



## **MAYOR & COUNCIL COMMUNICATION**

**DATE:** June 9, 2015  
**REGULAR**  
**ITEM #** 18

**AGENDA ITEM:** Zoning Text Amendment – Freeway Signs, Written Findings for Denial

**SUBMITTED BY:** Nick M. Johnson, City Planner

**THROUGH:** Dean Zuleger, City Administrator

**REVIEWED BY:** Kyle Klatt, Community Development Director  
Dave Snyder, City Attorney

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### **SUGGESTED ORDER OF BUSINESS:**

- Introduction of Item .....Community Development Director
- Report/Presentation.....Community Development Director
- Questions from Council to Staff ..... Mayor Facilitates
- Call for Motion ..... Mayor & City Council
- Discussion ..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

**POLICY RECCOMENDER:** Staff

**FISCAL IMPACT:** N/A

**SUMMARY AND ACTION REQUESTED:** The City Council is being asked to formally approve written findings of denial of a Zoning Text Amendment request submitted by Rhim Kenworth to amend the City's Sign Ordinance to allow freeway signs. The recommended motion to take action on the request is as follows:

***“Move to adopt Resolution No. 2015-53, denying the request to amend the City’s Sign Ordinance to allow freeway signs on commercial properties within close proximity to I-94 Corridor.”***

**LEGISLATIVE HISTORY/STAFF REPORT:** The City Council reviewed the request to amend the Sign Ordinance at a meeting on May 5, 2015. At the meeting, a motion to approve the requested Zoning Text Amendment failed (Vote: 3-2). Once the motion failed, the Council was informed that written findings for denial would be required as the request was submitted by

an external applicant, as opposed to an internal City action. The attached resolution represents a synthesis of the Council's reported findings for denial and clarifies them as the written findings needed for the official record.

As part of the discussion by the Council on May 5<sup>th</sup>, two findings were highlighted that supported the decision to not approve the requested amendment to the Sign Ordinance.

- 1) The fact that the planning effort of the Gateway Corridor Bus Rapid Transit (BRT) Project remains incomplete at this time adds to the uncertainty surrounding the Hudson Blvd. area of the I-94 Corridor. The majority of the Council noted that decisions on commercial signage in the corridor should be postponed until there is greater certainty over the land use, design and character/aesthetics of the Gateway Corridor BRT. It was also stated that commercial signage along Hudson Blvd. could be reevaluated once the Gateway Corridor BRT planning process is complete.
- 2) While the Comprehensive Plan does support commercial growth in the I-94 Corridor, maintaining a rural community is also an identified goal of the City's Land Use Plan. Based on the discussion by the Council, the majority determined that increased allowance of commercial signage visible to I-94 is not consistent with the City's goal of maintaining a rural community.

It is based on these two findings discussed by the Council that staff has drafted written findings for denial of the Zoning Text Amendment for consideration by the City Council. The written findings are found in the attached resolution.

**RECOMMENDATION:**

Based on the above Staff Report, Staff is recommending that the City Council approve written findings of fact for the denial of the request to amend the City's Sign Ordinance. The suggested motion to adopt the Staff recommendation is as follows:

***“Move to adopt Resolution No. 2015-53, denying the request to amend the City's Sign Ordinance to allow freeway signs on commercial properties within close proximity to I-94 Corridor.”***

**ATTACHMENTS:**

1. Resolution No. 2015-53