



Laura Edmonds &lt;laura.edmonds@knoxplanning.org&gt;

**[Planning Commission Comment] Item #36 9-B-20-OA Signs in Institutional Districts**

1 message

Joyce <jfeld@gmail.com>  
Reply-To: jfeld@gmail.com  
To: commission@knoxplanning.org

Wed, Sep 9, 2020 at 5:44 PM

Dear Planning Commissioners,

The Institutional District is a new zone that was created during the city's Recode process. Districts currently zoned Institutional were created retroactively from properties with other zoning designations under the previous zoning ordinance. Unlike every other district in the city zoning code, the Institutional District does not have its own sign standards. Although this might be effective for the Institutional Districts that were created retroactively, Scenic Knoxville believes **specific standards for attached and detached signs** should be included in our zoning code to ensure that future Institutional Districts have appropriate signs. In fact, there is no reason not to include specific sign standards for Institutional Districts.

These standards will be particularly important when an Institutional District abuts, or is wholly surrounded by a residential zone, as is often the case. City Council has repeatedly expressed concern in public meetings about inappropriate ground (detached) signs adjacent to residential zones and has sought guidance from the Planning Commission to prevent this from happening. The amendment before you does not address **Council's primary concern**, which is **the size of signs in Institutional Districts**.

In the Sign Ordinance that was passed in 2015, sign heights and size (area) in commercial and industrial zones are based on both the zone and the roadway type where the sign is located. We think this is an appropriate model for sign standards in Institutional Zones as well.

Attached is a letter from Community Forum with further explanation as well as tables for specific standards for sign heights and sign areas in Institutional Districts. Scenic Knoxville endorses this letter.

Thank you very much.

Joyce Feld  
President  
Scenic Knoxville  
865-525-4007

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This message was directed to [commission@knoxplanning.org](mailto:commission@knoxplanning.org)

 **Institutional signs-7-9-20 draft 2 cc ws - CLEAN.docx**  
26K



Laura Edmonds <laura.edmonds@knoxplanning.org>

**[Planning Commission Comment] Community Forum Comment RE: Agenda Item #36, 9-B-20-OA- RE: Institutional Signs. 9-4-20**

1 message

**larrys55 via Commission** <commission@knoxplanning.org> Fri, Sep 4, 2020 at 1:37 PM

Reply-To: larrys55@aol.com

To: "commission@knoxplanning.org" <commission@knoxplanning.org>, "amy.brooks@knoxplanning.org" <amy.brooks@knoxplanning.org>, "swelch@knoxvilletn.gov" <swelch@knoxvilletn.gov>

To: Knoxville-Knox County Planning Commission  
From: Community Forum, Larry Silverstein, Chairperson  
Re: Agenda Item # 36- 9-B-20-OA --Proposed Amendment to the Knoxville City Zoning Ordinance, Article 13.9-- Institutional signs regulations  
Date: September 4, 2020

Dear Commissioners:

On July 9, 2020, the Knoxville City Council discussed this issue regarding Institutional Signs at a workshop. On July 6, 2020, Community Forum sent a letter to City Council regarding this issue. That letter is **Attached** for your consideration of this issue, as our position in July remains the same now.

However, we continue to ask why the Institutional District, which did not exist prior to the adoption of the new Zoning Ordinance, requires signs appropriate for the Commercial and Industrial districts in Article 13.9. The Institutional District, Article 8.2, does **NOT** allow any commercial uses, no shops, stores, restaurants, bars, gas stations, etc., and no industrial uses.

City Council decided to send this matter back to Knoxville-Knox County Planning to specifically consider material proposed by Scenic Knoxville. That material, proposed by Scenic Knoxville, was included in Community Forum's July 6, 2020, letter to City Council.

Therefore, we ask that you please specifically consider the material proposed by Scenic Knoxville which was included in Community Forum's letter to City Council (See Page 5.) in order for City Council to act on this issue in the near future. Further, to be precise, we ask that you please specifically consider all sign standards for the Institutional District, not just standards for internally illuminated signs in the Institutional District.

Sincerely,

Larry Silverstein, Chairperson, Community Forum  
7808 Sheffield Dr.  
Knoxville, TN 37909

693-1256  
Larrys55@aol.com

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This message was directed to [commission@knoxplanning.org](mailto:commission@knoxplanning.org)

 **Community Forum letter to City Council re signs in institutional district 7-4-20 (2).docx**  
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## MEMO

**TO:** Knoxville City Council

**FROM:** Community Forum, Larry Silverstein, Chairperson

**DATE:** July 6, 2020

**RE:** July 9, 2020, City Council Workshop, regarding Signs in Institutional Zoning Districts.

There is a problem with the existing sign regulations established for the Institutional District in the Zoning Ordinance.

The Commercial and Industrial sign regulations were applied to the Institutional District. These regulations are inappropriate for the purpose, uses and settings of the Institutional District. The Institutional District **does not allow Commercial or Industrial uses** such as stores, restaurants, hair salons, gas stations, warehouses, etc. The Institutional District **does allow** public and private offices and schools, hospitals, and social service facilities including treatment facilities and domestic violence shelters.

The sign regulations for Commercial and Industrial Districts were applied to the Institutional District in the final public draft (Draft 5) of Recode. This problem was identified and publicly acknowledged by City Council when Recode was adopted in August, 2019. At that time, City Council stated that this issue would be dealt with prior to the January 1, 2020, effective date of Recode.

**Request:** Please amend the sign regulations for the Institutional District by deleting Institutional District from the Knoxville Zoning Ordinance, **Article 13, Sec. 13.9, F.**, and adopting the Institutional Sign regulations proposed by Scenic Knoxville. A copy of the Scenic Knoxville proposal is included below, for your convenience.

Also, amendments to the sign regulations regarding Attached Signs for Healthcare Facilities in the Office Park District (O-P), have been approved by the Planning Commission and will soon be on Council's agenda for consideration. In light of

this, we also request that the proposed Attached Sign regulations for Healthcare Facilities in the O-P District be considered for inclusion in the Institutional District.

**Rationale:** The "**Purpose Statement**" of the Institutional District, **Article 8, Sec. 8.2 A**, copied below, and the **Use Matrix, Article 9**, make clear the fact that the district is **not** intended to be commercial or industrial:

*"Purpose Statement*

*The INST Institutional District is intended to accommodate federal, state, county, and municipal governmental operations (with the exception of those operations that are industrial in nature), and campus institutional uses such as healthcare institutions and educational facilities, to allow for their expansion in a manner that protects surrounding neighborhoods. Areas zoned Institutional shall have a minimum size of five contiguous acres. The area designated as an Institutional District may be composed of lots of various sizes, with a minimum lot size of 20,000 SF, but the total area shall contain a minimum of five contiguous acres. Additional uses may also be permitted, such as residential, and professional office or business uses that are compatible with the character of the district."*

The **Use Matrix, Article 9**, clearly shows that commercial uses such as Retail Goods Establishments, Eating and Drinking Establishments, Personal Service Establishments, Gas Stations, Vehicle Repair, etc., and Industrial Districts are **not allowed** in the Institutional District.

**The uses that are permitted** in the Institutional District can be described as public and private office, educational, and social service facilities, including Domestic Violence Shelters and treatment facilities.

Also note that the Institutional District is grouped in the category of "Special Purpose and Overlay District" (**Article 8**). The Institutional District is **not** grouped in the category of "Commercial and Office Districts" (**Article 5**), and is **not** grouped in "Industrial Districts" (**Article 6**).

It is very important to be aware of the following:

- The Institutional District did not exist prior to Recode, **Draft 2, July 2018. (Article 7.2)**

- All of the locations presently zoned Institutional District were selected by the Planning Commission staff. Many of these locations had previously been zoned Residential and Office.
- A study of the effect of Commercial and Industrial Sign regulations on the Institutional District was conducted by the Planning Commission staff. The study was incomplete and flawed.  
The study only looked at the effects of Commercial and Industrial signs on the existing, Planning Commission staff-selected Institutional Districts.

The study **did not** consider the effect of Commercial and Industrial signs on locations in our city that might be appropriately rezoned to Institutional in the future. The Institutional District can be requested in a rezoning application initiated by any property owner. The study failed to take into account that there would be additional Institutional District locations in the future.

Also, the study only considered Detached Signs. It did not consider Attached Signs.

- It has been suggested that the sign regulations for the Institutional District are not important because many of the uses in the Institutional District are government facilities and, therefore, are not required to follow the Knoxville Sign regulations. This includes public schools and government offices.  
That argument is not persuasive. Many private schools are zoned Institutional District. **For instance, St. Joseph's School on Cedar Lane is zoned Institutional.** The school was zoned residential prior to Recode and is located in the middle of a totally residential area. Internally illuminated Pole Signs and Attached Signs are inappropriate for the area.  
Also, private offices are a permitted use in the Institutional District, and would be regulated by the Knoxville Sign Ordinance.
- **It has been said that the Institutional District five-acre minimum "area" makes larger, commercial signs reasonable.** That argument fails because the Zoning Ordinance **regulates signs by "lot", not by "area."**

Although the Purpose Statement of the Institutional Districts requires a minimum "**area**" size of five contiguous acres in order to be zoned Institutional, the required minimum **lot** size is 20,000 square feet, roughly one-half acre, in the Institutional District. (**Article 8, Sec. 8.2, Table 8-2**). Therefore, each five-acre tract can have 10 lots. **Signs are regulated by lot, not by "area."** Each lot can have the full number of permitted signs, allowing 10 Pole Signs on any street with a five-acre Institutional District.

- The regulations for **Attached** and **Detached** signs in Commercial and Industrial Districts differ greatly from the Office District sign regulations.

The total sign area of **Attached Signs** in the Commercial and Industrial Districts is twice the total sign area of Attached Signs in the Office Districts. Commercial and Industrial District Attached Signs can be internally illuminated. Office District Attached Signs can be externally illuminated.

**Detached Signs** for Commercial and Industrial Districts include Pole Signs whose area, height and number are tied to Roadway Type. Detached Signs in the Office Districts include Monument and Column Signs and are not tied to Roadway Type.

- Due to the Tennessee State Law on "grandfathering", any sign that is legally erected, regardless of how inappropriate for the setting, may well remain forever, long after a business closes, or the sign laws have been changed.

**Conclusion:** Based on these important factors, we believe the application of Commercial and Industrial sign regulations to the Institutional District is inappropriate. Therefore, we request that the Zoning Ordinance Article 13, Section 13.9 F be amended, and that the Zoning Ordinance be amended to adopt the regulations proposed by Scenic Knoxville.

Thank you for your consideration.

Sincerely,

Larry Silverstein, Chairperson, Community Forum

7808 Sheffield Dr.

Knoxville, TN. 37909

693-1256

Larrys55@aol.com

## **Institutional District Signs Standards**

**(Re-number/letter F or G??)**

Institutional Districts: INST

1. In the Institutional district, the following signs on a nonresidential parcel or lot are allowed, subject to the following dimensional requirements:

a. Development directory and project directional signs may be approved as part of a master sign plan. A master sign plan is required for any Institutional district with an area of 5 acres or greater.

b. Attached signs with a total allowed sign area not to exceed 5% 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 district and that no individual sign may exceed 24 square feet in area. Such signs cannot be internally illuminated, but may be externally illuminated provided that no light source is visible from the public right-of-way or adjacent properties. Hospitals with an emergency room may internally illuminate signs upon approval of a master sign plan.

c. Detached signs in accordance with the standards described herein.

2. In the institutional district, the number of detached signs on a nonresidential parcel or lot are allowed in accordance with the following requirements:

a. In the institution district, detached signs are limited to monument and column signs, except on property within 500 feet of interstate interchange areas, property fronting on interstate right-of-way, and property fronting on federally designated highways."

b. One detached sign is allowed per street frontage, up to a maximum of two per parcel or lot. For these purposes, an adjacent interstate highway is considered a street frontage, even if there is no access to it.

c. The detached sign that is oriented to the street frontage on which the parcel is addressed is deemed primary and subject to the requirements of this subsection.

d. Any secondary detached sign on each lot is limited to a monument or column sign with a maximum sign area of 30 square feet and a maximum sign height of six feet.

**(PROVIDE NEW NUMBERS FOR INSTITUTIONAL DISTRICT TABLES--13-4, 13-5??)**

3. In the institutional districts, the maximum sign height for primary detached signs is based upon the classification of the road or road adjacent to the property upon which the primary detached sign is located, as indicated in Table 13-2: Roadway Type and Maximum Sign Height:

| Table <u>13-2</u> : Roadway Type and Maximum Sign Height |                               |
|--|-------------------------------|
| Roadway Type   | Maximum Allowable Sign Height |
| Property within 500 feet of interstate interchange area  | 15 feet                       |
| Property adjacent to interstate right-of-way             | 15 feet                       |
| Property fronting on federally designated highways       | 10 feet                       |
| All other roadway classifications                        | 6 feet                        |

4. In the institutional districts, the maximum sign area for primary detached signs is based upon the classification of the road or road adjacent to the property upon which the primary detached sign is located, as indicated in Table 13-3: Roadway Type and Maximum Sign Area:

| Table <u>13-3</u> : Roadway Type and Maximum Sign Area  |                             |
|---|-----------------------------|
| Roadway Type  | Maximum Allowable Sign Area |
| Property within 500 feet of interstate interchange area | 65 sf                       |
| Property adjacent to interstate right-of-way            | 65 sf                       |
| Property fronting on federally designated highways      | 50 sf                       |
| All other roadway classifications                       | 36 sf                       |

5. The following exceptions apply to the above standards:

a. On parcels and lots adjacent to the interstate, a secondary detached sign, if located within 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.

b. On parcels and lots adjacent to any streets or roads that are part of the state scenic highway system, only a monument or column sign is allowed, provided that the maximum sign height for such sign is six feet and the maximum sign area is 36 feet.