

## COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 180600

Amending Chapter 88, the Zoning and Development Code, through revisions, clarifications, and other administrative changes throughout the chapter in accordance with the Zoning & Development Code periodic review. (254-S-330 and 254-S-335)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Sections Table 110-1, Residential Districts Use Table, Accessory Services, Wireless Communication Facility, Freestanding (*Note: remainder of Table 110-01 unchanged*); Sections 88-445-07, Signs in Non-Residential Districts (Office, Commercial, and Manufacturing); 88-445-11, Council Approved Signage Plan, 88-445-11-E, Standards; 88-810-1405, Recreational Vehicle; 88-810-1630, Sign; and 88-810-1780 Sign, Portable are hereby repealed and new sections of like number and title are hereby enacted; and that new Sections 88-445-08, Additional Requirements for Specific Sign Types in Non-Residential Districts; 88-445-08-M, Sidewalk Signs; 88-810-255, Building Volume; 88-810-1408, Recreational Vehicle Park; and 88-810-1815, Sign, Sidewalk are hereby enacted, with said revised and new sections to read as follows:

**Table 110-1**  
**Residential Districts Use Table**

[illegible]

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**88-445-07 SIGNS IN NON-RESIDENTIAL DISTRICTS (OFFICE, COMMERCIAL AND MANUFACTURING)**

Signs to identify parking areas allowed by special use permit shall be approved in conjunction with such special use permit, although no sign may exceed 12 square feet in area or 6 feet in height. Such signs may show only the hours in which the parking lot is open and the persons authorized to use the parking area.

The following business advertising signs are permitted in non-residential districts. Signs within the P/O, pedestrian-oriented overlay district must comply with the requirements of 88-445-09.

Sign Type (specific use or location)	Max. Number	Max. Area (sq. feet)	Setback (feet)	Max. Height (feet)	Illuminati on	Additional Requireme nts
<b>Monument Signs</b>						
Development district	2 per entrance; 1 per frontage without entrance	75	10	8	internal or external	88-445-08-A
Individual buildings on parcels of min. 100 feet frontage	1 per street frontage	30	10	6	internal or external	88-445-08-A
Individual buildings on parcels of min. 200 feet frontage	1 per street frontage	50	10	6	internal or external	88-445-08-A
Menu boards for a drive-through or drive-in use	2 per drive-through lane and 1 per drive-in stall	30	10	8	internal or external	88-445-08-A
<b>Oversized Monument Signs</b>						

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Properties zoned B3, B4, UR, D, M, SC, and KCIA of minimum 15 acres in area	1 per major street frontage	200	20	24	internal or external	88-445-08-B
Properties zoned B3 and higher of minimum 15 acres in area and adjacent to a limited access highway	1 per major street frontage	300	20	35	internal or external	88-445-08-B
<b>Wall Signs</b>						
Individual buildings with interior tenants (such as Wal-Mart, Target)	3 per building elevation to identify major tenant plus 3 (total) per building elevation to identify subtenants	subtenant sign may not exceed 12 sq. feet;  cumulative total may not exceed 10% of wall area (includes all wall, awning, canopy, projecting and marquee signs)			internal or external	88-445-08-C
Tenant(s) in multi-tenant building with exterior entrance (such as strip mall)	3 per tenant per building elevation  (end wall may identify max. of 3 tenants within	10% of wall area cumulative total  (includes all wall, awning, canopy,			internal or external	88-445-08-C

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	building; 10% of wall area	projecting and marquee signs)				
Single purpose building (such as car dealership, pad building, gasoline station, office)	3 per elevation	10% of wall area (cumulative total; includes all wall, awning, canopy, projecting and marquee signs)			internal or external	88-445-08- C
<b>Projecting Signs</b>						
Individual buildings and tenant in multi-tenant building	1 per building wall (in lieu of 1 wall sign)	12 if perpendicular to building; 40 if installed radially on building corner			internal or external	88-445-08- E
<b>Other Signs</b>						
Roof Signs	1 per building			26 (from top of the highest parapet to the top of the sign)	internal or external	88-445-08- F
Incidental Signs	as required to direct pedestrian and vehicular traffic	6 for commercial; 2 for residential development	10	3 (freestandi ng);8 (wall- mounted)	internal or external	88-445-08- G

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Sidewalk Signs	1 per business and not closer than 15 feet to another sidewalk sign	10	Must be within 2 ft. of building wall	4 maximum; 2.5 minimum	not allowed	88-445-08-M
Interim Signs to identify a developer or development	1 per 1,000 ft. frontage on interstate highway	300	20	15	external	88-445-08-H
Interim Signs (real estate/ other)	1 per street frontage	32	10	8; 15 if abutting interstate highway	external	88-445-08-H
Special Event Temporary Signs, including Banners	Freestanding: 1 per street frontage Wall: 1 per elevation	Freestanding: 40 Wall: All signage not to exceed 10% of wall area	10	6	not allowed	88-445-08-I
Ornamental Tower Signs	2 per tower; max. 3 towers or structures	10% of wall area (includes awning, canopy, marquee signage)		none	internal or external	88-445-08-J

**88-445-08 ADDITIONAL REQUIREMENTS FOR SPECIFIC SIGN TYPES IN NON-RESIDENTIAL DISTRICTS**

**88-445-08-M. SIDEWALK SIGNS**

In non-residential districts, the owner or operator of a business may place a sidewalk sign on a sidewalk to direct attention to a business offering a product, commodity, or service for sale or lease. Alternatively, such sign may contain any lawful noncommercial message pursuant to section 88-445-03. Although no permit is required, placement of a sidewalk sign is subject to the following restrictions:

1. the sign may only direct attention to a business that has an entry to and is immediately adjacent to the sidewalk upon which the sign is placed;

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2. the sign shall not be permanently attached to the ground or a structure;
3. the sign may be placed only during hours the business is open and shall be removed otherwise;
4. only one sign per business is permitted, and the sign shall not be located within 15 feet of another such permitted sign;
5. no sign shall exceed 2.5 feet in width or 4 feet in height, and the minimum height shall be 2.5 feet;
6. no sign shall have protrusions or extensions;
7. the sign shall be placed to ensure a minimum of 5 feet of horizontal sidewalk clearance;
8. the sign must be placed within 2 feet of the wall of the building within which the business is located;
9. placement shall not obstruct any points of ingress or egress to a building;
10. no sign may be animated or lighted; and
11. proof of liability insurance shall be maintained, with the City as an additional insured, with a policy meeting the following conditions:
  - a. Liability insurance with either a combined single-limit policy of \$500,000.00, or a split-limit policy of \$100,000.00/\$300,000.00 bodily injury and \$100,000.00 property damage.

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**88-445-11-E. STANDARDS**

A Council Approved Signage Plan shall comply with the following standards:

1. The plan shall comply with the purpose of this chapter and the overall intent of this section.
2. The signs shall enhance the overall development, be in harmony with, and relate visually to other signs included in the Council Approved Signage Plan, to the structures and/or developments they identify, and to surrounding development and neighborhoods.
3. The signs will not create a safety or traffic hazard.
4. The plan shall accommodate future revisions that may be required because of changes in use or tenants.

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5. The plan shall comply with the standards of this chapter. Except for a Council Approved Signage Plan for any property zoned R, flexibility is allowed with regard to sign area, number, location, duration, type, and/or height to the extent that the Council Approved Signage Plan will enhance the overall development and will more fully accomplish the purposes of this chapter.
6. Banner signs shall only be allowed if attached to light poles with frames on the top and bottom of the banners.
7. Neither the proposed message to be displayed nor the character of the use on the property may be a factor in the decision to approve the signage plan.
8. A Council Approved Signage Plan for any property zoned R submitted in accordance with 88-445-11-B.2. must comply with the following and is not subject to the flexibility of item 5. above:
  - a. Only one monument sign, in lieu of an otherwise allowed monument sign per **88-445-06**, is allowed.
  - b. The sign may not exceed 32 square feet in area and 6 feet in height.
  - c. The message or image may not change more than once every hour.
  - d. Changes of image must be instantaneous as seen by the human eye and may not use fading, rolling, window shading, dissolving, or similar effects as part of the change.
  - e. Digital signs must use automatic level controls to reduce light levels at night and under cloudy and other darkened conditions, in accordance with the standards set forth in this subsection. All digital signs must have installed ambient light monitors, and must at all times allow such monitors to automatically adjust the brightness level of the electronic sign based on ambient light conditions, not to exceed 1 nit (0.3 foot candles) above ambient light. Additionally, maximum brightness levels for electronic and digital signs may not exceed 5,000 nits when measured from the sign's face at its maximum brightness during daylight hours, and 500 nits when measured from the sign's face at its maximum brightness between sunset and sunrise, as those times are determined by the National Weather Service. Measurements shall be taken perpendicularly from each sign face at a distance of not more than 57 feet from the sign face.
  - f. The sign must be located at least 100 feet from any other residentially zoned and occupied property, and must be set back at least 100 feet from the edge of any right-of-way.

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- g. No commercial message or image may be displayed on such sign.
  - h. The sign must not be located within 150 feet of a public park or a parkway or boulevard.
  - i. The sign must not be located on a lot that is within a designated conservation or historic district or a lot where there exists a designated historic landmark.
  - j. The sign may not be illuminated between the hours of 10:00 p.m. and 7:00 a.m.
  - k. The background color of the sign shall not be white.
  - l. The digital display must be turned off if the display is not properly functioning.
  - m. The monument sign must be set upon a solid base of material and design compatible with that of the development, and the width of the base must be a minimum of 75 percent of the width of the widest part of the sign.
  - n. The noncommercial digital sign may only be allowed as an accessory use located on the same lot(s) as the principal noncommercial use.
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### **88-810-255 BUILDING VOLUME**

The volume of a building (in cubic yards or feet or in cubic meters) measured from the average roof level, and from outside to outside of exterior walls, but not including breezeways, porches, or terraces.

### **88-810-1405 - RECREATIONAL VEHICLE**

A portable unit mounted on wheels or attached to a vehicle, but not mounted on a permanent foundation. The unit is designed to provide temporary living quarters for recreational, camping, or travel use and is of such size or weight as not to require special highway movement permits when drawn by a motorized vehicle. Such units are commonly described as RVs, travel trailers, campers, motor homes, converted buses, or other similar units, whether they are self-propelled or pulled, or can be hauled without a special permit.

### **88-810-1408 - RECREATIONAL VEHICLE PARK**

Any development, site, parcel or tract of land designed, maintained or intended to be used for the purpose of providing short-term accommodation for a period of less than 30 consecutive days for placement of two or more recreational vehicles and shall include all buildings used or maintained for use of the occupants in the recreational vehicle park.



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**88-810-1630 - SIGN**

Any advertisement, announcement, direction or communication produced in whole or in part by the construction, erection, affixing or placing of a structure on any land or on any other structure, or produced by painting on or posting or placing any printed, lettered, pictured, figured or colored material on any building, structure or surface. Includes any animated attention attracting device that may or may not contain text.

**88-810-1780 - SIGN, PORTABLE**

Any sign that is not permanently attached to the ground or other permanent structure, or a sign that is designed to be transported by means of wheels, skids or other similar device. Does not include a sidewalk sign, as further defined in 88-810-1815.

**88-810-1815 - SIGN, SIDEWALK**

A self-standing sign placed on a sidewalk, within 2 feet of the wall containing the business. The sign shall be double-faced and not permanently attached to the ground or a structure. The purpose of the sign is to direct attention to a business, product, commodity, or service for sale or lease on the premise immediately adjacent.

Section B. That the Council finds and declares that before taking any action on the proposed amendments to Chapter 88 hereinabove, all public notices have been given and hearings have been held as required by law.

  
Secretary, City Plan Commission

Approved as to form and legality:

  
Sarah Baxter  
Assistant City Attorney



Authenticated as Passed

  
Shy James, Mayor

  
Marilyn Sanders, City Clerk

AUG 23 2018

Date Passed