

## Background

With the recent commercial development activity, we have had several commercial developments proposed and under various states of development for large commercial planned developments along KY 54. In attempting to provide adequate signage to identify these commercial developments, we have had a conflict with proposed shared sign locations for these properties.

Each of these developments are being proposed under a final development plan consisting of separate lots within the development. Due to the current off-premise sign regulations in the city and the county, the developer is prevented from placing a shared sign identifying tenants in the development that are not located on the lot on which the sign is placed. The city of Owensboro prohibits off-premise signs, so a sign proposed on a lot along the frontage of KY 54 for example that would identify the name of the development and list numerous businesses on that sign is prohibited by city ordinance. In the county, an off-premise sign could be permitted, but is limited in size and placement and would not allow a sign as large as a single on-site business sign.

Because these restrictions seem to create hardships in situations where a consolidated shopping center sign would be beneficial to the developer as well as the community, the staff looked at other communities with prohibitions or restrictions on off-premise signs to see if there was a reasonable way to deal with the issue. We found that some communities identify these signs as consolidated shopping center signs and exempt them from the restrictions applicable to off-premise signs.

We are proposing the addition of a definition of “consolidated shopping center sign” and criteria and regulations relative to the placement of these types of signs. The development must be proposed under a final development plan, there is a limit of one consolidated shopping center sign for street frontage along a freeway, an arterial or a collector street, the sign locations must be indicated on the development plan, and a maintenance easement must be shown and an agreement submitted for maintenance prior to the issuance of the sign permit.

The City of Owensboro ordinance prohibiting off-premise signs contains a statement of purpose stating “It is hereby determined that the number of commercial signs in the City of Owensboro is excessive and unduly distracting to motorists and pedestrians, creates a traffic hazard, and in some place reduces the effectiveness of signs need to direct the public.” The county’s regulation of off-premise signs has specific provisions based on the functions, zones and land uses of the premises where they are displayed, and the intent seems to be to restrict the size and number of billboard type advertisement that does not relate to a site on which the sign is placed. Well placed consolidated shopping center signs located in accordance with the proposed regulations will identify an area of commercial development to the public and will help direct traffic by displaying the names of business that are contained within the commercial development that may not be visible from the main roadway. Although these signs are technically off-premise signs because the sign is not on a lot where the business is located, it does identify a planned

development and is associated with permitted businesses within that planned development. Consolidated shopping center signs also encourage the consolidation of signs by allowing them to display at one location and may eliminate some individual yard signs.

The City of Owensboro must amend their ordinance prohibiting off-premise signs before consolidated shopping center signs may be permitted if this text amendment is adopted.

The adoption of this text amendment does not exempt the developer or owner from any Kentucky requirements for sign placement along freeways or state maintained roadways.

## Findings

1. The placement of consolidated shopping center signs in accordance with the proposed criteria will assist the public in effective location of businesses by displaying business names in an effective, orderly and consolidated manner and may increase vehicular safety by requiring the motorist to read only one sign instead of numerous signs when traveling to the commercial development;
2. The placement of consolidated shopping center signs in accordance with the proposed criteria may eliminate some individual yard signs and thereby meet the purpose of the city ordinance to reduce the excessive number of signs in the city of Owensboro;
3. The placement of consolidated shopping center signs in accordance with the proposed criteria will allow commercial developments in the county proposed under final development plans to have the same size consolidated shopping center sign as allowed for a business sign and will not require a reduction to 380 square feet or 300 square feet under the current off-premise sign regulations; and,
4. The requirement of a final development plan showing the sign placement and a maintenance easement and agreement will ensure orderly placement and upkeep of these specific signs, and will allow review by all public entities and agencies.