

**SUPPLEMENTAL STAFF REPORT ON AMENDED PETITION FOR ZONING ORDINANCE TEXT AMENDMENT**

**ZOTA 2015-6: AMENDMENT TO ARTICLE 17: CONSTRUCTION SCREENING SIGNAGE AND IDENTIFICATION SIGNS IN BUSINESS AND INDUSTRIAL ZONES**

REQUESTED BY: MIA Brookhaven, LLC

PROPOSED TEXT: (Text underlined indicates an addition to the existing Zoning Ordinance.)

**ARTICLE 17: SIGN REGULATIONS**

**17-7(b) BASIC SIGN TYPES BY FUNCTION**

**(4) BUSINESS SIGN** - A sign which directs attention to a business, profession, product, activity, or entertainment, sold or offered upon the premises where such sign is located, and may include information as for an identification sign.

**(11) IDENTIFICATION SIGN** - A sign which establishes the identity of a building or building complex by name or symbol or combines name, street address, and/or management and has no direct advertising value.

**17-7(g) HIGHWAY SERVICE BUSINESS, WAREHOUSE/WHOLESALE, AND INDUSTRIAL ZONES (B-3, B-4, I-1, I-2)**

*Add new sub-section*

(10) Identification signs, only on projects governed by a unified development plan and exceeding four (4) acres. One (1) identification sign shall be permitted per frontage along a public street. Such signs shall not exceed ten (10) feet in height and one-hundred (100) square feet in area, and the total square footage of each identification sign shall be counted towards the maximum amount of business signage available for the lot. Identification signs shall be located at least fifty (50) feet away from any freestanding business signs.

**STAFF REVIEW:**

Since the Zoning Committee meeting in early June, the petitioner, MIA Brookhaven, LLC, has continued to amend their request for a text amendment to Article 17 for identification signs in an attempt to address the staff's concerns. This is the second of two parts of their text amendment, the first was related to construction screening signage (public hearing held in June), and the second part is related to project identification signage.

Since postponing this portion of their application on June 25<sup>th</sup>, the applicant has provided two separate revisions (for a total of four versions) of proposed language for this portion of their text amendment. The staff acknowledges the applicant's desire for this different type of sign which is not permitted at all in the B-3, B-4, I-1 or I-2 zones. Since identification signs are not a permitted type of sign, the Board of Adjustment is not able to transfer square footage as the staff had originally referred to in the staff report dated June 4<sup>th</sup>. This has led the staff to re-think their original position of disapproval.

However, once a sign type is allowed in a particular zone or group of zones, it is permitted across the entire Urban County, and much thought should be given to what size, height, location and number of signs should be permitted. In addition, those parameters should fall within the overall tiered approach to *Article 17: Sign Regulations* of the Zoning Ordinance so that any one zone or group of zones does not have a disproportionate amount of permitted signage by comparison.

The staff remains concerned about the applicant's proposal since it does not fall in line with the rest of Article 17, and could create a flourish of further text amendments to expand signage for different zones, a domino effect of sorts or a rash of zone changes to the B-3 zone only for the purpose of expanded signage.

The two points of contention appear to be a total number cap on free-standing signs, and the maximum size of any identification sign within these zones. The staff alternative text addresses both of these two issues.

The applicant's original submittal requested a maximum square footage of 60 square feet per sign, with a maximum of 4 signs. When the staff expressed concern and recommended disapproval, the applicant adjusted their proposal several times, but the latest proposal does not limit the total number of signs (as Article 17 does for all other identification signs), and it now requests that each sign be permitted to be up to 100 square feet in size, an increase of over 60% from the original request. In order for this text amendment to be consistent with the rest of the county's regulations for signage, these oversights should be corrected. For example, the staff believes that a project in the B-3, B-4, I-1 or I-2 zone should be permitted a 75 square foot sign, which is consistent with community shopping centers (between 3-10 acres) and all mixed-use zones.

**The Staff Recommends: Approval of the Staff Alternative Text related to identification signs, for the following reasons:**

1. The proposed text amendment will allow for a unified project on at least four acres of land to provide an identification sign, thereby creating a distinct sense of place for their project or a destination. Identification signage would benefit the customers and businesses within these areas of the community.
2. The community's signage has been regulated in a tiered approach so that the projects on multiple acres of land are permitted an identification sign to compliment individual business signage and create a sense of place. These larger projects (such as shopping centers, professional office projects or mixed-use projects) are permitted such identification signs and a unified project in the B-3, B-4, I-1 or I-2 zones would likewise benefit from these signs. The alternative text is consistent with the existing tiered approach of *Article 17: Sign Regulations*.