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**City Hall – 210 Training Room - 903 W Main Street**

**SIGN CODE TASK FORCE  
AGENDA**

**Wednesday, October 23, 2019 - 6:00 p.m.**

**Committee Members please call 228-0207 if unable to attend**

**1. CALL TO ORDER**

A. Approval of October 3, 2019 meeting minutes

**2. DISCUSSION OF DRAFT SIGN CODE**

**3. TIMELINE OF SIGN CODE ADOPTION**

**4. OPEN DISCUSSION**

**5. FUTURE ACTIONS/NEXT STEPS:**

- Sign Code Task Force to provide further direction to Staff.

**6. OTHER BUSINESS – Schedule the next meeting in November**

**7. ADJOURN**

**LINK TO SIGN CODE WEBPAGE: <http://www.bluespringsgov.com/1066/Sign-Code>**

**LINK TO SIGN CODE: <https://ecode360.com/28249664>**

Agenda posted at the following locations:

City Hall, 903 W. Main Street

City's website

October 18, 2019

A quorum of the City Council may be in attendance however no City Council votes will be taken.

Karen Findora, Administrative Assistant

Community Development



**City of Blue Springs  
903 Main  
Blue Springs, Missouri 64015**

**Sign Code Task Force  
MINUTES  
Thursday, October 3, 2019**

A meeting of the Sign Code Task Force was held in the City Hall 210 Training Conference Room located at 903 W Main Street on Thursday, October 3, 2019 with the following members and staff in attendance:

**ATTENDANCE**

Ron Fowler, Councilmember  
Kent Edmondson, Councilmember  
Jerry Kaylor, Councilmember  
Travis Graham, Planning Commission  
Lara Vermillion, Chamber of Commerce  
Cynthia Savel, Public Safety Citizen Advisory Board  
Jeff Grote, Chief, CJCFPD  
Dave Meyer, Co-Chairperson  
Nancy Yendes, Co-Chairperson

**STAFF**

Thomas Cole, Director, Community & Economic Development  
Mike Mallon, Assistant Director, Community & Economic Development  
Nathan Jurey, Senior Planner  
Matt Wright, Senior Planner  
Jackie Sommer, City Attorney

**ABSENT**

Jason Woolf, Blue Springs School District  
Byron Craddolph, Planning Commission  
Cindy Miller, Downtown Alive!  
Karen Findora, Liaison / Recording Secretary

**CALL TO ORDER**

Nancy Yendes, Co-Chairperson officially called the meeting to order at 6:01 p.m.

**1A. MOTION TO  
APPROVE AUGUST 15,  
2019 MINUTES  
SECOND**

Planning Commissioner Ron Fowler moved to approve the August 15, 2019 meeting minutes.

Seconded by Councilmember Dave Meyer.

**(APPROVED 9-Aye, 0-No)**

**SUMMARY OF RESULTS  
FROM CITIZEN,  
BUSINESS, & SIGN  
COMPANY SIGN  
PREFERENCE SURVEYS**

Nathan Jurey, Senior Planner, provided a summary of the results from the Citizen Sign Preference Survey (124 responses), Business Sign Preference Survey (100 responses), and Sign Company Survey (10 responses).

Nathan compared numerous questions between the three surveys to highlight the difference between each “groups” point-of-view. When asked on a scale of 0-8 “how much signage should be allowed in Blue Springs,” Citizens responded with a weighted average of 5.79, Sign Companies with 6.29, and Businesses with 6.47.

According to Citizen responses, permanent signage has a significant negative impact on the image of Blue Springs on 40 Highway and 7 Highway. On the other hand, Businesses believed that their permanent signage has very little negative impact on their commercial corridor, even though 44 percent of businesses polled were located along Highway 7.

When asked, more Citizens, Businesses, and Sign Companies believe we allow the right amount of permanent signage than those that believe we allow too much or too little. Chief Jeff Grote mentioned that survey result should not be lost and that we shouldn’t change too much of our current Sign Code.

When asked, most citizens believed Pole Signs were most appropriate along Interstate 70. Similarly, most citizens believed Monument Signs were most appropriate along Adams Dairy Parkway and Woods Chapel Road. 7 Highway and 40 Highway had mixed results, but most citizens believed Monument Signs and Pylon Signs were both more appropriate than Pole Signs on those highways.

Roof signs above the peak had the lowest approval rating for Building-Mounted Signage in both the Citizens survey (33%) and the Business survey (59%). Three-Dimensional signs had the next lowest approval rating in both the Citizens survey (58%) and the Business survey (71%). Thus, only Roof-Signs extending above the peak had an approval rating lower than 50% according to the Citizens survey.

When asked, more Citizens, Businesses, and Sign Companies believe we allow the right amount of temporary signage than those that believe we allow too much or too little. However, 31% of Businesses believed we allowed too little temporary signage and 30% of Citizens believed we allowed too much temporary signage.

When asked, Citizens had an approval rating under 50% for the following temporary signs: Yard Signs, Air Dancers, Streamers/Pennants, Inflatable Signs, Costumed Figures, Sign Spinners, and Vehicle Signs. Two types of temporary signs that are currently prohibited had a Citizen approval rating over 50%: ground-mounted banners (65%) and feather flags (52%).

**DISCUSSION OF SIGN  
CODE UPDATES**

Co-Chair Nancy Yendes asked the Task Force for their thoughts on what types of temporary signage the Sign Code should allow. Based on the survey results, Task Force members were open to allowing feather flags, ground-mounted banners, and lighted signs. The Task Force would like staff to look at where feather flags are placed and how many are permitted.

The Task Force was asked for their thoughts on what types of building mounted signage the Sign Code should allow. There was discussion as to whether or not certain corridors should have different sign allowances and that maybe roof signs were appropriate in certain corridors, such as I-70. There was general agreement that wall signs should be allowed on any wall side as long as the maximum sign area requirements are met.

The Task Force discussed permanent ground-mounted signage, including the possibility of redefining premise which may encourage more multi-tenant signage and would benefit second tier lots with limited access. Co-Chair Nancy Yendes thought that the Springfield, MO Sign Code did a good job at addressing this and that staff should take a look at their definition. There was also discussion on potentially reducing the setback for monument signs from the right-of-way, provided that it didn't create a sight distance issue. The Task Force would like staff to look at allowing pylon signs in certain corridors and possibly limiting them to certain size lots or premises.

The Task Force did not have any concerns about the existing lighting requirements or allowances in the Sign Code and also preferred not to have a consistent design requirement to allow flexibility and design creativity.

There are some existing signs that are legal non-conforming that would have to be removed if damaged, destroyed, or if the business or property were vacated for a certain period of time. The Task Force would like to see a mechanism to allow certain legal non-conforming signs to be designated as historic, such as Blue Springs Bowl, Lowe Drug, etc. Staff will research options for designating certain signs as either iconic or historic.

The Task Force discussed procedural issues and would like to see the Master Sign Plan process eliminated for premises in which all sign requirements are met. There was also discussion regarding when a sign needed a building permit, which is for all signage over 6' in height and signs that have any electrical components. The Task Force thought in unique situations it may be ideal to incentivize certain types of signs with reduced permit fees, such as to bring a legal non-conforming sign into conformance with the new code.

There was discussion regarding murals/painted signs, which are currently only permitted in the Downtown Zoning District with approval by the Planning Commission. The Task Force thought that murals should not be limited to just the Downtown area. However, there were concerns on how murals are defined and if it could create potential legal issues regarding approval of murals based on aesthetics or content. There was discussion on possibly bringing in an additional review body to review and make recommendations or approval on murals, such as the Public Art Commission.

The Task Force discussed 3-dimensional signage and thought it may be appropriate to look at placing limits by cubic feet based on the lot size.

No further discussion.

## **OPEN DISCUSSION**

**FUTURE ACTIONS /  
NEXT STEPS**

The Sign Code Task Force decided to forego the “3<sup>rd</sup> Thursday” meeting and next meet on Wednesday, October 23, 2019 at 6:00 p.m. located at City Hall – 210 Training Conf. Room.

**OTHER BUSINESS**

With no further discussion, the meeting adjourned at 7:45 p.m.

**ADJOURN**

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Respectfully Submitted by  
Karen Findora, Recording Secretary

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Nancy Yendes, Co-Chair

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Date

DRAFT

## **CHAPTER 501: SIGN CODE**

### **501.010 GENERALLY.**

- A. **TITLE.** The regulations of this Title shall be officially known and cited as the “Sign Code of the City of Blue Springs, Missouri” although it may be called hereafter as the “Sign Code.”
- B. **AUTHORITY.** This Sign Code is enacted pursuant to the police powers granted and limitations imposed by the City’s Charter and the United States and Missouri Constitutions and all applicable law, including the statutory authority granted in Chapter 89 RSMo., as amended.
- C. **PURPOSE & INTENT.**
1. *Generally.* The purpose of this Sign Code is to set out regulations for the erection and maintenance of signs while preserving the right of free speech and expression.
  2. *Objectives.* The objective of this Sign Code is to provide a balanced and comprehensive legal framework for the regulation of signs that:
    - a. Encourages the effective use of signs as a means of communication;
    - b. Promotes public safety by ensuring signs do not create a structural hazard due to collapse, fire, or otherwise general decay.
    - c. Promotes public safety by ensuring signs do not visually or physically obstruct, impede, or interfere with the safe, uniform, and efficient operation of all modes of transportation;
    - d. Preserves and enhances property values and the character, attractiveness, and general welfare of Blue Springs as a place to live and conduct business;
    - e. Provides fair and consistent permitting and enforcement.
  3. *General Findings of Fact.* The City Council finds and declares that:
    - a. Signs are a vital and effective means of communication for the health and sustainability of many businesses and the conveyance of noncommercial messages protected by the constitutional guarantee of free speech;
    - b. Reasonable and constrained regulation of signs, unrelated to the message itself, are necessary and desirable to balance the needs of individual property owners to convey their commercial and noncommercial messages against the comparable needs of adjacent and nearby property owners and the interest of the community to preserve and enhance the character, attractiveness, general welfare, and safety of Blue Springs as a place to live and conduct business because:
      1. Signs that are not properly maintained or repaired create potential public safety hazards and degrade the character and attractiveness of Blue Springs;
      2. Signs that visually or physically obstruct, impede, or interfere with the safe, uniform, and efficient operation of all modes of transportation infringes on public safety;
      3. The unrestricted proliferation and placement of signs of all sizes, shapes, materials, and other features may dilute or obscure messages and result in visual blight, discord, confusion, and clutter that degrades the character, attractiveness, and general welfare of Blue Springs as a place to live and conduct business;
      4. The uncontrolled use of off-premises outdoor advertising signs of all sizes, shapes, materials, and other features can be detrimental to the purposes of this Chapter and the character, attractiveness, and general welfare of Blue Springs as a place to live and conduct business.

D. **SEVERABILITY.**

1. If any court of competent and final jurisdiction declares any part of this Sign Code to be invalid, that ruling shall not affect any other provisions of this Sign Code not specifically included in that ruling.
2. If any court of competent and final jurisdiction declares that the application of this Sign Code to a particular property, sign or sign structure is invalid, that ruling shall not affect the application of said regulations to any other property, sign, or sign structure.

**501.020 APPLICABILITY.**

**A. GENERALLY.**

1. *Jurisdiction.* This Sign Code shall apply to all signs within the incorporated area of the City of Blue Springs, unless specifically exempted.
2. *Interpretation.* The Community Development Director or their designee shall interpret this Sign Code as the need for interpretation arises, including for application to specific issues and proposed signs. Such interpretations may be appealed in accordance with the procedures in [Section 501.030.E](#).
3. *Conflicts.* When the provisions of this Sign Code are inconsistent with one another or when the provisions of this Sign Code conflict with the provisions found in other adopted ordinances or regulations, the more restrictive provision shall govern.
4. *Private Restrictions.* This Sign Code does not limit, modify, or nullify any easements, covenants, leases, or other existing private agreements that are more restrictive than this article.
5. *Message Neutrality & Substitution.* It is the City's policy and intent to regulate signs in a manner consistent with the United States and Missouri Constitutions and all applicable law, and which is content-neutral as to protected speech. The City shall not deny the display of any protected noncommercial message if it would also permit the display of a commercial message, when all else is held constant.

**B. EXEMPT SIGNS.** The provisions of this Sign Code shall not apply to the following signs:

1. Official governmental signs within all public rights-of-way or other properties owned and controlled by the governmental entity, agency, or public authority responsible for such sign.
2. Any signs required to be erected by federal, state, or local law, regulation, or ordinance, including but not limited to the Manual on Uniform Traffic Control Devices, ADA Standards for Accessible Design, Hazard Communication Standards, USPS Mailbox Regulations, street addressing, public notices, court-mandated sales signs, etc.
3. Any signs warning of a hazard on the premises or regulating the use of the premises, such as 'no trespassing', 'no hunting', 'no parking', 'no soliciting', or 'beware of animal' signs that do not exceed two (2) square feet in area per sign in residential zoning districts and six (6) square feet in area per sign in non-residential zoning districts. These limitations shall not apply to the posting of conventional 'no trespassing' signs in accordance with state law.
4. Signs located in residential zoning districts that:
  - a. Convey a commercial message (e.g. 'property for sale', 'garage sale', etc.) relevant to the premise on which it is located, except when related to a home occupation use, or convey any message within the protection of the First Amendment;
  - b. Are installed in a location or manner which does not create a traffic hazard;
  - c. Are located on private property and not in any public rights-of-way;
  - d. Are a temporary sign and meet any of the following criteria:
    1. Limited to one (1) sign up to seven (7) square feet in size and up to five (5) feet in height per property; or
    2. Any number of signs up to six (6) square feet in size and three (3) square feet in height, provided:

**Commented [NDJ1]:** SCTF: Or do we want to allow this?

- i. They do not exceed a cumulative sixty (60) square feet per property; and
  - ii. They maintain a minimum separation between signs of ten (10) feet when located within ten (10) feet of a public right-of-way.
- 5. Signs located in non-residential zoning districts that:
  - a. Convey a commercial message (e.g. 'grand opening', 'huge sale', 'agent on duty', 'now hiring', etc.) relevant to the premise on which it is located or convey any message within the protection of the First Amendment;
  - b. Are installed in a location or manner which does not create a traffic hazard;
  - c. Are located on private property and not in any public rights-of-way; and
  - d. Are a temporary sign (i.e. signs mounted in a temporary fashion, such as yard signs or real estate signs) or a permanent sign (i.e. signs mounted in a permanent fashion, such as signs set in concrete or anchored to a structure) and meet any of the following criteria:
    - 1. Limited to one (1) temporary sign up to sixteen (16) square feet in size and eight (8) feet in height per property;
    - 2. Any number of temporary signs up to six (6) square feet in size and three (3) square feet in height, provided:
      - i. They do not cumulatively exceed sixty (60) square feet per property; and
      - ii. They maintain a minimum separation between signs of twenty-five (25) feet when located within twenty-five (25) feet of a public right-of-way; or
    - 3. Any number of permanent signs up to six (6) square feet in size, provided:
      - i. They do not cumulatively exceed sixty (60) square feet per property; and
      - ii. They maintain a minimum setback of twenty-five (25) feet from the public right-of-way.
- 6. Signs located entirely within the interior of a building or structure.
- 7. Signs affixed or attached to a window or door that cumulatively do not cover more than twenty-five (25) percent of each individual window or door.
- 8. Signs that do not exceed three (3) square feet, are an integral part of a building structure, and are cut or carved into the masonry surface of the building structure (e.g. building names or construction dates) or made of solid metal or other similar material (e.g. memorial plaques).
- 9. One (1) flag per lot or parcel provided it is building-mounted and no larger than 20 square feet in area.
- 10. Signs painted or otherwise applied to the ground that do not project above the surface of the ground, do not exceed fifty (50) square feet, and are set back a minimum of twenty-five (25) feet from the public right-of-way;
- 11. Temporary decorations of any type, number, area, height, location, illumination, or animation that are located on buildings or structures so as not to conflict with or obstruct traffic regulatory devices.
- 12. Signs attached to vehicles if they:
  - a. Are mounted, affixed, or magnetically attached to an operable vehicle;
  - b. Contain no flashing or moving elements;
  - c. Do not project beyond the surface of the vehicle on which they are attached a distance in excess of twelve (12) inches; and
  - d. Meet one (1) of the following:
    - 1. Are six (6) square feet or smaller per vehicle;
    - 2. Are larger than six (6) square feet per vehicle and the vehicle is parked in any lawful parking space for less than 24 consecutive hours; or

**Commented [NDJ2]:** BIG CHANGE SCTF: Same standards as the largest exempt residential sign currently in Code (Res. Real Estate Signs). Smallest exempt sign standard is 6 sq. ft. & 3' high (Res. Political Sign)

**Commented [NDJ3]:** BIG CHANGE SCTF: Is this an acceptable standard?

**Commented [NDJ4]:** BIG CHANGE SCTF: Same standards as the largest exempt non-residential sign currently in Code (Non-Res. Real Estate Signs). Smallest exempt sign standard is 6 sq. ft. & 3' high (Res. Political Sign)

**Commented [NDJ5]:** BIG CHANGE SCTF: Is this an acceptable standard?

**Commented [NDJ6]:** BIG CHANGE SCTF: Is this an acceptable standard?

**Commented [NDJ7]:** BIG CHANGE SCTF: Currently incidental signs are exempt (i.e. signs customarily associated with businesses requires Sign Permit (i.e. open/closed, hours of operation, credit cards accepted, telephone, etc.)

**Commented [NDJ8]:** SCTF: Define Masonry. Increase to 6 sq. ft. max? May not allow gargoyles or similar. Limiting to "only memorial plaques and signs denoting the building name or construction date" is content based.

**Commented [NDJ9]:** BIG CHANGE SCTF: Is this too much?

**Commented [NDJ10]:** BIG CHANGE SCTF: Does this allow too much decoration? Adding "within the appropriate public holiday season" is content based.

**Commented [NDJ11]:** BIG CHANGE SCTF: How does this impact Car Dealers or company trucks driven home. Does this allow semi-trailers?

3. Are larger than six (6) square feet per vehicle and the vehicle is parked in any lawful parking space that is setback a minimum of thirty (30) feet from the public right-of-way. If the vehicle cannot meet the minimum setback anywhere on premise, then a Sign Permit shall be required to designate a parking space and approve the sign, which shall count against the maximum cumulative ground-mounted sign area per premise.
13. Private persons dressed in costume or displaying signs expressing noncommercial messages that are within the protection of the First Amendment on private property or in a traditional public forum, subject to the following:
    - a. The signs must be held by or attended by one or more persons;
    - b. Signs shall not be inflatable or otherwise air-activated by mechanical device;
    - c. In order to serve the city's interest in traffic flow and safety, persons and signs shall not:
      1. Visually or physically obstruct, impede, or interfere with the safe, uniform, and efficient operation of traffic or pedestrians on streets, sidewalks, or trails;
      2. Be located on a public street median or round-a-bout;
      3. Conduct sales, transfer product, or collect monies of any kind; and
      4. Obstruct or impede scheduled activities.
  14. Any sign structure not visible from the public right-of-way or from the property line of an adjoining lot or parcel in a residential zoning district.

Commented [NDJ12]: Nathan: Still need to define.

#### C. TRANSITIONAL PROVISIONS.

1. *Intent.* It is the intent of this Section to encourage, and to the maximum extent practicable, require that all signs within the City be brought into compliance with the terms of this Sign Code.
2. *Nonconforming Signs and Sign Structures.*
  - a. *Applicability.* This Section shall apply to existing Legal Nonconforming Signs, which are defined as any sign or sign structure:
    1. Constructed legally prior to the effective date of this Sign Code or any amendment thereof; or
    2. Constructed prior to annexation into the corporate limits of Blue Springs.
  - b. *Unlawfully Constructed Nonconforming Signs.* It shall be unlawful to fail to remove any sign or sign structure constructed prior to the effective date of this Sign Code or any amendment thereof when said sign was constructed not in conformance with the provisions of the previous Sign Code.
  - c. *Continued Use & Maintenance.* All existing Legal Nonconforming Signs may continue in use according to the plans and terms approved by its valid sign permit and further limited to the following:
    1. General repairs and maintenance, including repainting, electrical repairs, and light repair or replacement; and
    2. Changes of face, panels, or copy that neither alters, enlarges, expands, or increases the sign structure nor adds any feature to the sign that did not previously exist, such as illumination.
  - d. *Required Compliance.* Any existing Legal Nonconforming Sign shall lose its legal nonconforming status and be immediately brought into conformance with this Sign Code or removed if any of the following conditions occur:
    1. When the sign becomes damaged to the extent of fifty (50) percent or more of its structural value prior to such damage, regardless of the cause of the damage;
    2. When the sign becomes an imminent danger to public safety;

Commented [NDJ13]: BIG CHANGE SCTF: Should we differentiate between major vs minor nonconformities?

3. When there is a request to obtain a sign permit to alter, enlarge, expand, or increase the sign structure or add any feature to the sign that did not previously exist, such as illumination;
4. When there is a request to obtain a sign permit to relocate the sign or any part of the sign, except when the sign is acquired by a public entity for public use by condemnation, purchase, dedication, or any other means it may be relocated, at the discretion of the City, on the remaining lot without extinguishing the legal nonconforming status of the sign provided that:
  - i. No part of the sign is altered, enlarged, expanded, or increased;
  - ii. The sign is relocated in the same relative position on the remaining property that it occupied prior to relocation; and
  - iii. The sign relocation does not result in a hazard to public safety;
5. When there is a request to obtain a building permit to make improvements to the façade on which the sign is located, except for legal nonconforming billboards;
6. When there is a request to obtain a building permit to construct a building addition that increases the existing building area by twenty-five (25) percent on the property on which the sign is located, except for legal nonconforming billboards;
7. When there is a request to obtain a sign permit to construct a new sign on the property on which the sign is located, except for legal nonconforming billboards;
8. When a period of one hundred twenty (120) consecutive days elapses after the premise on which the sign is located has been deemed a vacated premise, except for legal nonconforming billboards; or
9. When a period of one hundred eighty (180) consecutive days elapses after a legal nonconforming billboard conveys either no message (i.e. a blank sign) or a message that is no longer pertinent (e.g. reference to a business that no longer exists).

**Commented [NDJ14]:** SCTF: Do we want to keep this exception?

**Commented [NDJ15]:** SCTF: Do we want to keep these requirements?

**Commented [NDJ16]:** SCTF: Do we want to keep this requirement? Or only limit this to "Pole Sign" or "egregiously non-conforming signs"

**Commented [NDJ17]:** SCTF: Do we want to keep this consecutive day requirement for "Abandoned Billboards?"

### 3. Legacy Master Sign Plans

- a. *Applicability.* This Section shall apply to Legacy Master Sign Plans, which are defined as any Master Sign Plan or Alternative Sign Plan approved prior to the effective date of this Sign Code or any amendment thereof.
- b. *Continued Binding Effect.* All Legacy Master Sign Plans shall be treated as if it were approved as a Master Sign Plan under this Sign Code. No permanent sign shall be permitted on the subject property except in conformance with such plan. A Legacy Master Sign Plan shall be enforced in the same manner as any other provision of this Sign Code.
- c. *Expiration.* Any Legacy Master Sign Plan shall continue in perpetuity, except the Legacy Master Sign Plan shall expire when:
  1. The Legacy Master Sign Plan is no longer applicable to the property due to demolition of the principal structure, or other similar reasons;
  2. A new Master Sign Plan is approved; or
  3. Annulled by Planning Commission through the Master Sign Plan process with the criteria that prior to annulment, all existing signs shall conform to this Sign Code.

## 501.030 ADMINISTRATION.

### A. GENERALLY.

1. *Administrator.* The Community Development Director or their designee ("Administrator") is authorized and directed to administer and enforce this Sign Code.

2. *Required Compliance.* All construction, enlargement, alteration, modification, relocation, placement, usage, or display of signs or sign structures within the city shall conform to this Sign Code, all state and federal regulations concerning signs and advertising, and the Building Code adopted in **Chapter 500** of this Code.
3. *Sign Plan Requirements.* Any application within this Chapter shall provide a sign plan with sufficient information to verify compliance with the requirements of this Chapter. When deemed necessary in the opinion of the Administrator, sign plans shall be sealed by a surveyor, engineer, or architect licensed in the State of Missouri. Sign plans shall include, but are not limited to:
  - a. Length of time the sign will be displayed;
  - b. Site plans and/or building elevations illustrating the location of signage and the dimensions of the property and/or building;
  - c. Sign details including dimensions, materials, illumination, message, and other features.
4. *Owners Consent.* No sign may be displayed on private property without the consent of the legal owner of the property or the party holding the present right to install and maintain signage. The city may require evidence of consent when enforcing the requirements of this Sign Code.
5. *Responsible Parties.* The responsibility for compliance with this Sign Code rests jointly and severally upon the sign owner, the sign operator, all parties holding the present right of possession and control of the property whereon a sign is displayed, mounted, or installed, and the legal owner of the lot or parcel, even if the sign was displayed, mounted or installed without the consent of the owner and/or applicable parties.
6. *Accessory Use.* Signs shall be an accessory use to the principal use and structure on premise, unless otherwise provided in this Sign Code. A sign shall be considered an accessory use when it:
  - a. Conveys a message relevant to the principal use or a message protected by free speech; and
  - b. Is located on the same premise as both the principal use and structure; except
    1. Temporary signs are allowed on premises where no principal structure exists; and
    2. Permanent signs are allowed on premises where no principal structure exists only when due to the nature of the principal use (e.g. parking lot signs, residential subdivision signs, etc.).

**B. SIGN PERMITTING.**

1. *Applicability.* No sign or sign structure shall be erected, constructed, enlarged, altered, repaired, maintained, placed, moved, improved, used, or displayed without first obtaining a sign permit from the City, unless specifically exempted by this Sign Code.
  - a. *Exempt from Permitting.*
    1. Exempt Signs as listed in 501.020.B;
    2. *Maintenance.* Legal or legal nonconforming signs and sign structures may be maintained without obtaining a sign permit;
    3. *Sign Refacing.* Legal or legal nonconforming signs, not to include billboards, may be refaced without obtaining a sign permit, if the resulting sign complies with the requirements of this Sign Code;
    4. *Billboard Refacing.* Legal or legal nonconforming billboards may be refaced without obtaining a sign permit, if the resulting sign complies with the requirements of this Sign Code and any other applicable jurisdictional requirements.
2. *Application.* The Administrator shall prescribe forms and submittal requirements for sign permits as needed to administer this Sign Code.

**Commented [NDJ18]:** BIG CHANGE SCTF: Should we exempt refacing from permitting? Currently, we require a sign permit.

3. *Process.* After a complete application is filed with the Administrator, the Administrator shall make a final determination within forty-five (45) days. Any application not processed within forty-five (45) days shall be deemed denied, unless the applicant consents in writing to a longer time period.
4. *Approval.* The Administrator may make one of three final determinations:
  - a. Approval as submitted, if application complies all provisions of this Sign Code;
  - b. Approval with the conditions necessary to ensure compliance with all provisions of this Sign Code; or
  - c. Denial, if the application does not meet all requirements of this article.
5. *Final Inspection.* City approval of a final inspection is required for all sign permits to ensure the sign has been constructed and located according to the approved plans. After installation of a sign is complete, the applicant shall contact the Administrator or their designee and request a final inspection. For temporary signs, the applicant's provision of the removal date on the sign permit application shall constitute the applicant's request for final inspection.
6. *Expiration.* Issued sign permits shall expire and become void if the work authorized by the permit has not passed final inspection within one hundred eighty (180) days from the date of permit issuance, or if the work is abandoned (as evidenced by appearance of abandonment and not intent of the applicant) for a period of thirty (30) days or more at any time after the work is commenced.
  - a. *Sign Permits after Expiration.* Prior to commencing or resuming work after expiration, a new sign permit shall be obtained and a fee of one-half (½) the amount required for a new permit shall be paid to the City, provided that no more than one (1) year has passed since the original sign permit issuance and no material changes were made to the originally approved plans.
7. *Suspension or Revocation.* The Administrator is authorized to suspend or revoke a sign permit issued under the provisions of this code wherever the permit is issued in error or based on incorrect, inaccurate, or incomplete information, or in violation of any ordinance or regulation or any provision of this Sign Code.

**Commented [NDJ19]:** BIG CHANGE SCTF: Should we require final inspections to be requested by the applicant? Currently, we are 'supposed' to automatically inspect within 6 months and send final inspection approval/fail to applicant.

C. **ADMINISTRATIVE SIGN PLAN.**

1. *Applicability.* Every development, whether new or an existing redevelopment, with three (3) or more separate tenant spaces in a non-residential zoning district requiring a Site Plan Design Review per Section 403.070 shall obtain approval of an Administrative Sign Plan prior to approval of any sign permit for permanent signage, except when a Master Sign Plan is in effect.
2. *Review Criteria.* Administrative Sign Plans shall:
  - a. Meet all provisions of this Sign Code, which includes bringing all Existing Legal Nonconforming Signs into compliance;
  - b. Create cohesive design standards applicable throughout the subject property. The Administrator may require consistency of the following items:
    1. Sign type (e.g. all signs must be individually-mounted letters);
    2. Sign placement (e.g. all signs must be installed 15 feet above finished grade);
    3. Sign size (e.g. all signs must be 10 feet wide by 2 feet tall);
    4. Letter size or font (e.g. all signs must utilize 24-inch tall lettering with a 6-inch stroke);
    5. Color (e.g. all signs must be white in color); and
    6. Or any other design standard deemed necessary to create consistent and cohesive design standards.
3. *Application.* The Administrator shall prescribe forms and submittal requirements for Administrative Sign Plans as needed to administer this Sign Code.

**Commented [NDJ20]:** BIG CHANGE SCTF: Do we want to add this application?

4. *Process.* After a complete application is filed with the Administrator, the Administrator shall make a final determination within forty-five (45) days. Any application not processed within forty-five (45) days shall be deemed denied, unless the applicant consents in writing to a longer time period.
5. *Approval.* The Administrator may make one of three final determinations:
  - a. Approval as submitted, if application meets the Administrative Sign Plan review criteria;
  - b. Approval with the conditions necessary to meet the Administrative Sign Plan review criteria; or
  - c. Denial, if the application does not meet the Administrative Sign Plan review criteria.
6. *Binding Effect.* After approval of an Administrative Sign Plan, no permanent sign shall be permitted on the subject property except in conformance with such plan. An Administrative Sign Plan shall be enforced in the same manner as any other provision of this Sign Code.
7. *Expiration.* Any Administrative Sign Plan shall continue in perpetuity, except the Administrative Sign Plan shall expire when:
  - a. The Administrative Sign Plan is no longer applicable to the property due to demolition of the principal structure, or other similar reasons;
  - b. A new or amended Administrative Sign Plan is approved;
  - c. A Master Sign Plan is approved; or
  - d. Annulled by Planning Commission through the Master Sign Plan process with the criteria that prior to annulment, all existing signs must conform to this Sign Code.
8. *Revocation.* The Administrator is authorized to revoke approval of an Administrative Sign Plan wherever the Administrative Sign Plan is approved in error or based on incorrect, inaccurate, or incomplete information, or in violation of any ordinance or regulation or any provision of this Sign Code.

#### D. MASTER SIGN PLAN.

1. *Applicability.* Master Sign Plans are intended to review sign plans that do not meet or are not addressed by this Sign Code. Master Sign Plans may be requested when the proposed sign plan:
  - a. Includes a sign type required to be approved by Master Sign Plan; or
  - b. Does not comply with one or more provisions of this Sign Code, except a Master Sign Plan shall not approve a sign prohibited by this Sign Code.
  - c. Is a unique, historic, or painted sign...
2. *Review Criteria.* Approval of Master Sign Plans shall:
  - a. Meet the intent of this Sign Code;
  - b. Not result in or create a precedent that may result in visual blight, discord, confusion, or clutter that significantly dilutes or obscures other sign messages or degrades the character, attractiveness, and general welfare of Blue Springs as a place to live and conduct business;
  - c. Not infringe on public safety or interfere in any way with the safe operation of all modes of transportation;
  - d. Not impact the rights of adjacent and nearby property owners, residents, and any other entity with a vested interest;
  - e. Be based on the time, place, and manner of the proposed sign plan, not on the content or message of the signage; and
  - f. Meet the following review criteria as applicable:
    1. When requesting signage that does not adhere to the Placement Standards (501.040.A) or Sign Type standards of this Sign Code:

Commented [NDJ21]: Nathan: Still need to write.

- i. Be warranted due to the nature of the use or the physical characteristics, size, and/or location of the property or provides a higher quality sign plan than required by this Sign Code;
  - 2. When requesting signage that does not adhere to the Design or Construction Standards (Section 501.040.B-C) of this Sign Code or is otherwise a unique sign type:
    - i.
  - 3. When requesting approval of a Historic Sign, the sign shall:
    - i. Obtain a recommendation from the Historic Preservation Committee, subject to Section XXX.XXX;
    - ii. Be a minimum age of thirty (30) years old. Age must be verified with written documentation of the history of the sign and its significance to Blue Springs;
    - iii. Exhibit aesthetic quality, creativity, and innovation;
    - iv. Be unique; originally associated with a chain or business that is either a local or regional chain or business; be recommended for preservation by scholarly documentation; or be a rare surviving example of a once common sign type;
    - v. Retain most of its character defining features. Restoration or maintenance plan must be provided to clearly define these features and ensure their retention.
  - 4. Meet the following when requesting approval of a Painted Sign:
    - i.
- 3. *Application.* The Administrator shall prescribe forms and submittal requirements for Master Sign Plans as needed to administer this Sign Code.
- 4. *Process.* After a complete application is filed with the Administrator, the Administrator shall schedule the application to be heard by the Planning Commission no later than their first (1<sup>st</sup>) regular meeting that is at least twenty-four (24) days after the application filing date. The Planning Commission shall make a final determination within forty-five (45) days of said first (1<sup>st</sup>) meeting, after which it shall be deemed denied, unless the applicant consents in writing to a longer time period.
- 5. *Approval.* The Planning Commission may make one of three final determinations:
  - a. Approval as submitted, if application meets the Master Sign Plan review criteria;
  - b. Approval with the conditions necessary to meet the Master Sign Plan review criteria; or
  - c. Denial, if the application does not meet the Master Sign Plan review criteria.
- 6. *Binding Effect.* After approval of a Master Sign Plan, no permanent sign shall be permitted on the subject property except in conformance with such plan. A Master Sign Plan shall be enforced in the same manner as any other provision of this Sign Code.
- 7. *Expiration.* Any Master Sign Plan shall continue in perpetuity, except the Master Sign Plan shall expire when:
  - a. The Master Sign Plan is no longer applicable to the property due to demolition of the principal structure, or other similar reasons;
  - b. A new or amended Master Sign Plan is approved; or
  - c. Annulled by Planning Commission through the Master Sign Plan process with the criteria that prior to annulment, all existing signs shall conform to this Sign Code.

E. APPEALS.

**Commented [NDJ22]:** Nathan: Need to alter HPC's jurisdiction.

**Commented [NDJ23]:** Nathan: Still need to write.

1. **Appeal for Minor Sign Adjustment.** Applicants may seek approval from the Administrator to allow for minor adjustments from this Sign Code on a form supplied by the department for this purpose in response to unanticipated sign location issues or unusual physical site conditions, which may cause the need for some minor adjustments to be made to the allowable sign area or height.
  - a. **Allowed Minor Adjustments.** The Administrator may authorize minor adjustments to the Sign Code that allow one (1) of the following:
    1. Allow for sign heights to be increased up to a maximum of two feet in height; or
    2. Allow the maximum sign face area or dimensions of an individual sign to be increased up to a maximum of ten percent of the area or dimension otherwise provided; or
    3. Allow the sign to encroach into a required property line setback up to a maximum of 20 percent of the required setback if such encroachment will not create a threat to public health or safety; or
    4. Allow the sign to be located closer to another sign by reducing a required separation distance between signs by up to 20 percent if such reduction will not create a threat to the public health or safety.
  - b. **Application.** The Administrator shall prescribe forms and submittal requirements for Appeals for Minor Sign Adjustment as needed to administer this Sign Code.
  - c. **Process.** After a complete application is filed with the Administrator, the Administrator shall make a final determination within forty-five (45) days. Any application not processed within forty-five (45) days shall be deemed denied, unless the applicant consents in writing to a longer time period.
  - d. **Approval.** The Administrator may make one of three final determinations:
    1. Approval as submitted, if the request is an allowed minor adjustment and in the opinion of the Administrator, is warranted due to unusual physical site conditions or unanticipated sign location issues; or
    2. Approval with the conditions necessary to ensure the request is an allowed minor adjustment and in the opinion of the Administrator, is warranted due to unusual physical site conditions or unanticipated sign location issues; or
    3. Denial, if the application is not an allowed minor adjustment or in the opinion of the Administrator, is not warranted due to unusual physical site conditions or unanticipated sign location issues.
2. **Appeal of Administrative Decision.** Any final determination, including an application that has been deemed denied by reason of the passage of time, made by the Administrator may be appealed to Planning Commission by any person aggrieved by the determination.
  - a. **Application.** A written notice of appeal must be filed with the Administrator within ten (10) days of the Administrative determination.
  - b. **Process.** After a written notice of appeal is filed with the Administrator, the Administrator shall schedule the appeal to be heard by the Planning Commission no later than their first (1<sup>st</sup>) regular meeting that is at least twenty-four (24) days after the application filing date. The Planning Commission shall make a final determination within forty-five (45) days of said first (1<sup>st</sup>) meeting, after which it shall be deemed denied, unless the applicant consents in writing to a longer time period.
  - c. **Approval.** The Planning Commission shall approve, approve with modifications, or deny the original application based on the criteria established by this Sign Code.
3. **Appeal of Planning Commission Decision.** Any final determination, including an application or appeal that has been deemed denied by reason of passage of time, made by the Planning

Commented [NDJ24]: BIG CHANGE SCTF: Do we want to add this application?

Commission may be appealed to City Council by the applicant, any owner of land directly affected by the action or proposed action, any person that the City Council determines to be actually or potentially aggrieved by the determination, the Administrator, or any person otherwise given the right of appeal by law.

- a. *Application.* A written notice of appeal must be filed with the Administrator within ten (10) days of the Planning Commission determination.
  - b. *Process.* After a written notice of appeal is filed with the Administrator, the Administrator shall schedule the appeal to be heard by City Council. City Council shall make a final determination within sixty (60) days of the date that the appeal was filed, after which it shall be deemed denied, unless the applicant consents in writing to a longer time period. The hearing shall be made on the record. The applicant shall have full right to be represented by counsel at the hearing and may produce witnesses and evidence on their behalf.
  - c. *Approval.* City Council shall approve, approve with modifications, or deny the original application based on the criteria established by this Sign Code.
4. *Appeal of City Council Decision.* Any final determination of the City Council may be appealed to the Circuit Court.

#### F. ENFORCEMENT

1. *Generally.*
  - a. *Enforcement.* The City may exercise any and all enforcement powers and remedies granted to them by Federal or Missouri law, as they may be amended from time to time, and the City Code to bring any violation of this Sign Code or other related provisions into compliance. The enforcement powers and remedies established in this Sign Code shall be cumulative.
  - b. *Responsibility for Violations.* Any and all responsible parties, as defined in [Section 501.030.A.5](#), are jointly and severally responsible for the violations, penalties, prescribed civil or criminal sanctions, and for the abatement of violations of this Sign Code.
  - c. *Voluntary Compliance.* The City may first seek voluntary compliance with this Sign Code through verbal warnings or other informal notices designed to achieve compliance in the most efficient and effective manner under the circumstances. Informal notices shall not constitute as due notice.
  - d. *Notice of Violation.* Unless specifically exempted by this Sign Code, the City shall serve a written notice of violation or order to the responsible party, as defined in [Section 501.030.A.5](#), for any violation of this Sign Code. Said notice shall be given in person, by United States mail postage prepaid, or by posting notice on the premises. Such notice or order shall direct the discontinuance of the unlawful act and the time period for compliance. The notice may list the necessary corrective actions and subsequent penalties for failure to comply. This shall constitute due notice.
  - e. *Prosecution of Violation.* If the responsible party fails to promptly abate the violation after due notice, the City is authorized to request legal counsel to exercise any and all enforcement powers and remedies appropriate for the violation. Each day a violation continues after due notice has been served shall be deemed a separate offense.
2. *Enforcement Powers & Remedies.* Any responsible party who fails to comply with the notice of violation shall be subject to any and all enforcement powers and remedies granted to the City by Federal or Missouri law, as they may be amended from time to time, and the City Code, which includes but is not limited to the following:

- a. *Penalties.* The City may impose penalties for any violation of this Sign Code pursuant to [Section 100.080](#) and the City may seek such criminal or civil penalties as provided by Missouri law or Municipal Code.
- b. *Withhold Permits.* The City may deny, withhold, or condition approval of any permit or other form of authorization issued pursuant to this Sign Code or any other City Code on:
  1. Any land, structure, or use upon which there is any violation of this Sign Code. This provision shall apply regardless of whether the current applicant or property owner is responsible for the violation in question.
  2. Any land, structure or improvement owned or being developed by a person who owns, developed or otherwise caused any violation of this Sign Code. This provision shall apply regardless of whether the property being withheld from permitting is the property in violation.
- c. *Revoke Permits.* The City may revoke any permit on any land on which there is any violation of this Sign Code.
- d. *Stop Work.* With or without revoking permits, the City may stop work on any building, structure, or sign on any land on which there is any violation of this Sign Code, pursuant to the Building Code as adopted in [Chapter 500](#).
- e. *Abatement.* The City may seek a court order in the nature of mandamus, abatement, injunctive or other equitable relief, or other action or proceeding in any court of competent jurisdiction to abate or remove a violation or to otherwise restore the sign or premises in question to the condition in which they existed prior to the violation of this Sign Code pursuant to [Sections 245.060 through 245.150 and 245.270](#).
- f. *Confiscation.* The City may confiscate and appropriately dispose any sign illegally erected, constructed, placed, or displayed on public property or within the public right-of-way.

G. VIOLATIONS.

1. *Signs in General Violation.* It shall be unlawful to erect, construct, enlarge, alter, repair, maintain, place, move, improve, use, or display any sign, or cause or permit the same to be done in violation of this Sign Code or in violation of other applicable laws, rules, regulations, or policies regarding signs. Any such violation shall be deemed and declared to be a nuisance as allowed in [Section 245.160](#).
2. *Signs in Disrepair.* It shall be unlawful to fail to maintain or keep in good repair any sign or sign structure. This shall include but is not limited to repairing the sign structure, sign face materials (e.g. metal, glass, plastic, etc.), and/or components (e.g. light bulbs, electrical wiring, etc.) which are missing, broken, damaged, deteriorated, defective, and/or malfunctioning. Any sign not properly maintained or kept in good repair shall be deemed and declared to be a nuisance as allowed in [Section 245.160](#).
3. *Signs Creating Imminent Danger.* It shall be unlawful for any sign or sign structure, in part or in whole, to endanger life. Any sign or sign structure, as deemed by the Administrator, that endangers life due to the imminent danger of a structural failure or collapse, the presence of materials, gases, fumes, or vapors of an explosive or toxic nature, or the operation of defective or dangerous equipment shall be deemed and declared to be an issue of imminent danger as allowed in [Section 515.310](#) and constitute a dangerous structure as allowed by [Section 515.810](#). Without prior notice, the City may exercise any and all enforcement powers and remedies available in this Sign Code or the City Code to preserve public safety.
4. *Signs Obstructing View on Corner Lots.* It shall be unlawful for any sign or sign structure in part or in whole to materially impede vision through the public right-of-way sight triangle. This shall be deemed and declared to be an obstruction of view on corner lots as allowed in [Section 505.020](#).

5. *Signs Obstructing View on Private Drives.* It shall be unlawful for any sign or sign structure in part or in whole to materially impede vision through the private drive sight triangle. This shall be deemed and declared to be a nuisance as allowed in Section 245.160.
6. *Abandoned Sign.* It shall be unlawful to fail to completely remove any permanent sign and its structure, including the foundation, after a sign has been deemed abandoned. This shall be deemed and declared to be a nuisance as allowed in Section 245.160. A sign shall be deemed abandoned after the sign displays:
  - a. Any message not accessory to the principal use as regulated by Section 501.030.A.6, such as referencing a business that no longer exists on premise or a time, event, or purpose that no longer applies, except not to infringe on protected speech;
  - b. Any message for at least one hundred twenty (120) consecutive days after the premise on which the sign is located has been deemed a vacated premise; or
  - c. Any vacant or blank sign devoid of any message for at least one-hundred twenty (120) consecutive days.
7. *Obsolete Signs.* It shall be unlawful to fail to completely remove any sign and its structure, including the foundation, after losing its legal nonconforming status as regulated by Section 501.020.C. This shall be deemed and declared to be a nuisance as allowed in Section 245.160.
8. *Deviation from Approved Plans.* It shall be unlawful to materially deviate from the approved plans, specifications, and/or conditions or qualifications of approval unless an amended plan is filed with and approved by the City. Any such violation shall be deemed and declared to be a nuisance as allowed in Section 245.160.
9. *Signs on Public Property.* It shall be unlawful to erect, construct, place, or display any sign or sign structure on public property or within the public right-of-way, unless specifically permitted or otherwise exempted by this Sign Code. This shall be deemed and declared to be a nuisance as allowed in Section 245.160. Any sign either on public property or within the public right-of-way owned by the City of Blue Springs is subject to confiscation without prior notice.
10. *Failure to Comply after Notice.* It shall be unlawful for any person served with a notice of violation to refuse to comply.

**Commented [NDJ25]:** Legal: Is nuisance appropriate?

**Commented [NDJ26]:** BIG CHANGE SCTF: Should all permanent signs be removed be removed when the principal use leaves, even when in good repair? Or only building-mounted signs? And should temporary signs be removed too?

#### 501.040 DESIGN & CONSTRUCTION.

##### A. PLACEMENT STANDARDS.

1. No sign shall be located off-premise except in conformance with Section 501.090
2. No sign shall be erected on, in, over, or under any public property or public right-of-way except in conformance with Section 501.100
3. No sign shall obstruct free and clear vision of the public right-of-way sight triangle or the private drive sight triangle.
4. No sign shall obstruct free use of any means of egress, including but not limited to fire escapes, any window or doorway or opening, and any utility access or Fire Department connection.
5. No sign shall interfere with any opening required for light or ventilation required by the Building Code adopted in Chapter 500.
6. No sign shall obstruct free use of any area intended for pedestrian use unless the lowest portion of the sign is a minimum of eight (8) feet above finished grade.
7. No sign shall obstruct free use of any area intended for vehicular use unless the lowest portion of the sign is a minimum of fourteen (14) feet above finished grade.

##### B. DESIGN STANDARDS.

1. *Generally.*
  - a. Signs shall complement the style, composition, materials, colors, and details of the primary building and other signs on the same premise.

- b. Signs shall fit proportionally to the structure on which it is attached and to the massing, elevation, and architectural features of said structure and shall not cover any architectural feature of the structure on which it is attached.
  - c. The sign message (e.g. lettering and images) shall fit in proportion to the overall sign background.
  - d. Signs shall be designed so all components, such as raceways, supports, braces, fasteners, conduits, and electrical components, are an integral part of the overall sign structure, enclosed to prevent inhabitation by wildlife, and hidden from public view to the maximum extent technically feasible.
2. *Materials.*
- a. Signs must be constructed of durable materials that are capable of withstanding weathering over the life of the sign with reasonable maintenance. Any sign, permanent or temporary, approved by Sign Permit shall not be constructed in part or in whole with any temporary material.
  - b. All glass forming any part of a sign, except exposed lamps, shall be shatter-resistant or covered by a shatter-resistant material.
  - c. No combustible materials, such as wood or products with a similar burn rating, shall be used in the construction of electric signs.
3. *Typeface & Size.* The number of different fonts, letter heights, and styles should be reasonably limited and appropriately sized for legibility of the target audience.
4. *Color.*
- a. Colors and finish shall be designed to reduce glare and enhance legibility
  - b. The use of too many colors is discouraged to avoid an overwhelming visual distraction.
5. *Illumination.*
- a. *Types of Illumination.*
    - 1. Internal
    - 2. Back-Lit
    - 3. Down-Lit
    - 4. Up-Lit
    - 5. Exposed. Allowed in Non-Residential Zoning Districts, except prohibited when the exposed bulb faces a Residential Zoning District and is located within 250 feet of a Residential Zoning District
    - 6. Display Board. i.e. Menu Board/ERB, etc.
  - b. *Locations Allowed.*
    - 1. *Non-Residential Zoning Districts.*
    - 2. *Residential Zoning Districts.*
  - c. *Maximum Illumination.*
    - 1. No sign shall have a brightness level greater than 0.2 foot candles above ambient light conditions when measured at the property line of the nearest adjacent residentially zoned property.
    - 2. No sign shall have a brightness level greater than 0.5 foot candles above ambient light conditions when measured at a distance from the sign equal to the square root of [Sign Area (sq. ft.) x 100];
    - 3. Illumination measurements shall be taken using a foot candle meter mounted in the vertical position at eye-level or approximately five (5) feet above the ground and compared when the light source is turned on and off or when the light source is blocked and unblocked from the meter.

Commented [NDJ27]: BIG CHANGE SCTF: Do we still want to regulate type and colors?

Commented [NDJ28]: Nathan: Still need to write.

- d. No sign shall be illuminated in a manner that interferes with (including glaring or blinding), misleads, or confuses traffic with any traffic control device or emergency vehicle.
- e. No sign shall move, rotate, blink, flicker, flash, strobe, or stream video, except as allowed by **Section?? (Electronic Reader Board??)**
- f. No sign shall be illuminated by other than electrical means.

6. *Ground-Mounted Signs.*

- a. Ground-mounted signs shall be protected from vehicle encroachment. This may be accomplished by placing said sign a minimum of three (3) feet behind a curb stop or any other method approved by the Administrator.
- b. Ground-mounted signs shall be surrounded by a landscape area that extends a minimum of three (3) feet from the foundation of the sign. Said area shall be landscaped with a combination of low-growing plantings and/or ground cover and maintained so as not to obstruct visibility of the sign message.
- c. Ground-mounted signs shall be compatible (e.g. construction, design, and materials) when multiple ground-mounted signs are located on the same property.

7. *Building-Mounted Signs.*

- a. Building-mounted signs shall not cover or be placed directly in front of any window or door of the structure on which it is attached, except for Window and Door Signs.
- b. When appropriate, such as multi-tenant buildings with a uniform sign band, the sign design, such as sign size, placement, letter height, font, and/or color, should be consistent and cohesive.

C. CONSTRUCTION STANDARDS.

1. *Building Code.* All signs shall comply with the Building Code adopted in **Chapter 500**. This may require a separate Building Permit approval for footings, structural supports, and/or electrical components, etc.
2. *Sign Fabrication.* All signs with internal lights or other electrical devices or circuits shall display a label certifying it as being approved by a Nationally Recognized Testing Laboratory (NRTL) agency.
3. *Sign Installation.*
  - a. Signs shall be installed and maintained so structure penetrations are watertight and do not exceed allowable stresses of supporting materials. Any structure penetrations into masonry surfaces shall be through to mortar joints only and not directly into brick or stone.
  - b. Signs shall be rigid or held taut by a frame, support, or structure that is sufficiently anchored to prevent any movement due to wind action that would cause wear on the sign face or supporting members or connections, except as allowed in **Section 501.XXX (flags & feather flags)**.
4. *Sign Removal.* When a sign is removed, all components (including the foundation) shall be removed in their entirety and the structure and/or ground must be repaired and restored to its original condition prior to sign installation.

**501.050 RESERVED**

- A. OTHER ITEMS??

**501.060 PERMANENT SIGNS.**

- A. APPLICABILITY

1. This Section applies to all signs installed on private property. Signs approved as a permanent sign may be displayed indefinitely, provided they are properly maintained.

- B. **Encourage wall signs with individually-mounted and illuminated letters and monument signs constructed with masonry materials?**

**Commented [NDJ29]:** BIG CHANGE SCTF: What signage do we want to encourage? Or add preferences in Sign Types?

C. GROUND-MOUNTED SIGNS.

1. **Minimum Spacing of Ground-Mounted Signs:**

- a. **Signs on Same Property and Frontage:** Any ground-mounted sign located within thirty (30) feet of a public right-of-way frontage shall maintain a minimum spacing from any other ground-mounted sign located within thirty (30) feet of the same frontage and on the same property, according to the following:

	Monument	Pylon	Pole
Monument	250 ft.	500 ft.	750 ft.
Pylon	500 ft.	1,000 ft.	1,500 ft.
Pole	750 ft.	1,500 ft.	Not Allowed

- b. **Signs on Same Property:** Any ground-mounted sign shall maintain a minimum spacing from any other ground-mounted sign located on the same property, according to the following:

	Monument	Pylon	Pole
Monument	125 ft.	250 ft.	375 ft.
Pylon	250 ft.	500 ft.	750 ft.
Pole	375 ft.	750 ft.	Not Allowed

2. **Allowed Zoning Districts.**

- a. **Non-Residential Zoning Districts.** All ground-mounted sign types shall be allowed in all non-residential zoning districts, provided the sign meets the standards of the applicable sign type.
- b. **Residential Zoning Districts.** No ground-mounted sign type shall be allowed in any residential zoning district, except when located on properties held in common or otherwise shared by multiple dwelling units, such as parks and recreational areas, residential open space tracts, residential community clubhouses/facilities, etc. Each common or shared property shall only be allowed the monument sign type and the incidental ground-mounted sign type, provided that the maximum cumulative ground-mounted sign area and the maximum size of each sign type is reduced by twenty-five (25) percent.

3. **Sign Types.**

- a. **Monument Sign.** A sign mounted to the ground, no taller than twelve (12) feet, contains a continuous base whose height is at least twelve (12) inches and whose width and length is equal to or greater than the widest and longest points of the sign area, and a minimum of seventy-five (75) percent of the space between the ground and the widest part of the sign area is filled in or otherwise enclosed.

1. Location: Monument Signs shall only be allowed when:
  - i. Located outside of any easement restricting the placement of such structure; and
  - ii. Setback from the following property lines:
    1. Exterior: Min. of ten (10) feet or the sign height plus two (2) feet (e.g. 12' sign + 2' = 14' setback), whichever is greater.
    2. Interior: Min. of five (5) feet or the sign height, whichever is greater.
2. Number of Signs: Up to one (1) sign per frontage (e.g. corner lots are allowed 2 signs) or one (1) sign per five-hundred (500) linear feet of cumulative frontage (e.g. corner lots with 1001 linear feet of cumulative frontage are allowed 3 signs), whichever is greater.

**Commented [NDJ30]:** BIG CHANGE SCTF: Can we do away with total allowed sign area per linear feet of frontage, which limits 2<sup>nd</sup> Tier lots w/ no frontage. Proposing min. sign spacing for ground-mounted signs & a total coverage for wall signs.

**Commented [NDJ31]:** Nathan: Still need to write.

3. Size: Max. of ninety-five (95) sq. ft. or seventy-five (75) sq. ft. plus five (5) sq. ft. for every foot of exterior setback over a ten (10) feet ( $75 \text{ sf} + 5 \text{ sf} \times [14' - 10'] = 95 \text{ sf}$ ), whichever is less.
  4. Thickness: Min. thickness is per Building Code
  5. Width: N/A
  6. Height: Twelve (12) feet max.
  7. Design Standards:
    - i. Shall only be constructed of permanent materials;
    - ii. Shall contain a continuous base whose height is at least twelve (12) inches and free of any sign area; and
    - iii. Shall fill in or otherwise enclose a minimum of seventy-five (75) percent of the space between the ground and the widest part of the sign area.
- b. **Pylon Sign.** A sign mounted to the ground, over twelve (12) feet in height, but no taller than twenty-four (24) feet, contains a continuous base whose height is at least twelve (12) inches and whose width and length is at least one-half ( $\frac{1}{2}$ ) of the widest and longest points of the sign area, and a minimum of fifty (50) percent of the space between the ground and the widest part of the sign area is filled in or otherwise enclosed.
1. Location: Pylon Signs are only allowed when:
    - i. Located on a property that is a minimum of four (4) acres in size;
    - ii. Located within fifty (50) feet of:
      1. Interstate 70 or its frontage roads;
      2. 7 Highway; or
      3. 40 Highway;
    - iii. Located outside of any easement restricting the placement of such structure; and
    - iv. Setback from any building a minimum distance equal to one-half ( $\frac{1}{2}$ ) the sign height; and
    - v. Setback from the following property lines:
      1. Exterior: Min. of fourteen (14) feet or the sign height plus two (2) feet (e.g. 24' sign + 2' = 26' setback), whichever is greater.
      2. Interior: Min. of seven (7) feet or the sign height, whichever is greater.
  2. Number of Signs: Up to one (1) sign per property (e.g. corner lots are allowed 1 sign) or one (1) sign per one-thousand (1,000) linear feet of cumulative frontage (e.g. corner lots with 1001 linear feet of cumulative frontage are allowed 2 signs), whichever is greater.
  3. Size: Max. of one-hundred fifty-five (155) sq. ft. or ninety-five (95) sq. ft. plus ten (10) sq. ft. for every acre of lot area over four (4) acres ( $95 \text{ sf} + 10 \text{ sf} \times [10 \text{ ac} - 4 \text{ ac}] = 125 \text{ sf}$ ), whichever is less.
  4. Thickness: Min. thickness is per Building Code
  5. Width: N/A
  6. Height: Twenty-four (24) feet max. or twelve (12) feet plus one (1) foot for every one-half ( $\frac{1}{2}$ ) acre of lot area over four (4) acres (e.g.  $12' + 1' \times [10 \text{ ac.} - 4 \text{ ac}] / \frac{1}{2} \text{ ac} = 24'$ ), whichever is less.
  7. Design Standards:
    - i. Shall only be constructed of permanent materials; and

- ii. Shall fill in or otherwise enclose a minimum of fifty (50) percent of the space between the ground and the widest part of the sign area.
- c. **Pole Sign.** A sign mounted to the ground, over twenty-four (24) feet in height, but no taller than thirty-five (35) feet, and a minimum of twenty-five (25) percent of the space between the ground and the widest part of the sign area is filled in or otherwise enclosed.
  - 1. Approval: Pole Signs shall only be permitted in conformance with an approved Master Sign Plan.
  - 2. Location: Pole Signs are only allowed when:
    - i. Located in one (1) of the following areas:
      - 1. A property between the frontage roads of Interstate 70; or
      - 2. A property abutting, but not between, a frontage road of Interstate 70, provided the sign is located within fifty (50) feet of said frontage road.
    - ii. Located outside of any easement restricting the placement of such structure;
    - iii. Setback from any building a minimum distance equal to one-half (½) the sign height;
    - iv. Setback from the following property lines:
      - 1. Exterior: Min. of the sign height plus two (2) feet (e.g. 35' sign + 2' = 37' setback);
      - 2. Interior: Min. of the sign height; and
  - 3. Number of Signs: Up to one (1) sign per property.
  - 4. Size: Max. of one-hundred fifty-five (155) sq. ft. or ninety-five (95) sq. ft. plus ten (10) sq. ft. for every acre of lot area over four (4) acres (95 sf + 10 sf x [10 ac – 4 ac] = 125 sf), whichever is less.
  - 5. Thickness: Min. thickness is per Building Code
  - 6. Width: N/A
  - 7. Height: Thirty-five (35) feet max.
  - 8. Design Standards:
    - i. Shall only be constructed of permanent materials; and
    - ii. Shall fill in or otherwise enclose a minimum of twenty-five (25) percent of the space between the ground and the widest part of the sign area.
- d. **Vehicle Entrance Sign:** A sign mounted to the ground, located within twenty-five (25) feet of a public right-of-way, setback no more than five (5) feet from the edge of a vehicle driveway entering the property, no greater than six (6) sq. ft. in size, and no greater than three (3) feet in height.
  - 1. Location:
    - i. Shall be located within twenty-five (25) feet of a public right-of-way;
    - ii. Shall be located within five (5) feet of the edge of a vehicle driveway entering the property; and
    - iii. Setback from the following property lines:
      - 1. Exterior: Zero (0) feet min.
      - 2. Interior: Min. setback shall be equal to the sign height.
  - 2. Number of Signs: Up to one (1) sign per vehicle driveway entering the property
  - 3. Size: Six (6) sq. ft. max.
  - 4. Thickness: Twelve (12) inches max.
  - 5. Width: N/A

**Commented [NDJ32]:** BIG CHANGE SCTF: Added a Pylon Sign Type.

**Commented [NDJ33]:** BIG CHANGE SCTF: Added more restrictions than just I-70 Corridor & 35' max.

6. Height: Three (3) feet max.
  7. Design Standards: Shall only be constructed of permanent materials.
- e. **Pedestrian Entrance Sign:** A sign mounted to the ground, located within twenty-five (25) feet of a public right-of-way, setback no more than five (5) feet from the edge of a pedestrian sidewalk entering the property, no greater than six (6) sq. ft. in size, and no greater than three (3) feet in height.
1. Location:
    - i. Shall be located within twenty-five (25) feet of a public right-of-way;
    - ii. Shall be located within five (5) feet of the edge of a pedestrian sidewalk entering the property; and
    - iii. Setback from the following property lines:
      1. Exterior: Zero (0) feet min.
      2. Interior: Min. setback shall be equal to the sign height.
  2. Number of Signs: Up to one (1) sign per pedestrian sidewalk entering the property.
  3. Size: Six (6) sq. ft. max.
  4. Thickness: Twelve (12) inches max.
  5. Width: N/A
  6. Height: Three (3) feet max.
  7. Design Standards: Shall only be constructed of permanent materials.
- f. **Incidental Ground-Mounted Signs.** Sign structures mounted to the ground that are visible from the public right-of-way or any adjoining lot or parcel in a residential zoning district, but the sign message is not legible from the public right-of-way or any abutting property.
1. Location. Setback from the following property lines:
    - i. Exterior: Twenty-five (25) feet min.
    - ii. Interior: Ten (10) feet min.
  2. Size: 40 sq. ft. max., except the cumulative sign area of incidental ground-mounted signs shall not exceed one-hundred-sixty (160) sq. ft.
  3. Thickness: Min. thickness is per Building Code
  4. Width: N/A
  5. Height: Eight (8) feet max.
  6. Changeable Message: The sign structure shall be permitted by a Sign Permit. However, the sign message may be altered from time to time without obtaining a Sign Permit, provided the approved sign structure is not altered and the sign message remains illegible from public right-of-way or any abutting property.

#### D. BUILDING-MOUNTED SIGNS.

1. **Maximum Cumulative Building-Mounted Sign Area.** The maximum cumulative sign area of all building-mounted signs per façade shall not exceed:
  - a. Up to thirty-two (32) sq. ft. or ten (10) percent of the area of any façade with the primary building entrance or any façade visible from a public right-of-way, excluding façades within 100 feet of an abutting residentially zoned property, whichever is greater; or
  - b. Up to sixteen (16) sq. ft. or five (5) percent of the area of any other façade, including façades within 100 feet of an abutting residentially zoned property, whichever is greater.
2. **Allowed Zoning Districts.**
  - a. **Non-Residential Zoning Districts.** All building-mounted sign types shall be allowed in all non-residential zoning districts.

Commented [NDJ34]: BIG CHANGE SCTF: Does this make sense?

Commented [NDJ35]: BIG CHANGE SCTF: Is this acceptable?

- b. **Residential Zoning Districts.** No building-mounted sign type shall be allowed in any residential zoning district, except when located on properties held in common or otherwise shared by multiple dwelling units, such as parks and recreational areas, residential open space tracts, residential community clubhouses/facilities, etc. Each common or shared property shall be allowed any building-mounted sign including extended canopy signs, but excluding skyline signs and extended roof signs, provided the maximum cumulative building-mounted sign area and the maximum size of each sign type is reduced by twenty-five (25) percent.
3. **Sign Types.** All building-mounted signs shall also meet the criteria of the applicable sign type.
- a. **Window/Door Sign.** A sign that does not project beyond any part of the window or door to which the sign is attached and is applied directly onto the exterior surface of a window or door, such as decals, stickers, or similar signs.
1. Size:
    - i. One (1) sign may cover up to one-hundred (100) percent of the window or door to which the sign is attached;
    - ii. Two (2) signs may cover up to seventy-five (75) percent of the window or door to which the signs are attached;
    - iii. Three (3) or more signs may cover up to fifty (50) percent of the window or door to which the signs are attached.
  2. Thickness, Width, & Height: Not to project beyond any part of the window or door.
  3. Location: Limited to windows and doors located on the first (1<sup>st</sup>) and second (2<sup>nd</sup>) stories of a building.
  4. Design Standards: Shall only apply semi-permanent materials directly onto the exterior surface of a window or door, such as decals, stickers, or similar signs.
- b. **Appliqué Sign.** A sign located on the first (1<sup>st</sup>) or second (2<sup>nd</sup>) story of a building and does not project beyond any part of the façade to which the sign is attached and is applied directly onto a wall surface that can be easily removed without damaging the wall surface, such as signs applied by heat, but excluding painted signs.
1. Size: Two-hundred (200) sq. ft. max.
  2. Thickness, Width, & Height: Not to project beyond any part of the window or door.
  3. Location: Limited to the first (1<sup>st</sup>) and second (2<sup>nd</sup>) stories of a building.
  4. Design Standards: Shall only apply semi-permanent materials, excluding paint, directly onto a wall surface in a manner that can be easily removed without damaging the wall surface, such as signs applied by heat.
- c. **Wall Sign.** A sign located on the first (1<sup>st</sup>) or second (2<sup>nd</sup>) story of a building and does not project beyond the façade to which the sign is attached, except a maximum of 12" outward from or perpendicular to a vertical façade.
1. Size: Two-hundred (200) sq. ft. max.
  2. Thickness: Twelve (12) inches max.
  3. Width & Height: Not to project beyond the edges of the vertical plane to which the sign is attached.
  4. Location: Limited to the first (1<sup>st</sup>) and second (2<sup>nd</sup>) stories of a building.
  5. Design Standards: Shall only be constructed of permanent materials. However, an appliqué or painted sign is allowed when applied to or painted on a permanent material that is subsequently attached to a building.

Commented [NDJ36]: Nathan: Still need to write.

Commented [NDJ37]: BIG CHANGE SCTF: Is this new sign type acceptable?

Commented [NDJ38]: BIG CHANGE SCTF: Currently, Wall Signs can be constructed of vinyl or similar. Should we only allow vinyl as a temporary sign on a year-to-year basis? And are painted signs on permanent materials acceptable?

- d. **Skyline Sign.** A sign located above the second (2<sup>nd</sup>) story of a building and does not project beyond the façade to which the sign is attached, except a maximum of 12" outward from or perpendicular to a vertical façade.
1. Size: Three-hundred (300) sq. ft. max.
  2. Thickness: Eighteen (18) inches max.
  3. Width & Height: Not to project beyond the edges of the vertical plane to which the sign is attached.
  4. Number of Signs: Up to one (1) sign above the second (2<sup>nd</sup>) story of a building per façade.
  5. Design Standards: Shall only be constructed of permanent materials.
- e. **Projecting Sign.** A sign that does not project beyond the façade to which the sign is attached, except a maximum of six (6) feet outward from or perpendicular to a vertical façade.
1. Size: Thirty-two (32) sq. ft. max.
  2. Thickness: Twelve (12) inches max.
  3. Width: Not to project more than six (6) feet from the façade to which the sign is attached.
  4. Height: Not to project beyond the edges of the vertical plane to which the sign is attached.
  5. Number of Signs: Up to one (1) sign per building entrance.
  6. Design Standards: Shall only be constructed of permanent materials.
- f. **Suspended Sign.** A sign that does not project beyond the ceiling to which the sign is attached, except downward from or perpendicular to a horizontal ceiling.
1. Size: Thirty-two (32) sq. ft. max.
  2. Thickness: Twelve (12) inches max.
  3. Width: Not to project beyond the edges of the horizontal plane to which the sign is attached.
  4. Height: N/A
  5. Number of Signs: Up to one (1) sign per building entrance.
  6. Design Standards: Shall only be constructed of permanent materials.
- g. **Extended Roof/Canopy Sign.** A sign that does not project beyond the roof or canopy to which the sign is attached, except a maximum of three (3) feet upward from or perpendicular to a pitched roof or horizontal canopy to which the sign is attached
1. Size: Thirty-two (32) sq. ft. max.
  2. Thickness: Twelve (12) inches max.
  3. Width: Not to project beyond the edges of the horizontal plane of the roof or canopy to which the sign is attached.
  4. Height: Not to project more than three (3) feet above the exact point on the roof or canopy to which the sign is attached, provided that the sign shall not extend above the highest point of the overall structure to which the sign is attached.
  5. Number of Signs: Up to one (1) sign per building entrance.
  6. Design Standards: Shall only be constructed of permanent materials.
- h. **Awning Sign.** A sign that does not project beyond any part of the awning to which the sign is attached, due to being manufactured as an integral part of the awning structure.
1. Size: Up to 50% coverage of the awning face
  2. Thickness, Width, & Height: Not to project beyond any part of the awning.
  3. Location: Any awning located on the first and second stories of a building.

**Commented [NDJ39]:** BIG CHANGE SCTF: Is this new sign type acceptable?

4. Design Standards: Shall be manufactured as an integral part of the awning structure.
- i. *Canopy Sign*. A sign that does not project beyond the canopy to which the sign is attached, except a maximum of 12" outward from or perpendicular to a vertical façade.
  1. Size: Up to 50% coverage of the canopy face.
  2. Thickness: Twelve (12) inches max.
  3. Height & Width: Not to project beyond the edges of the vertical plane to which the sign is attached.
  4. Location: Any canopy located on the first and second stories of a building
  5. Design Standards: Shall only be constructed of permanent materials.
- j. *Marquee Sign*
  1. Location: On any building located downtown.
  2. Size: Up to 100% coverage of the marquee structure
  3. Projection: N/A
  4. Width: N/A
  5. Height: Shall not extend above the roof line of the structure to which it is attached
  6. Clearance: 8' clearance minimum.
- k. *Incidental Building-Mounted Sign*. Sign structures mounted in any fashion to a building that are visible from the public right-of-way or any adjoining lot or parcel in a residential zoning district, but the sign message is not legible from said right-of-way or property.
  1. Location: Shall not be mounted to a pitched roof.
  2. Size: Sixteen (16) sq. ft. max.
  3. Thickness: Twelve (12) inches max.
  4. Width & Height: Not to project in any direction from the horizontal or vertical plane to which the sign is attached, except outward from or perpendicular to said plane a maximum of three (3) feet in a single direction, provided that the sign shall not extend above the highest point of the overall structure to which the sign is attached;
  5. Changeable Message: The sign structure shall be permitted by a Sign Permit. However, the sign message may be altered from time to time without obtaining a Sign Permit, provided the approved sign structure is not altered and the sign message remains illegible from public right-of-way or any abutting property.

**Commented [NDJ40]:** BIG CHANGE SCTF: Should this only be allowed via Master Sign Plan since it is really a 3-D sign?

**Commented [NDJ41]:** SCTF: Is this acceptable to add?

#### E. OTHER SIGNS

1. *Iconic / 3D Signs*
  - a. Approval: Iconic or 3D Signs shall only be permitted in conformance with an approved Master Sign Plan.
2. *Light-Pole Signs*
  - a.
3. *Flags - Not to infringe on RSMo 71.286*
  - a.
4. *Painted Signs (Section 220.680)*
  - a. Approval: Painted Signs shall only be permitted in conformance with an approved Master Sign Plan.
5. *Other Permanent Signs*
  - a. Approval: Any other type of permanent sign not described by this Sign Code shall only be permitted in conformance with an approved Master Sign Plan.

#### 501.070 TEMPORARY SIGNS.

A. **APPLICABILITY**

1. This Section applies to all signs installed on private property. Signs approved as a temporary sign may be displayed only during the period of time specified by an approved Sign Permit, provided they are properly maintained.

B. **GROUND-MOUNTED SIGNS**

1. *General Ground-Mounted Temporary Sign*: One mounting point in each corner and a minimum of one mounting point every four (4) feet between corners and mounted to a permanent material.
2. *Feather Flags*:

C. **BUILDING-MOUNTED SIGNS**

1. *General Building-Mounted Temporary Sign*
2. *Semi-Permanent Sign*
  - a. *Temporary Permit, up to 1 year when no permanent Wall sign exists.*

D. **PERSON SIGNS – Exempted completely?**

1. Costumed Person (Section 220.770?)
2. Peddlers/Solicitor (Section 610?)

E. **OTHER SIGNS**

1. Projected Light Signs?
2. Construction Fence Signs?

**501.080 RESERVED**

A. **OTHER SIGN TYPES??**

**501.090 OFF-PREMISE SIGNS.**

- A. This Section regulates the primary and supplemental use of Off-Premise Signs on private property (i.e. signs as the sole use on a property and signs not accessory to the primary use of a property). Signs approved as an Off-Premise Sign may display any message, provided they are properly maintained.

B. **PERMANENT SIGNS.**

1. Billboards are allowed as permitted by the Use Table in Section 405, subject to the following:
2. Electronic Billboards are allowed as permitted by the Use Table in Section 405, subject to the following:
  - a. Must meet all location requirements, except one electronic billboard may replace an existing billboard in the same location if two other billboards are also removed (i.e. 3 billboards replaced by 1 electronic billboard).

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Commented [NDJ43]: SCTF: Is this acceptable?

C. **TEMPORARY SIGNS.**

**501.100 SIGNS ON PUBLIC PROPERTY.**

A. **Permanent HOA signs in ROW??**

B. *Sandwich Boards*

C. **Signs over the ROW? Marquees & Awnings?**

**501.110 PROHIBITED SIGNS.**

- A. It shall be unlawful to erect, construct, enlarge, alter, repair, maintain, place, move, improve, use, or display any sign, or cause or permit the same to be done in violation of this Sign Code or in violation of other applicable laws, rules, regulations, or policies regarding signs.

B. The following signs are strictly prohibited:

1. Signs over Public ROW (Section 245.160.A.10), except as allowed by Section 501.100.
2. Words and traffic control symbols that interfere with, mislead, or confuse traffic, such as 'stop', 'caution', 'slow', 'look', etc. as determined by the Administrator.
3. Revolving or rotating beam or beacon of light that simulates any emergency light or device
4. Flashing, intermittent, or moving light or lights, except as allowed on ERB's?
5. Signs that interfere with traffic control signs, signals, or devices

6. Signs in the public right-of-way sight triangle or the private drive sight triangle
7. Private persons dressed in costume or displaying signs expressing messages that are not within the protection of the First Amendment on private property or in a traditional public forum (e.g. commercial messages, etc.),

Commented [NDJ44]: Legal: Need to define?

**501.120 RESERVED**

A. OTHER ITEMS??

**501.130 DEFINITIONS & INTERPRETATIONS.**

A. INTERPRETATIONS

1. *Zoning District Interpretation.* Non-residential uses (e.g. churches, schools, libraries, etc.) located within residential zoning districts shall be interpreted to be located in a non-residential zoning district, except home occupations, group homes, in-home daycares, parks and recreational areas, residential open spaces held in common, residential clubhouses/facilities held in common, and other similar uses shall not be interpreted to be located in a non-residential zoning district.

2. *Maximum Cumulative Sign Area Calculation.*

- a. The maximum cumulative sign area for ground-mounted signs shall be calculated using the linear feet of public street frontage of the property on which the sign is mounted.

PICTURE

- b. The maximum cumulative building-mounted sign area shall be calculated by multiplying the height and the width of the vertical plane of the entire building façade on which the sign is mounted. For pitched roofs or sloped sites, the average ground and/or roof height shall be utilized for the height measurement.

PICTURE

1. When applicable, the Administrator may limit calculation of the entire building façade to solely the façade(s) within a tenant's lease space. If the tenant requests signage beyond their lease space, the entire building façade must be utilized in calculations.

PICTURE

2. In the case of a stand-alone canopy (e.g. gas station canopies), the Administrator may measure the height as the distance between the top of the canopy and the ground directly below. However, canopy signs shall remain the only type of sign allowed on a stand-alone canopy.

PICTURE

3. Sign Area Calculation

- a. Administrator may determine when Architectural Details/Artistic Flair are not counted towards height, width, or sign area.

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B. DEFINITIONS.

1. *Administrator.* The Community Development Director or their designee.
2. *Billboard.*
3. *Billboard, Electronic.*
4. *Legible.*
  - a. *Text size in relation to distance.*
5. *Maintenance.* The replacement or repair of a part or portion of a sign required by ordinary wear, tear, or damage, with like material, color, and design. Maintenance shall not result in a material deviation from the approved plans, specifications, and/or conditions or qualifications of approval.
6. *Materials.*
  - a. *Permanent* materials include masonry materials (e.g. stone, brick, stucco, concrete, etc.), metal, glass, acrylic, treated lumber, or other products with similar durability.

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- b. *Semi-Permanent* materials include wood products, canvas, vinyl, corrugated plastic, paint, or other products with similar durability.
  - c. *Temporary* materials include foam core, cardboard, cardstock, or other products with similar durability.
7. *Premise*. The property, principal building, or portion of a principal building and its appurtenances that are associated with a principal use. The Administrator may expand the definition of premise to include multiple properties when:
- a. A Sign Permit application is submitted with the written consent of all property owners that own property within the expanded definition of premise;
  - b. All properties are either contiguous or located within the same development;
  - c. No sign is permitted to be larger than the original definition of premise would allow;
  - d. Messages that are off-premise according to the original definition of premise may only be displayed on a monument or pylon sign; and
  - e. One of the following occurs:
    - 1. Common ownership or management of the properties;
    - 2. A shared parking agreement, cross-access easement, or sign easement is recorded at the County; or
    - 3. Common architectural features, colors, or building materials.
8. *Principal Use*. The primary use and chief purpose of a property.
9. *Principal Structure*. A building in which a principal use is conducted.
10. *Refacing*. Changing of the sign face, message, or copy attached to, affixed to, or supported by a sign structure, not to include any alteration, reconfiguration, or expansion of the sign structure.
11. *Responsible Parties*. Any and all of the following entities: sign owner; sign operator; all parties holding the present right of possession and control of the property whereon a sign is displayed, mounted, or installed; and the legal owner of the lot or parcel, even if the sign was displayed, mounted or installed without the consent of the owner and/or applicable parties.
12. *Sight Triangle, Public Right-of-Way*. As defined in [Section 406.020.E.4](#), the space between a height of two (2) feet and eight (8) feet above the curb grade within the triangular area formed by an imaginary line that follows the street pavement edges and a line connecting them twenty-five (25) feet from the point of intersection. This sight triangle standard may be increased, by the City Engineer, when deemed necessary for traffic safety.
13. *Sight Triangle, Private Drive*. The space between a height of two (2) feet and eight (8) feet above the curb grade within the triangular area formed by an imaginary line that follows the street pavement edge and the private drive pavement edge and a line connecting them fifteen (15) feet from the point of intersection. This sight triangle may be increased, by the City Engineer, when deemed necessary for traffic safety.
14. *Sign*.
15. *Sign, Building-Mounted*.
16. *Sign, Ground-Mounted*.
17. *Sign, On-Premise*. A sign that conveys a message pertinent to the premise upon which it is located.
18. *Sign, Off-Premise*. A sign that conveys a message not pertinent to the premise upon which it is located.
19. *Sign, Painted*. A sign applied directly onto the surface of the exterior façade of any building or structure using paints or other similar materials.
20. *Sign, Permanent*. A sign mounted in a method that requires little maintenance if the sign is displayed indefinitely, such as signs constructed with permanent materials and set in concrete, bolted to a permanent structure, or other similar methods.

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21. *Sign, Temporary.* A sign mounted in a method that requires frequent maintenance, such as signs constructed with temporary materials and placed on or staked into the ground with insubstantial support, attached to a permanent structure with insubstantial support, or other similar methods.
22. *Sign Structure.*
23. *Sign Area*
24. *Temporary Decorations.*
25. *Traditional Public Forum.*
26. *Vacated Premise.* A premise that the Administrator has deemed vacated or unoccupied based on the following criteria:
- a. The property or structure is vacant;
  - b. Some or all utilities have been terminated;
  - c. The occupational license has lapsed or been terminated; or
  - d. Other methods as appropriate for the principal use.

Commented [NDJ48]: Nathan: Still need to define.

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