

MORRISTOWN REGIONAL PLANNING COMMISSION
Agenda
August 9th, 2016



Call to Order

I. Approval of the July 12th, 2016 minutes.

II. *Old Business:*

III. *New Business:*

REZONING: 1211 Buffalo Trail
LB (Local Business) to IB (Intermediate Business)

REZONING: 1156 and 1216 East Main Street
R2 (Medium Density Residential) to IB (Intermediate Business)

BOND REVIEW: Release of Masengill Springs infrastructure bond in amount of \$881,595.00

STREET RENAMING: Street Name change from Shelby Williams Drive to Orbit Electric Drive

ZONING ORDINANCE REVIEWS:

A. Changes to the Sign Ordinance (Chapter 29, City of Morristown Zoning Ordinance)

B. Hamblen County Zoning Amendments

IV. *Departmental Reports:*

Minor Subdivision(s) Approved: none

Adjournment

*The next meeting of the Morristown Regional Planning Commission is scheduled for September 13, 2016 at 4:00 pm.
The deadline to submit applications for this meeting is August 15, 2016.*

Morristown Regional Planning Commission

*Minutes
July 12, 2016*

Members Present

Chairman Jim Beelaert
Vice-Chairman Jack Kennerly
Mayor Gary Chesney
Council Member Robert (Bob) Garrett
Commissioner Bill Thompson
Commissioner Wanda Neal
Commissioner Silvia Hinsley

Members Absent

Commissioner Doug Beier
Secretary Rose Parella

Others Present

Lori Matthews, Senior Planner
Logan Engle, Planner
Eual Noah, Fire Marshal
Kat Morilak, Development Services
Ralph "Buddy" Fielder, Asst. City Administrator
Greg Ellison, Chief Building Official
Paul LeBel
Bob Moore

Chairman Beelaert called the meeting to order and invited anyone who wished to join the Commission in an Invocation and the Pledge of Allegiance to do so.

I. Chairman Beelaert called for the approval of the June 14, 2016 minutes.

Mayor Gary Chesney made a motion for approval of the June 14, 2016 minutes; seconded by Commissioner Bill Thompson. Upon voice vote all Ayes.

II. New Business: REZN 1698-2016: 619 Howell Road (A-1) to Intermediate Business (IB)

Ms. Lori Matthews, senior planner, discussed the zoning request by land owners, Kenneth and Wanda Seal, for their property located at 619 Howell Road. The request joins the Norfolk Southern Railway right-of-way between Merchant's Greene Boulevard and Howell Road. Acting on behalf of to the property owners and Mr. Paul LeBel.

The Seals' property is approximately 55 acres in size and contains one single family residence with a barn. Land uses and zoning which adjoin this request include the following: to the north is the railway and Merchant's Greene Phase 2 (IB), to the south is more vacant and vegetated lands which are zoned A-1, and east to the west are a few scattered single family residence homes (A-1).

Staff received letters from the land owners indicating their preference for IB zoning to accommodate potential future commercial retail and office type uses. As a formal site plan has not yet been submitted, staff would agree that the total acreage would be better suited at present for Intermediate Business zoning because of its distance from working railway systems

and its proximity to major streets, which are Veterans Pkwy, Merchant's Greene Blvd, and the I81 connector to Exit 4. The continuation of Intermediate Business on Merchant's Greene corridor is an acceptable land use designation without a formal master plan. Ms. Matthews stated that our regulations stipulate that any major development along Merchant's Greene will be required to have a traffic impact study. Any new streets within the development need to be a publically private or provide sidewalks. Staff would recommend that the zoning request be forwarded to City Council for their approval today.

Ms. Matthews asked if there were any questions.

Chairman Beelaert asked if there would be a motion.

Vice-Chairman Jack Kennerly made a motion to recommend the property to City Council, and Commissioner Bill Thompson seconded that motion.

Voting results: 7 yes, 0 no. Motion carries.

III. REZN 1698-2016: Property along northwest intersection of Merchants Greene and Veterans Parkway from Agricultural (A-1) to Intermediate Business (IB)

Ms. Lori Matthews discussed the zoning request that adjoins the previous request to the east. The request has been received from Mr. John Bell for his property which is adjacent to Merchant's Greene Boulevard and Veterans Parkway, just south of the railway. Acting on his behalf is Mr. Paul LeBel.

Ms. Matthews explained that the Bell property is approximately 43 acres in size and is partially vegetated. It also appears that a drive has been cut out of the property from Veterans Parkway for loading and dumping trucks, but this is not an approved driveway to Ms. Matthew's knowledge.

This is similar to the other property just discussed with the railway and Merchant's Greene Phase 2 being to the north. They are both zoned IB. To the south, east, and west you have Veterans Parkway which is zoned A-1, Merchant's Greene to the east which is zoned A-1, and Howell Road which is zoned A-1.

Mr. Bell has forwarded a letter to staff stating his preference for IB zoning to accommodate potential commercial retail and future immediate office type uses. Staff would recommend that the rezoning request would be granted as submitted today and forwarded to City Council.

Chairman Beeleart asked if there would be a motion.

Commissioner Hinsley made a motion to approve the rezoning request. Mayor Gary Chesney seconded the motion.

Voting results: 7 yes, 0 no. Motion carries.

IV. VARIANCE: 4055 E. Morris Boulevard, Parking Surface Variance

The applicant has requested this item be pulled from the agenda.

V. Street Naming: Requested Street Name of "Penny Lane"

Ms. Lori Matthews discussed the request to review and approve a new street name, which has been brought before E911 GIS department for Title 14 of City Code which is a uniform street naming and addressing ordinance. A map of the street was shown on the screen for the meeting. It was determined to be an unnamed private street or drive by our Geographical Information Department. Letters were distributed to all affected property owners.

The street name which went to the top of the list was "Penny Lane." That name was selected by the GIS department and the residents. Ms. Matthews stated that the staff would recommend that the name of "Penny Lane" be approved by the Planning Commission.

Chairman Beeleart asked Ms. Matthews where they came up with the street names. Ms. Matthews explained that letters were sent to the parties that are affected because most of their driveways will be changing their address to Penny Lane.

Ms. Matthews confirmed that it is wide enough to drive through.

There was some discussion about conflicts when emergency vehicles are trying to pass by. Ms. Matthews made it clear that the addresses are indeed based off of driveway access and not house frontage.

Chairman Beeleart asked if there would be a motion.

Commissioner Bill Thompson made a motion to approve the request. Commissioner Wanda Neal seconded the motion.

Voting results: 7 yes, 0 no. Motion carries.

The meeting was adjourned.

Respectfully submitted,

Rose Parella
Secretary

RP/EH



Department of Community Development
100 West 1st North Street
Morristown, TN 37814
(423)585-4620

TO: Morristown Regional Planning Commission
FROM: Lori Matthews, Senior Planner
DATE: August 9th, 2016
SUBJECT: Rezoning Request
Buffalo Trail / Shields Ferry Road

REQUEST -

A rezoning request has been received by the Planning Department by Ms. Wanda Sexton for her property at 1211 Buffalo Trail in north Morristown. Ms. Sexton is wishing to sell the property, currently zoned Local Business (LB), to accommodate an automotive sales and repair center. Ms. Sexton is seeking a zoning designation of Intermediate Business (IB) to accommodate this commercial land use. Mr. Terry Ball will be representing the property owner.



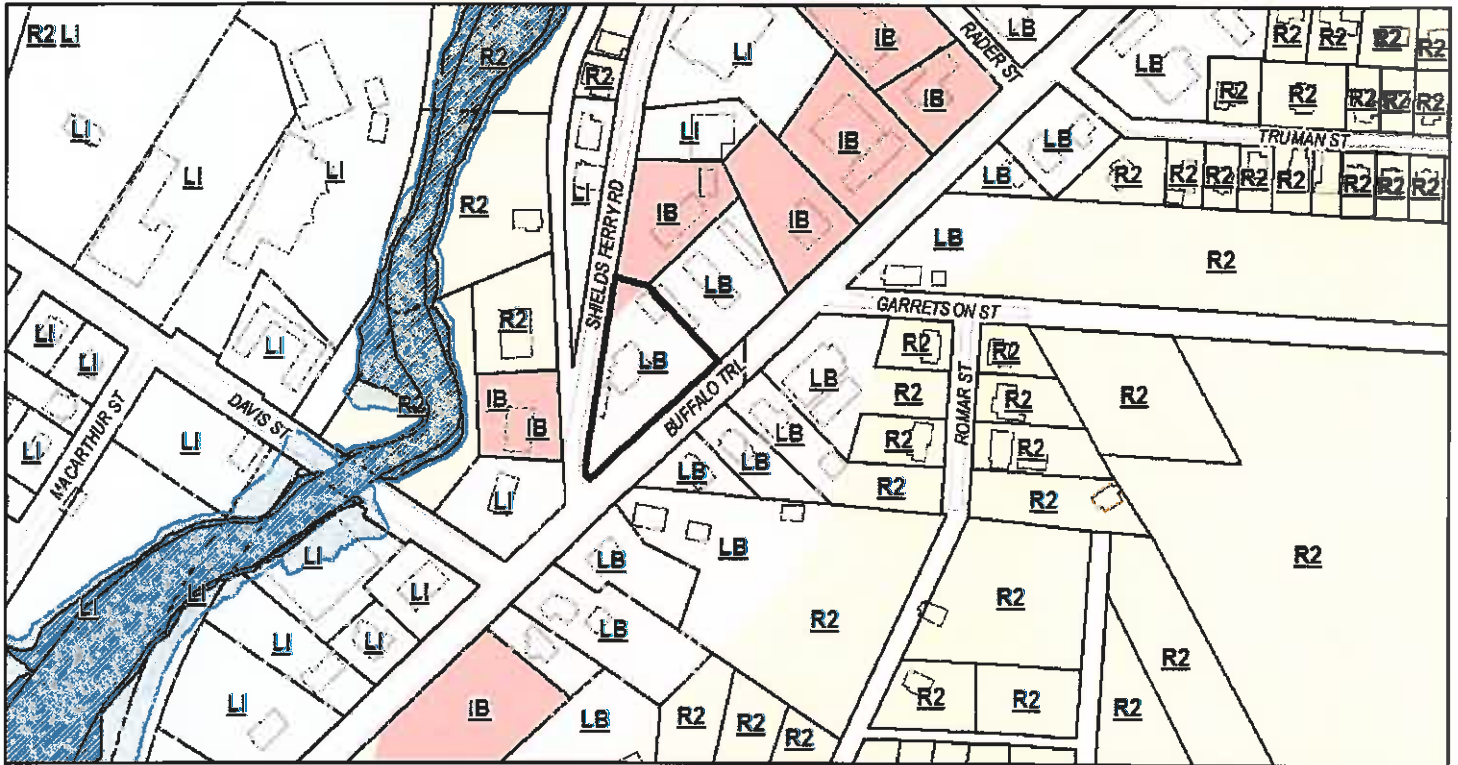
The property, 0.65 acres in size, contains one principle building (2,750 square feet) and four accessory buildings. The lot is of an irregular 'pie' shape as it sits at the intersection of a major arterial (Buffalo Trail) and a collector street (Shields Ferry Road). The land is bounded by residential uses to the south across Buffalo Trail, all of which are zoned LB. Most of this housing is in poor condition. There exists to the west of the intersection and across Shields Ferry Road automotive tire sales (zoned LI) and a convenience store (zoned IB). Directly behind the subject site is an automotive repair shop (zoned IB) which appears derelict. To the east is located another pawn shop which is zoned LB.

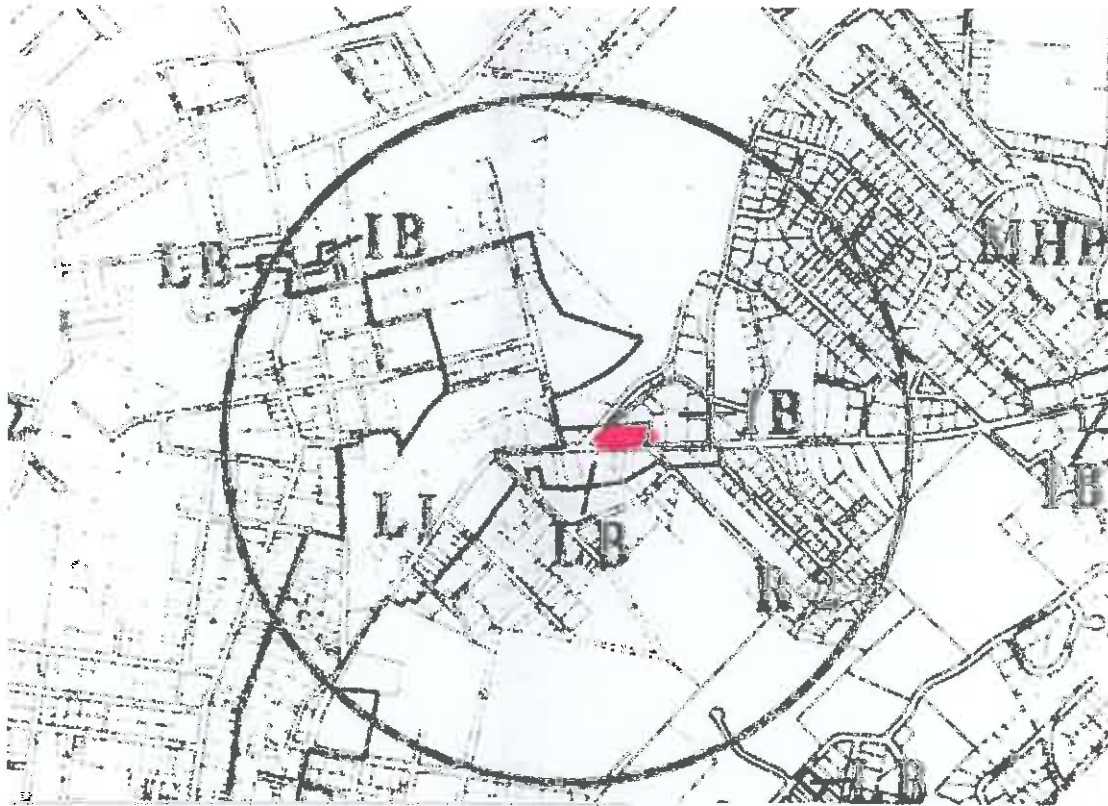
To summarize, all lands surrounding this site are zoned commercially though not all are of the same zoning designation. Under Local Business (LB) district guidelines, automotive sales or repair is not an allowed use. This district, in broader terms, is indicative of more pedestrian friendly type commercial land uses, those traditionally found along the fringes of residential neighborhoods.

IB or Intermediate Business districts are generally located on heavier traveled roads and tend to have heavier impacts (traffic, noise, light) to surrounding properties because of its permitted uses which are predominantly larger scale commercial businesses which generate more vehicular traffic.

Zoning within this region has not changed since 1975 as is shown on the graphic on the accompanying page though the corporate limits have increased in that region of the City by more than 2000 acres since that date. Traffic volume data from 2010 - 2015 shows consistent traffic counts along this portion of Buffalo Trail averaging 14000 trips per day.

Staff sees IB (Intermediate Business) as the most appropriate designation for this property if not for most of the existing businesses which front Buffalo Trail today. Staff would also seek guidance from the Planning Commission for a possible study of this area in order to help guide development along this important north/south corridor.





1975 Zoning Map

PLANNING COMMISSION OPTIONS:

1. Approve rezoning request as submitted;
2. Approve rezoning request with stipulations;
3. Table rezoning request;
4. Deny rezoning request



Department of Community Development
100 West 1st North Street
Morristown, TN 37814
(423)585-4620

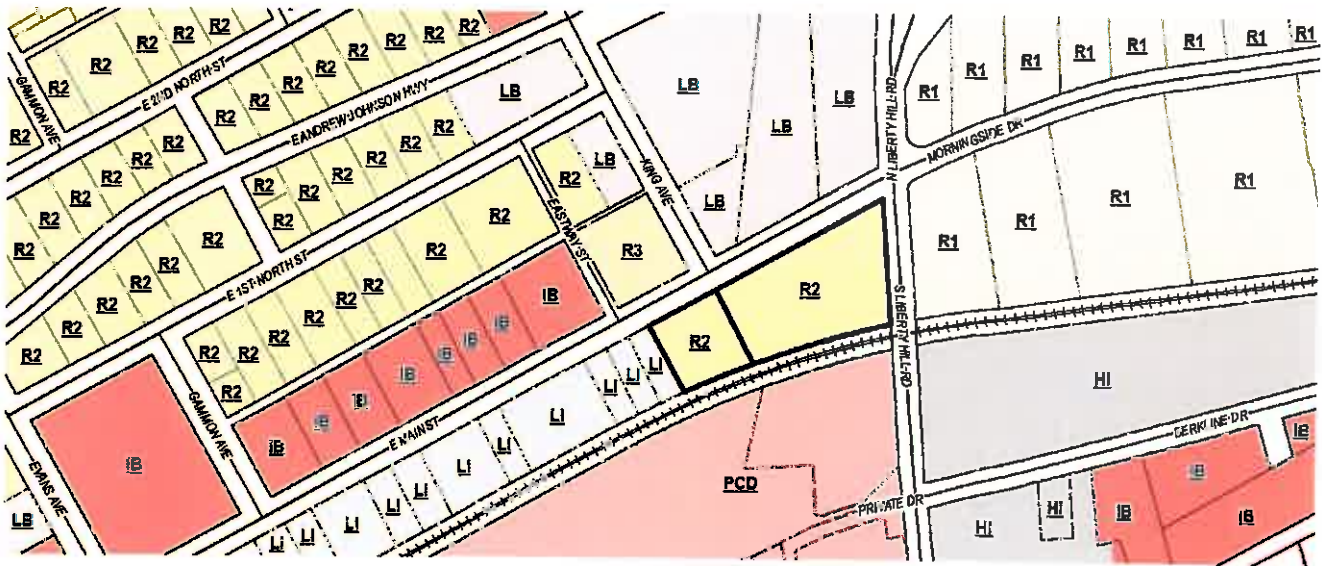
TO: Morristown Regional Planning Commission
FROM: Lori Matthews, Senior Planner
DATE: August 9th, 2016
SUBJECT: Rezoning Request
E. Main Street

REQUEST -

A rezoning request has been received by the Planning Department by owner Mr. John Hale for his properties located at the southwest intersection of E. Main Street and N. Liberty Hill Road behind the Popkin Field Food City. Addresses contained within these two parcels include 1156/1202/1204/1216 E. Main Street. Mr. Hale is seeking IB (Intermediate Business) zoning approval for both properties which are currently zoned R-2 (Medium Density Residential). Mr. Paul Lebel will be representing the property owner.

The smaller of the two lots, (1156 E. Main) is 0.5 acres in size with an existing contractor's truck repair facility and office located on site. The larger parcel to the east is 1.5 acres in size and features two structures, one small office building (1,000 square feet) and a larger commercial building which is around 9,000 square feet in size. Both lots have access off of E. Main Street with the larger lot having access from N. Liberty Trail as well.





The properties are bounded by single family residences and zoning across S. Liberty Hill Road to the east and by the Norfolk Southern Railroad and recently constructed Popkin Field Food City which is zoned Planned Commercial District to the south. To the north across E. Main is located a self-serve car washing station and an array of small apartment complexes along both sides of King Street, zoned for light commercial and multi-family uses respectfully. Travelling west, the majority of properties to the north are zoned heavy commercial (IB) and to the south lies LI (Light Industrial). A patchwork of residential uses and small businesses exist to the west, the majority of which seem to be in stable condition.





Zoning Map 1975

As shown on the above graphic, these properties have been zoned for residential use (R-2) since 1975, a use which has never occupied either site. The site has been home to a truck repair shop, grocery store and furniture store, the latter two uses no longer considered to be 'grandfathered' as they have been vacated for longer than a year, this being the impetus to rezone the property as the owner is wishing to sell. Local Business (LB) zoning would under normal circumstances be the preferred designation for these properties due to their proximity to surrounding residential neighborhoods and adjacency to the downtown area. Staff feels that the size of the site itself will dictate future commercial uses with regard to both building size and parking and that IB (Intermediate Business) land uses would offer more flexibility when developing the site.

Staff recommends rezoning of these two properties from R-2 (Moderate Residential) to IB.(Intermediate Business) and would also seek guidance from the Planning Commission on any future land use study along this corridor. If approved, this will be the second zoning change within this area in as many months. (Evans Street Rezoning (R-2 to LB) approved by City Council this past month)

PLANNING COMMISSION OPTIONS:

1. Forward rezoning request to City Council for approval;
2. Forward rezoning request to City Council for approval with stipulations;
3. Forward rezoning request to City Council for denial;
4. Table rezoning request.



Department of Community Development
100 West 1st North Street
Morristown, TN 37814
(423)585-4620

TO: Morristown Regional Planning Commission
FROM: Ralph "Buddy" Fielder, ACA
DATE: August 9th, 2016
SUBJECT: Release of bond for Masengill Springs Development Phase II

BACKGROUND:

The Department of Community Development and Planning is requesting the Morristown Regional Planning Commission consider the release of the Masengill Springs Performance Bond in the amount of \$881,595.00. Staff has reviewed the project; the subdivision is complete. Staff recommends that the bond be released.

PLANNING COMMISSION OPTIONS:

1. Grant bond release
2. Deny bond release

STAFF RECOMMENDATION:

Staff recommends bond release.



Department of Community Development
100 West 1st North Street
Morristown, TN 37814
(423)585-4620

TO: Morristown Regional Planning Commission
FROM: Lori Matthews, Senior Planner
DATE: August 9th, 2016
SUBJECT: Street Renaming

REQUEST -

A request has been received by the GIS Department on behalf of the Orbit Electronics group to rename the street that now exists as 'Shelby Williams Drive' to 'Orbit Electric Drive'. (see attachments)

Planning Staff would recommend this street name change.

PLANNING COMMISSION OPTIONS:

- 1.) Approve Street Renaming;
- 2.) Deny Street Renaming.



CITY OF MORRISTOWN
STREET NAME CHANGE REQUEST APPLICATION



Name of Applicant: MARCUS BANNERMAN
Current Address: 150 SHELBY WILLIAMS DR
Phone: 423.277.3093 Email: MARCUSB@ORBITELECTRIC.COM
Parcel ID: _____ Subdivision: _____
Type: _____ Residential: _____ Other: _____

Present Street Name: SHELBY WILLIAMS DR

Reason for Proposed Change: SHELBY WILLIAMS COMPANY IS GONE AND PROPERTY HAS BEEN SOLD AND WILL NOW BE THE EASTCOAST HEADQUARTERS FOR ORBIT INDUSTRIES. WE WOULD LIKE TO ELIMINATE CONFUSION AND START A NEW CHAPTER FOR THE CITY

PLANNING COMMISSION POLICY REQUIRES THAT:

1. All affected property owners and tenants be given an opportunity to express their opinion concerning a street name change
2. The opinions expressed be filed with and become a part of the application change

The Street Name Change Canvass Form (on the back of this form), must be completed before the application can be accepted.

ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

MARCUS BANNERMAN 3345 WEBER VALLEY RD SEVIERVILLE 37872

Name: (Print) Address City State Phone Fax

AUTHORIZATION OF APPLICATION

423.277.3093

I hereby certify that I am the authorized applicant. ALL property owners and tenants affected by this request have been canvassed and have signed on the back of this form.

Signature: _____

MARCUS BANNERMAN

Name: (Print) Address City State Phone Fax

APPLICATION ACCEPTED BY:

Date:

STREET NAME CHANGE CANVASS FORM

Page _____ of _____

I (We) plan to file a request with the Morristown Planning Commission to change the name of the street.

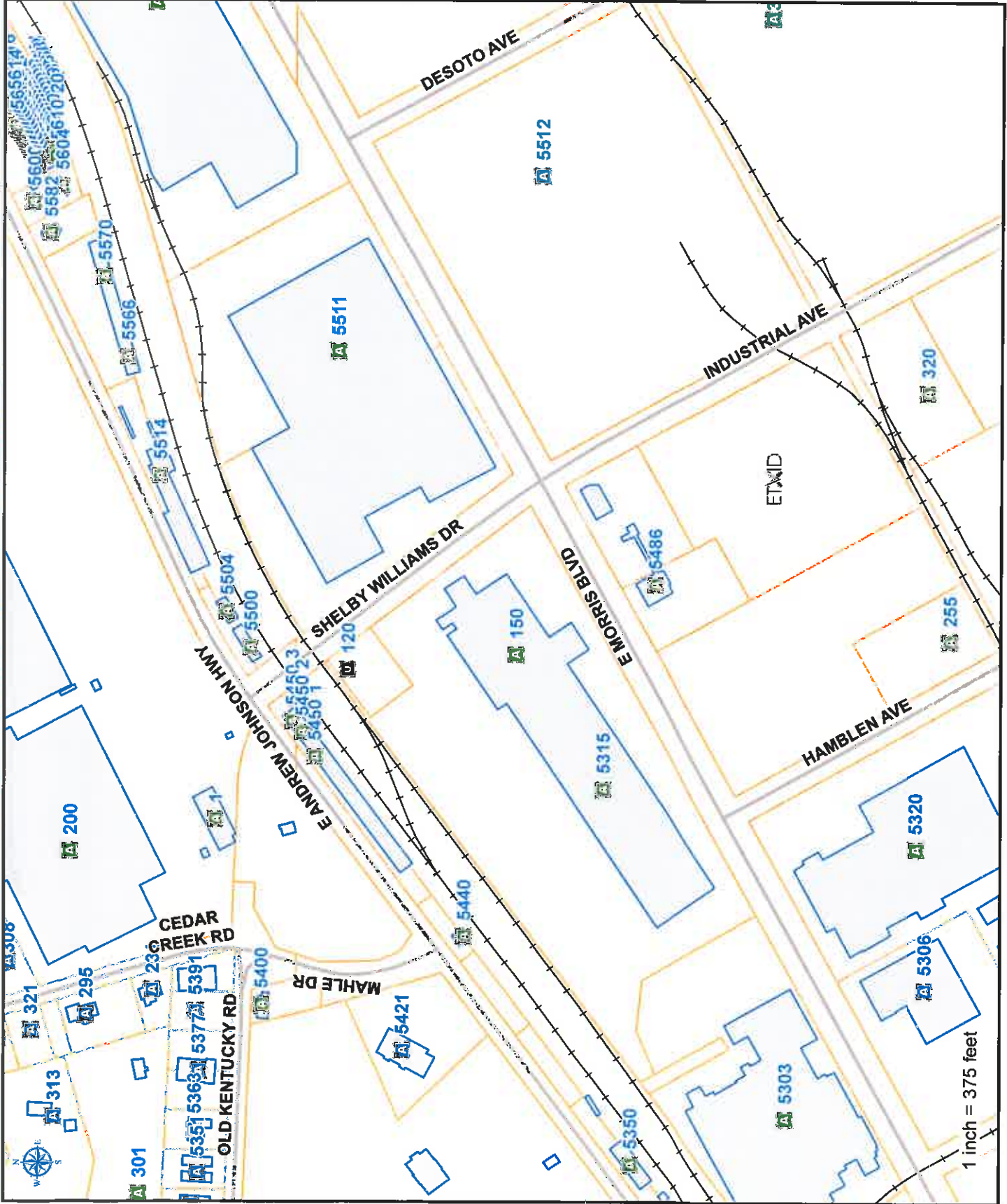
Present Street Name: Shelby Williams Dr

Proposed Street Name				
Prefix	Base Name	Road Type	Post Suffix	
	Orbit Electric Dr	Dr		

[illegible]

***Please return this form within 7 business days to the City of Morristown Planning Department, PO Box 1499, Morristown, TN 37814. (Enclosed is a stamped self-addressed envelope for your convenience)**

City of Morristown Shelby Williams Dr - Renaming Request Map





Department of Community Development
West 1st North Street
Morristown, TN 37814
(423)585-4620

TO: Morristown Regional Planning Commission
FROM: Logan Engle, Planner *JE*
DATE: August 9, 2016
SUBJECT: Zoning Text Amendment of Chapter 29, Section 14-2905 & 14-2906

BACKGROUND:

Chapter 29 (Sign Regulations) of the City of Morristown Zoning Ordinance contains many definitions and regulations relating to a variety of types of both temporary and permanent signage. These regulations are primarily categorized in regard to zoning districts. Since the most recent ordinance has been in place, a variety of concerns have arisen in regard to administration and enforcement of the ordinance.

As a result, staff has researched and is recommending a few proposed alterations to the sign ordinance in order to ensure more accurate administration and enforcement. These alterations are as follows and are highlighted in detail in the attached copy of the sign ordinance:

1. **Subdivision Temporary Development Signs** – To allow parcels greater than ten (10) acres in size subdivision temporary development signage not to exceed two hundred (200) square feet of said signage across no more than five (5) signs per public street frontage. (14-2906-b-3)
2. **Central Business District**
 - a. To allow parcels greater than three (3) acres in size Electronic Message Center (EMC) signs on monuments in the Central Business (CB) zone. These monuments may not exceed 40 square feet in sign face area, must be ground-mounted, have a maximum height of 6 feet, and any EMC contained within shall not exceed 20 square feet. Also requires these types of monuments to match the architectural style and construction materials of the principal structure. EMC regulations regarding luminance levels and timing have also been included in this section from existing regulations within the sign ordinance. (14-2906-d-3)
 - b. To allow parcels greater than three (3) acres in size secondary access signs, similar to what is allowed in other commercial zones. These signs are regulated in regard to their location from secondary access points or drives. They may not exceed 40 square feet in sign area or 6 feet in height. They may contain an EMC up to 20 square feet of the sign face only IF an EMC is not already present on the primary monument sign. Two monument signs with two EMCs will not be permitted. (14-2906-d-12)
 - c. To allow parcels greater than three (3) acres in size wall signage, limited to 10% of the measurement of the front wall, from ground to roof, multiplied by the length of wall, measured end to end, per road frontage not to exceed four hundred (400) square feet in total and having a maximum of three (3) wall signs per public street frontage. (14-2906-6)
3. **Shopping Center Signage** – Delete a sentence from the passage discussing shopping center signage minimum height clearance. This passage is no longer relevant due to sight distance triangle requirements and building code requirements.

RECOMMENDATION:

Staff proposes that the Morristown Regional Planning Commission recommend this text amendment be added to the zoning ordinance request to City Council for approval.

OPTIONS:

The Morristown Regional Planning Commission has the following options:

1. Recommend approval to amend the zoning ordinance text as proposed;
2. Recommend approval to amend the zoning ordinance text subject to changes;
3. Deny approval to amend the zoning ordinance as proposed.

CHAPTER 29
SIGN REGULATIONS
(03/04/2014)

SECTIONS

- 14-2901. FINDINGS, PURPOSE and EFFECT.
- 14-2902. SIGN PERMITS – Application, Fees, Inspections and Insurance.
- 14-2903. DEFINITIONS.
- 14-2904. GENERAL PROVISIONS.
- 14-2905. PROHIBITED SIGNS.
- 14-2906. ALLOWABLE SIGNS BY ZONING DISTRICT.
- 14-2907. ADMINISTRATION AND ENFORCEMENT.
- 14-2908. APPENDIX 29-A GRAPHIC DESCRIPTIONS.

CHAPTER 29
SIGN REGULATIONS
(3499-03/04/2014)

14-2901. FINDINGS, PURPOSE, and EFFECT.

- a. *Findings.* The members of the City Council hereby find as follows:
1. Exterior signs have a substantial impact on the character and quality of the environment.
 2. Signs provide an important medium through which individuals may convey a variety of messages.
 3. Signs can create traffic hazards, aesthetic concerns and detriments to property values, thereby threatening the public health, safety and welfare.
 4. The city's zoning regulations have always included the regulation of signs. The regulation of the physical characteristics of signs within the city has had a positive impact on traffic safety and the appearance of the community.
 5. Other cities in Tennessee, North Carolina, and elsewhere have successfully regulated size and number of signs in an effort to provide adequate means of expression and to promote the economic viability of the business community, while limiting signs by height, size, and number in effort to preserve and restore the aesthetics in those communities and to protect the health, safety and welfare of the communities. We find these regulations to be beneficial to those communities and to enhance the aesthetics of those communities in ways which would similarly benefit Morristown.
- b. *Purpose and intent.* It is not the purpose or intent of this article to regulate the message displayed on any sign; nor is it the purpose or intent of this article to regulate any building design or any display not defined as a sign, or any sign which cannot be viewed from outside a building. The purpose and intent of this article is to:
1. Regulate the number, location, size, type, illumination and other physical characteristics of signs within the city in order to promote the public health, safety and welfare.
 2. Maintain, enhance and improve the aesthetic environment of the city by preventing visual clutter that is a threat to traffic safety and is harmful to the appearance of the community.
 3. Improve the visual appearance of the city while providing for effective means of communication, consistent with constitutional guarantees.
 4. Provide for fair and consistent enforcement of the sign regulations set forth herein under the zoning authority of the city.
 5. Simplify and streamline the provisions for signs in the City of Morristown, consolidate all code provisions regulating signs into one singular Sign Ordinance, and remove the permitting process from this Ordinance.
- c. *Effect.* A sign may be erected, mounted, displayed or maintained in the city if it is in conformance with the provisions of these regulations. The effect of this article, as more specifically set forth herein, is to:

1. Allow a wide variety of sign types in commercial zones, and a more limited variety of signs in other zones, subject to the standards set forth in this article.
2. Allow certain small, unobtrusive signs incidental to the principal use of a site in all zones when in compliance with the requirements of this article.
3. Provide for temporary signs in limited circumstances.
4. Prohibit signs whose location, size, type, illumination or other physical characteristics negatively affect the environment and where the communication can be accomplished by means having a lesser impact on the environment and the public health, safety and welfare.
5. Provide for the enforcement of the provisions of this article.

14-2902. SIGN PERMITS – Application, Fees, Inspections, and Issuance.

1. The Building Official or his/her designee shall act as the sign administrator and shall enforce and carry out all provisions of this chapter. In the event there is a question concerning the general intent or meaning of any provision of this chapter, the sign administrator shall have the authority to make such administrative decisions and interpretations. Administrative interpretation shall in no way be construed as permitting or granting an exception to the provisions of the chapter. When the definition of a sign is questioned by the sign administrator, the sign administrator may consult with the Board of Zoning Appeals about such question.
2. *Application and permit process.* Unless otherwise provided by this chapter, permits are required for all types of signs. It shall be unlawful for any person, agency, firm, or corporation to erect, structurally repair (other than normal maintenance), replace, alter, relocate, change the panels of, change the establishment being advertised on a sign, as defined in this chapter, without first obtaining a permit to do so from the city.
 - a. *Application for a Sign Permit.* Applicants shall submit a completed sign application and the required application fee to the sign administrator prior to commencing any work on installation of a new or replacement sign.
 - b. *Application Fee.* The required application fee of \$25.00 shall be submitted at the same time that the completed sign permit application is submitted to the city. Payment of the application fee shall be separate from and in advance of the sign permit fee and shall not guarantee or warrant the issuance of a sign permit as requested.
 - c. *Application Review.* The sign permit application shall be reviewed by the sign administrator and other entities as required prior to issuance of a sign permit.
 - d. *Sign Permits.* Upon approval of the Application for a Sign Permit, the sign administrator may issue a sign permit for the construction installation or erection of a sign. It shall be the responsibility of the sign applicant/owner to insure that the sign location meets all zoning setbacks and does not infringe upon any utility line or easement. If it is determined at a later date that these requirements are not met, it shall be the responsibility of the sign applicant/owner to re-locate the sign at his/her cost to another approved location.
 - e. *Sign Permit Fees.* In addition to the sign application fee, the sign administrator shall assess a

sign permit fee based upon the approved standards of the City of Morristown that are established for Building, Electrical and/or Mechanical Permits in the city.

- f. *Penalties for Commencing Work Prior to Issuance of Sign Permit.* All application fees and sign permit fees shall be doubled if work is commenced prior to the city's issuance of a sign permit. Illegally placed signs that do not conform to the provisions set forth herein shall be removed by the property owner immediately upon notification by the City of Morristown.
- g. *Termination of the Sign Permit.* A sign permit shall become null and void if construction is not commenced within one hundred eighty (180) days of issuance. If work authorized by such permit is suspended or abandoned for one hundred eighty (180) days any time after the work is commenced, the sign permit shall be void and a new permit shall be first obtained to resume work. A new permit shall be required if changes have been made in the original plans. After a permit expires, a partially completed sign structure must be removed within thirty (30) days if no new permit is issued.
- h. *Certificate of Completion.* Upon completion of the installation of the approved sign, the sign administrator shall conduct a final inspection of the sign based upon the approved sign permit. Upon approval of the final inspection, the sign administrator shall issue a Certificate of Completion which shall be the final step under the provisions of this section.

14-2903. DEFINITIONS

The words, terms and phrases set out below, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Abandoned sign means a sign that was lawfully erected on the property in conjunction with a particular use, that use having been subsequently discontinued for a period of 30 days or more, or a lawfully erected temporary sign for which the time period allowed for display of the sign has expired.

Animated sign means any sign or permanent structure that uses movement, projection, or change of lighting, LED, or other electrical impulses to depict action, moving pictures, or create a special effect, other than Electronic Message Centers as defined herein.

Banners, pennants, festoons and balloons shall mean any sign of fabric or other flexible material including:

- a. ***banners*** such as cloth, vinyl or plastic material suspended between two poles: a long piece of cloth or other material, often bearing a symbol or slogan, and attached at each end to a pole or hanging from the top of a pole;
- b. ***pennants*** such as a triangular flag displayed on a ship: or a small narrow triangular or other shaped flag or series of flags such as those displayed on sporting arenas, ball parks, carnivals and special events for identification and signaling or a small flag or series of flags or streamers suspended by poles or other structures, wires, string or rope;
- c. ***festoons*** such as an ornamental chain of flowers, leaves, balloons, inflatable objects, streaming fabric, ribbons or other material hanging or suspended in a loop or curve between two or more points;

- d. **balloons** such as a gas-filled bag used as a toy or for advertising purposes and not certified by the Federal Aviation Administration for flight such as: a small or large colored bag made of thin rubber, plastic or other flexible material that is inflated with air, helium or other gas and used as a toy, advertisement or decoration.
- e. *Flags shall not be considered as banners or pennants under this article and are defined separately in this Section.*

Building elevation means the entire side of a building, from ground level to the roofline, as viewed perpendicular to the walls on that side of the building.

Building marker means any sign indicating the name of a building or date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material which is architecturally compatible with the building.

Canopy sign means any sign that is a part of, attached to, or made up of an awning, canopy, or other protective cover over a door, entrance, window or outdoor service area. A marquee is not a canopy.

Commercial message means any sign wording, logo or other representation that directly or indirectly names, advertises or calls attention to a business, product, service or other commercial activity.

Community facilities are churches, schools, daycare centers, nursing homes, funeral homes, orphanages, gardening operations, and parks and recreation facilities which may be located in residential zoning districts.

Construction sign means a sign conveying information about a building project, such as the name and use of the building being constructed, and the names of architects, engineers, contractors, and other persons involved with the construction project.

Development Complex Sign is a free-standing monument sign identifying a multiple-occupancy development which shares common vehicular access to a public road such as a planned industrial park, office park, or commercial complex, or high density residential development listing such information as on-site buildings, businesses and other tenants and their respective activities.

Dilapidated sign means any sign that is structurally unsound, has defective parts, or is in need of painting or other maintenance.

Directional sign means a sign, temporary or permanent, erected for or by a governmental entity for purposes of identification, direction or public safety.

Electronic Message Center means any sign that displays still images, scrolling images or moving images, including video and animation, utilizing a series or grid of lights that may be changed through electronic means, including cathode ray, light emitting diode (LED) display, plasma screen, liquid crystal display (LCD), fiber optic or other electronic media or technology. Any Electronic Message Center which changes the display more frequently than once every 8 seconds with a maximum change time of two (2) seconds or that allowed under Tennessee Code Annotated 21-122 as may hereafter be amended or which includes illuminated moving pictures or television type signs shall be considered an animated sign.

Feather Flag Sign means a freestanding, temporary sign constructed of a pole that may be driven into the ground or mounted upon a base with an attached vertically-elongated material resembling a feather, sail, blade, teardrop, shepherd's hook, rectangle, etc. (Ordinance 3526-11/03/2015)

Flag means any fabric or bunting containing distinctive colors, patterns or symbols that is used as a symbol of a governmental, commercial or noncommercial entity.

1. **Commercial flag** means any flag which displays a commercial name, message, logo or symbol.
2. **Decorative flag** means any flag which displays any holiday or seasonal insignia, design or the like which does not include any commercial name, message, logo or symbol.
3. **Non-commercial/government/civic flag** means any flag displaying a name, message, logo or symbol of any governmental, religious, civic or nonprofit agency.

Freestanding sign means any sign (i.e. pylon, monument, pole-mounted, etc.) supported by structures or supports that are anchored in the ground and that are independent of any building or other structure. For visual reference refer to Appendix 29-A of this Chapter.

Front facade means the front elevation of a building that faces the front property line, as recorded on the plat and/or site plan. If a structure is located on a corner parcel, the side which includes the primary entrance shall be considered the front facade. If a structure located on a corner parcel contains a primary entrance on more than one side, the longer side with a primary entrance shall be considered the front facade.

Governmental Entity includes those federal, state, municipal, and county offices which provide purely governmental services to the public. A governmental entity does not include schools or entities which receive governmental funds to provide non-governmental or quasi-governmental services.

Ground Sign includes monument signs and are types of freestanding signs as defined herein (See definition for Freestanding sign) Ground signs and monument signs shall be attached flush to the ground without poles or visible supports. Ground signs and monument signs shall utilize landscaping, hardscaping and structural materials that are complementary to the architectural theme of the buildings or natural environs on the same property. For visual reference refer to Appendix 29-A of this Chapter.

Illegal sign means any sign which is a prohibited sign or does not comply with the requirements established herein, is not a lawful nonconforming sign and is not exempted by law from the requirements established herein.

Illuminated sign (internally) means any sign that transmits light through its face or any part thereof; **(externally)** means any sign that is artificially lit by reflecting light off of its surface by an external source such as a flood light.

Incidental sign means a sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as "no parking", "entrance", "exit", "loading only", "no trespassing", "no hunting", "phone", "ATM", etc.

Inflatable sign means any sign that is either expanded to its full dimensions or supported by gases contained within the sign, or sign parts, at a pressure greater than atmospheric pressure.

Interstate Highway Identification sign as permitted in the Tourist Accommodations District which shall be placed so as to display towards the major highway (Interstate 81). This primary sign has a maximum height of one hundred twenty-five (125) feet and a maximum sign face area of 400 square feet per sign face with a maximum of two sign faces. An Electronic Message Center (EMC), as defined in this article, may be used on the primary sign, but the EMC must be included in the 400 square foot maximum area sign face and shall not exceed 50% of the total sign face.

Marquee sign means any sign attached to, or made part of, a marquee or other permanent roof-like structure that projects beyond a building face and is not supported from the ground.

Menu board means a structure primarily designed for the display of menu items and prices for the purpose of placing orders for such items in conjunction with a restaurant utilizing drive-through or curbside service.

Monument sign or ground sign means a freestanding permanent sign, no higher than six (6) feet in the OMP District; nor higher than six (6) feet in other commercial districts, defined herein, where use of an Electronic Message Center is permitted. Monument signs shall be attached flush to the ground without poles or visible supports. Monument signs shall utilize landscaping, stones, masonry or other hardscaping or structural materials that are complementary to the architectural theme of the buildings or natural environs on the same property.

Multiple-Faced sign is a sign containing three or more faces.

Non-commercial means not naming, advertising or calling attention to a business or commercial product, service or activity. However, where the name of a business is merely incidental to the primary purpose of a sign displayed on residential property, such as may be the case with a real estate sign, such sign shall be deemed non-commercial.

Nonconforming sign or sign structure means any existing permanent sign or sign structure which does not conform to the provisions of this article but which was lawfully erected and complied with the sign regulations in effect at the time it was erected.

Painted wall sign means any sign or display painted directly on any exterior surface, exclusive of window or door glass areas.

Pennant- See definition of "banners, pennants, festoons, and balloons".

Permanent sign means any sign that is intended for other than temporary use or a limited period. A permanent sign is generally affixed or attached to the exterior of a building, or to a pole or other structure, by adhesive or mechanical means, or is otherwise characterized by construction materials, a foundation or anchoring indicative of an intent to display the sign for more than a limited period.

Planned residential development sign is a sign located at the primary entrance to a residential development as identified on a final site development plan approved by the planning commission which for the purpose of this article, shall contain the construction of one or more public or private right-of-way.

Pole sign - see *freestanding sign*.

Political preference sign means any temporary sign erected on private property for the purpose of supporting a political candidate, stating a position regarding a political issue or similar purpose.

Portable sign means any sign designed or intended to be readily relocated, and not permanently affixed to the ground or to a structure. Portable signs include such signs as a sidewalk sign; A-frame sign other than sandwich board sign as defined herein; or any sign attached to or painted on a vehicle or trailer parked and visible from the public right-of-way for more than two consecutive hours or more than four total hours between sunrise and sunset. For the purposes of this article, portable signs shall not be considered permanent signs. Real estate signs and other temporary signs which are otherwise provided for in this article shall not be considered portable signs for purposes of this article.

Projecting sign means any sign, other than a wall sign, whose leading edge extends beyond the building or wall to which it is affixed, forming an angle with said building or wall.

Public right-of-way/public way means a strip of ground dedicated for public use, usually for a public street, public infrastructure and/or waterway. For the purposes of this article, such rights-of way shall be considered to extend a minimum of ten feet from the edge of pavement, or to the dedicated right-of-way boundary, whichever is further.

Pylon sign see definition for freestanding sign.

Real estate sign means a temporary sign erected by the owner, or his agent, advertising the real property upon which the sign is located for rent, lease or sale.

Roof line means the highest horizontal point of the wall visible to the public, excluding any architectural feature which extends above such apparent horizontal roof line if such feature is fully enclosed and considered an integral part of the occupied space, such as an atrium or high ceiling.

Roof sign means any sign erected wholly or partially above the roof line.

Scoreboard means a structure located within an athletic field, displaying changing scores and related information; provided, however, the scoreboard may also display additional content, including but not limited to the names and logos of any sponsors.

Sandwich board sign is a double faced temporary sign constructed of two sign faces which are hinged at the top, and open at the base, with the base placed onto a sidewalk.

Secondary Access sign means a sign that meets the requirements for a monument sign that is situated at the entrance to a business that has more than one street frontage. A Secondary Access Sign must be situated within twenty-five (25) feet of the secondary street driveway access and at least fifty (50) feet from the nearest street or highway intersection.

Shopping center: Buildings occupied by two or more tenants occupying a minimum of 50,000 square feet of gross floor area, in one or more structures, on a single parcel of land or a group of adjoining parcels, all of which share common vehicular access to a major roadway. For parcels with buildings containing less than 50,000 square feet of ground coverage area, see Development Complex Sign.

Sign means any device, fixture, placard, or structure that uses color, form, graphic, illumination, symbol, or writing to advertise, announce, or identify a person or entity, or to communicate information of any kind which is visible beyond the boundaries of the lot or parcel of property on which the sign is posted.

Sign administrator means the person designated by the City Administrator as the staff member assigned to oversee the enforcement and interpretation of this article.

Sign area means square foot area enclosed by the perimeter of the sign face. With respect to signs that are composed of individual symbols, letters, figures, illustrations, messages, forms, or panels, sign area shall be considered to include all such components together with their background, surrounding frame, and any "cutouts" or extensions. The sign area shall not include any supporting structure or bracing.

Sign face means the entire area of a sign upon, against or through which sign copy is placed.

Sign structure means any structure that supports, has supported, or is capable of supporting a sign,

including any decorative cover for the sign structure. This definition shall not include a building, fence, wall, or earthen berm.

Snipe sign means any sign that is affixed by any means to trees, utility poles, fences or other objects, where the sign does not qualify as an incidental sign allowed pursuant to Section 14-2906(a) herein.

Social/special event, for purposes of this article, is an event which occurs on a specific date or over a specified time period, but does not include political campaigns.

Subdivision temporary development sign means any temporary sign for the purpose of advertising the sale of lots and the development of a Planned Residential Development or a Development Complex Sign. The names of participating builders may be included on such signs. For purposes of this article, such signs shall not be classified as the same as a construction sign.

Swinging sign means any sign installed on an arm, mast or similar appendage that is not, in addition, permanently fastened to an adjacent wall or upright pole.

Temporary sign means any sign that is intended for temporary use and a limited period, as allowed by this article. For purposes of this article, banners are considered to be temporary signs. Temporary signs shall be located at least ten feet from the back of the street curb, edge of pavement or stabilized shoulder, unless a greater distance is required to remove such sign from the street right-of-way or sight distance triangle. No temporary signs shall be permitted within any median which is within a public right-of-way.

Two sign faces means any sign constructed on a single set of supports, with messages visible on either side, or a "V" type sign with a common support in the center of the "V".

Wall sign means any sign, other than a projecting sign, that is attached to or painted on any wall of any building, awning or canopy and projects from the plane of the wall, canopy or awning less than 12 inches. This definition shall not include freestanding walls, retaining walls or other walls not part of a building structure.

Window sign means any sign, graphic, or interior design element placed inside the window or upon the window pane, used to advertise, announce, or identify a person or entity, or to communicate information of any kind, or to draw visual attention to the business or use, and which is visible from the public right-of-way. For purposes of this article, window signs may be permanent or temporary and are subject to applicable provisions herein.

14-2904. GENERAL PROVISIONS.

a. Nonconforming signs.

1. The utilization of a nonconforming sign and/or sign structure, as defined herein, may continue subject to the conditions and requirements noted below. When the use of a property changes (including but not limited to the redevelopment of the site or a change in the use of the business(es)), the signs on that property must be brought into compliance with the provisions of this chapter.
2. With the exception of minor repairs and maintenance and alterations allowed pursuant to state law, no alterations to a nonconforming sign/sign structure shall be allowed. Unless otherwise allowed by law, any structural or other substantial improvement to a nonconforming sign (except for printing or refinishing the surface of the existing sign face or sign structure so as to maintain the appearance) shall be deemed an abandonment of the nonconforming status and shall result in the reclassification

of such sign as an illegal sign.

3. Unless contrary to law, if a non-conforming sign is reconstructed as the result of damage for any cause or to correct deterioration/dilapidation to the extent of fifty percent (50%) of its fair market value, said sign shall be permitted to exist in nonconforming locations only to the extent that the surface area for message display be reconstructed in conformity with the provisions of this chapter.

b. *Calculations-measurement standards* - See Appendix 29-A for graphical references to the following principals which shall control the computation of sign area and sign height:

1. Computation of the area of individual signs. The sign area shall be determined by computing the area of the smallest square, rectangle, circle and/or triangle that will encompass the extreme limits of the sign face, including any open areas within the sign face (see definition, sign area).
2. Computation of area of multi-faced signs. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces, except where otherwise provided herein for temporary signs in residential districts.
3. Computation of height. Sign height is measured from the average level of the grade below the sign to the topmost point of the sign. Average grade shall be the lower of existing grade prior to construction or newly established grade after construction. Any berming, filling, or excavating solely for the purpose of locating the sign, shall be computed as part of the sign height.
4. Computation of Wall Signs. Unless specifically stated elsewhere within this ordinance, the maximum amount of sign area for wall signs shall be one-third (1/3) of the square footage of the front facade of the building as defined in this ordinance.

c. *Design, construction and maintenance of signs.* All signs shall be designed, constructed and maintained in accordance with the following standards:

1. General provisions. All signs shall comply with applicable provisions of the adopted building codes and the state electrical code. Except for banners, flags, pennants, temporary signs and window signs allowed hereunder, all signs shall be constructed of permanent materials that are permanently attached to the ground or a structure. All signs shall be maintained in good structural condition, in compliance with all applicable codes.
2. Spacing. All permanent freestanding signs on any premises shall be spaced at minimum 200-foot intervals along each public way that views the premises, unless otherwise provided for by this chapter.
3. Sight distance triangle. All entrance signs and freestanding signs located near the corners of an intersection shall be located outside of the sight distance triangle. Such triangle shall be measured at a distance of 25 feet, or meet AASHTO standards (whichever is greater), running parallel along each leg of the road or driveway pavement surfaces and connecting them to form a triangular area. This area shall be free of any permanent or temporary signs that may inhibit a clear sight visibility for motorists.
4. Sign illumination. Unless otherwise provided herein, sign illumination shall only be achieved through the following standards:

- a. A white, steady, stationary light of reasonable intensity that is directed solely at the sign. The light source shall be shielded from adjacent buildings and streets, and shall not be of sufficient brightness to cause glare or other nuisances to adjacent land uses.
 - b. Internal illumination shall provide steady, stationary lighting through translucent materials.
 - c. If the sign or sign structure is internally illuminated or back lit by any means, the entire lighted area shall be included within the allowable signage calculation for the site. This standard shall also apply to signs affixed to any portion of a building as an architectural feature, such as but not limited to, awnings, canopies or roof lines.
 - d. All electrical service to ground mounted signs shall be placed underground. Electrical service to other signs shall be concealed from public view.
5. Setback. All permanent signs shall be set back at least five feet from the street right-of-way, unless in a sight distance triangle or otherwise specified by this article. No permanent sign shall be located within a public utility or drainage easement, without written approval from the affected agencies. Temporary signs shall be located at least ten feet from the back of the street curb, edge of pavement or stabilized shoulder, unless a greater distance is required to remove such sign from the street right-of-way or sight distance triangle. No temporary signs shall be permitted within any median which is within a public right-of-way.
6. Design. The various parts of a sign shall be compatible in design quality. Signs shall not be in the shape of a commercial sponsor name or motif (e.g., soda bottles, hamburgers, boot, etc.) The following materials are considered to be appropriate (but not mandatory) for sign backgrounds, frames, supports, and ornamentation: brick; natural stone, stained split face block, and wood, and metal panels when used in combination with brick, split-face block, or stone;
7. Landscaping. Landscaping islands or landscaping strips shall be used in conjunction with all freestanding permanent signs, and may utilize shrubs and plants or decorative features such as concrete bases or planter boxes that do not contain copy. Landscaping shall be located to prevent automobiles from hitting the sign structure and to improve the overall visual appearance of the structure. Landscaping shall be maintained throughout the life of the sign.

14-2905. PROHIBITED SIGNS.

Except as may be authorized by this article, the following signs shall be prohibited in all zoning districts, and may neither be erected nor maintained.

- a. Abandoned or dilapidated signs.
- b. Projecting signs extending more than 12 inches from the surface of the structure, including the roof line, or extending beyond the property line, unless specifically permitted by provisions herein.
- c. Roof signs.
- d. Portable signs.
- e. Any internally illuminated sign, unless allowed within a commercial district.
- f. Any commercial sign located in a residential district not otherwise provided for in this article.
- g. Any sign that obstructs free ingress or egress through a required door, window, fire escape or other required exit way.
- h. Any sign which by reason of its location, position, size, shape or color may obstruct, impair or otherwise interfere with the view of, or be confused with, any traffic control sign or signal erected by a public authority. To those ends, no sign shall use the words, "slow", "stop", "caution", "yield",

- "danger", "warning" or "go" in a manner that misleads, confuses or distracts a vehicle driver.
- i. Any sign which by reason of its location, position, size, shape, materials or other physical characteristics poses a safety hazard to drivers, pedestrians or residents.
- j. Any sign that exhibits statements, words or pictures of an obscene nature, as defined by the United States Supreme Court.
- k. Any other sign not specified in this chapter which is not a lawful nonconforming sign.
- l. Electronic Message Center display signs as defined herein, except as provided for in the **Central Business District (CBD)** Intermediate Business (IB), Planned Commercial District (PCB), Light Industrial (LI), Airpark Light Industrial (ALI), Heavy Industrial (HI), and in the Tourist Accommodation (TA) District. .
- m. Signs posted on elevated walkways in the City.
- n. Marquee signs.
- o. Signs in the median of any public right-of-way.

14-2906. ALLOWABLE SIGNS BY ZONING DISTRICT

All signs designated in this section shall conform to the standards established herein, in addition to those applicable standards set forth elsewhere in this chapter.

1. Signs allowed in all zoning districts. The signs listed below are allowed in all zoning districts, provided that such signs are on private property unless otherwise provided; that such signs are maintained in a manner that does not create a safety hazard; and that the specific restrictions set forth for each type of sign listed below shall apply wherever such a sign is erected, displayed or maintained.
 - a. An official sign or notice issued or required to be displayed on private property by any court, governmental entity, or public office, whether permanent or temporary.
 - b. Traffic and directional, warning or information signs authorized by a governmental entity, whether permanent or temporary.
 - c. A private street or road name sign located at an intersection that does not exceed two square feet per face and does not advertise any commercial name, message or logo.
 - d. Incidental signs not exceeding two square feet in area per face. Such signs proclaiming "no trespassing", "no hunting", "no parking", "entrance", "exit", "loading only", "phone", "ATM" and the like shall be considered incidental to the use of property.
 - e. Temporary window signs that do not exceed 25 percent of the area of the window or any glass door to which they are attached. All window signs shall be in conformance with all applicable safety and electrical codes.
 - f. Permanent window signs that do not exceed ten percent (10%) of the area of the window or any glass door to which they are attached. All window graphics signs shall be in conformance with all applicable safety and electrical codes.
 - g. Signs denoting a property as historic. Such signs shall be authorized by a recognized historical agency and shall not exceed three (3) square feet per face nor exceed six (6) feet in height. Such signs are not permitted in public right of ways.
 - h. Non-commercial flags/government flags/civic flags, limited to 60 square feet per face, displayed in a non-commercial manner; provided that planning commission approval shall be required for supporting flag poles erected on property zoned for commercial or service-institution uses and for

flag poles exceeding 30 feet in height in any zoning district.

- i. Decorative flags (non-commercial.) One decorative flag, whether temporary or permanent, may be displayed on any lot provided that it does not contain any commercial message, logo or symbol. No flag pole shall exceed 30 feet in height.
- j. Building marker. Any permanent building marker, limited to four square feet of sign face and composed of materials compatible to the identified building.
- k. Holiday/seasonal. Temporary signs or displays of a seasonal or holiday occasion may be displayed on any lot for periods of up to 60 days, provided that they do not contain any commercial message or logo and do not create a sight visibility hazard.
- l. Non-commercial art. Any outdoor artwork, mural, sculpture and the like may be displayed on a lot, provided that it does not contain any commercial message or logo and does not create a sight visibility hazard. Where such outdoor art is part of a site that is subject to the planning commission's jurisdiction, the outdoor art shall be considered part of the development that is subject to the planning commission's review and approval.
- m. Real estate signs. Freestanding real estate signs may be erected for any property that is offered for sale, rent or lease. The area for such signs shall count toward the total allowable area for temporary signs on the property and shall comply with other applicable size and height restrictions for temporary signs. Open house notification may be incorporated within the maximum sign area of the real estate sign or on a separate sign, provided that if such notification is on a separate sign, it shall also count toward the allowable area for temporary signs on the property. The signs shall not be located within a public right-of-way and shall not create any sight visibility hazard.
- n. Athletic field signs (temporary). Such signs shall be limited to 60 square feet each; shall not be visible from a public road; shall be mounted to the interior athletic field fence in a safe and secure manner; and shall be erected at the beginning of the athletic season and removed within seven days of the final season game.
- o. Scoreboards associated with athletic fields.
- p. Temporary Signs permitted in the right-of-way by the Chief Building Official under the city council's current temporary sign policy. Temporary signs shall be located at least ten feet from the back of the street curb, edge of pavement or stabilized shoulder, unless a greater distance is required to remove such sign from the street right-of-way or sight distance triangle. No temporary signs shall be permitted within any median which is within a public right-of-way
- q. Banners, pennants, festoons and balloons, provided the height of these objects does not exceed the maximum height of ten (10) feet, as measured from the ground surface to the highest extent of the banner, pennant, festoon or balloon. Each individual, inflated balloon shall be singularly attached to a string, rope, ribbon or other source of anchoring that is securely affixed to an object firmly to the ground. All balloons shall have a tag, stamp or other label stating the owner's name and address of origin identifying the source of the balloon should it become detached from the premises.

b. Signs permitted in residential districts (R-1, RP-1, RD-1, R-2, R-3 and MHP):

1. Signs listed in Section 14-2906(a) herein.
2. Permanent Multi-Family or Planned Residential Development Signs. Such signs shall be located at the primary entrance(s) to a development as identified on a final site development plan approved by the planning commission. The signs shall be located on private property and may be within any platted sign and/or landscape easement or within the common open space and approved by the planning commission. Such signs shall be maintained by an established property owners' association.
Specifications : Sign area - 80 square feet per sign maximum per entrance, which may be divided among not more than two freestanding sign faces (no single sign face shall exceed 40 square feet); with a maximum placement at three entrances per development; sign height - six (6) feet, maximum; setback - ten (10) feet, minimum.
3. Subdivision Temporary Development Sign. One such sign may be erected on-site for the purpose of advertising the development of a subdivision or planned residential development, and the sale of included lots. The sign may remain until sale of 80% of the subdivision lots is completed. No other temporary development signs shall be allowed, including individual builder signs. The names of participating builders may be included on the subdivision temporary development sign. *Specifications*: Sign area - 32 square feet per sign, maximum, one sign face, maximum; sign height - six (6) feet, maximum.
 - a. **Parcels greater than ten (10) acres in size shall be allowed subdivision temporary development signage not to exceed two hundred (200) square feet of subdivision temporary development signage across no more than 5 signs per public street frontage.**
4. Permanent planned residential development informational sign. One such sign may be erected by the homeowners' association for the purpose of displaying information regarding the association. The sign shall be located on dedicated common open space or private property only and maintained by a private homeowners' association.
Specifications: Sign area - 20 square feet, maximum, which may be divided by two sign faces; sign height - six feet, maximum.
5. Bed and breakfast sign. One permanent identification sign may be erected at the entrance to a permitted bed and breakfast lodge for the purpose of identifying the use. The sign shall be compatible in design with the historic elements of the site and shall not be internally or externally illuminated.
Specifications: Sign area - Eight square feet total, to be contained on a maximum of two sign faces, no one sign face containing more than four square feet; sign height - six feet, maximum.
6. Residential personal identification signs. One personal identification sign per residence not to exceed two square feet shall be allowed; except that residential tracts of ten acres or more shall be allowed two such sign faces not to exceed 10 square feet per face.
7. Signs for community facilities located in residential districts shall conform to the provisions applicable to the Permanent Residential Subdivision Signs, provided for in (2) above.
8. Retail or office uses located inside multiple family residential buildings may display one identification wall sign on the exterior of the home/building.
Specifications: Maximum sign face area, four (4) square feet, to be contained on a maximum

of one sign face per lot per street, and may extend no more than 1 foot from the building. No illumination is to be used on said signs.

9. A home occupation shall be limited to one wall mounted sign, mounted flat against the structure.

Specifications: Maximum sign face area, two (2) square feet. No illumination, flash, glimmer, flutter, or movement by electronic, wind or other means on said signs.

10. Temporary Signs. In addition to the other signs identified in this subsection, temporary, freestanding, non-commercial signs may be posted on any lot in a residential district at any given time. This category includes, but is not limited to: real estate signs; political preference signs; garage sale signs; non-commercial baby announcements; lost pet signs; social/special event announcements; or any other non-commercial messages. Any such signs announcing a social/special event shall be removed within 48 hours after the event.

Specifications:

- a. Sign area for lots of five acres or less - 20 square feet, maximum, which may be divided into a maximum of five (5) signs, provided that no single sign may exceed eight (8) square feet in area.
- b. Sign area for lots exceeding five acres - 32 square feet, maximum, which may be contained on one sign or multiple signs not to exceed ten (10); sign height for all lots - six (6) feet, maximum.
- c. Where a temporary sign contains two back-to-back sign faces, the sign area shall be computed using only one of the sign faces.
- d. Temporary signs shall be located at least ten feet from the back of the street curb, edge of pavement or stabilized shoulder, unless a greater distance is required to remove such sign from the street right-of-way or sight distance triangle.
- e. No temporary signs shall be permitted within any median which is within a public right-of-way.

c. Signs allowed in Office, Medical Professional-Restricted (OMP-R), Office Medical and Professional (OMP), Local Business (LB) Districts, Mixed Use District (MUD) and Central Business District (CB):

1. Signs listed in Section 14-2906(a) herein.
2. Signs listed in Section 14-2906(b)(2), (3), (4), (5), (6), (7), (8), and (9).
3. In addition to those listed above, all Professional Offices, Medical and/or Commercial Uses are allowed one (1) permanent freestanding monument sign or ground mounted sign with a sign face not to exceed forty (40) square feet for each sign face with a maximum of two sign faces and which MAY NOT BE animated or include an Electronic Message Center. The maximum height for the freestanding sign is six (6) feet.
4. All residential property in these districts may post temporary signs in the size and number as is provided in Section 14-2906(b)(10) above.
5. All professional offices, medical and/or commercial uses may post temporary signs, including banners which do not cross a public road or right of way, as follows: Temporary freestanding signs shall be limited to two per lot at any given time. Such signs include but are not limited to construction signs, political preference signs, real estate signs, and social/special event announcements. One construction sign may be maintained for the duration of the construction project, from the issuance of the building permit to the issuance of a certificate of occupancy.

Real estate signs may remain if the property is for sale, lease, or rent. Other temporary freestanding signs shall be limited to a period of not to exceed 60 days in any calendar year. Any signs announcing a social/special event shall be removed within 48 hours after the event. *Specifications:* Sign area - 32 square feet sign maximum, which may be divided by a maximum of two sign faces; sign height - six (6) feet, maximum. When a temporary sign contains two back to back sign faces, the sign area shall be computed using only one of the sign faces.

6. Wall signs. All professional offices, medical and/or commercial uses may post up to three wall signs, mounted in a flat fashion, which are limited to ten percent (10%) of the measurement of the front wall, from ground to roof, multiplied by length of wall, measured end to end, per road frontage, and which may be illuminated BUT NOT ANIMATED OR INCLUDE AN ELECTRONIC MESSAGE CENTER.

Specifications: Sign area - Each sign area is limited to 40 square feet per street frontage, having a maximum of three (3) wall signs. For the purposes of this article, painted wall signs and canopy signs shall be calculated and deducted from the total allowable wall sign area.

7. Gasoline trade signs.

- a. Freestanding signs. Premises that dispense retail bulk petroleum products by pump shall be allowed to display the pricing of such products within a single freestanding sign. *Specifications:* Sign area - 80 feet, maximum, which may be divided by a maximum of two sign faces (no single sign face shall exceed 40 square feet); sign height - six (6) feet.

- b. Canopy signs. When an enclosed principal structure exists, all canopy signs shall be calculated and deducted from the total allowable wall sign area of the principal structure. In the absence of an enclosed principal structure, for the purposes of this subsection, canopy signage shall be allowed in addition to the allowable freestanding sign. With the exception of the measurable area for placement of the canopy sign, no internal illumination or back lighting of the outside canopy area or canopy roof line shall be allowed.

Specifications: Sign area - 30 square feet, maximum divided between not more than three canopy signs (no single sign shall exceed ten percent per facade).

8. Menu Boards, as defined herein, and if used in connection with a permitted use, may be used in conjunction with a restaurant providing drive-through or curb-side service, provided that:

- a. Such structures shall be included in the development site plan as approved by the planning commission and shall be contained within the buildable area of the site.
- b. Restaurants providing drive-through but not curb-side service may have no more than two menu boards, not to exceed six feet in height and 30 square feet in total size.
- c. Restaurants providing curb-side service may have no more than one menu board per bay, not to exceed six (6) square feet per sign face for each menu board.

- ~~9. In lieu of a permanent freestanding monument sign, a property in the Central Business District may display one projecting sign, per front facade, not to project more than 3 feet, 6 inches from the building.~~

~~*Specifications: Sign Area - Maximum of six (6) square feet per sign face, with a two sign faces, two face maximum. Bottom of sign shall be no less than 7 feet, 6 inches above the sidewalk.*~~

10. In Central Business District only:

a. ~~One (1) Sandwich Board sign per front facade.~~

~~Specifications: Sign Area—Maximum of six (6) square feet per sign face, with a two face maximum, and a maximum width of thirty (30) inches. Maximum height of 4 (four) feet. There shall be a minimum distance of five (5) feet between the sandwich board and the front of the building to create an unobstructed passage that meets current ADA clearance standards.~~

b. ~~One (1) sign suspended underneath the overhead sidewalk per building facade not to exceed two (2) square feet, having a minimum of ten (10) feet of ground clearance and shall not project beyond the limits of the overhead sidewalk structure.~~

d. Signs allowed in Central Business District (CB):

- a. Signs listed in Section 14-2906(a) herein.
- b. Signs listed in Section 14-2906(b)(2), (3), (4), (5), (6), (7), (8), and (9).
- c. In addition to those listed above, all Professional Offices, Medical and/or Commercial Uses are allowed one (1) permanent freestanding monument sign or ground mounted sign with a sign face not to exceed forty (40) square feet for each sign face with a maximum of two sign faces and which MAY NOT BE animated or include an Electronic Message Center. **Parcels greater than three (3) acres in size may be allowed an Electronic Message Center (EMC), as defined in this article, on a monument sign or ground mounted sign so long as the EMC portion of the total sign area does not exceed twenty (20) square feet. All monument signs constructed, containing EMCs on said parcels greater than 3 acres, shall match the architectural style and construction materials of the principal structure. The maximum height for the freestanding sign is six (6) feet.**

a. Each intermittently lit display of text, numbers, characters or other graphic means of advertising shall constitute one (1) message. Each electronically activated message:

- 1. **Shall not change more frequently than once every eight (8) seconds with a maximum change time of two (2) seconds;**
- 2. **Video, continuous scrolling messages and animation are prohibited; in correlation and pursuant to Tennessee Code Annotated 54-21-122 as it may hereafter be amended.**

b. The area surrounding the sign base shall be landscaped with appropriate planting materials.

c. Electronic Message Center Luminance Levels shall not exceed the following standards:

- 1. **For daylight hours, the maximum luminance level for digital signage should be similar to what the luminance of an identical sign would be if it was printed out and installed on a static advertising structure. In other words, the digital sign would appear no brighter, no more intense, than the printed sign next to it, or the landscape surrounding it. In practice, setting a limit of 5000 nits**

(setting the sign's intensity so that an area on it displaying full-brightness white has no higher luminance than that figure) ends up delivering a surface brightness similar to landscape illuminated by sunlight during daytime hours and 0.3 foot-candles limit of light trespass from the property line for dusk, dawn and nighttime light trespass onto adjoining property similarly zoned for commercial purposes.

2. All self-luminous outdoor signs shall be subject to surface luminosity limits, both during the daytime and nighttime hours. During the daytime, based on normal daylight illumination, a maximum limit of 5,000 nits will keep luminous signage balanced with the surrounding landscape. During the nighttime hours, a luminosity limit of 150 nits will provide a surface brightness for digital signs which is comparable to the nighttime signage which is widespread across this nation, and is in line with the sign illumination level recommendations of the Illuminating Engineering Society of North America (IESNA).
 - a. If the nighttime luminance setting and limit is based on the sign in question being set to display full white, full brightness field, a limit as high as 200 nits for this method of calibration and testing is suitable.
 - b. Incremental luminance limits between the nighttime limit and the full sunlight limit may also be specified for overcast or foggy days, or for dusk; or
 - c. The Building Official shall require of the sign owner an automatic control of sign luminance based on the ambient lighting condition, to throttle the sign luminance between the sunny-day and night maximums.
3. Surface luminosity measurements shall be made directly with a calibrated luminosity meter, following the instrument manufacturer's instructions. Readings should be taken from the area (generally of roadway) where the sign in question will be visible from, and which is closest to being directly in front of the sign (where the luminosity output is most focused).
4. Outdoor signage shall obey light trespass regulations.
 - a. Into areas zoned for any type of residential occupation (including parks and preserves so zoned), a trespass limit of 0.1 foot-candles shall be enforced at the property line.
 - b. Properties zoned for commercial purposes shall utilize a trespass limit of 0.3 foot-candles or less at the property line.
 - c. The above light trespass limits are based on considerations of "light trespass," as developed in a report (*IESNA TM-11-00 Light Trespass: Research, Results and Recommendations*), wherein a recommended "brightness" limit and measurement technique is presented.

- d. The technique uses an illuminance meter ("footcandle" meter) held at a height of 5 feet above the ground and a distance of between 150 and 350 feet from the sign under consideration, depending on the size of the sign, and aimed at the sign.
- e. The illuminance level with the sign lighting on is compared with a measure made with the sign off: if the value differs by 0.3 foot candles or less is at an acceptable level.
- f. This method effectively limits the luminance of signage to 300-350 nits.

5. Electronic Message Centers shall not be located any closer than 50 feet from any intersecting right-of-ways.

6. All monument sign structures including Electronic Message Centers must be reviewed by the building codes official and the applicant advised of conformance prior to construction.

- 4. All residential property in these districts may post temporary signs in the size and number as is provided in Section 14-2906(b)(10) above.
- 5. All professional offices, medical and/or commercial uses may post temporary signs, including banners which do not cross a public road or right of way, as follows: Temporary freestanding signs shall be limited to two per lot at any given time. Such signs include but are not limited to construction signs, political preference signs, real estate signs, and social/special event announcements. One construction sign may be maintained for the duration of the construction project, from the issuance of the building permit to the issuance of a certificate of occupancy. Real estate signs may remain if the property is for sale, lease, or rent. Other temporary freestanding signs shall be limited to a period of not to exceed 60 days in any calendar year. Any signs announcing a social/special event shall be removed within 48 hours after the event.
Specifications: Sign area - 32 square feet sign maximum, which may be divided by a maximum of two sign faces; sign height - six (6) feet, maximum. When a temporary sign contains two back to back sign faces, the sign area shall be computed using only one of the sign faces.
- 6. Wall signs. All professional offices, medical and/or commercial uses may post up to three wall signs, mounted in a flat fashion, which are limited to ten percent (10%) of the measurement of the front wall, from ground to roof, multiplied by length of wall, measured end to end, per road frontage, and which may be illuminated BUT NOT ANIMATED OR INCLUDE AN ELECTRONIC MESSAGE CENTER.
Specifications: Sign area - Each sign area is limited to 40 square feet per street frontage, having a maximum of three (3) wall signs. **Parcels greater than three (3) acres in size shall be allowed wall signage, limited to ten percent (10%) of the measurement of the front wall, from ground to roof, multiplied by the length of wall, measured end to end, per road frontage not to exceed four hundred (400) square feet in total and having a maximum of three (3) wall signs per public street frontage.** For the purposes of this article, painted wall signs and canopy signs shall be calculated and deducted from the total allowable wall sign area.
- 7. Gasoline trade signs.

- a. Freestanding signs. Premises that dispense retail bulk petroleum products by pump shall be allowed to display the pricing of such products within a single freestanding sign.
Specifications: Sign area - 80 feet, maximum, which may be divided by a maximum of two sign faces (no single sign face shall exceed 40 square feet); sign height - six (6) feet.
 - b. Canopy signs. When an enclosed principal structure exists, all canopy signs shall be calculated and deducted from the total allowable wall sign area of the principal structure. In the absence of an enclosed principal structure, for the purposes of this subsection, canopy signage shall be allowed in addition to the allowable freestanding sign. With the exception of the measurable area for placement of the canopy sign, no internal illumination or back lighting of the outside canopy area or canopy roof line shall be allowed.
Specifications: Sign area - 30 square feet, maximum divided between not more than three canopy signs (no single sign shall exceed ten percent per facade).
8. Menu Boards, as defined herein, and if used in connection with a permitted use, may be used in conjunction with a restaurant providing drive-through or curb-side service, provided that:
 - a. Such structures shall be included in the development site plan as approved by the planning commission and shall be contained within the buildable area of the site.
 - b. Restaurants providing drive-through but not curb-side service may have no more than two menu boards, not to exceed six feet in height and 30 square feet in total size.
 - c. Restaurants providing curb-side service may have no more than one menu board per bay, not to exceed six (6) square feet per sign face for each menu board.
9. In lieu of a permanent freestanding monument sign, a property in the Central Business District may display one projecting sign, per front facade, not to project more than 3 feet, 6 inches from the building.
Specifications: Sign Area - Maximum of six (6) square feet per sign face, with a two sign faces, two face maximum. Bottom of sign shall be no less than 7 feet, 6 inches above the sidewalk.
10. One (1) Sandwich Board sign per front facade.
Specifications: Sign Area - Maximum of six (6) square feet per sign face, with a two face maximum, and a maximum width of thirty (30) inches. Maximum height of 4 (four) feet. There shall be a minimum distance of five (5) feet between the sandwich board and the front of the building to create an unobstructed passage that meets current ADA clearance standards.
11. One (1) sign suspended underneath the overhead sidewalk per building façade not to exceed two (2) square feet, having a minimum of ten (10) feet of ground clearance and shall not project beyond the limits of the overhead sidewalk structure.
12. Secondary Access Signs. One such sign shall be allowed for each parcel exceeding three (3) acres in total size.
 - a. Within twenty-five (25) feet of the driveway entrance from a public street.
 - b. At least fifty (50) feet from the nearest street or highway intersection.
 - c. The signs may be located in a joint user access easement or private platted sign easement abutting the nearest public road, if specifically approved by the Planning Commission prior to construction.
Specifications: Sign area = forty (40) square feet maximum, sign height – six (6) feet

maximum; may contain an EMC not to exceed twenty (20) square feet only IF an EMC is not already present on the primary monument sign. Two monument signs with two EMCs will not be permitted.

- e. **Signs allowed in Intermediate Business District (IBD), Planned Commercial District (PCD), Light Industrial (LI), Airport Light Industrial (ALI), and Heavy Industrial Districts (HID), for land uses permitted in those particular zoning districts:** It is the intent of this Section to permit businesses on parcels having more than one (1) public street frontage in these commercial zoning districts to place monument signs as *secondary access signs* in addition to the one freestanding sign that is permitted in these zoning districts. A Secondary Access Sign must be situated within twenty- five (25) feet of the secondary street driveway access and at least fifty (50) feet from the nearest street or highway intersection.

1. Signs listed in Section 14-2906(a) herein.
 2. Signs listed in Section 14-2906(b)(2), (3), (4), (5), (6), (7), (8), and (9).
 3. Signs listed in Section 14-2906(c)(4), (7), and (8).
4. In addition to those listed above, the following freestanding signs are allowed in these zoning districts:
- a. One (1) freestanding Development Complex Sign at each primary entrance to a Development Complex (maximum of (3) entrances), and shall be located upon private property or within the common open space. Each sign face shall not exceed forty (40) square feet, with a maximum of two sign faces. The maximum height for the freestanding sign is six (6) feet. The sign shall be maintained by a private owner or entity. A Development Complex Sign shall be situated within twenty-five (25) feet of the driveway access and at least fifty (50) feet from the nearest street or highway intersection.

No permanent freestanding development complex sign is allowed if a "shopping center sign" as provided below exists and is approved by the Building Inspections Department.

- b. Professional Offices, Medical, Commercial (other than shopping centers) and Industrial Uses are allowed:
 1. one freestanding pole sign
Specifications: The sign face is not to exceed one (1) square foot per linear street frontage for the first 100 linear feet of street frontage, plus one (1) square foot of sign area for each 10 linear feet over 100 feet of frontage, not to exceed 200 square feet in area per sign face, with a maximum of two sign faces, back to back. Maximum height of the freestanding sign shall be no greater than twenty-five (25) feet.
- OR
2. one monument ground sign
Specifications: The maximum height of the monument sign shall not exceed six (6) feet high. The maximum sign area per sign face shall not exceed forty-eight (48) square feet. An Electronic Message Center (EMC), as defined in this article, may be used on the face of a monument sign, but it must be included in the 48 square foot total maximum area of the sign face and the EMC portion of the total sign area shall not exceed twenty-four (24) square feet.
- c. Shopping Centers as defined herein are allowed to erect one of the following freestanding

permanent sign arrangements (provided that no development complex sign exists or is approved by the Building Inspections Department):

- 1.a. One freestanding sign may be located within the development. The sign shall be located on private property or within the common open space as approved by the Planning Commission. The size of the shopping center sign per sign face shall not exceed one (1) square foot of area per linear street frontage; and no such sign shall exceed 300 square feet per sign face. The maximum height of the sign, above grade, shall not exceed 25 feet. **The minimum height clearance, from ground level to the bottom edge of the sign face, for the sign is 10 feet; and**
- b. Each parcel shall be allowed one monument sign on such parcel. The maximum height of the monument sign shall not exceed six (6) feet high. The maximum sign area per sign face shall not exceed forty-eight (48) square feet. An Electronic Message Center (EMC), as defined in this article, may be used on the face of a monument sign, but it must be included in the 48 square foot total maximum area of the sign face and the EMC portion of the total sign area shall not exceed twenty-four (24) square feet.

OR

- 2.a. A monument sign located within twenty-five (25) feet of each driveway access and at least fifty (50) feet from the nearest street intersection. The total sign area per sign face for each monument sign at each main entrance shall not exceed forty-eight (48) square feet. The maximum height for any monument sign is six (6) feet; and
 - b. Each parcel shall be allowed one monument sign. The maximum height of the monument sign shall not exceed six (6) feet high. The maximum sign area per sign face shall not exceed forty-eight (48) square feet. Such monument sign shall be located within twenty-five (25) feet of the driveway access and at least fifty (50) feet from the nearest street intersection. An Electronic Message Center (EMC), as defined in this article, may be used on the face of a monument sign, but it must be included in the 48 square foot total maximum area of the sign face and the EMC portion of the total sign area shall not exceed twenty-four (24) square feet.
5. An Electronic Message Center must meet the following requirements for display in these zoning districts:
- a. They shall be permissible only in monument or ground signs as allowed in this ordinance. Existing freestanding pole or pylon signs that are remodeled or modified to accommodate an Electronic Message Center must be reduced in height and size to meet the standards included herein (i.e. reformed to monument-type ground signs not exceeding six (6) feet in height. The maximum sign area per sign face shall not exceed forty-eight (48) square feet. An Electronic Message Center (EMC), as defined in this article, may be used on the face of a monument sign, but it must be included in the 48 square foot total maximum area of the sign face and the EMC portion of the total sign area shall not exceed twenty-four (24) square feet.
 - b. The electronically activated message section (Electronic Message Center) of the sign shall not exceed twenty-four (24) square feet in area.

- c. Each intermittently lit display of text, numbers, characters or other graphic means of advertising shall constitute one (1) message. Each electronically activated message:
 - 1. Shall not change more frequently than once every eight (8) seconds with a maximum change time of two (2) seconds;
 - 2. Video, continuous scrolling messages and animation are prohibited; in correlation and pursuant to Tennessee Code Annotated 54-21-122 as it may hereafter be amended.
- d. The area surrounding the sign base shall be landscaped with appropriate planting materials.
- e. Electronic Message Center Luminance Levels shall not exceed the following standards:
 - 1. For daylight hours, the maximum luminance level for digital signage should be similar to what the luminance of an identical sign would be if it was printed out and installed on a static advertising structure. In other words, the digital sign would appear no brighter, no more intense, than the printed sign next to it, or the landscape surrounding it. In practice, setting a limit of 5000 nits (setting the sign's intensity so that an area on it displaying full-brightness white has no higher luminance than that figure) ends up delivering a surface brightness similar to landscape illuminated by sunlight during daytime hours and 0.3 foot-candles limit of light trespass from the property line for dusk, dawn and nighttime light trespass onto adjoining property similarly zoned for commercial purposes.
 - 2. All self-luminous outdoor signs shall be subject to surface luminosity limits, both during the daytime and nighttime hours. During the daytime, based on normal daylight illumination, a maximum limit of 5,000 nits will keep luminous signage balanced with the surrounding landscape. During the nighttime hours, a luminosity limit of 150 nits will provide a surface brightness for digital signs which is comparable to the nighttime signage which is widespread across this nation, and is in line with the sign illumination level recommendations of the Illuminating Engineering Society of North America (IESNA).
 - a. If the nighttime luminance setting and limit is based on the sign in question being set to display full white, full brightness field, a limit as high as 200 nits for this method of calibration and testing is suitable.
 - b. Incremental luminance limits between the nighttime limit and the full sunlight limit may also be specified for overcast or foggy days, or for dusk; or

- c. The Building Official shall require of the sign owner an automatic control of sign luminance based on the ambient lighting condition, to throttle the sign luminance between the sunny-day and night maximums.
3. Surface luminosity measurements shall be made directly with a calibrated luminosity meter, following the instrument manufacturer's instructions. Readings should be taken from the area (generally of roadway) where the sign in question will be visible from, and which is closest to being directly in front of the sign (where the luminosity output is most focused).
4. Outdoor signage shall obey light trespass regulations.
 - a. Into areas zoned for any type of residential occupation (including parks and preserves so zoned), a trespass limit of 0.1 foot-candles shall be enforced at the property line.
 - b. Properties zoned for commercial purposes shall utilize a trespass limit of 0.3 footcandles or less at the property line.
 - c. The above light trespass limits are based on considerations of "light trespass," as developed in a report (*IESNA TM-11-00 Light Trespass: Research, Results and Recommendations*), wherein a recommended "brightness" limit and measurement technique is presented.
 - d. The technique uses an illuminance meter ("footcandle" meter) held at a height of 5 feet above the ground and a distance of between 150 and 350 feet from the sign under consideration, depending on the size of the sign, and aimed at the sign.
 - e. The illuminance level with the sign lighting on is compared with a measure made with the sign off: if the value differs by 0.3 foot candles or less is at an acceptable level.
 - f. This method effectively limits the luminance of signage to 300-350nits.
5. Electronic Message Centers shall not be located any closer than 50 feet from any intersecting right-of-ways.
6. All monument sign structures including Electronic Message Centers must be reviewed by the building codes official and the applicant advised of conformance prior to construction.
6. Secondary Access signs. Such signs shall be located:
 - a. Within twenty-five (25) feet of the driveway entrance from a public street.
 - b. At least fifty (50) feet from the nearest street or highway intersection.
 - c. The signs may be located in a joint user access easement or private platted sign easement abutting the nearest public road, if specifically approved by the planning commission prior to construction.

Specifications: Sign area = forty-eight (48) square feet maximum, sign height - six (6) feet maximum.

7. Temporary signs for office, commercial, and industrial use. Temporary freestanding signs shall be limited to five per lot at any given time. Such signs include but are not limited to real estate signs, construction signs, political preference signs, notices such as "now hiring" or "grand opening" and social/special event announcements. One real estate sign may be maintained while the property is available for sale or while ten percent or more of the rentable space is available for lease. One construction sign may be maintained for the duration of the construction project, from the issuance of the building permit to the issuance of a certificate of occupancy. Other temporary freestanding signs shall be limited to a period of not to exceed 60 days in any calendar year. Any signs announcing a social/special event shall be removed within 48 hours after the event.

Specifications: Sign area - 32 square feet sign maximum, which may be divided by a maximum of two sign faces; sign height - six (6) feet, maximum, **excepting feather flag signs which may be no higher than ten (10) feet maximum (Ordinance 3526-11/03/2015)**. When a temporary sign contains two back to back sign faces, the sign area shall be computed using only one of the sign faces.

8. Wall signs. One (1) wall sign per road frontage shall be mounted in a flat fashion, which is limited to ten percent 10% of the measurement of the front wall, from ground to roof, multiplied by length of wall, measured end to end, per road frontage, and which may be illuminated but not be animated or include an Electronic Message Center.
9. Commercial flags/non-governmental flags.
Specifications: Sign area - No flag shall exceed 24 square feet per face; flag pole height - 30 feet, maximum.
10. Directory signs located on private property not exceeding 48 square feet nor six (6) feet in height, providing orientation within a planned residential development, development complex, shopping center, mixed use development, or medical park listing such information as on-site businesses and other tenants and their respective activities.

e. Signs Allowed in Tourist Accommodation (TA) District.

1. Signs listed in Section 14-2906(a) herein.
2. Each lot which meets or exceeds the minimum requirements of the Zoning District may erect two freestanding permanent signs, as follows:
 - a. One designated "Interstate Highway Identification Sign" which shall be placed so as to display towards the major highway (Interstate 81). This primary sign has a maximum height of one hundred twenty-five (125) feet and a maximum sign face area of 400 square feet per sign face with a maximum of two sign faces. An Electronic Message Center (EMC), as defined in this article, may be used on the primary sign, but the EMC must be included in the 400 square foot maximum area sign face and shall not exceed 50% of the total sign face.
 - b. One secondary which shall be placed so as to display towards an arterial or collector street. The secondary sign has a maximum height of twenty-five (25) feet, and a maximum sign face area of one (1) square foot per one (1) linear foot of road frontage with a maximum sign face area of one hundred (100) square feet per sign face, with a maximum of two sign faces. An Electronic Message Center, as defined in this article, may be used on the secondary sign, but it must meet the following provisions:

1. The electronically activated message section (EMC) shall not exceed 50 percent of the permitted sign area nor be located above fifty percent (50%) of the permitted sign height.
2. Each intermittently lit display of text, numbers, characters or other graphic means of advertising shall constitute one (1) message. Each electronically activated message shall not change more frequently than once every eight (8) seconds with a maximum change time of two (2) seconds; video, continuous scrolling messages and animation are prohibited in correlation and pursuant to Tennessee Code Annotated 54-21-122 as it may hereafter be amended.
3. The area surrounding the sign base of a highway identification sign and a secondary access sign shall be landscaped with appropriate planting materials.
4. Electronic Message Center Luminance Levels shall not exceed the following standards:
 - a. For daylight hours, the maximum luminance level for digital signage should be similar to what the luminance of an identical sign would be if it was printed out and installed on a static advertising structure. In other words, the digital sign would appear no brighter, no more intense, than the printed sign next to it, or the landscape surrounding it. In practice, setting a limit of 5000 nits (setting the sign's intensity so that an area on it displaying full-brightness white has no higher luminance than that figure) ends up delivering a surface brightness similar to landscape illuminated by sunlight during daytime hours and 0.3 foot-candles limit of light trespass from the property line for dusk, dawn and nighttime light trespass onto adjoining property similarly zoned for commercial purposes.
 - b. All self-luminous outdoor signs shall be subject to surface luminosity limits, both during the daytime and nighttime hours. During the daytime, based on normal daylight illumination, a maximum limit of 5,000 nits will keep luminous signage balanced with the surrounding landscape. During the nighttime hours, a luminosity limit of 150 nits will provide a surface brightness for digital signs which is comparable to the nighttime signage which is widespread across this nation, and is in line with the sign illumination level recommendations of the Illuminating Engineering Society of North America (IESNA).
 1. If the nighttime luminance setting and limit is based on the sign in question being set to display full white, full brightness field, a limit as high as 200 nits for this method of calibration and testing is suitable.
 2. Incremental luminance limits between the nighttime limit and the full sunlight limit may also be specified for overcast or foggy days, or for dusk; or
 3. The Building Official shall require of the sign owner an automatic control of sign luminance based on the ambient lighting condition, to throttle the sign luminance between the sunny-day and night maximums.
 - c. Surface luminosity measurements shall be made directly with a calibrated luminosity meter, following the instrument manufacturer's instructions. Readings should be taken from the area (generally of roadway) where the sign in question will be visible from,

and which is closest to being directly in front of the sign (where the luminosity output is most focused).

- d. Outdoor signage shall obey light trespass regulations.
 - 1. Into areas zoned for any type of residential occupation (including parks and preserves so zoned), a trespass limit of 0.1 foot-candles shall be enforced at the property line.
 - 2. Properties zoned for commercial purposes shall utilize a trespass limit of 0.3 footcandles or less at the property line.
 - 3. The above light trespass limits are based on considerations of "light trespass," as developed in a report (IESNA TM-11-00 Light Trespass: Research, Results and Recommendations), wherein a recommended "brightness" limit and measurement technique is presented.
 - 4. The technique uses an illuminance meter ("footcandle" meter) held at a height of 5 feet above the ground and a distance of between 150 and 350 feet from the sign under consideration, depending on the size of the sign, and aimed at the sign.
 - 5. The illuminance level with the sign lighting on is compared with a measure made with the sign off: if the value differs by 0.3 foot candles or less is at an acceptable level.
 - 6. This method effectively limits the luminance of signage to 300-350nits.
 - e. Electronic Message Centers shall not be located any closer than 50 feet from any intersecting right-of-ways.
 - f. All monument sign structures including Electronic Message Centers must be reviewed by the building codes official and the applicant advised of conformance prior to construction.
- 3. One wall sign per roadway frontage that is mounted in a flat fashion and not to exceed ten percent 10% of the measurement of the front wall, (measuring from ground to roof, multiplied by length of wall, measured end to end, per road frontage), and which may be illuminated but not animated nor include an Electronic Message Center may be located on the surface of any building up to 1/3 of the total front wall area.
- 4. Gasoline trade signs.
 - a. Freestanding signs. Premises that dispense retail bulk petroleum products by pump shall be allowed to display the pricing of such products within a single freestanding sign. *Specifications:* Sign area - 80 feet, maximum, which may be divided by a maximum of two sign faces (no single sign face shall exceed 40 square feet); sign height - six (6) feet.
 - b. Canopy signs. When an enclosed principal structure exists, all canopy signs shall be calculated and deducted from the total allowable wall sign area
 - 5. Menu Boards, as defined herein, may be used in conjunction with a restaurant providing drive-through or curb-side service, provided that:

- a. Such structures shall be included in the development site plan as approved by the planning commission and shall be contained within the buildable area of the site;
 - b. Restaurants providing drive-through but not curb-side service may have no more than two menu boards, not to exceed six feet in height and 30 square feet in total size; and
 - c. Restaurants providing curb-side service may have no more than one menu board per bay, not to exceed six (6) square feet per sign face for each menu board.
6. Temporary freestanding signs shall be limited to five per lot at any given time. Such signs include but are not limited to real estate signs, construction signs, political preference signs, notices such as "now hiring" or "grand opening" and social/special event announcements. One real estate sign may be maintained while the property is available for sale or while ten percent or more of the rentable space is available for lease. One construction sign may be maintained for the duration of the construction project, from the issuance of the building permit to the issuance of a certificate of occupancy. Other temporary freestanding signs shall be limited to a period of not to exceed 60 days in any calendar year. Any signs announcing a social/special event shall be removed within 48 hours after the event.

Temporary signs shall be located at least ten feet from the back of the street curb, edge of pavement or stabilized shoulder, unless a greater distance is required to remove such sign from the street right-of-way or sight distance triangle. No temporary signs shall be permitted within any median which is within a public right-of-way.

Specifications: Sign area - 32 square feet sign maximum, which may be divided by a maximum of two sign faces; sign height – six (6) feet, maximum, **excepting feather flag signs which may be no higher than ten (10) feet maximum (Ordinance 3526-11/03/2015)**. When a temporary sign contains two back to back sign faces, the sign area shall be computed using only one of the sign faces.

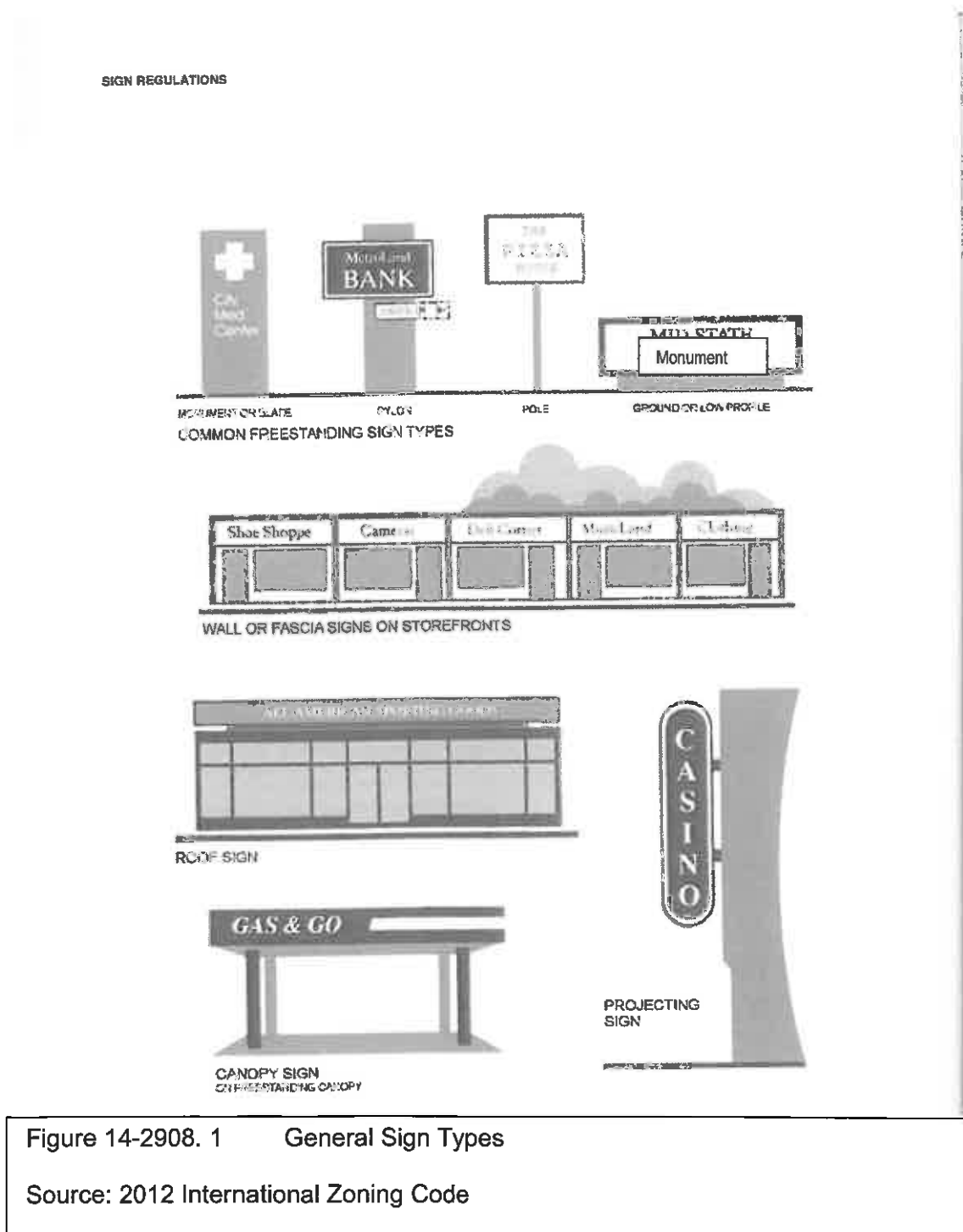
14-2907. ADMINISTRATION AND ENFORCEMENT

- a. **Regulatory enforcement.** The sign administrator and/or his designees are hereby authorized and directed to enforce all of the provisions of this article. This authority empowers such individuals to perform any necessary inspections, including entering upon private property, and to issue related citations for the enforcement of this article.
 1. Violation notice. The sign administrator shall order the removal of any sign erected or maintained in violation of this article upon private property, providing ten days' written notice to the owner of the premises upon which the offending permanent sign is located to achieve compliance with provisions of this article. If, after ten days, the property owner has failed to achieve compliance with this article, a citation to municipal court shall be issued. When good faith efforts to bring a sign into compliance have begun within ten days of notice of violation, the sign administrator may extend the time period for compliance with this article to a period not to exceed 30 days. In cases where the owner of the premises has previously been notified of violations on two or more occasions, a citation may be issued without prior written notice.
 2. Impoundment/disposal of signs without warning. The sign administrator, the municipal codes officer and their designees shall have the authority to remove without notice any illegal sign on public property or a public right-of-way, or any illegal sign attached to trees, fences, posts, utility

poles or other natural features. Such signs shall be considered litter and shall be subject to disposal.

3. Duration of violation. Each day that a violation of this ordinance remains shall constitute a separate violation of this ordinance for purposes of the Court's assessment of fines or penalties.
- b. In case of conflict between this ordinance or any part hereof, and the whole or part of any existing ordinance of the City, the provision that establishes the higher standard shall prevail.
 - c. If any section, subsection, clause, provision or portion of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, subsection, clause, provision or portion of this ordinance. It is the specific intention of the City that each provision in this ordinance stand or fall on its own, and not rely upon the effectiveness of other provisions in the ordinance.

14-2908. APPENDIX 29-A GRAPHIC DESCRIPTIONS



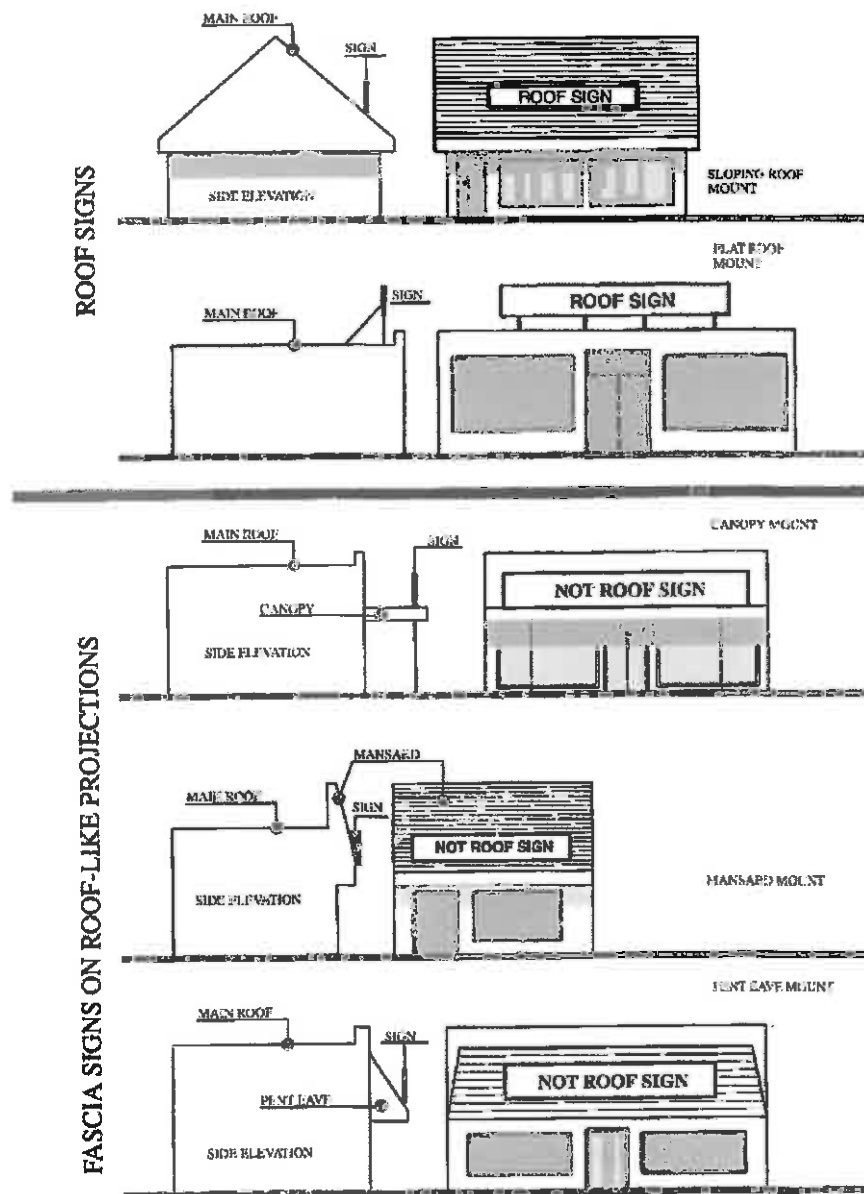
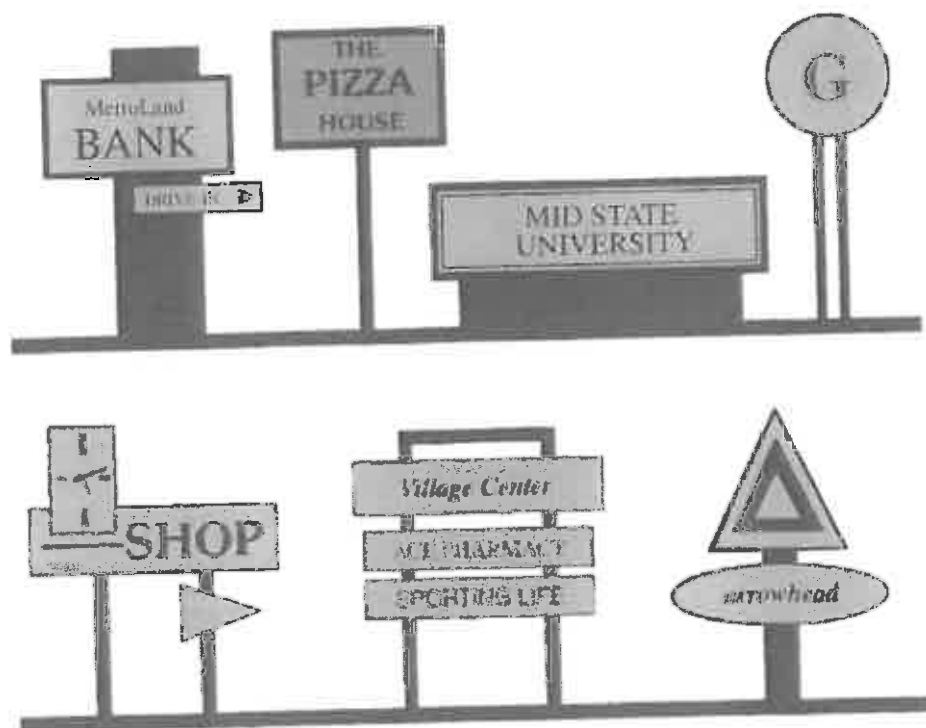


Figure 14-2908. 2 Comparison – Roof and Wall or Fascia Signs

Source: 2012 International Zoning Code



SIGN STRUCTURES

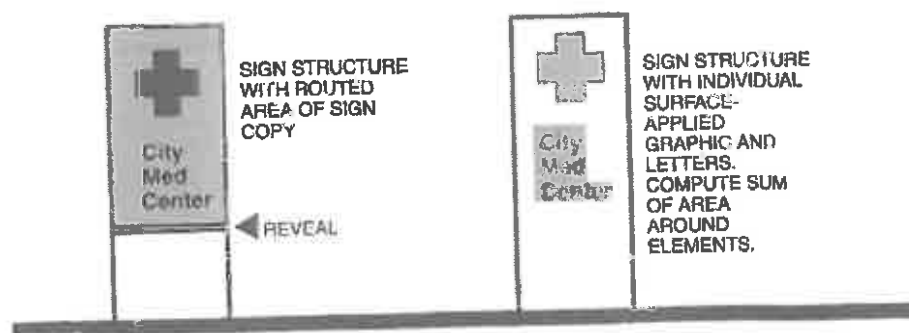
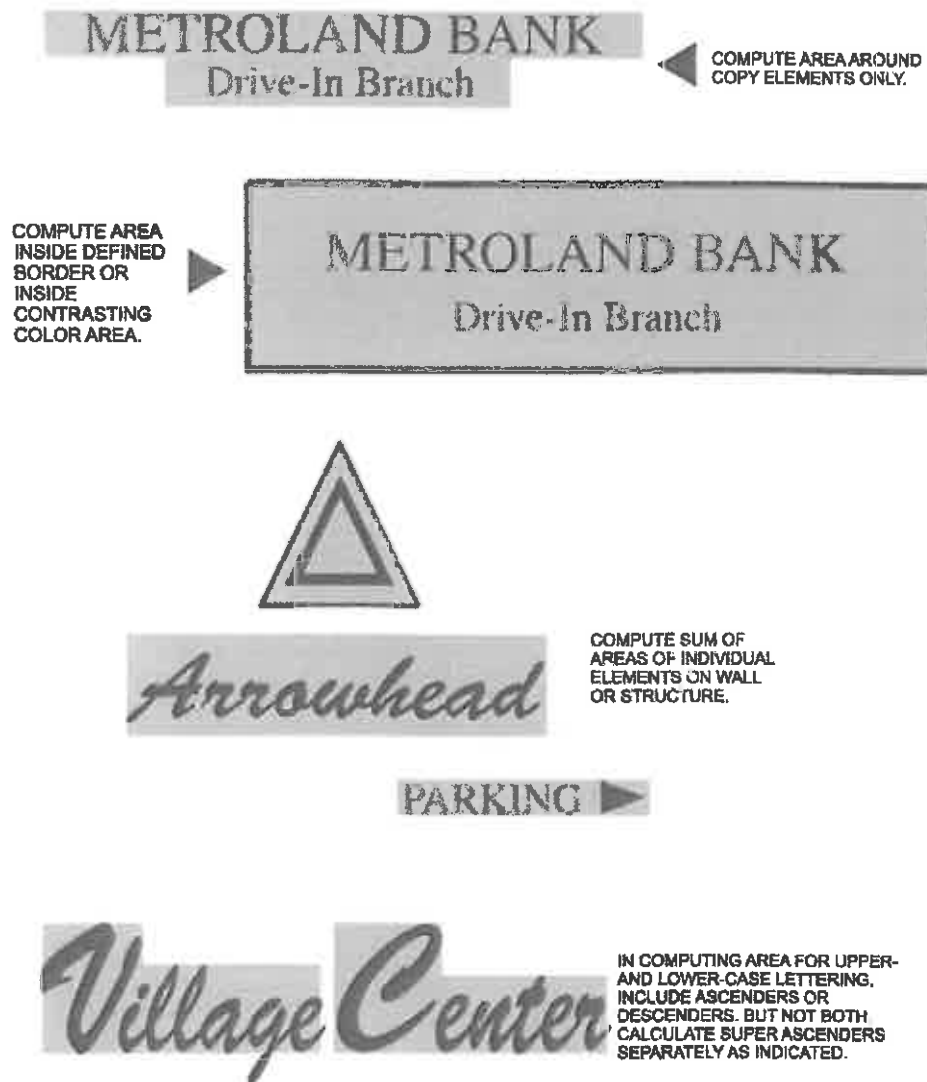


Figure 14-2908. 3

Sign Area – Computation Methodology

Notes: Sum of Shaded Areas only represents sign area. Sign Constructed with panels of cabinets.

Source: 2012 International Zoning Code



Notes: Sum of shaded areas only represents sign area for code compliance purposes. Examples of signs consisting of individual letters, elements or logos placed on building walls or structures.

Figure 14-2908.4 Sign Area – Computation Methodology

Source: 2012 International Zoning Code



Department of Community Development
West 1st North Street
Morristown, TN 37814
(423)585-4620

TO: Morristown Regional Planning Commission
FROM: Logan Engle, Planner *LE*
DATE: Zoning Text Amendment for Hamblen County Zoning Ordinance
Part K, Section 7.4 – Grandfathered Junkyards

BACKGROUND:

The current resolution states that grandfathered junkyards were to come into compliance with County rules, regulations, and codes within 5 years after 2005 or would go out of business. This requirement was a problem for several reasons:

1. A particular grandfathered land use was identified and required to come into compliance when this did not apply to other grandfathered land uses.
2. State law indicates that legal non-conforming/grandfathered uses can continue operation in perpetuity unless the use is abandoned for at least 30 months at which time the legal non-conforming/grandfathered status is surrendered by the landowner/business owner.
3. It is conflict with state law.

County Planning and Zoning staff propose deletion of this section of their Zoning Resolution.

**A RESOLUTION TO DELETE PART K, SECTION 7.4 HAMBLEN
COUNTY ZONING RESOLUTION.**

WHEREAS, The Hamblen County Planning Commission has recognized the need for the deletion of part K, Section 7.4 Hamblen County Zoning Resolution as having a conflict with State and case law; and,

WHEREAS, The Hamblen County Planning Commission does hereby recommend to the Hamblen County Board of Commissioners that the requirement that part K, Section 7.4 of the Hamblen County Zoning Resolution be deleted in its entirety.

NOW THEREFORE BE IT RESOLVED by the Hamblen County Board of Commissioners that Section 7.4 K be deleted in the Hamblen County Zoning Resolution.

Introduced by Commissioner: _____

Seconded by Commissioner: _____

Adopted by the Hamblen County Legislative Body in session duly assembled on this the
_____ 2016.

County Clerk

Rick Eldridge Chairman

BILL BRITTAIN, County Mayor

**RESOLUTION TO AMEND ARTICLE 7.4 C. AND K.
OF THE ZONING RESOLUTION OF HAMBLLEN COUNTY, TENNESSEE**

WHEREAS, the Hamblen County Board of Commissioners on December 22, 2005, adopted a Resolution to Amend Articles 5, 7.4 and 10.6 of the Zoning Resolution of Hamblen County, Tennessee; and

WHEREAS, the amended Article 7.4 C. required all salvage yards, junkyards and/or automobile wrecking yards located on a county road to conduct their business entirely within either an enclosed opaque fence, screen or wall from eight (8) feet to twelve (12) feet in height or a screen or wall composed of various designated species of trees; and

WHEREAS, the amended Article 7.4 K. provided that any nonconforming automobile wrecking, junk and/or salvage yards located on a county road would lose such "grandfathered" status with respect to Article 7.4 C. three (3) years after the adoption of the amendment; and

WHEREAS, it appears that the provision providing for a fence composed of trees has proved to be impractical and ineffective due to weather conditions, disease, slow growth and other factors; and

WHEREAS, it is the desire of the Hamblen County Board of Commissioners to eliminate fences composed of trees as an alternative to the requirement of an enclosed opaque fence, screen or wall eight (8) feet to twelve (12) feet in height and again adopt a period within which the nonconforming automobile wrecking, junk and/or salvage yards would lose their "grandfathered" status; and

WHEREAS, the Hamblen County Board of Commissioners has submitted the proposed changes to the Hamblen County and Morristown Regional Planning Commissions and held a public hearing on the 18th day of November, 2010;

NOW, THEREFORE, BE IT RESOLVED by the Hamblen County Board of Commissioners meeting in regular session on the 18th day of November, 2010, that the current Articles 7.4 C. and K. of the Hamblen County Zoning Resolution are hereby deleted in their entirety and in substitution thereof, the following Articles 7.4 C. and K. are adopted:

- C. All automobile wrecking, junk and/or salvage yards located on a county road shall be conducted entirely within an enclosed opaque fence, screen, or wall, excepting driveway areas, from eight (8) feet to twelve (12) feet in height. Any fence, screen or wall for screening purposed shall be

properly painted or otherwise maintained in good condition. Variances may be granted by the Board of Zoning Appeals where travel safety is an issue.

- K. **AMORTIZATION SCHEDULE.** With respect to Article 7.4 A., C., D., E., and F., any nonconforming automobile wrecking, junk and/or salvage yard considered "grandfathered" under this Resolution or general law shall lose such grandfathered status with regard to Article 7.4 A., C., D., E., and F. three (3) years after the adoption of this amended Article 7.4.

FURTHER RESOLVED that the Planning Director shall send a copy of this Resolution to each grandfathered junkyard located in Hamblen County, Tennessee, outside the boundaries of the City of Morristown and located on a county road.

WHEREFORE, it was moved by _____ and seconded by _____ that this Resolution be adopted.

Voting Aye: _____

Voting Nay: _____

Pass: _____

_____ The Chair declared the Resolution adopted this _____ day of _____, 2010.

Commissioners Hamblen County Board of

By:

Stancil Ford, Chairman

APPROVED:

ATTEST:

By: _____
Bill Brittain,
Hamblen County Mayor

Linda Wilder,
Hamblen County Clerk

PUBLIC NOTICE OF PUBLIC HEARING

The Hamblen County Board of Commissioners, at its regularly monthly meeting to be held at 5:00 p.m. in the Hamblen County Chancery Courtroom in the Hamblen County Courthouse on the 18th day of November, 2010, will hold a public hearing to consider proposals to amend the Hamblen County Zoning Resolution. The proposed amendments include revisions of Article 7.4. C. and K. deleting or eliminating planted trees as an alternative to normal fencing materials. A proposed amortization schedule would require grandfathered automobile wrecking yards, salvage yards and junkyards to meet this new restriction set out in the Hamblen County Zoning Resolution within three (3) years from the date of passage. A complete copy of the proposed amendment may be obtained in the County Mayor's Office at 511 West Second North Street, Morristown, Tennessee.

Chairman Stancil Ford

G:\Documents\Hamblen County\2010\PublicNotice-Junkyards.10-10.vpd

* Run this Public Notice at least fifteen (15) days prior to November 18, 2010.



Department of Community Development
West 1st North Street
Morristown, TN 37814
(423)585-4620

TO: Morristown Regional Planning Commission
FROM: Logan Engle, Planner *LE*
DATE: Zoning Text Amendment for Hamblen County Zoning Ordinance
Section 6.11 – Accessory Buildings

BACKGROUND:

Due to various issues the County is facing in regard to issuance of permits for accessory buildings, the County is seeking to alter their ordinance. Currently, the Hamblen County Zoning Resolution allows accessory buildings up to 1000 square feet. As such, the Hamblen County Board of Zoning Appeals has received many variance requests to allow garages and other accessory structures in excess of 1000 square feet. This issue has put the Hamblen County BZA in a challenging position – granting variances that are not in line with state law. State law only allows for BZAs to grant variances for topographical reasons or unusual circumstances.

Staff of the Hamblen County Planning and Zoning Office is recommending deletion of the maximum square footage requirement for accessory structures, and, instead, the amendment requires any size accessory structure so long as the building meets all building setbacks and any other requirement, regulation, or code. Accessory structures over 1000 square feet will be required to obtain a storm water permit. The amendment also indicates that no variances shall be allowed on any of these aforementioned requirements.

A RESOLUTION TO AMEND SECTION 6.11 ACCESSORY BUILDINGS, HAMBLÉN COUNTY ZONING RESOLUTION

WHEREAS, The Hamblen County Planning Commission has recognized the need for an amendment to Section 6.11 Accessory Building Regulations/Restrictions; and,

WHEREAS, The Hamblen County Planning Commission does hereby recommend to the Hamblen County Board of Commissioners that Section 6.11 Part A be deleted in its entirety and replaced with the following:

Accessory buildings and structures must meet all of the zoning setbacks required of a principal structure in that zoning district. There are no size limitations for an accessory structure but an accessory building over 1,000 square feet must get a storm water permit. No variances shall be allowed on any of these requirements.

NOW THEREFORE BE IT RESOLVED by the Hamblen County Board of Commissioners that Section 6.11 A of the Hamblen County Zoning Resolution be deleted and replaced with:

Accessory buildings and structures must meet all of the zoning setbacks required of a principal structure in that zoning district. There are no size limitations for an accessory structure but an accessory building over 1,000 square feet must get a storm water permit. No variances shall be allowed on any of these requirements.

Introduced by Commissioner: _____

Seconded by Commissioner: _____

Adopted by the Hamblen County Legislative Body in session duly assembled on this the

2016.

County Clerk

Rick Eldridge Chairman

BILL BRITTAIN, County Mayor

- D. To distinguish such private permanent easements from a public road, any such sign designating the name of such private easement shall be a white sign with black lettering, as opposed to the normal green sign with white lettering now being used to designate the County's public roads.
- E. No action taken by Hamblen County, the Hamblen County Road Department or the Hamblen County Planning Commission under Article 6.10, shall in any way be constructed as the acceptance of such private permanent easement as a county road and no acts taken by Hamblen County or the Hamblen County Planning Commission shall make Hamblen County responsible for the future maintenance of such private permanent easement.
- F. Nothing herein shall be construed as authorizing or encouraging development in contravention of this Zoning resolution, the Hamblen County Subdivision Regulations, or the laws of the State of Tennessee.

6.11 Accessory Building Regulations/Restrictions (Jan. 21, 2010)

- A. Accessory buildings or structures shall comply with all applicable setback requirements found in Article 9 of this Resolution and be located a minimum of five (5) feet from the principal dwelling. An accessory building or structure shall not exceed one thousand (1,000) square feet in gross floor area or one story in height, except as otherwise provided when a variance to the location, size or height has been requested and is granted by the BZA. In no case shall the height or size of an accessory building, used for any purpose, exceed two stories or three thousand (3,000) square feet in gross floor area. In addition, in a residential zoning district, the total allowable gross floor area for all accessory buildings shall not exceed three thousand (3,000) square feet.
- B. An accessory building is not intended for, nor may it be used for, permanent human habitation. However, detached living quarters may be allowed in an accessory building (i.e., garage apartment) located on the same premises as a dwelling for the exclusive use of the owner, or temporary guests of the owner, provided that such building: (1) complies with all locally adopted building code requirements and it has an adequate fire separation from any vehicle storage area, as required; (2) has no kitchen or kitchen facilities; (3) is not rented or otherwise used as a separate dwelling; and (4) is established on a lot or parcel of land having not less than one and one-half times the required minimum land area.

- C. A manufactured (mobile) home, camping trailer, recreational vehicle or similar type of mobile unit shall not be used as an accessory building to a residential dwelling except as provided in the following two cases. First, the BZA may approve a mobile home or other type of mobile unit as a temporary residence of the owner and his family during the construction by such owner of a permanent residence, but only while a building permit for the construction of such residence is in full force and effect. Second, a mobile home or other type of mobile unit may be used as a temporary residence when a medical hardship condition is approved by the BZA for the use of a close family member provided the medical hardship condition is adequately documented by a practicing physician. In either case, described above, the owner of the property shall be required to first submit a modified type of site plan indicating that the property is suitable and capable of accommodating both structures, and sign a notarized statement of understanding as to the removal of such mobile home or unit. To aid the BZA in reviewing and approving such requests the owner must demonstrate a reasonable, practical and economically feasible means of removing the mobile home or unit following either: a) the completion of construction of a permanent residence or, b.) when the medical hardship becomes no longer necessary. No such mobile home or unit shall exceed sixteen (16) feet in width or have any structural attachments. The mobile home or unit shall be removed from the site prior to the end of twelve (12) months from the initial date of approval when used as a temporary residence during construction, or six (6) months following termination of a medical hardship, unless an extension of time is granted by the BZA for just cause.
- D. Cargo trailers, inoperative motor vehicles, and other such similar type of objects or devices shall not be allowed to be used as an accessory building to a residential dwelling. Personal on-demand (POD) storage units and other types of large waste/material holding containers may be placed on a property and used temporarily (no longer than six months) without the need for a building permit otherwise, a permit must be obtained for its placement or the unit must be immediately removed from the property.

6.12 Habitation of Storage Buildings Prohibited. A storage building or structure, whether its use or character is that of an accessory building or as a primary miscellaneous structure, shall not be used as a place of human habitation. Storage facilities by their nature shall be constructed, equipped, and maintained so as not to constitute a fire or life safety hazard and, are designed to house inanimate objects and equipment only. (Jan. 21, 2010)'