



TO: Knoxville-Knox County Planning Commission
FROM: Amy Brooks, AICP, Executive Director
DATE: 5/19/2022
SUBJECT: 6-J-22-OA Agenda Item #50

RECOMMENDATION

Staff recommends approval of amendments to the Knoxville Code, Appendix B, Zoning Code, Article 13.6.G.1, Standards for Specific Sign Types, to read, "Changeable price signs are limited to parcels with a minimum of 250 feet of frontage on the street where the property is addressed.

- Exhibit 1: City of Knoxville Memo
Exhibit 2: Proposed amendments to Article 13.6.G.1

**MEMORANDUM**

DATE: May 19, 2022

TO: Planning Staff

FROM: Peter Ahrens
Director of Plans Review & Building Inspections

RE: Minor Zoning Code Amendment

Article 13.6.G.1 Standards for Specific Sign Types

Background The Plans Review and Inspections Department requests the following minor amendment to the Zoning Code of the City of Knoxville found in Article 13.6.G.1 Standards for Specific Sign Types.

- Article 13.6.G.1 proposed amendment to read, “Changeable price signs are limited to parcels with a minimum of 250 feet of frontage on the street where the property is addressed.” This removes the word “two” currently found before the number 250 in the text. It is a clerical error in the transcription from the old zoning ordinance to adoption of the current zoning ordinance.

The Department of Plans Review and Building Inspections recommends the adoption of this minor amendment to Article 13.6.G.1 Standards for Specific Sign Types of the Zoning Code, as indicated in the attachment.

Attachments

- 1) Proposed minor amendment to Article 13.6.G.1 Standards of Specific Sign Types.

Sincerely,

Peter Ahrens
Director of Plans Review & Building Inspections
865-215-3938

13.6 STANDARDS FOR SPECIFIC SIGN TYPES

A. Sidewalk Signs

1. Sidewalk signs are allowed only in the DK District and in approved Planned Developments.
2. Such signs must be less than five feet in height, two feet in width, have a sign area less than six square feet, and may be placed no closer than 25 feet from any other sidewalk sign.
3. A sidewalk sign must be placed on the ground or paved surface and may be placed on a sidewalk within public right-of-way or public property within 15 feet of the entry to a business or outdoor space associated with the business.
4. 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.
5. A sidewalk sign cannot be illuminated, cannot contain an EMC, and cannot have moving parts.

B. Temporary Signs Subject to Permit Requirements

1. Temporary signs cannot be erected or otherwise fixed to any pole, tree, stone, fence, building, structure, or any object within the right-of-way of any street.
2. No temporary sign must 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.
3. Each business may erect or post one attached and one detached temporary, on-premise sign no more than four occasions during each calendar year, provided that the display of signs does not exceed 15 days in duration for each occasion. Any sign posted for a longer period must meet the requirements for a permanent detached sign.
4. No temporary sign may exceed 48 square feet in area, except where allowed otherwise by this Article.
5. Temporary signs must comply with the applicable setback, parking, electrical code, and safety requirements.
6. No temporary sign may be suspended across or above public streets or other public places.

C. Awning and Canopy Signs

1. The sign area for awning and canopy signs is subject to the maximum sign area calculated for all attached signs. The surface area of awnings and canopies, except for canopies over gasoline pumps, are not calculated in the total area of a primary building elevation for the purposes of determining maximum allowed sign area for attached signs.
2. The canopy sign cannot extend above the highest point of the canopy upon which it is attached or two feet, whichever is greater.

D. Incidental Signs on Large Sites

1. 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.
2. Incidental signs on large sites may be allowed by permit upon receipt and approval by the Building Official or 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 this Article.

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3. Plans must be submitted for review and consideration by City Plans Review and Inspections Office, and must include the following information:
 - a. An application and a consent form signed by the property owner(s) of the subject site.
 - b. 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.
 - c. The site plan must show the location, dimensions, and construction details for all proposed incidental signs, and include sign illumination details and landscaping plans.
 - d. 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.
 - e. The minimum size of a site eligible for consideration as a large site must be a single lot or parcel, or several contiguous lots or parcels, of no less than 2.5 acres.
 4. Incidental signs on large sites are permitted subject to the following standards:
 - a. Directional signs, information signs, and/or on-site directory signs may be permitted as incidental signs on large sites.
 - b. Wall, window, monument, or column signs may be permitted as incidental signs on large sites.
 - c. Signs approved as incidental signs on large sites are exempt from the maximum sign area allowed for a lot or building and do not count as one of the wall, window, monument, or column signs permitted by other provisions of this article.
 - d. The number of incidental signs permitted per lot or parcel must be in accordance with the site plan submitted and approved by the Building Official.
 - e. 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 is 16 square feet. An area not to exceed 20% of the approved sign area may be devoted to a name or logo of a business, use, or place.
 - f. The maximum height of monument or column signs used as incidental signs on large sites is six feet.
 - g. Incidental signs on large sites must be located not closer than ten feet to a street right-of-way line or 15 feet from the edge of street pavement, whichever is greater, not closer than two feet from any internal driveway or parking lot, and not closer than five feet from any side or rear property line.
 - h. Incidental signs on large sites are subject to the standards for illumination in accordance with the district.
 - i. 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.

E. Landmark and Historic Signs

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.

1. Landmark Signs

a. **Purpose**

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 is considered to be in compliance with any zoning regulations and will be exempt from regulations of this article, except as stated herein.

b. **Designation**

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:

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

2. **Historic Signs**

a. **Purpose**

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 are considered to be in compliance with the zoning regulations and will be exempt from regulations of this Article, except as stated herein.

b. **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:

- i. The sign must be at least 50 years old.
- ii. The sign must meet at least three of the following criteria:

- (A) 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.
 - (B) The sign exhibits unique or rare characteristics that enhance the streetscape or identity of a neighborhood.
 - (C) The sign is significant as evidence of the history of the product, business, or service advertised.
 - (D) The sign is characteristic of a specific historic period.
 - (E) The sign represents an outstanding example of the sign maker's art due to craftsmanship, use of materials, or design.
- iii. The sign complies with the appropriate provisions of the state and local building and electrical codes.
 - iv. The sign is structurally safe or is capable of being made so without substantially altering its historical significance.

3. **Landmark and Historic Sign Administrative Procedures**

a. **Review and Recommendation by Historic Zoning Commission**

- i. 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.
- ii. Such application must be submitted to and on a form determined by the Knoxville-Knox County Planning Commission as support to the Historic Zoning Commission, accompanied by a fee as established by the Knoxville-Knox County Planning Commission.
- iii. 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 Knoxville-Knox County Planning Commission 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.
- iv. Prior to consideration of the application at a meeting of the Historic Zoning Commission, Knoxville-Knox County Planning Commission must provide notice of the public hearing in accordance with the administrative rules of the Historic Zoning Commission.
- v. After consideration of the application at a public hearing, the Historic Zoning Commission has 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.
- vi. In recommending approval or disapproval of a landmark or historic sign designation, the Historic Zoning Commission must state the reasons for the decision in a report to the Building Official. Such report must include the application and any supporting material considered by the Historic Zoning Commission and minutes of the meeting.

b. **Designation as a Landmark or Historic Sign**

- i. The Building Official must 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.

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- ii. The Building Official has the authority to approve or disapprove the designation of an existing sign as a landmark or historic sign based upon the criteria stated above.
 - iii. In approving or disapproving a landmark or historic sign application, the Building Official must state the reasons in writing.
 - iv. An appeal of the Building Official's decision must be properly filed in accordance with the administration and enforcement provisions of this Code.
 - v. Once a sign has been designation as a landmark or historic sign, the Building Official will add the sign to its records and send notice of the action taken to the Historic Zoning Commission and to the applicant.

c. Issuing of Permits

- i. 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 restore, remove, repair, and move to another location a historic sign, provided said signs are designated as landmark or historic signs.
- ii. Such application must be submitted to and on a form determined by the City Plans Review and Inspections Department.
- iii. 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 Article. 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.
- iv. The Building Official has the authority, in accordance with this article, to approve or deny a permit to restore, repair, remove, and replace a landmark sign, or restore, remove, repair, and move to another location a historic sign.
- v. Owners may voluntarily remove a sign once designated as a landmark or historic sign, provided such sign is not within a designated H Overlay District, and provided that the owner of the sign notifies the City Plans Review and Inspections Department of such action. After such notification, the sign will be removed from the landmark and historic sign inventory by the Building Official.

4. Landmark and Historic Sign Regulations

- a. If a landmark sign is moved on-premise, it is subject to the location regulations of this Article.
- b. 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 is required.
- c. A 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 district or mixed-use subdistrict of the CU or SW District which allows commercial signs.
- d. 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 must 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 must comply with the following exceptions:

- i. Projecting signs may extend beyond the maximum projecting dimension based upon the existing dimension of the sign.
- ii. 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.

F. **Electronic Message Centers (EMC)**

Electronic message centers (EMC) are permitted only in commercial and industrial districts, unless this Article otherwise prohibits the use of EMCs in a specific commercial or industrial district. Within these zoning districts the following regulations apply to electronic message centers (EMC).

1. EMCs legally existing on April 10, 2009, are allowed to continue operation subject to meeting the operational standards as required by this Section. After April 10, 2009, no EMC is permitted in any location except in the following instances:
 - a. An EMC may be permitted in those areas covered by an H Overlay District subject to approval as required within an H-1 district.
 - b. An EMC may be permitted in the DK District subject to approval as required within a DK District.
 - c. An EMC may be permitted as a changeable price sign subject to the requirements of item G below.

All EMCs legally existing on April 10, 2009, must comply with the operational standards listed in items 7, 8, 10, 11, and 12 below of this section. A legally existing EMC that cannot meet the minimum text size requirement in item 11 below must use the largest size possible for one line of text to fit in the available space.

2. No EMC may be erected or used by a business unless any existing changeable letter reader board is first removed from the parcel.
3. An EMC must be included in the total signage permitted on the parcel.
4. An EMC is 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 means an EMC cabinet contained within or contiguous to the smallest, simple polygon enclosing all of the non-electronic advertising content of a sign.
5. An EMC permitted as part of a ground or monument sign must have a minimum matrix area of 20 square feet and a maximum size of one-third of the total signage permitted or 100 square feet, whichever is less.
6. An EMC permitted as a wall sign cannot exceed 100 square feet.
7. Each display on an EMC must hold constant for a minimum of 60 seconds.
8. An EMC cannot 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, is measured in candelas per square meter, which is also referred to as nits, and cannot exceed the following standards:
 - a. Daytime maximum brightness: 3,000 nits

- b. Nighttime maximum brightness: 750 nits
 - c. Maximum brightness at the property line: 0.2 footcandles
 - d. Maximum bulb wattage for incandescent light: 40 watts
9. No EMC is permitted in any location which is zoned the C-N District.
 10. 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.
 11. Every line of text in an EMC must meet or exceed the standards of Table 13-1: EMC Minimum Text Size. If there is insufficient room for text of this size in the area allowed under this Section, then no text is allowed.

Table 13-1: EMC Minimum Text Size

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

12. The transition from one display to another must be instantaneous without any special effects.

G. Changeable Price Signs

1. Changeable price signs are limited to parcels with a minimum of ~~two~~ 250 feet of frontage on the street where the property is addressed.
2. Each changeable price sign on a parcel is counted toward the total allowable signage allowed per parcel.
3. Changeable price signs must be integrated into a detached on-premise sign or be placed on a canopy or wall in accordance with these regulations.
4. Changeable price signs must be limited to three per detached sign structure or three per building or canopy face.
5. An EMC may be integrated into a changeable price sign subject to the following and subject to the requirements of item H above:
 - a. The EMC component must be used only as a changeable price component.
 - b. The minimum matrix area of each EMC component of a changeable price sign must be six square feet and the maximum is 25 square feet per changeable price sign.