

## 408. Signs.

408.1. **Purpose.** The purpose of this section is to establish reasonable and impartial regulations for location of signs within the zoning districts of Pigeon Forge so as to alleviate a growth of sign usage that is detrimental to the city. It is important that the city recognize that it is designated as a Premier Resort City of Tennessee and that obtaining and maintaining an attractive appearance protects the city's prime interest - tourism. To achieve and maintain an attractive appearance and bring about adequate light, air, and open space and reduce congestion and hazardous conditions in the city, flexible and diversified standards have been established. Therefore, all signs erected, replaced, constructed, expanded, or relocated on any property within the city shall conform to the regulations established in this section.

### 408.2. **General Requirements.**

408.2.1. No part of any sign, except for entrance and exit signs of no more than three (3) square feet shall be placed within five (5) feet of any right-of-way or ingress/egress way.

408.2.2. No sign, except as noted in 408.2.1., shall be erected where the distance from ground level to the announcement section is less than nine (9) feet, unless one of the following conditions applies:

- Monument signs are allowed if they are located at least fifteen (15) feet from any public road right-of-way and/or do not block sight distance of two hundred (200) feet in either direction, as measured from the driver's side at the 15 foot setback.
- The planning commission may, as a part of the site plan review, approve a ground sign with less than nine (9) feet of clearance if it does not impede pedestrian movement and it does not block sight distance of 200 feet, as noted above.

The planning commission retains the right to deny approval for safety reasons.

Monument signs shall be included in all signage allowances and the square foot calculations shall include the sign face measured from the height times the width. Planter boxes and landscaping areas around the monument sign shall not be counted in the signage allotments unless there is a business name, advertisement, or logo on the planter boxes or enclosed planting areas.

(Adopted by Ord. 540 on 5/12/97; Amended by Ord. 787 on 2/13/06)

408.2.3. The building official shall be provided with plans and specifications identifying the location, type, and design of sign to be erected, constructed, replaced, altered, or relocated. The official shall inspect, at any time deemed necessary, each sign requested by this section to ensure that such sign conforms to this section and all other ordinances of the city.

408.2.4. Signs per business shall be limited to a maximum of two (2), but not two (2) signs of the same type; except that on lots which extend between parallel or perpendicular streets, businesses may have three (3) signs and two (2) of these signs may be of the same type, provided they do not front on the same parallel or perpendicular street. (Ord. 612, Adopted 10/25/99)

Logo sign(s) may be displayed on up to two (2) finished sides of a building. Said logo sign(s) will not count toward the maximum number of signs allowed for a business or organization as long as each logo sign does not exceed thirty-two (32) square feet in area. The square footage of such logo signage, however, will count toward the total maximum sign area allowed in the district where the business or organization is located. (Added to by Ord. 857, Adopted 2/11/07)

408.2.5. No sign which includes action, motion, moving or revolving materials, or parts, or contains flashing or blinking lights or bulbs; or it intermittently lighted shall be allowed with the exception of temporary displays, or other materials, not containing advertising, which are displayed during the time period each year designated as "Smoky Mountain Winterfest Celebration." This prohibition shall not apply to signs that display time and temperature and public service announcements without advertising matter. Public service announcements shall be limited to the name of the establishment, hours of operation, telephone numbers, and special city-wide events sanctioned by the Pigeon Forge Department of Tourism. (Ord. 400, adopted 9/25/89 and see also Ord. 437 adopted on 1/13/92)

408.2.5.1 Searchlights and Similar Types of Lighting. Searchlights and other similar types of lighting, defined as single or multiple beams of light positioned upward, in motion or in a fixed position, are deemed to be a form of signage and are not allowed under this ordinance. (Ord. 733, adopted 7/12/04)

408.2.6. Political signs are not permitted on streets or highway rights-of-way, nor on public property. Such political signs shall not be posted prior to thirty (30) days before an election and shall be removed by the owner of the property on which the sign is located within ten (10) days after the election to which it refers. Except in the case of permanent sign structures under permit, political signs are limited to one (1) sign per candidate per premise, not to exceed twelve (12) square feet.

408.2.7. Temporary non-commercial uses of signs celebrating holidays, special events, or events of infrequent occurrence displayed for periods of short duration are permitted to be displayed thirty (30) days prior to the event and seven (7) days after the completion of the event. Such signs shall not exceed thirty-two (32) square feet in area and may be located away from the site of the event upon determination by the planning commission.

408.2.8. No signs shall be permitted which advertise an activity, business, product or service not conducted on the premises upon which the sign is actually located with exception of those signs allowed in 408.3.

408.2.9. No signs shall be permitted which are attached to, suspended from or painted on any vehicle which is regularly parked on any street or private property to display, demonstrate, and advertise, with the intent to attract the attention of the public.

408.2.9.1. *Portable and/or Movable Signs.* These signs shall be permitted only on the issuance of a temporary permit and shall only permit one (1) sign per lot.

408.2.9.1.1. The permit shall not exceed thirty (30) days and shall not be renewable for a minimum of fifteen (15) days.

408.2.9.1.2. The building official shall secure a fee of one hundred dollars (\$100) and a deposit of one hundred dollars (\$100) for a sign not to exceed fifty (50) square feet prior to the issuance of a permit.

408.2.9.1.3. The building official shall notify each delinquent permit holder that the sign permit has expired and the sign should be removed immediately. On failure to remove the sign, the official shall cause it to be removed and the deposit forfeited.

408.2.9.2. *Maximum sign height:* All signs shall have a maximum height of twenty-five (25) feet; however, the building official may allow the maximum height to be extended to thirty (30) feet, provided there is an unusual circumstance involving topography or congestion.

**408.3. Off-Premise Directional Signs.** Off-premise directional signs for facilities of non-profit service clubs, charitable or fraternal organizations, religious groups and similar entities shall be subject to review and approval by the Planning Commission prior to the issuance of a sign permit, in accordance with the following criteria:

408.3.1. Plans showing the proposed location(s), along arterial or collector streets only, shall be submitted to the Planning Commission in accordance with its scheduled deadlines.

408.3.2. No more than two (2) signs for each establishment may be approved. If two signs are proposed, they must be located at separate intersections.

408.3.3. The sign(s) shall be located on private property, no closer than five (5) feet to any right-of-way or ingress/egress way. Written evidence of the property owner's concurrence with the request shall be provided to the Planning Commission.

408.3.4. The sign(s) shall not exceed eight (8) square feet in area, and nine (9) feet in height. The sign(s) must not impede sight-distance for a minimum of 200 feet at intersections.

408.3.5. Refer to Section 14-602 of the Municipal Code for rules and regulations for tourist oriented directional signs (TODS).

(Sections 408.3 were adopted by Ord. 408 on 7/9/90; Amended by Ord. 575 on 9/14/98, & Amended by Ord. 812 on 9/25/06)

**408.4. General Requirements - Signs Permitted in All Districts.** The following signs shall be permitted in any zoning district and shall not be included in determination of maximum allowable signage.

408.4.1. Parking areas: Signs for parking areas and ingress/egress signs as established in 408.2.1. and one (1) sign of not more than nine (9) square feet noting conditions and stipulations of the parking area.

408.4.2. Real estate signs: Signage noting "for sale," "for lease," "for rent," shall be permitted provided it is non-illuminated. Only one (1) sign of not more than thirty-two (32) square feet shall be permitted on each land parcel. (Adopted by Ord. 556 on 10/27/97)

408.4.3. Construction sites: one sign noting construction information and trades shall be permitted for each site. The maximum size shall be thirty-two (32) square feet. The sign shall be allowed only until the project is complete and shall be removed prior to issuance of a certificate of occupancy.

408.4.4. Subdivision, PUD, and similar signs: A sign noting information about the development shall be permitted. the maximum size shall be thirty-two (32) square feet. (Adopted by Ord. 556 on 10/27/97) The sign shall be located on the property being developed and shall be removed after two (2) years or when ninety (90) percent of the project is sold whichever occurs first.

408.4.5. Lease signs: A lease sign for a single site, multi-use development shall be permitted. The maximum size shall be thirty-two (32) square feet. The sign shall be removed after the project is complete and prior to issuance of a certificate of occupancy. (Adopted by Ord. 556 on 10/27/97)

**408.5. Signs Permitted in Residential Districts.** Signs permitted shall be limited to the following:

408.5.1. General: Residential subdivision and planned unit developments of two (2) acres or less, approved by the planning commission, may have signage not to exceed thirty-five (35) square feet. For residential subdivisions or planned unit developments over two (2) acres, an additional ten (10) square feet in signage shall be permitted per acre above two acres, with a maximum not to exceed one hundred and fifty (150) square feet in area. Calculation of square footage shall include the entire area of signage, including any structure, attachment, or support and including the area in which the subdivision or PUD name is placed. Signage may include no more than two signs at the entry; however, each sign may not exceed one-half (1/2) of the square footage allowed for the development. (Adopted by Ord. 514 on 1/15/96)

If a residential subdivision or PUD has multiple public road entry points, it may have no more than one sign at each entry, provided that the total square footage of all signs does not exceed the square footage allowed for the development. (Ord. 771, Adopted 7/25/05)

408.5.2. Announcement signs: One sign of not more than three (3) square feet shall be permitted for home occupations, tourist residences, and professions. Signs shall not be illuminated.

408.5.3. Multi-family and non-residential use signs: One (1) sign for each use shall be permitted. The maximum size shall not be more than thirty-five (35) square feet and shall be lighted indirectly, provided lighting is desired.

**408.6. *Signs Permitted in Commercial and Industrial Districts C-1, C-2, M-1.*** Signs permitted shall be limited to the following:

408.6.1. General: Signs permitted in Section 408.4. and 408.5.

408.6.2. Maximum signage permitted: The maximum signage shall not exceed three hundred fifty (350) square feet. The total may be utilized in one sign or for two different sign types. Roof signs shall not exceed one hundred fifty (150) square feet. Wall signs shall not exceed forty (40) percent of the wall face on which it is attached.

408.6.3. Shopping centers, multi-use commercial developments, and industrial uses: A major sign designating the name and nature of the development or activity shall be permitted. The maximum size of the sign shall be three hundred fifty (350) square feet, and shall be a ground sign.

408.6.3.1. Each activity within the development may display its name and/or logo on the major sign within the total space permitted.

408.6.3.2. Each activity may utilize one additional sign at the activity's location. The signage shall not exceed one hundred fifty (150) square feet or if a wall sign is desired, forty (40) percent of the face area on which it is attached, not to exceed seventy five (75) square feet.

408.6.3.2.1. An activity in a mixed use, pedestrian-oriented development having general accessibility from more than one direction may request up to two additional wall signs not to exceed 37.5 square feet each. In no case shall there be more than one wall sign per building face, and no more than three wall signs per building. The Planning Commission will review and act upon such requests, at its sole

discretion, during the site plan review. (Ord. 806, Adopted 8/14/2006)

408.6.3.2.2. If a shopping center or multi-use commercial development has at least 8,000 sq. ft. of floor area and fronts on a major street, a tenant occupying more than 50% of the leaseable space of such commercial frontage may request one ground or monument sign at the entrance to the development, not to exceed 75 sq. ft. in area. The Planning Commission shall consider the request during the site plan review, and approval of any sign under this subsection will be conditioned by the requirement that if the qualifying use ceases operation at said location, the sign and all associated structural elements must be removed by the business owner or the property owner within 30 days. If a subsequent tenant leases more than 50% of the leaseable space of such commercial frontage in the development, it may submit a site plan to the Planning Commission for consideration of the additional signage allowed under this subsection. (Ord. 818, Adopted 2/6/2007)

408.6.3.3. Sign locations shall be approved by the planning commission in the site plan approval process.

408.6.3.4. In the case where such a development fronts on intersecting or parallel arterial or collector streets, a major (development) sign may be located along each of the street frontages, as long as the total square footage of signage does not exceed the amount allowed in section 408.6.3. (Ord. 783, Adopted 10/10/05)

408.6.4. Graphics shall be counted as part of the maximum signage. (Ord. 772, Adopted 7/25/05)

**408.7. Signs Permitted in Commercial District C-3.** Signs permitted shall be limited to the following:

408.7.1. General: Signs permitted in Sections 408.4 and 408.5.

408.7.2. Maximum signage permitted: The maximum signage shall not exceed one hundred fifty (150) square feet. The total may be utilized in one sign or for two different sign types. Roof signs shall not exceed one hundred (100) square feet. Wall signs shall

not exceed forty (40) percent of the wall face area on which it is attached or seventy five (75) square feet.

408.7.3. Multi-use commercial centers: The maximum signage shall not exceed two hundred (200) square feet for the total sizes, and shall be subject to the provisions in 408.7.2.

408.7.4. Graphics shall be counted as a part of the maximum signage. (Adopted by Ord. 479 on 8/8/94)

**408.8. *Signs Permitted in Commercial District C-4.*** Signs permitted shall be limited to the following:

408.8.1. General: Signs permitted in 408.4 and 408.5.

408.8.2. Maximum signage permitted: Each commercial development shall be permitted one (1) ground sign per building, or in the case of a P.U. D., one ground sign per P.U.D. and not one ground sign per business in the P.U.D. with a maximum square footage of 300 square feet. In the case where a PUD fronts or intersecting of parallel arterial or collector streets, a ground sign may be located along each of the street frontages, as long as the total square footage of signage does not exceed the amount allowed in this subsection. A wall/facade sign shall be permitted for up to ten (10) percent of the building front (height times linear feet excluding protrusions). The wall/facade sign shall be permitted on any side of the building but only one side qualifies for a wall/facade sign. Any commercial use located within a development may add the business name/logo wall/facade sign; however, the wall/facade sign shall be no greater than ten (10) percent of the facade regardless of the number of commercial establishments contained within the building. If the development has no ground sign, fifteen (15) percent of the wall/facade is permitted. No roof signs are permitted.

(Adopted by Ord. 474 on 4/28/94, Amended by Ord. 783, Adopted 10/10/05)

408.8.3. Outparcels: Commercial developments containing outparcels may have separate principal ground sign with a maximum display surface of seventy five (75) square feet for each approved out-parcel. Other signage for outparcels shall conform to the provisions established in 408.8.2.

408.8.4 Graphics shall be counted as a part of the maximum signage. (Adopted by Ord. 479 on 8/8/94)