

STAFF REPORT ON PETITION FOR ZONING ORDINANCE TEXT AMENDMENT

ZOTA 2015-8: AMENDMENT TO ARTICLE 17-7(e) TO ALLOW ADDITIONAL SIGNAGE FOR HOSPITALS AND REGIONAL MEDICAL CAMPUSES

REQUESTED BY: Baptist Hospitals, Inc.

PROPOSED TEXT: Underlined text indicates an addition to the current Zoning Ordinance.

ARTICLE 17: SIGN REGULATIONS

17-7(e) Professional Office Zone (P-1) and Mixed Use 1: Neighborhood Node (MU-1) – Permitted signs may be either free standing or wall mounted, as specifically noted; signs shall be non-illuminated, indirectly illuminated, or internally illuminated unless otherwise specified. No free standing sign shall exceed ten (10) feet in height.

(11) In addition, and within a hospital campus or Regional Medical Campus (as generally defined in 23A-10(b)(9)), only:

- (a) One project identification sign per entrance, free standing or wall mounted; not exceeding one hundred fifty (150) square feet in area and twenty (20) feet in height.
- (b) Project entrance identification signs of permanent construction, free standing or wall mounted; not exceeding one hundred fifty (150) square feet in area; not exceeding ten (10) feet in height; and no more than two per entrance. Such signs may be located in the right-of-way (in the median or at each side of the street), subject to written authorization of the Commissioner of Public Works, who shall determine that the signs would not be located in the sight triangle and would not cause a hazard to traffic. Proof of permanent maintenance and an encroachment permit shall be provided by the applicant prior to the issuance of a permit for a subdivision entrance identification sign located in the right-of-way.
- (c) Three wall-mounted identification or business signs for buildings with two street frontages, located on separate wall faces, not to exceed five percent (5%) of the wall area to which the signs are attached.

17-7(n) Office, Industry and Research Park (P-2) zone

- (3) Project entrance identification signs shall be permitted and regulated under Section 17-7(e)(610)(c) above.

17-7(q) Expansion Area Zones

- (2)(a) Project entrance identification signs shall be for Professional Office ~~Parks~~ Projects, as specifically regulated under Section 17-7(e)(610). All free-standing identification or business signs shall be monument type.

STAFF REVIEW:

Baptist Hospitals, Inc has requested a text amendment to modify the sign ordinance provisions for hospitals and regional medical campuses. Article 17-7(e) of the Zoning Ordinance currently limits all such facilities to the erection of only one free-standing sign if the hospital is not in an approved Professional Office Project, regardless of the size of the hospital. The applicant has requested that more signs and larger signs be allowed for this particular use in the P-1 zone. The staff met with the applicant earlier this year to discuss all the possibilities for sign transfers, which could be approved by the Board of Adjustment, but ultimately agreed with the applicant that a Zoning Ordinance text amendment would be the most appropriate process to attempt to obtain the signage that they desire.

The regulations for hospitals in the Professional Office zone permit one free-standing sign of up to 40 square feet (such as 8' by 5') in size. Such a sign may be located with a minimum 10' setback from a street right-of-way, and may be as tall as 10' in height. A maximum of two wall-mounted signs are permitted per building, not to exceed 5% of the wall in size. If the hospital is located within a designated Professional Office Project, an additional free-standing project identification sign up to 100 square feet in size is allowed, as are project entrance identification signs. Additional wall signage is also allowed, but only if the hospital is located in a designated Professional Office Project.

Baptist Hospitals, located on Nicholasville Road, has recently examined its needs and the functionality of the street signage to ensure that its clientele is able to expeditiously and efficiently access the various parts of the hospital's 25-acre campus. It was determined that the existing signage is inadequate to route the traveling public into the correct entrance for their specific medical needs. It would not be surprising to learn that other hospitals in the community may face similar challenges.

Article 17 of the Zoning Ordinance does not consider hospitals separately regarding signage or other requirements, but includes them with other typical office and professional uses. A hospital, in particular, is a singular use that often has multiple buildings with a variety of functions in a campus-like setting, but is not necessarily designated as a Professional Office Project by the Planning Commission on a final development plan, because of its single use nature. As mentioned previously, when hospitals are a part of a larger Professional Office Project, they are allowed a greater amount of signage, and over the past few decades, most have been permitted expansions with such a designation.

The applicant proposes to add a new section to Article 17-7(e) for the P-1 and MU-1 zones that would enable hospitals to place three types of signs on its campus that a general professional office building would not be permitted. Although additional signage is proposed for this use, the types and sizes closely mimic the signage allowed elsewhere in this community for other uses and, therefore, will not be dissimilar to other large sites in the community. For example, the proposed free-standing project identification sign is based on the allowable signage for a community and regional shopping center. Project entrance identification signs are allowed when located in a Professional Office Project, and the third wall-mounted sign is generally allowed in a P-1 zone, but is restricted to buildings that are three stories or taller with frontage along two streets.

The staff acknowledges that, if approved as requested, a hospital use would likely be allowed more combined signage than most other uses. Therefore, it is important to determine whether or not this use should be regulated differently than a general office building and what the impact may be on the community in general. First, there are ten hospital locations in Fayette County, five of which are owned and operated by the government and, as such, are generally exempt from local zoning regulations. Although there could be new hospitals built in the future—the petitioner has plans to build a new hospital in the defined Expansion Area—the proposed amendment is fairly limited in scope, allowing additional signage for a specialized and necessary use in the community.

The applicant opines, and the staff agrees, that the Zoning Ordinance makes special considerations and allows greater signage for uses other than Professional Office Projects, such as movie theaters, stadiums, and hotels; but the need for clear, highly visible signage is just as, or more important for a hospital than these uses. Clear entrance signage will not only be of assistance during medical emergencies, but will provide everyone the ability to more quickly recognize which entrance is most appropriate for their particular visit. This is more important than for typical commercial uses.

The proposed text amendment is consistent with the direction set by the 2013 Comprehensive Plan, which recognizes hospitals and regional medical campuses as a major employer, as well as necessary community facilities. Theme C, Goal #1, Objective d. states that we should “foster the success and growth of large employment sectors...;” and Theme D, Goal #2, Objective b. states that we should “collaborate with educational and healthcare entities to meet the needs of Lexington-Fayette County’s residents and visitors.” Although text amendments are not legally required to make a finding that they be consistent with the Comprehensive Plan, it is wise to consider text amendments in light of the Plan because zoning is the primary mechanism by which the Plan is implemented.

The applicant makes the point that, similar to their location on Nicholasville Road (which prompted this text amendment), most hospitals in Lexington already have existing legal non-conforming signs, which can be re-faced, but are very difficult to update with more contemporary signs.

The Division of Planning staff has reviewed the applicant's proposal in detail and recognizes that, while in agreement conceptually, there are a few changes that should be made to the proposed text amendment, including a reduction in the total amount of requested signage. Project entrance identification signs will most likely work in conjunction with other freestanding signage, therefore, the staff believes its size should be reduced so that such signs do not dominate the site. Additionally, the staff believes that the size and height of the proposed identification signs should be based upon the entrance street's classification, that is local, collector, or arterial. Lastly, the staff has recognized that two other sections of Article 17 (the P-2 and ED zones, which both allow hospitals) should be corrected to be consistent

with past changes to the Zoning Ordinance. The staff also does not recognize a need for such commercial signage to be located within the public right-of-way.

STAFF ALTERNATIVE TEXT:

(Note: bold text indicates an alteration to the text proposed by the applicant.)

17-7(e) Professional Office Zone (P-1) and Mixed Use 1: Neighborhood Node (MU-1) – Permitted signs may be either free standing or wall mounted, as specifically noted; signs shall be non-illuminated, indirectly illuminated, or internally illuminated unless otherwise specified. No free-standing sign shall exceed ten (10) feet in height, **with the exception of hospitals, as regulated below.**

(11) In addition, and within a hospital campus or Regional Medical Campus (as generally defined in 23A-10(b)(9)), only:

- (a) One project identification sign per entrance, free standing or wall-mounted; not exceeding one hundred fifty (150) square feet in area and twenty (20) feet in height **along a street classified as a collector or arterial, and not exceeding 75 square feet and 15 feet in height along a street classified as a local.**
- (b) Project entrance identification signs of permanent construction, free standing or wall-mounted; not exceeding one hundred ~~fifty~~ **(100 150)** square feet in area; not exceeding ten (10) feet in height; and no more than two per entrance **along a street classified as a collector or arterial. Such signs may be located in the right-of-way (in the median or at each side of the street), subject to written authorization of the Commissioner of Public Works, who shall determine that the signs would not be located in the sight triangle and would not cause a hazard to traffic. Proof of permanent maintenance and an encroachment permit shall be provided by the applicant prior to the issuance of a permit for a subdivision entrance identification sign located in the right-of-way. No such signs shall be permitted along a local street.**
- (c) Three wall-mounted identification or business signs for buildings with two street frontages, located on separate wall faces, not to exceed five percent (5%) of the wall area to which the signs are attached. **Signs not located on a street frontage shall not be placed on a building face directly adjacent to any residential zone.**

17-7(n) Office, Industry and Research Park (P-2) zone

- (3) Project entrance identification signs shall be permitted and regulated under Section 17-7(e)(~~610~~)(c) above.

17-7(q) Expansion Area Zones

- (2)(a) Project entrance identification signs shall be for Professional Office ~~Parks~~ Projects, as specifically regulated under Section 17-7(e)(~~610~~). All free-standing identification or business signs shall be monument type.

The Staff Recommends: **Approval of the staff alternative text**, for the following reasons:

1. Hospitals often have multiple entrances, a need to help identify these entrances with additional free-standing signs, and a desire to assist visitors in arriving at these facilities quickly and safely.
2. The staff alternative text will ensure that this addition to the sign regulations will be consistent with other sign provisions in Article 17.