



AGENDA ITEM#: 5

MEMORANDUM

TO: Metropolitan Planning Commission

FROM: Mark Donaldson, Executive Director

DATE: February 10, 2011

SUBJECT: Amendments to the City of Knoxville Zoning Ordinance at Article V, Section 10, regarding on-premise incidental directional and information signs on large lots, related amendments, and definitions.
1-A-11-OA

REQUEST

MPC has been requested by the City of Knoxville administration to consider and make a recommendation on amendments to the City of Knoxville zoning ordinance at Article V, Section 10, regarding on-premise incidental directional and information signs on large lots, and to recommend appropriate definitions and regulations for such signs.

BACKGROUND

MPC staff received a letter, dated December 14, 2010, from the City of Knoxville administration requesting that MPC develop regulations for on-premise wayfinding signage. Recent cases before the City Board of Zoning Appeals indicate there is a need in the zoning ordinance to permit and properly regulate one or more on-premise signs that are incidental to primary use of the property and provide directions and information on large lots with campus-style development.

ANALYSIS

Sign codes found in many cities contain lists of signs that are: 1) exempt from the need for a permit to allow installation, and 2) exempt from the regulations that may apply to other signs on a property. These "exempt" signs often include directional, information and on-premise directory signs, with dimensional requirements established in the definition of the sign, or as a part of the exemption section. The City of Knoxville sign code has no such section.

In the City's sign code there is a reference to traffic control signs at Article V, Section 10. A. 11, wherein a traffic control sign is allowed on a site with a maximum sign area of nine (9) square feet and a maximum height of 3 feet. There is no definition of a traffic control sign and no context for its use.

Elsewhere is the City's sign code, at Article V, Section J. 1, there is a provision for a single sign in a parking lot with maximum sign area of nine (9) square feet for an exit or entry sign and an additional sign in a parking lot of up to twelve (12) square feet for an informational sign.

STRATEGY

The City sign code should allow the use of a comprehensive package of signs to direct vehicles and pedestrians to and from facilities located on large, campus-style developments without the need to pursue and obtain approval of variances.

There currently is no separate section in the City's sign code, as is found in many sign codes, for signs that are exempt from regulations or for signs that are prohibited in the city. To reorganize the entire sign code to provide for such sections is warranted, but that is not what has been requested.

The provision in the City's sign code for the *master sign plan*, if reorganized, provides a model for the treatment of signs as a comprehensive package on developments that are large in scale. An amendment to the master sign plan regulations allowing a development directory sign within the private street is also proposed.

The proposed regulations for incidental signs on large tracts are similar to the approach for a master sign plan. Such a provision could require the submittal and approval by City staff of a site plan showing all incidental signs proposed for a site.

The current regulations for traffic control signs and parking lot signs need to stay in place for use on sites that do not qualify as large sites as proposed in Exhibit B. However, these provisions should be amended for clarity and dimensions as shown in Exhibit D.

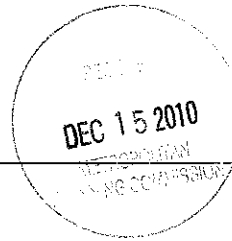
STAFF RECOMMENDATION

To implement the changes requested by the City of Knoxville administration, staff recommends that the planning commission recommend to City Council that the City of Knoxville zoning ordinance be amended as follows:

- Article V, Section 10, A, 29, 30 and 31 be reorganized and amended as shown in Exhibit A
- Article V, Section 10, A, 30 be added as shown in Exhibit B
- Article II be amended to add the definitions as shown in Exhibit C
- Article V, Section 10, A, 11, and Article V, Section 10, J, be amended as shown in Exhibit D

ATTACHMENT

- Memo from City Law Department dated December 14, 2010
- Exhibit A – Proposed reorganization of master sign plan provisions
- Exhibit B – Proposed regulations for incidental signs on large sites
- Exhibit C – Proposed definitions for incidental, directional, information and on-site directory signs
- Exhibit D – Proposed amendments regarding other traffic control and parking related signs



Law Department

Debra C. Poplin
Law Director

Angela Rauber
Attorney

MEMORANDUM

To: Mark Donaldson, Executive Director, MPC

From: Angela Rauber, City of Knoxville Law Department *AR*

Subject: City of Knoxville Zoning Code, Development of On-Premises Wayfinding Signage Regulations

Date: December 14, 2010

cc: William Lyons, Senior Director, Policy & Communications
Debra Poplin, Law Director
Steve King, Public Works Department Director
Gary Norman, Inspections Director
Tom Reynolds, Building, Zoning & Plans Review Chief
Anita Cash, Zoning Coordinator
Dan Kelley, Development Services Manager, MPC

The City of Knoxville Policy & Communications Department, Law Department, and Public Works Department request that MPC develop regulations for on-premises wayfinding signage. The Board of Zoning Appeals (“BZA”) has also requested that such regulations be developed. Specifically, BZA and City zoning staff have requested that the City zoning code be amended to include definitions and regulations for wayfinding sign packages that will be located on private property in campus-type settings.

Under the City's current sign regulations, entities are limited to a certain number of signs regardless of the size of their property, the number of buildings on their property, and whether or not such signs are used for advertising or wayfinding. This limitation has resulted in the need for variance requests which can become rather complicated. Two recent examples are the Ft Sanders Hospital sign package and the Sevier Heights Baptist Church sign package. Both the Hospital and the Church have large campuses with multiple buildings, complicated parking arrangements, and a need for directional signage.

Both the BZA and the Inspections Department believe that they will continue to see requests for such signage. Accordingly, the Inspections Department has worked on some suggestions for specific requirements for such signage packages. Their suggestions are as follows:

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1. Create definitions and regulations for wayfinding sign packages that will be located on private property in campus-type settings. We suggest these only be utilized by businesses, schools, etc. that operate in a campus-type setting. Examples of these type facilities include: Parkwest Hospital, Webb School, Sevier Heights Baptist Church (all of these are located on one piece of private property)

2. The current regulations allow only ground or monument signs in most of these districts. There are no regulations to allow signage (except under one of these signs) that does not meet the regulations for directional or traffic-control signs.

3. Currently, these campus-type facilities are going to BZA requesting numerous variances to allow multiple ground and/or monument signs.

4. This wayfinding package would not include multiple pieces of private property such as the recent sign package for Ft. Sanders Regional Medical Center, which included new off-premise signs. These could be handled by utilizing the Master Sign Plan regulations already found in Article 5, Section 10.

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PROPOSED REORGANIZED MASTER SIGN PLAN REGULATIONS

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Article V, Section 10, Signs, Billboards, and other Advertising Structures:

At Article V, Section 10, A.

29. Master Sign Plan

- a. **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~~ **sign** plan is required for certain signs identified within Article 5, Section 10, and sign systems within the TC-1 (Town Center) district. A master ~~signage~~ **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.
- b. **Application Requirements.** Master ~~signage~~ **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 on review, and shall include the following information in the application package:
 - a (1)—Master ~~signage~~ **sign** plan application and a consent form signed by all the property owner(s) for the unified development under consideration.
 - b. (2) 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. (3) Scale drawings showing the dimensions and construction details for all proposed signs including sign illumination and landscaping plans.
 - d. (4) 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. (5) A copy of any ~~signage~~ **sign** restrictions proposed or implemented for the unified development.
 - f. (6) 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. (7) 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. (8) For the purposes of approving a master ~~signage~~ **sign** plan, the metropolitan planning commission shall determine the boundaries of the unified development.

- i. **(9)** The approved signs shall be located on property within the area defined by the metropolitan planning commission as the unified development.

- c. **Administrative Procedures.** Master ~~Signage~~ **Sign** Plans shall be reviewed by the Metropolitan Planning Commission as a Use on Review. A Master ~~Signage~~ **Sign** Plan may also be included as part of a use 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 ~~Signage~~ **Sign** Plan shall be in conformance with the Plan. Since approval of Master ~~Signage~~ **Sign** Plan is a privilege and not a right, variances from the sign standards of Article 5, Section 10, shall not be granted for any signs that require a Master ~~Signage~~ **Sign** Plan approval. When a Master ~~Signage~~ **Sign** Plan has been approved, variances shall not be granted for any signs on a lot covered by the Master ~~Signage~~ **Sign** Plan. The action of the Planning Commission may be appealed as provided in Article 7, Section 6F.

- d. **Development Directory Sign.** ~~30-~~ 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 ~~signage~~ **sign** plan (see subsection 25, above) subject to meeting the following:
 - a. ~~(1)~~ The development directory sign shall meet the requirements of Article V, Section 10, for a business ground or monument sign.
 - b. ~~(2)~~ The development directory sign shall count as one of the business ground or monument sign permitted pursuant to Article 5, Section 10, 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 ~~signage~~ **signs** on the lot in conformance with the maximum limitations.
 - c. ~~(3)~~ 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. ~~(4)~~ 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. ~~(5)~~ Approved development directory signs shall not be converted to any other type of off-premise sign.
 - f. ~~(6)~~ A development directory sign approved as part of a master ~~signage~~ **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 business ground or monument 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 ~~signage~~ **sign** plan.

- (7) A development directory sign may be located within a median of a Joint Permanent Easement (JPE) that provides legal access to the unified development and intersects with a public street. A JPE is a private street as designated in the Knoxville-Knox County Minimum Subdivision Regulations. If the development directory sign is located within the JPE, the master sign plan shall designate the lot within the unified development that will transfer its rights for a business ground or monument sign to the JPE so that there is no net increase in signage for the unified development. The designated lot shall be identified in the conditions of approval for the master signage plan. The development directory sign shall meet the setback standards from a public street and shall not impede vision of oncoming traffic at the intersection of the JPE with the public street.
- e. **Project Directional Sign.** 34.—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 ~~signage~~ **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 lower classification streets within the same unified development, subject to meeting the following:
- a. (1) 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.
 - b. (2) 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. (3) 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. (4) The project directional sign may be approved in addition to any ground or monument signs that are allowed on a specific lot.
 - e. (5) 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. (6) The project directional sign shall not exceed six (6) feet in height and a maximum surface area of thirty-six (36) square feet.
 - g. (7) Approved project directional signs shall not be converted to any other type of sign.

[Current sections A(30) and A(31) are consolidated into the new section A(29) and no longer needed.]

PROPOSED REGULATIONS
INCIDENTAL SIGNS on LARGE SITES

Article V, Section 10, Signs, Billboards, and other Advertising Structures:

At Article V, Section 10, A.
Add the following new section 10.A.30:

30. 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 discreet 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 site under consideration.
 - (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.

PROPOSED REGULATIONS
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.
- (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 advertising sign without proper approvals is prohibited.**

PROPOSED ADDITIONAL DEFINITIONS

To be added to Article II, Definitions.

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

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.

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.

PROPOSED DELETIONS and ADDITIONS

Text in ~~strike through~~ is to be deleted. Text in **bold** is to be added.

At Article V, Section 10.A:

11. All signs shall be located not closer than ten (10) feet to a street right-of-way line or fifteen (15) feet from the edge of pavement, whichever is greater, unless such sign is at least ten (10) feet above the ground and vision under the sign is only incidentally obstructed by supporting members, except for projecting, shingle, and awning signs in the following districts:

- (1) TND-1 (traditional neighborhood development) district must be a minimum of eight (8) feet above sidewalks in the commercial portion of the development.
- (2) H-1 (historic overlay) district and D-1 (downtown design overlay) district:
 - a. Must be a minimum of seven (7) feet above sidewalks if non-electrified.
 - b. Must be a minimum of eight (8) feet above sidewalks if electrified.

All business signs shall be setback five (5) feet from all side and rear property lines.

~~Traffic control~~ **Directional or information** signs not exceeding nine (9) square feet in area and less than or equal to ~~three (3) feet~~ **forty-two (42) inches** in height may be allowed within the area required for setback from the right-of-way or pavement with the approval of the city engineer.

At Article V, Section 10:

J. *All districts.* In any district the following signs shall be permitted:

1. ~~For each permitted or required parking area that has a capacity of more than four (4) cars~~ **Within a parking lot**, one (1) **directional** sign, not more than nine (9) square feet in area **and forty-two (42) inches in height**, may be placed to designate ~~designating~~ each entrance to or exit from such parking area; and one (1) **informational** sign, not more than twelve (12) square feet in area **and six (6) feet in height**, identifying or designating the conditions of uses of such parking area.

2. One (1) non-illuminated "for sale" or "for rent" sign not exceeding four (4) square feet in area and advertising the sale, rental or lease of the premises on which the sign is located. A larger sign shall be permitted for two (2) or more lots in single ownership or for properties in excess of one hundred (100) feet in width provided that the area of such sign shall be increased on a graded scale of one (1) square foot increase in area for each additional five (5) feet of frontage over one hundred (100) feet, but in no case shall the sign exceed in the aggregate two hundred (200) square feet. Such sign shall be a ground or wall sign and located not closer than twenty (20) feet from the street line.

3. For each real estate subdivision that has been approved in accordance with the Subdivision Regulations of the City one (1) sign, not over one hundred (100) square feet in area, advertising the sale of property in such subdivision. Such sign shall be permitted only when located on some portion of the subdivision being advertised for sale and shall not encroach upon any required yard. Such sign may be illuminated. Such sign shall be maintained only during such time as such sign shall be issued for a one-year period and may be renewed for additional one-year periods.