

SECTION 13. SIGN STANDARDS

- 13.1 PURPOSE**
 - 13.2 GENERAL TERMS**
 - 13.3 PERMITTED SIGNS, LOCATION AND NUMBERS**
 - 13.4 PROHIBITED SIGNS**
 - 13.5 MASTER SIGNAGE PLAN**
 - 13.6 DESIGN STANDARDS**
 - 13.7 CONSTRUCTION AND MAINTENANCE**
 - 13.8 NONCONFORMING SIGNS**
 - 13.9 VIOLATIONS**
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13.1 PURPOSE

The purposes of these sign standards are to:

- A. Encourage the effective use of signs as a means of communication for businesses, organizations and individuals in the City and Planning Region.
- B. Provide a means of way-finding in the community thereby reducing traffic confusion and congestion and improving pedestrian and traffic safety.
- C. Maintain and enhance the pleasing look of the City and Planning Region.
- D. Preserve the City and Planning Region as a community that is attractive to business.
- E. Differentiate in the restriction of signs that may distract drivers in active traffic and those signs that may provide information to drivers while they remain in their cars but out of active traffic.
- F. Minimize the possible adverse effects of signs on nearby public and private property while protecting First Amendment free speech rights.
- G. Implement the City of Hendersonville Land Use and Transportation Plan.

13.2 GENERAL TERMS

A. Applicability

A sign may be erected, placed, established, painted, created or maintained on private property in Hendersonville and the Planning Region only in conformance with the standards, procedures, exemptions, and other requirements of this Section. This Section also applies to signs held or supported by a person.

B. Effect

The effect of this Section is to:

1. Establish a permit system to allow a variety of types of signs in commercial and industrial zones and a limited variety of signs in residential zones, subject to the standards and the permit procedures of this Section.

2. Allow certain signs that are small, unobtrusive and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this Section, but without a requirement for permits.
3. Provide for temporary signs in limited circumstances.
4. Prohibit all signs not expressly permitted by this Section.
5. Provide for the enforcement of the provisions of this Section.

C. Signs Exempt from Regulation

The following signs shall be exempt from regulation under this Section:

1. Any public notice or warning required by a valid and applicable federal, state or local law, regulation or ordinance.
2. Traffic control signs such as stop, yield, and similar signs, the faces of which meet Department of Transportation standards and which contain no commercial message of any sort.
3. Any sign not legible from a street (public or private). This includes drive-in and drive-through menu board signs and signs within buildings, including signs at least 10 feet back from window.
4. Works of art that do not include a commercial message.

D. Transitional Provisions

1. Existing Signs

All signs legally erected prior to the effective date of this Ordinance are considered legal by this Ordinance and may remain in place and in use, subject to certain restrictions on modification, replacement and other actions affecting the sign, as set forth in this Ordinance.

2. Existing Permits

All holders of permits for signs issued legally prior to the effective date of this Ordinance may erect the signs which are the subject of such permits within the times allowed by such permits, and such signs shall then be treated as though they had been erected prior to the effective date of this Ordinance. However, such permits may not be extended or amended unless the sign which is the subject of such permit will conform to all of the requirements of this Ordinance.

3. Existing Violations

All violations of the sign regulations repealed by this Ordinance shall remain violations of the ordinances of the City of Hendersonville and all penalties and enforcement remedies set forth hereunder shall be available to the City of Hendersonville as though the violation were a violation of this Ordinance. However, if the effect of this Ordinance is to make a sign that was formerly

nonconforming become conforming, then enforcement action shall cease except to the extent of collecting penalties (other than removal of the sign) for violations that occurred prior to the effective date of this ordinance.

E. Permits Required

See Section 4.11 (Sign Permit).

F. Computations

1. Computation of Sign Area of Individual Signs

The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing or decorative fence or wall when such fence or wall otherwise meets the regulations of the Ordinances of the City of Hendersonville and is clearly incidental to the display itself.

2. Computation of Area of Multifaced Signs

Where the sign faces of a double-faced sign are parallel or the interior angle formed by the faces is 60 degrees or less, only one display face shall be measured in computing sign area. If the two faces of a double-faced sign are of unequal area, the area of the sign shall be the area of the larger sign. In all other cases, the areas of all faces of a multifaced sign shall be added together to compute the area of the sign.

3. Computation of Height

The height of a sign shall be computed as the distance from the base of the sign at a computed grade to the top of the highest attached component of the sign. The computed grade shall be the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zone lot.

G. No Variances

Neither the Board of Zoning Appeals nor any other administrative body shall have the power or authority to vary the express terms of this Section, including, but not limited to, sign height or setback, the number of signs, the size of an individual sign, the total area of signs on a property, sign lighting or other characteristics, or sign placement in relation to other signs.

13.3 PERMITTED SIGNS, LOCATION AND NUMBER

A. Signs Allowed on Private Property

1. Types of Signs Permitted

Signs shall be allowed on private property in the City of Hendersonville in accordance with, and only in accordance with, Table 12 (Permitted Signs). If the letter P appears for a sign type in a column, such sign is allowed without prior permit approval in the zoning district(s) represented by that column. If the letter S appears for a sign type in a column, such sign is allowed only with prior permit approval in the zoning district(s) represented by that column. If the letter N appears for a sign type in a column, such a sign is not allowed in the zoning district(s) represented by that column, under any circumstances.

2. Special Conditions

Special conditions shall apply to certain types of signs. Those signs are identified with a paragraph number reference in the right-hand column of Table 12 (Permitted Signs), which number refers to a paragraph in Section 13.3B (Special Conditions). A sign of such type shall be permitted only subject to the requirements of those supplemental regulations.

CITY OF HENDERSONVILLE, TN
TABLE 12: PERMITTED SIGNS
ALL ZONING DISTRICTS

Sign Types	All R	MFR & OT-R	O	NC	OT-C	GC, MXC & HC	I	Conditions
Ground Signs								
Directory	N	N	S	N	S	S	S	13.3.B.3
Incidental	P	P	P	P	P	P	P	13.3.B.4
Institutional	S	S	S	S	S	S	P	13.3.B.5
Principal Ground	N	S	S	S	S	S	S	13.3.B.7
Temporary	P	P	S	S	S	S	S	13.3.B.10
Building Signs								
Awning	N	N	S	S	S	S	S	13.3.B.1
Building Marker	P	P	P	P	P	P	P	13.3.B.2
Directory	N	P	P	P	P	P	P	13.3.B.3
Incidental	N	P	P	P	P	P	P	13.3.B.4
Institutional	S	S	S	S	S	S	S	13.3.B.5
Projecting	N	N	S	S	S	S	S	13.3.B.8
Suspended	N	N	S	S	S	S	S	13.3.B.9
Temporary	N	N	N	N	S	S	S	13.3.B.10
Wall	N	S ¹	S	S	S	S	S	13.3.B.11 & 12
Window	N	N	S	S	P	P	P	13.3.B.13
Other								
Flags	P	P	P	P	P	P	P	13.3.B.6

1. Permitted for Assisted Living Facility, Bed and Breakfast and Independent Living Facility only.

3. Number, Dimensional and Locational Limitations

Although permitted under the previous paragraph, a sign designated by an “S” or a “P” in Table 12 (Permitted Signs) shall be allowed only if:

- a. The size of any individual ground sign does not exceed the size given for individual sign area in Table 13 (Number, Dimensions and Locations of Individual Signs) or, Section 13.3B (Special Conditions), whichever is less.
- b. The height of any ground sign does not exceed the number given for height in Table 13 or Section 13.3B (Special Conditions), whichever is less;
- c. Each ground sign shall be set back far enough away from the street to be off the right of way. Should the Hendersonville Transportation Plan dictate a greater right of way width than exists, said greater right of way width shall apply. In no event shall any sign be placed any closer to the edge of the pavement than 12 feet or in such a location which blocks visibility of motorists.

- d. The number of principal ground signs per zone lot shall not exceed the number 1 or the number resulting from the number permitted computation in Table 13 or as specified in Section 13.3B (Special Conditions).
- e. The area of wall sign(s) on an individual wall does not exceed the area in square feet listed in Table 13 for building signs or as specified in Section 13.3B (Special Conditions), whichever is less.

CITY OF HENDERSONVILLE, TN							
TABLE 13: NUMBER, DIMENSIONS AND LOCATION OF INDIVIDUAL SIGNS							
ALL ZONING DISTRICTS							
Sign Types	All R	MFR & OT-R	O	NC	OT-C	GC, MXC & HC	I
Ground Signs							
Sign Area (sq ft)	9	30	40	40	40	60 ¹	60 ¹
Height (ft)	4	5	6 ²	5	6	8 ²	8 ²
Setback (ft)	See Section 13.3.A.3.c (Number, Dimensional and Locational Limitations)						
Principal Ground Signs							
Number Permitted ³	1	2	2	2	2	2	2
Building Signs							
Area (sq ft)	2	See Section 13.3.B (Special Conditions)					

1. 80 square feet is allowed for a ground sign advertising 3 or more tenants on a lot with 3 or more tenants and at least 1.5 acres in size.
2. 12 feet is allowed for a ground sign advertising 3 or more tenants on a lot with 3 or more tenants and at least 1.5 acres in size.
3. Must have at least 400 feet of frontage to qualify for a 2nd sign. Signs must be separated by at least 200 feet, as measured parallel to the street(s).



4. Permitted Characteristics

The characteristics of signs shall conform with the limitations of Table 14 (Permitted Sign Characteristics), and with any additional limitations on characteristics listed in Section 13.3B (Special Conditions). N in a column indicates that a characteristic is not permitted in that zoning district. S in a column indicates that a characteristic is allowed on a wall sign or principal ground sign with a sign permit. Characteristics of other types of signs are limited by the conditions set forth in Section 13.3B (Special Conditions).

CITY OF HENDERSONVILLE, TN TABLE 14: PERMITTED SIGN CHARACTERISTICS ALL ZONING DISTRICTS							
Sign Types	All R	MFR & OT-R	O	NC	OT-C	GC, MXC & HC	I
Changeable Copy ¹	S ²	S ²	S	S ²	S	S	S
Illumination, Internal ³	S ²	S ²	S	N	S	S	S
Illumination, External	S ²	S	S	S	S	S	S

1. No more than 50% of the area of the sign may be changeable copy, manual or electronic.
2. For Institutional Uses only.
3. The source of the illumination, i.e. bulbs, neon or fluorescent tubes, LED tubes, strips, etc. shall not be visible. Sources of illumination shall be enclosed with a translucent surface, such as a plastic face.

B. Special Conditions by Sign Type

The following supplemental regulations apply to particular types of signs or to particular signs in particular circumstances. Where appropriate, the tables refer to the conditions set forth in these supplemental regulations by paragraph number within this Section.

1. Awning Sign

An awning sign shall not cover more than thirty (30) percent of the awning, nor shall it exceed the size allowed for a wall sign. Awnings shall not have back-lighting or internal illumination. Down-lighting, i.e. goose-neck lights, is permitted. The size of awning signs in combination with wall signs shall not exceed the total area allowed for wall signs as specified by 13.3B11 (Wall Sign, Commercial and Industrial).

2. Building Marker

Building marker signs shall be permitted, subject to the following conditions:

- a. Shall not exceed six (6) square feet in area.
- b. Shall contain no logo or commercial message.

- c. Shall be made of permanent material, such as bronze or masonry, and shall be permanently affixed to or made part of the building.
- d. Only one (1) sign allowed per building.

3. Directory Sign

Directory signs shall be permitted where a particular site includes more than one tenant or occupant, subject to the following conditions:

a. In shopping centers:

Directory signs in shopping centers may be located near entrances to parking areas, but at least fifty (50) feet from any public right-of-way, and at principal intersections within the center, where such intersections are at least fifty (50) feet from any public right-of-way. Such signs shall not exceed sixteen (16) square feet in area or six (6) feet in height. Such signs may contain logos or business names with arrows or other directional information.

b. At multi-family projects, office buildings or business parks:

One directory sign may be located near the principal entrance to a parking area for multi-family projects, office buildings or business parks, as shown on an approved Master Signage Plan. Such sign shall be located away from any public right-of-way, so that drivers can conveniently pull up to and read the directory without impeding traffic on any driveway or entrance serving the development. Such sign may contain an unlimited number of pieces of information, but letters shall not be more than three (3) inches in height and shall not be legible from any public right-of-way. Such sign may not exceed sixteen (16) square feet in area and six (6) feet in height.

4. Incidental Signs

Incidental signs may carry any type of information except a commercial message that is visible from a position off the lot on which the sign is located. Typical incidental signs include restroom, phone, no parking, entrance, exit, and generic directions such as office, atm, or stores. No such sign shall exceed nine (9) square feet in size.

5. Institutional Signs

a. Residential Ground Signs

In residential zoning districts, an institutional ground sign shall be permitted on the same site as any Place of Worship, Educational Facility, hospital or other institution which is a permitted use in that location, subject to the following:

- i. Shall not exceed four (4) feet in height plus two (2) feet of additional height for each additional five (5) feet of setback beyond the minimum required setback up to a maximum height of eight (8) feet.
- ii. Shall not exceed forty (40) square feet in size.

- iii. Up to fifty percent (50%) of the surface area on each side of the sign may be a changeable copy sign. Electronic message signs allowed only as per iv below.
- iv. May be illuminated by external light only except that internal illumination shall be permitted under the following conditions:
 - (a) The sign must be at least 150 feet from the nearest existing residence.
 - (b) Only one (1) message per day.
 - (c) Lights must be turned off not later than 10:00 pm and not turned back on until 7:00 am.
 - (d) All electronic messages shall be displayed as illuminated text against a black or non-illuminated background. Black or dark text against an illuminated or bright background is not permitted. Messages shall be text only and one color only. No pictures or anything except text.
 - (e) The illumination of the sign shall not exceed 0.3 footcandles over ambient lighting conditions, day or night. Measurement shall be as prescribed in the document "Recommended Brightness Levels for On-Premise Electronic Message Centers" published by the International Sign Association. All LED signs shall be equipped with a sensor device that automatically determines the ambient illumination conditions. Maximum illumination from dusk to dawn shall not exceed 500 nits. A sleep mode shall be included in each sign and shall be programmed to comply with the time limitations of this ordinance. A malfunctioning sign shall be programmed to shut down.
- v. Shall be a monument style sign.

b. Residential Wall Signs

In residential zoning districts, an institutional wall sign shall be permitted on the same site as any Place of Worship, Educational Facility, hospital or other institution which is a permitted use in that location, subject to the following:

- i. Shall not exceed forty (40) square feet in size.
- ii. May be illuminated.

c. Non-Residential Signs

In nonresidential zoning districts, an institution may elect to erect the ground sign that would be permitted to a business in the same location, or it may elect to erect the institutional sign permitted under these provisions, but it may not erect or maintain both.

6. Flag

The display of flags shall be subject to the following limitations:

- a. There shall be no more than three (3) flagpoles per principal building on any zone lot. The poles shall be installed in concrete at least three (3) feet deep.
- b. There shall be no more than two (2) flags per pole.
- c. No flag may contain a commercial message except that one (1) of the three (3) allowed flags may contain a commercial message in a non-residential zone.
- d. No flagpole shall exceed thirty five (35) feet in height. Flagpoles on buildings shall not extend more than fifteen (15) feet above the highest point of the building or roof.

7. Principal Ground Sign

A principal ground sign shall be permitted subject to the following:

- a. Shall not exceed the applicable height specified for a ground sign in that district in Table 13 (Number, Dimension and Location of Individual Signs).
- b. Shall not exceed in square feet the number given in Table 13. A ground sign located on a vacant lot shall not exceed twelve (12) square feet until such time that a building permit is issued for construction. Following issuance of a building permit, the restrictions in Table 15 shall apply.
- c. Setbacks shall conform to Table 13.
- d. One principal ground sign is permitted for each two hundred (200) feet of street frontage per lot with a maximum of two (2) such signs being permitted. Where more than one sign is allowed, there shall be separation between each sign of at least two hundred (200) feet. Corner lots and other multi-frontage lots shall be allowed one (1) sign for each of two (2) street frontages even if there is not four hundred (400) feet of total frontage, but provided said signs are separated by at least two hundred (200) feet, such distance to be measured parallel to the street frontage rather than in a straight line.
- e. Principal ground signs shall be separated from principal ground signs on other lots by a distance of at least seventy-five (75) feet. The Planning Commission may approve a lesser distance in instances where it is not physically possible or otherwise practical, in the opinion of the Planning Commission, to provide seventy-five (75) feet separation.

8. Projecting Signs

The size of a projecting sign shall not exceed twenty-five (25) square feet. A projecting sign shall be at least ten (10) feet above any sidewalk, parking lot, driveway or other vehicular or pedestrian way and shall not exceed twenty-five (25) feet in height.

9. Suspended Signs

Suspended signs shall be permitted under canopies attached to buildings at entrances to businesses. Suspended signs shall be subject to the following specific conditions:

- a. One (1) suspended sign allowed per entrance, and the sign may have copy on both sides.
- b. Shall not exceed four (4) square feet in face area on one side.
- c. Shall not be illuminated.
- d. Shall be at least ten (10) feet above any sidewalk, parking lot, driveway or other vehicular or pedestrian way.

10. Temporary Signs

The following temporary signs are permitted in addition to whatever permanent signs are permitted:

a. Temporary Building Signs

One (1) banner or other temporary building sign per business shall be permitted in commercial and industrial zones except O and NC zones. Such signs shall not exceed forty (40) square feet in size and shall be securely attached flat against the wall of the building and shall not be erected on poles or any other means of support other than the wall of the principal building on the property. Such banners or other temporary building signs may remain in place for not more than sixty (60) days per year. This time period may be separated into four (4) periods of no more than fifteen (15) days each.

b. Temporary Ground Signs

One temporary ground sign per lot shall be permitted. Such signs shall not exceed nine (9) square feet in size and four (4) feet in height in residential zones and twelve (12) square feet in size and six (6) feet in height in commercial and industrial zones and may remain in place for forty-five (45) days per year. This time period may be separated into three (3) periods of no more than fifteen (15) days.

Temporary residential signs shall include political preference message signs, election signs, baby announcements, garage sale signs, lost pet signs and any other message a property owner wishes to display provided the sign contains no commercial message, except during one of the fifteen (15) day periods specified in the above paragraph. No permit is required.

In residential zones, a label issued by the office of the Zoning Administrator shall be affixed to the front of each temporary ground sign bearing a commercial message. This label shall specify the time period during which the sign is allowed to remain and shall also state the address where the sign is to be displayed.

c. Exceptions

i. Election Signs

Temporary election signs may be displayed on private property to express support of, opposition to, or any other opinion on a political candidate or an election issue. The restriction of not more than one (1)

temporary ground sign per lot or parcel per calendar year contained in 13.3B11b is waived for election signs under the following conditions:

- There shall be no more than one (1) sign per candidate or ballot issue for each lot. Corner and double frontage lots shall be allowed to have one (1) sign on each frontage per candidate or issue.
- All election signs shall be limited to 45 days extending from 40 days prior to the official election day to 5 days after the official election day.
- Candidates which win a primary and remain on the ballot for an additional election shall be allowed to re-erect their signs or leave the signs in place for an additional 45 day period under the above stated terms.

Such election signs are allowed in addition to all other permitted signs. A sign permit is not required.

ii. Real Estate Signs

One (1) temporary sign advertising the sale, auction, rental or lease of real estate may be displayed on private property which is for sale, auction rental, or lease. The maximum in residential zones is nine (9) square feet in size and four (4) feet in height. The maximum in commercial and industrial zones is twenty (20) square feet in size and eight (8) feet in height. On corner lots and double frontage lots, one (1) such sign may be displayed on each of the two (2) frontages. For this purpose frontage includes street, lake and golf course frontage. These two (2) signs shall be separated by at least one hundred (100) feet. These signs may remain for as long as the property is for sale, auction, rental or lease and shall be removed within three (3) days of closing of the sale, end of the auction or rental of the premises.

To accommodate an open house, an open house sign may also be placed on the property under the same size and setback requirements specified above. Furthermore, there may be four (4) off premise open house directional signs not exceeding one (1) square foot in size or three (3) feet in height. These open house signs shall be allowed on Friday, Saturday and Sunday only, and removed by 10:00 AM Monday. Such off-premise directional sign may not be placed on public property or right-of-way but may be placed on private property with the permission of the owner of that property.

Furthermore, there may be four (4) off premise auction signs not exceeding nine (9) square feet in size nor four (4) feet in height placed not more than ten (10) days in advance of the auction and removed within three (3) days after the auction. Such signs may not be placed on public property or right of way but may be placed on private property with the permission of the owner of that property. No more than one (1) such sign is allowed per lot.

Such signs are allowed in addition to all other permitted signs. A permit is not required.

iii. Real Estate Development Signs

As an accessory use to an approved subdivision or site plan, each new subdivision or development (residential, commercial or industrial) shall be allowed one (1) temporary real estate development sign to advertise lots for sale within the subdivision or to advertise the development of a commercial or industrial lot. Such sign shall carry no other commercial message whatsoever and shall not exceed thirty-two (32) square feet in size or ten (10) feet in height and shall be placed at least thirty (30) feet from the edge of any street, public or private. The sign shall be removed when 90% of the lots are built upon, but not later than five years unless an extension is granted by the Planning Commission. No additional real estate signs are allowed on a lot with a Real Estate Development Sign. A permit is required.

11. Wall Sign, Commercial and Industrial

Wall signs in commercial and industrial districts shall be allowed, subject to the following limitations:

- a. A wall sign may be installed or painted only on a building wall of a principal building, as defined in this Ordinance and may be on any side of the building;
- b. The total amount of signage per wall of building shall not exceed one (1) square feet per linear foot of length of the wall to which the sign is to be attached plus a setback bonus of 1 square feet for each additional foot of building setback beyond the required setback with a maximum of two (2) square feet per linear foot of building frontage. Where a building has more than one occupant or tenant, a percentage of the setback bonus shall be allocated corresponding to the tenant's building square footage percentage. Any departure from this formula must be explicitly stated in the Master Signage Plan. In no event shall the allocated setback bonus exceed 100% of the total amount of signage allowed for the entire building.
- c. Where a wall of a building in a commercial or industrial district faces and is within one hundred (100) feet of a residential district, the size and lighting limitations applicable to institutional uses in that zoning district shall apply to the sign(s) on that wall only.

12. Wall Sign, Residential

a. Single-Family Homes

Single-family residential units (either attached or detached) in zoning districts or portions of planned developments designated for single-family use shall be permitted one wall sign meeting the following criteria:

- i. The sign shall not exceed two (2) square feet in area.
- ii. The sign shall not be illuminated.

b. Multi-Family Buildings

Multi-family residential uses located in residential zoning districts, including portions of planned developments designated for residential use, shall be permitted one wall sign per public entrance, which wall sign shall be subject to the following:

- i. No such sign shall exceed six (6) square feet in area.
- ii. Each sign may be illuminated only by direct, external illumination.
- iii. The sign shall not contain any commercial message other than information about leasing units in the project. Non-residential uses in MFR, OT-R and MXR zones shall be permitted one square foot of wall sign for each linear foot of length of wall to which the sign is to be attached.

13. Window Sign

Window signs are permitted on the first floor of buildings provided that they cover no more than twenty (20) percent of the gross glass area on any one (1) side of the building or five (5) percent in O and NC districts. Window signs shall not be illuminated except that each business establishment shall be permitted one illuminated window sign not exceeding two (2) square feet in size. The form of illumination may include exposed neon and LED lighting.

13.4 PROHIBITED SIGNS

All signs not expressly permitted under this Section or exempt from regulation hereunder in accordance with the previous Section are prohibited. Such signs include, but are not limited to:

- A. Animated.
- B. Beacons.
- C. Flashing signs, including flashing signs inside the window if visible from the street (public or private).
- D. Obscene signs.
- E. Pennants.
- F. Roof signs.
- G. Streamers.
- H. Blade banners, feather flags, swooper flags, teardrop flags and similar devices.
- I. Strings of lights.
- J. Inflatable signs including inflated characters, lighter-than-air devices, and other balloon type devices.

- K. Other attention-attracting devices except to the extent that they conform fully to the dimensional, design, lighting and other standards applicable to a sign in the same location.
- L. Abandoned or Obsolete Signs: Such signs and all frames, supporting structure, posts, and appurtenances shall be removed by the owner of the property, his agent, or person having beneficial use of the premises upon which said sign is located.
- M. Vehicle Signs.
- N. Signs on natural features such as trees, vegetation and rocks.
- O. Signs on utility poles, fences and benches.
- P. Signs on the public right-of-way except as follows:
 1. Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic.
 2. Bus stop signs erected by a public transit company.
 3. Informational signs of a public utility regarding its poles, lines, pipes or other facilities.
 4. Signs appurtenant to a use of public property permitted under a franchise or lease agreement with the City of Hendersonville.
 5. Emergency warning signs erected by a governmental agency, a public utility company or a contractor doing authorized or permitted work within the public right-of-way.
- Q. Signs which constitute a traffic hazard described as follows:

No signs shall be erected and there shall be no lighting of signs or premises in such a manner or in such location as to obstruct the view of or be confused with any authorized traffic signal, notice or control device, or with lights on any emergency vehicle, or to create hazards or distractions to drivers because of direct or reflected natural or artificial light, flashing, intermittent or flickering lighting, real or apparent movement. Any such signs or light sources shall be removed at the direction of the Public Works Department. If not removed by owners or occupants of the property within 10 days of notice, the Planning Department shall otherwise remove the signs and the cost of removal shall become a lien against the property until satisfied.

13.5 MASTER SIGNAGE PLAN

No permit shall be issued for a principal ground sign or wall sign for a new multi-tenant commercial building unless and until a Master Signage Plan for the zone lot on which the sign will be erected has been submitted to and approved by the Planning Department as conforming with this Section.

- A. The owner shall submit to the Planning Department a Master Signage Plan containing the following:

1. An accurate plot plan of the zone lot, at such scale as the Planning Department may reasonably require.
 2. Location of buildings, parking lots, driveways, and landscaped areas on such zone lot.
 3. Computation of the maximum area for signs, the height of signs and the number of principal ground signs allowed on the zone lot(s) included in the plan under this ordinance, with such computations following the applicable formulae set forth in Table 13 of this Ordinance.
 4. An accurate indication on the plot plan of the proposed location of each present and future permanent sign of any type, whether requiring a permit or not, except that incidental signs need not be shown.
 5. Detailed drawings and color renderings of the proposed signage showing dimensions and design sufficient to determine compliance with the requirements of this Section, including the design standards contained in Section 13.6 (Design Standards).
 6. The Master Signage Plan shall be signed by all owners or their authorized agents in such form as the Planning Department may require.
- B. Any sign design guide and or Master Signage Plan submitted and approved with any planned development or site plan for the proposed development may be accepted as the Master Signage Plan required by this Section if said plan is determined by the Planning Department as being sufficient to conform to the intent of this Section .
- C. The Master Signage Plan requirement may be waived by the Planning Department for buildings containing three (3) or fewer tenants or when it is determined that the Master Signs Plan will not serve its intended purpose.
- D. A Master Signage Plan may be amended by filing a new Master Signage Plan that conforms with all requirements of this Section.
- E. After approval of a Master Signage Plan, no sign shall be erected, placed, painted, or maintained, except in accordance with such plan, and such plan may be enforced in the same way as any provision of this Ordinance. In case of any conflict between a provision of a Master Signage Plan and one or more provisions of the City of Hendersonville ordinances, the City of Hendersonville ordinances shall control.

13.6 DESIGN STANDARDS

A. Design Review and Conformance

Compliance with the following design standards is required for all new permanent signs including replacement signs for which a permit is required as per Table 14 (Permitted Signs) of this Section including principal ground signs, directory ground signs, institutional ground signs, awning signs, suspended signs, projecting signs and wall signs. The Planning Department shall, prior to the issuance of a sign permit as required by Section 4.10 (Sign Permits) of this ordinance, review such proposed signs and approve or deny as to conformance with the design standards contained in this ordinance. Denial may be appealed to the Planning Commission.

B. Design Principles

Signs should be designed with consideration to the effect the sign will have upon the character of the surrounding area. Signs can complement or detract from the character of a building. Therefore, particular attention should be given to the way in which the sign will be read and whether its design, size, materials, shape, illumination, location, configuration, and character are appropriate to its intended audience or whether a more appropriate sign could better serve its intended purpose and, at the same time, be less visually disruptive.

C. Design Guidelines

1. Wall signage should be consistent in size within each development and should be proportional to the building on which each sign is placed. A sign which meets the maximum size limitations may not be appropriate to the scale of the buildings, its architectural features and the character established by the adjacent buildings.
2. Wall signs should match the architectural character of buildings within the development and area and of the building on which the sign is to be placed in terms of style, location, configuration, materials, and color.
3. Wall signs should not obstruct or crowd architectural elements or details such as cornices, pilasters, windows and other features which define the design of the building.
4. Sign materials must be durable, low maintenance and of similar quality to the principal structure. Appropriate materials for ground sign background, frame, support and ornamentation includes brick, natural stone (including panels and imitation stone), and EIFS or similar material when used in combination with brick or stone. In OT-C (Old Town-Commercial), wood is appropriate in addition to the materials listed above.
5. Signs consisting of plastic-faced channel letters should be not more than two (2) colors. However, this is not to say that logos and other accents combined with letters may not have other color(s). Use bronze, black or white returns. Any back-lighting should be white.
6. Signs should not be of a material, color(s) or design that attracts attention excessively and disrupts the public environment.
7. Signs may not be in the shape of a product or motif, i.e. soda bottle, hamburger or boot.



8. Signs should be primarily for identifying the business and not predominantly for advertising products sold or services rendered.

9. Ground signs must be monument style, except in OT-C (Old Town-Commercial). See definition. Ground signs must be placed on a base of at least 1.5 feet in height. Any sign posts must be concealed within the base and structure of the sign, i.e. with brick columns. The base should be constructed of the recommended materials listed above. The base should be complemented with shrubs, flowers and/or other landscaping. This landscaping should be of a low-growing variety so as not to block the visibility of the sign. This landscaping should also be designed to hide or shield any external light source.



10. The frame and other supporting structure of the sign should be as minimal in mass as possible to support the sign and to complement the architecture of the principal building. The frame and structure should not cause the overall size of the sign and structure to exceed the permitted maximum size by more than one hundred and twenty (120) percent. For example, if sixty (60) square feet of sign face is allowed, the total area of the sign and structure should not exceed one hundred and thirty two (132) square feet.



11. Ground signs should be placed in the middle of the lot to the extent practical so that visibility of motorists exiting the driveway will not be impeded and so that it will not block, or be blocked, by the sign on the adjacent lot and so that any future sign on the adjacent lots can achieve the minimum separation required by this Section.

12. Ground signs in OT-C (Old Town-Commercial) may be supported on each end by posts. A base is not required. Landscaping around the base of the sign is recommended, especially to screen any external light source.

13. Within the OT-C (Old Town-Commercial), temporary sandwich board type signage is permitted during business hours and must be stored inside during non-business hours. One (1) sign is allowed per business and the sign may not exceed ten (10) square feet in size or five (5) feet in height and not block the

sidewalk or the visibility of motorists. Such sign shall be within ten (10) feet of the front of the building and shall conform to the setback requirement. No other temporary signs shall be displayed on the property while a sandwich board sign is in place.

13.7 CONSTRUCTION AND MAINTENANCE

A. Code Compliance

All signs shall comply with the applicable provisions of the building code and the electrical code of the City of Hendersonville at all times.

B. Permanent Installation Required

Except for permitted banners, flags, temporary signs, and window signs conforming in all respects with the requirements of this Ordinance, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.

C. Maintenance

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

1. A sign shall have no more than twenty (20) percent of its surface area covered with disfigured, cracked, ripped or peeling paint, poster paper or other material for a period of more than thirty (30) days.
2. A sign shall not stand with bent or broken sign facing, with broken supports, with loose appendages or struts, or more than fifteen (15) degrees from vertical for a period of no more than ten (10) successive days.
3. A sign shall not have weeds, trees, vines, bird nests or other vegetation growing upon it, or obscuring the view of the sign from the street or right-of-way from which it is to be view for a period of no more than thirty (30) successive days.
4. An internally illuminated sign shall be allowed to stand with only partial illumination for a period of no more than thirty (30) successive days.

13.8 NONCONFORMING SIGNS

It is the policy of the Board of Mayor and Aldermen of Hendersonville to encourage and, to the maximum extent practicable, require that all signs within the city be brought into compliance with the requirements of this Ordinance.

Subject to the exceptions hereinafter set forth, any non-conforming signs may be continued in operation and maintenance after the effective date of this ordinance, provided that non-conforming signs shall not be:

- A. Changed to or replaced with another nonconforming sign except changing the sign face or panel. Also, the copy of nonconforming changeable copy signs may be changed.
- B. Structurally altered so as to extend their useful life.
- C. Expanded.
- D. Relocated.
- E. Re-established after damage of more than fifty percent (50%) of the value at the time of such damage or destruction.
- F. Modified in any way that would increase the degree of non-conformity of such sign.

Non-conforming window signs shall be eliminated within two (2) years of the date of adoption of this Ordinance. NOTE: Illegal signs must be removed immediately.

Nothing in this ordinance shall prevent the strengthening or restoring to a safe condition of any portion of a sign or structure declared unsafe by the Building Inspector. Such signs may be improved only to the extent that such improvement does not exceed fifty percent (50%) of the current market value of the existing sign structure.

13.9 VIOLATIONS

See Section 4.12 (Violations).