

## SECTION 4: CENTRAL BUSINESS DISTRICT

The Central Business District is the civic and cultural center of Maryville. In order to maintain the appropriate and expected atmosphere of a traditional downtown, it is very important to provide an intimate scale of the urban spaces. The level of detail must be sufficiently matched by new developments. Size and quantity of fenestration must be maintained. Ornate cornices and other features should be maintained and replicated. New buildings should be designed in the base and capital streetscape style typical of the older shops. New elements such as colorful canvas awnings or theme lights can be added to the facades to create a contemporary visual unity. Design of these elements must be carefully detailed to ensure common themes. The following regulations will encourage the redevelopment and expansion of a traditional, thriving, and charming Downtown Maryville.

- (a) Lot Dimensions:
  - (1) Lot size: no minimum
  - (2) Lot width: no minimum
- (b) Setbacks: Setback from existing utility easements must be observed, otherwise:
  - (1) Front: 10 ft. maximum setback from edge of sidewalk. Building setback preferably should line flush with existing buildings.
  - (2) Side: 10 ft. maximum; no minimum. Building setback preferably should line flush with existing buildings.
  - (3) Rear: No minimum, maximum variable, depending upon placement of parking as determined by the Downtown Maryville Design Review Board.
- (c) Parking: Parking: total coverage cannot exceed 10% of the entire lot. Parking shall be placed in the back of the building (opposite from the facade) and if adjoining the street, must be supplemented by an 8 foot opaque wall made of appropriate materials, including brick, stone, and other natural materials to create a visual edge for pedestrians and motorists. Appropriate landscaping in and around parking lots, including trees may be required.
- (d) Height:
  - (1) All new buildings shall not have street facades that exceed forty-five (45) feet in height as measured from the mean elevation of the finished grade at the front of the building to the highest point on the façade.
  - (2) Stories above forty-five (45) feet shall be subject to a one (1) foot setback for every additional foot in height above the first forty-five (45) feet in height.
  - (3) Maximum overall building height shall not exceed sixty-five (65) feet. To

account for the variation in topographic elevations downtown, the height shall be measured from the upper elevation.

(e) Windows and Doors:

- (1) Spacing and size of fenestration shall match that of the other buildings on the same block that were built before 1950;
- (2) Windows shall be square or vertical in orientation;
- (3) All fenestration, including doors and windows above grade shall be indicative of the period of construction of the building;
- (4) Sill and lintels for windows are encouraged.
- (5) True divided light or simulated divided light units are permissible only;
- (6) Aluminum "storefront" glazing systems are allowable at street level only and must be approved by the Downtown Maryville Design Review Board as compatible with the original building facade.

(f) Facades:

- (1) Facades shall be 'pedestrian scale.' Pedestrian scale is defined as a size (of building, space) that a pedestrian perceives as not dominating or overpowering;
- (2) Substantial removal, alteration, or covering of original facades shall not be permitted;
- (3) Facades composed of brick or masonry must be re-pointed and cleaned to a condition indicative of their original finish;
- (4) In cases of extreme deterioration, facades may be repaired and painted; Paint colors must be of historic precedent, compatible with adjacent properties and approved by the Downtown Maryville Design Review Board. Applicants must submit paint chips, brick samples, awning fabric samples, etc. to the Review Board for all proposed new paint projects, building construction and façade alteration; and
- (5) Awnings, may be applied and are encouraged, but must be solid or two-color, angled or scalloped type only and compatible with the architecture and color palette.

(g) Materials:

- (1) Natural stone, brick, wood, and fiber-cement siding that resembles horizontal lap siding should be used for all buildings in the Central Business District. Cut stone is allowed while river rock and stacked stone

are not allowed as they are not considered consistent with the buildings downtown;

- (2) Veneer materials are not allowed (i.e., vinyl siding, metal facade covering, stucco and synthetic stucco).
  - (3) Synthetic materials and stucco may only be allowed on a limited basis for accent, trim and cornices.
- (h) Signs: Except as stated herein, this section shall supersede Article XVIII of this Ordinance regarding signs in this zoning district.
- (1) Sign Area Allowed.
    - A. Single Story Buildings: Total signage is based on 25% of the side of the property on which the entrance is located. Properties with frontage having 50 feet or less shall be allowed a maximum sign area of 12 square feet. The entrance shall be the door(s) used by customers rather than entrances for purposes of rear deliveries or fire exits.
    - B. Two-Story and Taller Buildings: The maximum area of signage is calculated above, however, two story buildings double the allowed maximum sign area, three story buildings triple the allowed maximum area, etc. The maximum allowed sign area devoted to one property shall not exceed 300 square feet, regardless of the number of stories and property frontage. While being limited to the calculations above, no individual sign and no combination of multiple signs on one side of a building shall exceed 150 square feet. If a building includes multiple uses, only the frontage and stories attributed to the subject sign may be counted. For example, a building with one story of retail and two stories of residential may only count the retail story for the respective retail signs.
  - (2) Sign Area Allowances. Businesses may add signs, in addition to the maximum allowed sign area as calculated above, using no more than two of the following sign allowances. All signs using these allowances will require review and approval by Planning Staff.
    - A. Window Sign Allowance. Each Business may have six (6) square feet of signs applied to glass doors/windows.
    - B. Awning Sign Allowance: Imprints of a signage and/or logo shall be allowed on an awning which shall not exceed either: the equivalent of the total 25% signage calculation above, or twenty (20) square feet, whichever is less. For example, if the property is allowed to have a ten square foot sign using the 25% sign area calculation above, then the property may also have a ten square foot sign or logo printed on an awning. If a building can receive a 40 square

foot sign using the 25% rule, it may have also have signage and/or logo on an awning not to exceed twenty (20) square feet.

- C. Projecting Sign Square Footage Allowance: Each business may hang one perpendicular sign not to exceed six (6) square feet. Creativity and artwork in the sign design and composition are encouraged. This sign allowance is not trying to create a fake Colonial era style of sign or recreate an artificial historical past. Sign designs are encouraged to be compatible to the business's trade or wares. They may be designed as historic, contemporary, cutting edge, futuristic, fun or conservative as the business Owners' intend to convey. The underside of the sign must be at least eight (8) feet above the sidewalk, but the underside of the sign must not be more than twelve (12) feet above the sidewalk. Such signs must be constructed of wood or a material, such as sign foam, that replicates wood. Signs must have: either, at least 50% of the surface area sandblasted; or have a combination of sandblasted features and three dimensional artwork embellishments covering up to at least 50% of the sign area. Signs may be metal if the sign includes sufficient thickness, at least 1/2 inch, not including framing. Thin, flat plastic and metal signs with vinyl lettering and/or decals are NOT acceptable. Signs must be painted and colors are encouraged. Sign shapes must vary from other hanging signs on the same block to encourage variety. Signs that exceed the six square foot allowance may be allowed if the overage is due to artistic embellishments. Sign brackets used to support the hanging signs also require review and approval by the City. The bracket and the sign cannot project so far as to be a danger to passing pedestrians and vehicles. A professional sign company or Artisan experienced with wood construction, carving and painting must fabricate signs.

(4) Directory Signs:

- A. Building Mounted Directory Signs. Where several businesses share a building, a directory sign (listing tenant names) may be installed on the building, not to exceed six (6) square feet. The sign area of directory signs will not be subtracted from the property's allowable sign area.
- B. Freestanding Directory Signs. Where a single or multiple tenant business' entrance(s) do not front a public street or the entrance door is significantly obscured due to topographic, existing landscape, or other orientation of the building making it difficult for motorists to see the entrance, a freestanding directory sign (listing tenant name(s)) may be installed on the same parcel of property. Such sign shall not be taller than three (3) feet to the top of the sign and shall not exceed four (4) square feet per tenant. When there is more than one tenant in a building with the same difficulty of

entrance visibility, the tenants must combine their directory signs into a single freestanding directory sign, while still maintaining a maximum of four (4) square feet per tenant. However, such freestanding directory signs shall not exceed a total of 25 square feet and shall not exceed a height of 5 feet. The sign area of directory signs will not be subtracted from the property's allowable sign area.

- (5) Freestanding Signs: Freestanding signs of not taller than five (5) feet and not greater than 25 square feet are allowed. Only indirect /exterior illumination is permissible. Properties that have frontage on Lamar Alexander Parkway may have freestanding signs eight (8) feet tall, but such signs can only be located on the Parkway side of the property.
- (6) Window Signs. Window signs are permissible; however signs shall not exceed thirty percent (30%) of the total window area;
- (7) Building Mounted Signs. Signs can be attached to building facades at street level and shall not be roof mounted.
- (8) Perpendicular Signs. Perpendicular signs must be at least (8) feet above the sidewalk, but the underside of the sign must not be more than twelve (12) feet above the sidewalk. Only one perpendicular sign may be installed per business and such signs shall not exceed ten (10) square feet. If the property originally had a theater marquis, similar marquis signs may be installed if based on pictorial evidence.
- (9) Prohibited Signs. Neon signs, flashing signs, signs with intermittent lights, rotating signs, LED signs and internally lit signs, are prohibited;
- (10) Sign Lighting. Only indirect/external lighting is allowed. Light directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly on public right-of-way or residential premises.
- (11) Awning Signs. Imprints of a sign or logo shall be allowed on an awning and will be included in the total signage calculation, with the exception of Applicants whom use the Awning Sign Allowance set forth in subsection 2(b);
- (12) Sandwich Board Sign Allowance. Each business may have one sandwich board sign. Sandwich board signs shall be constructed of wood in an "A" shape and be heavy enough so that strong winds do not allow it to blow over. Sandwich Boards shall not be left outside of the building when the business closes, or the City may remove and dispose of the sign. Sandwich board signs cannot exceed a height of 42 inches and shall not exceed seven square feet (per side).
- (13) Materials: Sign materials shall be of natural surfaces such as wood, brick,

stone, etched glass or constructed of materials that successfully replicate these natural materials. However, professional painted metal signs are also acceptable provided they have a finished thickness of at least one half inch achieved by mounting the metal sign on a substrate or by having a frame. Metal signs must have three dimensional artwork embellishments covering up to at least 50% of the sign area.

- (14) Sign Colors: Excessively bright, fluorescent, or glaring colors are prohibited on signs;
- (15) Sign Review and Permitting. Any new sign application in the downtown zones must be submitted to the Planning Department Staff for review then forwarded to the Sign Inspector for issuance of a sign permit.
- (16) Signs Prohibited in Rights-of-Way. Permanent or temporary signs shall not be installed in the road right-of-way. "Sandwich Board" signs may be installed on sidewalks as long as they comply with the "Sandwich Board" sign allowance above and do not block a clear path along the sidewalk of 36 inches.
- (17) Accessory Signage Installed to Glass. Strobe lights, rotating and/or flashing emergency vehicle – type lights , neon lights strips or window outlines installed within the business and visible to the public, even if not affixed to the glass, is prohibited. Holiday lights installed seasonally are exempt from this requirement.
- (18) Non-Conforming Sign. All sign-related provisions set forth in Article XVIII, "Signs", Section 17, "Nonconforming Signs," in the City of Maryville Land Development Regulations, and as later amended, are applicable within the downtown zones, unless otherwise addressed in this chapter.
- (19) Amortization of Non-Conforming Sign.
  - A. A non-conforming sign that exceeds the size and height by more than ten percent or that is nonconforming in some other way shall, within one (1) year after the effective date of this chapter, be altered to comply with the provisions of this article or be removed.
  - B. If the nonconformity consists of too many freestanding signs on a single lot or an excess of total sign area on a single lot, the person responsible for the violation may determine which sign or signs need to be altered or removed to bring the development into conformance.
- (20) Reconstruction of Previous Signs. Property Owners whom propose to reconstruct signs that are clearly documented through photographic evidence or other documentation may occur on their original location. Such reconstructed signs shall be constructed with materials, design detailing and decorative features to match or closely approximate the

original sign. If signs proposed to be reconstructed do not comply with sign regulations of this chapter, the Downtown Maryville Design Review Board will review the Applicant's proposal.

(21) Signs Excluded from Regulation. The following signs are exempt from regulation under this Ordinance.

A. Address numbers, signs posted on private property relating to private parking or warning the public against trespassing or danger from animals.

B. Signs erected by or on behalf of or pursuant to the authorization of a governmental body, including legal notices, identification and informational signs, and traffic, directional, or regulatory signs.

C. Official signs of a non-commercial nature erected by public utilities.

(22) Miscellaneous Restrictions and Prohibitions. All sign-related provisions set forth in Article XVIII, "Signs", Sections 4, 5, 13 (except signs prohibited as set forth in number 9 above; no internally lit signs, see number 10 above), 14 15 16 and 18 of this Ordinance as later amended, are applicable within the downtown zones, unless otherwise provided in this chapter.

(i) Accessories/Details:

(1) Details such as shutters, balconies, overhangs, exterior lighting, security lighting, etc. must be reviewed and approved by the Downtown Maryville Design Review Board as compatible with the original building facade;

(2) Deteriorated architectural features shall be repaired rather than replaced. The new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features substantiated by historic, physical, or pictorial evidence;

(3) Blank walls are discouraged. Painted murals and other wall decorations on elevations may be appropriate as reviewed by the Downtown Maryville Design Review Board.

(4) Ancillary Structures and Equipment: HVAC equipment, above ground grease traps, electric generators, fuel tanks, trash compactors, dumpsters, garbage containment areas, storage bins and similar ancillary structures and equipment shall be screened from public roads with landscaping, walls or fences. Proposed screening, ancillary structures and equipment shall be submitted for Board review before installation.

(j) Demolition: The distinguishing original qualities or character of a building,

structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible. Demolition shall not occur unless one or the more following conditions are met:

- (1) If a building has lost its architectural and historical integrity and importance and its removal will not result in a more negative, less appropriate visual effect on the district;
  - (2) If the denial of the demolition will result in an unreasonable economic hardship on the applicant as determined by the Downtown Maryville Design Review Board;
  - (3) If the public safety and welfare requires the removal of a structure or building;
  - (4) If the structural instability or deterioration of a property is demonstrated through a report by a structural engineer or architect. Such a report must clearly detail the property's physical condition, reasons why rehabilitation is not feasible, and cost estimates for rehabilitation versus demolition. In addition to this report, there shall be a separate report that details future action of this site.
- (k) Land Uses: Regardless of use: the central business district is the civic and cultural heart of the City of Maryville. As this zone develops, the continuous 'rhythm,' spacing, and aesthetics of Central Business District structures will become vital in maintaining and enhancing a vibrant small town setting.
- (1) Residential: Attached homes including apartments, condominiums, and lofts above storefronts are permitted. Single-family detached housing is not appropriate in this zone.
  - (2) Mixed Uses: Appropriate uses should accommodate a variety of needs, especially those of residents who live nearby and tourists who visit Downtown. Most types of land uses are encouraged in the Central Business District including those for entertainment, employment, service, shopping, liquor stores and light manufacturing are permitted if the building they are housed in structures meeting all design standards. Scale of proposed developments in comparison to other individual developments in the zone is most important when considering whether or not a use shall be appropriate.
  - (3) Prohibited Uses: Adult establishments, heavy manufacturing, mini-storage, landfill or mining, mobile home parks, hazardous occupancies or storage of hazardous materials, or any uses not determined to be compatible with the function, character, and intent of the Central Business District.

## SECTION 5: WASHINGTON STREET COMMERCIAL CORRIDOR

The Washington Street Corridor is often the impression that is left of Downtown and the entire City of Maryville by thousands of motorists on their way to the Smoky Mountains. To encourage a return to a more urban setting and away from a typical “suburban commercial strip,” Washington Street’s design standards maintain density and close set-backs to the street, provide smaller signs, create streetscape improvements and require prototype facilities (fast food, fuel stations, etc.) to alter their designs to fit the character that Downtown Maryville is striving for.

- (a) Lot Dimensions:
  - (1) Lot size: no minimum
  - (2) Street frontage: no minimum
- (b) Setbacks: Setback from existing utility easements must be observed, otherwise:
  - (1) Front: 20 foot maximum to the sidewalk
  - (2) Side: no minimum, no maximum
  - (3) Rear: no minimum. Maximum variable, depending on placement of parking as determined by the Downtown Maryville Design Review Board.
- (c) Parking: Total coverage cannot exceed 40% of the entire lot. Parking must be placed on the site opposite street frontage, regardless of which side of the building is considered to be the “front.”
- (d) Height: Maximum height for new buildings shall not exceed three stories or 45 feet.
- (e) Facades and Elevations:
  - (1) Facades shall be ‘pedestrian scale.’ Pedestrian scale is defined as a size (of building, space) that a pedestrian perceives as not dominating or overpowering;
  - (2) All elevations oriented toward Washington Street shall be ‘pedestrian scale’ and include appropriate fenestration indicative of the rest of the downtown zones; and
  - (3) In cases of extreme deterioration, facades may be repaired and painted; Paint colors must be of historic precedent, compatible with adjacent properties and approved by the Downtown Maryville Design Review Board. Applicants must submit paint chips, brick samples, awning fabric samples, etc. to the Review Board for all proposed new paint projects, building construction and façade alteration

(f) Materials:

1. Natural stone, brick, wood and fiber-cement siding that resembles horizontal lap siding should be used for all buildings in the Washington St. Commercial Corridor. Cut stone is allowed while river rock and stacked stone are not allowed as they are not considered consistent with the buildings downtown;
2. Veneer materials are not allowed (i.e., vinyl siding, metal facade covering, stucco, and synthetic stucco.).
3. Synthetic materials and stucco may only be allowed on a limited basis for accent, trim and cornices.

(g) Signs: Except as stated herein, this section shall supersede Article XVIII of this Ordinance regarding signs in this zoning district.

(1) Sign Area Allowed.

- A. Single Story Buildings: Total signage is based on 25% of the side of the property on which the entrance is located. Properties with frontage having 50 feet or less shall be allowed a maximum sign area of 12 square feet. The entrance shall be the door(s) used by customers rather than entrances for purposes of rear deliveries or fire exits.
- B. Two-Story and Taller Buildings: The maximum area of signage is calculated above, however, two story buildings double the allowed maximum sign area, three story buildings triple the allowed maximum area, etc. The maximum allowed sign area devoted to one property shall not exceed 300 square feet, regardless of the number of stories and property frontage. While being limited to the calculations above, no individual sign and no combination of multiple signs on one side of a building shall exceed 150 square feet. If a building includes multiple uses, only the frontage and stories attributed to the subject sign may be counted. For example, a building with one story of retail and two stories of residential may only count the retail story for the respective retail signs.

(2) Sign Area Allowances. Businesses may add signs, in addition to the maximum allowed sign area as calculated above, using no more than two of the following sign allowances. All signs using these allowances will require review and approval by Planning Staff.

- A. Window Sign Allowance. Each Business may have six (6) square feet of signs applied to glass doors/windows.
- B. Awning Sign Allowance: Imprints of a signage and/or logo shall be allowed on an awning which shall not exceed either: the equivalent

of the total 25% signage calculation above, or twenty (20) square feet, whichever is less. For example, if the property is allowed to have a ten square foot sign using the 25% sign area calculation above, then the property may also have a ten square foot sign or logo printed on an awning. If a building can receive a 40 square foot sign using the 25% rule, it may have also have signage and/or logo on an awning not to exceed twenty (20) square feet.

- C. **Projecting Sign Square Footage Allowance:** Each business may hang one perpendicular sign not to exceed six (6) square feet. Creativity and artwork in the sign design and composition are encouraged. This sign allowance is not trying to create a fake Colonial era style of sign or recreate an artificial historical past. Sign designs are encouraged to be compatible to the business's trade or wares. They may be designed as historic, contemporary, cutting edge, futuristic, fun or conservative as the business Owners' intend to convey. The underside of the sign must be at least eight (8) feet above the sidewalk, but the underside of the sign must not be more than twelve (12) feet above the sidewalk. Such signs must be constructed of wood or a material, such as sign foam, that replicates wood. Signs must have: either, at least 50% of the surface area sandblasted; or have a combination of sandblasted features and three dimensional artwork embellishments covering up to at least 50% of the sign area. Signs may be metal if the sign includes sufficient thickness, at least 1/2 inch, not including framing. Thin, flat plastic and metal signs with vinyl lettering and/or decals are NOT acceptable. Signs must be painted and colors are encouraged. Sign shapes must vary from other hanging signs on the same block to encourage variety. Signs that exceed the six square foot allowance may be allowed if the overage is due to artistic embellishments. Sign brackets used to support the hanging signs also require review and approval by the City. The bracket and the sign cannot project so far as to be a danger to passing pedestrians and vehicles. A professional sign company or Artisan experienced with wood construction, carving and painting must fabricate signs.

(4) **Directory Signs:**

- A. **Building Mounted Directory Signs.** Where several businesses share a building, a directory sign (listing tenant names) may be installed on the building, not to exceed six (6) square feet. The sign area of directory signs will not be subtracted from the property's allowable sign area.
- B. **Freestanding Directory Signs.** Where a single or multiple tenant business' entrance(s) do not front a public street or the entrance door is significantly obscured due to topographic, existing landscape, or other orientation of the building making it difficult for

motorists to see the entrance, a freestanding directory sign (listing tenant name(s)) may be installed on the same parcel of property. Such sign shall not be taller than three (3) feet to the top of the sign and shall not exceed four (4) square feet per tenant. When there is more than one tenant in a building with the same difficulty of entrance visibility, the tenants must combine their directory signs into a single freestanding directory sign, while still maintaining a maximum of four (4) square feet per tenant. However, such freestanding directory signs shall not exceed a total of 25 square feet and shall not exceed a height of 5 feet. The sign area of directory signs will not be subtracted from the property's allowable sign area.

- (5) Freestanding Signs: Freestanding signs of not taller than twelve (12) feet and not greater than sixty (60) square feet are allowed. Marquee or changeable message signs are allowable within the total maximum sixty (60) square foot area and shall not exceed twenty (20) square feet. The changeable message sign may not be installed as a separate freestanding sign nor may it be installed as a portable sign. Only indirect/exterior illumination is permissible.
- (6) Window Signs. Window signs are permissible; however signs shall not exceed thirty percent (30%) of the total window area.
- (7) Building Mounted Signs. Signs can be attached to building facades at street level and shall not be roof mounted.
- (8) Perpendicular Signs. Perpendicular signs must be at least (8) feet above the sidewalk, but the underside of the sign must not be more than twelve (12) feet above the sidewalk. Only one perpendicular sign may be installed per business and such signs shall not exceed ten (10) square feet. If the property originally had a theater marquis, similar marquis signs may be installed if based on pictorial evidence.
- (9) Prohibited Signs. Neon signs, flashing signs, signs with intermittent lights, rotating signs, LED signs and internally lit signs, are prohibited.
- (10) Sign Lighting. Only indirect/external lighting is allowed. Light directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly on public right-of-way or residential premises.
- (11) Awning Signs. Imprints of a sign or logo shall be allowed on an awning and will be included in the total signage calculation, with the exception of Applicants whom use the Awning Sign Allowance set forth in subsection 2(b).
- (12) Sandwich Board Sign Allowance. Each business may have one sandwich board sign. Sandwich board signs shall be constructed of wood in an "A"

shape and be heavy enough so that strong winds do not allow it to blow over. Sandwich Boards shall not be left outside of the building when the business closes, or the City may remove and dispose of the sign. Sandwich board signs cannot exceed a height of 42 inches and shall not exceed seven square feet (per side).

- (13) Materials: Sign materials shall be of natural surfaces such as wood, brick, stone, etched glass or constructed of materials that successfully replicate these natural materials. However, professional painted metal signs are also acceptable provided they have a finished thickness of at least one half inch achieved by mounting the metal sign on a substrate or by having a frame. Metal signs must have three dimensional artwork embellishments covering up to at least 50% of the sign area.
- (14) Sign Colors: Excessively bright, fluorescent, or glaring colors are prohibited on signs.
- (15) Sign Review and Permitting. Any new sign application in the downtown zones must be submitted to the Planning Department Staff for review then forwarded to the Sign Inspector for issuance of a sign permit.
- (16) Signs Prohibited in Rights-of-Way. Permanent or temporary signs shall not be installed in the road right-of-way. "Sandwich Board" signs may be installed on sidewalks as long as they comply with the "Sandwich Board" sign allowance above and do not block a clear path along the sidewalk of 36 inches.
- (17) Accessory Signage Installed to Glass. Strobe lights, rotating and/or flashing emergency vehicle – type lights , neon lights strips or window outlines installed within the business and visible to the public, even if not affixed to the glass, is prohibited. Holiday lights installed seasonally are exempt from this requirement.
- (18) Non-Conforming Sign. All sign-related provisions set forth in Article XVIII, "Signs", Section 17, "Nonconforming Signs," in the City of Maryville Land Development Regulations, and as later amended, are applicable within the downtown zones, unless otherwise addressed in this chapter.
- (19) Amortization of Non-Conforming Sign.
  - A. A non-conforming sign that exceeds the size and height by more than ten percent or that is nonconforming in some other way shall, within one (1) year after the effective date of this chapter, be altered to comply with the provisions of this article or be removed.
  - B. If the nonconformity consists of too many freestanding signs on a single lot or an excess of total sign area on a single lot, the person responsible for the violation may determine which sign or signs need to be altered or removed to bring the development into

conformance.

- (20) Reconstruction of Previous Signs. Property Owners whom propose to reconstruct signs that are clearly documented through photographic evidence or other documentation may occur on their original location. Such reconstructed signs shall be constructed with materials, design detailing and decorative features to match or closely approximate the original sign. If signs proposed to be reconstructed do not comply with sign regulations of this chapter, the Downtown Maryville Design Review Board will review the Applicant's proposal.
  - (21) Signs Excluded from Regulation. The following signs are exempt from regulation under this Ordinance.
    - A. Address numbers, signs posted on private property relating to private parking or warning the public against trespassing or danger from animals.
    - B. Signs erected by or on behalf of or pursuant to the authorization of a governmental body, including legal notices, identification and informational signs, and traffic, directional, or regulatory signs.
    - C. Official signs of a non-commercial nature erected by public utilities.
  - (22) Miscellaneous Restrictions and Prohibitions. All sign-related provisions set forth in Article XVIII, "Signs", Sections 4, 5, 13 (except signs prohibited as set forth in number 9 above; no internally lit signs, see number 10 above), 14 15 16 and 18 of this Ordinance as later amended, are applicable within the downtown zones, unless otherwise provided in this chapter.
- (h) Accessories/Details:
- (1) New construction should be sensitive to the historic quality and restored nature of adjacent zones. For example, prototype facilities (fast food, fuel stations, etc.) shall be encouraged to utilize natural materials, colors, and scale compatible with the recommendations of other downtown zones. Details such as shutters, balconies, overhangs, exterior lighting, security lighting, etc. must be reviewed and approved by the Maryville Downtown Design Review Board as compatible with the design guidelines of the zone and its compatibility with adjacent properties.
  - (2) Where applicable, deteriorated architectural features shall be repaired rather than replaced. The new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features substantiated by historic, physical, or pictorial evidence.

- (3) Blank walls are discouraged. Painted murals and other wall decorations on elevations may be appropriate as reviewed by the Downtown Maryville Design Review Board.
  - (4) Ancillary Structures and Equipment: HVAC equipment, above ground grease traps, electric generators, fuel tanks, trash compactors, dumpsters, garbage containment areas, storage bins and similar ancillary structures and equipment shall be screened from public roads with landscaping, walls or fences. Proposed screening, ancillary structures and equipment shall be submitted for Board review before installation.
- (i) Demolition: The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible. Demolition shall not occur unless one or the more following conditions are met:
- (1) If a building has lost its architectural and historical integrity and importance and its removal will not result in a more negative, less appropriate visual effect on the district;
  - (2) If the denial of the demolition will result in an unreasonable economic hardship on the applicant as determined by the Downtown Maryville Design Review Board;
  - (3) If the public safety and welfare requires the removal of a structure or building; and
  - (4) If the structural instability or deterioration of a property is demonstrated through a report by a structural engineer or architect. Such a report must clearly detail the property's physical condition, reasons why rehabilitation is not feasible, and cost estimates for rehabilitation versus demolition. In addition to this report, there shall be a separate report that details future action of this site.
- (j) Land Uses: Regardless of use: Washington Street must maintain a mixed urban pattern primarily serving motorists and straying from suburban prototype development. All buildings should create an edge to the street.
- (1) Residential: Attached homes including apartments, condominiums, and lofts above storefronts are permitted. Single-family detached housing is not appropriate in this zone.
  - (2) Mixed Uses: Appropriate uses should accommodate a variety of needs, especially those of residents who live nearby and tourists who visit Downtown. Most types of land uses are encouraged in the Washington Street Commercial Corridor including those for auto-oriented services, entertainment, employment, shopping, liquor stores and light manufacturing are permitted if the building they are housed in structures

meeting all design standards. Scale of proposed developments in comparison to other individual developments in the zone is most important when considering whether or not a use shall be appropriate.

- (3) Prohibited Uses: Adult establishments, heavy manufacturing, mini-storage, landfill or mining, hazardous occupancies or storage of hazardous materials, or any uses not determined to be compatible with the function, character, and intent of the Washington Street Commercial Corridor.

## **SECTION 6: OFFICE TRANSITION ZONE**

Serving as a the southern fringe of Downtown Maryville, the Office Transition Zone provides mixed use opportunities in older homes and smaller scale commercial structures. The zone's intent is to maintain and establish the charm of the older homes and businesses, maintain the existing small town feel by requiring lower density developments, and preserve the human scale of the area.

- (a) Lot Dimensions:
  - (1) Lot size: no minimum
  - (2) Lot width: no minimum
- (b) Setbacks: Setback from existing utility easements must be observed, otherwise:
  - (1) Front: 20 foot maximum from street right of way. Building setback preferably should line flush with existing buildings in the district.
  - (2) Side: 10 foot minimum
  - (3) Rear: No minimum. Maximum variable depending upon placement of parking as determined by the Downtown Maryville Design Review Board.
- (c) Parking: Total coverage cannot exceed 30% of the entire lot. Parking must be placed in the rear of the building. If rear parking is impossible, parking may be placed on one side. Parking shall not be allowed in the front. In those cases where parking adjoins a street, a 6 foot opaque wall made of appropriate materials, including brick, stone, and other natural materials must be appropriately placed to create a visual edge for pedestrians and motorists. Appropriate landscaping in and around parking lots, including trees may be required.
- (d) Height: The maximum height for all new buildings shall not exceed either two stories, or 30 feet.
- (e) Windows and Doors:
  - (1) Spacing and size of fenestration shall match that of the other buildings on the same block that were built before 1950;
  - (2) Windows shall be square or vertical in orientation;
  - (3) All fenestration, including doors and windows above grade shall be indicative of the period of construction of the building; and
  - (4) Sill and lintels for windows are encouraged.
  - (5) True divided light or simulated divided light units are permissible only.

(f) Facades:

- (1) Substantial removal, alteration, or covering of original facades is not allowed;
- (2) Facades composed of brick or masonry shall be re-pointed and cleaned to a condition indicative of their original finish; and
- (3) In cases of extreme deterioration, facades may be repaired and painted. Paint colors must be of historic precedent, compatible with adjacent properties and approved by the Downtown Maryville Design Review Board. Applicants must submit paint chips, brick samples, awning fabric samples, etc. to the Review Board for all proposed new paint projects, building construction and façade alteration

(g) Materials:

- (1) Exterior materials shall be natural stone, wood, brick, or fiber-cement siding that resembles horizontal lap siding with residential scale fenestration. Cut stone is allowed while river rock and stacked stone are not allowed as they are not considered consistent with the buildings downtown; and
- (2) Veneer materials (i.e., vinyl siding, stucco, and synthetic stucco) are not allowed.
- (3) Synthetic materials and stucco may only be allowed on a limited basis for accent, trim and cornices.

(i) Signs: Except as stated herein, this section shall supersede Article XVIII of this Ordinance regarding signs in this zoning district.

(1) Sign Area Allowed.

- A. Single Story Buildings: Total signage is based on 25% of the side of the property on which the entrance is located. Properties with frontage having 50 feet or less shall be allowed a maximum sign area of 12 square feet. The entrance shall be the door(s) used by customers rather than entrances for purposes of rear deliveries or fire exits.
- B. Two-Story and Taller Buildings: The maximum area of signage is calculated above, however, two story buildings double the allowed maximum sign area, three story buildings triple the allowed maximum area, etc. The maximum allowed sign area devoted to one property shall not exceed 300 square feet, regardless of the number of stories and property frontage. While being limited to the calculations above, no individual sign and no combination of

multiple signs on one side of a building shall exceed 150 square feet. If a building includes multiple uses, only the frontage and stories attributed to the subject sign may be counted. For example, a building with one story of retail and two stories of residential may only count the retail story for the respective retail signs.

- (2) Sign Area Allowances. Businesses may add signs, in addition to the maximum allowed sign area as calculated above, using no more than two of the following sign allowances. All signs using these allowances will require review and approval by Planning Staff.
- A. Window Sign Allowance. Each Business may have six (6) square feet of signs applied to glass doors/windows.
  - B. Awning Sign Allowance: Imprints of a signage and/or logo shall be allowed on an awning which shall not exceed either: the equivalent of the total 25% signage calculation above, or twenty (20) square feet, whichever is less. For example, if the property is allowed to have a ten square foot sign using the 25% sign area calculation above, then the property may also have a ten square foot sign or logo printed on an awning. If a building can receive a 40 square foot sign using the 25% rule, it may have also have signage and/or logo on an awning not to exceed twenty (20) square feet.
  - C. Projecting Sign Square Footage Allowance: Each business may hang one perpendicular sign not to exceed six (6) square feet. Creativity and artwork in the sign design and composition are encouraged. This sign allowance is not trying to create a fake Colonial era style of sign or recreate an artificial historical past. Sign designs are encouraged to be compatible to the business's trade or wares. They may be designed as historic, contemporary, cutting edge, futuristic, fun or conservative as the business Owners' intend to convey. The underside of the sign must be at least eight (8) feet above the sidewalk, but the underside of the sign must not be more than twelve (12) feet above the sidewalk. Such signs must be constructed of wood or a material, such as sign foam, that replicates wood. Signs must have: either, at least 50% of the surface area sandblasted; or have a combination of sandblasted features and three dimensional artwork embellishments covering up to at least 50% of the sign area. Signs may be metal if the sign includes sufficient thickness, at least 1/2 inch, not including framing. Thin, flat plastic and metal signs with vinyl lettering and/or decals are NOT acceptable. Signs must be painted and colors are encouraged. Sign shapes must vary from other hanging signs on the same block to encourage variety. Signs that exceed the six square foot allowance may be allowed if the overage is due to artistic embellishments. Sign brackets used to support the hanging signs also require review and approval by the City. The bracket and the sign cannot project so far as to be a danger to passing

pedestrians and vehicles. A professional sign company or Artisan experienced with wood construction, carving and painting must fabricate signs.

(4) Directory Signs

A. Building Mounted Directory Signs. Where several businesses share a building, a directory sign (listing tenant names) may be installed on the building, not to exceed six (6) square feet. The sign area of directory signs will not be subtracted from the property's allowable sign area.

B. Freestanding Directory Signs. Where a single or multiple tenant business' entrance(s) do not front a public street or the entrance door is significantly obscured due to topographic, existing landscape, or other orientation of the building making it difficult for motorists to see the entrance, a freestanding directory sign (listing tenant name(s)) may be installed on the same parcel of property. Such sign shall not be taller than three (3) feet to the top of the sign and shall not exceed four (4) square feet per tenant. When there is more than one tenant in a building with the same difficulty of entrance visibility, the tenants must combine their directory signs into a single freestanding directory sign, while still maintaining a maximum of four (4) square feet per tenant. However, such freestanding directory signs shall not exceed a total of 25 square feet and shall not exceed a height of 5 feet. The sign area of directory signs will not be subtracted from the property's allowable sign area.

(5) Freestanding Signs: Freestanding signs of not taller than five (5) feet and not greater than 25 square feet are allowed. Only indirect /exterior illumination is permissible. Properties that have frontage on Lamar Alexander Parkway may have freestanding signs eight (8) feet tall, but such signs can only be located on the Parkway side of the property.

(6) Window Signs. Window signs are permissible; however signs shall not exceed thirty percent (30%) of the total window area.

(7) Building Mounted Signs. Signs can be attached to building facades at street level and shall not be roof mounted.

(8) Perpendicular Signs. Perpendicular signs must be at least (8) feet above the sidewalk, but the underside of the sign must not be more than twelve (12) feet above the sidewalk. Only one perpendicular sign may be installed per business and such signs shall not exceed ten (10) square feet. If the property originally had a theater marquis, similar marquis signs may be installed if based on pictorial evidence.

(9) Prohibited Signs. Neon signs, flashing signs, signs with intermittent lights,

rotating signs, LED signs and internally lit signs, are prohibited.

- (10) Sign Lighting. Only indirect/external lighting is allowed. Light directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly on public right-of-way or residential premises.
- (11) Awning Signs. Imprints of a sign or logo shall be allowed on an awning and will be included in the total signage calculation, with the exception of Applicants whom use the Awning Sign Allowance set forth in subsection 2(b).
- (12) Sandwich Board Sign Allowance. Each business may have one sandwich board sign. Sandwich board signs shall be constructed of wood in an “A” shape and be heavy enough so that strong winds do not allow it to blow over. Sandwich Boards shall not be left outside of the building when the business closes, or the City may remove and dispose of the sign. Sandwich board signs cannot exceed a height of 42 inches and shall not exceed seven square feet (per side).
- (13) Materials: Signs shall be constructed of natural materials such as wood, brick or stone, etched glass or constructed of materials that successfully replicate these natural materials. However, professional painted metal signs are also acceptable provided they have a finished thickness of at least one half inch achieved by mounting the metal sign on a substrate or by having a frame. Metal signs must have three dimensional artwork embellishments covering up to at least 50% of the sign area.
- (14) Sign Colors: Excessively bright, fluorescent, or glaring colors are prohibited on signs.
- (15) Sign Review and Permitting. Any new sign application in the downtown zones must be submitted to the Planning Department Staff for review then forwarded to the Sign Inspector for issuance of a sign permit.
- (16) Signs Prohibited in Rights-of-Way. Permanent or temporary signs shall not be installed in the road right-of-way. “Sandwich Board” signs may be installed on sidewalks as long as they comply with the “Sandwich Board” sign allowance above and do not block a clear path along the sidewalk of 36 inches.
- (17) Accessory Signage Installed to Glass. Strobe lights, rotating and/or flashing emergency vehicle – type lights , neon lights strips or window outlines installed within the business and visible to the public, even if not affixed to the glass, is prohibited. Holiday lights installed seasonally are exempt from this requirement.
- (18) Non-Conforming Sign. All sign-related provisions set forth in Article XVIII, “Signs”, Section 17, “Nonconforming Signs,” in the City of Maryville Land

Development Regulations, and as later amended, are applicable within the downtown zones, unless otherwise addressed in this chapter.

(19) Amortization of Non-Conforming Sign.

- A. A non-conforming sign that exceeds the size and height by more than ten percent or that is nonconforming in some other way shall, within one (1) year after the effective date of this chapter, be altered to comply with the provisions of this article or be removed.
- B. If the nonconformity consists of too many freestanding signs on a single lot or an excess of total sign area on a single lot, the person responsible for the violation may determine which sign or signs need to be altered or removed to bring the development into conformance.

(20) Reconstruction of Previous Signs. Property Owners whom propose to reconstruct signs that are clearly documented through photographic evidence or other documentation may occur on their original location. Such reconstructed signs shall be constructed with materials, design detailing and decorative features to match or closely approximate the original sign. If signs proposed to be reconstructed do not comply with sign regulations of this chapter, the Downtown Maryville Design Review Board will review the Applicant's proposal.

(21) Signs Excluded from Regulation. The following signs are exempt from regulation under this Ordinance.

- A. Address numbers, signs posted on private property relating to private parking or warning the public against trespassing or danger from animals.
- B. Signs erected by or on behalf of or pursuant to the authorization of a governmental body, including legal notices, identification and informational signs, and traffic, directional, or regulatory signs.
- C. Official signs of a non-commercial nature erected by public utilities.

(22) Miscellaneous Restrictions and Prohibitions. All sign-related provisions set forth in Article XVIII, "Signs", Sections 4, 5, 13 (except signs prohibited as set forth in number 9 above; no internally lit signs, see number 10 above), 14 15 16 and 18 of this Ordinance as later amended, are applicable within the downtown zones, unless otherwise provided in this chapter.

(j) Accessories/Details:

- (1) New buildings shall have porches with columns to match the character and detail of the area;

- (2) Roof shall be pitched at least 4:12 with gables facing the streetscape;
  - (3) All new construction shall match the single-family residential scale of the zone;
  - (4) Details such as shutters, balconies, overhangs, exterior lighting, security lighting, etc. must be reviewed and approved by the Downtown Maryville Design Review Board as compatible with the original building facade;
  - (5) Paint colors must be of historic precedent, compatible with adjacent properties and approved by the Downtown Maryville Design Review Board;
  - (6) Deteriorated architectural features shall be repaired rather than replaced. The new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features substantiated by historic, physical, or pictorial evidence;
  - (7) Blank walls are discouraged. Painted murals and other wall decorations on elevations may be appropriate as reviewed by the Downtown Maryville Design Review Board' and
  - (8) Ancillary Structures and Equipment: HVAC equipment, above ground grease traps, electric generators, fuel tanks, trash compactors, dumpsters, garbage containment areas, storage bins and similar ancillary structures and equipment shall be screened from public roads with landscaping, walls or fences. Proposed screening, ancillary structures and equipment shall be submitted for Board review before installation.
- (k) Demolition: The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible. Demolition shall not occur unless one or the more following conditions are met:
- (1) If a building has lost its architectural and historical integrity and importance and its removal will not result in a more negative, less appropriate visual effect on the district;
  - (2) If the denial of the demolition will result in an unreasonable economic hardship on the applicant as determined by the Downtown Maryville Design Review Board;
  - (3) If the public safety and welfare requires the removal of a structure or building; and

- (4) If the structural instability or deterioration of a property is demonstrated through a report by a structural engineer or architect. Such a report must clearly detail the property's physical condition, reasons why rehabilitation is not feasible, and cost estimates for rehabilitation versus demolition. In addition to this report, there shall be a separate report that details future action of this site.
- (l) Land Uses: Regardless of use: new developments shall benchmark the existing historic single-family residences and associated small scale businesses.
    - (1) Residential: Attached homes including single family residential, apartments, condominiums, and lofts above storefronts are permitted.
    - (2) Mixed Uses: Appropriate uses should accommodate a variety of needs, especially those of residents who live nearby and tourists who visit Downtown. Most types of land uses are encouraged in the Office Transition Zone including those for entertainment, employment, service, shopping, and light manufacturing are permitted if the building they are housed in structures meeting all design standards. Scale of proposed developments in comparison to other individual developments in the zone is most important when considering whether or not a use shall be appropriate.
    - (3) Prohibited Uses: Adult establishments, heavy manufacturing, mini-storage, landfill or mining, hazardous occupancies or storage of hazardous materials, or any uses not determined to be compatible with the function, character, and intent of the Office Transition Zone.

## SECTION 7: HERITAGE DEVELOPMENT ZONE

The Heritage Development Zone's proximity to the original site of Ft. Craig, the Central Business District, and its location on the Greenbelt shall provide opportunities for festivals, festive retail, cultural and heritage-related uses such as museums, craft shops, antiques, or any appropriate use that will attract locals and tourists to the area.

- (a) Lot Dimensions:
  - (1) Lot size: no minimum
  - (2) Lot width: no minimum
- (b) Setbacks:
  - (1) Front: 20 foot maximum setback to the street right of way or greenbelt. Building setback preferably should line flush with existing buildings in the district.
  - (2) Side: 10 foot minimum.
  - (3) Rear: No minimum. Maximum variable depending upon placement of parking as determined by the Downtown Maryville Design Review Board.
- (c) Parking: Total coverage cannot exceed 30% of the entire lot. Parking must be placed in the rear of the building. If rear parking is impossible, parking may be placed on one side. Parking shall not be allowed in front. In those cases where parking adjoins a street, a six-foot opaque wall made of appropriate materials, including brick, stone, and other natural materials must be appropriately placed to create a visual edge for pedestrians and motorists. Appropriate landscaping in and around parking lots, including trees may be required.
- (d) Height: The maximum height for all new buildings shall not exceed three stories, or 45 feet.
- (e) Windows and Doors:
  - (1) Spacing and size of fenestration shall match that of the other buildings on the same block that were built before 1950;
  - (2) Windows shall be square or vertical in orientation;
  - (3) All fenestration, including doors and windows above grade shall be indicative of the period of construction of the building; and
  - (4) Sill and lintels for windows are encouraged.
  - (5) True divided light or simulated divided light units are permissible only.

- (f) Facades:
- (1) Substantial removal, alteration, or covering of original facades is not allowed;
  - (2) Facades composed of brick or masonry shall be re-pointed and cleaned to a condition indicative of their original finish; and
  - (3) In cases of extreme deterioration, facades may be repaired and painted. Paint colors must be of historic precedent, compatible with adjacent properties and approved by the Downtown Maryville Design Review Board. Applicants must submit paint chips, brick samples, awning fabric samples, etc. to the Review Board for all proposed new paint projects, building construction and façade alteration.
- (g) Materials:
- (1) Exterior materials shall be wood, stone, brick or fiber-cement siding that resembles horizontal lap siding with residential scale fenestration. Cut stone is allowed while river rock and stacked stone are not allowed as they are not considered consistent with the buildings downtown; and
  - (2) Veneer materials (i.e., vinyl siding, stucco, and synthetic stucco) are not allowed.
  - (3) Synthetic materials and stucco may only be allowed on a limited basis for accent, trim and cornices.
- (i) Signs: Except as stated herein, this section shall supersede Article XVIII of this Ordinance regarding signs in this zoning district.
- (1) Sign Area Allowed.
    - A. Single Story Buildings: Total signage is based on 25% of the side of the property on which the entrance is located. Properties with frontage having 50 feet or less shall be allowed a maximum sign area of 12 square feet. The entrance shall be the door(s) used by customers rather than entrances for purposes of rear deliveries or fire exits.
    - B. Two-Story and Taller Buildings: The maximum area of signage is calculated above, however, two story buildings double the allowed maximum sign area, three story buildings triple the allowed maximum area, etc. The maximum allowed sign area devoted to one property shall not exceed 300 square feet, regardless of the number of stories and property frontage. While being limited to the calculations above, no individual sign and no combination of multiple signs on one side of a building shall exceed 150 square feet. If a building includes multiple uses, only the frontage and

stories attributed to the subject sign may be counted. For example, a building with one story of retail and two stories of residential may only count the retail story for the respective retail signs.

- (2) Sign Area Allowances. Businesses may add signs, in addition to the maximum allowed sign area as calculated above, using no more than two of the following sign allowances. All signs using these allowances will require review and approval by Planning Staff.
- A. Window Sign Allowance. Each Business may have six (6) square feet of signs applied to glass doors/windows.
  - B. Awning Sign Allowance: Imprints of a signage and/or logo shall be allowed on an awning which shall not exceed either: the equivalent of the total 25% signage calculation above, or twenty (20) square feet, whichever is less. For example, if the property is allowed to have a ten square foot sign using the 25% sign area calculation above, then the property may also have a ten square foot sign or logo printed on an awning. If a building can receive a 40 square foot sign using the 25% rule, it may have also have signage and/or logo on an awning not to exceed twenty (20) square feet.
  - C. Projecting Sign Square Footage Allowance: Each business may hang one perpendicular sign not to exceed six (6) square feet. Creativity and artwork in the sign design and composition are encouraged. This sign allowance is not trying to create a fake Colonial era style of sign or recreate an artificial historical past. Sign designs are encouraged to be compatible to the business's trade or wares. They may be designed as historic, contemporary, cutting edge, futuristic, fun or conservative as the business Owners' intend to convey. The underside of the sign must be at least eight (8) feet above the sidewalk, but the underside of the sign must not be more than twelve (12) feet above the sidewalk. Such signs must be constructed of wood or a material, such as sign foam, that replicates wood. Signs must have: either, at least 50% of the surface area sandblasted; or have a combination of sandblasted features and three dimensional artwork embellishments covering up to at least 50% of the sign area. Signs may be metal if the sign includes sufficient thickness, at least 1/2 inch, not including framing. Thin, flat plastic and metal signs with vinyl lettering and/or decals are NOT acceptable. Signs must be painted and colors are encouraged. Sign shapes must vary from other hanging signs on the same block to encourage variety. Signs that exceed the six square foot allowance may be allowed if the overage is due to artistic embellishments. Sign brackets used to support the hanging signs also require review and approval by the City. The bracket and the sign cannot project so far as to be a danger to passing pedestrians and vehicles. A professional sign company or Artisan experienced with wood construction, carving and painting must

fabricate signs.

(4) Directory Signs

A. Building Mounted Directory Signs. Where several businesses share a building, a directory sign (listing tenant names) may be installed on the building, not to exceed six (6) square feet. The sign area of directory signs will not be subtracted from the property's allowable sign area.

B. Freestanding Directory Signs. Where a single or multiple tenant business' entrance(s) do not front a public street or the entrance door is significantly obscured due to topographic, existing landscape, or other orientation of the building making it difficult for motorists to see the entrance, a freestanding directory sign (listing tenant name(s)) may be installed on the same parcel of property. Such sign shall not be taller than three (3) feet to the top of the sign and shall not exceed four (4) square feet per tenant. When there is more than one tenant in a building with the same difficulty of entrance visibility, the tenants must combine their directory signs into a single freestanding directory sign, while still maintaining a maximum of four (4) square feet per tenant. However, such freestanding directory signs shall not exceed a total of 25 square feet and shall not exceed a height of 5 feet. The sign area of directory signs will not be subtracted from the property's allowable sign area.

(5) Freestanding Signs: Freestanding signs of not taller than five (5) feet and not greater than 25 square feet are allowed. Only indirect /exterior illumination is permissible. Properties that have frontage on Lamar Alexander Parkway may have freestanding signs eight (8) feet tall, but such signs can only be located on the Parkway side of the property.

(6) Window Signs. Window signs are permissible; however signs shall not exceed thirty percent (30%) of the total window area.

(7) Building Mounted Signs. Signs can be attached to building facades at street level and shall not be roof mounted.

(8) Perpendicular Signs. Perpendicular signs must be at least (8) feet above the sidewalk, but the underside of the sign must not be more than twelve (12) feet above the sidewalk. Only one perpendicular sign may be installed per business and such signs shall not exceed ten (10) square feet. If the property originally had a theater marquis, similar marquis signs may be installed if based on pictorial evidence.

(9) Prohibited Signs. Neon signs, flashing signs, signs with intermittent lights, rotating signs, LED signs and internally lit signs, are prohibited.

- (10) Sign Lighting. Only indirect/external lighting is allowed. Light directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly on public right-of-way or residential premises.
- (11) Awning Signs. Imprints of a sign or logo shall be allowed on an awning and will be included in the total signage calculation, with the exception of Applicants whom use the Awning Sign Allowance set forth in subsection 2(b);
- (12) Sandwich Board Sign Allowance. Each business may have one sandwich board sign. Sandwich board signs shall be constructed of wood in an “A” shape and be heavy enough so that strong winds do not allow it to blow over. Sandwich Boards shall not be left outside of the building when the business closes, or the City may remove and dispose of the sign. Sandwich board signs cannot exceed a height of 42 inches and shall not exceed seven square feet (per side).
- (13) Materials: Signs shall be constructed of natural materials such as wood, brick, stone, etched glass or constructed of materials that successfully replicate these natural materials. However, professional painted metal signs are also acceptable provided they have a finished thickness of at least one half inch achieved by mounting the metal sign on a substrate or by having a frame. Metal signs must have three dimensional artwork embellishments covering up to at least 50% of the sign area.
- (14) Sign Colors: Excessively bright, fluorescent, or glaring colors are prohibited on signs;
- (15) Sign Review and Permitting. Any new sign application in the downtown zones must be submitted to the Planning Department Staff for review then forwarded to the Sign Inspector for issuance of a sign permit.
- (16) Signs Prohibited in Rights-of-Way. Permanent or temporary signs shall not be installed in the road right-of-way. “Sandwich Board” signs may be installed on sidewalks as long as they comply with the “Sandwich Board” sign allowance above and do not block a clear path along the sidewalk of 36 inches.
- (17) Accessory Signage Installed to Glass. Strobe lights, rotating and./or flashing emergency vehicle – type lights , neon lights strips or window outlines installed within the business and visible to the public, even if not affixed to the glass, is prohibited. Holiday lights installed seasonally are exempt from this requirement.
- (18) Non-Conforming Sign. All sign-related provisions set forth in Article XVIII, “Signs”, Section 17, “Nonconforming Signs,” in the City of Maryville Land Development Regulations, and as later amended, are applicable within the downtown zones, unless otherwise addressed in this chapter.

- (19) Amortization of Non-Conforming Sign.
- A. A non-conforming sign that exceeds the size and height by more than ten percent or that is nonconforming in some other way shall, within one (1) year after the effective date of this chapter, be altered to comply with the provisions of this article or be removed.
  - B. If the nonconformity consists of too many freestanding signs on a single lot or an excess of total sign area on a single lot, the person responsible for the violation may determine which sign or signs need to be altered or removed to bring the development into conformance.
- (20) Reconstruction of Previous Signs. Property Owners whom propose to reconstruct signs that are clearly documented through photographic evidence or other documentation may occur on their original location. Such reconstructed signs shall be constructed with materials, design detailing and decorative features to match or closely approximate the original sign. If signs proposed to be reconstructed do not comply with sign regulations of this chapter, the Downtown Maryville Design Review Board will review the Applicant's proposal.
- (21) Signs Excluded from Regulation. The following signs are exempt from regulation under this Ordinance.
- A. Address numbers, signs posted on private property relating to private parking or warning the public against trespassing or danger from animals.
  - B. Signs erected by or on behalf of or pursuant to the authorization of a governmental body, including legal notices, identification and informational signs, and traffic, directional, or regulatory signs.
  - C. Official signs of a non-commercial nature erected by public utilities.
- (22) Miscellaneous Restrictions and Prohibitions. All sign-related provisions set forth in Article XVIII, "Signs", Sections 4, 5, 13 (except signs prohibited as set forth in number 9 above; no internally lit signs, see number 10 above), 14 15 16 and 18 of this Ordinance as later amended, are applicable within the downtown zones, unless otherwise provided in this chapter.
- (j) Accessories/Details:
- (1) New construction should be sensitive to the historic quality and restored nature of adjacent zones. Details such as shutters, balconies, overhangs, exterior lighting, security lighting, etc. must be reviewed and approved by the Downtown Maryville Design Review Board as compatible with the

original building facade.

- (2) Where applicable, deteriorated architectural features shall be repaired rather than replaced. The new materials should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features substantiated by historic, physical, or pictorial evidence.
  - (4) Blank walls are discouraged. Painted murals and other wall decorations on elevations may be appropriate as reviewed by the Downtown Maryville Design Review Board.
  - (5) Ancillary Structures and Equipment: HVAC equipment, above ground grease traps, electric generators, fuel tanks, trash compactors, dumpsters, garbage containment areas, storage bins and similar ancillary structures and equipment shall be screened from public roads with landscaping, walls or fences. Proposed screening, ancillary structures and equipment shall be submitted for Board review before installation.
- (k) Demolition: The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible. Demolition shall not occur unless one or more of the following conditions are met:
- (1) If a building has lost its architectural and historical integrity and importance and its removal will not result in a more negative, less appropriate visual effect on the district;
  - (2) If the denial of the demolition will result in an unreasonable economic hardship on the applicant as determined by the Downtown Maryville Design Review Board;
  - (3) If the public safety and welfare requires the removal of a structure or building; and
  - (4) If the structural instability or deterioration of a property is demonstrated through a report by a structural engineer or architect. Such a report must clearly detail the property's physical condition, reasons why rehabilitation is not feasible, and cost estimates for rehabilitation versus demolition. In addition, to this report, there shall be a separate report that details future action of this site.
- (l) Land Uses: The Heritage Development Zone shall provide opportunities for festivals, heritage-related businesses, and greenbelt uses to attract tourists and local residents to the area.
- (1) Residential: Attached homes including apartments, condominiums, and

lofts above storefronts are permitted. Single-family detached housing is not appropriate in this zone.

- (2) Mixed Uses: Most types of land uses in the heritage Development Zone are encouraged including those for entertainment, employment, service, shopping, light manufacturing, cultural, heritage oriented activities, museums and tourist types of development.
- (3) Prohibited Uses: Adult establishments, heavy manufacturing, mini-storage, landfill or mining, hazardous occupancies or storage of hazardous materials, or any uses not determined to be compatible with the function, character, and intent of the Heritage Development Zone.

## **SECTION 8: CENTRAL BUSINESS DISTRICT SUPPORT ZONE**

The Central Business District Support Zone is the zone of contrast between the urban intimacy on Harper Avenue and the open spaces of the north side of the Greenbelt. This zone takes full advantage of the benefits of the Greenbelt by providing mixed use development along its periphery. Businesses locating in the CBD Support Zone are encouraged to spill their services out onto the pathways and open areas of the Greenbelt.

- (a) Lot Dimensions:
  - (1) Lot size: no minimum
  - (2) Lot width: no minimum
- (b) Setbacks: Setback from existing utility easements must be observed, otherwise:
  - (1) Front: 20 foot maximum setback to the street or greenbelt.
  - (2) Side: 10 ft. maximum; no minimum.
  - (3) Rear: no minimum, maximum variable, depending upon placement of parking as reviewed by the Maryville Design Review Board.
- (c) Parking: Total coverage cannot exceed 30% of the entire lot. Parking must be placed on the side of the building that is determined to be most out of the public view by the Downtown Maryville Design Review Board. Parking shall not be allowed to impede the beauty of Greenbelt views, nor destroy the potential for an “edge” on downtown streets. In those cases where parking must adjoin a street, an eight-foot opaque wall built of appropriate materials, including brick, stone, and other natural materials shall be appropriately placed to create a visual edge for pedestrians and motorists. Appropriate landscaping in and around parking lots, including trees, may be required.
- (d) Height: The maximum height for all new buildings shall not exceed either three stories or 45 feet.
- (e) Windows and Doors:
  - (1) Spacing and size of fenestration shall match that of the other buildings on the same block that were built before 1950;
  - (2) Windows shall be square or vertical in orientation;
  - (3) All fenestration, including doors and windows above grade shall be indicative of the period of construction of the building; and
  - (4) Sills and lintels for windows are encouraged.

- (5) True divided light or simulated divided light units are permissible only.
- (f) Facades:
- (1) Facades shall be 'pedestrian scale.' Pedestrian scale is defined as a size (of building, space) that a pedestrian perceives as not dominating or overpowering;
  - (2) Substantial removal, alteration, or covering of original facades shall not be permitted;
  - (3) Facades composed of brick or masonry must be re-pointed and cleaned to a condition indicative of their original finish;
  - (4) In cases of extreme deterioration, facades may be repaired and painted; Paint colors must be of historic precedent, compatible with adjacent properties and approved by the Downtown Maryville Design Review Board. Applicants must submit paint chips, brick samples, awning fabric samples, etc. to the Review Board for all proposed new paint projects, building construction and façade alteration; and
  - (5) Awnings, may be applied and are encouraged, but must be solid or two-color, angled or scalloped type only and compatible with the architecture and color palette.
- (g) Materials:
- (1) Natural stone, brick, wood and fiber-based siding that resembles horizontal lap siding should be used for all buildings in the Central Business District Support Zone;
  - (2) Veneer materials are not allowed (i.e., vinyl siding, metal facade covering, stucco, and synthetic stucco)..
  - (3) Synthetic materials and stucco may only be allowed on a limited basis for accent, trim and cornices.
- (i) Signs: Except where stated herein, the following restrictions and rules supersede the general sign Ordinance found in Article XVIII of this Ordinance in this zoning district.
- (1) Sign Area Allowed.
    - A. Single Story Buildings: Total signage is based on 25% of the side of the property on which the entrance is located. Properties with frontage having 50 feet or less shall be allowed a maximum sign area of 12 square feet. The entrance shall be the door(s) used by customers rather than entrances for purposes of rear deliveries or fire exits.

- B. Two-Story and Taller Buildings: The maximum area of signage is calculated above, however, two story buildings double the allowed maximum sign area, three story buildings triple the allowed maximum area, etc. The maximum allowed sign area devoted to one property shall not exceed 300 square feet, regardless of the number of stories and property frontage. While being limited to the calculations above, no individual sign and no combination of multiple signs on one side of a building shall exceed 150 square feet. If a building includes multiple uses, only the frontage and stories attributed to the subject sign may be counted. For example, a building with one story of retail and two stories of residential may only count the retail story for the respective retail signs.
- (2) Sign Area Allowances. Businesses may add signs, in addition to the maximum allowed sign area as calculated above, using no more than two of the following sign allowances. All signs using these allowances will require review and approval by Planning Staff.
- A. Window Sign Allowance. Each Business may have six (6) square feet of signs applied to glass doors/windows.
  - B. Awning Sign Allowance: Imprints of a signage and/or logo shall be allowed on an awning which shall not exceed either: the equivalent of the total 25% signage calculation above, or twenty (20) square feet, whichever is less. For example, if the property is allowed to have a ten square foot sign using the 25% sign area calculation above, then the property may also have a ten square foot sign or logo printed on an awning. If a building can receive a 40 square foot sign using the 25% rule, it may have also have signage and/or logo on an awning not to exceed twenty (20) square feet.
  - C. Projecting Sign Square Footage Allowance: Each business may hang one perpendicular sign not to exceed six (6) square feet. Creativity and artwork in the sign design and composition are encouraged. This sign allowance is not trying to create a fake Colonial era style of sign or recreate an artificial historical past. Sign designs are encouraged to be compatible to the business's trade or wares. They may be designed as historic, contemporary, cutting edge, futuristic, fun or conservative as the business Owners' intend to convey. The underside of the sign must be at least eight (8) feet above the sidewalk, but the underside of the sign must not be more than twelve (12) feet above the sidewalk. Such signs must be constructed of wood or a material, such as sign foam, that replicates wood. Signs must have: either, at least 50% of the surface area sandblasted; or have a combination of sandblasted features and three dimensional artwork embellishments covering up to at least 50% of the sign area. Signs may be metal if the sign includes sufficient thickness, at least 1/2 inch, not including framing.

Thin, flat plastic and metal signs with vinyl lettering and/or decals are NOT acceptable. Signs must be painted and colors are encouraged. Sign shapes must vary from other hanging signs on the same block to encourage variety. Signs that exceed the six square foot allowance may be allowed if the overage is due to artistic embellishments. Sign brackets used to support the hanging signs also require review and approval by the City. The bracket and the sign cannot project so far as to be a danger to passing pedestrians and vehicles. A professional sign company or Artisan experienced with wood construction, carving and painting must fabricate signs.

(4) Directory Signs

- A. Building Mounted Directory Signs. Where several businesses share a building, a directory sign (listing tenant names) may be installed on the building, not to exceed six (6) square feet. The sign area of directory signs will not be subtracted from the property's allowable sign area.
- B. Freestanding Directory Signs. Where a single or multiple tenant business' entrance(s) do not front a public street or the entrance door is significantly obscured due to topographic, existing landscape, or other orientation of the building making it difficult for motorists to see the entrance, a freestanding directory sign (listing tenant name(s)) may be installed on the same parcel of property. Such sign shall not be taller than three (3) feet to the top of the sign and shall not exceed four (4) square feet per tenant. When there is more than one tenant in a building with the same difficulty of entrance visibility, the tenants must combine their directory signs into a single freestanding directory sign, while still maintaining a maximum of four (4) square feet per tenant. However, such freestanding directory signs shall not exceed a total of 25 square feet and shall not exceed a height of 5 feet. The sign area of directory signs will not be subtracted from the property's allowable sign area.

- (5) Freestanding Signs: Freestanding signs of not taller than five (5) feet and not greater than 25 square feet are allowed. Only indirect /exterior illumination is permissible. Properties that have frontage on Lamar Alexander Parkway may have freestanding signs eight (8) feet tall, but such signs can only be located on the Parkway side of the property.
- (6) Window Signs. Window signs are permissible; however signs shall not exceed thirty percent (30%) of the total window area;
- (7) Building Mounted Signs. Signs can be attached to building facades at street level and shall not be roof mounted.

- (8) Perpendicular Signs. Perpendicular signs must be at least (8) feet above the sidewalk, but the underside of the sign must not be more than twelve (12) feet above the sidewalk. Only one perpendicular sign may be installed per business and such signs shall not exceed ten (10) square feet. If the property originally had a theater marquis, similar marquis signs may be installed if based on pictorial evidence.
- (9) Prohibited Signs. Neon signs, flashing signs, signs with intermittent lights, rotating signs, LED signs and internally lit signs, are prohibited;
- (10) Sign Lighting. Only indirect/external lighting is allowed. Light directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly on public right-of-way or residential premises.
- (11) Awning Signs. Imprints of a sign or logo shall be allowed on an awning and will be included in the total signage calculation, with the exception of Applicants whom use the Awning Sign Allowance set forth in subsection 2(b);
- (12) Sandwich Board Sign Allowance. Each business may have one sandwich board sign. Sandwich board signs shall be constructed of wood in an “A” shape and be heavy enough so that strong winds do not allow it to blow over. Sandwich Boards shall not be left outside of the building when the business closes, or the City may remove and dispose of the sign. Sandwich board signs cannot exceed a height of 42 inches and shall not exceed seven square feet (per side).
- (13) Materials: Signs shall be constructed of natural materials such as wood, brick, or stone, etched glass or constructed of materials that successfully replicate these natural materials. However, professional painted metal signs are also acceptable provided they have a finished thickness of at least one half inch achieved by mounting the metal sign on a substrate or by having a frame. Metal signs must have three dimensional artwork embellishments covering up to at least 50% of the sign area.
- (14) Sign Colors: Excessively bright, fluorescent, or glaring colors are prohibited on signs;
- (15) Sign Review and Permitting. Any new sign application in the downtown zones must be submitted to the Planning Department Staff for review then forwarded to the Sign Inspector for issuance of a sign permit.
- (16) Signs Prohibited in Rights-of-Way. Permanent or temporary signs shall not be installed in the road right-of-way. “Sandwich Board” signs may be installed on sidewalks as long as they comply with the “Sandwich Board” sign allowance above and do not block a clear path along the sidewalk of 36 inches.

- (17) Accessory Signage Installed to Glass. Strobe lights, rotating and/or flashing emergency vehicle – type lights , neon lights strips or window outlines installed within the business and visible to the public, even if not affixed to the glass, is prohibited. Holiday lights installed seasonally are exempt from this requirement.
- (18) Non-Conforming Sign. All sign-related provisions set forth in Article XVIII, “Signs”, Section 17, “Nonconforming Signs,” in the City of Maryville Land Development Regulations, and as later amended, are applicable within the downtown zones, unless otherwise addressed in this chapter.
- (19) Amortization of Non-Conforming Sign.
- A. A non-conforming sign that exceeds the size and height by more than ten percent or that is nonconforming in some other way shall, within one (1) year after the effective date of this chapter, be altered to comply with the provisions of this article or be removed.
- B. If the nonconformity consists of too many freestanding signs on a single lot or an excess of total sign area on a single lot, the person responsible for the violation may determine which sign or signs need to be altered or removed to bring the development into conformance.
- (20) Reconstruction of Previous Signs. Property Owners whom propose to reconstruct signs that are clearly documented through photographic evidence or other documentation may occur on their original location. Such reconstructed signs shall be constructed with materials, design detailing and decorative features to match or closely approximate the original sign. If signs proposed to be reconstructed do not comply with sign regulations of this chapter, the Downtown Maryville Design Review Board will review the Applicant’s proposal.
- (21) Signs Excluded from Regulation. The following signs are exempt from regulation under this Ordinance.
- A. Address numbers, signs posted on private property relating to private parking or warning the public against trespassing or danger from animals.
- B. Signs erected by or on behalf of or pursuant to the authorization of a governmental body, including legal notices, identification and informational signs, and traffic, directional, or regulatory signs.
- C. Official signs of a non-commercial nature erected by public utilities.
- (22) Miscellaneous Restrictions and Prohibitions. All sign-related provisions set forth in Article XVIII, “Signs”, Sections 4, 5, 13 (except signs prohibited as set forth in number 9 above; no internally lit signs, see number 10

above), 14 15 16 and 18 of this Ordinance as later amended, are applicable within the downtown zones, unless otherwise provided in this chapter.

(j) Accessories/Details:

- (1) Details such as shutters, balconies, overhangs, exterior lighting, security lighting, etc. must be reviewed and approved by the Maryville Downtown Design Review Board as compatible with the design guidelines of the zone and its compatibility with adjacent properties;
- (2) An “edge” must be created for all properties with street planting and/or walls where deemed appropriate by the Maryville Downtown Design Review Board;
- (3) New construction shall be sensitive to the historic quality and restored nature of adjacent zones;
- (4) Deteriorated architectural features shall be repaired rather than replaced. The new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features substantiated by historic, physical, or pictorial evidence;
- (5) Blank walls are discouraged. Painted murals and other wall decorations on elevations may be appropriate as reviewed by the Downtown Maryville Design Review Board; and
- (6) Ancillary Structures and Equipment: HVAC equipment, above ground grease traps, electric generators, fuel tanks, trash compactors, dumpsters, garbage containment areas, storage bins and similar ancillary structures and equipment shall be screened from public roads with landscaping, walls or fences. Proposed screening, ancillary structures and equipment shall be submitted for Board review before installation.

(k) Demolition: The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible. Demolition shall not occur unless one or the more following conditions are met:

- (1) If a building has lost its architectural and historical integrity and importance and its removal will not result in a more negative, less appropriate visual effect on the district;
- (2) If the denial of the demolition will result in an unreasonable economic hardship on the applicant as determined by the Design Review Board;

- (3) If the public safety and welfare requires the removal of a structure or building; and
  - (4) If the structural instability or deterioration of a property is demonstrated through a report by a structural engineer or architect. Such a report must clearly detail the property's physical condition, reasons why rehabilitation is not feasible, and cost estimates for rehabilitation versus demolition. In addition to this report, there shall be a separate report that details future action of this site.
- (l) Land Uses: Because of the immense scale and proximity to the "big" side of the greenbelt, a wide variety of developments will be appropriate, including larger buildings.
- (1) Residential: Attached homes including apartments, condominiums, and lofts above storefronts are permitted. Single-family detached housing is not appropriate in this zone.
  - (2) Mixed Uses: Appropriate uses should accommodate a variety of needs, especially those of residents who live nearby and tourists who visit Downtown. Most types of land uses are encouraged in the Central Business District Support Zone including those for entertainment, employment, service, shopping, liquor stores and light manufacturing are permitted if the building they are housed in structures meeting all design standards. New developments should take full advantage of the close proximity to the Greenbelt and the proximity of the Central Business District. Scale of proposed developments in comparison to other individual developments in the zone is most important when considering whether or not a use shall be appropriate.
  - (3) Prohibited Uses: Adult establishments, heavy manufacturing, mini-storage, landfill or mining, hazardous occupancies or storage of hazardous materials, or any uses not determined to be compatible with the function, character, and intent of the Central Business District Support Zone.