

C. PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMEMENDMENTS

1. **ZOTA 2017-9: AMENDMENT TO ARTICLE 17-7(q) TO INCREASE SIGNAGE FOR PLACES OF RELIGIOUS ASSEMBLY IN THE EXPANSION AREA ZONES** - petition for a Zoning Ordinance text amendment to Article 17-7(q)(1) of the Zoning Ordinance related to signage for churches in the Expansion Area zones.

REQUESTED BY: Crossroads Community Church, Inc.

PROPOSED TEXT: Copies are available from the staff.

ARTICLE 17: SIGN REGULATIONS

17-7(q) EXPANSION AREA ZONES

- (1) **CONSERVATION DISTRICT (CD), EXPANSION AREA RESIDENTIAL (EAR-1, EAR-2 and EAR-3) and COMMUNITY CENTER (CC) ZONES** - Signage shall be permitted and restricted under Article 17-7(m), as for a PUD zone. Construction screening signs shall be permitted within a CC zone as regulated in the B-1 zone.
- (a) One free standing identification sign per street frontage, with a maximum of two (2) signs, for a permitted church that is adjacent to a designated interstate highway, the total surface area shall not exceed one and one-half (1½) square feet per linear foot of street frontage, with a maximum of one hundred and fifty (150) square feet in area, with a maximum height of fifteen (15) feet, with a maximum setback of ten (10) feet; in addition, one wall mounted sign a total maximum area of fifteen percent (15%) of the wall to which it is attached.
- (2) **ECONOMIC DEVELOPMENT (ED) ZONE** - Signage shall be permitted and restricted as in the P-1 zone, except as follows:
- (a) Project entrance identification signs shall be for Professional Office Projects, as specifically regulated under Section 17-7(e)(10). All free-standing identification or business signs shall be monument type.
- (b) Signage for extended-stay hotels may be directly, indirectly or internally illuminated. There shall be no more than one (1) wall-mounted business sign per each extended-stay hotel, not to exceed thirty-two (32) square feet in area; and no more than one (1) free-standing monument type business sign, eight (8) feet in height, with a maximum size of thirty-two (32) square feet.

The Zoning Committee Recommended: Approval.

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

1. The community's signage has been regulated in a tiered approach so that the least intensive zones have the least intensive signage, and the most intensive zones permit a greater number of signs, and ones that may be taller or larger in size. The proposed staff alternative text remains consistent with the existing tiered approach of *Article 17: Sign Regulations* and ensure that modifications to the sign regulations will not result in signage that is out of scale or intrusive in a residential zone.
2. The staff alternative text permits a slight expansion of signage for places of religious assembly in the Expansion Area, above and beyond other group residential uses or conditional uses.

Staff Presentation – Ms. Wade presented and summarized the revised staff report and recommendations for this text amendment, which were distributed to the Planning Commission. She said that the applicant is Crossroads Community Church and they are asking to change the sign regulation for places of religious assembly within the Expansion Area zone. She said that sign regulations for the Expansion Area zones are grouped together in the ordinance. Then based on land use, directs the ordinance to various zones for specific sign allowances.

Ms. Wade said the applicant's original proposal, that was filed in November 2017, was to allow one freestanding sign based on the frontage, up to a maximum of 150 square feet; and also to allow one wall-mounted sign based on the size of the wall, which was proposed to be 15% of the wall to which it is being attached to. She said that the applicant added a caveat, that in order to get this signage, the location needs to be adjacent to an interstate.

Ms. Wade said that Article 17 of the Sign Ordinance is organized by the hierarchy of zones, where the less intense the zone, the less intense the sign restrictions (smaller, shorter and fewer number). She said that as the zones get more intense, additional signage types and different sizes are permitted. She said that signage is typically based on use with maximum size limits established.

Ms. Wade said that the Planning and Public Safety Committee of the Urban County Council formed a workgroup in 2017 to update the Sign Ordinance following a Supreme Court decision several years ago. She said the staff consulted with the workgroup and concluded that 32 square feet was going to continue to be the standard maximum signage permitted for places of religious assembly and also educational activities.

Ms. Wade said that the staff made a recommendation to the Zoning Committee on January 4, 2018, that was consistent with the workgroup work, to date. She said that recommendation was quite different than what the applicant was requesting, and the Zoning Committee asked the staff to meet with the applicant again. The staff did so, which resulted with the revised staff alternative text, which is below:

REVISED STAFF ALTERNATIVE TEXT:

17-7(q) EXPANSION AREA ZONES

(1) CONSERVATION DISTRICT (CD), and EXPANSION AREA RESIDENTIAL (EAR-1, EAR-2 and EAR-3) and COMMUNITY CENTER (CC) ZONES - Signage shall be permitted and restricted as in the R-3 zone under Article 17-7(m), as for a PUD zone, except as stated below. Construction screening signs shall be permitted within a CC zone as regulated in the B-1 zone.

(a) Buildings Used for Religious or Educational Activities:

- (i) One free-standing sign per frontage (with a maximum of two (2) signs), not exceeding 32 square feet each in area and ten (10) feet in height.
- (ii) One bulletin board, not exceeding 12 square feet in area and eight (8) feet in height.
- (iii) One wall sign per building not exceeding 32 square feet in area.
- (iv) Incidental signs which shall not exceed two (2) square feet in area and do not require sign permits.

(2) COMMUNITY CENTER (CC) ZONES – Signage shall be permitted and restricted as in the B-6P zone.

(3) ECONOMIC DEVELOPMENT (ED) ZONE - Signage shall be permitted and restricted as in the P-1 zone, except as follows:

Project entrance identification signs shall be for Professional Office Projects, as specifically regulated under Section 17-7(e)(10). All free-standing identification or business signs shall be monument type.

- (b)** Signage for extended-stay hotels may be directly, indirectly or internally illuminated. There shall be no more than one (1) wall-mounted business sign per each extended-stay hotel, not to exceed thirty-two (32) square feet in area; and no more than one (1) free-standing monument type business sign, eight (8) feet in height, with a maximum size of thirty-two (32) square feet.

Commission Questions – Mr. Owens asked for clarification that the recommended changes listed would only apply to the Expansion Area zones. Ms. Wade said that is correct. Mr. Owens also asked about the number of freestanding signs; if a church has frontage on more than two streets, they are now only permitted to have two signs. Ms. Wade said that is also correct.

Applicant Presentation – Mr. Nicholson, attorney representing the petitioner, said the applicant is in agreement with the staff's revised recommendations and is available for questions. He said that a large church's demands of the traveling public are similar to a movie theater, rather than an agricultural use. He said the applicant believes that a maximum of 32 square feet is not large enough for visibility from interstates. He also stated that this compromise can achieve their goals through the Board of Adjustment.

Citizen Comment – There were no citizens present to speak to this application.

Action – A motion was made by Mr. Owens, seconded by Mr. Forester, and carried 7-0 (Bell, Berkley, Brewer, and Penn absent) to approve ZOTA 2017-9: AMENDMENT TO ARTICLE 17-7(q) TO INCREASE SIGNAGE FOR PLACES OF RELIGIOUS ASSEMBLY IN THE EXPANSION AREA ZONES, for the revised alternative text provided by the staff.