

## 6.0 SIGNS

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### 6.1 Purpose

6.1.1 **Purpose.** The purpose of this section is to establish reasonable standards for the location of signs within the City in order to:

- a. Facilitate commerce and protect property values;
- b. Reduce traffic hazards;
- c. Prevent the accumulation of visual clutter;
- d. Encourage an attractive community appearance;
- e. Generally protect the health, safety, and public welfare;
- f. Accommodate the rights of individuals to freedom of speech and promote equity among businesses and other typical sign users; and
- g. Enable the fair and consistent enforcement of sign standards.

6.1.2 **Compelling Interest.** Preventing the proliferation of signs of generally increasing size, dimensions, and visual intrusiveness (also known as “sign clutter”) that tends to result from property owners competing for the attention

of passing motorists and pedestrians, because sign clutter:

- a. Creates visual distraction and obstructs views, potentially creating safety hazards for motorists, bicyclists, and pedestrians;
- b. May involve physical obstruction of streets, sidewalks, or trails, creating public safety hazards;
- c. Degrades the aesthetic quality of the City, making the City a less attractive place for residents, business owners, visitors, and private investment; and
- d. Dilutes or obscures messages on individual signs due to the increasing competition for attention.

6.1.2.1 Maintaining and enhancing the character of the community.

6.1.2.2 Protecting the health of the City’s tree canopy, an important community asset that contributes to the character, environmental quality, and economic health of the City and the region.

6.1.2.3 Maintaining a high quality aesthetic environment to protect and enhance property values, to leverage public investments in streets, sidewalks, trails, plazas, parks, open space, civic buildings, and landscaping, and to enhance community pride.

6.1.2.4 Protecting minors from speech that is harmful to them according to state or federal law, by preventing such speech in places that are accessible to and used by minors.

6.1.3 **Findings.** The City finds that:

6.1.3.1 Content neutrality, viewpoint neutrality, and fundamental fairness in regulation and review are essential to ensuring an appropriate balance between the important, substantial, and compelling interests set out in this Chapter and the constitutionally protected right to free expression.

6.1.3.2 The regulations set out in this Chapter are unrelated to the suppression of constitutionally protected free expression, do not relate to the content of protected messages that may be displayed on signs, and do not relate to the viewpoint of individual speakers.

6.1.3.3 The incidental restriction on the freedom of speech that may result from the regulation of signs pursuant to this article is no greater than is essential to the furtherance of the important, substantial, and compelling interests that are set out in this article.

6.1.3.4 Regulation of the location, number, materials, height, sign area, form, and duration of display of temporary signs is essential to preventing sign clutter.

6.1.3.5 Temporary signs may be degraded, damaged, moved, or destroyed by wind, rain, snow, ice, and sun, and after such degradation, damage, movement, or destruction, such signs harm the safety and aesthetics of the City's streets if they are not removed.

6.1.3.6 Certain classifications of speech are not constitutionally protected due to the harm that they cause to individuals or the community.

- a. Address signs
- b. Mail box signs
- c. Signs posted on private property relating to private parking or warning the public against trespassing or danger from animals

6.2.3.2 Signs associated with public bodies, public and private universities and schools. Such signs include:

- a. Signs erected by or on behalf of or pursuant to the authorization of a governmental body, including legal notices, identification and informational signs, and traffic, directional, or regulatory signs
- b. The temporary use of displays which include, but are not limited to, promotional signs, decorations, lighted displays and/or decorations and supporting structures and similar activities, by or for governmental entities
- c. Official signs of a noncommercial nature erected by public utilities
- d. Flags, pennants, or insignia of any governmental or nonprofit organization when not displayed in connection with a commercial promotion or as an advertising device

6.2.3.3 Signs designating historic resources

6.2.3.4 Vehicle signs painted on or attached to currently licensed motor vehicles that are not primarily used as signs, are parked in a legal space and not parked adjacent to the street, on a regular basis, and are street legal with the sign affixed.

6.2.3.5 Temporary real estate signs located on the premises which is for sale or rent no larger than 32 square feet for commercial zones, 16 square feet for residential zones 1 acre or greater, and 3 square feet for residential zones less than 1 acre.

6.2.3.6 Temporary displays, including lighting erected in connection with the observance of holidays in accordance with the adopted calen-

## 6.2 Sign Requirements

6.2.1 Permit Required. Unless otherwise exempt, it shall be unlawful for any person to erect, locate, or otherwise establish any sign described in this section except in conformity hereto. Certain signs shall require permits and certain signs are exempt from permitting but are required to meet the conditions of this section.

6.2.2 Prior to the construction or installation of a sign regulated under this ordinance, the applicant or his designee shall make application, pay the appropriate fee, and receive a permit authorizing such work.

6.2.3 Signs Exempt from Permitting

6.2.3.1 Residential use signs. Signs not exceeding two (2) square feet in area that are not of a commercial nature, such as:

dar associated with the holiday

6.2.3.7 Campaign signs (See Section 6.7.1 for regulations)

6.2.3.8 Construction signs associated with land development or building construction provided such signs are no larger than 32 square feet in size, do not exceed eight feet in height, and number not more than two per project. Such signs shall be displayed no sooner than 60 days prior to the commencement of construction and shall be removed within 10 days of completing construction.

6.2.3.9 Carport, garage, and yard sale signs not exceeding four square feet in size or four feet in height located on the site of sale and placed not more than three days in advance of the sale and removed within one day of the completion of the sale.

6.2.3.10 Signage that is coordinated with the City as part of their overall wayfinding program shall not count as directional signage and may be installed as per agreement with the City.

6.2.3.11 Public art or murals not containing a commercial message and approved through the public art process.

6.2.3.12 Employment signs

## 6.2.4 Prohibited Sign Types

6.2.4.1 Signs not listed in Table 6.1, Sign Types Established, are prohibited inclusive of, but not limited to, the following:

- a. Off premises signs except as provided for, such as auction signs
- b. Signs on vehicles, except as provided in Section 6.2.3.4.
- c. Roof signs
- d. Drone signs
- e. Mobile off premises signs /billboards
- f. Digital off premises signs /billboards
- g. Distracting, interfering, or confusing signs
- h. Animated or moving signs, including sign

walkers, mechanically driven signs or signs with moving parts.

(1.) Signsthatcauseodororsoundemission.

(2.) Moving billboard signs.

(3.) Wind signs (pennants, streamers, balloons, whirligigs, adverflags or similar devices) or flutter flags, unless otherwise allowed by this chapter.

i. Portable and Temporary Digital Signs

(1.) Signsthatareclassifiedasportable signs.

(2.) Video display or digital signs used as temporary signage.

## 6.2.5 Methods of Compliance

6.2.5.1 In the determination of maximum size of signs, the Development Director may consider a ten (10) percent alteration in signs of fifty (50) square feet or less and a five (5) percent alteration in signs of fifty (50) square feet or more, provided that such alteration is necessitated by an unusual or exceptional situation.

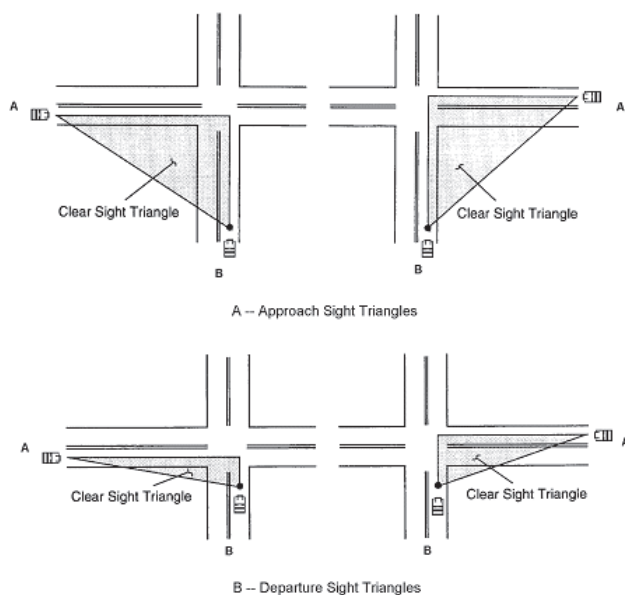
## 6.2.6 Location of Sigange

6.2.6.1 All signage shall be positioned so as to avoid or minimize sight line conflict with any other established sign.

6.2.6.2 No easement shall be permitted exclusively for the use of signage.

6.2.6.3 Signage shall not be:

- a. Located in the right-of-way or on other public property without approval of the City, nor shall any part of any sign be located no closer than 5 feet to any property line.
- b. Placed on private property without the consent of the owner or authorized agent of the owner of such property.
- c. Located in or overhanging a utility easement.
- d. Within a clear sight triangle. (See diagram below)



- e. Attached to utility poles, other utility or public infrastructure or structures, equipment, or wireless communication facilities.

6.2.6.4 Sign separation. Minimum separation of detached signage is 75 feet. If this condition is unable to be met, signage shall be placed as remotely as possible from other detached signage.

6.2.6.5 Creation of a hazardous condition. Signs may not be placed in such a way:

- a. That creates conflict with traffic control signs, signals, or various private signs resulting in vehicular or pedestrian safety hazards, including any sign placed at any location where it may, by reason of its size, shape, design, location, content, coloring, or manner of illumination, constitute a traffic hazard or a detriment to traffic safety by obstructing the vision of drivers, by obscuring or otherwise physically interfering with any official traffic control device, or that may be confused with an official traffic control device.
- b. That creates a danger to the public during periods of inclement weather or high winds due to their location or the manner in which they are placed.
- c. That creates a hazard due to collapse, fire, collision, decay, abandonment, or other

safety considerations.

- d. That obstructs firefighting or fixed police surveillance via photographic or video technology.
- e. That are improperly mounted or installed, such as signs attached to a standpipe, gutter drain, unbraced parapet wall, or fire escape, unless the safety of such sign and such mounting has been verified in writing by a structural engineer licensed to practice in the state.

6.2.7 Content. No sign shall be approved or disapproved based on the content or message it displays, except that the following content, without reference to the viewpoint of the speaker, shall not be displayed on signs:

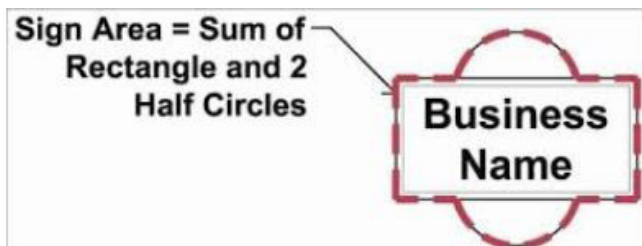
- a. Text or graphics that is harmful to minors as defined by state or federal law;
- b. Text or graphics that are obscene, fighting words, defamation, incitement to imminent lawless action, or true threats, as such words and phrases are defined by controlling law;
- c. Text or graphics that present a clear and present danger due to their potential confusion with traffic control signs;
- d. Signs that provide false information related to public safety (e.g., signs that use the words "stop" or "caution" or comparable words, phrases, symbols, or characters) that are presented in a manner as to confuse or imply a safety hazard that doesn't exist; or
- e. Text or graphics that provide false or misleading information in violation of this code.

6.2.8 Measuring Message Area

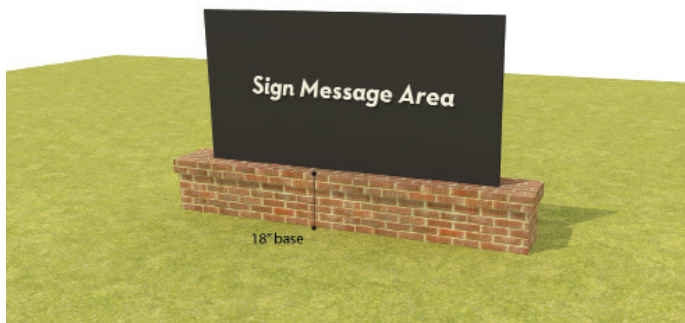
6.2.8.1 The sign message area shall mean the area of all lettering, wording, and accompanying designs, logos, and symbols. The area of a sign shall not include any non-commercial supporting framework or bracing which is incidental to the display, provided that it does

not contain any lettering, wording, or symbols.

- 6.2.8.2 The area of a two-dimensional sign is measured by encompassing the advertising display surface area within any combination of geometric figures (e.g., rectangles, squares, triangles, parallelograms, circles or ellipses), having no more than eight sides, that would enclose all parts of the sign.



- 6.2.8.3 Sign copy mounted, affixed, or painted on a background panel or area distinctively painted, textured, or constructed as a background for the sign copy, is measured as that area contained within the sum of the smallest geometric figure that will enclose both the sign copy and the background.



- 6.2.8.4 Sign copy mounted as individual letters or graphics against a wall, fascia, or parapet of a building, or surface of another structure, that has not been painted, textured, or otherwise altered to provide distinctive background for the sign copy, is measured as a sum of the smallest geometric figure that will enclose each word and each graphic in the total sign. Window signs printed on a transparent film and affixed to a window pane shall be considered freestanding letters or logos, provided that the portion of the transparent film around the perimeter of the sign message maintains the transparent character of the window and does not contain any items in the sign message.

- 6.2.8.5 Sign copy mounted, affixed, or painted and on an illuminated surface or illuminated element of a building or structure, is measured as the entire illuminated surface or illuminated element which contains sign copy. Such elements may include, but are not limited to: lighted canopy fascia signs; cabinet signs; or interior lighted awnings.

- 6.2.8.6 Only one (1) side shall be considered when determining the sign area, provided that the faces are equal in size, the interior angle formed by the faces is less than 45 degrees, and the two affixed faces are not more than 18 inches apart at the narrowest end.

- 6.2.8.7 Where the faces are not equal in size, but the interior angle formed by the faces is less than 45 degrees and the two affixed faces are not more than 18 inches apart, at the narrowest end the larger sign face shall be used as the basis for calculating sign area.

- 6.2.8.8 When the interior angle formed by the faces is greater than 45 degrees, or the affixed faces are greater than 18 inches apart at the narrow end, all sides of such sign shall be considered in calculating the sign area.

- 6.2.8.9 Building frontage shall be determined by the location of the primary building entrance or the side facing the highest classified roadway at the permittee's option.

- 6.2.8.10 The sign area of three dimensional (3D) free form or sculptural (non-planar) signs is calculated by using the largest planar section as seen from the public travel area.

## 6.2.9 Maintenance of Signs

- 6.2.9.1 All signs and components thereof, including supports, braces, and anchors, shall be maintained in like-new condition.

- 6.2.9.2 A sign shall be considered abandoned if use of the sign is discontinued for a period of six months.

- 6.2.9.3 If a sign advertises a business, service, commodity, accommodation, attraction, or other enterprise or activity that is no longer op-

TABLE 6.1 PERMITTED SIGNS BY ZONING DISTRICT

Sign Types	Zone													
	AR (A-R)	LDR (R-1)	MDR (R-2)	HDR (R-3)	TC	NC (C-2)	IC (C-3)	AC (C-4)	IN (M-1)	HRO	TCL (C-5)	VA (V-1)	IIO (II-1)	
<b>On Premises Signs - Attached</b>														
Wall	■	■	■	■	■	■	■	■	■	■	■	■	■	
Wall, Digital											□			
Window	■	■	■	■	■	■	■	■	■	■	■	■	■	
Canopy					■	■	■	■	■	■	■			
Structural Canopy							■	■			■			
Projecting					■	■	■	■	■		■	■		
<b>On Premises Signs - Detached</b>														
Monopole													■	
Pole	■					■	■	■	■	■	■		■	
Monument	■		■	■		■	■	■	■	■	■	■	■	
Detached Wall							■	■	■		■	■		
Public Directory					■		■	■			■			
Private Directory							■	■	■		■	■		
Destination Arrival											■			
Directional	■						■	■	■		■	■		
Menu Board							■	■			■			
Entrance/Exit							■	■	■		■			
<b>On Premises - Temporary</b>														
A-Frame	■				■	■	■	■	■	■	■			
Promotional Signage						■	■	■	■	■	■			
Window					■	■	■	■	■		■			
<b>Off Premises - Permanent</b>														
Off-Premise Directional Sign (Non-commercial)	■	■	■	■	■	■	■	■	■	■	■	■	■	
Subdivision		■	■	■		■	■				■			
Billboard														
Billboard, Digital														
<b>Off Premises - Temporary</b>														
Campaign	■	■	■	■	■	■	■	■	■	■	■	■	■	
Auction	■	■	■	■	■	■	■	■	■	■	■	■	■	

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

erating or being offered or conducted, that sign shall be considered abandoned after six months and the sign and its supporting structure shall be removed.

6.2.9.4 The immediate area around a free-standing sign shall be kept clear of all debris and maintained by the landowner, or by the sign owner as agent of the landowner, in an attractive manner.

6.2.9.5 The Development Director may cause to be removed any sign on which the advertising message becomes illegible in whole or in part or has been determined to be abandoned in accordance with Section 6.2.9.2 or 6.2.9.3.

6.2.10 Sign Materials and Construction. Every sign shall be: constructed of durable materials, using non-corrosive fastenings; shall be structurally safe and erected or installed in strict accordance with the currently adopted International Building Code; and, shall be maintained in safe condition and in good repair and so that all sign information is clearly legible.

6.2.11 Landscaping. Landscaping for a detached sign, both monument and pole, shall be required. The landscape standards in Section 4.12, as they relate to materials and installation methods, shall be employed.

- a. Where it is the desire of a property owner to integrate a detached sign into the front landscape edge of a site, such shall be noted on a site landscape plan.
- b. In the instance where, over time, a landscape material grows in such a way as to interfere with the sign copy, the property owner shall, prior to removing such material, provide a revised sign landscaping plan to the Development Director for approval.

6.2.12 Permits issued under this article shall lapse if any of the following conditions are met, and a sign otherwise in compliance with this article shall be in violation upon lapse of the permit authorizing it:

- a. The sign contemplated in the permit is not constructed within six months of per-

mit issuance,

- b. The permitted sign is abandoned,
- c. The business associated with a sign allows its City business license to expire or the business license is revoked.

### 6.3 Sign Types

On-premises signage will be divided into two types, attached and detached signage. Attached signage is defined as signage attached to a structure that is more than supporting structure for the sign itself. Detached signage consists of signs that use a separate supporting structure to hold the sign and serves no other purpose for the development besides holding the sign. (See Table 6.1)

### 6.4 On-Premise, Permanent

#### 6.4.1 Attached

The primary attached signage shall be calculated from permitted wall signage. At the business's selection, signage may consist of any other types of attached signage but will be subtracted from total allowable signage to arrive at the available wall signage. Attached signage consists of the following types:

Allowable Attached Sign Area		
Zoning District	Building (or Tenant Space) Frontage	Square feet of attached signage permitted
NC (C-2), IC (C-3), AC (C-4)	Widths of less than 49'	4 square feet per lineal foot
NC (C-2), IC (C-3), AC (C-4)	50' – 100'	3 square feet per lineal foot
NC (C-2), IC (C-3), AC (C-4)	Over 100'	2 square feet per lineal foot
LDR (R-1), MDR (R-2), HDR (R-3), TC, TCL (C-5), VA (V-1), IN (M-1_)		2 square feet per lineal foot

#### 6.4.1.1 Wall

- a. Definition: A sign painted on or attached and parallel to a wall of a building in such a manner

that the wall is the supporting structure.

- b. Standard: A wall sign shall not project above the roofline of the structure, except on parapet walls. The calculation of amount of wall signage is shown in the "Allowable Attached Sign Area" chart above. The area shall be computed on one street only for double frontage conditions, but total wall sign area may be divided between the walls on each street frontage.

#### 6.4.1.2 Wall, Digital

- a. Definition: A wall sign that uses digital message technology, capable of changing the static message or copy on the sign electronically.
- b. Standard:
  - (1.) Shall not be visible from any public right-of-way at any angle of approach and must be facing internal to the development as to not affect neighboring properties.
  - (2.) Must be integrated into the architecture of the structure and may not be attached to the roof or in such a way that it projects from the building.
  - (3.) Shall be limited to a singular façade of the building or tenant space.
  - (4.) May not emit odor or any substance such as fog, water, flame, etc.
  - (5.) May not emit internal sound or use external amplification equipment in conjunction with the images on the sign above fifty-five (55) dbAs.
  - (6.) Such signage shall automatically dim according to ambient light characteristics and shall not have any blinking, flashing, twinkling, strobing lights, or other similar moving effects.
  - (7.) Display transitions time between messages is limited to three (3) seconds with a minimum display time of eight (8) seconds.
  - (8.) Any commercial wording or lettering such as brand names, logos, slogans, or phrases associated with the business shall be considered wall signage and calculated toward the total allowable copy area. Art shall not count toward the allowable copy area.
  - (9.) Overall area shall not exceed twenty-five percent (25%) of the total area of a singular internal facing facade.

(10.) All submissions shall provide documentation showing the elevations, dimensions, proposed content, and location within the architecture of the structure.

(11.) Digital wall signage shall only advertise the business to which it is attached.

(12.) Digital wall signs shall only operate and/or be illuminated during business hours and shall not operate and/or be illuminated between 11:00PM and 7:00AM.

#### c. Additional Standards:

(1.) TCL: Shall be permitted on staff review and Planning Commission approval.

#### 6.4.1.3 Window

- a. Definition: A sign applied or attached to a window so as to attract the attention of persons outside the building.
- b. Standard: No more than 20% of a window pane may be used for sign message area, whether interior or exterior, including interior signs within three feet of the window. Any signage over 20% shall be counted towards maximum allowed attached sign area.
- c. No more than 50% may be covered with opaque coverings.

#### 6.4.1.4 Canopy

- a. Definition: A sign that is printed on, painted on, or otherwise attached to an awning or canopy that is attached to a building wall.
- b. Standard: No more than 40% of any awning or canopy may contain commercial messaging.

#### 6.4.1.5 Structural Canopy

- a. Definition: A sign on a covering for a fuel island upon which graphics and/or other related commercial copy is placed.
- b. Standard: No more than 20 square feet on any one side of a Structural Canopy may contain commercial messaging. Only the sides that are visible from the road frontage shall count in calculating Structural Canopy signage.

#### 6.4.1.6 Projecting

- a. Definition: A sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.



- b. Standard: A projecting sign may not be larger than 20 square feet. The projecting sign may not extend beyond 1 foot behind (towards the building) the face of the curb. The sign must be at least 8 feet from the ground to the bottom of the sign and may not be higher than 20 feet from the ground or the edge of the roof line of the building, whichever is lower. Only 1 projecting sign may be used on any face of a building.

#### 6.4.2 Detached

For all commercial zones except the Town Center (TC), Historic Residential/Office (HRO), and Tourist Commercial (C-5), the classification of the road on which the property or development sits shall guide the number, size, and regulation of the signage. The Road Classification Map may be found in the Appendix of this ordinance or at [www.seviervilletn.org/gis](http://www.seviervilletn.org/gis).

Unless otherwise permitted, each development site may have one detached pole or monument sign. The maximum allowable sign area shall be determined in accordance with the "Allowable Detached Sign Area" chart below.

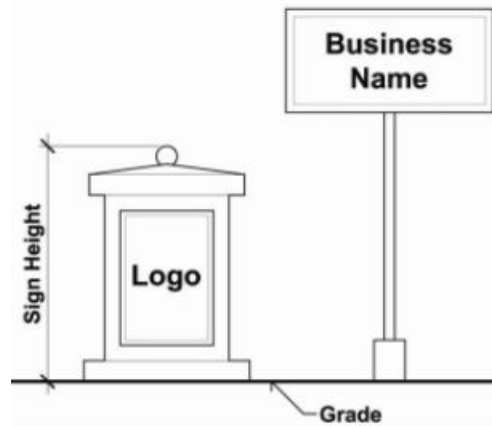
Where a particular sign type is not permitted on the specific class of road or size of development, the development may choose to follow the size requirements at the next lowest square footage to accommodate their needs.

For a development which has frontage on two arterials or one arterial and a major collector, has two entrances, and more than 1,000 feet of frontage, pole or monument signs may be used on each street.

Where the development falls below the height of the travelled roadway, the measurement of the height of a detached sign shall be measured from the center of the nearest travel lane. In all other cases, the sign shall be measured from the base ground elevation, without augmentation.

##### 6.4.2.1 Pole

- a. Definition: Any sign which is permanently affixed in or upon the ground, supported by one or more structural members, with air space of greater than 18 inches between the ground and the sign face and not attached to any building or any other structure.



- b. Standard: Developments shall be classified as Small, Medium, Large, and Extra-Large developments. The determination of size classification shall be driven by the minimum number of required parking spaces for the development, accumulated for all use types for which the sign is provided. No pole sign shall exceed 25 feet in height.
- c. See "Allowable Detached Sign Area" chart below. Up to ten (10) percent of the allowable square footage for a free standing pole sign may be composed of a fixed interval changeable message. The changeable message shall be of a single color, non-flashing with a maximum character height of 18" and maximum width of six characters per line and no more than four lines. The minimum interval for a changeable message sign to change is daily.

##### 6.4.2.2 Monument

- a. Definition: Any sign which is neither attached to nor part of another structure and which is permanently affixed in or upon the ground or upon a horizontal base feature.
- b. Standard: Developments shall be classified as Small, Medium, Large, and Extra-Large developments. The determination of size classification shall be driven by the minimum number of required parking spaces for the development, accumulated for all use types for which the sign is provided. See "Allowable Detached Sign Area" chart below. No monument sign shall exceed 20 feet in height.

- c. The supporting structure, architectural detailing, and amenities for a monument sign shall be not less than 33% of maximum allowable sign area.

Development Size Classification	
Classification	Minimum Number of Parking Spaces
Small	Less than 25
Medium	25-100
Large	101 - 400
Extra Large	401 or greater

Allowable Detached Sign Area					
		Small	Med	Lrg	XL
Arterial	Monument	150	180	225	300
	Pole	100	125	150	X
Major Collector	Monument	50	120	150	200
	Pole	30	75	100	X
Minor Collector	Monument	40	50	75	X
	Pole	25	25	50	X
Local	Monument	40	40	X	X
	Pole	25	25	X	X

6.4.2.3 Detached Wall

- a. Definition: A sign which is mounted on an otherwise required retaining wall.
- b. Standard: A detached wall sign may take the place of a monument or pole sign. The maximum allowable square footage shall be the same as the allowable sign area under the monument size requirements.

6.4.2.4 Public Directory

- a. Definition: A directional sign placed within a public right of way within City-designated areas having a concentration of lodging and tourist-related commercial and amusement uses, institutional uses, or historic resources for the benefit of the traveling public.
- b. Standard: Signage that is placed within the public right of way may contain advertisements for the area businesses contained within the area covered by the directory. A public directory sign may not advertise any location which is not covered by the directory, even if the corporate offices are located within the covered area. The number of directory signs are at the sole discre-

tion of the City.

6.4.2.5 Private Directory

- a. Definition: A sign and/or directional signage which is off of the public right of way and is not visible from the travel lanes of the public roadway.
- b. Standard: Signage for the appropriate flow of travel shall be presented to the Development Director for review and approval. Small logos identifying businesses may be used in conjunction with such directional signage but may not be visible from the street or obstruct traffic at intersections or pedestrian walkways.

6.4.2.6 Directional

- a. Definition: A permanent sign, internal to a development, utilized for the purposes of indicating the direction of any object, place or area.
- b. Standard: Directional signage may not be larger than 4 square feet and shall be placed in such a manner as to avoid traffic impact or visibility.

Signage that is coordinated with the City as part of their overall wayfinding program shall not count as directional signage and may be installed as per agreement with the City.

6.4.2.7 Menu Board

- a. Definition: A sign displaying food items and prices to patrons in vehicles in a drive-thru lane for food pick-up.
- b. Standard: Whenever possible, menu boards shall be oriented away from visible traffic. When not possible, menu boards shall be screened from public view by natural vegetation. If natural screening is not possible, then the square footage of the illuminated area shall count towards the overall amount of detached signage which is permitted for the development.

6.4.2.8 Entrance/Exit

- a. Definition: A small sign placed in close proximity to a point of ingress/egress to direct vehicles onto and off of a site.
- b. Standard: Where an entrance sign is determined to be necessary and appropriate to good traffic flow by the traffic engineer, an entrance/exit sign may be placed at the appropriate location on each adjacent road. The maximum square footage is found in the "Maximum Size and Num-

ber” chart below. The set back from the right-of-way shall be 5 feet. The Development Director may approve additional signs based on needs of the traffic patterns prior to installation.

Maximum Size and Number		
Number of Businesses	Max Size	Number
1	4 sq ft	1
2	6 sq ft	1 per entrance
3 or more	8 sq ft	1 per entrance

6.4.2.9 Subdivision

- a. Definition: A permanent on-premise sign identifying a residential subdivision, apartment complex, or other residential complex that are not overnight rentals.
- b. Standard
  - (1.) Subdivisionentrysignsmaybeattachedto a wall at the subdivision entrance or on a monument sign.
  - (2.) Attached Signs may not project above the top of the wall on which they are attached.
  - (3.) The maximum sign area is thirty-two (32) square feet for attached signs.
  - (4.) Only one monument sign or two attached signs may be placed at each subdivision entrance. A monument sign may have the subdivision name on both sides.
  - (5.) Monument signs may be located in the median at the street entrance if approved by the City in an approved plat, within a developer’s agreement, or by separate approval of the Board of Mayor and Aldermen.

6.5 On-Premise, Temporary

6.5.1 A-Frame

- a. Definition: A sign consisting of two sign faces placed together at an angle of 90 degrees or less to form an “A” shape that tapers from a wide base to a narrow top.
- b. Standard: A-frame signs shall be no higher than three feet , no wider than three feet, and shall be

placed so they do not interfere with or impede the flow of pedestrian movement. Only one such sign is allowed per tenant space. May not be displayed during times the establishment is closed.

6.5.2 Promotional Signage

- a. Definition: Promotional Sign means any type of sign used for special promotions including, but not limited to, grand openings, temporary window signs, anniversary celebrations, sales, City permitted special events and other such events
- b. Standard: Businesses that erect signs under the provisions of this Section shall not display a sign that states “Going out of Business”, “Quitting Business” or similar message more than one time for ninety (90) days maximum. Promotional signs are subject to the following regulations:
  - (1.) All promotional signage requires a permit. A maximum of four (4) permits are allowed for each business per calendar year. A separate permit is required for each thirty-day period promotional signage will be used. Promotional signs will be considered as a group and not as each individual sign, streamer, banner, etc.
  - (2.) Promotional signage is limited to 10% of allowable attached signage.
  - (3.) Promotional signage may include any legal signs allowed by this ordinance.
  - (4.) Promotional signage is allowed for four, thirty (30) day periods each calendar year per legal business subject to the following:
    - (a.) A thirty (30) day period will commence on the first day promotional signage is displayed.
    - (b.) The four, thirty (30) day periods shall not occur in the same or consecutive months.
    - (c.) In the case of a special promotion for a grand opening celebration or a going out of business event, one permit may be extended to a ninety (90) day period provided the promotion commences within the first three months of the date of issuance of a certificate of occupancy and the grand opening is limited to the

address noted on the certificate of occupancy.

- (5.) Any device described as promotional signage shall not exceed an overall height of twenty-five feet (25') measured from ground.
- (6.) The following setbacks apply. However, the setbacks may be increased for any promotional signage found by the City to block traffic visibility or constitute a traffic hazard.
  - (a.) Fifteen feet (15') from street right-of-way.
  - (b.) Forty feet (40') from property lines other than those property lines fronting the street right-of-way.

### 6.6 Off-Premise, Permanent

6.6.1 Community service signage for groups not charging for their services shall be permitted on private property adjacent to major streets designated on the Sevierville Zoning Map subject to the following:

- 6.6.1.1 Not more than two (2) signs for each activity group shall be permitted.
- 6.6.1.2 The signs shall not exceed eight (8) square feet, be less than six (6) feet above ground surface and shall not exceed nine (9) feet in height.
- 6.6.1.3 Plans and locations for these signs shall be approved by the Planning Commission prior to issuance of a sign permit.

6.6.2 Billboard

- a. Definition: An off-premise outdoor advertising sign, or part thereof, which possesses a display area, face or panel which advertises, displays, or gives direction to any business, product, service, attraction, event, or any other purpose or interest other than the site or property where the sign is located or positioned.
- b. Standard: No (existing) billboard shall exceed forty- four (44) feet in overall height measured from the supporting structure or from the average grade of the supporting structures when two or more structures support the sign. No new billboard, digital billboard, or conversion of a billboard to a digital billboard shall be allowed or permitted.

6.6.3 Billboard, Digital

- a. Definition: Any type of billboard that utilizes digital message technology, capable of changing the static message or copy on the sign electronically. It is a changeable message sign which displays a series of messages at intervals through the electronic coding of lights or light emitting diodes or any other means that does not use or require mechanical rotating panels.
- b. Standard: No new billboard, digital billboard, or conversion of a billboard to a digital billboard shall be allowed or permitted.

### 6.7 Off-Premise, Temporary

6.7.1 Campaign: Signs in support of a candidate in the next scheduled local, state, or federal election are allowed within the City in accordance with the following conditions:

- 6.7.1.1 One (1) campaign sign per candidate may be located on private property at least 5 feet from any public street right of way.
- 6.7.1.2 Campaign signs are not permitted on public street right of way, nor on public property.
- 6.7.1.3 Campaign signs may be posted thirty (30) days prior to an election, and, shall be removed by the owner of the property no later than ten (10) days after an election.
- 6.7.1.4 No permit nor fee is required for placement of a campaign sign, unless such sign is placed on a permanent sign structure, in which case, the owner of the sign structure shall notify the Building Official and any permits or fees applied for a change in copy as would be applied for a change of copy not related to an election campaign.

6.7.2 Auction: Signs providing directions to the locations of auctions held for the sale of land and/or buildings shall be allowed within the City of Sevierville in accordance with the following conditions:

- 6.7.2.1 Multiple auction signs shall be allowed to provide directions to the site of a single auction. One sign may have a maximum area of thirty-two (32) square feet, however each additional sign shall be limited to a maximum area of

eight (8) square feet.

- 6.7.2.2 No sign shall be placed upon a public right of way of any kind, and no sign shall be closer than five (5) feet from any right of way.
- 6.7.2.3 One or more signs for a specific auction may be erected no more than twenty-one (21) days prior to the occurrence of the auction and removed within three (3) days of the auction's conclusion.
- 6.7.2.4 A permit from the Development Department shall be required for the display of any sign directing persons to the location of an auction.
- 6.7.2.5 An application for a permit must include the proposed locations of signs, in addition to other necessary information required by the Development Department. Issuance of a permit shall be dependent upon the approval of the application by the Department, and the conformance of the proposed signage with all applicable municipal requirements.
- 6.7.2.6 Information displayed on any auction sign shall be limited to the site address or other location indicator, acreage and/or number of buildings, name, address, and phone number(s) of the auction firm or auctioneer, and arrows or other indicators of site direction.
- 6.7.3 Directional signage, including commercial messaging may be erected at appropriate locations as directed by the Director of Public Works in coordination with special events, public or private construction projects, or other purposes necessary for the appropriate direction of traffic flow.

## 6.8 Electronic Message Boards

Electronic Message Boards on monument signs are permitted on Major and Minor Arterial Roads, on properties with Commercial zoning, under the following criteria:

- 6.8.1 The electrically activated changeable message section shall be located on the lower two thirds of the sign.
- 6.8.2 The electrically activated changeable message

section shall not exceed 50 square feet or 25% of the allowable sign area, whichever is lesser.

- 6.8.3 The informational content of the message section can be changed at intervals; however, the message shall not be flashed by varying the intensity of the illumination nor may the message scroll.
- 6.8.4 All electronic message boards shall use the State of Tennessee's standards for digital billboard to determine illumination, rates of change, and other technical requirements of digital signage.
- 6.8.5 The area surrounding the sign base shall be landscaped with appropriate planting materials.
- 6.8.6 The sign shall not include audio, pyrotechnic, bluecasting (Bluetooth advertising) or similar components.
- 6.8.7 The owner of every Electronic Message Board shall coordinate with local authorities to display, when appropriate, emergency information important to the traveling public including but not limited to Amber Alerts, terrorist attacks or natural disasters. The emergency information shall take precedence over all other advertising for the duration of that emergency. The Emergency Manager shall determine frequency and duration of the message.

## 6.9 Signage for Specific Zones

Unless otherwise specified in this section, all signs should follow the standards set forth in Sections 6.4 - 6.8.

- 6.9.1 Residential (R-1, R-2, R-3)
- a. Home occupation and professional announcement signs may consist of 1 sign of not more than two (2) square feet.
  - b. Non-residential uses in a residential zone (including non-conforming uses) may have a monument sign that shall not exceed twenty-five (25) square feet.
  - c. For non-residential uses, an attached sign shall follow the "Allowable Attached Sign Area" chart in Section 6.4.1.

d. The sign, if lighted, shall have indirect lighting.

6.9.2 Town Center (TC)

- a. Monument signs may only be placed on properties with street frontage on an arterial street. Pole signs are not allowed.
- b. Projecting signage is limited to 20 square feet. All other attached signage shall be in accordance with the Allowable Attached sign area chart.
- c. Minimum separation of detached signage is 75 feet. If this condition is unable to be met, signage shall be placed as remotely as possible from other detached signage.

6.9.3 Historic Residential/Office (HRO)

- a. Due to the unique residential and historic character of the Historic Residential/Office district, additional restrictions on signage are enforced.
- b. A single monument sign no higher than 4 feet or larger than 16 square feet may be used to identify a multi-family or non-residential use. A two (2) square feet wall mounted sign may be placed on the building.
- c. If necessary, for directional purposes, as approved by the Development Director, up to two directional signs may be used to direct traffic flow and access to parking.
- d. No illumination of the signage is allowed.

6.9.4 Tourist Commercial (C-5)

In addition to the standard signage permitted for commercial structures, projects within the Tourist Commercial Zone are entitled to destination arrival signs based on the acreage of the overall unified plan of development.

Destination Arrival Signs Allowed by Acreage		
Size in acres	Major Destination Arrival Signs	Minor Destination Arrival Signs
25-35	1	0
35-60	1	1

Destination Arrival Signs Allowed by Acreage		
Size in acres	Major Destination Arrival Signs	Minor Destination Arrival Signs
60-150	1	2
150+	2	2

- a. All Destination Arrival Signs and Internal Property signs must be monument type signs.
- b. The Supporting structure, architectural detailing and amenities for monument signs shall not be less than 33% of maximum sign area.
- c. Major Destination Arrival Signs: Shall have a height limit of 25' and a square footage limit of 500'.
- d. Minor Destination Arrival Signs: Shall have a height limit of 20' and a square footage limit of 300'.
- e. The distance between any detached sign shall be no less than 125 feet.
- f. Monument signs for all internal property shall be 200 square feet maximum and 20 feet maximum in height.

6.9.5 Visitor Accommodation (V-1)

Each visitor accommodation development may have one primary identification sign not exceeding one hundred (100) square feet, and accessory uses may be listed on such a sign. However, if the development abuts a Major Collector or higher classified road, then up to one hundred and fifty (150) square feet shall be allowed for a primary identification sign. Where restaurants, conference centers, game or exercise facilities are located in separate structures from accommodation units, then individual signs of twenty-five (25) square feet may be installed to identify those structures, unless those facilities are located on a Major Collector or higher classified road. In those cases, the sign may be a monument sign and be as large as allowed under the regulations for monument signs on that class of roadway, provided that the required distance between signs on the same property is met.

## 6.9.6 Interstate Impact Overlay District (II-1)

- a. The Interstate Overlay District (IIO) is an overlay district the provisions of which are designed to recognize the unique circumstances created at the points at which local, state, and federal streets and highways intersect with the federal Interstate system of highways. The intent of this district is to provide for the placement of on-premises business signs, appropriate in size and scale to their setting, for the purpose of attracting high speed Interstate travelers to exit the Interstate. No portion of an Interstate monopole sign shall include a changeable sign, and further, shall be prohibited from including any parts which create or include action or motion, or contain flashing lights or bulbs or contain intermittent lighting.
- b. The bottom of sign face and any other portion of sign attached thereto, shall be at least 75 above the finished grade. The top of the sign face, and any other portion of the sign attached thereto, shall not exceed one hundred (100) feet in height above the finished grade; except that, signs installed within fifty (50) feet of the Interstate right-of-way may exceed one hundred (100) feet in height above the finished grade where the finished grade lies below the elevation of the paved portion of the Interstate right-of-way (including paved shoulder areas) in closest proximity to such sign; in no instance, however, shall the top of such sign face, and any other portion of the sign attached thereto, exceed one hundred (100) feet in height above the edge of the paved portion of the Interstate right-of-way (including any paved shoulder areas) in closest proximity to such sign.
- c. Prior to the installation of an Interstate monopole sign, the Building Official shall be supplied with all information necessary for him to make a determination as to whether or not the sign will meet the provisions of this section and other applicable provisions of this ordinance. Such information shall include a drawing indicating the measurements of all portions of the sign, height of the bottom of the sign face and the top of the sign face above the finished grade, or, for Interstate monopole signs within fifty (50) feet of the Interstate right-of-way, the height above

the edge of the paved portion of the Interstate right-of-way in closest proximity to the sign (including paved shoulder areas.) A survey prepared by a licensed surveyor shall be submitted showing the proposed location of the sign on the site. The surveyed location may be included on a site plan or PUD plan, as may be required by other sections of this ordinance, or, may be a separate survey. Within ten (10) days following installation of an Interstate monopole sign, the property owner shall submit a certified survey to the Building Official showing the precise height of the sign above the finished grade or the edge of the Interstate right-of-way in closest proximity to such sign, whichever may be applicable. No more than one (1) double-faced sign may be placed upon any monopole structure. The faces of a double-faced Interstate monopole sign shall be arranged so that such faces are separated no more than thirty (30) degrees.

- d. In the IIO zone, the addition of a monopole sign does not replace any otherwise allowable detached sign.

## 6.10 Master Sign Plan

Where a unified plan of development greater than 10 acres that is either developed from the outset or all parties agree to such following development, a master sign plan may be invoked. A master sign plan consists of an agreement of all parties, including the City, land owners and any tenants at the time of plan development which provides for deviation from the existing signage ordinance to better accomplish the signage needs of the unique development. Prior to invoking and submitting a master sign plan for approval, a consultation with the Director of Development is required.

Once a master sign plan is in force, it is binding on all parties, until or unless, all parties agree to dissolve it and return to the ordinance requirements that are in place at the time of dissolution. The plan shall call for the location, size, and design of all detached signage. In addition, any modifications to desired attached signage can be negotiated at this time.

In addition, signage for a master sign plan may be placed with the master sign designation without regard for property ownership.

All master sign plans must be approved by the Planning

Commission. Modifications that are considered minor by the Development Director may be approved within the Department. Modifications that deviate greatly from the original plan must be modified by action of the Planning Commission.

## 6.11 Tourist Oriented Directional Signs (TODS)

### Explanatory Note

The TODS program is an off-premises directional sign program available to qualifying businesses and facilities. It is managed by the City in accordance with the provisions set out in this section. The City is responsible for the installation and maintenance of these signs. Participation in the TODS program does not relieve the participant from compliance with any applicable provisions of Signs, Chapter 6.0 of this ordinance.

For further information or to apply for a TOD sign, contact the Code Enforcement Division of the Department of Development.

### Tourist Directional Signs

#### A. Definitions

1. Business means a public or private commercial activity providing an attraction, service, or activity to the traveling public and which meets the qualifications provided in these guidelines. The terms business, attraction, service, or activity may be used interchangeably in this document.
2. Crossroad means a public road intersection.
3. Eligibility distance means the distance from the intersection where the directional sign is located to the entrance driveway of the business.
4. City means the City of Sevierville, Tennessee.
5. MUTCD means Federal Highway Administration's Manual on Uniform Traffic Control Devices.
6. Tourist Oriented Directional Signs (TODS) means a tourist information sign located on the right-of-way of a public road providing;
  - a. The official name, or "doing business as" name, of the eligible program participant; and,

b. Directional information to the business.

#### B. General Provision:

1. TODS structures are permitted on arterial streets which are not state highways, major and minor collector streets.
2. The City will control the erection and maintenance of TODS panels in accordance with the MUTCD and this ordinance.
3. TODS shall be rectangular in shape and shall have a white legend and border on a blue background. Each sign shall have not more than two lines of legend, a separate directional arrow. The content of the legend shall be limited to the identification of the business or activity, and the directional information. Legends shall not include promotional advertising or logos.
4. There may be no more than two TODS structures in advance of a crossroad. The first structure shall contain those activities where a left turn is required to reach the facility. The second structure shall contain those activities requiring a right turn in order to reach the business.
5. No more than four activities may be installed on each sign structure. When the total number of signs for activities to the left and to the right is four or less, they may be placed on one sign structure.
6. The location of other traffic control devices shall at all times take precedence over the location of tourist oriented directional signs.
7. A permit must be obtained to install TODS in the City.
8. TODS in areas annexed by the City are required to conform to City TODS requirements within twelve (12) months from the effective date of annexation.

#### C. Business Eligibility, Criteria, And Restrictions

1. To be eligible for participation in the TODS program, a business establishment shall be located within the city limits and within one (1) mile from the crossroad intersection. The establishment shall be a permanent business or attraction, and shall meet the following standards for a business or activity:



- a. Be licensed and approved by the appropriate local agencies regulating the particular type of business or activity;
  - b. Be in continuous operation at least eight hours a day, five days a week, one of which must be Saturday, during the normal tourist season;
  - c. Have restroom facilities available for public use;
  - d. Provide the public activities of interest in which visitors participate for purposes of recreation, enjoyment, enrichment, or amusement; and,
  - e. Provide notice of any admission costs on the outside of the main entrance to the facility.
2. Each business or attraction identified on a TODS shall provide assurance of its conformance with applicable laws concerning the provisions of public accommodations without regard to race, color, sex, culture, social origin or condition, religion, or disability.
  3. All property taxes, license fees or other charges owed by the permittee, or by the owners of the permittee, to the City or Sevier County, Tennessee, must be kept current.
  4. The premises of the business shall at all times be in compliance with City zoning ordinances, and with all fire, health, safety and building codes of the City and/or the State of Tennessee.
  5. If a business or attraction is in violation of any of these laws, it shall be considered ineligible for participation in this program and its signs will be removed, with no return of any fee.
- D. Participation In The TODS Program
1. Each approved sign structure shall have a maximum of four (4) activities displayed on the panels. The business with the shortest distance to the intersection where the sign structure is installed shall have the first priority for placement on the TODS sign structure and have its name panel placed on top of the sign structure. An eligible business having the next greater distance from the intersection will have its name panel placed below the first, and so on, until the maximum of four business panels are installed on the TODS structure.
  2. Once the directional sign of a business is installed on the TODS panel, the business shall remain on the structure as long as the activity is in compliance with these provisions and pays for all fees required by this program.
  3. A seasonal business may participate in the TODS program and remain on the TODS structure provided it advises the city of periods not to open for business or visitors. A fee will be charged for the placement of a CLOSED placard over the directional panel of the business.
- E. Suspension or Revocation
1. The City may suspend or revoke the privilege of an activity to participate in the TODS program if it finds:
    - a. The activity no longer meets the eligibility requirements set forth in this document.
    - b. The owner or responsible operator of the activity willfully makes a false, deceptive, or fraudulent statement in its application or in any other information submitted to the City.
    - c. The owner or responsible operator of the activity or agent thereof revises or modifies a TODS panel erected by the City.
    - d. The owner or responsible operator of the business or activity has engaged in a deceptive or fraudulent business practice.
  2. The City reserves the right to remove immediately any TODS panel for which fees are delinquent.
  3. Prior to revoking the privileges of a business to participate in the TODS program, the City will notify the activity in writing. The business will be granted a period of fifteen (15) days to make the necessary adjustments or corrections in accordance with these regulations.
  4. Should the applicant not agree with the revocation, the decision may be appealed to the Board of Zoning Appeals. If there is no appeal within thirty (30) days after notification of the revocation, the individual TODS panel(s) shall be removed from the sign structure.

1.0 GENERAL PROVISIONS

2.0 ZONING DISTRICTS

3.0 USES & CONDITIONS

4.0 DEVELOPMENT STANDARDS

5.0 PARKING

6.0 SIGNS

7.0 NON-CONFORMITIES

8.0 ADMINISTRATION

9.0 DEFINITIONS

APPENDIX

F. Sign Composition

- 1. TODS shall be 36"x 12" and shall have a white leg-end and border on a blue background. Maximum character height shall be 7 inches.
- 2. The TODS shall show the direction of turn for the motorist to reach the business.

G. TODS Installation and Maintenance

- 1. All TODS panels will be installed by the City.
- 2. If a panel must be permanently removed or covered for a seasonal closing for any reason, a fee will be charged by the City to cover costs.
- 3. The participating business shall be responsible for the cost of repair and/or replacement of directional signs damaged or destroyed by acts of vandalism, natural causes, or vehicular accidents.

H. Fees for TODS

- 1. Costs for providing the TODS are to be covered by the businesses participating in the program.
- 2. The permit issued by the City to a business is for the term of one (1) year and fees will be billed on July 1 of each year. If a sign is placed during the year before July 1, the fees will be prorated for the time period until July 1.
- 3. Permits may be renewed on an annual basis.
- 4. Renewal fees are due thirty (30) days after the invoice date
- 5. Fees are not to be pro-rated for seasonal closings, and, in the event a business closes or its signs are removed due to a breach of contract, there is no reimbursement of fees.
- 6. Fees are as follows:

Initial Permit Fee (each sign)	\$ 1,000.00
Annual Permit Fee (each sign)	\$ 500.00
Sign Change-out/Replacement	\$ 1,000.00
Seasonal closure covering/uncovering	\$ 100.00

I. Inspection And Liability

- 1. The Building Official may inspect a business at any time after the business has made application for

- participation in the TODS program to assure that the business meets eligibility requirements.
- 2. The Building Official may inspect a business at any time during its permit period to assure the business is still in compliance with eligibility requirements.
- 3. The City shall have no liability for business lost due to TODS panels becoming temporarily out of service. The display of the business on the sign structures is not to be considered an endorsement or recommendation by the City on behalf of the business.