

V. **ZONING ITEMS** - The Zoning Committee met on Thursday, September 6, 2012, at 1:30 p.m. in the Division of Planning Office. The meeting was attended by Commission members Carla Blanton, Patrick Brewer, Mike Cravens, Lynn Roche-Phillips, and Bill Wilson. The Committee reviewed applications, and made recommendations on zoning items as noted.

A. **PUBLIC HEARING ON ZONING ORDINANCE TEXT AMENDMENT REQUEST**

1. **ZOTA 2012-13: ENFORCEMENT OF SIGN REGULATIONS** - a petition for a Zoning Ordinance text amendment to transfer enforcement of Article 17 requirements from the LFUCG Division of Building Inspection to the Division of Planning.

INITIATED BY: Urban County Council

PROPOSED TEXT: Underlined text below indicates an addition, ~~dashed through~~ text indicates a deletion to the current Zoning Ordinance.

**ARTICLE 17: SIGN REGULATIONS**

**17-4(b) ENFORCEMENT** – Except as provided herein, the Division of ~~Building Inspection~~ Planning shall enforce the provisions of this Article and shall utilize its powers to ensure compliance with its provisions and the provisions of any approved permit. The Division shall maintain written records of any enforcement actions taken. The Division of Code Enforcement shall also have enforcement authority as to the provisions of Sections 17-4(g) and (j) below, and shall maintain written records of any enforcement actions taken.

**17-4(c) SIGNS EXEMPT FROM PERMIT REQUIREMENTS** – The following signs shall not require a permit. However, such signs are subject to applicable restrictions contained within this Article, and the Division of ~~Building Inspection~~ Planning shall take enforcement action against any such sign which does not conform to the specified requirements.

- (1) Political Signs;
- (2) Nameplates;
- (3) Government Signs;
- (4) Real Estate Signs;
- (5) Incidental Signs;
- (6) Window Signs; and
- (7) The changing of copy on a billboard, attraction board, marquee, informational sign, or electronic message display system.

The Zoning Committee Recommended: Approval, for the reason provided by staff.

The Staff Recommends: Approval, for the following reason:

1. The text amendment will officially transfer the enforcement of Article 17: Sign Regulations from the Division of Building Inspection to the Division of Planning. The Division of Planning, Zoning Enforcement Section, has been responding to such zoning complaints since the beginning of 2012 and will continue to do so in compliance with the proposed text amendment.

Staff Presentation – Ms. Wade identified the proposed text amendment on the agenda, and noted that the staff report for Article 17 of the Zoning Ordinance, Council Resolution #399-2012 and the proposed text mailed to the Neighborhood Associations, had been previously distributed.

Ms. Wade said that the Urban County Council recently initiated this text amendment to Article 17 of the Zoning Ordinance. She said that the Ordinance text change being proposed is to transfer sign regulation enforcement from the Division of Building Inspection to the Division of Planning. She added that there would be two changes made to Article 17 of the Zoning Ordinance and those would consist of striking the words “Building Inspection” and adding the word “Planning.”

Ms. Wade said that the transfer of this duty was not part of the original amendment package that took place late last year, is an area of complaint that the Division of Planning, more specifically the Zoning Enforcement Section, had been responding to since January 1<sup>st</sup>, as well as other zoning-related complaints. She said that since January 1<sup>st</sup>, the Division of Planning had received and responded to 33 sign-related zoning enforcement complaints, and had issued 63 zoning violation notices for signage. She then said that the staff is planning to develop a process for a more proactive enforcement of sign-related zoning violations and may suggest some minor changes to the Zoning Ordinance to make such enforcement more effective in the future.

Ms. Wade concluded by saying that the Staff and the Zoning Committee recommended approval of this amendment, for the following reason:

1. The text amendment will officially transfer the enforcement of Article 17: Sign Regulations from the Division of Building Inspection to the Division of Planning. The Division of Planning, Zoning Enforcement Section, has been responding to

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such zoning complaints since the beginning of 2012 and will continue to do so in compliance with the proposed text amendment.

Citizen Comment – No citizens were present to speak to this proposed amendment.

Motion: A motion was made by Ms. Blanton and seconded by Ms. Mundy, and carried 7-0 (Brewer, Plumlee, Cravens and Penn absent) to approve **ZOTA 2012-13: ENFORCEMENT OF SIGN REGULATIONS**, for the reason provided by staff.

**VI. COMMISSION ITEM** – The Chair will announce that any item a Commission member would like to present will be heard at this time.

**VII. STAFF ITEMS** – The Chair will announce that any item a Staff member would like to present will be heard at this time.

**A. UPCOMING WORK SESSION** – Mr. King reminded the Commission members of the upcoming work session scheduled for September 20, 2012.

**VIII. AUDIENCE ITEMS** – Citizens may bring a planning related matter before the Commission at this time for general discussion or future action. Items that will NOT be heard are those requiring the Commission’s formal action, such as zoning items for early rehearing, map or text amendments; subdivision or development plans, etc. These last mentioned items must be filed in advance of this meeting in conformance with the adopted filing schedule.

**A. OTHER COMMENTS** - The Chair welcomed two of Ms. Roche-Phillips student to the meeting, and wished them luck in the future.

**IX. NEXT MEETING DATES**

Work Session, Thursday, 1:30 p.m., 2 <sup>nd</sup> Floor Council Chambers .....	September 20, 2012
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building) .....	September 26, 2012
<b>Zoning Items Public Hearing, Thursday, 1:30 p.m., 2<sup>nd</sup> Floor Council Chambers .....</b>	<b>September 27, 2012</b>
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building) .....	October 4, 2012
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building) .....	October 4, 2012
<b>Subdivision Items Public Meeting, Thursday, 1:30 p.m., 2<sup>nd</sup> Floor Council Chambers .....</b>	<b>October 11, 2012</b>

**X. ADJOURNMENT** - There being no further business, a motion was made to adjourn the meeting at 2:34 PM.

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Mike Owens, Chair

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Lynn Roche-Phillips, Secretary

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