

CASE SUMMARY

APPLICATION TYPE: ORDINANCE AMENDMENT

KNOXVILLE • KNOX COUNTY

M P C
METROPOLITAN
P L A N N I N G
C O M M I S S I O N

T E N N E S S E E

Suite 403 • City County Building
4 0 0 M a i n S t r e e t
Knoxville, Tennessee 37902
8 6 5 • 2 1 5 • 2 5 0 0
F A X • 2 1 5 • 2 0 6 8
w w w • k n o x m p c • o r g

File Number: 12-A-09-OA
Application Filed: 11/2/2009
Applicant: CITY COUNCIL

Related File Number:
Date of Revision:

PROPERTY INFORMATION

General Location:

Other Parcel Info.:

Tax ID Number: 999 999

Jurisdiction:

Size of Tract:

Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use:

Surrounding Land Use:

Proposed Use:

Density:

Sector Plan:

Sector Plan Designation:

Growth Policy Plan:

Neighborhood Context:

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street:

Location:

Proposed Street Name:

Department-Utility Report:

Reason: amendments of the City of Knoxville Zoning Ordinance at Article V, Section 10 (Sign Code) regarding the minimum required street frontage for the installation of a changeable price sign, which is considered an electronic message center in the Zoning Ordinance

ZONING INFORMATION (where applicable)

Current Zoning:

Former Zoning:

Requested Zoning:

Previous Requests:

Extension of Zone:

History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed:

No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.: amendments of the City of Knoxville Zoning Ordinance at Article V, Section 10 (Sign Code) regarding the minimum required street frontage for the installation of a changeable price sign, which is considered an electronic message center in the Zoning Ordinance

MPC ACTION AND DISPOSITION

Planner In Charge: Mark Donaldson

Staff Recomm. (Abbr.): approve the amendment to Article V, Section 10 (Sign Code), to require a minimum of 100 feet of frontage on the street where the property is addressed as set out in Attachment B

Staff Recomm. (Full): Staff recommends that the Planning Commission recommend to City Council that Article V, Section 10 (Sign Code) be amended to require a minimum of 100 feet of frontage on the street where the property is addressed. See Attachment B

Comments: At its October 20, 2009 meeting City Council requested MPC consider amendments of the City of Knoxville Zoning Ordinance at Article V, Section 10 (Sign Code) regarding the minimum required street frontage for the installation of a changeable price sign, which is considered an electronic message center (EMC) in the Zoning Ordinance.

Background:

Currently, changeable price signs are limited to parcels with a minimum of 250 feet of frontage on the street where the property is addressed. City Council proposed to reduce the requirement to 100 feet of street frontage. No other changeable price sign requirements are proposed for change. Changeable price signs are often used by gas stations, hotels and motels.

Changeable price signs are best described in the zoning ordinance at Article V, Section 10.G.5.m as follows: For the purposes of these regulations a changeable price sign is one that shows a product or service, such as fuel or hotel/motel room rates as an unchanging element of the sign and only the price is changeable.

In addition to the current requirement of a minimum of 250 feet of frontage on the street where the property is addressed, a changeable price sign is subject to the following requirements:

- The changeable price sign shall be integrated into a business ground sign or monument sign, or be placed on a canopy or wall;
- Changeable price signs shall be limited to three (3) per sign structure;
- The minimum area of each changeable price sign shall be six (6) square feet and maximum area shall be twenty-five (25) square feet per changeable price sign;
- Each changeable price sign on a parcel shall be counted toward the total allowable signage allowed per parcel;
- Changeable price signs are also subject to the requirements affecting legal EMCs, such as:
 - oElimination of any changeable letter reader board on the parcel;
 - oStatic hold time of 60 seconds per display;
 - oInstantaneous transition between displays;
 - oBrightness standards; and
 - oMinimum text sizes.

Analysis:

The relationship between size and spacing of signs and static hold time of displays influences the aesthetic and safety considerations of EMCs. The larger the sign, shorter the static display time or shorter the distance between signs, the more likely a series of signs can be perceived to be distracting. Because changeable price signs are smaller than otherwise allowed for EMCs and subject to a minimum static hold time of 60 seconds (but actually likely to change much less often), the spacing of changeable price signs is much less sensitive than for EMCs in general. A minimum static hold time of 60 seconds assures that any passing motorist (regardless of travel speed or spacing between signs) will see a display change only once; and even at a reduced street frontage requirement, the transition of displays of changeable price signs on adjacent parcels is unlikely to

become a distracting sequence of changing displays. This would indicate that the 250 foot minimum street frontage requirement could be reduced.

Reducing the minimum required street frontage for changeable price signs brings many more parcels into play. See Attachment A, which presents the number of parcels on selected corridors having office or commercial zoning within the City of Knoxville as of September 2008.

A minimum required street frontage of 100 feet would allow the use of changeable price signs on 64% of the sample parcels, compared to 16% of sampled parcels with a minimum required frontage of 250 feet that are eligible for changeable price signs under the current ordinance, assuming no change to the street frontage of parcels existing in September 2008.

The planning commission should view a requirement of 100 feet of street frontage as the smallest frontage to be considered, but could recommend a number between the City Council proposed 100 feet and the current requirement of 250 feet of street frontage.

- Prior to an amendment in March, 2009 the minimum street frontage for EMCs was 200 feet.

- A review of aerial photos and crude measurements of what appear to be gas stations along the Kingston Pike/Cumberland Avenue/Magnolia Avenue/Asheville Highway corridor from Pellissippi Parkway on the west to Brakebill Road on the east found that all gas stations appeared to have at least 100 feet of frontage, only 3 appeared to have less than 150 feet and only 3 appeared to have more than 250 feet. A majority of these tested parcels had from 150 feet to 200 feet of street frontage.

Parcel street frontage for apparent gas stations
Along Kingston Pike/Cumberland Avenue/Magnolia Avenue/Asheville Highway
Street
FrontageNo.
ParcelsPct.
Parcels
Less than 100'00
100' to 149'311
150' to 199'1452
200' to 249'726
250' or more311

If this sample is an indicator of the situation throughout the City, a recommendation of a minimum street frontage of 100 feet seems to assure that all gas stations would become eligible to utilize an electronic changeable price sign.

Allowing more changeable price signs would result in the elimination of more existing changeable letter reader boards, which could be viewed as improving the aesthetics of many corridors.

Action: Approved **Meeting Date:** 12/10/2009

Details of Action:

Summary of Action: approve amendment to Article V, Section 10 (Sign Code), to require a minimum of 100 feet of frontage on the street where the property is addressed as set out in Attachment B

Date of Approval: 12/10/2009 **Date of Denial:** **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 7/13/2010

Date of Legislative Action, Second Reading: 8/24/2010

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Postponed

Disposition of Case, Second Reading: Denied

If "Other": Postponed in January until April 6, 2010, pp 5-4
6-15, 7-13,

If "Other":

Amendments:

Amendments:

Failed for Lack of Motion

Date of Legislative Appeal:

Effective Date of Ordinance: