

ATTACHMENT C



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report

Zoning Ordinance Text Amendment

Z-TA-1-19

(Off-Premise Advertising within PUDs on publicly owned land used for schools)

December 30, 2019

Application No Z-TA-1-19: Amend Chapter 7, Section 705.2 (Off-Premise Signs) of the Phoenix Zoning Ordinance to allow off-premise advertising within PUDs located on publicly owned land used for a school.

Staff recommendation: Staff recommends approval of Z-TA-1-19 as shown in Exhibit A.

PURPOSE

The intent of this text amendment request is to add a provision to allow off-premise signs on property that is located within a PUD with a minimum of 15 gross acres and located on publicly owned land that is used for a school and within 300 feet of a permitted freeway. In addition, the text amendment requests to change the setback requirement of an off-premise sign to a property with a residential zoning district and residential use to be located no closer than 250 feet. All other regulations in Section 705.2 of the Phoenix Zoning Ordinance would apply to off-premise signs.

BACKGROUND

The text amendment was submitted by representatives of Creighton Elementary School District and Creighton Community Foundation. The Creighton Community Foundation is a nonprofit organization whose primary mission is to support the Creighton School District and underprivileged communities within its east central Phoenix boundaries. This text amendment was submitted to provide opportunities for further advancing the vision and supporting the programs of the Creighton Community Foundation and the School District by providing public schools the ability to add an additional revenue stream by allowing off-premise signs on their properties under specific parameters.

DESCRIPTION OF THE PROPOSED TEXT

SECTION 705.2.A.2

The proposed text amendment is proposing two key additional provisions to Section 705.2. The first change would amend Section 705.2.A.2 to permit off-premise signs if all of the following are met:

- The off-premise sign must be within a PUD zoning district that is a minimum area of 15 gross acres and located within 300 feet of a permitted freeway. Per Section 705.2.A, the permitted freeways include Interstate 17, Interstate 10, Inner SR Loop 202, SR 143, and the West SR Loop 101 to Camelback Road.

- The property that the off-premise sign is located on must be publicly owned and used for a school (k-12 education)
- The off-premise sign must follow all of the applicable requirements in the PUD.

Section 705.2.A.5

In addition, because many school properties are located near and within residential neighborhoods. The applicant seeks to reduce the spacing requirements from the off-premise signs to property that is residentially zoned and has a residential use to 250 feet. This would amend Section 705.2.A.5.

The proposed language and changes to the ordinance text are outlined in Exhibit A.

CONCLUSION

The proposed text amendment addresses off-premise sign provisions that are unique to public school properties of 15 acres that are zoned PUD and within 300 feet of a permitted freeway. The proposed text will provide updated zoning regulations to provide public schools along a freeway an additional revenue stream from off-premise signs on their property to help fund critical school programs. Staff recommends approval of the change to the Zoning Ordinance as proposed in Exhibit A.

Writer

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12/30/19

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Exhibit

A. Proposed Language

EXHIBIT A

Text Amendment Z-TA-1-19: Off-premise advertising within PUDs located on publicly owned land used for school

Proposed Language:

Amend Section 705.2.A.2 (Off-Premise Signs) to read as follows:

2. Off-premise ADVERTISING structures may also be located in a Planned Unit Development (PUD) when oriented and within 300 feet of a freeway as identified in Section 705.2.A.1. Off-premise advertising structures located in a PUD must comply with all standards in Section 705.2 and the GROSS AREA OF THE PUD must have a minimum of 20 acres. AN OFF-PREMISE ADVERTISING STRUCTURE MAY BE LOCATED WITHIN A PUD WITH A GROSS AREA OF LESS THAN 20 ACRES IF ALL THE FOLLOWING CONDITIONS ARE MET:
 - A. THE OFF-PREMISE ADVERTISING STRUCTURE IS LOCATED ON PUBLICLY OWNED LAND THAT IS USED FOR A SCHOOL FOR K-12 EDUCATION; AND,
 - B. LOCATED WITHIN A PUD THAT HAS A MINIMUM GROSS AREA OF 15 ACRES; AND,
 - C. ALL OTHER REQUIREMENTS FOR OFF-PREMISE ADVERTISING STRUCTURES IN THE PUD ARE MET.

Amend Section 705.2.A.5 (Off-Premise Signs) to read as follows:

5. ~~With the exception of residential uses within a planned unit development (PUD)~~ Except as follows below, no part of any off-premise ADVERTISING structure may be located closer than 500 feet from a residential district and residential use. A vacant residentially zoned lot shall be treated as a residential use. ~~This setback may be reduced subject to obtaining a use permit pursuant to Section 307 and a demonstration that there are visual or physical barriers that mitigate the impacts of the proposed off-premise advertising structure to the residential use.~~
 - A. FOR RESIDENTIAL USES WITHIN A PLANNED UNIT DEVELOPMENT (PUD) BOUNDARY, NO SETBACK FROM AN OFF-PREMISE ADVERTISING STRUCTURE IS REQUIRED WITHIN THE PUD BOUNDARY.

- B. FOR AN OFF-PREMISE ADVERTISING STRUCTURE THAT IS LOCATED ON PUBLICLY OWNED LAND THAT IS USED FOR A SCHOOL FOR K-12 EDUCATION WITHIN THE BOUNDARY OF A PUD, NO PART OF ANY OFF-PREMISE ADVERTISING STRUCTURE MAY BE LOCATED CLOSER THAN 250 FEET FROM A RESIDENTIAL DISTRICT AND RESIDENTIAL USE OUTSIDE OF THE PUD BOUNDARY.
- C. THIS SETBACK MAY BE REDUCED SUBJECT TO OBTAINING A USE PERMIT PURSUANT TO SECTION 307 AND A DEMONSTRATION THAT THERE ARE VISUAL OR PHYSICAL BARRIERS THAT MITIGATE THE IMPACTS OF THE PROPOSED OFF-PREMISE ADVERTISING STRUCTURE TO THE RESIDENTIAL USE.
