

1. **ZOTA 2015-2: AMENDMENT TO ARTICLE 17-7(b)(5) TO ALLOW A SECOND FREESTANDING SIGN FOR CHURCHES AND SCHOOLS ON CORNER LOTS** – petition for a Zoning Ordinance text amendment to allow a second freestanding sign for churches and schools on properties of more than five acres in size with two street frontages, when located in residential zones.

REQUESTED BY: Lexington Christian Academy

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

ARTICLE 17: SIGN REGULATIONS

17-7(b) LOW DENSITY RESIDENTIAL ZONES (R-1 [A THROUGH E], R-1T, R-2) - Permitted signs within these zones shall be wall signs unless otherwise specified; signs shall be either non-illuminated or indirectly illuminated. Minimum setback for any free standing sign permitted under this section shall be one-half (½) the minimum front yard requirement for the zone in which the sign is to be located; and no less than ten (10) feet in any case.

(5) One identification sign for a permitted church or school for academic instruction; free standing or wall mounted; not exceeding thirty-two (32) square feet in area; not exceeding eight (8) feet in height if free standing; in addition, one bulletin board, free standing or wall mounted, not exceeding twelve (12) square feet in area and eight (8) feet in height. If the property has five or more acres and has frontage on two or more streets, then a second sign and bulletin board meeting the same requirements as the first sign shall be permitted, one per street frontage.

STAFF ALTERNATIVE TEXT:

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

17-7(b) LOW DENSITY RESIDENTIAL ZONES (R-1 [A THROUGH E], R-1T, R-2) - Permitted signs within these zones shall be wall signs unless otherwise specified; signs shall be either non-illuminated or indirectly illuminated. Minimum setback for any free standing sign permitted under this section shall be one-half (½) the minimum front yard requirement for the zone in which the sign is to be located; and no less than ten (10) feet in any case.

One identification sign for a permitted church or school for academic instruction; free standing or wall mounted; not exceeding thirty-two (32) square feet in area; not exceeding eight (8) feet in height if free standing; in addition, one bulletin board, free standing or wall mounted, not exceeding twelve (12) square feet in area and eight (8) feet in height. If the property has five or more acres and has frontage on two or more streets, then a second **identification sign and bulletin board, meeting the same requirements as the first sign shall be permitted, limited to one per street frontage; provided these signs are located a minimum of two hundred fifty (250) feet from each other.**

The Zoning Committee Recommended: **Approval of the Staff Alternative Text**, for the reasons provided by staff.

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

1. Schools and churches located on properties larger than five acres in size, such as that of this applicant, often have multiple entrances, a need to help identify these with additional free-standing signs and bulletin boards, and a desire to assist visitors in arriving at these facilities safely.
2. The staff alternative text will ensure that this addition to the sign regulations will not result in unintended sign clutter at the corners of large sites with churches and schools.

Petitioner Presentation: Mr. Sallee presented the staff report on this text amendment, noting that the petitioner is requesting to amend a portion of Article 17 of the Zoning Ordinance to allow a second freestanding sign for churches and schools on corner lots. He said that the petitioner's facility is located in the southern portion of Lexington-Fayette County, on a corner lot.

Displaying a photograph of the Lexington Christian Academy campus, Mr. Sallee explained that the school is situated near the Reynolds Road roundabout, at the corner of Keithshire Way and West Reynolds Road. The school currently has a sign on the West Reynolds Road frontage; they also have a major entrance on Keithshire Way, which is a collector street. The petitioner is requesting this text amendment in order to add another sign near the Keithshire entrance in order to better direct drivers into their parking lot.

Mr. Sallee stated that the proposed text amendment would affect primarily the single-family and two-family residential zones, adding language with two stipulations: 1) the requirement that a second sign would be allowed on only a property of more than five acres in size; and 2) that the property have two street frontages. The staff has met, both with the applicant and internally, and believes that there is some justification for an additional sign at large school and church facilities.

At the Zoning Committee meeting, Mr. Sallee said that the staff requested an additional stipulation be added to require that any two such signs on a single property be located at least 250' apart. That stipulation was recommended in order to prevent a school or church from combining two signs or placing them both in close proximity to a corner.

Mr. Sallee noted that, at the Zoning Committee meeting three weeks ago, there was also some discussion about adding this type of signage for schools and churches in the A-U zone. He distributed a staff exhibit to the Commission members, which included an email from Richard Murphy to Mr. Sallee about one such church, which is located in an A-U zone on Harrodsburg Road near Military Pike. That church has a freestanding identification sign, which is oriented toward Harrodsburg Road. The church also has frontage on a collector street, a portion of which has not been constructed, near the rear of the property. The church would like to construct an additional sign along that collector street frontage. The staff exhibit is an addition to the signage requirements in the A-U zone that would allow this type of signage, with the staff's recommendation of the 250' spacing. Mr. Sallee noted that this portion of the Zoning Ordinance regulates all agricultural zones, but this provision would apply only to the A-U zone. He said that the staff is agreeable to adding language to allow an additional sign in the A-U zone as well, and added that the staff is recommending approval of this request, for the reasons as listed in the staff report and on the agenda.

Mr. Sallee said that the staff received one letter in support of this request, from the First Church of Christ Scientist, located at 606 East Main Street. The church is in favor of the proposed text amendment because they believe that it will affect their property; however, their property does not meet the five-acre provision, so they would not be able to take advantage of this provision of the Zoning Ordinance. He distributed the letter for the Commission's review at this time.

Commission Question: Mr. Owens asked how many schools and churches the proposed text amendment might affect. Mr. Sallee answered that he did not have a number, but he estimated that it might affect several churches in the Tates Creek Road corridor and a number of Roman Catholic churches as well. He said that there could be as many as 20 churches in Lexington-Fayette County that meet all the criteria, as well as several private schools.

Petitioner Representation: Bob Bourget, facilities director at Lexington Christian Academy, was present representing the petitioner. He stated that the petitioner is seeking an additional sign because the Keithshire Way entrance to the campus, which is the busiest access to the property, has no signage. The campus is used by the public on the weekends for soccer games, and the petitioner believes that it would provide a safer solution for drivers attempting to locate the school. Mr. Bourget noted that the additional signage is also needed in order to reduce confusion with the nearby Wellington Elementary School.

Citizen Support: Richard Murphy, attorney, was present representing South Elkhorn Christian Church in support of this requested text amendment. He stated that he was asked by church leaders a few months ago if the church could construct a second sign on their property. The church has frontage on two streets, but it has no way of identifying itself on the local collector street, which serves the adjoining neighborhood.

Mr. Murphy noted that the church has never requested a zone change to a residential zone, because it is allowed as a conditional use in the A-U zone. The church leaders did not want to "alarm the neighbors" by requesting a zone change to a residential zone simply in order to have an additional sign. Mr. Murphy said that the church leaders are in full support of this request.

Action: A motion was made by Mr. Cravens, seconded by Ms. Plumlee, and carried 9-0 (Brewer and Penn absent) to approve the staff alternative text of ZOTA 2015-2, with the provision for such signs in the A-U zone, as distributed by the staff, for the reasons provided by staff.