

ORDINANCE NO.

AN ORDINANCE AMENDING THE MEMPHIS CITY CODE TO REVISE AND REPLACE THE PROVISIONS PERTAINING TO THE UNIFORM SIGN CODE APPLICABLE TO THE CENTRAL BUSINESS IMPROVEMENT DISTRICT

SECTION 1.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE, That Chapter 7, Code of Ordinances, City of Memphis, is hereby amended by repealing Sections 51 through 61 thereof, and by adding in their place the following Sections 51 through 55:

DIVISION 2. SIGN CODE

Sec. 7-51. Established.

There is hereby established a uniform sign code of the Central Business Improvement District which shall read as set forth in this division. All ordinances previously adopted which conflict with this division are hereby repealed.

Sec. 7-52. Definitions.

As used in this division:

Above roof sign shall mean a sign which is displayed above the highest projection of the roof.

Banner shall mean a sign having the characters, letters, illustrations, or ornamentation applied to cloth, paper, or fabric of any kind with only such material for a backing.

CBID shall mean the Central Business Improvement District.

CCC shall mean the Center City Commission.

Central Business Improvement District shall mean the Central Business Improvement District No. II created by Article V of this Chapter 7.

Construction sign shall mean a temporary graphic placed on a construction site listing such information as contractor, engineer or architect.

DRB shall mean the Design Review Board.

Design Review Board shall mean the Memphis Center City Design Review Board created pursuant to Article V, Section 92(6) of this Chapter 7.

Doorway shall mean area set back from the public right-of way enclosed or surrounded by show windows or walled sides of show windows, but not inside the establishment itself.

Expressway shall mean a limited access highway to which access is restricted except by ramps and interchanges.

Graphic shall mean any letter, symbol, number, or combination of these that can be seen from the public right-of-way.

Graphic element shall mean any syllable, abbreviation, number, or geometric shape.

Ground sign shall mean a display sign supported by uprights or braces in or upon the ground surface.

Informational signs shall mean a graphic giving direction or information without advertising.

Item of information shall mean any of the following: a syllable; an abbreviation; a number; a symbol; a geometric shape.

Marquee shall mean a permanent roofed structure projecting over public property, attached to and supported by a building.

Marquee sign shall mean a display sign attached to or hung from a marquee canopy or other covered structure projecting from and supported by the building and extending beyond the building wall, building line, or street lot line.

Off-Premise sign shall mean a sign which attracts attention to a product, service, commodity or entertainment which primarily is conducted, sold, produced or offered off the premises where the sign is located.

Primary sign shall mean permanent signs that are highly visible to pedestrian and vehicular traffic and do not include roof signs, rooftop signs, sandwich boards, or window graphics. Ground signs and projecting signs are also considered primary signs.

Primary wall sign shall mean a primary sign no higher than the second floor windowsills of the building to which it is attached.

Projecting sign shall mean a display sign which is attached directly to the building wall and which extends more than 18 inches from the face of the wall.

Real estate sign shall mean a temporary graphic erected by the owner, or his agent, advertising the real property upon which the sign is located, for rent, for lease, or for sale.

Roof graphic shall mean a sign that is displayed above the eaves and under the highest projection of the roof.

Roof line shall mean either the edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette and, where a building has several roof levels, such roof or parapet shall be the roof level belonging to that portion of the building where the sign is to be located.

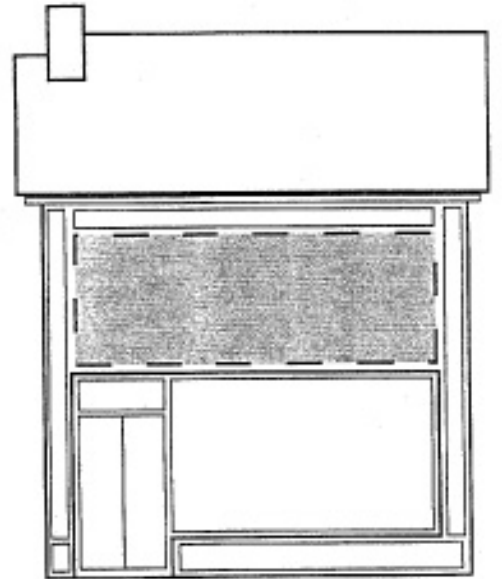
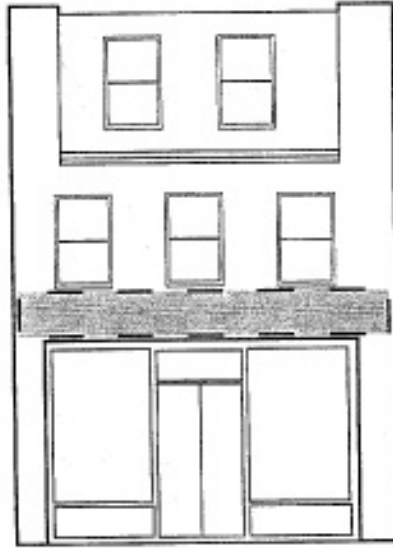
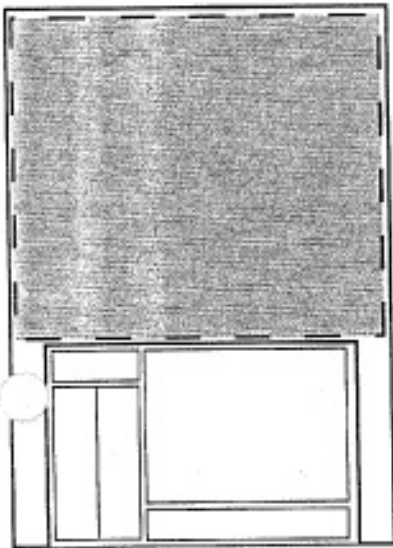
Sign shall include any announcement, declaration, or demonstration, display, illustration, or insignia used to advertise or promote the intent of any person when the same is placed for the view of the general public.

Signable area shall mean an area of the façade of the building below the roof line which is free of windows, doors or major architectural details and not higher than the lowest of the following: 25 feet above the adjoining sidewalk, the bottom of the window sills of the second story, or the highest part of the building under the roof as illustrated in **Exhibit 1**.

Temporary sign shall mean any sign, banner, pennant, valance, or advertising display constructed of cloth, canvas, light fabric, cardboard, wallpaper, or light material with or without frames, intended to be displayed for a limited period of time only.

Wall sign shall mean a sign that is painted on or attached directly to the building wall and not more than 18 inches from the face of the wall.

Window graphic shall mean a sign that is attached to or visible through a window.



Determining the signable area of a building

Sec. 7-53. Design Regulations.

- (a) *Purpose.* Signs are a vital component of a community's streetscape and good commercial signage can make a significant contribution to the physical appearance and to the economic prosperity of a community. The design regulations outlined herein are intended to insure that property owners in Downtown and the Central Business Improvement District have available to them a palette of street graphics that enhances and celebrates the character of the center city that is indescribably Memphis.
- (b) *Areas Affected.* The following design regulations apply to any property located within the Central Business Improvement District (CBID). The CBID is generally bound by the Wolf River on the north, Crump Boulevard on the south, the Tennessee State line on the west and Danny Thomas on the east, with an extension between Poplar and Linden to Watkins encompassing the medical center as shown in **Exhibit 2**.

For the purposes of these guidelines, the CBID has been divided into thirteen general categories of review. The Downtown Core Standards and the Medical District Standards modify the General CBID Sign Standards. The remaining 10 areas, shown in **Exhibit 3**, address further modifications to the Downtown Core Sign Standards.

- General CBID Sign Standards
 - Downtown Core Sign Standards
 - Main Street Mall Sign Standards
 - Gayoso-Peabody/Cotton Row Sign Standards
 - Beale Street Sign Standards
 - South Main/Warehouse District Sign Standards
 - Pinch Sign Standards
 - Greenlaw & Bickford-Bearwater Sign Standards
 - Victorian Village Sign Standards
 - Riverfront Sign Standards.
 - Ballpark District Sign Standards
 - Peabody Place Entertainment District Sign Standards
 - Medical District Sign Standards

Standards for the Downtown Core, Main Street Mall, Gayoso-Peabody/Cotton Row, South Main/Warehouse District, Pinch, Victorian Village, Greenlaw & Bickford-Bearwater, Beale Street, Ballpark District, Peabody Place Entertainment District, Medical District, and the Riverfront are intended to strengthen the character of each of the individual areas and to enhance the pedestrian-scale quality of Memphis' urban center. In some cases, they may be more restrictive than the General CBID Sign

Central Business Improvement District Boundaries

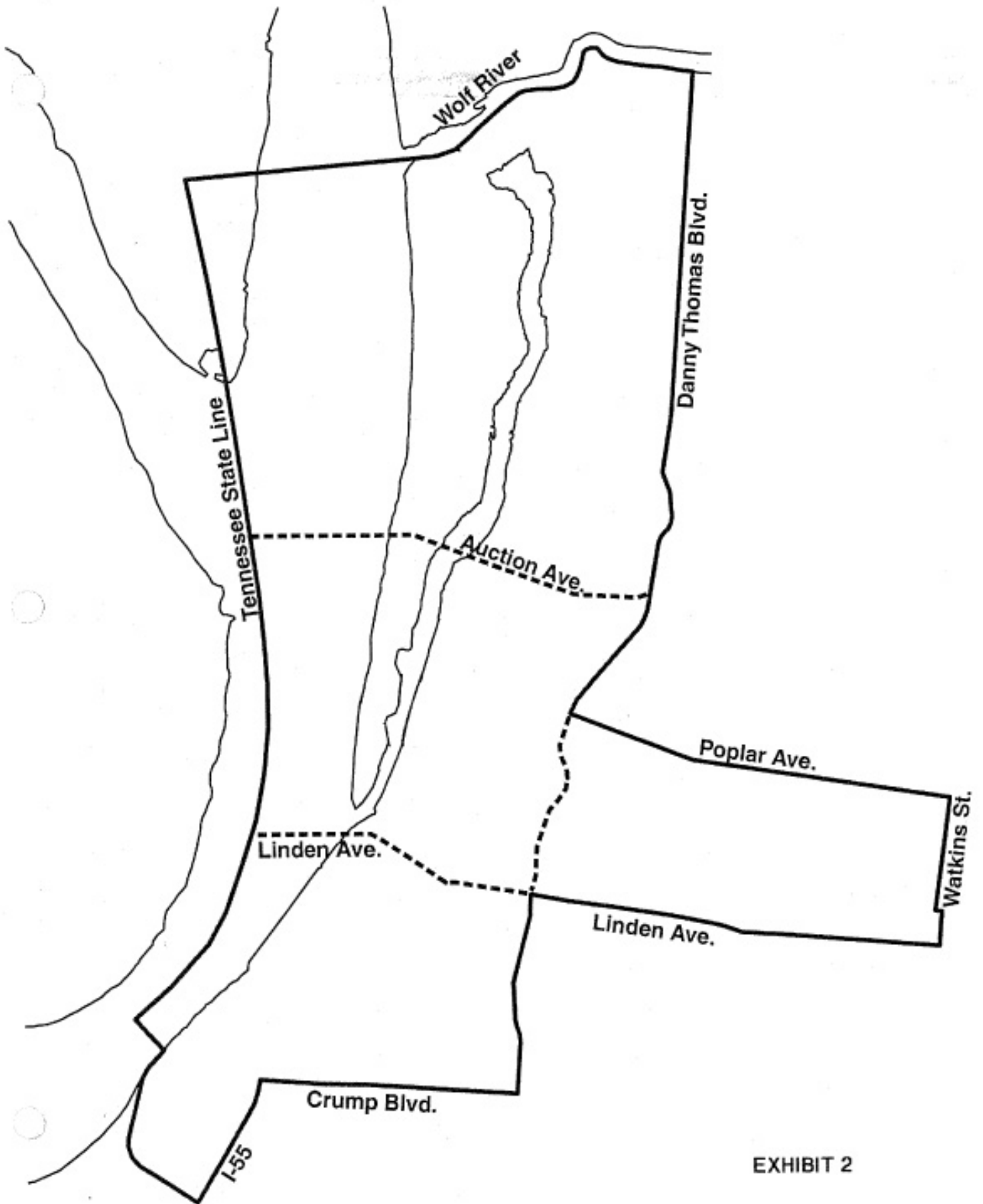


EXHIBIT 2

Review Districts in the CBID



Standards. Any property that is located within the areas outlined on the following maps is subject to review relative to its geography or district. In addition, alterations to properties located within a City of Memphis Historic District must also be reviewed by the Memphis Landmarks Commission.

(c) *Review Procedure.* The Design Review Board shall implement the sign code for the Central Business Improvement District set forth in this Division 2 as follows:

(1) *Pre-design conference.* Before an application for review can be submitted to the DRB, a pre-design conference must be scheduled with the CCC staff to help accelerate the approval process by acquainting applicants with design standards, submittal requirements and application procedures.

(2) *Application.* After the pre-design conference, an application for formal review and all information regarding the project must be submitted to the Center City Commission Director of Planning. The following materials must be submitted for all sign applications:

- (i) Photo(s) of the building(s) in question.
- (ii) 13 copies of drawings that are to scale (not to exceed 11" x 17" in size) of the proposed sign(s) with size and dimensions. The drawings should show the front and side views of the sign and may require additional drawings if the proposal is not adequately illustrated in those drawings.
- (iii) A description of letter style and size to be used on the sign.
- (iv) A drawing or photo indicating where the sign(s) will be located on the building/site along with dimensions/measurements that are descriptive of the building or sign location.
- (v) A description of the type of sign, colors, installation/mounting and materials of the proposed sign, including any proposed lighting.

The CCC staff shall have the right to waive the requirement that any of such material shall be submitted.

- (3) *Review of Applications.* At each monthly meeting of the Design Review Board, the CCC staff will present all applications that have been received by the Director of Planning no later than two weeks prior to the meeting. All meetings of the Design Review Board are open to the public. Applicants or their representative should attend the meeting to answer any questions the Design Review Board may have regarding the application. After reviewing each case, the Design Review Board shall vote on the proposal.
- (4) *Post-Review.* For approved applications, the CCC staff shall mail a letter stating the conditions of the approval to the applicant and to the City Construction Code Enforcement division. For denied application, the CCC staff may make recommendations to the applicant about changes that could be made to the application to warrant approval. Amendments to the application shall be considered at a future meeting of the DRB.
- (5) *Appeal.* Appeals must be made in writing to the Chairman of the Center City Commission within 5 business days of the date of the meeting at which the application was denied. Applicants may present the appeal at the regular CCC monthly board meeting. A representative of the Design Review Board may be present and the CCC may outline the reasons for the denial. A final appeal may be made to the Memphis City Council after a decision has been issued by the Center City Commission.

(d) *Sign Standards.*

- (1) *General CBID Sign Standards.* All signs in the CBID shall adhere to the following guidelines and size limitations except in cases where outstandingly creative design solutions are offered. In such cases, if a proposal incorporates unique or high quality materials (such as neon, hand painting, some metals, well-crafted wood), exterior lighting (such as floodlighting), unique shapes, and outstanding graphic composition, a sign exceeding the limits stated in this Division 2 may be approved. All signs should, however, be appropriately scaled to fit their context, should complement the building on which they are located, and should not intrude upon any architectural detail.
 - (i) *Identification.* All signs within the CBID are encouraged to utilize creative approaches to property and business identification; however, signs should be used for

identification only, not for the advertisement of services or products available within a building or site. The only exception to this is off-premise advertising.

(a) *Removal.* When a business closes or relocates, its sign shall be removed within three (3) months of the date of close. If the sign has not been removed after six (6) months, the property owner will be notified that the sign is non-compliant and will be formally requested to remove the sign. Unless the owner can provide a reason acceptable to the Design Review Board that the sign should be retained, the sign shall be removed immediately. If the sign has not been removed within one (1) year of the close of the building or business, it can be removed by the City or the Center City Commission at the owner's expense.

(b) *Disrepair.* When a sign (designated for identification or off-premise advertising) falls into disrepair or is abandoned, the CCC staff may notify the property owner that the sign is non-compliant and request that the sign be removed. Unless the owner can provide a reason acceptable to the Design Review Board that the sign should be retained, the sign shall be removed immediately. If the sign has not been removed within one (1) year following notification, it can be removed by the City or the Center City Commission at the owner's expense.

(ii) *Graphic Elements.* All signs should contain no more than ten (10) graphic elements.

(a) If a name of a business consists of more than four (4) syllables, it is counted only as four (4) graphic elements.

(b) The property's legal street address shall only count as one graphic element.

(iii) *Number of Signs.* Any ground floor business is allowed two (2) primary signs facing a public right-of-way; however, the area of the signs may not exceed the allowable size requirements as outlined in following sections.

- (iv) *Upper Floor Tenants.* Each ground floor leasable unit is considered separately for signage; however, upper floor tenants are not allowed signs at the ground level unless they have a separate entrance at the ground level fronting onto a public right-of-way. Upper floor tenants in all cases are allowed, as established below, window or door graphics on the ground level and window graphics at the floor on which they are located.
- (v) *Multi-Tenant Buildings.* Multi-tenant buildings may incorporate a designation sign at the ground level that identifies all of its tenants.
- (vi) *Size of Signs.* The size of a sign will be determined by the smaller of the following two measurements: (1) the area of a rectangle enclosing all elements of a sign, including any sign cabinet or edges of a cabinet, or (2) the sum total of all areas of all elements of a sign.
- (vii) *Ground Signs.* Ground signs are freestanding elements and include pole-mounted signs and shorter monument signs. Any activity that is set back from the street or public right-of- way by at least 35 feet may display one ground sign within the allowable size limits set forth below:
 - (a) Pole signs shall be no taller than 20 feet and shall be no closer than 300 feet from any other pole sign. The size of the sign cabinet on top of the pole shall not exceed 45 square feet.
 - (b) Monument signs shall not exceed 35 square feet. The height of a monument sign shall not exceed 6 feet. Monument signs should be designed and located so that they do not create security hazards or visual barriers to traffic.
 - (c) Changeable copy signs of any type are not allowed. This includes individual cabinets as part of a pole sign or portable readerboard signs.
- (viii) *Wall Signs.* Wall signs may be attached flat to or pinned away from the wall and may not project from the wall by more than 18 inches. In no case should a wall sign

obscure architectural details, window openings, or other open area within a building facade.

- (a) Any activity may display one wall sign on each side of the building that fronts onto a public right-of-way.
 - (b) The size of an individual wall sign will be no more than 40% of the signable area of any building.
 - (c) If an activity in a building of 2 or more stories is a place of entertainment, a place of assembly for 200 or more people, a hospital, a hotel, or a majority tenant of the building, a sign may be placed on the wall near the roof line. In such cases, there is generally an area near the roof that is free of architectural detail; this area will be considered the signable area and no sign should exceed 40% of that area. Such signs are not considered primary signs and therefore, do not count against the size limitations of lower, primary wall signs.
- (ix) *Projecting signs.* Any activity may display 1 projecting sign on each public right-of-way frontage. A projecting sign may not extend above the roof of the structure to which it is attached.
- (a) Projecting signs shall be mounted at right angles to the building facade except if the building is a corner building. On corner buildings, a projecting sign may be mounted at a 45-degree angle to the building; however, in such cases, the sign at a 45-degree angle would be the only projecting sign allowed for the activity.
 - (b) Projecting signs must clear the sidewalk by at least 8 feet and shall project no more than 4 feet from the building face or 1/3 of the sidewalk width (whichever is less). Marquee graphics are excluded from this constraint.
 - (c) The vertical axis of a projecting sign will be no more than 25% of the height of the building to which it is attached if the building is 75 feet tall or less, as shown in **Exhibit 4**. If the height of the

building to which the projecting sign is attached is greater than 75 feet, then the vertical axis of the sign cannot exceed 20 feet. The overall size of a projecting sign must adhere to Table 1 below.

Table 1

LENGTH OF FRONTAGE ON PUBLIC RIGHT-OF-WAY	TOTAL ALLOWABLE SIGNAGE
Less than 30'	20 Square Feet
30' to 49' 11"	30 Square Feet
50' to 69' 11"	40 Square Feet
70' to 99' 11"	50 Square Feet
100' and Greater	60 Square Feet

(x) *Above-Roof Wall Signs.* Wall signs above the roof are allowed only in 3 situations: on hotels, on hospital buildings, and when the tenant identified by the sign is a majority tenant within the building.

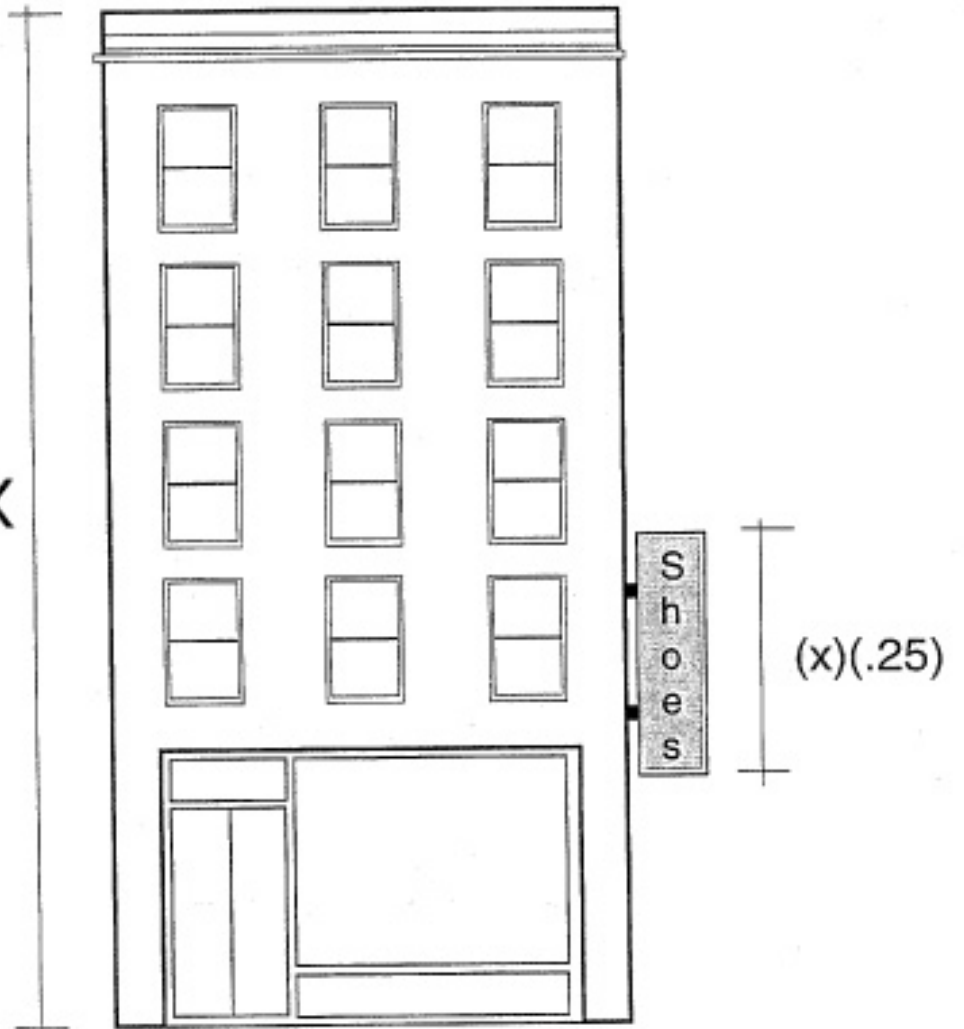
(a) An Above-Roof Wall sign may be attached to or pinned away from permanent portions of the building's structure that extend above what is traditionally considered to be the roofline of the building and may not project more than 18 inches from the wall to which it is attached. This type of sign should not extend above the highest projection of the roof, including elevator penthouses and mechanical enclosures. The size of the sign will be limited by the roof structure to which the sign is attached and will be no larger than 40% of its signable area.

(b) Above-Roof Wall signs are allowed only on buildings that are taller than 50 feet in height.

(xi) *Rooftop Signs.* Signs above the highest projection of the roof are not allowed except as outlined in the standards for the Ballpark District and Peabody Place Entertainment District.

(xii) *Marquee Signs.* Marquees are allowed only on theaters, other entertainment establishments featuring live performances, and

75' or less = X



Determining the height of a projecting sign

places of assembly of 200 or more people (including restaurants and bars).

- (a) As a permanent structure attached to and projecting from a building, a marquee is very much a part of a building's overall design and must be integrated into the facade design. A marquee can project the entire width of the sidewalk, assuming there are not obstructions, but must clear the sidewalk by at least 8 feet.
 - (b) Only individual letters or symbols should be placed on or attached to marquees. The area reserved for changeable copy should be no more than 85% of each side of a marquee. Changeable copy displayed on marquees is not included in the items of information calculation for the building or tenant.
 - (c) If an activity is eligible for a marquee, it may not have any other projecting sign.
- (xiii) *Window Signs.* Permanent window signs shall be affixed to the window and limited to 25% of the total area of the window in which they are displayed. Temporary window signs shall be limited to 15% of the total window area.
- (xiv) *Designation Signs.* An industrial park, shopping center, or multi-tenant building can display a designation sign that indicates the name of multiple activities. These signs are subject to the above limitations regarding items of information and size. Designation signs shall be not taller than 10 feet when a ground sign is allowed. Wall designation signs must adhere to the standards for wall signs.
- (a) Directional signage is allowed only for purposes of wayfinding and may not be used for advertising.
 - (b) Directional signage must be kept to a minimum necessary to locate the intended destination.
 - (c) The DRB will review all directional signage with regard to its integration with the overall signage package for the intended project.
- (xv) *Directional Signs.* Directional signs do not count toward the allowable sign limit per activity. These signs can be vehicular or pedestrian oriented, but in no case, should they exceed a

size of 6 square feet if oriented toward vehicles or 3 square feet if oriented toward pedestrians or a height of 4 feet. Directional signs should not be designed or situated as to provide a traffic or security hazard. In no case shall they be located within a public right-of-way.

(xvi) *Off-Premise Advertising*. Permitted off-premise signs fall within only one of 2 categories: wall painted signs and sponsored artwork. No other off-premise signs shall be permitted within the CBID.

(a) Off-premise advertising attached to bus shelters and trolley kiosks is exempt from these standards.

(b) Wall painted signs are allowed only in the following districts: South Main/Warehouse, The Pinch, and Beale Street. Wall painted signs must be on the sides of buildings and must follow the guidelines and size restrictions for wall signs, item 6 above. When allowed, they are permitted only on buildings between 2 and 15 stories tall, not within 200 feet of any other wall painted off-premise sign and should not project from the face of the building wall.

(c) A current Certificate of Use and Occupancy is required before an off-premise identification sign can be installed.

(d) When allowed, all off-premise wall signs must be hand painted unless the sign has been approved and designated by the Design Review Board as sponsored art.

(e) Sponsored artwork involves graphics which do not necessarily identify a particular product, place, or event in their imagery; but include identification of a sponsor that may be a business enterprise or other entity; e.g. a private business may install a painted mural on the side of a building depicting a historic streetscape and include the name of its business as the provider of the mural.

(f) For the purposes of these guidelines, sponsored art is considered to be only two-dimensional graphics or other types of signboards/sign

cabinets; these standards are by no means intended to address three-dimensional sculpture or other types of artwork.

(g) All sponsored art must adhere to size and placement guidelines outlined above regarding the particular type of artwork: wall art, projecting art, etc. The size of the identification of individual or group sponsors shall be limited to 10% of the overall area of the piece of art.

(xvii) *Awnings.* Awnings can greatly enhance the appearance of a building, can provide shade and shelter, and can provide an alternative means of tenant identification. As extensions of the building to which they are attached, they must be carefully considered for their appropriateness of design in relation to the building's architectural character.

(a) Buildings of historic character should have awnings that respect and complement the architecture. Contemporary building designs may accept a wider range of awning styles. Buildings or storefronts with 19th or early 20th century facades should, typically, have simple, sloped awnings rather than curved or rounded awnings or one of more modern design.

(b) Awnings should fit the openings of the building on which they are attached and not overlap the opening or multiple openings.

(c) Awnings should not obscure any significant architectural detail such as ornamental metal, glass or woodwork.

(d) Lettering on awnings can be placed on the vertical valance flap or on the sloped portion of the awning. Any lettering that is larger than 3 inches in height will be counted against the allowable amount of primary signage for the activity or property. In such cases, the area of the graphic will be determined by measuring the area of the smallest rectangle that encloses all of the elements of the graphic. The maximum signable area for awnings is 30% of the awning's face.

- (e) The recommended material for awnings shall be canvas, particularly on historic buildings; however, vinyl-type awnings may be allowed on more contemporary buildings, except as stated elsewhere relative to each district's guidelines.
 - (f) Illumination of awnings is allowed; however, the illumination must be directed or focused toward the ground not upward creating the effect of an oversized illuminated sign. Lighting external to the awning is also allowed.
- (xviii) *Canopies*. Canopies can be constructed of canvas, well-crafted wood, or metal and are generally supported by vertical supports along their length. For the purposes of this Sign Code, however, a canopy that is of differing construction and that projects out from a building and/or is supported from above also falls under the guidelines outlined in this section.
- (a) Canopies are integral parts of buildings; and as such, require great sensitivity in order to make certain that they complement the design and character of the building.
 - (b) Lettering on canvas or other fabric-type canopies should not be greater than 6 inches in height and should be located only on vertical surfaces and not on sloped or curved sections of the canopy. The front piece of a canopy may present an opportunity to prominently display a graphic symbol or logo with lettering no greater than 6 inches in height. Illumination of fabric-type canopies is allowed from the exterior or from within only if it is directed downward to the ground.
 - (c) Larger identification or signage on canopies made of wood, metal or other permanent material may be allowed if it is compatible with the design of the canopy. Such signs may be internally illuminated but in such cases, the background color must be darker than the color of the graphics.
- (xix) *Temporary Signs*. Temporary signs may be installed for a predetermined length of time and must be removed

at the end of that time period. The predetermined length of time must be approved by the Design Review Board. Temporary signs may be wall signs, window signs, or banners but in no case should a temporary sign obscure any architectural detail of a building. Temporary signs shall be installed in an unobtrusive manner so that their removal does not damage a building facade.

(a) For Sale and For Lease Signs do not require approval of the Design Review Board if they are limited to one sign for each available space or building frontage and are 5 square feet or smaller.

(b) Tethered signs such as blimps or balloons must be reviewed by the DRB for appropriateness and compatibility with surrounding establishments. Tethered signage must not drift into space above public right-of-ways or across surrounding property lines.

(xx) *Sandwich Boards*. One sandwich board sidewalk sign is allowed for each building and can identify multiple tenants on one sign. All such signs shall be designed to be folding in nature and must be removed at the close of business each day. The size of each face of a sandwich board shall not exceed 12 square feet and the overall sign shall be no taller than 4 feet. A sandwich board within the public right-of-way must be such that at least a 5 feet unobstructed sidewalk width remains between the curb and the building front.

(xxi) *Banners*. Banners on streetlights are allowed throughout the CBID. Banners attached to buildings are allowed only within the Downtown Core. Standards for building banners are included within the individual district sections of this Code Sign.

(a) Street banners are permitted only for non-profit organizations or governmental entities. No for-profit, commercial enterprises will be allowed to hang banners to advertise or to promote their businesses, merchandise, products or services.

(b) Banners should generally be event-oriented. For events lasting one week or longer, banners may

be installed 30 days prior to the event. All banners must be removed within 14 days of the conclusion of the event. If banners are not removed within the required time frame, and if City crews perform removal, the organization will be assessed the cost and may be denied future banner requests.

- (c) The name of a for-profit sponsor organization or event may appear at the bottom of a banner in letters no more than one inch high and occupying no more than 10% of the overall area of the banner. Logos may be permitted within that area.
 - (d) Banners shall be a maximum of 5 feet in length and 30 inches wide. The minimum distance from the bottom of the banner to the top of the curb shall be 12 feet unless it is installed on an existing mechanism that is currently part of the public infrastructure.
 - (e) Coordination with the City Engineer is necessary before any banner is installed on a street light.
 - (f) Installation and removal of banners is the responsibility of the sponsoring organization, but must be performed by a licensed sign company with proof of adequate liability insurance.
 - (g) Maintenance and replacement of damaged or missing banners is the responsibility of the sponsoring organization for the duration of the banners' display and shall be addressed in a timely manner.
- (xxii) *Illumination.* Internally illuminated signs in which the background color is darker than the color of the graphics is encouraged. Exterior illumination, such as floodlights or spotlights, shall be positioned so that none of the light shines onto an adjoining property or in the eyes of motorists or pedestrians. For the purposes of these guidelines, neon-type lighting is considered external illumination.
- (a) Signs with marquee or bare bulb illumination shall not be located within 60 feet of any other similar sign or within 500 feet of any single, two, three, or

four family detached residential building. Exposed fluorescent tubes are not permitted.

(b) There are no limits on neon tube illumination as a part of a sign and such lighting is strongly encouraged. Decorative neon accents intended to illuminate a building should be utilized only on non-historic structures and should not obscure any architectural details.

(c) Signs are not required to be lit but in the event illumination is added, it must conform to this Sign Code.

(xxiii) *Mechanization.* Mechanized signs that incorporate moving elements shall not be located within 60 feet of another similar sign or within 500 feet of any single, two, three, or four family detached residential building.

(xxiv) *Vehicles.* Any sign painted or adhered to a vehicle that remains parked in front of any business establishment for the purposes of permanent advertising in the CBID is subject to review by the Design Review Board. Such identification must meet the standards for identification and graphic elements explained above.

(2) *Special Provisions for General Districts:*

- (i) *Downtown Core.* All signs within the Downtown Core, notwithstanding the General CBID Sign Standards, shall adhere to the following guidelines and limitations:
 - (a) *Area defined.* The area included within the Downtown Core, for the purposes of this Sign Code, is bound by Auction Street, Riverside Drive, Linden Avenue and Danny Thomas Boulevard as shown in **Exhibit 5**.
 - (b) *Ground signs.* No pole signs are allowed within the Downtown Core unless they are utilized for a public surface parking lot in which case they shall only identify the parking lot, management company, and rate information. Ground signs shall not be allowed for any off-premise business.
 - (c) *Signs on parking structures.* Structured parking is a particular land use that requires immediate identification by users in order to strengthen the overall viability and success of an urban center. As such, these types of facilities may incorporate signs that exceed the size limitations established previously; however, in no case shall a sign attached to a parking structure cover any portion of a window opening or open area of the facade. One primary sign shall be allowed on each side of a parking facility that fronts onto a public right-of-way. The allowable size of signs under this section differs from the General CBID Sign Standards in the following ways: a wall sign may be 60% of the signable area; a projecting sign may be no taller than 35% of the overall height of the parking structure if the parking structure is less than 85 feet tall, although it may not extend above the second highest level of parking. If the parking structure exceeds 85 feet in height, then the projecting sign is limited to a vertical axis of 30 feet. The size of a projecting sign is limited to the allowable square footage in Table 1.

Downtown Core



(ii) *Main Street Mall*: All signs on the Main Street Mall, notwithstanding the General CBID and Downtown Core Sign Standards, shall adhere to the following guidelines and limitations:

- (a) *Area defined*. The area included within the Main Street Mall, for the purposes of this Sign Code, is bound by Adams Avenue, the mid-block between Main Street and Front Street, Peabody Place Avenue and the mid-block between Main Street and Second Street as shown in **Exhibit 6**.
- (b) *Ground signs*. No ground sign will be allowed within the Main Street Mall area except for temporary and portable sandwich board/sidewalk signs. These types of signs must be reviewed by the Design Review Board prior to their use.
- (c) *Projecting signs*. Projecting signs on the Mall shall not project more than 5 feet and shall not extend above the second floor windowsills of the building to which they are attached.
- (d) *Illumination*. If lit, all signs within the Main Street Mall must be externally illuminated.
- (e) *Awnings*. All awnings shall be of a canvas or other durable cloth material.

Main Street Mall



(iii) *Gayoso - Peabody / Cotton Row.* All signs within the Gayoso-Peabody/Cotton Row area, notwithstanding the General CBID and Downtown Core Sign Standards, shall adhere to the following guidelines and limitations:

- (a) *Area defined.* The area included within the Gayoso-Peabody/Cotton Row area, for the purposes of this Sign Code, is bound by Riverside Drive, the mid-block between Monroe Avenue and Madison Avenue, the mid-block between South Main Street and South Second Street, the mid-block between Monroe Avenue and Union Avenue, the mid-block between Second Street and Third Street, Union Avenue, Hernando Avenue, mid-block between Union Avenue and Gayoso Avenue, Second Street and mid-block between Gayoso Avenue and Peabody Place Avenue as shown in **Exhibit 7**.
- (b) *Ground signs.* No ground sign will be allowed within the Gayoso-Peabody/Cotton Row except for temporary and portable sandwich board/sidewalk signs.
- (c) *Projecting signs.* Projecting signs in Gayoso-Peabody/Cotton Row shall not extend above the second floor windowsills of the building to which they are attached.
- (d) *Illumination.* If lit, all signs within Gayoso-Peabody/Cotton Row must be externally illuminated.
- (e) *Awnings.* All awnings within Gayoso-Peabody/Cotton Row shall be of a canvas or other durable cloth material.

Gayoso-Peabody/Cotton Row



(iv) *Beale Street.* All signs within the Beale Street District, notwithstanding the General CBID and Downtown Core Design Standards, shall adhere to the following guidelines and limitations:

(a) *Area defined.* The area included within the Beale Street District, for the purposes of this Sign Code, is bound by Wagner Place, the mid-block between Beale Street and Peabody Place Avenue, South Fourth Street and Linden Avenue as shown in **Exhibit 8.**

(b) *Size of Signs.* There are no size limits for signs in the Beale Street District except that the scale and character of the building to which the sign is attached must be considered and respected.

(c) *Illumination.* All types of illumination will be allowed in the Beale Street District while still insuring that vehicular traffic can be safely maintained.

Beale Street



(v) *South Main / Warehouse; The Pinch.* All signs within the South Main/Warehouse District & The Pinch, notwithstanding the General CBID and Downtown Core Design Standards, shall adhere to the following guidelines and limitations:

- (a) *Area defined.* The area included within the South Main/Warehouse District, for the purposes of this Sign Code, is bound by Riverside Drive, Linden Avenue, South Second Street and Calhoun Avenue as shown in **Exhibit 9**. The area included within the Pinch District, for the purposes of these guidelines, is bound by Front Street, Auction Avenue, Third Street and Interstate 40 as shown in **Exhibit 10**.
- (b) *Ground signs.* No pole sign will be allowed within South Main/Warehouse District & The Pinch unless they are utilized for a public surface parking lot. When allowed, they shall be not taller than 20 feet.
- (c) *Illumination.* If lit, all signs within the South Main/Warehouse District & The Pinch must be externally illuminated.
- (d) *Awnings.* All awnings within the South Main/Warehouse District & The Pinch shall be of a canvas or other durable cloth material.

South Main/Warehouse District



The Pinch District



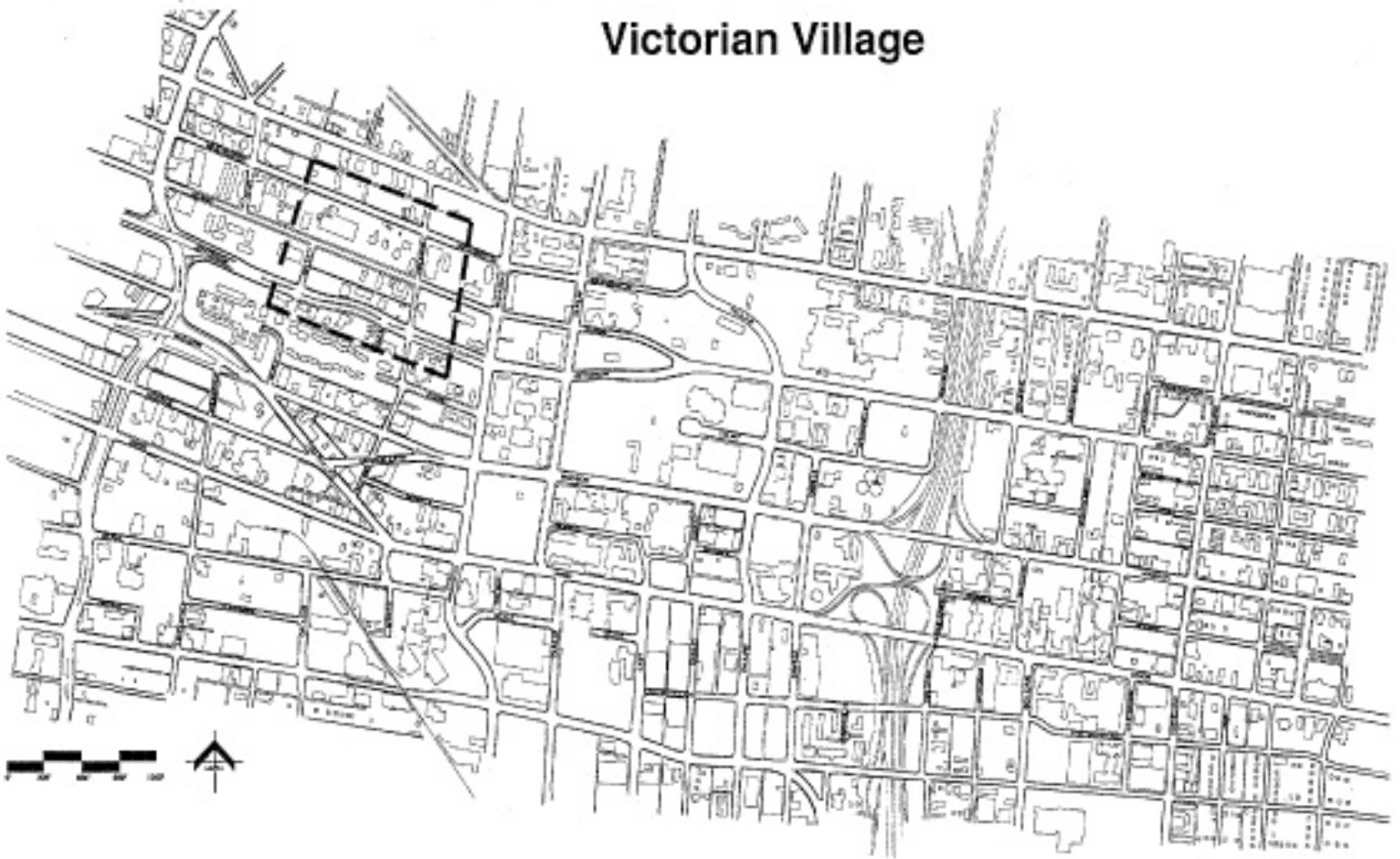
(vi) *Greenlaw / Bickford - Bearwater; Victoria Village.* All signs within the Greenlaw/Bickford-Bearwater & Victorian Village areas, notwithstanding the General CBID and Downtown Core Design Standards, shall adhere to the following guidelines and limitations:

- (a) *Area defined.* The area included within the Greenlaw/Bickford-Bearwater area, for the purposes of this Sign Code, is bound by Front Street, Hickory Street, Second Street, Marble Street, Danny Thomas Avenue and Auction Street as shown in **Exhibit 11**. The area included within the Victorian Village area, for the purposes of these guidelines, is bound by west property lines of parcels aligned with Neely, the alley north of Washington Avenue, mid-block between Orleans and Manassas and Avant as shown in **Exhibit 12**.
- (b) *Ground signs.* No pole sign will be allowed within Greenlaw/Bickford-Bearwater & Victorian Village areas.
- (c) *Projecting signs.* Projecting signs in the Greenlaw/Bickford-Bearwater & Victorian Village areas shall not exceed 30 square feet and should not extend above the second floor windows of the building to which they are attached.
- (d) *Illumination.* If lit, all signs within the Greenlaw/Bickford-Bearwater & Victorian Village areas must be externally illuminated. In this case external illumination excludes neon lighting.
- (e) *Awnings.* All awnings within the Greenlaw/Bickford-Bearwater & Victorian Village areas shall be of a canvas or other durable cloth material.

Greenlaw/Bickford-Bearwater



Victorian Village



(vii) *Riverfront*. All signs within the Riverfront area, notwithstanding the General CBID and Downtown Core Design Standards, shall adhere to the following guidelines and limitations:

- (a) *Area defined*. The area included within the Riverfront area, for the purposes of this Sign Code, is bound by Island Drive, Auction Street, Riverside Drive, the railroad alignment, the Mississippi River and the Wolf River as shown in **Exhibit 13**.
- (b) *Size of Signs*. No sign within the Riverfront area shall be larger than 30 square feet.
- (c) *Wall Signs*. Wall signs within the Riverfront area shall be no larger than 30% of the signable area.
- (d) *Wall Signs above the roof*. Wall signs above the roof are not allowed.
- (e) *Ground signs*. No pole sign will be allowed within the Riverfront area. Only monument-type signs no taller than 6 feet in height shall be allowed.
- (f) *Projecting signs*. Projecting signs in the Riverfront area will be no larger than 30 square feet.
- (g) *Off-premise signs*. Off-premise signs are not allowed along the Riverfront.
- (h) *Illumination*. If lit, all signs within the Riverfront area must be externally illuminated.
- (i) *Awnings*. All awnings within the Riverfront area shall be of a canvas or other durable cloth material.

Riverfront



(viii) *Baseball District.* All signs within the Ballpark District, notwithstanding the General CBID and Downtown Core Design Standards, shall adhere to the following guidelines and limitations:

- (a) *Area defined.* The area included within the Ballpark District, for the purposes of this Sign Code, is bound by the mid-block between Madison Avenue and Court Avenue, Fourth Street, Madison Avenue, Danny Thomas Boulevard, mid-block between Union Avenue and Gayoso Avenue, Hernando Avenue, Union Avenue and the mid-block between Third Street and Second Street as shown in **Exhibit 14**.
- (b) *Ballpark.* The Ballpark itself is excluded from this district, as all new and amended signage will have to come before the Design Review Board for approval.
- (c) *Banners.* The name of a for-profit sponsor organization or event may appear at the bottom of a banner occupying no more than 25% of the overall area of the banner. Logos may be permitted within that area. Banners shall be a maximum of 8 feet in length and either 24 inches, 30 inches or 36 inches wide. The minimum distance from the bottom of the banner to the top of the curb must be at least 12 feet unless it is installed on an existing mechanism that is currently part of the public infrastructure.
- (d) *Rooftop Signs.* Signage projecting above the highest point of the roof or rooftop structure is permitted within the Ballpark District on buildings that exceed 40 feet in height. Signs must identify the name of the property or the majority tenant. Signage must face the direction of the ballpark and be visible from the interior of the ballpark. Signage must consist of individual lettering attached to a minimally visible frame. The horizontal length of the sign shall not exceed 50% of the length of the roof on the side of the building where the sign is located. The total area of the sign shall not exceed 350 square feet.

Ballpark District



(ix) *Peabody Place Entertainment District.* All signs within the Peabody Place Entertainment District, notwithstanding the General CBID and Downtown Core Design Standards, shall adhere to the following guidelines and limitations:

- (a) *Area defined.* The area included within the Peabody Place Entertainment District, for the purposes of this Sign Code, is bound by Fourth Street, Peabody Place Avenue, Third Street, the mid-block between Peabody Place Avenue and Beale Street, the mid-block between Second Street and Main Street, the mid-block between Peabody Place Avenue and Gayoso Avenue, Second Street and the mid-block between Gayoso Avenue and Union Avenue as shown in **Exhibit 15**.
- (b) *Size of Signs.* There are no size limits for signs in the Peabody Place Entertainment District except that the scale and character of the building to which the sign is attached must be considered and respected.
- (c) *Height and Placement.* There are no limits for height and placement of signs in the Peabody Place Entertainment District except that the scale and character of the building to which the sign is attached must be considered and respected.
- (d) *Illumination.* All types of illumination will be allowed in the Peabody Place Entertainment District while still insuring that vehicular traffic can be safely maintained.

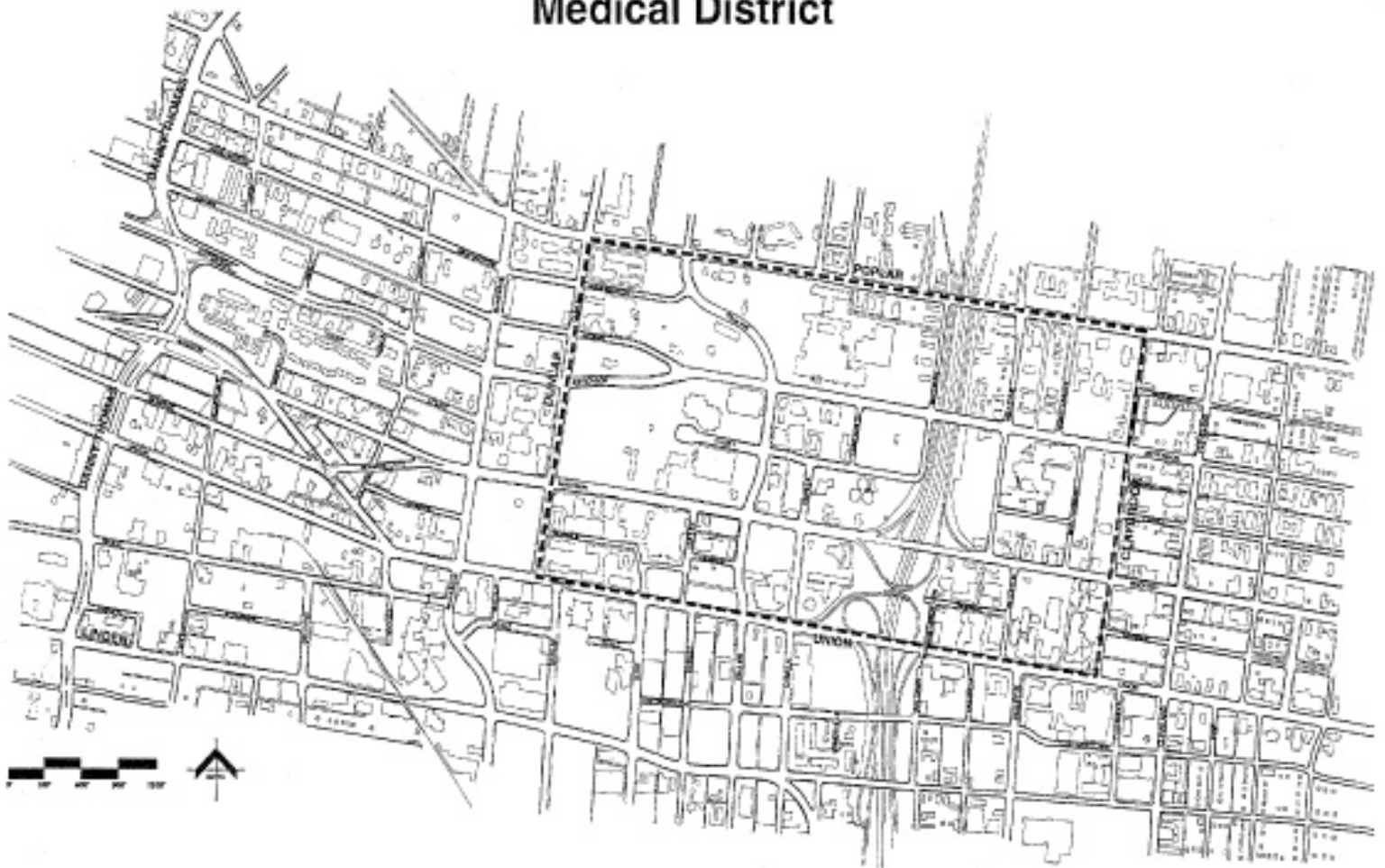
Peabody Place Entertainment District



(x) *Medical District.* All signs within the Medical District, notwithstanding the General CBID Design Standards, shall adhere to the following guidelines and limitations:

- (a) *Area defined.* The area included within the Medical District, for the purposes of this Sign Code, is bound by Union Avenue, Dunlap Street, Poplar Avenue and Claybrook Street as shown in **Exhibit 16**.
- (b) *Ground signs.* No pole signs are allowed within the Medical District unless they are utilized for a public surface parking lot in which case they shall only identify the parking lot, management company, and rate information.
- (c) *Signs on parking structures.* Structured parking is a particular land use that requires immediate identification by users in order to strengthen the overall viability and success of an urban center. As such, these types of facilities may incorporate signs that exceed the size limitations established previously; however, in no case shall a sign attached to a parking structure cover any portion of a window opening or open area of the facade. One primary sign shall be allowed on each side of a parking facility that fronts onto a public right-of-way. The allowable size of signs under this section differs from standards earlier established in the following ways: a wall sign may be 60% of the signable area; a projecting sign may be no taller than 35% of the overall height of the parking structure if the parking structure is less than 85 feet tall, although it may not extend above the second highest level of parking. If the parking structure exceeds 85 feet in height, then the projecting sign is limited to a vertical axis of 30 feet. The size of a projecting sign is limited to the allowable square footage in Table 1.

Medical District



Sec. 7-54. Existing Nonconforming Signs.

- (a) Any sign in existence on the effective date of this Sign Code which violates or does not conform to the current provisions but was constructed, erected, or maintained in accordance with the requirements of previously existing ordinances or regulations, shall be regarded as a nonconforming sign.
- (b) No nonconforming sign shall be changed or altered in any manner which would increase the degree of its nonconformity; be expanded; structurally altered to prolong its useful life; or removed in whole or in part to any other location where it would be nonconforming.

Sec. 7-55. Permits.

- (a) *Requirements.* No sign shall be erected, altered or relocated within the Central Business Improvement District without a permit, except as provided herein.
- (b) *Application.* Applications for permits shall be filed with the Division of Construction Code Enforcement.
- (c) *DRB Approval.* No permit shall be issued unless the Design Review Board shall have issued a letter of approval for such sign as provided in Section 7-53 of the Article or such sign is approved on appeal from the Design Review Board.

SECTION 2. EXCEPTION FROM ZONING ORDINANCE - REGULATIONS

BE IT FURTHER ORDAINED, That Section 29, Subsection I of Appendix A of the Code of Regulations of the City of Memphis, is amended by changing sub-subsection B to read as follows:

- B. Signs located in the Central Business Improvement District shall be subject only to the provisions of Sections 7-51 et seq.

SECTION 3. SEVERABILITY

BE IT FURTHER ORDAINED, That if any clause, section, paragraph, sentence or part of this Ordinance shall be held or declared to be unconstitutional and void, it shall not affect the remaining parts of this Ordinance notwithstanding the parts so held to be invalid, if any.

SECTION 4. PUBLICATION

BE IT FURTHER ORDAINED, That this Ordinance shall be published immediately after the adoption hereof.

SECTION 5. EFFECTIVE DATE

BE IT FURTHER ORDAINED, That this Ordinance shall take effect from and after the date it shall have been passed by the Council of the City of Memphis, signed by the Chairman of the Council, certified and delivered to the office of the Mayor in writing by the Comptroller and become effective as otherwise provided by law.

City Council Chairman

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