

## ORDINANCE NO. 060367

Amending Chapter 80, Code of Ordinances, by repealing Section 80-220, Sign regulations in C-2, C-3, C-4, M-1, M-2 and M-3 districts, and enacting in lieu thereof a new section of like number and subject matter that prohibits outdoor advertising signs on the Broadway Bridge, Broadway extension and a portion of U.S. Highway 169.

WHEREAS, outdoor advertising signs (billboards) can have a significant adverse impact on the safety of the traveling public; and

WHEREAS, such signs can also have a significant adverse aesthetic impact on the community, particularly when located at certain "gateways" to the City; and

WHEREAS, the City and the State of Missouri have invested substantial sums of money in improvements to the Broadway Bridge and Broadway extension to improve its appearance, recognizing the area to be a gateway to Downtown; and

WHEREAS, for all of these reasons the City finds it necessary to prohibit outdoor advertising signs on the Broadway Bridge, Broadway extension, and on a portion of U.S. Highway 169; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 80, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing Section 80-220, Sign regulations in C-2, C-3, C-4, M-1, M-2 and M-3 districts, and enacting in lieu thereof a new section of like number and subject matter, to read as follows:

**Sec. 80-220. Sign regulations in C-2, C-3, C-4, M-1, M-2 and M-3 districts.**

(a) *Intent.* The intent of this section is to provide an orderly, effective and reasonable control of off-premises and on-premises signs, thereby halting indiscriminate sign proliferation and enhancing the visual environment of the city.

(b) *General conditions.*

- (1) Regulations upon signs are subject also to the provisions of article X of chapter 18.
- (2) The following need not be included or calculated in the provisions governing signs in this section:
  - a. Numbers, letters and symbols or other configurations which are etched as metal or masonry cornerstone plates or imbedded into the facade of any building or other structure.

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- b. Signs which are permanently placed upon doorways and windows.
  - c. Signs which are not visible from any adjoining property or right-of-way.
  - d. Signs which are located within a building.
- (3) Any outdoor lighting arrangement for the illumination of a sign which would be visible from any property in an adjoining RA, R-1, R-2, R-3, R-4, R-4-O, R-5, R-5-O or R-6 district shall be so designed that no flashing or direct glare from any light source is focused, beamed or directed toward such property.
- (4) Except as provided in this section, no sign shall project over the public right-of-way.
- (c) *General regulations for business advertising, incidental and temporary signs.*
- (1) *Districts C-2, C-3 and C-4.* In zoning districts C-2, C-3 and C-4, business advertising, incidental and temporary signs shall be subject to the following regulations:
- a. Freestanding pylon business advertising and freestanding temporary signs may be installed with the sign and structure not to exceed an overall height of 45 feet; provided, however, on any lot zoned C-2 or C-3 and fronting on or lying within 200 feet of any interchange to an interstate highway or limited access trafficway, there shall be allowed one freestanding pylon sign with a height of not more than 25 feet above the interstate highway or limited access trafficway surface closest to such lot or a height of 45 feet, whichever is higher. The minimum elevation of the bottom of a freestanding pylon sign above the mean grade at the base of the supporting structure for such sign shall be 12 feet or 30 percent of the combined total height of sign and structure, whichever is the greater; provided that such minimum elevation requirements shall not apply if the maximum height of the freestanding sign does not exceed eight feet and if the freestanding sign is set back 20 feet from the property line. The maximum gross area of a freestanding pylon sign upon any premises shall not exceed 20 percent of the height of such sign and structure squared or two square feet for each lineal foot of public street frontage, whichever is the lesser; provided, however, that if such frontage is less than 50 feet then such maximum allowable gross area shall be 50 square feet and only one face of such freestanding pylon sign shall be computed and added to determine such gross area. The maximum gross areas

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of all freestanding pylon signage on any premises shall not exceed two square feet of sign area for each lineal foot of street frontage; provided, however, that if such frontage is less than 50 feet such maximum allowable gross area shall be 50 square feet and only one face of such signage shall be computed and added to determine such gross area.

- b. In lieu of any freestanding pylon signage, a freestanding monument sign may be installed, with sign and structure not to exceed a total height of six feet, measured from mean grade of the sign to the highest point on such sign. The maximum gross area of a freestanding monument sign shall not exceed 50 square feet in area, provided, however, that only one face of such freestanding monument sign shall be computed and added to determine such gross area. Such sign shall be set back a minimum of ten feet from the property line, shall not impair vision of traffic, and shall be located according to the approved final plan (if located in a limited district).
- c. Flatwall, projecting wall, marquee, awning, canopy, under marquee or fascia signs will be permitted on building walls with a total square foot area of advertising copy not to exceed ten percent of the total square foot area of such wall, except that the area of advertising copy on projecting wall signs shall not be counted toward that maximum. In buildings greater than 20 feet in height, only the first 20 feet of height of any wall shall be used in calculating the allowable sign area. Projecting wall signs installed perpendicular to the building wall shall not project more than four feet from the building facade, and the lowest portion of such sign shall be at least eight feet above the grade of the sidewalk or way beneath. The area of advertising copy on projecting wall signs installed perpendicular to the building wall shall not exceed twelve square feet. Projecting wall signs installed radially to the corner of a building shall not project more than five feet from the building face, and the lowest portion of such sign shall be at least eight feet above the grade of the sidewalk or way beneath. The area of advertising copy on projecting wall signs installed radially to the corner of a building shall not exceed forty square feet. The thickness of a projecting wall sign between faces shall not be greater than 50 percent of its projecting distance. As to flat wall, projecting wall, marquee, awning, canopy or fascia signs, the gross area shall mean only the area of advertising copy. No more than one projecting wall sign shall be allowed per building wall. No more than three flat wall, marquee or fascia signs (or two, if a projecting wall sign is present) may be utilized to consume the total square footage of signage allowed in this subsection. Awning,

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canopy and under-marquee signs shall not be counted toward that maximum number, however, the area of their advertising copy shall count toward the maximum allowed area. In multiple-tenant buildings, each exterior wall of a building space occupied by a single tenant shall be considered a single building wall for purposes of this subsection, except that only the first 20 feet of total building height shall be used for computation purposes regardless of the arrangement of tenants.

- d. On-premises incidental signs shall be permitted.
- e. Digital equipment displays, including, without limitation, time and temperature displays, message center displays, Dow Jones displays and date liner displays, and revolving signs, shall be permitted.
- f. Changeable copy panels shall be permitted, provided that advertising copy thereon shall be related to the business activity, services or products provided by the occupant or to public service messages.
- g. An under-marquee sign, sometimes called an under-canopy sign, shall be permitted, provided:
  - 1. The sign does not hang more than 24 inches below the lowest level of the marquee, awning or canopy to which it is affixed;
  - 2. The lowest portion of such sign is at least eight feet above the grade of the sidewalk or way beneath; and
  - 3. Such sign may not be longer than one-half of the maximum distance which the marquee or canopy projects from the building wall, or eight feet, whichever is less.
- h. Animated signs shall be permitted providing they are located 150 feet from any district RA, R-1, R-2, R-3, R-4, R-4-O, R-5, R-5-O or R-6, or any public park, boulevard, parkway, playground, school, library, auditorium, stadium or other publicly owned buildings or future locations designated as such by the city council.
- i. Either freestanding signs or projecting wall signs, but not both, may hereafter be installed and maintained upon the premises.
- j. No sign or any portion thereof hereafter erected may project into any adjoining public right-of-way, except flat wall or fascia signs;

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provided that any such flat wall or fascia sign must be at least eight feet above the grade of any sidewalk above which it projects or 14 feet above the grade of any alley above which it projects.

- k. Temporary signs shall be permitted, provided they shall be removed within a period of not more than seven days after the condition to which such sign relates has no application.
  - l. Business advertising signs shall not be located upon any premises with a building designed or occupied as a residential, institutional or other noncommercial use; provided, however, in buildings with mixed occupancy such signs may be permitted at or below any level of the building which is occupied by commercial use.
  - m. Roof signs are permitted in as provided in subsection (d) of this section.
  - n. In addition to the limitations set out in subsections (c)(1)a through l of this section and except as otherwise provided in this section, the maximum gross area of all such signs excepting projecting wall signs upon any premises shall not exceed three square feet of sign area for each lineal foot of street frontage adjoining the premises; provided, however, that, if such street frontage is less than 50 feet, the premises shall be allowed either 100 square feet of maximum gross area of signage or the three square feet of such signage per foot of street frontage, whichever is greater.
- (2) *Districts M-1, M-2 and M-3.* In zoning districts M-1, M-2 and M-3, business advertising, incidental and temporary signs shall be permitted, subject to the following regulations:
- a. Freestanding pylon signs may be installed with the sign and structure not to exceed an overall height of 75 feet.
  - b. Roof signs shall be permitted, provided such signs comply with the regulations set forth in subsection (d) of this section.
  - c. Except as provided in subsections (c)(2)a and b of this section, all of the sign regulations pertaining to business advertising, incidental and temporary signs established in subsection (c)(1) of this section for zoning districts C-2 through C-4 shall be applicable in zoning districts M-1, M-2 and M-3.

(d) *Special regulations for business advertising signs on roofs.* In zoning districts C-3, C-4, M-1, M-2 and M-3, roof signs shall be permitted subject to the following restrictions:

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- (1) A roof sign shall be required to have a background for the advertising copy.
- (2) The supporting structure for roof signs shall be so designed in strict accordance with engineering principles required by code that such supporting structures shall have a minimal number of supporting members without embellishments that are enclosed and shielded from sight to the maximum extent permissible and consistent with other city ordinances.
- (3) Roof signs shall not be permitted on buildings unless the top of the highest parapet or roof is 50 feet high or taller or unless the building is located in district M-2 or M-3 and the building is located at least 500 feet from any building occupied as a residence.
- (4) The maximum height of a roof sign and its supporting structure shall be either 20 feet from the top of the sign to the elevation of the top of the highest parapet or 26 feet from the top of the sign to the elevation of the top of the roof, whichever is greater.
- (5) The maximum horizontal dimension of a roof sign shall not exceed 50 percent of the wall it parallels.

(e) *Outdoor advertising signs.* Outdoor advertising signs as defined in this chapter are permitted only in the C-2, C-3, C-4, M-1, M-2 and M-3 districts, subject to the following conditions:

- (1) *Sign location.*
  - a. Outdoor advertising signs shall not be located within 250 feet of any improvements which are wholly occupied as a residential, institutional or other noncommercial or nonindustrial use.
  - b. Outdoor advertising signs shall not be located within 250 feet of any boulevard or parkway under the jurisdiction and control of the board of parks and recreation commissioners.
  - c. Outdoor advertising signs shall not be located within 250 feet of a public park, playground, school, library, auditorium, stadium or other publicly owned building used by the general public, unless such signs, including the supporting structures, are not visible from such property.
  - d. Outdoor advertising signs shall not be located within 250 feet of property with frontage upon the same street and which is zoned by district RA, R-1, R-2, R-3, R-4, R-4-O, R-5, R-5-O or R-6, unless

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such signs, including their supporting structures, are not visible from such adjoining or adjacent property.

- e. Outdoor advertising signs shall not be attached to the wall of any building. Outdoor advertising signs shall not be attached to the roof of any building unless the building is located in district M-2 or M-3 and the building is located at least 500 feet from any building occupied as a residence.
- f. Outdoor advertising signs shall not be located within 660 feet of the right of way for the Broadway Bridge, Broadway Extension or U.S. Highway 169 in the area between 5th Street on the south and Briarcliff Parkway/Extension on the north.

(2) *Size, height and other dimensions.*

- a. *Height generally.* Outdoor advertising signs, including their supporting structures, shall not exceed the height otherwise provided in this chapter for buildings and structures; provided, however, that in districts C-3a2 and C-4 the maximum height shall not exceed 75 feet.
- b. *Sign face height.* The maximum height or vertical dimension of any one outdoor advertising sign face shall be no more than 15 feet, plus an additional four feet when separate outlined letters, numbers, symbols or free-form copy extensions without other sign background are used as an embellishment, or plus an additional four feet when a sign embellishment has a solid face or background; provided, however, that such solid face or background shall not extend for a horizontal distance in excess of one-half of the sign face width.
- c. *Sign face width.* The maximum width or horizontal dimension of any one outdoor advertising sign shall be no more than 50 feet, plus not to exceed an additional five feet for embellishments whenever embellishments are used.
- d. *Gross area of signs.* The maximum gross area of any outdoor advertising sign shall not exceed a total of 950 square feet. For purposes of this subsection, each face of outdoor advertising signs, whether back-to-back, V-shaped signs or tri-vision signs, shall be considered a separate sign.

(3) *Minimum spacing requirements.*

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- a. No outdoor advertising sign structure hereafter erected shall be less than 200 feet from any other existing outdoor advertising sign structure on the same side of the street; provided however, as to limited-access trafficways and interstate highways, the minimum distance between outdoor advertising sign structures on the same side of the street shall not be less than 800 feet.
- b. Such minimum spacing distance shall be measured along the centerline of the frontage street, trafficway or interstate highway from a point opposite any edge of an outdoor advertising sign structure and perpendicular to the centerline of such street, trafficway or interstate highway. Double-faced outdoor advertising sign structures having back-to-back sign surfaces, V-shaped outdoor advertising sign structures, and outdoor signs on opposite faces of a building are not prohibited by this spacing requirement.
- c. No new outdoor advertising signs or sign structures shall hereafter be erected having more than one viewable sign face directed toward the same lane of traffic; provided this prohibition shall not be deemed to apply to tri-vision signs, and provided further this prohibition shall not be deemed to apply to side-by-side or double-deck signs where the aggregate gross area of such two sign surfaces does not exceed 175 square feet.

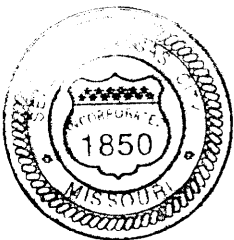
Section 2. That the Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices and hearings required by the Zoning Ordinance have been given and had.

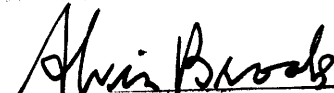
I hereby certify that as required by Chapter 80, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

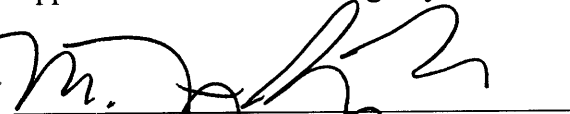
  
Secretary, City Plan Commission


**As Amended and Passed**

Approved as to form and legality:



  
BROOKS, Mayor

  
M. Margaret Sheahan Moran  
Assistant City Attorney

  
City Clerk

DATE PASSED **APR 20 2006**