



Minutes of the Special Meeting Of the Council of the City of Knoxville

Thursday, April 9, 2015 - 5:30 PM - City County Building

I. Call to Order

The meeting was called to order at 5:30 PM by Mayor Madeline Rogero.

II. Invocation and Pledge of Allegiance to the Flag

Council Member George Wallace led in the Invocation and Council Member Marshall Stair led in the "Pledge of Allegiance" to the Flag.

III. Roll Call

Attendee Name	Title	Status	Arrived
Nick Pavlis	1st District	Present	
Duane Grieve	2nd District	Present	
Brenda Palmer	3rd District	Present	
Nick Della Volpe	4th District	Present	
Mark Campen	5th District	Present	
Daniel Brown	6th District	Present	
George C. Wallace	At-Large Seat A	Present	
Marshall Stair	At-Large Seat B	Present	
Finbarr Saunders	At-Large Seat C	Present	
Madeline Rogero	Mayor	Present	

IV. Public Comment

Susan Williams, representing Chamber of Commerce, in favor of ordinance.

Jim Rooney, Small business owner, in favor of ordinance.

Jill Thompson, Greater Knoxville Hospitality Association, in favor of ordinance.

Travetta Johnson, Neighborhood Advisory Council, in opposition to ordinance.

Jerry Erpenbach, Council of West Knoxville, in opposition to ordinance.

Marsha Grieve, Scenic Knoxville, in opposition to ordinance.

Sign Task Force Members Melissa McAdams and Don Parnell also addressed Council.

V. Items

Referred Back to MPC (See vote #33 at end of Minutes)

An Ordinance to amend the Knoxville City Code, Appendix B, "Zoning Regulations," definitions and sign regulations. (MPC Forwarded to City Council 10-5) (File No. 10-B-13-OA)(Requested by Metropolitan Planning Commission) (Revised Version)

RESULT:	REFERRED [7 TO 0]
MOVER:	Duane Grieve, 2nd District
SECONDER:	Finbarr Saunders, At-Large Seat C
AYES:	Grieve, Della Volpe, Campen, Brown, Wallace, Stair, Saunders
ABSTAIN:	Nick Pavlis
AWAY:	Brenda Palmer

Council then proceeded through the ordinance section by section stating amendments.

1. **Motion to:** Amend Section 2 "Canopy" definition to delete sentence dealing with mansard roofs.

RESULT:	APPROVED [8 TO 1]
MOVER:	Duane Grieve, 2nd District
SECONDER:	Finbarr Saunders, At-Large Seat C
AYES:	Grieve, Palmer, Della Volpe, Campen, Brown, Wallace, Stair, Saunders
NAYS:	Nick Pavlis

*Amend Section 2.2 General Definitions "Canopy" - to **remove** the following sentence:
"The lower, steeper portion of a mansard roof shall be considered a canopy for the purposes of this section if there is no enclosed space below this portion of the mansard roof."*

2. **Motion to:** To Amend Section 2 to adopt a "Mansard Roof" definition stated below and adopt picture of mansard roof in Table 7.1.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Nick Della Volpe, 4th District
SECONDER:	George C. Wallace, At-Large Seat A
AYES:	Pavlis, Grieve, Palmer, Della Volpe, Campen, Brown, Wallace, Stair, Saunders

THE NEW DEFINITION WILL READ AS FOLLOWS:

Mansard Roof: *A roof or portion of a roof containing two sloping planes of different pitch. The lower plane has a much steeper pitch, often approaching vertical, than the upper plane, which is usually not visible from the ground. It contains no gables.*

3. **Motion to:** Amend Section 2.2 Canopy Definition to add the wording "Does Not Include Mansard Roof" And to replace picture of Mansard Roof with better signage example.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Duane Grieve, 2nd District
SECONDER:	Finbarr Saunders, At-Large Seat C
AYES:	Pavlis, Grieve, Palmer, Della Volpe, Campen, Brown, Wallace, Stair, Saunders

THE AMENDED DEFINITION WILL READ AS FOLLOWS:

Canopy: *A permanent structure, other than an awning, made of cloth, metal or other material for the purpose of providing shelter to patrons or automobiles, or as a decorative feature on a building wall. A canopy is not a completely enclosed structure. A mansard roof shall not be considered a canopy.*

4. **Motion to:** Amend Section 2 to delete the center picture entitled, "Canopy - Pitched" from Table 7.1 and to remove "Canopy Sign 1 - Honey Dew Donuts from Table 7.2."

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Nick Della Volpe, 4th District
SECONDER:	George C. Wallace, At-Large Seat A
AYES:	Pavlis, Grieve, Palmer, Della Volpe, Campen, Brown, Wallace, Stair, Saunders

5. **Motion to:** Amend Section 2.2 to add a definition for Logo Sign as stated below.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Nick Della Volpe, 4th District
SECONDER:	George C. Wallace, At-Large Seat A
AYES:	Pavlis, Grieve, Palmer, Della Volpe, Campen, Brown, Wallace, Stair, Saunders

THE NEW DEFINITION WILL READ AS FOLLOWS:

Logo Sign: *A business, informational, or directional sign located on an interstate of-ramp which is regulated by The Tennessee Department of Transportation (TDOT).*

DISCUSSION:

Council Members Della Volpe and Wallace.

6. **Motion to:** Amend Section 2 to remove the words television or monitor from the "Window Signs" definition.

RESULT:	APPROVED [7 TO 2]
MOVER:	Nick Della Volpe, 4th District
SECONDER:	Duane Grieve, 2nd District
AYES:	Grieve, Della Volpe, Campen, Brown, Wallace, Stair, Saunders
NAYS:	Nick Pavlis, Brenda Palmer

THE AMENDED DEFINITION WILL READ AS FOLLOWS:

Window sign: *A type of attached sign placed within a window facing the street or thoroughfare placed in a window for the purpose of advertising products, services or the business, and may be composed of applied letters, symbols, neon or similar lighting, but may not obscure the view of the interior of the building.*

DISCUSSION:

Council Members George Wallace, Nick Della Volpe, Brenda Palmer and Daniel Brown, Vice-Mayor Nick Pavlis, Chris Ooten, representing Weigel's and the Chamber, Joyce Feld, representing Scenic Knoxville, Courtney Coffey, Market Square business owner.

A TEN MINUTE RECESS WAS TAKEN BY COUNCIL.

7. **Motion to:** Amend Section 3, Number 2 by deleting the last sentence. (See below)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Nick Della Volpe, 4th District
SECONDER:	Nick Pavlis, 1st District
AYES:	Pavlis, Grieve, Palmer, Della Volpe, Campen, Brown, Wallace, Stair, Saunders

Delete the following sentence from:

Section 3

2.This does not include permitted incidental signs such as directional, directory, or informational signs.

THE AMENDED SECTION 3, #2 WILL READ AS FOLLOWS:

2. Signs which contain or make use of any word, phrase, symbol, shape, form or character in such manner as to interfere with, mislead or confuse traffic.

8. **Motion to:** Amend Section 2.3 Definition for Portable Sign by adding the words "by or on a motor-driven vehicle" to the definition. (See Below)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Brenda Palmer, 3rd District
SECONDER:	Nick Pavlis, 1st District
AYES:	Pavlis, Grieve, Palmer, Della Volpe, Campen, Brown, Wallace, Stair, Saunders

THE AMENDED DEFINITION WILL READ:

Portable Sign: All moveable or portable off-premise or on premise signs mounted upon trailers or other structure(s) or device(s) designed to be transported by or on a motor-driven vehicle with only incidental parking and assembling for reuse, unless otherwise permitted by these regulations.

DISCUSSION:

Council Member Marshall Stair, Law Department representative Crista Cuccaro.

- 9. **Motion to:** Amend Section 4, #31 to delete the word "temporary" and add the word "all" to read "All Window Signs."

RESULT:	APPROVED [UNANIMOUS]
MOVER:	George C. Wallace, At-Large Seat A
SECONDER:	Brenda Palmer, 3rd District
AYES:	Pavlis, Grieve, Palmer, Della Volpe, Campen, Brown, Wallace, Stair, Saunders

- 10. **Motion to:** Amend Section 4, #24, to approve time limits of thirty (30) days prior and five (5) days following. (See wording below)

RESULT:	APPROVED [8 TO 1]
MOVER:	Duane Grieve, 2nd District
SECONDER:	Marshall Stair, At-Large Seat B
AYES:	Pavlis, Grieve, Palmer, Della Volpe, Campen, Brown, Stair, Saunders
NAYS:	George C. Wallace

SECTION 4.24 WILL READ AS FOLLOWS:

"Temporary signs for political purposes; provided that each sign shall not exceed thirty-two (32) square feet in area, shall not be displayed for more than thirty (30) days prior to the start of the earliest voting period for the candidate or issue, and shall be removed within five (5) days following the end of the final voting period for the candidate or issue."

DISCUSSION:

Crista Cuccaro, Council Member Wallace.

- 11. **Motion to:** Amend Section 4, #24 to change the size of a political sign from 32 square feet to 16 square feet.

RESULT:	DEFEATED [4 TO 5]
MOVER:	Marshall Stair, At-Large Seat B
SECONDER:	Brenda Palmer, 3rd District
AYES:	Duane Grieve, Brenda Palmer, Daniel Brown, Marshall Stair
NAYS:	Pavlis, Della Volpe, Campen, Wallace, Saunders

SECTION 4.24 WILL READ AS FOLLOWS:

"Temporary signs for political purposes; provided that each sign shall not exceed thirty-two (32) square feet in area, shall not be displayed for more than thirty (30) days prior to the start of the earliest voting period for the candidate or issue, and shall be removed within five (5) days following the end of the final voting period for the candidate or issue."

DISCUSSION:

Council Members Stair, Wallace and Vice-Mayor Pavlis, Attorney Rob Frost and Law Department representative Crista Cuccaro.

12. **Motion to:** Amend Section 4, #23 (a) to change the word "lot" to "dwelling." (See below)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Duane Grieve, 2nd District
SECONDER:	George C. Wallace, At-Large Seat A
AYES:	Pavlis, Grieve, Palmer, Della Volpe, Campen, Brown, Wallace, Stair, Saunders

Section 4, #23 (a) will read as follows:

a. A sign giving a property identification name or number or names(s) of occupant, one sign per dwelling.

DISCUSSION:

Law Department representative Crista Cuccaro and Former Council Member Carlene Malone.

13. **Motion to:** Amend Section 5, #2 to reflect sizes of (48) square feet in area and eight (8) feet in height. (See wording below)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	George C. Wallace, At-Large Seat A
SECONDER:	Duane Grieve, 2nd District
AYES:	Pavlis, Grieve, Palmer, Della Volpe, Campen, Brown, Wallace, Stair, Saunders

Section 5, #2 will read as follows:

2. Temporary signs announcing real estate availability in nonresidential districts; provided that such signs are less than forty-eight (48) square feet in area per sign, do not exceed eight (8) feet in height for detached signs, and are limited to one (1) ground sign per street frontage and one (1) wall sign per building facade if the entire building is the unit for sale or lease, or one (1) wall sign per leasable area if subunits of the building are for lease or rent.

DISCUSSION:

Scenic Knoxville representative Joyce Feld, Knoxville Area Association of Realtors Jennifer Roche, Vice-Mayor Pavlis.

14. **Motion to:** Amend Section 5, #5 to require removal of sign one (1) day after the event instead of two (2) days. (See below)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	George C. Wallace, At-Large Seat A
SECONDER:	Finbarr Saunders, At-Large Seat C
AYES:	Pavlis, Grieve, Palmer, Della Volpe, Campen, Brown, Wallace, Stair, Saunders

SECTION #5, #5 will read:

5. Temporary signs announcing yard sales or real estate open houses; provided that such signs do not exceed six (6) square feet in area, are limited to one (1) per lot, are erected no sooner than four (4) days before the event, and are removed within one (1) day after the event. On the day of these events, and while event staff are on the site, up to two (2) flag signs, not to exceed sixteen (16) square feet in area, may be used to announce the event.

15. **Motion to:** Amend Section 5, #4 to reflect forty-eight (48) square feet in area and eight (8) feet in height. (See below)

RESULT:	APPROVED [5 TO 4]
MOVER:	Mark Campen, 5th District
SECONDER:	Marshall Stair, At-Large Seat B
AYES:	Grieve, Della Volpe, Campen, Brown, Stair
NAYS:	Nick Pavlis, Brenda Palmer, George C. Wallace, Finbarr Saunders

Section 5, #4 will read:

"Temporary signs announcing construction in nonresidential districts; provided that such signs are less than forty-eight (48) square feet in area and eight (8) feet in height for detached signs, which must be spaced at least one hundred (100) feet apart, and which are installed after issuance of a building permit and removed prior to the issuance of a certificate of occupancy. If a sign is displayed pursuant to this paragraph, but construction is discontinued for a period of more than sixty(60) days, the sign shall be removed, pending continuation of construction activities. Construction-related detached sign that are sixty-four (64) square feet or more in area and ten (10) feet or more in height must comply with the district requirements for a permanent detached sign."

DISCUSSION:
Council Member Wallace.

16. **Motion to:** Amend Section 5, #6 to eight (8) feet in height. (See below)

RESULT:	APPROVED [7 TO 2]
MOVER:	Duane Grieve, 2nd District
SECONDER:	Nick Della Volpe, 4th District
AYES:	Grieve, Palmer, Della Volpe, Campen, Brown, Stair, Saunders
NAYS:	Nick Pavlis, George C. Wallace

SECTION 5, #6 will read:

"Temporary auction signs; provided that such signs do not exceed thirty-two (32) square feet in area per sign, do not exceed eight(8) feet in height for detached signs, are limited to one (1) per lot, and area erected no more than thirty-one (31) days prior to the event and removed within twenty-four (24) hours after the auction event. On the day of these events, and while event staff are on the site, up to two (2) flag signs, not to exceed sixteen (16) square feet in size, may be used to announce the event."

17. **Motion to:** Refer Section 6.5 back to MPC for further consideration

RESULT:	DEFEATED [4 TO 5]
MOVER:	George C. Wallace, At-Large Seat A
SECONDER:	Mark Campen, 5th District
AYES:	Nick Della Volpe, Mark Campen, George C. Wallace, Marshall Stair
NAYS:	Pavlis, Grieve, Palmer, Brown, Saunders

DISCUSSION:

Scenic Knoxville representative Margot Kline, Council Members Wallace, Palmer and Grieve, Former City Council Member Carlene Malone, MPC representative Dan Kelly, Pilot/Flying J representative Mike Hamill, Vice-Mayor Pavlis.

18. **Motion to:** Amend Section 8.2.d - Changing the square from thirty-two(32) to forty-eight (48). (See Below)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	George C. Wallace, At-Large Seat A
SECONDER:	Nick Pavlis, 1st District
AYES:	Pavlis, Grieve, Palmer, Della Volpe, Campen, Brown, Wallace, Stair, Saunders

THE AMENDED 8.2 d WILL READ:

d. No temporary sign shall exceed forty-eight (48) square feet in area, except where stated otherwise in this Article.

DISCUSSION:
Attorney Crista Cuccaro.

19. **Motion to:** Delete Section 9.4 (f) in its entirety.

RESULT:	APPROVED [6 TO 3]
MOVER:	Nick Della Volpe, 4th District
SECONDER:	Marshall Stair, At-Large Seat B
AYES:	Grieve, Della Volpe, Campen, Brown, Stair, Saunders
NAYS:	Nick Pavlis, Brenda Palmer, George C. Wallace

DISCUSSION:
Scenic Knoxville representative Joyce Feld.

20. **Motion to:** Amend Section 10, first sentence, to delete the wording "and require application for and receipt of a sign permit." (See below)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	George C. Wallace, At-Large Seat A
SECONDER:	Duane Grieve, 2nd District
AYES:	Pavlis, Grieve, Palmer, Della Volpe, Campen, Brown, Wallace, Stair, Saunders

SECTION 10
Amend the first sentence by deleting the words "and require application for and receipt of a sign permit."

THE FIRST SENTENCE AMENDMENT WILL READ AS FOLLOWS:
Section 10. Signs Permitted in All Districts.
The following signs are allowable in all zone districts.

A FIVE MINUTE RECESS WAS TAKEN BY COUNCIL.

21. **Motion to:** Amend 11.5 and 11.6 to consider sign heights and area by street types, not zoning districts. (See Motion to Reconsider)

RESULT:	APPROVED [5 TO 4]
MOVER:	George C. Wallace, At-Large Seat A
SECONDER:	Finbarr Saunders, At-Large Seat C
AYES:	Campen, Brown, Wallace, Stair, Saunders
NAYS:	Nick Pavlis, Duane Grieve, Brenda Palmer, Nick Della Volpe

DISCUSSION:
Council Members Wallace, Grieve, Stair, Palmer and Della Volpe. Sign Task Force Member Bill Weigel and Scenic Knoxville representative Joyce Feld.

MOTION TO RECONSIDER:
Council Member Wallace moved to reconsider the vote amending 11.5 and 11.6.
Council Member Saunders seconded the motion.
The motion to reconsider was approved by unanimous vote.
The vote was reconsidered. See amendment #19.

22. **Motion to:** Amend Section 11.6 to consider sign heights by road designation.

RESULT:	APPROVED [6 TO 3]
MOVER:	Marshall Stair, At-Large Seat B
SECONDER:	Mark Campen, 5th District
AYES:	Della Volpe, Campen, Brown, Wallace, Stair, Saunders
NAYS:	Nick Pavlis, Duane Grieve, Brenda Palmer

DISCUSSION:
Council Members Grieve, Stair, Campen, Wallace and Saunders.
Mike Hamil, representing Pilot/Flying J, Former Council Member Carlene Malone, citizen representative Mary English.

23. **Motion to:** Reinstate the four road classifications stated in the 2011 ordinance approved on first reading. (See below)

RESULT:	APPROVED [6 TO 3]
MOVER:	Marshall Stair, At-Large Seat B
SECONDER:	George C. Wallace, At-Large Seat A
AYES:	Della Volpe, Campen, Brown, Wallace, Stair, Saunders
NAYS:	Nick Pavlis, Duane Grieve, Brenda Palmer

*The Four Road Classifications are to be as follows:
(From 2011 Ordinance approved by City Council on 11-15-2011)*

- A. *Property Within Interstate Interchange Areas*
- B. *Property Adjacent to Interstate ROW*
- C. *Property Fronting on Federal Highways*
- D. *Other Eligible Property*

DISCUSSION:

Council Members Grieve and Saunders, Law Department representatives Director Charles Swanson and Attorney Crista Cuccaro.

24. **Motion to:** Approve sign heights are presented by the Sign Task Force. (40ft, 30ft, 30ft, 30ft) (See designations below)

RESULT:	APPROVED [5 TO 4]
MOVER:	Duane Grieve, 2nd District
SECONDER:	Nick Pavlis, 1st District
AYES:	Pavlis, Grieve, Palmer, Della Volpe, Brown
NAYS:	Mark Campen, George C. Wallace, Marshall Stair, Finbarr Saunders

DISCUSSION:

*Scenic Knoxville representative Joyce Feld, Chamber of Commerce representative Mark Field, Weigel's representative Bill Weigel (STF Member).
Council Members Stair, Della Volpe, Saunders, Palmer and Vice-Mayor Pavlis.*

Sign Heights Will be Reflected as follows:

- A. *Property Within 500 Feet of Interstate Interchange Area - 40 feet.*
- B. *Property Adjacent to Interstate ROW - 30 feet.*
- C. *Property Fronting on Federal Highways - 30 feet.*
- D. *Other Eligible Properties - 30 feet.*

25. **Motion to:** Amend Section 11.5 (b) 2 (i) to eliminate the wording after the semi-colon. (See below)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Nick Della Volpe, 4th District
SECONDER:	George C. Wallace, At-Large Seat A
AYES:	Pavlis, Grieve, Palmer, Della Volpe, Campen, Brown, Wallace, Stair, Saunders

Amendment - Delete wording after semi-colon.

Section 11.5 b, 2(i) will read:

- I. *"Types of detached signs are limited only to monument or column signs."*

DISCUSSION:

Former Council Member Carlene Malone.

26. **Motion to:** Amend Section 11.5, b, 2 to eliminate pole signs.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Nick Della Volpe, 4th District
SECONDER:	Duane Grieve, 2nd District
AYES:	Pavlis, Grieve, Palmer, Della Volpe, Campen, Brown, Wallace, Stair, Saunders

THE AMENDED SECTION 11.5 b. 2 WILL READ:

2. One (1) detached sign is allowed per parcel or lot, but are limited only to monument or column signs; provided that the maximum sign area shall be thirty-six (36) square feet and the maximum height shall be six (6) feet. Such detached signs shall not be internally illuminated, but may be externally illuminated provided that no light source is visible from the public right-of-way or adjacent properties.

27. **Motion to:** Amend Section 11.6, e, #2 to change the sign area size to thirty-six (36) square feet and height to six (6) feet. (See below)

RESULT:	APPROVED [7 TO 2]
MOVER:	Duane Grieve, 2nd District
SECONDER:	Mark Campen, 5th District
AYES:	Grieve, Della Volpe, Campen, Brown, Wallace, Stair, Saunders
NAYS:	Nick Pavlis, Brenda Palmer

Section 11.6, e, #2 will read:

"On parcels and lots adjacent to any streets or roads that are part of the State of Tennessee Scenic Highway System, only a monument or column sign shall be allowed, provided that the maximum sign height for a primary detached sign shall be six (6) feet and the maximum sign area shall be thirty-six (36) square feet."

DISCUSSION:

Bill Weigel, Joyce Feld, Council Member Palmer, Mike Hamil from Pilot/Flying J, Law Department representative Crista Cuccaro, MPC representative Dan Kelly, Council Member Della Volpe and Sign Task Force Member Don Parnell.

COUNCIL OBSERVED A FIVE-MINUTE RECESS.

28. Councilman Stair made a motion to Amend Section 13 to adopt a new 13.1 and 13.1(a) as presented by Councilman Stair.

29. **Motion to:** A substitute motion to Adopt 13.1 and 13.1(a) as presented by Councilman Stair but to change the time in 13.1 to 14 months and change the time in 13.1(A) to 9 months. (See Below)

RESULT:	APPROVED [6 TO 3]
MOVER:	George C. Wallace, At-Large Seat A
SECONDER:	Finbarr Saunders, At-Large Seat C
AYES:	Pavlis, Grieve, Palmer, Della Volpe, Wallace, Saunders
NAYS:	Mark Campen, Daniel Brown, Marshall Stair

DISCUSSION:

Vice-Mayor Pavlis, Council Members Stair, Grieve, Wallace and Brown. Chamber and Weigel's representative Chris Ooten, Scenic Knoxville representatives Joyce Feld and Margot Kline, Pilot/Flying J representative Mike Hamil, KAAR representative Jennifer Roche.

THE AMENDMENT WILL READ:

Amendment for Abandoned Signs

13.1. Abandoned Sign Determination for Conforming Signs. Any legal conforming sign, as defined by the ordinance, including its supporting structure, erected in conjunction with a particular use, that use having been subsequently discontinued for a period of one hundred and twenty (120) days or more, or a lawfully erected temporary sign for which the time period allowed

for display of the sign has expired. Abandonment shall be presumed if, for a period of one hundred and twenty (120) days or longer, the sign has not 1) advertised goods, services, facilities, events or attractions available on the premises where located, 2) identified the owner or occupant, 3) directed traffic on the premises, or 4) displayed a noncommercial message which may or may not related to an activity located on the premises. Any sign which otherwise conforms to the provisions of this Article, and by reason of the cessation of activity on the premises, becomes an off-premises sign, may be retained for a period of fourteen (14) months by one of the following methods:

- a. *Painted Sign:* The sign shall be covered by painting over the sign area.
- b. *Removable Sign Face:* The sign face shall be removed and replaced with a blank insert or the sign face may be reversed.
- c. *Temporary Covering:* The sign face may be temporarily covered by the installation of a sock or boot.

If activity on the property has not resumed within a period of fourteen (14) months from abandonment, then the sign shall be presumed abandoned and shall be taken down and removed as provided herein.

13.1.A Abandoned Sign Determination for Nonconforming Signs. Any nonconforming sign, as defined by the ordinance, including its supporting structure, erected in conjunction with a particular use, that use having been subsequently discontinued for a period of sixty (60) days or more, or a lawfully erected temporary sign for which the time period allowed for display of the sign has expired. Abandonment shall be presumed if, for a period of sixty (60) days or longer, the sign has not 1) advertised goods, services, facilities, events or attractions available on the premises where located, 2) identified the owner or occupant, 3) directed traffic on the premises, or 4) displayed a noncommercial message which may or may not related to an activity located on the premises. Any sign which otherwise conforms to the provisions of this Article, and by reason of the cessation of activity on the premises, becomes an off-premises sign, may be retained for a period of nine (9) months by one of the following methods:

- a. *Painted Sign:* The sign shall be covered by painting over the sign area.
- b. *Removable Sign Face:* The sign face shall be removed and replaced with a blank insert or the sign face may be reversed.
- c. *Temporary Covering:* The sign face may be temporarily covered by the installation of a sock or boot.

If activity on the property has not resumed within a period of nine (9) months from abandonment, then the sign shall be presumed abandoned and shall be taken down and removed as provided herein.

COUNCIL MEMBER PALMER LEFT THE MEETING

- 30. **Motion to:** Approve the amendment to Definition Section 2.2 to add definitions for Nonconforming Sign and Conforming Sign.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Marshall Stair, At-Large Seat B
SECONDER:	George C. Wallace, At-Large Seat A
AYES:	Pavlis, Grieve, Palmer, Della Volpe, Campen, Brown, Wallace, Stair, Saunders

THE DEFINITIONS WILL READ:

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

Conforming sign: Any permanent sign or sign structure which conforms to the provisions of this Article.

31. **Motion to:** Amend Section 14 to add "Nonconforming sign" Sections #1 and #2 as presented by Councilman Stair.

RESULT:	DEFEATED [4 TO 4]
MOVER:	Marshall Stair, At-Large Seat B
SECONDER:	Mark Campen, 5th District
AYES:	Duane Grieve, Mark Campen, Daniel Brown, Marshall Stair
NAYS:	Nick Pavlis, Nick Della Volpe, George C. Wallace, Finbarr Saunders
AWAY:	Brenda Palmer

DISCUSSION:

Council Members Stair and Della Volpe, Chamber/Weigel's representative Chris Ooten, Scenic Knoxville representative Joyce Feld, Attorney Rob Frost.

32. **Motion to:** Amend Section "Nonconforming Signs" as presented by Councilman Stair, Section #1 only.

RESULT:	APPROVED [6 TO 2]
MOVER:	Marshall Stair, At-Large Seat B
SECONDER:	Duane Grieve, 2nd District
AYES:	Grieve, Della Volpe, Campen, Brown, Stair, Saunders
NAYS:	Nick Pavlis, George C. Wallace
AWAY:	Brenda Palmer

THE AMENDMENT WILL READ AS FOLLOWS:

Nonconforming signs

The utilization of a nonconforming sign and/or sign structure may continue subject to the conditions and requirements noted in Section 14. When the use of a property changes (including but not limited to the redevelopment of the site or a change in the use of the business), the signs on that property must be brought into compliance with the provisions of this Article.

33. **Motion to:** Send the ordinance back to MPC as amended and with specific instructions to give more consideration to certain areas stated below:

RESULT:	APPROVED [7 TO 0]
MOVER:	Duane Grieve, 2nd District
SECONDER:	Finbarr Saunders, At-Large Seat C
AYES:	Grieve, Della Volpe, Campen, Brown, Wallace, Stair, Saunders
ABSTAIN:	Nick Pavlis
AWAY:	Brenda Palmer

Proposed Items for MPC Study:

- 1) Section 4.22: How much time should be allowed prior to an event for the placement of the signs designated in this section?*
- 2) No section: Do street sign banners (e.g., designating the Fourth & Gill neighborhood) need to be exempt from regulation?*
- 3) Section 11.4: Consider more specifically which types of attached signs are permissible in the residential district, and limit the signs in subsection a.2 (wall signs for multi-dwelling structures) such that the signs may only indicate the name and/or address of the premises, or the name of the management company (which is stated in the current zoning code for this type of sign.).*

DISCUSSION:

Council Members Grieve and Wallace, Chief Building Official Peter Ahrens, Pilot/Flying J representative Mike Hamil, Former City Council member Carlene Malone, Attorney Crista Cuccaro, Scenic Knoxville representative Margot Kline, Mayor Madeline Rogero.

VI. Adjournment

The meeting was closed at 11:30 PM.

Presiding Officer of the Council

Recorder