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## ARTICLE 13. SIGNS

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### 13.1 GENERAL PROVISIONS

#### A. Purpose

The purpose of this section is to create a legal framework for a comprehensive and balanced system of sign regulation that will:

1. Implement the plans, policies, goals and objectives of the City.
2. Protect the health, safety and welfare of the citizens and businesses of the City.
3. Preserve the right of free speech and expression.
4. Provide for effective communication between people within the context of their environment.
5. Avoid visual clutter that may be harmful to traffic and pedestrian safety, property values, business opportunities and community appearance.
6. Facilitate effective way-finding throughout the City.
7. Provide clear and objective sign standards.
8. Provide an efficient and effective review procedure for sign applications.
9. Enable consistent and equitable enforcement of the regulations set forth in this Article.

#### B. Intent

With these purposes in mind, it is the intent of this Article to authorize the use of signs that are:

1. Effective in communicating with the public.
2. Compatible with their surroundings.
3. Legible in the circumstances in which they are seen.
4. Appropriate to the activity that displays them.
5. Expressive of the identity of individual activities and the community as a whole.

#### C. Applicability

The regulations of this Article are applicable in zoning districts without sign and other sign structure requirements exclusive to a specific zoning district. Where sign requirements are provided in a specific zoning district, those requirements control.

**D. Scope**

Signs may be erected, mounted, displayed, or maintained in the City in conformance with the provisions of these regulations. The scope of this Article, as more specifically set forth below, is to:

1. Allow a wide variety of sign types in commercial districts, and a more limited variety of signs in other districts, subject to the standards of this Article.
2. Allow certain signs incidental to the principal use of a site in all districts subject to the standards of this Article.
3. Provide for temporary signs in limited circumstances.
4. Prohibit signs where the location, size, type, illumination, or other physical characteristics are not compatible with the surroundings and may be injurious to the public health, safety, and welfare.

**E. Substitution**

Signs containing noncommercial speech are permitted anywhere that advertising or business signs are lawfully permitted, and such signs containing noncommercial speech are subject to the same regulations applicable to advertising or business signs under this Article.

**13.2 PROHIBITED SIGNS**

The following signs are prohibited in all zoning districts:

- A. Signs which by color, location, and/or design resemble or conflict with traffic control signs or signals.
- B. 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.
- C. Signs with moving parts and signs with red, green, yellow, amber or blue lights.
- D. Signs with flashing, chasing, pulsating, twinkling, dancing, scintillating, and/or oscillating lights or light-emitting diodes, or with any other rotating, revolving or moving part; except for a documented historic or reproduction sign located in any H Overlay District and such sign has received a certificate of appropriateness from the Historic Zoning Commission, or an approved sign within the DK District (excluding the DK-E Subdistrict) and such sign has received a certificate of appropriateness from the Downtown Design Review Board.
- E. Illuminated signs within 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 district.
- F. 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.
- G. 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.
- H. Billboards and other off-premise signs.
- I. Portable signs.
- J. Roof signs.

**13.3 SIGNS EXEMPT FROM SIGN REGULATIONS**

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

- A. Signs conforming to the "Manual of Uniform Traffic Control Devices" and bearing no commercial message.
- B. Signs required by federal, state, or local statute.

- C.** Signs installed by the City, Knox County, a state or federal agency, or employees and officials of these entities in the course of their governmental duties and bearing no commercial message.
- D.** 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 City, Knox County, State of Tennessee, or the United States of America.
- E.** Signs required by an order of a court of competent jurisdiction.
- F.** Legal notices and official instruments.
- G.** 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.
- H.** Signs installed by a transit company with a franchise or other right to operate in the city, where such signs are installed along its routes and relate to schedules or other information about the transit route.
- I.** Signs approved as part of the City's adopted wayfinding program.
- J.** Signs carried by a person.
- K.** Signs incorporated into machinery or equipment by a manufacturer or distributor.
- L.** 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.
- M.** Memorial signs with a maximum sign area of six square feet.
- N.** Works of art bearing no advertising.
- O.** Holiday lights and decorations with no advertising.
- P.** Scoreboards and off-premise signs located on athletic fields if oriented toward the field of play.
- Q.** Restaurant menuboards located on the premises of the restaurant when oriented toward a drive-through lane, with a maximum sign area of 60 square feet and maximum height of ten feet.
- R.** Restaurant menu displays located within ten feet of a primary restaurant entrance provided the display area does not exceed four square feet.
- S.** 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.
- T.** Official governmental flags, of which the following governmental entities are the only official governmental flags recognized as such by the City:
  - 1. The United States of America
  - 2. Any state, territory, or possession of the United States of America
  - 3. Any official flag adopted as such by the City and the County
  - 4. Any official flag adopted by a member state of the United Nations
- U.** Decorative flags and bunting for a celebration, convention or commemoration, subject to installation no sooner than 14 days before the event and removal within seven days following the event.
- V.** In residential districts, any sign of a type described below which does not exceed two square feet in area:
  - 1. A sign giving a property identification name or number or name(s) of occupant, one sign per dwelling.
  - 2. A mailbox sign (one sign per dwelling unit)

3. A sign(s) posted on property relating to private parking, trespassing or dangerous animals, which are limited to four signs per lot if the lot is less than one acre in size, and limited to two additional signs per each additional acre for lots larger than one acre in size.

**W.** Temporary signs for political purposes; provided that each sign cannot exceed 32 square feet in area, cannot be displayed for more than 30 days prior to the start of the earliest voting period for the candidate or issue, and must be removed within five days following the end of the final voting period for the candidate or issue.

**X.** Temporary merchandise displays and signs behind storefront windows which are not affixed permanently to the glass, nor intended for permanent display.

**Y.** 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 square feet in area per sign.

**Z.** 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 32 square feet in area, are limited to one sign per site of such events, are erected no sooner than 14 days before the event, and are removed within three days after the event.

**AA.** Temporary signs on vehicles displaying terms of sale.

**BB.** Umbrella signs.

**CC.** Signs contained on or affixed to vendor push carts.

**DD.** Window signs.

#### 13.4 SIGNS EXEMPT FROM SIGN PERMIT

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

**A.** Temporary signs announcing real estate availability in residential districts; provided that such signs do not exceed nine square feet in area per sign, do not exceed six feet in height for detached signs, and are limited to one ground sign per street frontage and one wall sign per dwelling unit.

**B.** Temporary signs announcing real estate availability in nonresidential districts; provided that such signs are less than 48 square feet in area per sign, do not exceed eight feet in height for detached signs, and are limited to one ground sign per street frontage and one wall sign per building facade if the entire building is the unit for sale or lease, or one wall sign per leasable area if subunits of the building are for lease or rent.

**C.** Temporary signs announcing construction in residential districts; provided that such signs do not exceed nine square feet in area and six feet in height for detached signs, are limited to one per lot, and 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 paragraph, but construction is discontinued for a period of more than 60 days, the sign must be removed, pending continuation of construction activities.

**D.** Temporary signs announcing construction in nonresidential districts; provided that such signs are less than 48 square feet in area and eight feet in height for detached signs, which must be spaced at least 100 feet apart, 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 paragraph, but construction is discontinued for a period of more than 60 days, the sign must be removed, pending continuation of construction activities. Construction-related detached signs that are 64 square feet or more in area and ten feet or more in height must comply with the district requirements for a permanent detached sign.

**E.** Temporary signs announcing yard sales or real estate open houses; provided that such signs do not exceed six square feet in area, are limited to one per lot, are erected no sooner than four days before the event, and are removed within one day after the event. On the day of these events, and while event staff are on the site, up to two flag signs, not to exceed 16 square feet in area, may be used to announce the event.

- F. Temporary auction signs; provided that such signs do not exceed 32 square feet in area per sign, do not exceed eight feet in height for detached signs, are limited to one per lot, and are erected no more than 31 days prior to the event and removed within 24 hours after the auction event. On the day of these events, and while event staff are on the site, up to two flag signs, not to exceed 16 square feet in size, may be used to announce the event.
- G. Temporary farmer's market signs; provided that such signs do not exceed two in number, are erected only on days of market operation, and do not exceed 24 square feet in residential districts and 32 square feet in all other districts.
- H. Sidewalk signs are subject to the provisions of Section 13.6.A.
- I. Signs showing historic or landmark status of a building, provided such signs do not exceed two square feet.

### 13.5 GENERAL SIGN STANDARDS

#### A. Minimum Setbacks

- 1. All detached on-premise signs must be set back no less than ten feet from a street right-of-way or 15 feet from the edge of pavement, whichever is greater.
- 2. All detached on-premise signs must be set back no less than five feet from all side and rear property lines that are not also street right-of-way
- 3. 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.

#### B. Minimum Clearance for Projecting Signs

- 1. Signs cannot project from a building more than ten feet and must maintain a minimum clear height of ten feet, except in the following districts:
  - a. In the H Overlay District and DK District signs must:
    - i. Maintain a minimum clear height of seven feet above sidewalks if non-electrified.
    - ii. Maintain a minimum clear height of eight feet above sidewalks if electrified.
- 2. Where signs project over public property, the sign cannot extend closer than 20 inches to the back of the curb of the street.

#### C. Illumination Standards

##### 1. General Requirements

- a. In residential districts, internal sign illumination is prohibited. Signs may be externally illuminated, provided no light source exceeds 75 footcandles of surface illumination nor is visible from streets or adjacent property.
- b. In nonresidential districts, internally illuminated signs cannot exceed 200 footcandles and externally illuminated signs cannot exceed 75 footcandles of surface illumination.
- c. In all office districts, illuminated attached signs are limited to the building façade facing a street that is adjacent to the property and illuminated detached signs are limited to locations between the building and a street that is adjacent to the property.

##### 2. External illumination

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

**3. Internal illumination**

Internal illumination must provide steady, stationary lighting through translucent materials.

**4. Electrical Wiring**

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

**D. Sight Triangle Requirements**

Detached signs must be located so that no part of the sign, including the sign cabinet, sign structure, or sign face, encroaches into a sight triangle with dimensions as determined by the City Engineer.

**E. Landscape Requirements for Detached Signs**

For all detached signs located within the front yard of a property, a landscape area of at least one-half the area of the sign must be provided and maintained around the base or support structure of the detached sign. Plant material used in the landscape area must have a mature height of less than 42 inches in height. For the purpose of these regulations a landscape area is an area reserved for the addition or augmentation of shrubs, plants, turf grasses, and other natural and decorative features.

**F. Covering: Posts, Poles, Uprights, and Braces on Detached Signs**

All round posts, poles, uprights, braces, or other supporting structures that are a part of a detached sign must be constructed, covered, or finished in a shape that is not round and that obscures the round posts from public view; provided however that this covering requirement does not apply to billboards or signs in a floodway, as determined by the City Engineer.

**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.
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.

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.

**13.7 MASTER SIGN PLANS FOR UNIFIED DEVELOPMENTS**

**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 plan is required for certain signs identified within this section. 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.

**B. Application Requirements**

Master sign plans required pursuant to other provisions of this Code must be submitted for review and consideration by the Knoxville-Knox County Planning Commission as a special use, and include the following information in the application package:

1. Master sign plan application and a consent form signed by all the property owner(s), or owners' representatives, for the unified development under consideration.
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 Code, building elevations showing all building signs.
3. Scale drawings showing the dimensions and construction details for all proposed signs including sign illumination and landscaping plans.
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.
5. A copy of any sign restrictions proposed or implemented for the unified development.
6. Documentation including an accurate site plan for the development must be provided showing that the development was approved as a shopping center, commercial subdivision, office park, or, mixed-use development. The development may be located on both sides of a street or streets if it is determined by the Knoxville-Knox County Planning Commission that it functions as a unified development.
7. The minimum size of a development eligible for consideration as a unified development is 25,000 square feet of gross floor area and must contain three or more businesses or tenants.
8. For the purposes of approving a master sign plan, the Knoxville-Knox County Planning Commission will determine the boundaries of the unified development based on the application and evidence submitted in support of the application.
9. The approved signs must be located on property within the area defined by the Knoxville-Knox County Planning Commission as the unified development.

**C. Administrative Procedures**

Master sign plans are reviewed by the Knoxville-Knox County Planning Commission as a special use. A master sign plan may also be included as part of a development plan or special use application for a shopping center, commercial subdivision, office park, or similar development. The Knoxville-Knox County Planning Commission may approve, modify, or deny the request. All applications for sign permits in an area with an approved master sign plan must 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 this article will not be granted for development directory signs or project directional signs. When a master sign plan has been approved, variances will not be granted for any signs on a lot covered by the master sign plan. The action of the Knoxville-Knox County Planning Commission may be appealed as provided in this Code.

**D. 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 Knoxville-Knox County Planning Commission as a part of a master sign plan subject to meeting the following:

1. The development directory sign must meet the requirements of Section 13.9 of these regulations for a detached sign in a commercial or industrial district.
2. The development directory sign will 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.
3. Only the name and/or logo for the unified development and the names and/or logos of individual establishments within the unified development are permitted on the sign face(s). The name of the unified development must be located at the top of the sign and designed to stand out from the listing of tenants within the unified development.

4. Only one development directory sign is allowed per street frontage (per side of the street) for the unified development. Interstate frontage is considered a street frontage.
5. Approved development directory signs cannot be converted to any other type of off-premise sign.

#### **E. Project Directional Sign**

To promote the safe and efficient flow of traffic, project directional signs may be approved by the Knoxville-Knox County Planning Commission as a part of a master sign plan 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:

1. The project directional sign must be located at the intersection of the lower classification street with the collector or arterial street and oriented toward the traffic flow on the collector or arterial street.
2. The project directional sign must be located out of the right-of-way and must comply with setback, sight distance, and sight triangle requirements for the lot on which it is located.
3. A project directional sign cannot 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 is permitted per intersection on the same side of the collector or arterial street.
4. The project directional sign may be approved in addition to any ground or monument signs that are allowed on a specific lot.
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 are permitted on the sign face(s).
6. The project directional sign cannot exceed six feet in height and a maximum surface area of 36 square feet.
7. Approved project directional signs cannot be converted to any other type of sign.

#### **F. Administrative Changes**

After approval of a master sign plan by the Knoxville-Knox County Planning Commission, the Knoxville-Knox County Planning Commission Executive Director may approve a change to the signage plan administratively in instances of an increase in the size of any sign by up to 10%; provided this does not exceed the maximum sizes permitted by these regulations.

### **13.8 SIGNS PERMITTED IN ALL DISTRICTS**

The following signs are allowable in all districts:

- A. One nameplate per building with a maximum sign area of two square feet for any residential building and six square feet for any nonresidential building.
- B. One bulletin board or identification sign for public recreation uses, community facilities, hospitals, and clinics with a maximum sign area of 32 square feet and a maximum height of eight feet. These signs may be allowed in addition to the maximum sign area as calculated by the controlling zone district.
- C. Directional signs within a parking lot to designate entrances and exits with a maximum sign area of nine square feet and a maximum sign height of 42 inches. One sign may be located at each entrance and exit.
- D. One informational sign within a parking lot identifying or designating the conditions of uses of such parking area with a maximum sign area of 12 square feet and a maximum height of eight feet.

### 13.9 SIGNS PERMITTED IN SPECIFIC DISTRICTS

In addition to signs that may be allowable pursuant to other sections of this Article and this Code, this section delineates the signs allowable in specific districts and the standards for such signs.

#### A. Agricultural and Open Space Districts: AG, OS, NA

1. In the AG District, non-illuminated 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 square feet.
2. In the AG, OS, and NA Districts, detached signs are allowed, and may include ground signs, monument signs, column signs, and temporary signs as permitted within this section; provided that the signs are for the purpose of advertising the sale of farm products produced on the premises. Such signs are limited to two non-illuminated signs on the parcel or lot, and each individual sign cannot exceed 12 square feet in sign area and eight feet in height.
3. In the AG, OS, and NA Districts, identification signs, detached or attached to a building, are permitted for public parks, playgrounds and other outdoor recreation uses with a maximum sign area of nine square feet and a maximum height of eight feet. Such signs may be externally illuminated, but cannot be internally illuminated.

#### B. F Floodplain Overlay Zoning District

1. In the F Overlay District, identification signs, detached or attached to a building, are permitted for public parks, playgrounds, and other outdoor recreation uses with a maximum sign area of nine square feet and a maximum height of eight feet.
2. Detached identification signs may be externally illumination, but cannot be internally illuminated.
3. All signs in this district are subject to review and approval by the City Stormwater Engineering Department.

#### C. H Historic Overlay Zoning Districts

1. In the H Overlay District, one information sign, detached or attached to the building, is permitted in connection with the use of the lot with a maximum sign area of nine square feet and a maximum height of eight feet.
2. An information sign is allowed in addition to any other signs allowed in accordance with the underlying base zone district.
3. All signs in the H Overlay District are subject to review and approval by the Historic Zoning Commission.

#### D. Residential Districts: EN, RN-1, RN-2, RN-3, RN-4, RN-5, RN-6, and RN-7

1. In the residential districts, the following signs on a residential parcel or lot are allowed, subject to the following dimensional requirements:
  - a. For properly approved home occupations, one wall sign with a maximum sign area of two square feet. Such signs cannot be illuminated.
  - b. Wall signs for multi-family dwellings, rooming and boarding houses, and fraternity and sorority houses with a maximum total sign area of nine square feet per structure; such sign are limited to only the name and/or address of the premises, and the name of the management. Such signs may be externally illuminated, but cannot be internally illuminated.
  - c. Monument or column signs for multi-family dwellings on sites greater than two acres, mobile home parks, and subdivisions with more than 25 lots for residential purposes; provided that such signs are limited to one sign per each separate street frontage that exceeds 150 lineal feet; cannot exceed a maximum sign area of 36 square feet and a maximum height of six feet; and may be externally illuminated, but cannot be internally illuminated.
2. In residential zone districts, the following signs on a nonresidential parcel or lot are allowed, subject to the following dimensional requirements:



- a.** For medical facilities with less than 150 linear feet of street frontage, clubhouses for civic or nonprofit organizations, lodge halls, studios and day care centers for more than 12 children:
  - i.** Non-illuminated attached signs, excluding window signs, up to a maximum total sign area of 16 square feet.
  - ii.** One monument or column sign with a maximum sign area of 20 square feet, and a maximum height of five feet. Such sign may be externally illuminated, but cannot be internally illuminated.
- b.** For medical facilities with 150 linear feet or more of street frontage, churches, schools, public buildings, cemeteries and country clubs:
  - i.** Non-illuminated attached signs, excluding window signs, with a maximum total sign area of 32 square feet.
  - ii.** One monument or column sign with a maximum total sign area of 36 square feet, and a maximum height of six feet. Such sign may be externally illuminated, but cannot be internally illuminated.

**E. Office Districts: O, OP**

- 1.** In the office districts, regulation of signs for permitted residential uses are the same as those for the residential districts.
- 2.** In the office districts, the following signs on a nonresidential parcel or lot are allowed, subject to the following dimensional requirements:
  - a.** 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.
  - b.** One detached sign is allowed per parcel or lot, but is limited only to monument or column sign; provided that the maximum sign area is 36 square feet and the maximum height is six feet. Such detached 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.

**F. Commercial, Industrial, and Institutional Districts: C-N, C-G, C-H, C-R, DK, I-MU, I-RD, I-G, I-H, INST**

- 1.** In the commercial and industrial districts, 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.
  - b.** Attached signs with a total allowed sign area equal to 10% of the wall area of the primary building elevation(s), and such sign area may be used on any elevation of the building.
  - c.** Detached signs in accordance with the standards described herein, except that standards specified for individual districts control.
- 2.** In the commercial and industrial districts, the number of detached signs on a nonresidential parcel or lot are allowed in accordance with the following requirements:
  - a.** 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.
  - b.** 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.
  - c.** Any secondary detached sign on each lot is limited to a monument or column sign with a maximum sign area of 32 square feet and a maximum sign height of eight feet.



3. In the commercial and industrial 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 13-2: Roadway Type and Maximum Sign Height	
Roadway Type	Maximum Allowable Sign Height
Property within 500 feet of interstate interchange area	35 feet
Property adjacent to interstate right-of-way	30 feet
Property fronting on federally designated highways	20 feet
All other roadway classifications	10 feet

4. In the commercial and industrial 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 13-3: Roadway Type and Maximum Sign Area	
Roadway Type	Maximum Allowable Sign Area
Property within 500 feet of interstate interchange area	200sf
Property adjacent to interstate right-of-way	200sf
Property fronting on federally designated highways	165sf
All other roadway classifications	100sf

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 square feet.
- c. In the C-N District, the maximum sign area for detached signs is 50 square feet.
- d. In the I-RD District, the maximum sign area for detached signs is 100 square feet and the maximum height is six feet.
- e. In a C-G, C-H, C-R, I-RD, and I-G Districts, additional signs may be approved by the Knoxville-Knox County Planning Commission 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.

**13.10 SIGN CONSTRUCTION AND MAINTENANCE**

**A. Sign Construction**

- 1. Any permanent sign erected, constructed, or placed on any property in the City must conform to the Building Code, as most recently revised and adopted by the City.
- 2. If serviced by electric power, any permanent sign must conform to the latest adopted revision of the National Electrical Code. Electrical materials and devices incorporated into such signs must be certified by the Underwriters' Laboratories, Inc. (ULI), and bear the ULI label, or the label of another approved testing laboratory. Temporary signs, if serviced by electrical power, they must conform to the latest adopted revision of the National Electrical Code.
- 3. On a parcel or lot, at least one permanent, on-premise signs must contain the street number of the business.

4. Except for permitted flags, temporary signs, and window signs, all signs must be constructed of durable, all-weather materials and must be permanently attached by direct attachment to a rigid wall, frame, or structure.
5. Signs must not obstruct visibility from a driveway to an abutting street or vice versa.

#### **B. Sign Maintenance**

1. All signs and surrounding premises must 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 City Code of Ordinances, Chapter 13.
2. All signs, including supporting structures, must be maintained in good and safe repair and condition, including the periodic application of paint and/or other weatherproofing material in order to prevent rust or other decay.
3. The display surface or other advertising material of a sign is not allowed to deteriorate to a broken, torn, peeling, flaking, or otherwise decayed condition and must be repaired or removed within 90 days of receipt of notice mailed to the owner by certified mail, return receipt requested. 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, the Director of Plans Review and Building Inspections may cite the owner for a violation of this section.
4. The owner may request an extension of the 90 days by submitting a written request to the office of the Director of Plans Review and Building Inspections. Upon some exceptional condition which poses practical difficulty or particular hardship in such a way as to prevent an owner from repairing the sign within 90 days, the Director of Plans Review and Building Inspections may grant the requested extension; any grants of extensions must be documented in writing.

### **13.11 ABANDONED SIGNS**

#### **A. Abandoned Sign Determination for Conforming Signs**

Any legal conforming sign, as defined by this Article, including its supporting structure, erected in conjunction with a particular use, that use having been subsequently discontinued for a period of 120 days or more, or a lawfully erected temporary sign for which the time period allowed for display of the sign has expired. Abandonment is presumed if, for a period of 120 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. 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 14 months by one of the following methods:

1. Painted sign: The sign must be covered by painting over the sign area.
2. Removable sign face: The sign face must be removed and replaced with a blank insert or the sign face may be reversed.
3. 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 fourteen (14) months from abandonment, then the sign is presumed abandoned and must be taken down and removed as provided herein.

#### **B. Abandoned Sign Determination for Nonconforming Signs**

Any nonconforming sign, as defined by this Article, including its supporting structure, erected in conjunction with a particular use, that use having been subsequently discontinued for a period of 60 days or more, or a lawfully erected temporary sign for which the time period allowed for display of the sign has expired. Abandonment is presumed if, for a period of 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. 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 nine months by one of the following methods:

1. Painted sign: The sign must be covered by painting over the sign area.
2. Removable sign face: The sign face must be removed and replaced with a blank insert or the sign face may be reversed.
3. 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 nine months from abandonment, then the sign is presumed abandoned and must be taken down and removed as provided herein.

**C. Removal of Abandoned Signs**

Any abandoned sign, now or hereafter existing, must 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 30 days after the written notification from the Director of Plans Review and Building Inspections. In making a determination that a sign is abandoned the Building Official will 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 30 day period, the Director of Plans Review and Building Inspections is hereby authorized to cause the sign to be removed at the expense of the owner. For purposes of this section, removal of the sign includes:

1. The sign face, along with posts, columns or supports of detached signs, must be taken down and removed from the property.
2. The sign face and supporting structures of projecting, roof, or attached signs must be taken down and removed from the property.
3. The sign face of painted attached signs must 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.