

FACTSHEET

TITLE: TEXT AMENDMENT NO. 16009
(Amend Section 27.69.090 of the Lincoln Municipal Code relating to Wall Sign regulations).

BOARD/COMMITTEE: Planning Commission

APPLICANT: Heather Keele

RECOMMENDATION: Approval (6-0: Lust, Corr, Harris, Weber, Sunderman, and Hove; Scheer declared a conflict of interest; Cornelius absent).

STAFF RECOMMENDATION: Approval

OTHER DEPARTMENTS AFFECTED: N/A

SPONSOR: Planning Department

OPPONENTS: None present at hearing.

REASON FOR LEGISLATION:

Amending Chapter 27.69 of the Lincoln Municipal Code relating to Signs by amending Section 27.69.090 to amend the exception allowing the permitted wall sign on the building façade of places of religious assembly, schools and community playhouses to be increased from a maximum of 20 square feet in area to 100 square feet in area if such use is located a minimum of 200 feet from any street frontage and is located in an AG or AGR district to provide that when such use is located a minimum of 100 feet from any street frontage, the permitted wall sign shall be a maximum of 50 square feet in area, and repealing Section 27.69.090 as hitherto existing.

DISCUSSION/FINDINGS OF FACT:

1. The staff recommendation of approval is based upon the "Analysis" as set forth on p.2-3, concluding that the current provision allows a 100 square foot sign when the use is more than 200 feet away from the street in the AG and AGR zoning districts. The proposed amendment to allow a 50 square foot sign with a 100-foot separation would be applicable to more of the described uses across the city. An allowance for additional signage for the described uses which serve the general public is appropriate, and the proposed change is consistent with the original provision where the reduced separation is offset by a reduction in the amount of sign area allowed. This request complies with the intent of the Zoning Ordinance and is consistent with the Comprehensive Plan.
2. This text amendment appeared on the Consent Agenda of the Planning Commission on October 12, 2016.
3. On October 12, 2016, the Planning Commission agreed with the staff recommendation and voted 6-0 (Scheer declared a conflict of interest; Cornelius absent) to recommend approval of this text amendment. See p.4.

FACTSHEET PREPARED BY: Geri Rorabaugh, Administrative Officer

DATE: October 14, 2016

REVIEWED BY: David R. Cary, Planning Director

DATE: October 14, 2016

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for October 12, 2016 PLANNING COMMISSION MEETING

PROJECT #: Text Amendment No. 16009

PROPOSAL: Amend Chapter 27.69.090 of Lincoln Municipal Code relating to sign regulations for places of religious assembly, schools and community playhouses.

CONCLUSION: The current provision allows a 100 square foot sign when the use is more than 200' away from the street in the AG and AGR zoning districts. The proposed amendment to allow a 50 square foot sign with a 100' separation would be applicable to more of the described uses across the city. An allowance for additional signage for the described uses which serve the general public is appropriate, and the proposed change is consistent with the original provision where the reduced separation is offset by a reduction in the amount of sign area allowed. This request complies with the intent of the Zoning Ordinance and is consistent with the Comprehensive Plan.

RECOMMENDATION:

Approval

GENERAL INFORMATION:

COMPREHENSIVE PLAN SPECIFICATIONS:

P. 2.7 - The Urban Environment

Preservation and renewal of historic buildings, districts, and landscapes is encouraged. Development and redevelopment should respect historical patterns, precedents, and boundaries in towns, cities and existing neighborhoods.

P. 4.7 - Guiding Principles

Historic areas and quality new development share underlying aspects of good design— durable materials, thoughtful attention to maintaining or creating a desirable overall setting, accessibility by multiple modes and all people, well-designed and effective signs that communicate without dominating, and sustainable, maintainable landscaping.

ANALYSIS:

1. This text amendment proposes to amend Section Chapter 27.69.090 of the Zoning Ordinance - Signs. This section is one of several in the sign code which provide special sign regulations for select uses that require special consideration above the normal sign regulations that apply.
2. The section to be amended currently allows a 100 square foot wall sign on each facade when the use is more than 200' away from the street, and specifically applies to places of religious assembly, schools and community playhouses. In addition, 50 square foot signs are allowed along each street frontage.

3. The applicant is working on behalf of the Lincoln Christian School at South 84th and Old Cheney Road, which when originally established met the criteria for a larger sign. It was located in the AG zoning district, and the building was more than 200' away from the street. Today, with a new building addition it is less 200' from the street and no longer qualifies for a larger sign. Records show that this is the only site in Lincoln where this provision has been previously used.
4. The proposed amendment seeks to reduce the required separation for a larger sign from 200' to 100', but also proposes a corresponding reduction in the amount of sign area allowed from 100 square feet to 50 square feet.
5. The proposed 50 square foot wall sign is of a size consistent with the 50 square foot freestanding signs also allowed along each street frontage. The size is also consistent with the maximum sign size permitted in office and commercial zoning districts for signs that are located in the required front yard.
6. With respect to illumination, Section 27.69.030(a)(9) applies. The required separation between the location of any illuminated sign and an abutting residential premises in a residential district is 100 feet, so such a wall sign could be eliminated.
7. Places of religious assembly, schools and community playhouses are typically located on larger parcels of land where greater separation from surrounding uses is the norm. Their purpose is to provide for the spiritual and educational needs of the community and serve the public at large, and the ability to readily locate them is in the community's best interest.
8. The current limitation of only being allowed in the AG and AGR zoning districts makes the vast majority of sites inside the city ineligible. Rather than severely restricting the use of the additional signage, expanding the applicability is more appropriate.
9. The proposed changes will expand the number of sites around the city eligible for 50 square foot wall signs when more than 100' away from the street. Places of religious assembly, schools and community playhouses serve the general public. Making them easier to locate, while maintaining consistency with the intent of the original provision and compatibility with surrounding properties, is in the community's best interest.

Prepared by:

Brian Will, AICP, 441-6362, bwill@lincoln.ne.gov
Planner
September 28, 2016

**APPLICANT/
CONTACT:**

Heather Keele
The Clark Enersen Partners
1010 Lincoln Mall
Lincoln, NE 68508
402-477-9291

****PLANNING COMMISSION OF OCTOBER 12, 2016****

**CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:**

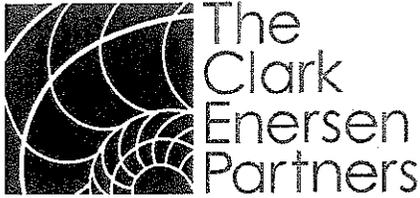
October 12, 2016

Members present: Corr, Harris, Hove, Lust, Sunderman, and Weber; Scheer declared a conflict of interest; Cornelius absent.

The Consent Agenda consisted of the following items: **TEXT AMENDMENT NO. 16009; CHANGE OF ZONE NO. 16029, USE PERMIT NO. 16008, AND STREET AND ALLEY VACATION NO. 16004.**

There were no ex parte communications disclosed.

Lust moved approval of the Consent Agenda, seconded by Corr and carried 6-0: Corr, Harris, Lust, Sunderman, Weber and Hove voting 'yes'; Scheer declared a conflict of interest; Cornelius absent.



September 13, 2016

City of Lincoln
Planning Department
555 S. 10th St., Suite 213
Lincoln, NE 68508

RE: Text Amendment Change to LMC 27.69.90

To Whom It May Concern,

On behalf of Lincoln Christian School, we are pleased to submit a proposed amendment to Lincoln Municipal Code, Chapter 27.69 SIGNS, subsection 27.69.90 Churches, Schools, and Community Playhouses.

Justification for Request:

Lincoln Christian School has completed an addition to their facility, and in review of replacing the wall sign on the North façade it was found that due to a recent change in zone (from AGR to R-3) the size of sign was no longer in compliance. The building is setback 160' from the Street on the North side. Whereas distance has a direct relation to viewable letter height and logo size, it is requested that when a façade is set back farther than 100 feet from the public way that the allowable size of sign should increase. Precedent throughout the Sign Code permits 50 square foot wall signs at many other building uses for purposes of building identification. No waivers are requested.

See attached for Proposed Language for Text Amendment to 27.69.90 Churches, Schools, and Community Playhouses

We are hopeful that this proposal is consistent with the full extent of the code and fits within the context and intention of the signage section. If you have any questions regarding the proposal please feel free to contact me at your convenience.

Sincerely,

Heather Keele, AIA, IIDA, NCARB

Associate Principal

Attachment: Original Text of LMC Section 27.69.090

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Original Text of LMC Section 27.69.090: highlighted area to be revised.

Chapter 27.69 SIGNS

27.69.090 Churches, Schools, and Community Playhouses.

In any residential zoning district, churches, schools, and community playhouses are permitted one on-premises internally illuminated freestanding sign on each street frontage, not exceeding fifty square feet of area or six feet in height, for each bulletin board or sign and its supporting structure, and one on-premises wall sign on each building facade, not exceeding twenty square feet in sign area. When a school, church, or community playhouse is located a minimum of 100 feet from any street frontage, said wall sign shall be a maximum of 50 square feet in area. ~~When a school, church, or community playhouse is located a minimum of 200 feet from any street frontage and is located in an AG or AGR district, said wall sign shall be a maximum of 100 square feet in area.~~

- (a) A permitted freestanding sign may be located in the required front yard if it meets the following conditions and requirements: (1) Signs may contain a maximum of fifty square feet in sign area if non-illuminated. If illuminated, such sign shall contain a maximum of thirty-two square feet in sign area, and shall be internally illuminated only; (2) Has a setback from the front lot line at least one-half the distance of the required front yard; (3) Has a setback from the side lot line at least 100 feet if abutting residential lots; and (4) One temporary sign of up to thirty-two square feet may be allowed on premises for up to ten days.
- (b) A permitted freestanding sign fronting on an arterial street may include electronic changeable copy if it meets the following conditions and requirements: (1) Total area of the electronic changeable copy sign shall not exceed 75% of the total allowed freestanding sign area; (2) The electronic changeable copy sign shall have a setback from the side and rear lot lines of at least 150 feet if abutting residential lots and shall have a setback from a front lot line of at least 150 feet if the sign copy is parallel to the front lot line; (3) The electronic changeable copy sign message shall hold for at least three seconds and transition to a new message shall not exceed a duration of one second; and (4) The electronic changeable copy sign shall be turned off between 10:00 p.m. and 7:00 a.m.

Revised Text of LMC Section 27.69.090:

Chapter 27.69 SIGNS

27.69.090 Churches, Schools, and Community Playhouses.

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