chairman Grieve discussed a timeline for the ordinance to be before MPC and City Council for consideration.

All Task Force members engaged in discussion relative to sign heights.

**Consensus was reached in that all Task Force members agreed that the highest sign heights allowed should be located within 500 feet of an interstate intersection.

Motion #1

George Wallace moved to approve the "mean" sign height represented in all four categories on the amended handout distributed by Mark Donaldson. Those heights would be as follows:

Near Interstate Interchange: 38

Adjacent to Interstates: 36

Adjacent to Federal Highways: 25

Other Eligible Property: 22

Melissa McAdams seconded the motion.

Discussion followed.

By voice vote the Task Force voted as follows:

Aye: McAdams and Wallace

No: Feld, Grieve, Hayes, Nixon, Parnell and Weigel.

The motion failed.

Motion #2

George Wallace moved to lower sign heights to 30' at interstate interchanges.

Melissa McAdams seconded the motion.

By roll call vote the Task Force voted as follows:

Aye: McAdams and Wallace

No: Feld, Grieve, Hayes, Nixon and Parnell

Abstain: Weigel

The motion failed.

Motion #3

Chairman Duane Grieve moved to approve the following sign heights:

Interstate Interchanges: 40'

Adjacent to Interstate: 30'

Adjacent to Federal Hwys: 30'

Other Eligible Property: 30'

Don Parnell seconded the motion.

By roll call vote the Task Force voted as follows:

Aye: Grieve, Hayes, McAdams, Nixon, Parnell and Weigel.

No: Feld and Wallace

The motion was approved 6 to 2.

Next Steps

- Chairman Grieve thanked all Task Force members for the many hours they've invested in this Task Force and for their participation in crafting an improved sign ordinance.
- Chairman Grieve asked all Task Force members to send any additional comments they would like considered for the final ordinance to Cindy Mitchell within the next two weeks.

Adjournment

The meeting adjourned at 5:45 p.m.

Sign Task Force Maximum Sign Height and Sign Area

Maximum Height and Sign Area for Primary Detached Signs by Type of Detached Sign				
Street Classification of the lot front to which the detached sign is oriented	Monument or Column		Ground or Pole	
	Maximum Height	Maximum Sign Area	Maximum Height	Maximum Sign Area
Within 500 feet of an Interstate Interchange	Not Specified		40 ft	220
Adjacent to an Interstate	Not Specified		30 ft	165
Adjacent to a Federally designated highway* (see below)	Not Specified		30 ft	165
All other roadways	Not Specified		30 ft	165

*Federally designated highways include Chapman Highway, Henley St., Broadway, Kingston Pike, Asheville Highway, Rutledge Pike, Clinton Highway, and Alcoa Highway

PROPOSED MODIFICATIONS TO PUBLIC REVIEW TEXT
For May 29 Task Force Consideration

6. Commercial and Industrial zone districts (C-1, C-2, C-3, C-4, C-5, C-6, C-7, PC-1, PC-2, SC-1, SC-2, SC-3, BP-1, I-1, I-2, I-3 and I-4)

THREE ALTERNATIVE TABLES L.6.1

Table L.6.1.A [Heights as approved by City Council]

Maximum Height and Sign Area for Primary Detached Signs				
Street Classification of the lot frontage to which the detached sign is oriented	Monument or Column		All Others	
	Maximum Height	Maximum Sign Area	Maximum Height	Maximum Sign Area
Property Within 500 feet of an Interstate Interchange	10 ft	64 sf	25 ft	160 sf
Property Adjacent to Interstate ROW	10 ft	64 sf	20 ft	64 sf
Property Fronting Other Federally-Designated Highways	8 ft	36 sf	15 ft	49 sf
All Other Eligible Property	6 ft	25 sf	10 ft	32 sf

Table L.6.1.C [Heights as recommended by MPC]

Maximum Height and Sign Area for Primary Detached Signs				
Street Classification of the lot frontage to which the detached sign is oriented	Monument or Column		All Others	
	Maximum Height	Maximum Sign Area	Maximum Height	Maximum Sign Area
Property Within 500 feet of an Interstate Interchange	12 ft	100 sf	50 ft	160 sf
Property Adjacent to Interstate ROW	12 ft	100 sf	35 ft	144 sf
Property Fronting Other Federally-Designated Highways	10 ft	64 sf	20 ft	100 sf
All Other Eligible Property	8 ft	36 sf	15 ft	64 sf



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Sign Ordinance

1 message

Danny Kirby <dkirby@5881000.com>

Tue, Nov 11, 2014 at 12:22 PM

Reply-To: dkirby@5881000.com

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

Commissioners,

I would like you to consider these general and specific comments to the proposed Sign Ordinance. I believe that MPC needs to take more time to thoroughly vet what has been placed before them by MPC staff, to ensure that what is recommended to City Council is 1) representative of what the Sign Task Force discussed and approved; and 2) is in best interest of the community as a whole, including the most important people that it effects, which are the business owners.

GENERAL COMMENTS

- There seems to be some confusion about what the Sign Task Force actually took action on, as it relates to sending a Draft Ordinance to MPC. It's my understanding that the only item ever receiving a majority approval vote was the sign heights of 30', and that no other section of the Ordinance, whether individually or as a whole, was ever voted on or approved by the Task Force.
- If the purpose of the Ordinance is to "avoid visual clutter" as stated, then perhaps the City should try enforcing the current regulations first, as a majority of the "clutter" is created by illegal signs, flags, and banners (See attached Picture 1).
- If the purpose of the Ordinance is to "avoid visual clutter", what is the City doing to improve the clutter created by KUB, TDOT, TVA and other public and quasi-public entities (see attached Picture 2)? In both of these pictures, the least offensive clutter in the pictures are the legal signs...the legal signs are not what's doing the "visual harm".
- If the goal is to beautify Knoxville, then we need a comprehensive plan to address all of the problems and not just business signs. Why are we only addressing signs? Because the City has no control over the other offenders...not KUB, not TDOT, not TVA. So with no recourse over those other violators, the City has chosen to punish the local business community...in the name of beautifying the City. This is an unfair means for trying to achieve the goals the City, on the backs of those providing jobs and a substantial amount of the tax base. It is a myth that reducing signage will beautify the City...signs are only a very small part of the problem.

- Has anyone studied what the economic impact will be on the business community? We are still in a struggling economic environment, and the timing of this increased regulation is suspect. Is now really the time to be adopting new regulations that could possibly harm businesses? How sure are we about this?

- A document from the January 2013 meeting of the Task Force identified “Three Big Policy Directions” (see attached document)...Shrink Signage, Creative Incentives to Use Master Sign Plans, and Create Incentives to Use Monument Signs. This Ordinance only addresses one of them...Shrink Signage! Why? The other two have been completely ignored, not by the Task Force, but by MPC Staff. There was incentive language discussed by the Task Force for Master Sign Plans and Monument Signs. But, if you will see the last page of the e-mail from Joyce Feld dated September 9, 2014, that was attached to the on-line Agenda Package, you will see that she gave the direction that “Items in pink should be removed, whether new or old!”...and so they were. So I ask you, who is driving this boat? In a separate e-mail sent by Mrs. Feld, she refers to an article titled “The Secrets of Successful Communities”, and in that article, the number 3 “secret” is to “Use Education and Incentives, Not Just Regulation”. Again, this Ordinance has NO incentives...why?

- As mentioned previously, the only item that received a majority vote by the Sign Task Force was the height of detached signs of 30'. MPC's version of the Sign Ordinance includes that language as approved. However, an Exhibit J attached to the Agenda Package shows an alternate table of sign heights and sizes, and Mark Donaldson admitted that Staff was recommending that the alternate language be used instead of what the Task Force approved. Why was it not put in the body of the MPC version and instead put as an attachment? And why is MPC taking it upon itself to recommend alternatives to the one thing the Task Force agreed on?

- It's pretty clear by the attached e-mails from Joyce Feld, Mellissa McAdams, and Carlene Malone, that this Ordinance has continued to be “worked on” outside of a public forum, and that the supposed Task Force version you have before you may or may not resemble what was discussed during the two years the Task Force met.

SPECIFIC COMMENTS

C. DEFINITIONS

- Sight Triangles are not necessary, as that is regulated by other sections of the Zoning Ordinance
- Abandoned Signs – One year is not enough time. Some large stores take two to three years to negotiate with a tenant.

D. PROHIBITED SIGNS

- #6 & #7 will never be enforced, and if they were going to be, what would be the cost to the City to do so?
- #11 is too restrictive...not all businesses are in rough parts of town that require the public to be able to see into their store to feel safe.

E. SIGNS EXEMPT FROM THESE REGULATIONS

- #11 - Signs carried by a person. So we are going to reduce signs to improve the aesthetics of our City, but we're going to allow people to stand on every corner holding an advertising sign. I understand the City is concerned about violating free speech rights, but it's pretty clear they can regulate free speech on private property as evidenced by this Ordinance, so why can't they regulate free speech on public property...this makes no sense.

G. CRITERIA FOR MEASUREMENTS

- #1(c) is confusing...a two-sided sign "shall be considered as one (1) sign"...so does a two-sided sign only get the area of one sign, or does each side get the area of one sign...needs to be clarified.
- #4 Primary Building Elevation still rewards the lot with the most street frontage, so that two one-level 5,000 sf buildings would be allowed different amounts of signage because the one that has more street frontage can have its longest side along the road, while the other with may not have as much frontage and have its shortest side facing the road. Same size building, but different amounts of signage allowed... makes no sense.

H. GENERAL SIGN STANDARDS AND REQUIREMENTS

- #5 Landscaping requirements – While it may be a good idea in theory, these areas tend to look bad after a while, and we know the City is not going to enforce maintenance of the landscaping. The requirement for a "reserve" area is a bit much.
- #6 – Needs to be clarified to include paint as a sufficient "covering"...merely stating the "supporting structure (of) a part of a detached sign shall be covered with material complementary to the construction of the principal building or structure on the parcel or lot" can be interpreted to mean that poles or structures would have to have a brick covering around it. I believe that to be the intent of this language and that could be very expensive on a business owner.

I. STANDARDS FOR SPECIFIC TYPES OF SIGNS

- #6(a)(3) Need to list zones where EMC's are allowed
- #6(g) There is no evidence that a hold time of 60 seconds is any safer than a hold time of 30 or even 15 seconds. The City is exempt from this requirement as its EMC at the Convention Center changes more frequently than every 60 seconds. If it's okay for the City, it should be okay for everyone.

J. MASTER SIGN PLANS (See above regarding incentives)

- Part of the requirement of the Master Sign Plan is to submit Covenants & Restrictions so that the City can see the intention by the Developer to regulate signage within the restrictions. In exchange for this voluntary restriction, the Developer gets no additional signage. On a 50 acre development cut into 50 outparcels, a Developer could potentially eliminate 10,000 sf of signage within the development and get nothing in return. This makes no sense.
- Under the proposed Ordinance the Development Directory Sign has to be the same size as any other sign for the zoning district it is in...i.e., 30' and 195 sf. Under the current rules, a Development Directory sign can be as large as 400 sf...this is over a 50% reduction in a sign that is supposed to be used to entice developers. This is just wrong. The height and size of a Development Directory Sign should be directly related to the amount of signage being reduced or eliminated...i.e, as a percentage of the total reduced or eliminated.

- #4(b) – The Development Directory sign should not count against the allowable signage on the lot, if it is on a lot with a business...there should maybe be some spacing requirement, or limit to a monument sign, but not completely count against the detached allotment for the business.

L. SIGNS PERMITTED BY SPECIFIC ZONE DISTRICT

- #6(e)(2) – Staff took the liberty to again over-ride the Task Force and lower signs along Scenic Highways to 10' tall and 100 square feet, despite the vote by the Task Force to lower it from 35' to 30'.

O. ABANDONED SIGNS

- New signs should receive a longer exemption from this rule, as they would be constructed under the new approved rules, and therefore would not be considered as unsightly as perhaps some of the “non-conforming” sign structures.
- One year is still not long enough to re-tenant a large building. Negotiations take several years and the sign removal just adds a burden on the property owner in those negotiations, as someone will be tasked financially to construct a new one. An empty building is enough of a burden for a property owner, but adding another \$10,000-\$15,000 burden is unreasonable.

Q. ADMINISTRATION

- #1(b) It should not be required for a General Contractor licensed by the State of Tennessee to have to obtain a City of Knoxville business license in order to pull a permit for a sign...that's just a money grab.

I'll be glad to discuss any of these items at your convenience. I will reiterate, that I believe MPC should postpone this agenda item for at least 60 days until the Commissioners are at least somewhat knowledgeable and comfortable with what's being presented.

Thank you,

Danny Kirby

Turley & Co.

P.O. Box 10226

Knoxville, TN 37939

--

This message was directed to commission@knoxmpc.org

3 attachments



SAVE 3¢

Pilot
325.9 371.9

45.39

RESTRICTION
THIS PRODUCT CAN CAUSE
SKIN IRRITATION
WARNING: This
product can cause
SKIN IRRITATION

White object on signpost

Marlboro
45.39

Pilot



Chick-fil-A

BREAKFAST

CLOSED SUNDAY



McDonald's

HALF PRICE SHAKES ALL

Keep ← Rennoc →

F66-34W



January Discussion

Three Observations about the Current Regulations

- Maximum SIGN AREA is much greater than what is being used.
- Signs used with planned development districts don't come close to using the maximum SIGN AREA allowed; so that development represents an unconstrained view of the sign packages desired by owners. These developments can be the model for determining sign area regulations.
- When made aware of local concerns about SIGN HEIGHT, many developers are willing to not maximize the height and willing to use monument signs

Three Big Policy Directions

- SHRINK THE MAXIMUM SIGN HEIGHT AND AREA ALLOWED FOR DETACHED AND ATTACHED SIGNS
- CREATE INCENTIVE TO USE MASTER SIGN PLANS
- CREATE INCENTIVE TO USE MONUMENT SIGNS

Detached Signs

- Primary detached may be a ground or pole sign, but second sign must be a monument or column sign
- Height is determined by street classification
- Area is determined by street frontage, with a relatively small maximum size
 - Maximum sign area for monument or column signs is smaller than maximum sign area for ground or pole signs

Master Sign Plans

- CREATE INCENTIVE TO USE MASTER SIGN PLANS
 - Detached Directory Signs, as part of a master sign plan, allowed at a significantly larger size (area, not height)
 - Size of directory sign approved could be associated with other sign rights that are removed.
 - If a Directory Sign is used within a master sign plan, all other detached signs within the master sign plan area must be approved as part of the plan and/or must be monument signs
- Approval of Master Sign Plans allows the City to assist the Owner in enforcing the owners sign restrictions
 - Broaden powers of master sign plan to regulate all detached signs within the master sign plan area

Attached Signs

- Total sign area for an entire building is determined as a percentage of the primary elevation of the building (for example: 7.5 percent)
- CREATE INCENTIVE TO USE MONUMENT SIGNS
 - A bonus sign area for attached signs may be utilized if the property does not use a ground or pole sign (for example, 2.5 percent)

1/7/13