



Agenda Item # 5

MEMORANDUM

TO: Metropolitan Planning Commission

FROM: Mark Donaldson, Executive Director

DATE: October 13, 2011

SUBJECT: Amendments to the City of Knoxville Zoning Ordinance at Article V, Section 10, regarding the maximum height of ground and monument signs.
10-A-11-OA

REQUEST

MPC has been requested by City Council to consider making a recommendation on amendments to the City of Knoxville zoning ordinance regarding the reduction of the maximum allowed height for ground and monument signs from 50 feet to 25 feet, as expressed in the resolution attached below.

BACKGROUND

City Council expressed its opinion that the maximum sign height allowed for ground and monument signs in the city is too high and should be reduced to 25 feet, citing excessive sign height as unnecessarily obtrusive, hazardous to those who are nearby and trying to read them, and generally detracting from the overall quality and value of the land on and near which they are located.

Several issues emerge from the City Council request:

- Is the city best served by a single maximum sign height for ground and monument signs?
- Is the city best served by a single maximum sign height throughout the city?
- Is the exception to the maximum height requirement within 500 feet of the interstate right-of-way warranted?
- Is the required minimum sign setback related to the sign height and should it be adjusted as well?
- How about sign size and sign illumination?
- How do we get existing signs to conform to any new regulations

ANALYSIS

One size should not fill all. There is a general rule of thumb with regard to sign size (height and area) and safety: *The higher the volume of traffic and the higher the speed of traffic, the larger the sign must be to enhance sign readability and traffic safety.* Knoxville's sign code generally

prescribes a single sign height, with a few specific exceptions, for all monument and ground signs. A review of several surrounding cities indicates that the maximum height allowed for signs in Knoxville is very aggressive. Looking at the major cities north and south of Knoxville on I-75, Chattanooga and Lexington, KY, the major cities east and west of Knoxville on I-40, Asheville, NC, and Nashville, as well as Memphis, which has a new, recently adopted land development code, indicates that these cities generally require much shorter signs, with one exception.

- Nashville allows a maximum height of 20 feet in its mixed-use, office and neighborhood oriented commercial areas, 40 feet in its general commercial areas, and 8 feet for monument signs in the downtown area.
- Asheville allows a maximum height of 12 feet in its neighborhood and community scaled commercial areas, 20 feet in its urban areas, and 25 feet in its general commercial areas.
- Lexington allows a maximum height of 10 feet for its mixed use and office areas, 20 and 25 feet for its general commercial areas, but allows very tall signs near its interstate interchanges.
- Chattanooga allows a maximum sign height of 20 feet for its commercial areas, but allows signs to get taller as they are set back farther from the street right-of-way.
- Memphis, in its new code, has created 4 distinct sign districts and maximum sign heights vary from 6 to 50 feet, depending on the district and the functional classification of the adjacent street, with more intense areas with higher traffic volumes and speeds allowed greater sign heights, including a very tall sign allowed near interstate interchanges.

Monument signs are different. Monument signs by definition are mounted on a base that is integrated with the ground, and the sign area should be closer to ground level so that motorist can easily view them while also scanning traffic. The maximum sign height for monument signs in Knoxville's newer, mixed use zone district is generally 6 feet. The maximum sign height for monument signs in all applications should be significantly lower than the maximum sign height allowed for ground signs.

Interstate orientation - too much. The current exception to the maximum sign height for signs that are within 500 feet of the interstate rights-of-way to be set with the bottom of the sign no more than 20 feet above the elevation of the interstate roadway regardless of the sign height provides interstate orientation of signs that are much too far from the interstate, and because of the system of parallel roads allows many properties on both sides roads such as Kingston Pike, Parkside Drive and Executive Park Drive to create signs that can be oriented to the interstate rather than reflect the necessary orientation to the road upon which traffic accesses these properties.

Sign setbacks. The current code, through an exception to the general requirement, allows ground signs to be set so the sign face is immediately adjacent to the street right-of-way, so long as the bottom of the sign area is set at least 10 feet above ground level. This allows tall signs to line-up along the right-of-way, crowding the space as if there were tall buildings set at the same location. Most commercial zones have a setback for buildings of 25 feet. This is not normal; Nashville, for example maintains a 10 feet visibility zone adjacent to all street rights-of-way in all zones which have a front setback requirement. A zero setback may be warranted in a pedestrian oriented zone district where buildings are allowed adjacent to the street right-of-way, but most commercial development in Knoxville is along major arterial roads in a much more suburban setting. A minimum setback of 10 feet for all portions of a sign is warranted in such a setting.

Other issues related to sign height. The overall impact of sign height is difficult to examine without also considering other criteria such as sign area, sign illumination, and a strategy to

minimize over time the impact of current signs that may not meet any new regulations that are adopted. It is important to eventually consider all these factors as they contribute to the overall context of all signs, not just ground and monument signs, especially the idea of creating an amortization program for signs that become legally non-conforming as a result of amending these regulations. Such a program would set a future date certain to bring all signs into compliance while providing adequate time to recover the value of past investments made in these signs.

In summary, City Council should:

- Consider the creation of multiple sign districts, with different maximum sign heights, depending on such criteria as the characteristics of adjacent roadways and the traffic volumes and speeds, as well as the orientation of the businesses toward those roads. Additional sign height could be allowed if signs are placed farther from the street right-of-way.
- Consider creating a maximum sign height for monument signs that is different from the allowed height for other ground signs.
- Consider reducing the area within which sign height may be related to the existing surface level of the interstate highway.
- Consider eliminating the exception that allows ground signs closer to the street right-of-way or pavement than the established requirement and allow additional sign height if larger setbacks are used.
- Consider creating an amortization program for signs that become non-conforming as a result of the adoption of new regulations.
- Consider revisiting the sign code to align allowed sign height with other requirements such as sign area and sign illumination.

STAFF RECOMMENDATION

Staff recommends that the planning commission recommend approval of the proposed amendments to the sign code relating to sign height as shown in Exhibit A.

EXHIBITS

- Resolution of City Council
- Exhibit A

RESOLUTION

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RESOLUTION NO: _____

REQUESTED BY: Vice-Mayor Bailey

PREPARED BY: Council

APPROVED AS TO FORM AND
CORRECTNESS : _____

Director of Law

FINANCIAL IMPACT STATEMENT:

APPROVED: _____

MINUTE BOOK _____ PAGE _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF KNOXVILLE RESPECTFULLY REQUESTING THAT THE EXECUTIVE DIRECTOR, OR OTHER SUCH APPROPRIATE OFFICIALS AT THE METROPOLITAN PLANNING COMMISSION, INITIATE AN AMENDMENT TO ARTICLE V, SECTION 10 (A)(7) OF THE ZONING CODE, AS WELL AS ANY OTHER NECESSARY PROVISION OF THAT CODE, SO AS TO REDUCE THE MAXIMUM HEIGHT OF ANY GROUND OR MONUMENT SIGN FROM 50 FEET TO 25 FEET.

WHEREAS, currently Section 10(A)(7) of the Article V of the Zoning Code of the City of Knoxville provides that no ground or monument sign may be erected to exceed a height of fifty feet (50'); and,

WHEREAS, City Council is of the opinion that ground or monument signs which exceed a height of twenty-five feet (25') are unnecessarily obtrusive, create hazards for those in close proximity to the sign who are attempting to obtain information from them and detract from the overall quality and value of the area in which they are located; and,

WHEREAS, for the foregoing reasons, City Council desires that the Zoning Code be amended so as to change Article V, Section 10(A)(7), and any other provisions of the Zoning Code as may be required to give effect to the purposes stated herein, so as to reduce the maximum height for ground or monument signs from fifty feet (50') to twenty-five feet (25').

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NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
KNOXVILLE:

SECTION 1: The Executive Director of the Metropolitan Planning Commission, or
such other officials of the Planning Commission as may be appropriate, are respectfully requested
to take any and all action necessary to initiate an amendment to the Zoning Code so as to reduce from
fifty feet (50') to twenty-five feet (25') the maximum height of ground or monument signs located
within the City of Knoxville.

SECTION 2: This Resolution shall take effect from and after its passage, the public
welfare requiring it.

Presiding Officer of the Council

City Recorder

Article V, Section 10, (A)(7)

Replace current language with new Sign Height regulations, including a provision describing measurement of ground and monument sign height

Current:

~~7. No ground or monument sign shall be erected to exceed a height of fifty (50) feet provided, however, that where such sign is located within five hundred (500) feet of the right-of-way of an interstate highway, the height limit of the district may be exceeded so the bottom of such sign shall be not more than twenty (20) feet above the surface of the interstate highway.~~

~~This provision does not apply, and Section 8b shall apply where the sign location is (i) within two thousand (2,000) feet of the right-of-way of a scenic highway or scenic parkway, and (ii) outside of a two thousand (2,000) foot radius from any intersection of the scenic highway and/or scenic parkway system and an interstate highway system.~~

Proposed:

7. Maximum sign height for ground and monument signs shall conform to the following provisions:

- (1) Computation of sign height. Sign height is measured from pre-development natural or post-development finished grade, whichever is lower. Any berms, filling, or excavating solely for the purpose of locating and placing a sign shall be computed as part of the sign height.
- (2) Establishment of sign height districts. Four districts regulating sign height are established as follows:
 - a. 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 following interchanges.
 - i. Interstate 40/75
 - At Lovell Road
 - At Pellissippi Parkway/Interstate 140
 - At Cedar Bluff
 - At Weisgarber and Papermill/Northshore
 - ii. Interstate 640/75
 - At Clinton Highway
 - At Western Avenue
 - iii. Interstate 40
 - At Asheville Highway
 - At Strawberry Plains Pike
 - iv. Interstate 75
 - At Merchant Drive
 - At Callahan Road
 - At Emory Road

- b. Properties, other than those included in (a) above, sharing a property line with Interstate right-of-way.
- c. Properties which front upon the following federally-designated highways
 - i. U.S. 441 – Chapman Highway, Henley and Broadway
 - ii. U.S. 70/11 – Kingston Pike, but not Magnolia Avenue
 - iii. U.S. 11E – Asheville Highway
 - iv. U.S. 11W – Rutledge Pike
 - v. U.S. 25W – Clinton Highway and Asheville Highway, but not Magnolia Avenue
 - vi. U.S. 129 – Alcoa Highway
- d. All other properties which are permitted a monument or ground sign.

(3) Maximum sign heights for monument and ground signs.

District	Monument Sign Maximum Height	Ground Sign Maximum Height
A. Property Within Interstate Interchange Areas	12 ft.	50 ft.
B. Property Adjacent to Interstate ROW	12 ft.	35 ft.
C. Property Fronting on Federal Highways	10 ft.	20 ft.
D. Other Eligible Property	8 ft.	15 ft.

(4) Additional height allowed. In sign height districts (C) and (D) above, the maximum sign heights for monument and ground signs may be increased as follows, provided the sign is set back 20 feet from the street right-of-way or 25 feet from the edge of pavement, whichever is greater:

- a. A monument sign may be increased by 2 feet.
- b. A ground sign may be increased by 10 feet.

(5) Exception for signs within 100 feet of the interstate right-of-way. For locations below the surface of an adjacent interstate right-of-way, and where ground signs are located within 100 feet of the interstate right-of-way, the maximum height described in subsection (3) above may be exceeded so that the bottom of such sign shall be not more than 20 feet above the surface of the adjacent interstate highway, provided that the top of the sign shall not exceed a height of 35 feet above the surface of the highway.

(6) Exception for signs on scenic highways or parkways.

Article V, Section 10, (A)(11)

Eliminate exception to setbacks and reconfigure the subsection

Current:

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.

Directional or information signs not exceeding nine (9) square feet in area and less than or equal to 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.

Proposed:

11. Sign Setbacks. The following sign setbacks shall apply:

- (1) All signs shall be set back no less than 10 feet from a street right-of-way line or 15 feet from the edge of pavement, whichever is greater, except for projecting, shingle and awning signs in the following districts:
 - a. TND-1 (Traditional Neighborhood Development) district, where such signs may encroach into the street right-of-way in the commercial portion of the district, but must be a minimum of 8 feet above sidewalks; and
 - b. H-1 (Historic Overlay) district and D-1 (Downtown Design Overlay) district, where such signs may encroach into the street right-of-way, but must be a minimum of 7 feet above sidewalks if non-electrified and a minimum of 8 feet above sidewalks if electrified.
- (2) All business signs shall be set back no less than 5 feet from all side and rear property lines.
- (3) Directional or information signs not exceeding nine (9) square feet in area and less than or equal to 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.

Article V, Section 10, (E)(14)

Amend to change "500 feet" to "100 feet" and correct citation

14. In C-2, C-3, C-4, C-5, C-6, PC-1, PC-2, SC-1, SC-2 and SC-3 commercial districts, when the allowed business ground or monument signs are located within ~~five hundred (500)~~ feet **one hundred (100) feet** of the interstate right-of-way, the maximum surface area of the business ground or monument sign which is oriented towards the interstate highway, shall not exceed four hundred (400) square feet. The lineal distance measured along the street frontage adjacent to an interstate highway shall be used to calculate the maximum surface area for all the business signs located along said interstate highway frontage. This provision does not apply, and subsection ~~A.8b~~ **10** shall apply where the sign location is (i) within two thousand (2,000) feet of the right-of-way of a scenic highway or scenic parkway, and (ii) outside of a two thousand (2,000) foot radius from any intersection of the scenic highway and/or scenic parkway system and an interstate highway system.