

MEETING DATE: July 27, 2021

STAFF: Jordan Ellena, Development Manager

PROJECT NAME: UDO Amendment #48

CASE NUMBER / REQUEST: 21-175-04 – UDO Amendment #48 – Sign Regulation Variances, Permits Appeals, Review & Approval

APPLICANT: City of Independence

PUBLIC NOTICE:

- Public notice published in Independence Examiner – July 10, 2021

FURTHER ACTION:

Following action by the Planning Commission, this UDO Amendment is scheduled for first reading by City Council on August 16 and a full public hearing/second reading on September 9.

RECOMMENDATION

Staff recommends **APPROVAL** of the proposed amendment to the Unified Development Ordinance.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION:

The City proposes Amendment #48 to the Unified Development Ordinance (UDO) related to Sign Regulation Variances, Permit, Appeals, Review & Approval.

BACKGROUND & HISTORY:

This amendment modifies language of the UDO regarding variances from sign regulations and implements a new review and approval process through a Special Sign Permit application.

The UDO currently treats sign regulation variances the same way as other variance requests. An application for a variance is made to the Community Development Department and the case is heard by the Board of Adjustment. Board of Adjustment decides whether to grant the requested variance based on review criteria outlined in city code.

Under the previous zoning ordinance, applicants for sign permits either applied for a regular sign permit for those signs that met the regulations outlined in the ordinance or a special sign permit for signs that otherwise could not be approved due to setback or other issues. These special sign permits

amounted to variance requests from sign regulations. These special sign permit applications were considered by the Planning Commission and not the Board of Adjustment.

Staff believes that returning to a similar process will deliver better outcomes for the community. Any requested deviation from the sign regulations in Section 14-504 are deviations that may have an impact on the neighboring community's growth, development, redevelopment, and aesthetic appeal of the surrounding properties. One of the core principles of the Planning Commission is to guide land use and development within the city. The Planning Commission also considers how those land uses impact citizens and business owners within the subject area. Considering these factors, it is staff's belief that applications for variances from sign regulations are better suited for Planning Commission consideration. Therefore, staff recommends amending Section 14-504-14 and 14-708-02 of the UDO to include provisions that require Planning Commission review of Special Sign Permit applications instead of variance requests through the Board of Adjustment.

This amendment would make the following changes to section 14-504-14-C:

1. Clarifies that Unified Sign Plans, when required, are reviewed in the same manner as the new Special Sign Permits.

This amendment would make the following changes and additions to section 14-708-02:

1. Removes reference to a master sign plans which was inconsistent with unified sign plans language mentioned in 14-504-14-C.
2. Adds language outlining when Planning Commission review and approval is required for Special Sign Permits.
3. Adds language outlining how a unified sign plan is to be reviewed and approved.
4. Adds language outlining how an application for a Special Sign Permit is to be considered by staff and Planning Commission for approval.
5. Adds language outlining an appeals process for Special Sign Permit applicants who are denied by the Planning Commission.

The attached exhibit includes the proposed changes to sections 14-504-14-C and 14-708-02.

EXHIBITS

1. Proposed Amendment