

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION May 7, 2020

ITEM NO: 2	
	DISTRICT NO.: Citywide
SUBJECT:	
Application #:	Z-TA-1-19
Proposal:	Amend Chapter 7, Sections 705.2.A.2. and 705.2.A.5. (Location Restrictions) of the Zoning Ordinance to allow off-premise advertising within a Planned Unit Development (PUD), minimum 15 gross acres, located on publicly owned land used for a school.
Applicant:	Creighton Elementary School District
Representative:	Gammage & Burnham - Michael Maerowitz

ACTIONS:

Staff Recommendation:

Approval as shown in Exhibit A.

Village Planning Committee (VPC) Recommendation:

Ahwatukee 2/24/20 Canceled. Vote: N/A.

Alhambra 1/28/2020 Approval. Vote: 8-6.

Camelback East 1/7/2020 Approval. Vote: 13-6.

Central City 3/9/2020 Approval. Vote: 12-5.

Deer Valley 2/20/2020 Approval. Vote: 10-0.

Encanto 1/6/2020 Approval. Vote: 6-3.

Estrella 1/21/2020 Approval. Vote: 5-0.

Laveen 2/10/2020 Approval. Vote: 9-1.

Maryvale 1/8/2020 Approval. Vote: 10-0.

North Gateway 2/13/2020 Approval. Vote: 4-0.

North Mountain 2/19/2020 Approval. Vote: 14-0.

Rio Vista 3/10/2020 Approval. Vote: 5-0.

South Mountain 1/14/2020 Approval. Vote: 9-4.

Planning Commission Recommendation: Approval, per Exhibit A in the Staff Report.

Motion Discussion: N/A

Motion details: Commissioner Shank made a MOTION to approve Z-TA-1-19, per Exhibit A in the Staff Report.

Maker: Shank

Second: Gaynor

Vote: 8-0

Absent: Montalvo

Opposition Present: Yes

Findings:

1. 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.
2. 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

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.

This publication can be made available in alternate format upon request. Please contact Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.