

ORDINANCE NO. 15-08

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE TOWN OF PLEASANT VIEW, TENNESSEE BY DELETING CERTAIN SECTIONS IN ARTICLE IV AND REPLACING THEM WITH NEW SECTIONS

SECTION 1. BE IT ORDAINED, by the Board of Mayor and Aldermen of the Town of Pleasant View, Tennessee, that Subsection 4.080, be deleted in its entirety and replaced with a new Subsection 4.080, which reads as follows:

4.080 Standards for Signs

Signs constitute a separate and distinct use of the land upon which they are placed and affect the use of adjacent streets, sidewalks, and property. The provisions of this ordinance are made to establish reasonable and impartial regulations for all exterior signs to protect the general public health, safety, convenience, and welfare; to reduce traffic hazards caused by unregulated signs which may distract, confuse, and impair the visibility of motorists and pedestrians; to insure the effectiveness of public traffic signs and signals; to protect the public investment in streets, highways, and other public improvements; to facilitate the creation of an attractive and harmonious community; to protect property values; and to further economic development.

A. Applicability

These sign regulations shall apply to all exterior signs within the Town of Pleasant View.

B. Definitions/ Requirements

Animated Sign: Any sign that uses movement or change of lighting to depict action or create a special effect or scene.

Awning: Any non-rigid material such as fabric or flexible plastic that is supported by or stretched over a frame that is attached to an exterior wall.

Awning Sign: A sign attached to or incorporated into an awning.

Banner Sign: A sign made of fabric, plastic, or non-rigid material that has no enclosing framework. Banners shall be securely installed, fastened, or positioned so as not to constitute a hazard of any kind or allow any excessive movement.

Billboards: An off-site type of advertising sign having more than one hundred (100) square feet of display surface or meeting the Tennessee Department of Transportation definition for a Billboard which is either erected on the ground or attached to or supported by a building or structure.

Building Commissioner: The designated government official or his/her designee whose responsibility it is to administer the provisions of this ordinance. These activities may include, but are not limited to, reviewing applications for sign permits, corresponding with and/or meeting with applicants, issuing and denying sign permits, inspecting signs and interpreting and enforcing the provisions of this ordinance.

Bulletin Board Sign: A particular type of changeable copy sign that displays copy in a casement made of glass or plexiglass.

Canopy: An extension of the roof of a building or a freestanding structure that has a roof with support, but no walls.

Canopy Sign: A sign attached to a canopy.

Changeable Copy Sign: A sign that is designed so that characters, letters, or illustrations can be changed or rearranged without altering the face or surface of the sign. (*See definition of Reader Board*)

Copy: The characters, letters, or illustrations displayed on a sign face.

Directional Sign: A sign that provides on-site directional assistance for the convenience of the public such as location of exits, entrances, and parking lots.

Directory Sign: A sign which displays the names and/or addresses of the establishments or uses of a building or group of buildings.

Electronic Message Display: 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, Lighting Emitting Diode (LED) display, plasma screen, Liquid Crystal Display (LCD), fiber optic or other electronic media or technology. Signs that only contain gas prices and time and temperature shall only meet maximum lighting intensity requirements and image duration requirements listed below. Electronic Message Displays signs shall be regulated as Reader Boards by other provisions of this ordinance regarding maximum percentage of sign and location of sign.

Freestanding Sign: The general term for any on-site sign which is supported from the ground and not attached to a building.

Frontage Building: The length of a building that faces a street, parking area, or private drive.

Frontage Lot: The length of that part of zoning lot that fronts a public street.

Garage/Yard Sale Signs: See "Exempt Signs."

Home Occupation Signs: On-premise identification signs for home occupations shall not exceed four(4) square foot in area and shall contain only the name of the business and/or business owner.

Illegal Sign: A sign that was constructed or erected in violation of regulations that existed at the time it was built.

Illuminated Sign: A sign illuminated in any manner by an artificial light source, whether internally or externally lit.

Marquee: A permanent structure other than a roof attached to, support by, and projecting from a building and providing protection from natural elements.

Marquee Sign: A sign attached to and made part of a marquee or any other similar projection from a building.

Monument Sign: A type of sign affixed directly to the ground or affixed directly to a solid base without visibility between the sign and the base or between the base and the ground or a sign above ground level supported by a post or posts which are concealed from visibility by a curtain wall of brick or similar material constructed around the base of the sign.

Nonconforming Sign: A sign that met all legal requirements when constructed but that is not in compliance with this ordinance. An illegal sign is not a nonconforming sign.

Off-Premise Sign: Any sign which is not located on the premises that it identifies or advertises.

Pole Sign or Banjo Sign: A type of ground sign at least ten (10) feet above the ground supported on a single post or pole.

Portable Sign: A sign that is constructed or maintained in such a way as to permit its easy location through means of wheels, skids, braces, runners, brackets or similar devices attached to or supporting the sign and which is not stationary and is not designed to be permanently affixed to a building, structure, or the ground.

Projecting Sign: A sign which is supported by an exterior wall of a building and which is displayed perpendicular to the face of the building.

Reader Board: A sign that is permitted to be a maximum of sixty (60) percent of the area of a freestanding sign and twenty (20) percent, or twenty (20) square feet, whichever is less, of the area of a wall sign.

Residential Sign: A sign, typically located in a district zoned for residential use, meeting the standards of this Resolution for a residential sign, and containing no commercial message.

Roof Sign: A sign that is placed above or supported on the top of a building, specifically reserved for the authority of the Town of Pleasant View Board of Zoning Appeals.

Sign Distance Triangle: The land adjoining an intersection with a public street that is kept clear of obstructions two and one-half (2 1/2) feet and above grade to protect the visibility and safety of motorist and pedestrian. The protected sight distance area is the triangle with legs that are the

intersecting flowlines of two (2) streets or points of access. Where local streets meet, or points of access onto streets, the legs shall extend thirty-five (35) feet away from the intersection of the flowlines. Where collector streets meet, or points of access onto street, the legs shall extend forty-five (45) feet away from the intersection of the flowlines. The site distance triangle shall be shown on a site plan when required by Section 3.080, of the Town of Pleasant View Zoning Ordinance.

Sign: Any writing (including letter, word or numeral), pictorial representation (including illustrations or decoration); emblem (including device, symbol, or trademark); flag (including banner, streamer, or pennant); inflatable devices; or any other figure of similar character, which:

- a. Is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a building or other structure;
- b. Is used to announce, direct attention to, or advertise; and
- c. Is visible from outside a building.

Temporary Sign: An on-premise sign that is used in connection with a circumstance, situation, commercial advertisement, product availability or event that is designed, intended, or expected to take place or to be completed within a reasonably short period of time after the erection of such sign, or is intended to remain on the location where it is erected or placed for a period not more than twenty-eight (28) days. A temporary sign may not be constructed of, illuminated by, or operated by electrical, electronic, or mechanical parts. If a sign display area is permanent but the message displayed is to be subject to periodic changes, that sign shall not be regarded as temporary. Banner signs are defined as being temporary signs. All temporary signs shall comply with the Town of Pleasant View Zoning Ordinance.

Wall Sign: A sign painted on or attached to a wall of a building and parallel to the wall.

C. Administration

The Building Commissioner shall have the responsibility and full authority to administer and enforce all provisions of this ordinance, other than those provisions specifically reserved for the authority of the Town of Pleasant View Board of Zoning Appeals.

D. Permit Procedures

1. Permit Required

No sign or sign structure, except as provided in Sections H (Exempt Signs) and (Nonconforming Signs), shall be erected, displayed, altered, relocated, or replaced until a sign permit has been issued.

2. Permit Application

Applications for sign permits shall be submitted on a form provided by the Building Commissioner and shall contain or have attached at a minimum the following information in either written or graphic form:

- a. Application date.
- b. Name, address, and telephone number of the sign owner and, if different, the owner of the land on which the sign will be erected.
- c. Address of the property where the sign or sign structure will be erected.
- d. Signature(s) of the sign owner(s) and, if different, the owner(s) of the land on which the sign will be displayed.
- e. Location of the sign on the property in relation to lot lines, buildings, sidewalks, streets, public rights of way, and intersections.
- f. Type of sign, i.e., monument, walls, and general description of structural design and construction materials.
- g. Drawing(s) of the proposed sign which shall contain specifications indicating height, perimeter, and area dimensions, means of support, method of illumination if any, and any other significant aspect of the proposed sign.
- h. Any other information requested by the Building Commissioner in order to carry out the purpose and intent of these regulations.
- i. Signs twenty (20) ft. or over in height, or signs which have a total sign face of over one hundred and twenty (120) sq. ft. and exceed fifteen (15) ft. in height are required to have plans stamped by a Tennessee Licensed Engineer.
- j. All sign structures shall comply with the locally adopted Building Codes as well as electrical code adopted by the State of Tennessee.

3. Permit Review, Issuance, and Recording

The Building Commissioner shall examine all sign permit applications. Permit applicants shall be issued a copy of the original permit application, with approval and approval date noted, for all signs which conform to the requirements of this ordinance. Such approved applications shall serve as sign permits. The Building Commissioner shall maintain a record of all sign permit applications with notations of approval or disapproval. All sign permits shall be dated and numbered in the order of their issuance.

Sign permit to be approved or denied with fifteen (15) business days of submittal. If it is determined that the Town of Pleasant View Planning Commission and Board of Zoning Appeals approval is required or requested, then approval or denial is to be completed within fifteen (15) business days of the Town of Pleasant View Planning Commission and/or Board of Zoning Appeals approval. If

sign permit is denied based on incomplete submittal and not required to obtain Town of Pleasant View Planning Commission or Board of Zoning Appeals approval then applicant can resubmit without requiring Board of Zoning Appeals approval and the re-submitted permit application shall be approved or denied within fifteen (15) business days.

4. Inspections

A final inspection by the Building Commissioner or his designee shall be completed after installation of all approved signs. Any discrepancies between an approved sign and a sign as constructed shall be identified in writing and may result in the halting of construction or sign removal, if so ordered by the Building Commissioner.

5. Complaints and Revocations

The Building Commissioner shall investigate any complaints of violations of this ordinance and may revoke a permit if there is any violation of the provisions of this ordinance or there was misleading statements, omissions, or misrepresentation of any material facts in either the application or plans.

E. Expiration of Sign Permits

If an approved sign is not erected within a period of twelve (12) months from the date the permit was originally issued, the permit shall expire and become null and void.

F. Removal

1. Illegal Signs

The Building Commissioner may remove or order the removal of any sign not in conformance with the provision of this ordinance at the expense of the sign owner or lessor.

2. Immediate Peril

If the Building Commissioner shall find any sign which is an immediate peril to persons or property, the sign shall be removed. If the Building Commissioner cannot locate the sign owner or lessor for immediate removal of the sign, he/she shall remove or order the removal of the sign at the expense of the sign owner or lessor.

G. Variances

1. Generally

The Town of Pleasant View Board of Zoning Appeals may grant variances for the following reasons:

- a. To allow a setback for a sign that is less than the required setback.
- b. To allow the area or height of a sign to be increased by up to twenty five (25) percent of the maximum height or area allowed.

2. Standard of Review

The Town of Pleasant View Board of Zoning Appeals shall consider applications for variances only in situations where the applicant has been denied a sign permit by the Building Commissioner. The Town of Pleasant View Board of Zoning Appeals may grant a variance authorized by this section if it finds that the following special physical conditions exist:

- a. The zoning lot on which an activity is located is unusually shaped or exhibits unusual topography; and
- b. Such physical characteristics prevent legal signing from identifying the activity as compared to legal signing identifying other activities in the immediate area.
- c. The Building Commissioner may grant a twenty-five (25) percent variance as allowed in (b) if the petitioner is reducing a larger pre-existing nonconforming sign.

3. Procedures

All requests for variances shall be filed with the Town of Pleasant View Board of Zoning Appeals within thirty (30) days after the date of the written decision by the Building Commissioner.

H. Exempt Signs

Sign permits shall not be required for the following:

Address and Name of Resident: Signs indicating address and/or name of residential occupants of the premises, not exceeding two (2) square feet in area, and not including any commercial advertising or identification.

Artwork: Works of art that do not include any commercial messages or references.

Auction Signs: Signs may only be placed for sales that occur within ten (10) mile radius of Pleasant View City Hall. Following requirements apply:

1. On Site. One(1) sign per street frontage, not to exceed two (2) per site. Maximum size of sign to be twenty (20) square feet, not exceeding five (5) feet in height, setback ten (10) feet minimum from roadway, signs prohibited in public right-of-way. Allowed fourteen (14) days prior to the sale, and shall be removed within one (1) day after the sale.

2. A maximum of two (2) off-site signs are allowed per auction, allowable fourteen (14) days prior to the sale, shall be removed within one (1) day after the sale.

Construction Signs: Temporary signs warning of construction, excavation, or similar hazards so long as the hazard may exist.

Decals: Decals affixed to windows or door glass panes, such as indicating membership in a business group or credit cards accepted at the establishment.

Directional Signs: Signs giving on-site directional assistance for the convenience of the public, not exceeding four (4) square feet in area, two and one-half (2 1/2) feet in height and located out of the right-of-way and sight distance triangle. Directional signs may be internally lit. Commercial messages, names, or logos shall be prohibited on directional signs.

Flags, Emblems, and Insignia: Flags, Emblems, and Insignia of any governmental agency or religious, charitable, public or non-profit organization, subject to the following: No single flag that is flown shall exceed forty (40) square feet in area and no single zoning lot shall fly more than three (3) such flags. If the total area of such flags exceeds seventy-two (72) square feet, the excess area shall be included in the sign area calculations for the zoning lot. Flagpoles shall not exceed twenty-five (25) feet in height. Wall-mounted flags, emblems, or insignia shall be limited to one (1) per zoning lot and shall not exceed forty (40) square feet in area.

Garage/Yard Sale Signs: One (1) sign per lot, with a maximum size not to exceed 18 x 18 inches. Signs may be erected two (2) days prior, signs shall be removed after the sale. Signs shall be at least ten (10) feet from any right-of-way and may not be attached to utility poles. Signs may be located on any lot within the subdivision with the lot owner's permission.

Handicapped Parking Space Sign: Signs not exceeding two (2) square feet in area reserving parking spaces for handicapped motorists.

Private Drive Signs: On-premise private drive signs limited to one (1) per drive entrance, not exceeding two (2) square feet in area, with language limited to the words "private drive" and the address of any residences utilizing the private roadway.

Public Signs: Signs erected by government agencies or utilities including traffic, utility, safety, railroad crossing, and identification signs for public facilities, and any signs erected under the direction of the Town of Pleasant View Board of Mayor and Aldermen.

Seasonal Sign: Signs in the nature of decorations which are seasonal, clearly incidental and customarily associated with any national, local, or religious holiday.

Security and Warning Signs: On premise signs regulating the use of the premises, such as "No Trespassing, No Hunting, and No Soliciting" signs that do not exceed two (2) square feet in area in residential areas and five (5) square feet in area in commercial and industrial areas.

Temporary Real Estate Signs: Temporary signs indicating the availability of real property for lease or sale, located on the premises being leased or sold. Display of such signs shall be limited to one (1) per property not exceeding six (6) feet in height and not exceeding six (6) square feet in area in residential zones and twenty (20) square feet in area in all other zones. Such signs shall be removed within seven (7) days of the settlement or lease of the property. One (1) additional sign meeting the above criteria can be displayed at the entrance of subdivision containing the real property for lease or sale. Sign shall be placed on private or subdivision association owned property with their permission.

Small Print Signs: Any sign not legible from a street (public or private). This includes drive-in and drive-through menu board signs and signs within buildings, including signs at least ten (10) feet back from window.

I. Temporary Signs Requiring a Sign Permit at No Charge

The following signs may be erected on private property only after obtaining a temporary sign permit from the Building Commissioner. The permit shall cite the length of time the sign may be displayed. If any temporary sign is not removed by the expiration of the appropriate time limit noted in this section, the Building Commissioner may remove it and charge the costs of removal to the individual or enterprise responsible.

Temporary Farm Products Signs: Temporary on premise signs announcing the availability of seasonal farm products. The number of signs shall not exceed two (2) and the total area of all such signs shall not exceed twenty (20) square feet, nor shall any sign exceed six (6) feet in height.

Construction Signs: Temporary signs announcing new buildings or projects, erected after the commencement of building construction or site development. Each construction site shall be limited to one (1) primary construction sign not exceeding sixteen (16) square feet in area and six (6) feet in height, and one(1) secondary sign for other information pertaining to financing or building owner, not exceeding

sixteen(16) square feet or(6) six feet in height, which shall be removed by the time a certificate of occupancy for the building is issued.

Political Signs: Shall be limited in size and structure to a height of four (4) feet and a total square footage not to exceed twenty (20) square foot, and shall not be permitted upon any public property, easement, or right-of-way, and shall be permitted only upon privately owned lots with the consent of the owner no closer than ten (10) feet from the curb or right-of-way of any street.

Such signs may be displayed for a period of ninety (90) days prior to any primary, special or general election. Political signs shall be allowed in all zoned districts and shall be removed within five (5) days following the relevant election.

Temporary Site Signs: Any business, individual, or organization may display one (1) banner sign per lot. In the case of multiple tenants per lot, no more than two (2) signs will be permitted at any one time. The signs shall be separated by at least twenty-five (25) feet. A temporary banner sign shall not exceed twenty (20) square feet in area. The temporary site sign must not remain the primary site signage for a business or organization for over twenty-eight (28) days. Signs must be supported in a fashion to be not a danger of blowing into traffic or pedestrians. Signs shall be set back from right of way a minimum of twenty (25) feet. Signs shall meet other regulations in the ordinance for location and height.

Temporary Subdivision Sign: Temporary signs identifying the name of the subdivision being developed may be erected at the entrances, not to exceed two (2) per subdivision. Signs shall be limited to thirty-two (32) square feet in area, and six (6) feet in height. No sign shall be placed within sight visibility triangles and five (5) feet from road right of way or property line. Signs shall be removed at ninety (90) percent completion of subdivision.

J. Standards and Criteria

1. Generally

The regulations in this section specify the number, types, sizes, heights, and locations of signs which are permitted within the Town of Pleasant View and which require a permit. Any sign regulations incorporated into a development plan approved by the Town of Pleasant View Mayor and Aldermen may supersede all or part of this section.

2. Determination of Sign Area

In measuring the area of signs permitted under these regulations, the entire face of the sign (one (1) side only) and any wall work incidental to its decoration shall be included. Where both sides of a sign contained lettering or other allowable display, one (1) side only shall

be used to compute the allowable size of the sign. Where the sign consists of individual raised letters or a sign face of irregular shape, the sign area shall include the area of the smallest rectangle that can encompass the letters or sign face. Support structures for monument signs shall not be included in the sign area.

3. Determination of Sign Height

The height of a sign erected within fifty (50) feet of a street shall be the distance from the grade level of the nearest curb or edge of street providing access to the property of the top of the sign or sign structure, whichever is greater. The height of all signs farther than fifty (50) feet from a street providing access to the property shall be the distance from the grade level where the sign is erected to the top of the sign or sign structure, whichever is greater.

4. Street Frontage Requirements for Freestanding Signs

Freestanding signs shall be permitted only on zoning lots with one hundred (100) feet or more of street frontage (except on existing lots of record and cul-de-sac lots).

5. Spacing of Freestanding Signs

No freestanding sign shall be erected within one hundred (100) feet of another freestanding sign (except on existing lots of record and cul-de-sac lots).

6. Installation of Wall Signs

All wall signs shall be installed flat against the wall of the building and shall not extend from the wall more than twelve (12) inches.

7. Illumination

a. All interstate signs as referenced in Section 10. Interstate Sign District shall be internally lit. Monument signs may be internally lit or externally lit. External illumination listed in Section L. Prohibited Signs shall be prohibited. External illumination shall not extend beyond sign structure.

b. Signs located on the exterior of the building (wall, projecting, canopy, etc.) may be internally or externally lit.

c. Types of sign illumination included in Section L. Prohibited Signs, of this ordinance, shall be prohibited.

d. Proposed illumination shall meet the lighting requirements of the commercial design standards and shall be included with exterior building elevation plan.

e. Exposed bulbs and neon lights are prohibited on all exterior signs.

8. Electronic Message Display

Signs that only contain gas prices and time and temperature shall only meet maximum lighting intensity requirements and image duration requirements listed below. Electronic Message Display signs shall be regulated as Reader Boards by other provisions of this ordinance regarding maximum percentage of sign and location of signs.

Number and Location

One (1) electronic message sign per property. Signs shall be located 100 ft. outside of intersections and not installed in locations that will directly block or confuse a driver's view. Signs shall be spaced 200 ft. from any other electronic message signs along roadways. The distance shall be measured along roadways not straight lines between signs. Signs shall be located one hundred (100) ft. from residential property lines. Signs along interstate and limited access state highways shall meet State of Tennessee requirements.

Permitted Zoning Districts

Electronic Message Signs shall be permitted in all zoning districts except C-2 Neighborhood Commercial District and all residential and agricultural zones. The Town of Pleasant View Planning Commission shall review and may approve all proposed locations of signs in planned unit development zoning districts if the intent and requirements of the ordinance are met. The Town of Pleasant View Board of Zoning Appeals may review proposals for non-residential church, school, and day care buildings and uses permitted by special exception in residential and agricultural zoning district provided that the intent of the ordinance and requirements are met.

Illumination and Brightness

Sign during daytime hours shall be a maximum lighting intensity of 7,500 nits and during nighttime hours shall be a maximum intensity of 750 nits.

Message Duration

Images shall remain static for a minimum of eight seconds and image changes and scrolling shall be accomplished within two (2) seconds or less. Images shall not flash and include sudden blasts of lights, or contain continuous scrolling and animation over two (2) seconds in length.

9. Residential Districts

Within residential districts, signs authorized in Section H (Exempt Signs) do not require a permit. Permits are required for all other allowed signs and shall conform to the following criteria:

Monument signs within residential zoning districts including churches, schools, daycare centers, multi-family complex, and subdivision entrance shall apply to the following standards and Table 1 Signage Area and Height. Subdivision and multi-family complex shall be permitted one monument sign per main entrance not to exceed two (2) signs per site or subdivision. Churches, schools, daycare centers and other places of public assembly shall be permitted one monument sign per 200 feet of street frontage. A second sign is permitted for lots with 400 feet of frontage including corner lots. Signs shall be separated by 200 feet measured parallel along road and not in a straight line.

Wall signs shall be regulated per Table 1. Signage Area and Size.

10. Commercial and Industrial Districts

Within commercial and industrial districts, signs authorized in Section H (Exempt Signs) do not require a permit. Permits are required for all other allowed signs and shall conform to the following criteria.

a. Wall, Marquee, Projecting, Awning, and Canopy Sign Number: Buildings with individual establishments shall be permitted one type of building signage type. Buildings with multiple establishments, each establishment shall be permitted one type of building sign type. Building signage types include wall/marquee, projecting, awning, and canopy sign. See item b. for buildings with more than one (1) street frontage.

b. Wall, Marquee, Projecting, Awning, and Canopy Sign Location: Buildings with more than one (1) street frontage shall be allowed secondary signage. The secondary signage is only allowed in connection with a full time customer entrance. The location of the secondary signage shall be within fifty (50) feet of the centerline of the entrance. The owner of the structure shall designate the primary and secondary entrances of the building. When applying for a secondary wall, marquee, projecting, awning and canopy sign, the maximum square footage of the signs shall be calculated for sixty (60) percent primary entrance, forty (40) percent secondary entrance. The top of all wall/marquee signs including reader board section shall be below the roofline.

c. Monument Sign Numbers: One (1) monument sign per 200 feet of street frontage. A second sign is permitted for lots with more than 400 feet of frontage, including corner lots. Signs shall be separated by 200 ft. measured parallel to streets not in a straight line.

d. Minimum Setback: Monument signs and sign structures shall be located at least five (5) feet from any property line and outside of all sight visibility triangles.

e. Shared Development Signage: Developments planned with multiple lots/occupancies and shared access points as part of the Town of Pleasant View Planning Commission development approval process may be proposed to include a shared center sign. The maximum size for the shared center shall be two hundred (200) square feet and each occupancy shall be limited to forty (40) square feet. The street frontage requirements for the signs would be based on the entire street frontage of the development. Developments shall only contain one sign per 200 feet of street frontage, with a maximum of two signs. The individual on-site signs for the individual lots within the development shall not exceed forty (40) sq. ft. The minimum sized sign if frontage not enough to equal is forty (40)sq. ft.

f. Village Zoning District: Signs within designated Village area zoning district are under the requirements of the Village zoning district.

g. Building Sign and Freestanding Monument Maximum Area and Height: Per Table 1 Signage Area and Height. The wall sign square footage may be increased by a maximum of twenty-five (25) percent subject to the deletion of a permitted freestanding monument sign on site.

4.070 J Table 1 Signage Area and Height

Building Signs	
Commercial/Industrial Zoning Districts	
Wall/Marquee Sign	
Building Square Footage	
50,000 (-)	10% of building frontage on which the sign(s) are to be installed.
50,001 - 150,000	7.5 % of building frontage on which the sign(s) are to be installed.
150,001 (+)	5% of building frontage on which the sign(s) are to be installed.
Projecting Sign	1 square foot of sign area per 2 linear ft. of building frontage on which the sign (s) are to be attached up to a maximum of 12 sq. ft. in area. The top of all projecting signs shall be located below the roofline and a height not greater than 16 feet above the ground. The base of all projecting signs shall be no less than 8 feet above the ground. Projecting signs shall not project from the exterior wall of a building more than 4 ft.

Awning / Canopy Sign	1 square foot per 2 linear ft. of awning or canopy. No awning or canopy sign shall extend above the top of the awning or canopy.
Reader Board	Maximum area on a wall sign shall be 20% of the wall area or 20 sq. ft. in area, whichever is less, of the area of wall/marquee sign(s) and be under the same requirements of the wall/marquee signs. The reader board cannot be above the primary area of the wall/marquee sign.
Gas Pump Sign	Each gas pump shall be permitted a total of one (1) square foot of sign area to identify the product dispensed.
Residential Zoning Districts	
Rental Office/Accessory Management	Maximum of six (6) square feet.
Home Occupation on premises sign	Maximum size four(4) square feet. see Article 4.04 for home occupations regulations.

Freestanding \ Monument Sign	
Commercial/Industrial Zoning Districts	
	1 sq. ft. of sign area for each 2 ft. of street frontage or easement frontage up to a maximum of 200 sq. ft. per site. Maximum sign height 25 ft.
Monument Sign	
Off Site Signage	A monument sign located on a vacant property shall not exceed (20) twenty sq. ft. and shall count against the maximum allowable signage for the lot when developed.
Reader Board	Maximum of 60% of the area of monument sign or pole sign.
Within 100 ft of Residential Zoning District	A monument sign constructed within 100 ft. of a residential zoning district shall be limited to 40 sq. ft. and 6 ft. in height.
Residential Zoning District	
Church, School, Day Care, Other Places of Public Assembly	6 ft. maximum height and 40 sq. ft. maximum sq. ft.

11. Interstate Sign District

Signs which measure a minimum of twenty-four (24) square feet in display area but not more than 320 square feet in display area shall:

a. Be limited to the area Zoned C-3, at the Intersection of Highways 49, 41-A and I-24, as defined on the Official Zoning Map and shown as the shaded C-3, Zoning District;

b. Interstate signs shall be allowed in addition to the allowable monument, wall, marquee, projecting, awning or canopy, and reader board. Interstate signs are an accessory use to primary use of property and shall only be permitted and installed with construction or after construction of primary use of property. Interstate signs shall be shown on site development plan for primary use of property. Each site development plan will be allowed to have one (1) sign structure that may have up to a maximum of four (4) signs. If the sign structure is within 500 feet of another interstate sign structure the Town of Pleasant View Planning Commission can limit the maximum number of signs on the pole to three (3).

c. Not to be erected closer than one hundred (100) feet from any residential zoned district. For the purpose of determining the spacing required in this subsection, distances shall be measured from the sign structure to the property line of the nearest residential zoned district;

d. The proximity to another such sign shall be subject to the Town of Pleasant View Planning Commission approval. The applicant shall provide specific distance measurements to all other signs of said type within a one thousand-five hundred (1,500) foot radius. For the purpose of determining the spacing required, the distance shall be measured from sign structure to next closest sign structure;

e. Height of sign structure shall receive approval from the Town of Pleasant View Planning Commission and be a minimum of seventy-five (75) feet in height and a maximum of one hundred and twenty (120) feet in height. The height is measured from the centerline elevation of road providing access to property.

f. Location of the interstate sign shall be prohibited in the front setback or setbacks of the property on which the sign is to be construed.

12. Billboard Regulations

Billboards may be established in Commercial and Industrial zoned districts, provided that they meet the following conditions:

a. Not more than three (3) billboards may be located per linear mile of highway, regardless of the fact that such billboards may be located on different sides of the subject highway. The linear mile measurement shall not be limited to the boundaries of the Town of Pleasant View where the particular highway extends beyond such boundaries. Double-faced billboard structures (i.e., structures having back-to-back billboard faces) and V-type billboard structures (i.e., structures having only one face visible to traffic from any one direction) shall be considered as one (1) billboard. Additionally,

billboard structures having tandem billboard faces (i.e., two parallel billboard faces facing the same direction and side-by-side) shall be considered as one (1) billboard. Otherwise, billboard structures having more than one (1) billboard face shall be considered as two (2) billboards and shall be prohibited in accordance with the minimum spacing requirement set forth in below.

b. No billboard shall be located within one thousand (1,000) feet of another billboard.

c. No billboard shall be located within two hundred (200) feet of a residential zoned district and/or existing residence. If said billboard is illuminated, the required distance shall be increased to three hundred (300) feet.

d. No billboard shall be located closer than fifty (50) feet from a property line or public right-of-way.

e. The surface display area of any one side of a billboard shall not exceed four hundred (400) square feet.

f. The height of a billboard shall not exceed thirty-five (35) feet above the elevation of the centerline of the abutting highway.

g. No billboard shall be on top of, cantilevered, or otherwise suspended above the roofline of any building.

h. A billboard may be illuminated, provided that such illumination is concentrated on the surface of the sign and is so located as to avoid glare or reflection onto any portion of an adjacent highway or street, the path of on-coming vehicles, or any adjacent properties. In no event shall any billboard have flashing or intermittent lights, nor shall the lighting be permitted to rotate or oscillate.

i. Billboards shall be constructed in such fashion as to withstand all wind and vibration forces, which can normally be expected to occur in the vicinity. A billboard shall be maintained so as to assure proper alignment, continued structural soundness and continued readability.

j. A billboard established within a business, commercial or industrial area, as defined in Tennessee Code Annotated, Title 54, Chapters 17 and 21, which establishes rules and regulations for the control of outdoor advertising, which includes billboards, adjacent to Federal-Aid Primary and Federal-Aid Interstate highway systems within the State of Tennessee, shall in addition to complying with the above conditions, shall also comply with all applicable provisions of T.C.A. Title 54 and the regulations promulgated there under, as such may from time to time be amended.

k. No person, firm or corporation shall erect a billboard within the Town of Pleasant View, Tennessee without first obtaining a permit from the Building Commissioner. Permits shall be granted upon a showing of compliance with the provisions of this ordinance and payment of a fee. Permits shall be issued for a period of one (1)

year, but shall be renewable annually upon inspection of the billboard by the Building Commissioner or his/her designee, confirming compliance with this ordinance and payment of the billboard fee. The amount of the billboard permit fee required shall be established by resolution of the Pleasant View Board of Mayor and Aldermen and shall bear a reasonable relationship to the cost and expense of administering this permit fee requirement. The Board of Mayor and Aldermen shall further have the right to amend the aforementioned resolution from time to time within limits of reasonableness.

I. A billboard that is damaged shall be repaired or removed within fifteen (15) days of date the damage is reported. A billboard that is no longer being used or not in compliance with this ordinance at the time of annual inspection shall be removed or made compliant within ninety (90) days from the expiration date of the permit.

13. Other Uses

In cases where the regulations within this section do not specifically address a sign requested in conjunction with a permissible use, the Building Commissioner shall make a written interpretation of the ordinance, which shall be kept in the permanent record for that application.

K. Construction and Maintenance

1. Building Code Compliance.

All signs shall be constructed in compliance with the current locally or state adopted Building Code(s).

2. General Restrictions.

Signs shall not be erected in or over a street or highway right of way, or on public land except as permitted in Section H (*Exempt Signs - Public Signs*).

3. Condition of Signs.

All signs and components shall be maintained in good repair and in a safe, clean and attractive condition.

L. Prohibited Signs

The following are expressly prohibited unless specifically stated otherwise in this ordinance:

Animated and Moving Signs. Including, but not limited to pennants, feather banners, flags with commercial messages, streamers, propellers, discs and searchlights.

Flashing Signs. Any signs that include lights which flash, blink, or turn on and off intermittently, not including time and temperature signs.

Glaring Signs. Signs with light sources or reflectivity of such brightness that constitute a hazard or nuisance as determined by the Building Commissioner.

Inflatable Signs and Objects. Including, but not limited to, balloons.

Obscene Signs. Any sign that exhibits statements, words, or pictures of an obscene nature, as defined by the United States Supreme Court.

Portable Signs. Any sign that is not permanently affixed to a building, structure, or the ground. This shall not apply to authorized temporary signs.

Posters and Handbills. Any signs affixed to trees or other natural vegetation, rocks, or utility poles.

Roof Signs. Any signs which are erected on a roof or which extend in height above the roof line of the building on which the sign is erected.

Simulated Traffic Signs and Obstructions. Any sign which may be confused with or obstruct the view of any authorized traffic sign or signal, obstruct the sight distance triangle at any street intersection or extend into the public right-of-way.

Strings of Lights. Including lights that outline property lines, sales areas, or any portion of a structure and are intended to advertise or draw attention to a business or commercial activity.

M. Nonconforming Signs

1. Generally

Any sign which does not conform to the provisions herein on the date of enactment of this ordinance or any date on which the ordinance is amended, and any sign which is accessory to a nonconforming use, shall be deemed a nonconforming sign. No nonconforming sign shall be enlarged, extended, structurally reconstructed or altered in any manner, except that a sign face may be changed so long as the new face is equal to or reduced in height, sign area, and/or projection and a sign permit is issued for the sign face change.

2. Removal

Nonconforming sign may remain, provided they are maintained in good repair, except for the following:

a. Damage or Destruction of Sign. A nonconforming sign which is damaged or destroyed to the extent of fifty (50) percent or more of its sign face shall not be altered, replaced, or reinstalled unless it is in conformance with these regulations. If the damage or destruction is less than fifty (50) percent of the sign face, the sign may be restored

within one (1) year of the damage or destruction, but shall not be enlarged in any manner.

b. Damage or Destruction of Use. A nonconforming sign shall be removed according to the provisions of Article VII, Section 7.020, of these regulations, if the structure or use to which it is accessory is damaged or destroyed to the extent of fifty (50) percent or more of the principal structure's appraised value.

c. Change of Use. Whenever a land use changes, any previously nonconforming signs or signs which become nonconforming because of the change in land use shall be modified so as to be in full compliance with these sign regulations.

N. Maintenance

All signs shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this Section, at all times. Specifically:

1. A sign shall have no more than twenty (20) percent of its surface area covered with disfigured, cracked, ripped or peeling paint, poster paper or other material for a period of more than thirty (30) days.

2. A sign shall not stand with bent or broken sign facing, with broken supports, with loose appendages or struts, or more than fifteen (15) degrees from vertical for a period of no more than ten (10) successive days.

3. A sign shall not have weeds, trees, vines, bird nests or other vegetation growing upon it, or obscuring the view of the sign from the street or right-of-way from which it is to be view for a period of no more than thirty (30) successive days.

4. An internally illuminated sign shall be allowed to stand with only partial illumination for a period of no more than thirty (30) successive days.

O. Severable Nature of Ordinance

The various sections, subsections, paragraphs, and clauses of this ordinance are severable and in the event that any section, subsection, paragraph, or clause is adjudged invalid, the remainder of the ordinance shall remain in full force and effect.

BE IT FURTHER ORDAINED, that this ordinance shall take effect immediately upon its final passage and the publication of its caption in a newspaper of general circulation within the Town of Pleasant View, Tennessee, the public welfare requiring it.

PASSED FIRST READING: _____

PUBLIC HEARING HELD ON: _____

PASSED SECOND READING: _____

Perry Keenan, Mayor

ATTEST:

Lisa Parker, City Recorder

THE CAPTION OF THIS ORDINANCE WAS PUBLISHED IN THE I-24 EXCHANGE, A NEWSPAPER OF GENERAL CIRCULATION WITHIN THE TOWN OF PLEASANT VIEW, TENNESSEE ON THE _____ DAY OF _____, 2015.