

**City of Mission
Regular Meeting Agenda
Wednesday, April 19, 2017
7:00 p.m.
Mission City Hall**

If you require any accommodations (i.e. qualified interpreter, large print, reader, hearing assistance) in order to attend this meeting, please notify the Administrative Office at 913-676-8350 no later than 24 hours prior to the beginning of the meeting.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC HEARING

- Public Hearing Concerning the Establishment of a Redevelopment District - EPC Real Estate (Lamar & Johnson Drive)

1. SPECIAL PRESENTATIONS

- Presentation to Abigail Weding, Rushton 5th Grade Arbor Day Poster Contest Winner
- Tree City USA Presentation and Proclamation

2. ISSUANCE OF NOTES AND BONDS

3. CONSENT AGENDA

*NOTE: Information on consent agenda items has been provided to the Governing Body. These items are determined to be routine enough to be acted on in a single motion; however, this does not preclude discussion. **If a councilmember or member of the public requests, an item may be removed from the consent agenda for further consideration and separate motion.***

CONSENT AGENDA - GENERAL

3a. [Minutes of the March 15, 2017 City Council Meeting](#)

CONSENT AGENDA - Finance & Administration Committee

[Finance & Administration Committee Meeting Packet 4-5-17](#)
[Finance & Administration Committee Meeting Minutes 4-5-17](#)

3b. Interlocal Agreement for a Coordinated Law Enforcement Records Management System

CONSENT AGENDA - Community Development Committee

[Community Development Committee Meeting Packet 4-5-17](#)
[Community Development Committee Meeting Minutes 4-5-17](#)
[Community Development Committee Meeting Packet 4-12-17](#)
Community Development Committee Meeting Minutes 4-12-17

- 3c. Stormwater BMP Contract Renewal
- 3d. Interlocal Agreements for Cooperative Use of Pools (Super Pool Pass Program)
- 3e. Mission Family Aquatic Center Pool Painting
- 3f. Community Center Parking Lot Engineering and Inspection Services

COMMUNITY COMMITTEE REPORTS

Approved Minutes from Board and Commission meetings are available on the City of Mission website under the "[Agendas & Minutes](#)" tab.

4. PUBLIC COMMENTS

5. ACTION ITEMS

Planning Commission

- 5a. Revisions to Sign Code Ordinance (page 3)

Miscellaneous

6. COMMITTEE REPORTS

Finance & Administration, Ron Appletoft

[Finance & Administration Committee Meeting Packet 4-5-17](#)

[Finance & Administration Committee Meeting Minutes 4-5-17](#)

- 6a. Ordinance Creating Redevelopment District - EPC Real Estate Project (Johnson Dr. & Lamar) (page 78)
- 6b. Ordinance Amendments to Add Youth Commission Members (page 109)

Community Development, Arcie Rothrock

[Community Development Committee Meeting Packet 4-5-17](#)

[Community Development Committee Meeting Minutes 4-5-17](#)

[Community Development Committee Meeting Packet 4-12-17](#)

Community Development Committee Meeting Minutes 4-12-17

- 6c. Resolution Approving 2018-2022 CARS List (page112)
- 6d. Traffic Signal Modifications - Martway & Broadmoor (page 116)

7. UNFINISHED BUSINESS

8. NEW BUSINESS

- 8a. Election of Council President and Vice President

9. COMMENTS FROM THE CITY COUNCIL

10. MAYOR'S REPORT

Appointments

11. CITY ADMINISTRATOR'S REPORT

EXECUTIVE SESSION

ADJOURNMENT

City of Mission	Item Number:	5a.
ACTION ITEM SUMMARY	Date:	March 29, 2017
Community Development Department	From:	Danielle Sitzman

Action items require a vote to recommend the item to full City Council for further action.

RE: An ordinance amending Chapters 420, 430, and 445 of the Mission Municipal Code.

RECOMMENDATION: Approve the sign code text changes as recommended by the Planning Commission at their March 27, 2017 meeting.

DETAILS: As a follow up to the discussion and public hearings conducted over the past year, staff has prepared the attached sign code changes for consideration by the City Council. The City's land use attorney has reviewed the proposed changes.

The most significant changes from the previous versions reviewed by the Council include the following: (underlined and italicized below)

- Allow window signs anywhere in Mission with a limit on coverage of windows of 50% of the window glazing while continuing to limit glazing coverage in the Downtown District to 10%. Permits for window signs would be required.
- Require sign permits and permit fees for temporary signs. Allow for permit fees to be waived for temporary signs in the R-1, R-2 and R-3 residential zones, applications from churches, schools, community centers, libraries and other charitable non-profit entities. Sign permit fees to be established by Resolution.
- Limit the posting of temporary signs to no more than 90 days per calendar year per business. The allowable lengths of posting as follows: Consecutive days 3,7,15,30, or 60; Non-Consecutive Days 30 or 60.
- Prohibit costumed characters as attention attracting devices. Comments received regarding regulating this activity as commercial messaging were neutral to somewhat opposed. Therefore, staff has removed any reference to costumed characters from consideration.
- Eliminate all pole signs by December 31, 2023 through an amortization process. Comments received were largely in opposition or merely neutral on this action. Therefore, staff has removed any amortization proceedings from consideration.
- Continue to regulate/prohibit pole signs. The definitions of pole and monument signs have been edited to clarify the desired sign characteristics. The previous exemption for pole signs meeting certain criteria within 1000' of the intersection of Metcalf Avenue and Johnson Drive has also been removed. Any detached sign which does not meet the proposed definition of monument sign will become a legal non-conforming sign upon adoption of these code changes. Based on a review of the 2015 sign inventory, an additional 17 detached signs will be added to this list. Legal non-conforming signs are

Related Statute/City Ordinance:	N/A
Line Item Code/Description:	N/A
Available Budget:	N/A

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regulated under Section 420.220 and may be used and maintained but not refaced to serve a different establishment or business.

- Based on comments received, changes have been added to the definition of sign maintenance to include corporate merger, consolidation or other legal name change as allowable reasons to change copy or logo without being considered sign refacing.

Other changes proposed which have not been altered since they were last presented include:

- Allow marquee signs by right in three additional commercial zoning districts
- Allow monument signs by right in the Main Street District 1 and Pedestrian Oriented Business District zoning districts under certain conditions
- Allow electronic signs for the display of prices for fuel
- Streamline the approval process for electronic time/temperature instruments
- Standardize the processes of placing liens against properties that have been abated by the City

For reference, the supporting documentation for this Agenda Item includes the draft changes in a “redline” format. A clean copy of the document in ordinance format will be prepared for the the City Council meeting.

The Planning Commission, at their March 27, 2017 meeting, voted 9-0 to recommend approval of the sign code text changes as proposed.

Implementation and enforcement of the new sign code regulations would begin later this spring after adoption of the code changes. All business license holders will be sent a letter explaining the changes and updates will be provided to the Downtown Business Partnership, Northeast Johnson County Chamber, and via the City’s website and social media outlets.

CFAA CONSIDERATIONS/IMPACTS: N/A

Related Statute/City Ordinance:	N/A
Line Item Code/Description:	N/A
Available Budget:	N/A

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 430.020, 430.030, 430.040, 430.050, 430.060, 430.070, 430.080, 430.090, 430.100, 430.110, 430.120, 430.140, 430.150, 420.220, AND 445.180 OF THE CODE OF THE CITY OF MISSION, KANSAS.

Section 1. That Section 430.020 is hereby amended to read as follows:

Section 430.020. Sign Definitions.

As used in this Chapter, the following terms shall have these prescribed meanings:

ATTENTION-ATTRACTING DEVICE

Any devices with flashing, blinking, rotating or moving action, flags, streamers, spinners, pennants, lights, balloons, inflatable, air-activated, or similar devices or ornamentations designed or intended to attract the attention of the public to an establishment or to a sign.

COMMERCIAL MESSAGE

Any sign wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.

DIGITAL BILLBOARD

A billboard which has a computer controlled board that displays an image through the use of light emitting diode display (LED) or similar technology.

FAÇADE

All wall planes of a building which are visible from one side or perspective.

FUEL PRICING DISPLAY

A sign or portion of a sign displaying only fuel pricing information with no additional advertising or content.

MARQUEE

A permanent roof like structure projecting beyond a building over an entrance often to a hotel, theater, or other building.

MURAL

Any mosaic, painting, or graphic art or combination thereof which is professionally applied to a building and which does not convey a commercial message.

NON-COMMERCIAL MESSAGE

Any sign, wording, logo, or other representation that is not defined as a commercial message.

POST

To erect, attach or affix in any manner including, without limitation, nailing, tacking, tying, gluing, pasting, painting, stacking, marking or writing.

PROJECT

Multi-family housing development or a single development on identifiable parcel(s) of land.

SIGHT DISTANCE TRIANGLE

The triangular area of land at the intersection of streets or a street and driveway formed by a diagonal line connection two points located on intersecting street curb lines the short leg of which shall be twenty (20) feet and the long leg of which shall be one hundred forty (140) feet. Such area shall remain free of any sign related obstruction to vision more than two (2) feet in height measured from the roadway.

SIGN

Any framed, bracketed, free-formed, painted or engraved surface which is fabricated to create words, numerals, figures, devices, designs, trademarks or logos, which is mounted on or affixed to a building or the ground and which is sufficiently visible to persons not located on the lot where such device is located to attract the attention of such persons or to communicate information to them. "Sign" includes sign supports. Murals shall not be considered to be signs.

SIGN, ABANDONED

A sign, other than a billboard, advertising a business, service, commodity, accommodation, attraction or other enterprise or activity that is no longer operating or being offered or conducted.

SIGN, ATTACHED

A sign that is mounted, painted, or otherwise applied to a building.

SIGN, BACKLIGHTED

Any sign whose light source is located in the interior of the sign so that the rays go through the face of the sign.

SIGN, BANNER

A sign made of fabric or other non-rigid material with no enclosing framework.

SIGN, DETACHED

Any sign located on the ground or on a structure located on the ground and not attached to a building.

SIGN, DIRECTLY ILLUMINATED

Any sign that is illuminated by an external or internal light source that is visible to a person standing on the ground.

SIGN, DIRECTIONAL

A sign providing directions necessary or convenient for visitors or clients coming onto a premise.

SIGN, ELECTRONIC MESSAGE

A sign with a fixed or changing display or message composed of a series of lights that may be changed through electronic means.

SIGN, ILLUMINATED

A sign illuminated by or exposed to artificial lighting either by lights on or in the sign or directed toward the sign.

SIGN, INDIRECTLY ILLUMINATED

Any sign that is completely or partially illuminated at any time by an external light source that is so shielded as to not be visible at eye level.

SIGN, MARQUEE

Any sign attached flat against, under, or above the marquee of a building.

SIGN, MENU BOARD

A permanently mounted sign displaying the bill of fare for a drive-through or drive-in restaurant.

SIGN, MONUMENT

A detached sign where the width of the base of the sign is a minimum of one-half (1/2) the width of the widest part of the sign face. The materials of the base of a monument sign shall be one (1) of the following: masonry, wood, anodized metal, stone or concrete.

SIGN, NEON TUBE

A directly illuminated sign which is a free-formed surface that creates words, numerals, figures, devices, designs, trademarks or logos and for which the light source is luminescent gas.

SIGN, NON-CONFORMING

A sign that on the effective date of this Article does not conform to one (1) or more of the regulations set forth in this Article.

SIGN, OBSOLETE

An off-site or on-site sign for a business or activity which is no longer operated on the premises or in the City.

SIGN, OFF-SITE

A sign which displays any message directing attention to a business, product, service, profession, commodity, activity, event, person, institution or any other commercial message, which is generally conducted, sold, manufactured, produced, offered or occurs elsewhere than on the premises where such sign is located.

SIGN, ON-SITE

A sign that is other than an off-site sign.

SIGN, PEDESTRIAN ORIENTED

A sign near street or sidewalk level, oriented and scaled to the pedestrian rather than the motorist.

SIGN, PERMANENT

A sign attached to a building or structure, or to the ground in a manner that enables the sign to resist environmental loads, such as wind, and that precludes ready removal or movement of the sign and whose intended use appears to be indefinite.

SIGN, POLE

A detached sign which is supported by one (1) or more poles, uprights or braces in the ground.

SIGN, PORTABLE

A sign whose principal supporting structure is intended, by design and construction, to be used by resting upon the ground for support and may be easily moved or relocated for reuse.

SIGN, POSTER PANEL OR BILLBOARD

A sign, generally known as outdoor advertising, mounted on a permanent or semi-permanent structure and depicting information not directly related to the property upon which it is placed. Except where a specific distinction is drawn, the term "billboard" includes "poster panel" and "digital billboard".

SIGN, PROJECT IDENTIFICATION

A sign identifying only a project or developer.

SIGN, PROJECTING

Any attached sign, including a time and/or temperature instrument located on the face of the building, extending more than one (1) foot from the face of the building.

SIGN, REAL ESTATE

A temporary sign indicating the availability for sale, rent or lease of the specific lot, building or portion of a building upon which the sign is posted.

SIGN, ROOF

Any sign erected, constructed and maintained upon the roof or wholly or partially above a vertical wall of a building.

SIGN, SNIPE

Any sign of a material such as cardboard, paper, pressed wood, plastic or metal which is attached to a fence, window, tree, utility pole or temporary structure or any sign which is not permanently fastened to a building or firmly anchored to the ground.

SIGN, TEMPORARY

A sign that by its nature or content is intended for posting for a short period of time, is typically constructed from non-durable materials such as paper, cardboard, cloth, plastic and/or wallboard, is not permanently installed, and does not constitute a structure subject to the City's Building Code or Zoning Code provisions.

SIGN, WALL

Any sign attached to and erected parallel to and within one (1) foot of the face or wall of a building, including signs painted on the walls of buildings. Awnings which are backlighted shall be considered wall signs.

SIGN, WINDOW

A non-illuminated sign of a permanent nature applied directly on either the interior or exterior surface of a building's glazed surface including but not limited to windows and doors.

SIGN ALTERATION

The replacement, enlargement, reduction, reshaping or adding to a sign, frame, pole, brackets or any supporting member.

SIGN AREA

The entire face of a sign including any framing, trim, or molding, but not including the supporting structure.

SIGN HEIGHT

The vertical distance measured from the average ground level to the highest point of the sign or sign structure.

SIGN MAINTENANCE

The normal care and minor repair that is necessary to retain a safe, attractive and finished structure, frame, supports, brackets or surface. Changing copy or logo without increasing sign dimensions shall be considered maintenance if the information, product or service depicted remains the same and if the sign is to serve the identical establishment using the same business firm name as before the change. Maintenance may include a change in name on the sign due to corporate merger, consolidation or other legal name change.

SIGN REFACING

Changing or replacing the words, numerals or other surface of the sign to serve a different establishment or business or to create a substantially different visual effect without altering, moving or replacing the structure, frame supports, or bracket supporting the sign.

SIGN SUPPORT

The supporting members of the sign such as frame, poles, brackets or structures by which a sign is mounted on or affixed to a building or the ground.

TIME AND/OR TEMPERATURE INSTRUMENT

A sign displaying only time and/or temperature information with no additional advertising or comments.

WINDOW DISPLAY

A window, storefront, or opening in the exterior wall of any portion of a building through which merchandise, services, or business are displayed or advertised.

Section 2. That Section 430.030 is hereby amended to read as follows:

Section 430.030. Generally.

Other than lawful non-conforming signs, no signs shall be permitted in any district except in accordance with the provisions of this Chapter. Signs placed in the public right-of-way or on publicly owned land and which are not in compliance with the regulations of this Chapter are subject to removal by the City without notice or compensation. Signs placed on private property that are not in compliance with the regulations of this Chapter shall be removed by the property owner or the property owner's agent without notice or compensation. In addition, any sign that is not in compliance with the regulations of this Chapter is subject to the penalty provisions of Section 400.100. These provisions may be applied to the person or business placing such sign, business or organization advertised in such sign or the owner of the property or vehicle on which such sign is placed.

Section 3. That Section 430.040 is hereby amended to read as follows:

Section 430.040. Permit Required.

- A. Except as otherwise provided in this Chapter, no sign shall be installed, erected or set in place until a sign permit has been issued by the City in accordance with Section 103.040(C).
- B. Applications for sign permits shall be filed upon forms prescribed by the City, accompanied by one (1) set of plans drawn to scale indicating the sign size,

location, method of illumination, content, colors, materials of the sign and structure, and method of attachment.

- C. All signs are to be designed, fabricated and installed in a professional manner by a qualified and City licensed sign professional, except that temporary signs may also be installed by a business or property owner.
- D. With the exception of temporary signs, all materials and finishes are expected to be of high quality with an anticipated life span of ten (10) years or more. All electrical signs must have a UL label.

Section 4. That Section 430.050 is hereby amended to read as follows:

Section 430.050. Signs Excluded From Regulation.

- A. Except for the provisions of Subsections (A), (B), (C) and (D) of Section 430.110 and Subsection (E) of Section 430.090 the following signs are excluded from regulation under this Chapter:
 - 1. Signs not exceeding four (4) square feet in area that are customarily associated with residential use, limited to signs giving property identification names or numbers, names of residents, signs on mailboxes or newspaper tubes, signs posted on private property relating to private parking or signs warning the public against trespassing or danger from animals.
 - 2. Signs erected by or on behalf of or pursuant to the authorization of a governmental body, including legal notices, identification and informational signs and traffic, directional or regulatory signs.
 - 3. Official signs of a non-commercial nature erected by public utility companies.
 - 4. Flags, pennants or insignia of any governmental body when not displayed in connection with a commercial promotion or as an advertising device and provided that not more than three (3) governmental flags, pennants or insignia shall be displayed on any property.
 - 5. Integral decorative or architectural features of buildings or works of art, so long as such features or works do not contain letters, trademarks, moving parts or lights.
 - 6. Signs on or adjacent to doors of commercial or industrial buildings displaying information such as the names and address of the occupant, the hours of operation or instructions for deliveries. Such signs shall not exceed four (4) square feet in area, shall not contain letters exceeding six (6) inches in height. Where multiple tenants share the

same door, the sign may display the names and address of each tenant.

7. Signs painted on or otherwise permanently attached to currently licensed motor vehicles, which vehicles are operable and not primarily used as signs.
8. Signs at construction sites that are either:
 - a. Posted at the entrance to the job site explaining rules for contractors and others entering the site; or
 - b. Signs posted on construction site or painted onto construction trailers actively being used on the site, provided such signs are limited to the name, logo, address and phone number of a contractor working at the site. This provision is not intended to allow any signs that advertise a particular project, developer, owner or other business, nor is it intended to allow any sales, leasing or hiring information to be displayed.

Section 5. That Section 430.060 is hereby amended to read as follows:

Section 430.060. Prohibited Signs.

- A. The following signs are prohibited except as stated below or as otherwise specifically provided hereinafter:
 1. Outdoor advertising (such as poster panels, billboards and off-site promotional signs), except where a special use permit has been obtained for such sign.
 2. Attention-attracting devices.
 3. Snipe signs, portable signs, placards or poster board panels leaning in windows, or similar signs that are not permanently affixed to a building, structure or the ground, other than temporary signs as specifically permitted by this Chapter.
 4. Directly illuminated signs, except when used with fixtures specifically designed to illuminate signs or with marquee signs. All direct lighting must be shielded and confined to the sign surface and must not be a nuisance to neighboring properties.
 5. Electronic message signs, other than time and/or temperature instruments or fuel pricing displays.
 6. Pole signs.

7. Roof signs.
8. Signs in the public right-of-way; except for governmental signs, traffic signs, temporary signs as allowed in this Chapter and signs specifically allowed in the right-of-way by the provisions of this Chapter.
9. Obsolete signs.
10. Obscene signs. "Obscene" is defined as any material that: (a) whether the average person applying contemporary community standards would find that the work, taken as a whole, appeals to the prurient interest; (b) whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable State law; and (c) whether the work, taken as a whole, lacks serious literary, artistic, political or scientific value.
11. Abandoned signs.
12. Signs containing false or misleading advertising.
13. Signs falsely stating that property is zoned for specified land uses or signs stating that property will be zoned for specified land uses in the future.
14. Signs declaring that property is reserved for or is being held for a future land use which is inconsistent with the then existing zoning classification for the land.

Section 6. That Section 430.070 is hereby amended to read as follows:

Section 430.070. Signs Permitted in All Districts.

- A. Churches, schools, libraries, community centers or other public/semi-public facilities shall be allowed two (2) wall signs with not more than one (1) on a facade. No such sign shall have an overall area exceeding thirty-two (32) square feet. In lieu of one (1) of the wall signs, one (1) monument sign shall be permitted. Such monument sign shall be located on the premises and not less than ten (10) feet from the street right-of-way and each sign face shall not exceed fifty (50) square feet in area. The height of such sign shall not exceed six (6) feet above the average grade or six (6) feet above the nearest adjacent street grade, whichever is greater; provided that for each two (2) foot setback from the street right-of-way in excess of ten (10) feet, an additional foot may be added to the height of the sign to a maximum of eight (8) feet. These institutions shall be exempt from the requirement of payment of fees as indicated in Section **103.040(C)**.
- B. One (1) construction site identification sign of good quality may be permitted during the development of any project. Such sign may identify the project,

the owner or developer, future tenants, the architects, engineers, realtors, contractors and subcontractors involved, funding sources and may contain related information including, but not limited to, sale or leasing information. Such sign shall not exceed six (6) feet in height or thirty-two feet (32) square feet per face with a maximum of two (2) faces and shall be set back at least ten (10) feet from the street right-of-way. All such signs shall be removed prior to issuance of any certificate of occupancy, temporary or final, for the last building in each phase of the project. Sign permits shall not be required for such signs.

- C. One (1) directional sign shall be permitted at each entrance to a building site, at key intersections within the site and at each entrance to a drive-through facility. Ground-mounted signs shall not exceed five (5) feet in height, shall not exceed four (4) square feet of sign area per face and may be single- or double-faced. Wall-mounted signs shall not exceed two (2) square feet of sign area and shall be single-faced. Such signs may indicate entrances, exits, addresses, direction of traffic flow and the location of loading docks, parking areas, leasing offices, ATMs, delivery doors, drive-through lanes and similar facilities. Up to twenty-five percent (25%) of the area of the sign may be used to display the name or logo of the developer, building or principal tenant. Sign permits shall not be required for such signs.
- D. *Substitution Of Messages.* Subject to the land owner's consent, a non-commercial message of any type may be substituted for any duly permitted or allowed commercial message or any duly permitted or allowed non-commercial message, provided that the sign or sign structure is legal without consideration of message content. This substitution of message may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech or favoring of any particular non-commercial message over any other non-commercial message. This provision does not create a right to increase the total amount of signage on a parcel or land use, nor does it affect the requirement that a sign structure or mounting device be properly permitted. This provision does not allow for the substitution of an off-site commercial message in place of an on-site commercial message.
- E. *Penalties.* Violations of the provisions of this Section shall be a civil infraction and punishable by a minimum fine of fifty dollars (\$50.00) and up to five hundred dollars (\$500.00). Each day of a continued violation shall constitute a separate violation for the purposes of applying the penalty provision of this Section.
- F. *Severability.* Severability is intended throughout and within the provisions of this Chapter. If any Section, Subsection, sentence, clause, phrase or portion of this Chapter is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Chapter .

Section 7. That Section 430.080 is hereby amended to read as follows:

Section 430.080. Signs Permitted in Residential Districts.

- A. In lieu of any sign permitted under this Section, a structure being used as a residential real estate sales or leasing office may be permitted one (1) non-illuminated, detached sign. Such sign shall be not more than twelve (12) square feet in area with a maximum height of six (6) feet above grade and shall be set back a minimum of ten (10) feet from the street right-of-way. Sign permits shall not be required for such signs.
- B. In addition to construction site identification signs, each multi-family project may have one (1) banner-type sign not exceeding fifty (50) square feet. Such banners may be located only on the roof or walls of the project clubhouse or on one (1) of the individual multi-family buildings within the project. Said banner shall be in place for a maximum time period of sixty (60) days from the issuance of the sign permit and may not be renewed except that each complex may obtain additional permits for the above described banners after a three (3) year time period has passed from the issuance of previous sign permits for a banner for the subject multi-family project. Any such banners may only contain the words "now renting" or "now leasing" or "for sale", along with the name of the complex, address or location, phone numbers, development company or owner and directional symbols.
- C. Project identification signs for a subdivision or residential project may be permitted at each entrance to the subdivision or project. All project identification signs shall be monument signs and, except as hereinafter provided, shall be located on the premises. Such signs shall not exceed six (6) feet in height above the average grade and the sign face shall not exceed fifty (50) square feet in area per face. If not sitting within the landscaped setback, the sign base shall be located within a curbed landscaped area extending a minimum of three (3) feet on all sides of the sign base. Where a project is situated on both sides of a public or private street, one (1) project identification sign may be located on each side of the street or, alternatively, one (1) project identification sign may be located in a landscaped median with the approval of the Planning Commission. Where a project identification sign is to be located in the public right-of-way, plans shall be submitted to the Planning Commission indicating the location, size and design of the project identification sign as well as a copy of the bylaws or other documentation of the association which will have permanent responsibility for maintenance of the sign and required landscaping.
- D. Window signs covering no more than 50% of the glazing on any façade of a building.

Section 8. That Section 430.090 is hereby amended to read as follows:

Section 430.090. Signs Permitted in Commercial and Industrial Districts.

- A. To the extent that the residential land use is permitted in a commercial or industrial district, signs for a residential land use shall be permitted as in the applicable residential district.
- B. *Districts "C-O" And "CP-O".*
 - 1. In Districts "C-O" and "CP-O", wall signs are permitted on three (3) facades, The total area of signs on each facade shall not exceed five percent (5%) of the area of the wall upon which it is mounted.
 - 2. In lieu of one (1) of the wall signs, one (1) monument sign for each building shall be permitted. Such sign shall not exceed six (6) feet in height above the average grade and the sign face shall not exceed fifty (50) square feet in area per face if located at least ten (10) feet from the public street right-of-way or private street curb line. For each additional two (2) foot setback from the public street right-of-way or private street curb line over ten (10) feet, one additional foot may be added to the height of the sign to a maximum of ten (10) feet. If not sitting within the landscaped setback, the sign base shall be located within a curbed landscaped area extending a minimum of three (3) feet on all sides of the sign base.
 - 3. Window signs covering no more than 50% of the glazing on any façade of a building.
- C. *Districts "C-1" And "CP-1".*
 - 1. Each business or commercial establishment shall be permitted not more than three (3) wall signs, not more than one (1) on each business facade. The area of such sign shall not exceed five percent (5%) of the total area of the business facade on which it is placed. Alternatively, multi-story buildings may be permitted three (3) wall signs per building, not more than one (1) sign per building facade, as indicated above for Districts "C-O" and "CP-O". Such signs shall not extend above the height of the wall upon which they are mounted. In addition, one (1) non-illuminated wall sign, not more than nine (9) square feet in area, may be placed at each major entrance to a multi-tenant building.
 - 2. In lieu of one (1) wall sign, one (1) projecting sign of the same area as the wall sign replaced shall be permitted, provided that no projecting sign shall extend more than three (3) feet from the face of the building. The lowest point of such sign must be a minimum of seven (7) feet above the ground or sidewalk.

3. Except in the case of a shopping center designed as one (1) project and consisting of one (1) or several buildings, either attached or freestanding, one (1) monument sign shall be permitted in lieu of one (1) wall sign for each commercial building, which sign shall conform to the height, size and setback requirements applicable to monument signs in Districts "C-O" and "CP-O".
4. In the case of a shopping center designed as one (1) project and consisting of one (1) or several buildings, either attached or freestanding, one (1) additional monument sign may be permitted identifying the entire center. Such sign shall conform to the height, size and setback requirements applicable to monument signs in Districts "C-O" and "CP-O".
5. For buildings with a non-retractable awning, canopy or covered walkway along one (1) or more sides of the building, a sign may be hung or mounted under the canopy or covered walkway identifying each business with an exterior ground floor entrance. Such signs shall be located at or near the business entrance, shall be oriented toward pedestrians on the walkway and shall not exceed three (3) square feet in sign area per face. One (1) sign shall be permitted per business entry.
6. Window signs covering no more than 50% of the glazing on any façade of a building.

D. *Districts "C-2", "CP-2", "C-2B" , "CP-2B" And Industrial Districts.*

1. Each business or commercial establishment shall be permitted not more than three (3) wall signs, not more than one (1) on each business facade, the area of which sign shall not exceed ten percent (10%) of the total area of the facade upon which it is placed. Such sign shall not extend above the height of the wall on which it is mounted. In addition, one (1) non-illuminated wall sign, not more than nine (9) square feet in area, may be placed at each major entrance to a multi-tenant building. Alternatively, multi-story buildings may be permitted three (3) wall signs per building, not more than one (1) sign per building facade, as indicated above for Districts "C-O" and "CP-O".
2. In lieu of any or all of the wall signs, up to three (3) marquee signs, not more than one (1) on each marquee façade, shall be permitted for each establishment. Marquee signs may incorporate direct illumination into their design.
3. In lieu of one (1) of the attached signs, one (1) projecting sign shall be permitted for each establishment, provided that the area of such projecting sign shall not exceed ten percent (10%) of the total area of the facade upon which it is attached and shall not extend above the roof level of the building where the sign is located. The lowest point of

such sign must be a minimum of seven (7) feet above the ground or sidewalk.

4. Except in the case of a shopping center designed as one (1) project and consisting of one (1) or several buildings, either attached or freestanding, one (1) monument sign shall be permitted for each commercial building in lieu of one (1) wall sign or projecting sign. Such sign shall conform to the height, size and setback requirements applicable to monument signs in Districts "C-O" and "CP-O"
5. In the case of a shopping center designed as one (1) project and consisting of one (1) or several buildings, either attached or freestanding, one (1) additional monument sign may be permitted identifying the entire center. A gasoline service station, designed as part of the center, may also have a monument sign. All other signs in the center shall consist of wall, projecting or marquee signs. The monument sign shall conform to the height, size and setback requirements applicable to monument signs in Districts "C-O" and "CP-O".
6. Drive-through restaurants and car washes may have two (2) menu boards located in conjunction with each drive-through lane. Such sign shall not exceed eight (8) feet in height or thirty-two (32) square feet of sign area per face. Drive-in restaurants or food service establishments with walk-up service windows may have one (1) menu board per order station. Menu boards for drive-in service shall not exceed eight (8) square feet of sign area per face and menu boards for walk-up service shall not exceed thirty-two (32) square feet of sign area per face. All menu boards shall be oriented toward the location of the vehicle or pedestrian being served and shall not contain lettering that exceeds six (6) inches in height.
7. For buildings with a non-retractable awning, canopy or covered walkway along one (1) or more sides of the building, a sign may be hung or mounted under the canopy or covered walkway identifying each business with an exterior ground-floor entrance. Such signs shall be located at or near the business entrance, shall be oriented toward pedestrians on the walkway and shall not exceed three (3) square feet in sign area per face. One (1) sign shall be permitted per business entry.
8. Window signs covering no more than 50% of the glazing on any façade of a building.

E. *Districts "C-2A", "MS1" And "MS2".*

1. Each business or commercial establishment shall be permitted three (3) wall signs, not more than one (1) on a facade, provided that the area of each sign shall not exceed ten percent (10%) of the total area

of the facade upon which it is placed. Such signs shall not extend above the height of the wall upon which they are mounted.

2. In lieu of one (1) of the wall signs, one (1) projecting sign shall be permitted for each establishment, provided that the area of such projecting sign does not exceed ten percent (10%) of the total area of the facade upon which it is attached or ten (10) square feet, whichever is more, and does not extend above the roof level of the building where the sign is located. The lowest point of such sign must be a minimum of seven (7) feet above the ground or sidewalk.
3. A combination of a wall sign and projecting sign shall also be allowed, in which case the total area of both signs shall not exceed ten percent (10%) of the total area of the facade upon which the signs are attached. The projecting sign shall not be more than ten (10) square feet.
4. In lieu of any or all of the wall signs, up to three (3) marquee signs, not more than one (1) on each marquee facade, shall be permitted for each establishment. Marquee signs may incorporate direct illumination into their design
5. Except in the case of a shopping center designed as one (1) project and consisting of one (1) or several buildings, either attached or freestanding, one (1) monument sign shall be permitted in lieu of one (1) wall sign for each commercial building, which sign shall conform to the height, size and setback requirements applicable to monument signs in Districts "C-O" and "CP-O" and be subject to the following restriction: The minimum distance from the right-of-way line to the closest building or buildings on the portion of the property where the sign is to be located must be equal to or greater than fifteen (15) feet.
6. In the case of a shopping center designed as one (1) project and consisting of one (1) or several buildings, either attached or freestanding, one (1) additional monument sign may be permitted identifying the entire center. Such sign shall conform to the height, size and setback requirements applicable to monument signs in Districts "C-O" and "CP-O".
7. In addition to the permitted wall signs, one (1) pedestrian oriented sign per business entry shall be permitted to be placed beneath a non-retractable awning and/or canopy that extends from the building. Such sign shall be limited to three (3) square feet in area and may be internally illuminated. The lowest point of such sign must be a minimum of seven (7) feet above the ground or sidewalk. In lieu of said pedestrian oriented sign, one (1) non-illuminated identification sign, not more than three (3) square feet in area, may be placed on the wall at each major entrance to the building. The highest point of the sign may be no higher than seven (7) feet above the sidewalk.

8. Project identification signs for a residential project may be permitted at each entrance to the project. All project identification signs shall be monument signs and, except as hereinafter provided, shall be located on the premises. Such signs shall not exceed six (6) feet in height above the average grade and the sign face shall not exceed fifty (50) square feet in area per face. If not sitting within the landscaped setback, the sign base shall be located within a curbed landscaped area extending a minimum of three (3) feet on all sides of the sign base. Where a project is situated on both sides of a public or private street, one (1) project identification sign may be located on each side of the street or, alternatively, one (1) project identification sign may be located in a landscaped median with the approval of the Planning Commission. Where a project identification sign is to be located in the public right-of-way, plans shall be submitted to the Planning Commission indicating the location, size and design of the project identification sign as well as a copy of the bylaws or other documentation of the association which will have permanent responsibility for maintenance of the sign and required landscaping.
 9. Window signs covering no more than 50% of the glazing of any façade of a building except in the area defined in Section 410.330 as the Downtown District, the following requirements shall apply: Window signs should be no larger than ten percent (10%) of the storefront glazing.
- F. *Districts "C-1", "CP-1", "C-2", "CP-2", "C-2A", "C-2B", "CP-2B", "MS1" And "MS2".* Where one (1) retail establishment (the "subtenant") leases space and conducts business within another retail establishment (the "primary tenant") but does not have an exterior business facade and an exterior door leading directly to the subtenant space, one exterior wall sign may be permitted if all of the following conditions are met:
1. The subtenant's business establishment occupies at least one hundred (100) square feet of floor area and is staffed and open for business during predetermined hours.
 2. The primary tenant's business establishment occupies at least twenty-five thousand (25,000) square feet of floor area.
 3. The subtenant's business is a separate legal entity from the primary tenant's business, as opposed to a department, division or subsidiary of the primary tenant's business. The application may be required to include a copy of the lease agreement between the subtenant and the primary tenant or other documentation acceptable to the City Attorney to establish that the two (2) businesses are separate legal entities.
 4. A private sign criteria for the building or shopping center has been submitted to and approved by the Planning Commission which specifically provides for subtenant signage, including standards for the

sign location, size, style, color and content. Such sign criteria shall include scale drawings of the facades of all primary tenants where subtenant signs are authorized showing the permitted locations for subtenant signs.

5. The total area for all signs on the same facade does not exceed the allowable signage area for that district. The sign permit application for a subtenant sign shall include a scale drawing of the primary tenant's facade showing the location and size of the subtenant sign and all other signage on that facade. The provisions of this Section for subtenant signs shall not apply to businesses within an enclosed shopping mall or to businesses that are conducted primarily by automated machines.
- G. Neon signs or tubes shall only be allowed when they are placed inside a building and only in Districts "C-1", "CP-1", "C-2", "CP-2", "C-2A", "MS1", "MS2", "MP" and "M-1". If such signs or tubes are within forty-eight (48) inches of any window or door and visible from outside the building, then such sign or tubing shall not occupy an area greater than ten (10) square feet and only one (1) such neon sign area shall be allowed per business; provided however, that such signs under three (3) square feet shall not be required to have a sign permit. All such neon signs or tubes shall not blink, flash or otherwise be used to display intermittent lighting sequences or to simulate motion. Permitted neon tubes or signs shall be installed, wired and inspected in accordance with the adopted building codes of the City of Mission. Neon signs shall not be oriented towards residential areas.
- H. Any neon sign or tubes removed for other than repair shall not be replaced with any other sign or surface which is not in compliance with existing laws and requirements.
- I. In districts where automated teller machines (ATMs) are permitted, up to three (3) signs are permitted, no more than one (1) per machine/canopy face, identifying the ATM or the bank, financial institution or ATM network associated with that machine. Such signs shall not exceed eight (8) square feet in area. In addition, one (1) non-illuminated sign is permitted per ATM to identify the types of ATM cards accepted or special instructions to ATM users. Such sign shall not exceed four (4) square feet in area, shall be mounted flush to the side of the machine and shall not require a sign permit.
- J. Only the portion of an awning which is backlit and transparent shall be considered a sign.

Section 9. That Section 430.100 is hereby amended to read as follows:

Section 430.100. Signs Permitted in Conjunction With Special Use Permits.

- A. In the case of signs permitted by the issuance of a special use permit, all signs shall be approved by City Council after recommendation from the Planning Commission, except where private sign criteria have been previously approved for the project .
- B. The special use permit for signage shall be processed as required in Sections 440.050 through 440.140.
- C. Where appropriate, the sign regulations of the underlying zoning district or the most analogous zoning district shall be followed.

Section 10. That Section 430.110 is hereby amended to read as follows:

Section 430.110. Additional Regulations Applicable To All Districts.

- A. No sign may be located such that it substantially interferes with the view necessary for motorists to proceed safely through intersections or to enter onto or exit from public or private streets or driveways. No detached sign shall be located in the sight distance triangle on a corner lot.
- B. No sign may be erected such that by its location, color, size or shape, it would tend to obstruct the view of or be confused with traffic signals or other signs erected by governmental agencies.
- C. All signs shall be of sound structural quality, be maintained in good repair and have a clean and neat appearance. Land adjacent to such signs shall be kept free from debris, weeds and trash. If signs are not being maintained as described and the City deems them a public hazard or nuisance, such signs shall be ordered repaired or removed.
- D. No part of any sign shall be located closer than ten (10) feet from any side or rear property line.
- E. Time and/or temperature instruments may be permitted provided they are designed in harmony with the building and are architecturally compatible.
- F. The dimensions of a backlighted sign, canopy or panel shall be measured by constructing a rectangle from the highest, lowest and widest points of such object, display or surface which displays a light source, except that the opaque surfaces immediately related to or a part of that same sign or panel shall also be calculated in the dimensions of the sign. Provided further, in calculating the dimensions of a continuous panel which spans at least eighty percent (80%) of any one (1) facade of a single or common structure with multiple tenants, the continuous opaque areas between, over and below the lighted areas for such independent operations shall not be calculated to determine the dimensions of the signs, canopies or panels.

- G. The dimensions of a sign shall be measured by constructing a rectangle from the highest, lowest and widest points of such object, display or surface.

Section 11. That Section 430.120 is hereby amended to read as follows:

Section 430.120. Private Sign Criteria.

All hotels and motor hotels and shopping centers, business parks, office parks, industrial parks and "MXD" developments shall be required to prepare a set of sign criteria governing all exterior signs in the development to assure harmony and visual quality throughout the development. As an alternative to the specific sign requirements of any commercial or industrial district, the owner may seek approval of an alternate set of sign criteria. Such criteria shall be binding upon all subsequent purchasers or lessees within the development. The size, colors, materials, styles of lettering, appearance of logos, types of illumination and location of signs shall be set out in such criteria. Final development plans shall not be approved until the Planning Commission has approved the sign criteria. No sign permit shall be issued for a sign that does not conform to the criteria. For purposes of this Section, the terms "*shopping centers, business parks, office parks, industrial parks, or "MXD" developments*" shall mean a project of one (1) or more buildings that has been planned as an integrated unit or cluster on property under unified control or ownership at the time that zoning was approved by the City. The sale, subdivision or other partition of the site after zoning approval does not exempt the project or portions thereof from complying with these regulations relative to the number of detached signs, harmony and visual quality of signs to be installed. Where the ownership of the development is divided among two (2) or more owners, proposed amendments to the sign criteria must have written support from all owners or be specifically designed to affect on the property owned or represented by the applicant. Provided, however, that approved sign criteria shall in no event include prohibited signs.

Section 12. That Section 430.140 is hereby amended to read as follows:

Section 430.140. Removal of Obsolete or Abandoned Signs.

- A. If a building, structure or premise is vacated for a six (6) month period of time, any off-site or on-site signs in connection therewith shall be deemed obsolete and abandoned. The owner of said property shall be responsible for removing any such signs with the exception of advertisements dealing with the sale or leasing of the facility. In addition, the owner shall be responsible for restoring the facade of the building, structure or premise.
- B. If the time period set forth in Subsection (A) has elapsed and the sign or signs have not been removed, the City shall send written notification by certified mail, return receipt requested, to the property owner of record demanding that the sign shall be removed. If the sign has not been removed

within thirty (30) days after the receipt of the notice, the City may have the sign removed and the cost assessed to the property owner.

- C. Where a sign has been removed by the City pursuant to Subsection (B), the City shall mail a statement of the cost of removal of said sign or signs to the last known address of the owner of record or person in charge of such property. If such costs are not paid within ten (10) days from the mailing of such notice, a record of the costs of abatement shall be certified to the City Clerk who shall cause such costs to be assessed against the particular lot or piece of land on which such sign or signs were so removed. The City Clerk shall certify the assessment to the County Clerk at the time other special assessments are certified for spread on the tax rolls of the County.

Section 13. That Section 430.150 is hereby amended to read as follows:

Section 430.150. Temporary Signs.

- A. *Purpose And Findings.* The City of Mission is enacting this Section to establish reasonable regulations for the posting of temporary signs on public and private property. Temporary signs left completely unregulated can become a threat to public safety as a traffic hazard and detriment to property values as an aesthetic nuisance. By implementing these regulations, the City intends to:
1. Balance the rights of individuals to convey their messages through temporary signs and the right of the public to be protected against the unrestricted proliferation of signs;
 2. Further the objectives of the City's Comprehensive Plan;
 3. Protect the public health, safety and welfare;
 4. Reduce traffic and pedestrian hazards;
 5. Protect property values by minimizing the possible adverse effects and visual blight caused by signs;
 6. Promote economic development; and
 7. Ensure the fair and consistent enforcement of the temporary sign regulations specified in the following provisions.
- B. *Temporary Signs Permitted In All Zones.*
1. Temporary signs may be posted on property in all zones of the City, subject to the following requirements and those applicable provisions stated elsewhere in the City's sign ordinance.

2. Permits for temporary signs are not required in the "R-1", "R-2" or "R-3" Districts.
 3. The total square footage for temporary signs in any district per business or commercial establishment, in the aggregate, shall not exceed forty-eight (48) square feet, with no individual sign exceeding sixteen (16) square feet. The total square footage of a sign is measured to include all of the visible display area of only one (1) side of the sign and only the area of one (1) side of a double sign is included in the aggregate calculation.
 4. Such signs shall not exceed six (6) feet in height.
 5. Such signs shall maintain a setback at least three (3) feet from the property line.
 6. No temporary sign shall obstruct or impair access to a public sidewalk, public or private street or driveway, traffic control sign, bus stop, fire hydrant or any other type of street improvements or otherwise create a hazard, including a tripping hazard.
 7. No temporary sign shall be illuminated or painted with a light-reflecting paint.
 8. A temporary sign shall only be posted with the consent of the property owner.
 9. Temporary signs may be posted for the following periods of time not to exceed a total of 90 days per calendar year.
 - a. Up to 3, 7, 15, 30, or 60 consecutive days; or
 - b. Up to 30 or 60 non-consecutive days
 - c. Except real estate signs advertising property for sale or lease may remain until the property is sold or leased.
- C. *Authorization Required For Posting Temporary Signs In The Public Rights-Of-Way.* Temporary signs shall not be posted in the public rights-of-way without obtaining a permit for such posting from the City and pursuant to the City policy regarding the posting of signs in the public rights-of-way. This restriction includes the posting of temporary signs on trees, utility poles and other structures within the rights-of-way.
- D. *Removal Or Replacement Of Temporary Signs.*
1. The person who has posted or directed the posting of a temporary sign is responsible for the removal or replacement of that sign in accordance with this Section.

2. If that person does not remove or replace the temporary sign in accordance with this Section, then the property owner or occupant of the building lot where the sign is posted is responsible for the sign's removal or replacement.
3. If the City finds that any sign is posted in violation of these regulations on private property, then written notice shall be given to the person who has posted or directed the posting of the sign. If that person fails to remove or replace the sign so as to comply with the standards herein set forth within seventy-two (72) hours after such notice, an action may be commenced under Section 430.070(E).
4. The City may immediately remove temporary signs posted on public property or rights-of-way in violation of this Section and commence an action under Section 430.070(E).

Section 14. That Section 420.220 is hereby amended to read as follows:

Section 420.220. Non-Conforming Signs.

- A. Subject to the remaining restrictions of this Section and the provisions of Section 420.200, non-conforming signs that were otherwise lawful on the effective date of this Article may be continued.
- B. No person may engage in any activity that causes an increase in the extent of non-conformity of a non-conforming sign. Without limiting the generality of the foregoing, no non-conforming sign may be enlarged or altered in such a manner as to aggravate the non-conforming condition, nor may illumination be added to any non-conforming sign.
- C. A non-conforming sign may not be moved or replaced and the message may not be changed, except to bring the sign into complete conformity with this Article, except for "sign maintenance" as defined in Section 430.020. In conducting "sign maintenance" to a non-conforming sign, a new sign permit is required any time a sign is altered.
- D. Subject to the other provisions of this Section, non-conforming signs may be maintained and repaired so long as the cost of such work within any twelve (12) month period does not exceed fifty percent (50%) of the value (tax value if listed for tax purposes) of such sign. No such work shall be done without the person proposing to do such work first submitting such information as may be required to satisfy the Public Works Director that the cost of such work would not exceed fifty percent (50%) of the value of the sign.
- E. If a non-conforming sign other than a billboard advertises a business, service, commodity, accommodation, attraction or other enterprise or activity that is no longer operating or being offered or conducted, that sign shall be deemed abandoned and shall be removed (including support structure) within thirty

(30) days after such abandonment by the sign owner, owner of the property where the sign is located or other person having control over such sign.

- F. If a non-conforming billboard remains blank for a continuous period of one hundred eighty (180) days, that billboard shall be deemed abandoned and shall, within thirty (30) days after such abandonment, be altered to comply with this Article or be removed by the sign owner, owner of the property where the sign is located or other person having control over such sign. For purposes of this Section, a sign is "blank" if:
 - 1. It advertises a business, service, commodity, accommodation, attraction or other enterprise or activity that is no longer operating or being offered or conducted; or
 - 2. The advertising message it displays becomes illegible in whole or substantial part; or
 - 3. The advertising copy paid for by a person other than the sign owner or promoting an interest other than the rental of the sign has been removed.
- G. Sales or leasing signs existing on the effective date of this Article which do not conform to the requirements of Section 430.080(C) or not previously in compliance with applicable regulations shall be removed by July 1, 2005.

Section 15. That Section 445.180. is hereby amended to read as follows:

Section 445.180. Designated Use.

A. The following uses may be located in any district with the issuance of a Special Use Permit, except in those districts listed after each use, after a public hearing and upon recommendation of the Planning Commission and approval of the City Council and subject to such regulations, restrictions and conditions within the district and any other conditions of zoning or use so stipulated or imposed:

Use	Use to be Excluded from following districts
Automobile parking lot properly landscaped, surfaced, drained and screened	Residential districts
Billboard Signs	Residential districts
Cemeteries	C-2A, MS1, MS2, DND
Dog kennel — veterinary	None
Electric power substations	None
Discount store or superstore	Residential districts
Hospital	Residential districts, C-2A, MS1, MS2
Motels and hotels	Residential districts
Nurseries	Residential districts

Use	Use to be Excluded from following districts
Nursing homes	None
Radio, television and microwave towers and antennae, and in cases where such devices cannot conform to height, area or other standards of Chapter 415	None
Clubs, private where alcoholic beverages are consumed on the premises. These include taverns, beer halls, discotheques, dance clubs and the like	Residential districts
Refuse dump or land fill	Residential districts, C-2A, MS1, MS2
Reservoirs — underground	None
Sewage pumping stations	None
Water tanks	None

B. In addition, temporary use of land or building for a use that is not otherwise permitted for that premises provided such temporary use shall conform to the following conditions:

1. The use is temporary in nature and will not require major change or addition to an existing building or structure.
2. The use will not be offensive or damaging to surrounding properties by way of noise, traffic generation, commotion, storage of materials or equipment, or visual effects which are in contrast to and not in harmony with the surrounding neighborhood.
3. The use can readily be terminated and any equipment, appurtenances and materials removed immediately upon expiration or repeal of the special use permit.
4. No special use permit for a temporary use shall be valid for more than six (6) months but may be renewed by the same process as the original special use permit.

C. The Planning Commission and City Council may designate such other uses as appropriate for a special use permit upon a finding that the use is appropriate in a certain location but is not listed as allowed in any district or is only allowed in a district which contains other uses inappropriate in this subject location.

Section 16. That this ordinance shall take effect and be in force from and after its passage and publication as required by law.

PASSED AND APPROVED by the City Council this 19th day of April 2017.

APPROVED by the Mayor this 19th day of April 2017.

Steve Schowengerdt, Mayor

(SEAL)

ATTEST:

Martha M. Sumrall, City Clerk

APPROVED AS TO FORM BY:

PAYNE & JONES, CHTD.

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To: Mission Planning Commission
From: Danielle Sitzman, City Planner
Date: March 27, 2017
Re: Case # 16-07 Sign Code Changes

As a follow up to the discussion and public hearings conducted over the past year staff has prepared the attached sign code changes for consideration and recommendation by the Planning Commission to the City Council. The City's land use attorney has reviewed the proposed changes.

Analysis of Proposed Sign Code Changes

Attached is a redline copy of the proposed code changes as well as a table showing the impact by zoning district and sign type. The proposed changes are intended to address only a few targeted issues, not overhaul the existing sign code. If adopted as proposed, most businesses will continue to be allowed the same number, size and type of signs as they are now.

The most significant changes from the previous version reviewed include the following:
(underlined and italicized below)

- Allow window signs anywhere in Mission with a limit on coverage of windows of 50% of the window glazing while continuing to limit glazing coverage in the Downtown District to 10%. Permits for window signs would be required.
- Require sign permits and permit fees for temporary signs. Allow for permit fees to be waived for temporary signs in the R-1, R-2 and R-3 residential zones, applications from churches, schools, community centers, libraries and other charitable non-profit entities. Sign permit fees to be established by Resolution.
- Limit the posting of temporary signs to no more than 90 days per calendar year per business. The allowable lengths of posting as follows: Consecutive days 3,7,15,30, or 60; Non-Consecutive Days 30 or 60.
- Prohibit costumed characters as attention attracting devices. Comments received regarding regulating this activity as commercial messaging were neutral to somewhat opposed. Therefore, staff has removed any proposed changes to costumed characters from consideration.
- Eliminate all pole signs by December 31, 2023 through an amortization process. Comments received were largely in opposition or merely neutral on this action. Therefore, staff has removed any amortization proceedings from consideration.

- Continue to regulate/prohibit pole signs. The definitions of pole and monument signs have been edited to clarify the desired sign characteristics. The previous exemption for pole signs meeting certain criteria within 1000' of the intersection of Metcalf Avenue and Johnson Drive has also been removed. Any detached sign which does not meet the proposed definition of monument sign will become a legal non-conforming sign upon adoption of these code changes. Based on a review of the 2015 sign inventory, an additional 17 detached signs will be added to this list. Legal non-conforming signs are regulated under Section 420.220 and may be used and maintained but not refaced to serve a different establishment or business.
- Based on comments received, changes have been added to the definition of sign maintenance to include corporate merger, consolidation or other legal name change as allowable reasons to change copy or logo without being considered sign refacing.

Other changes proposed which have not been altered since they were last presented include:

- Allow marquee signs by right in three additional commercial zoning districts
- Allow monument signs by right in the Main Street District 1 and Pedestrian Oriented Business District zoning districts under certain conditions
- Allow electronic signs for the display of prices for fuel
- Streamline the approval process for electronic time/temperature instruments
- Standardize the processes of placing liens against properties that have been abated by the City

Next Steps

The Planning Commission is required to make a recommendation to the City Council whenever changes to the text of the zoning code are proposed.

Staff Recommendation

Staff recommends approval of the proposed changes to the the code as presented in the draft ordinance. Text shown as strikethrough will be removed in final version to be adopted by the City Council.

**Proposed City of Mission Sign Regulations
March 2017**

Definition	Sign Permit Required?	Single-Family Residential	Multi-Family Residential	Civic Buildings (Schools, Churches, etc.)	C1 - CP-1 (Light Commercial)	C-2A, MS1, MS2 (Downtown)	C-O / CP-O (Office)	All Others (Heavy Commercial / Industrial)	
Major Types									
Wall Signs	Any sign attached to and erected parallel to and within one (1) foot of the face or wall of a building, including signs painted on the walls of buildings. Awnings which are backlighted shall be considered wall signs.	Yes	No	No	Per tenant: 2 signs allowed Limit 1 per façade 32 sqft max area	Per tenant: 3 signs allowed 1 per façade not more than 5% of area of each façade	Per tenant: 3 signs allowed 1 per façade not more than 10% of area of each façade	Per building: 3 signs allowed 1 per façade not more than 5% of area of each façade	Per tenant: 3 signs allowed 1 per façade not more than 10% of area of each façade Allowed 1 additional non-illuminated wall sign, max. 9sqft in area at each major entrance to multi-tenant
Monument Signs	A detached sign where the width of the base of the sign is a minimum of one-half (½) the width of the widest part of the sign face or where the base consists of two (2) or more supports so that the top edge of the sign face of a monument sign is ten (10) feet or less above the ground. The materials of the base of a monument sign shall be one (1) of the following: masonry, wood, anodized metal, stone or	Yes	1 at each entrance to a subdivision / project. Max 6' height Max. 50 sqft per sign.	1 at each entrance to a subdivision / project. Max 6' height Max. 50 sqft per sign.	1 allowed in lieu of a wall sign Max. 6' to 8' height based on a setback formula	1 allowed in lieu of a wall sign 6' to 10' height based on a setback formula Shopping centers do not need to surrender a wall sign	No (YES-where minimum distance from the right-of-way line to the closest building is equal or greater to 15 feet)	1 allowed in lieu of a wall sign Max. 6' to 10' height based on a setback formula	1 allowed in lieu of a wall sign Mac. 6' to 10' height based on a setback formula Shopping centers do not need to surrender a wall sign
Projecting Signs	Any sign, including a time and/or temperature instrument located on the face of the building, extending more than one (1) foot from the face of the building to which it is attached.	Yes	No	No	No	1 allowed in lieu of a wall sign, subject to same area restrictions; Min. 7' above ground Max. 3' from wall	1 allowed in lieu of a wall sign, subject to same area restrictions; Min. 7' above ground	No	1 allowed in lieu of a wall sign, subject to same area restrictions; Min. 7' above ground
Under Canopy (Pedestrian)		Yes	No	No	No	One at each exterior ground floor entry beneath awnings, canopies, etc. Max. 3sqft per sign.	One at each exterior ground floor entry beneath awnings, canopies, etc. Max. 3sqft per sign. Min. 7' above ground	No	One at each exterior ground floor entry beneath awnings, canopies, etc. Max. 3sqft per sign.

**Proposed City of Mission Sign Regulations
March 2017**

<p align="center">Window Signs</p>	<p>Not Defined A non-illuminated sign of a permanent nature applied directly on either the interior or exterior surface of building's glazed surface including but not limited to windows and doors.</p>	<p align="center">Yes</p>	<p>No except in the Downtown District: (YES) Limited to covering 50% of glazing</p>	<p>No except in the Downtown District: (YES) Limited to covering 50% of glazing</p>	<p>No except in the Downtown District: (YES) Limited to covering 50% of glazing</p>	<p>No except in the Downtown District: (YES) Limited to covering 50% of glazing</p>	<p>No except in the Downtown District: (YES) Limited to covering 10% of glazing</p>	<p>No except in the Downtown District: (YES) Limited to covering 50% of glazing</p>	<p>No except in the Downtown District: (YES) Limited to covering 50% of glazing</p>
<p align="center">Temporary Signs</p>	<p>A sign that by its nature or content is intended for posting for a short period of time, is typically constructed from non-durable materials such as paper, cardboard, cloth, plastic and/or wallboard, is not permanently installed, and does not constitute a structure subject to the City's Building Code or Zoning Code provisions.</p>	<p align="center">No (YES-Excluding temp signs in R-1, R-2, R-3 residential zones from having to get a permit and charitable institutions and entities from permit fees)</p>	<p align="center">No limitation on number; Aggregate square footage of 48 sqft, with no sign exceeding 16sqft Sign may be up for 60 days, then sign must be removed for 60 days (Limit posting to no more than 90 days per calendar year per business. The allowable lengths of posting are as follows: Consecutive Days (3,7,15,30, or 60) Non-Consecutive Days (30 or 60) Maximum Sign Height 6', required setback of 3' from the property line. Real estate signs (property for sale or lease) excluded from limitations on duration. For multi-family only: One 50sqft banner sign for 60 days displaying "now leasing", "now renting", etc. for two months every three years</p>						

**Proposed City of Mission Sign Regulations
March 2017**

	Definition		Single-Family Residential	Multi-Family Residential	Civic Buildings (Schools, Churches, etc.)	C1 - CP-1 (Light Commercial)	C-2A, MS1, MS2 (Downtown)	C-O / CP-O (Office)	All Others (Heavy Commercial / Industrial)
Minor Types									
ATM	Not Defined	No	No	No	No	Where ATMs are allowed: 3 signs, 1 per face, 8 sqft per sign. 1 additional non-illuminated sign, 4sqft.			
Construction Identification	Signs at construction sites that are either: a. Posted at the entrance to the job site explaining rules for contractors and others entering the site; or b. Signs posted on construction site or painted onto construction trailers actively being used on the site, provided such signs are limited to the name, logo, address and phone number of a contractor working at the site. This provision is not intended to allow any signs that advertise a particular project, developer, owner or other business, nor is it intended to allow any sales, leasing or hiring information to be displayed.	No	Excluded From Regulation						
Directional	Not Defined	No	1 sign allowed for each entrance to a building site; each key intersection; each entrance to drive-through. Ground-mounted: Max. 5' height, Max. 4sqft area per sign. Wall-mounted: Max. 2sqft area per sign. Max. 25% area used to display owner / tenant / etc. No sign permits required.						
Entrance Directory	Signs on or adjacent to doors of commercial or industrial buildings displaying information such as the names and address of the occupant, the hours of operation or instructions for deliveries. Such signs shall not exceed four (4) square feet in area, shall not contain letters exceeding six (6) inches in height and shall not be illuminated. Where multiple tenants share the same door, the sign may display the names and address of each tenant.	No	No	No	No	Excluded From Regulation			
Interior Neon	Not Defined	No	No	No	No	1 sign. Max 10sqft. Signs below 3sqft do not require a sign permit.			
Marquee	Any sign attached flat against or under the marquee or permanent sidewalk canopy of a building but not on the upper surface of a marquee or canopy.	Yes	No	No	No	Yes	No (YES)	No	Optional instead of wall signs

**Proposed City of Mission Sign Regulations
March 2017**

Menu Board	Not Defined	Yes	No	No	No	Where drive-through services are allowed: 2 signs, Max. 8' height, Max. 32sqft area per sign Drive-in establishments: 1 sign per stall, 8sqft area per drive-in sign, 32sqft area per walk-up sign, , Max. 6" lettering height.			
Project Identification	One (1) construction site identification sign of professional quality may be permitted during the development of any project. Such sign may identify the project, the owner or developer, future tenants, the architects, engineers, realtors, contractors and subcontractors involved, funding sources and may contain related information including, but not limited to, sale or leasing information. [...] All such signs shall be removed prior to issuance of any certificate of occupancy, temporary or final, for the last building in each phase of the project. Sign permits shall not be required for such signs.	No	1 sign. Max 6" height, Max. 32sqft area per sign, 10' setback from right-of-way						
Residential Signs	Signs not exceeding four (4) square feet in area that are customarily associated with residential use, limited to signs giving property identification names or numbers, names of residents, signs on mailboxes or newspaper tubes, signs posted on private property relating to private parking or signs warning the public against trespassing or danger from animals.	No	Excluded From Regulation	Excluded From Regulation	Excluded From Regulation	No	No	No	No
Vehicle Signs	Signs painted on or otherwise permanently attached to currently licensed motor vehicles, which vehicles are not primarily used as signs.	No	Excluded From Regulation						

**Proposed City of Mission Sign Regulations
March 2017**

	Definition		Single-Family Residential	Multi-Family Residential	Civic Buildings (Schools, Churches, etc.)	C1 - CP-1 (Light Commercial)	C-2A, MS1, MS2 (Downtown)	C-O / CP-O (Office)	All Others (Heavy Commercial / Industrial)
Prohibited Types									
Attention-Attracting	Any device with flashing, blinking, rotating or moving action or any banner, searchlight or balloons designed or intended to attract the attention of the public to an establishment or to a sign.	No	No	No	No	No	No	No	No
Electronic Message	Not defined; prohibited except for "time and temperature instruments" (Adding Fuel Prices)	No	No	No	No	No	No	No	No
Off-Premise	A sign which displays any message directing attention to a business, product, service, profession, commodity, activity, event, person, institution or any other commercial message, which is generally conducted, sold, manufactured, produced, offered or occurs elsewhere than on the premises where such sign is located.	No	No	No	No	No	No	No	No
Outdoor Advertising	A sign, generally known as outdoor advertising, mounted on a semi-permanent structure and depicting information not directly related to the property upon which it is placed. Except where a specific distinction is drawn, the term "billboard" includes "poster panel".	Yes	Special Use Permit	Special Use Permit	Special Use Permit	Special Use Permit	Special Use Permit	Special Use Permit	Special Use Permit
Pole	A sign which is supported by one (1) or more poles, uprights or braces in the ground so that the bottom edge of the sign face is more than ten (10) feet above the ground. (Remove exemption w.i. 1000' of Metcalf Ave & Johnson Drive)	No	No	No	No	No	No	No	No
Roof	Any sign erected, constructed and maintained wholly upon or over the roof line.	No	No	No	No	No	No	No	No

**Proposed City of Mission Sign Regulations
March 2017**

Snipe	Any sign of a material such as cardboard, paper, pressed wood, plastic or metal which is attached to a fence, window, tree, utility pole or temporary structure or any sign which is not securely fastened to a building or firmly anchored to the ground.	No	No	No	No	No	No	No	No
Other Prohibitions			Signs in the public right of way; abandoned or obsolete (old tenant / business) signs; signs that are demonstrably false or misleading (i.e. zoning)						

Pole Sign Index (Non-Conforming Detached Signs)

#	Name/DBA	Address (approx)	Sign Type Under Proposed Code Changes
1	AccuServ	4811 Lamar Ave	Pole
2	Advanced Auto Parts	5360 Johnson Dr	Pole
3	Affiliated Management Services	5651 Broadmoor St	Pole
4	American Stroke Foundation	5916 Dearborn St	Pole
5	Arby's	6780 Johnson Dr	Pole
6	Auman Mack/Agenda USA	5300 Foxridge Dr	Pole
7	BP Gas Station	5500 Johnson Dr	Pole
8	Bridges at Foxridge Apartments	5250 Foxridge Dr	Pole
9	Fast Eddy's	5112 Johnson Drive	Pole
10	First Baptist Church of Mission	5641 Outlook St	Pole
11	Goodyear	5200 Johnson Drive	Pole
12	Hy-Vee	6655 Martway St	Pole
13	Johnny's Bar B-Q*	5959 Broadmoor St	Pole
14	Lamar Professional Building	5940 Lamar Avenue	Pole
15	Little Lambs Montessori School	5837 Riggs Rd	Pole
16	Mattress Furniture Outlet	5930 Broadmoor Dr	Pole
17	McDonalds	6751 Johnson Dr	Pole
18	Mission Bank at Corp Center	5800 Foxridge Dr	Pole
19	Mission Bank Johnson Dr	5201 Johnson Dr	Pole
20	Mission Gardens Apartments	5905 West 58th St	Pole
21	Mission Heights Apartments	5801 Woodson St	Pole
22	Mission West Shopping Center	6500 Martway St	Pole
23	Mission Bank Martway	6040 Martway St	Pole
24	Outlook Apartments	5939 Outlook St	Pole
25	Popeyes*	6821 Johnson Dr	Pole
26	Pride Cleaners	5924 Broadmoor St	Pole
27	Public Storage	6560 Foxridge Dr	Pole
28	Retail/Tenant Change	5945 Woodson St	Pole
29	Sonic	6665 Martway St	Pole
30	Target	6100 Broadmoor St	Pole
31	The Hair Studio	5923 Woodson St	Pole
32	The Maples Apartments	5811 Maple Dr	Pole
33	Town Topic	6018 Johnson Dr	Pole
34	Trinity Lutheran Church	5601 W 62nd St	Pole
35	Uncommon Supply	5860 Beverly Ave	Pole
36	US Properties Building	5845 Horton St	Pole
37	Village Inn*	5800 Broadmoor	Pole
38	Wendy's	5900 Roeland Dr	Pole

Updated to show signs identified as monument signs which will become pole signs under adopted code changes based on the 2015 sign inventory data. Additional signs may be affected. * indicates pole signs currently allowed w.i. 1000' of Johnson Drive, existing since 2003, having an existing valid sign permit.

Chapter 430. Signs

Section 430.010. Statement of Intent.

[Ord. No. 1091 §§1 – 3(App. A §430.010), 9-24-2003]

- A. The intent of this Chapter is to create the framework for a comprehensive and balanced system of sign regulations to facilitate an easy and pleasant communication between people and their environment and to avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities and community appearance. With these purposes in mind, it is the intent of this Chapter to authorize the use of signs which are:
1. Compatible with their surroundings,
 2. Appropriate to the activity that displays them,
 3. Expressive of the identity of individual activities and the community as a whole, and
 4. Legible in the circumstances in which they are seen.

Section 430.020. Sign Definitions.

[Ord. No.1091 §§1 – 3(App. A §430.020), 9-24-2003; Ord. No. 1142 §17, 12-8-2004; Ord. No. 1259 §2, 5-21-2008; Ord. No. 1303 §1, 9-23-2009]

As used in this Chapter, the following terms shall have these prescribed meanings:

ATTENTION-ATTRACTING DEVICE

Any devices with flashing, blinking, rotating or moving action, ~~flags, streamers, spinners, pennants, or any banner, lights-searchlight, or balloons, inflatable, air-activated, or similar devices or ornamentations~~ designed or intended to attract the attention of the public to an establishment or to a sign.

~~BACKLIGHTED SIGN~~

~~Any sign which displays direct or indirect light from the back of such sign through a transparent, translucent or open material.~~

~~BUILDING LOT~~

~~Any pieces or parcel of land or a portion of a subdivision, the boundaries of which have been established by some legal instrument of record, that is recognized and intended as a unit for the purposes of transfer of ownership.~~

COMMERCIAL SIGN MESSAGE

Any sign wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity. A sign which identifies, advertises or directs attention to a business or is intended to

induce the purchase of goods, property or service including, without limitation, any sign naming a brand of goods or service and real estate signs, as further defined below.

DETACHED SIGN

Any sign located on the ground or on a structure located on the ground and not attached to a building.

DIRECTLY ILLUMINATED SIGN

Any sign where the source of illumination of the sign is exposed to the human eye such as, but not limited to, an incandescent bulb or florescent tube.

INDIRECTLY ILLUMINATED SIGN

Any sign which is partially or completely illuminated at any time by a light source which is so shielded as to not be visible at eye level.

MARQUEE SIGN

Any sign attached flat against or under the marquee or permanent sidewalk canopy of a building but not on the upper surface of a marquee or canopy.

MONUMENT SIGN

A detached sign where the width of the base of the sign is a minimum of one half (1/2) the width of the widest part of the sign face and/or where the base consists of two (2) or more supports so that the top edge of the sign face of a monument sign is ten (10) feet or less above the ground. The materials of the base of a monument sign shall be one (1) of the following: masonry, wood, anodized metal, stone or concrete.

DIGITAL BILLBOARD

A billboard which has a computer controlled board that displays an image through the use of light emitting diode display (LED) or similar technology.

FACADE

All wall planes of a building which are visible from one side or perspective,

FUEL PRICING DISPLAY

A sign or portion of a sign displaying only fuel pricing information with no additional advertising or content.

MARQUEE

A permanent roof like structure projecting beyond a building over an entrance often to a hotel, theater, or other building.

MURAL

Any mosaic, painting, or graphic art or combination thereof which is professionally applied to a building. A figure, painting or design professionally applied to and made

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~~integral with a wall or ceiling surface and which does not convey any commercial a commercial message information.~~

NEON TUBE

~~A directly illuminated sign which is a free formed surface that creates words, numerals, figures, devices, designs, trademarks or logos and for which the light source is luminescent gas.~~

NON-CONFORMING SIGN SUPPORT

~~The supporting members of the sign such as frame, poles, brackets or structure by which a sign is mounted on or affixed to a building or the ground which do not comply with the standards established in the Building Code.~~

OBSOLETE SIGN

~~An off-site or on-site sign for a business or activity which is no longer operated on the premises or in the City.~~

OFF-SITE SIGN

~~A sign which displays any message directing attention to a business, product, service, profession, commodity, activity, event, person, institution or any other commercial message, which is generally conducted, sold, manufactured, produced, offered or occurs elsewhere than on the premises where such sign is located.~~

ON-SITE SIGN

~~A sign that is other than an off-site sign.~~

POLE SIGN

~~A sign which is supported by one (1) or more poles, uprights or braces in the ground so that the bottom edge of the sign face is more than ten (10) feet above the ground.~~

NON-COMMERCIAL MESSAGE

Any sign, wording, logo, or other representation that is not defined as a commercial message.

POST

To erect, attach or affix in any manner including, without limitation, nailing, tacking, tying, gluing, pasting, painting, stacking, marking or writing.

POSTER PANEL OR BILLBOARD

~~A sign, generally known as outdoor advertising, mounted on a semi permanent structure and depicting information not directly related to the property upon which it is placed. Except where a specific distinction is drawn, the term “billboard” includes “poster panel”.~~

PROJECT IDENTIFICATION SIGN

A sign identifying only a project and developer.

PROJECTING SIGN

Any sign, including a time and/or temperature instrument located on the face of the building, extending more than one (1) foot from the face of the building to which it is attached.

REAL ESTATE SIGN

A sign indicating the availability for sale, rent or lease of the specific lot, building or portion of a building upon which the sign is posted.

ROOF SIGN

Any sign erected, constructed and maintained upon the roof or wholly or partially above a vertical wall of a building wholly upon or over the roof line.

SEMI-ILLUMINATED SIGN

Any sign located on a building face which is uniformly illuminated over its entire area, including the area of the sign, by use of electricity or other artificial light.

PROJECT

Multi-family housing development or a single development on identifiable parcel(s) of land.

SIGHT DISTANCE TRIANGLE

The triangular area of land at the intersection of streets or a street and driveway formed by a diagonal line connection two points located on intersecting street curb lines the short leg of which shall be twenty (20) feet and the long leg of which shall be one hundred forty (140) feet. Such area shall remain free of any sign related obstruction to vision more than two (2) feet in height measured from the roadway.

SIGN

Any framed, bracketed, free-formed, painted or engraved surface which is fabricated to create words, numerals, figures, devices, designs, trademarks or logos, which is mounted on or affixed to a building or the ground and which is sufficiently visible to persons not located on the lot where such device is located to attract the attention of such persons or to communicate information to them. "Sign" includes sign supports. Murals shall not be considered to be signs.

SIGN, ABANDONED

A sign, other than a billboard, advertising a business, service, commodity, accommodation, attraction or other enterprise or activity that is no longer operating or being offered or conducted.

SIGN, ATTACHED

A sign that is mounted, painted, or otherwise applied to a building.

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SIGN, BACKLIGHTED

Any sign whose light source is located in the interior of the sign so that the rays go through the face of the sign.

SIGN, BANNER

A sign made of fabric or other non-rigid material with no enclosing framework.

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SIGN, DETACHED

Any sign located on the ground or on a structure located on the ground and not attached to a building.

SIGN, DIRECTLY ILLUMINATED

Any sign that is illuminated by an external or internal light source that is visible to a person standing on the ground.

SIGN, DIRECTIONAL

A sign providing directions necessary or convenient for visitors or clients coming onto a premises.

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SIGN, ELECTRONIC MESSAGE

A sign with a fixed or changing display or message composed of a series of lights that may be changed through electronic means.

SIGN, ILLUMINATED

A sign illuminated by or exposed to artificial lighting either by lights on or in the sign or directed toward the sign.

SIGN, INDIRECTLY ILLUMINATED

Any sign that is completely or partially illuminated at any time by an external light source that is so shielded as to not be visible at eye level.

SIGN, MARQUEE

Any sign attached flat against, under, or above the marquee of a building.

SIGN, MENU BOARD

A permanently mounted sign displaying the bill of fare for a drive-through or drive-in restaurant.

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SIGN, MONUMENT

A detached sign where the width of the base of the sign is a minimum of one-half (1/2) the width of the widest part of the sign face The materials of the base of a monument sign shall be one (1) of the following: masonry, wood, anodized metal, stone or concrete.

SIGN, NEON TUBE

A directly illuminated sign which is a free-formed surface that creates words, numerals, figures, devices, designs, trademarks or logos and for which the light source is luminescent gas.

SIGN, NON-CONFORMING

A sign that on the effective date of this Article does not conform to one (1) or more of the regulations set forth in this Article.

SIGN, OBSOLETE

An off-site or on-site sign for a business or activity which is no longer operated on the premises or in the City.

SIGN, OFF-SITE

A sign which displays any message directing attention to a business, product, service, profession, commodity, activity, event, person, institution or any other commercial message, which is generally conducted, sold, manufactured, produced, offered or occurs elsewhere than on the premises where such sign is located.

SIGN, ON-SITE

A sign that is other than an off-site sign.

SIGN, PEDESTRIAN ORIENTED

A sign near street or sidewalk level, oriented and scaled to the pedestrian rather than the motorist.

SIGN, PERMANENT

A sign attached to a building or structure, or to the ground in a manner that enables the sign to resist environmental loads, such as wind, and that precludes ready removal or movement of the sign and whose intended use appears to be indefinite.

SIGN, POLE

A detached sign which is supported by one (1) or more poles, uprights or braces in the ground.

SIGN, PORTABLE

A sign whose principal supporting structure is intended, by design and construction, to be used by resting upon the ground for support and may be easily moved or relocated for reuse.

SIGN, POSTER PANEL OR BILLBOARD

A sign, generally known as outdoor advertising, mounted on a permanent or semi-permanent structure and depicting information not directly related to the property upon

which it is placed. Except where a specific distinction is drawn, the term “billboard” includes “poster panel” and “digital billboard”.

SIGN, PROJECT IDENTIFICATION

A sign identifying only a project or developer.

SIGN, PROJECTING

Any attached sign, including a time and/or temperature instrument located on the face of the building, extending more than one (1) foot from the face of the building.

SIGN, REAL ESTATE

A temporary sign indicating the availability for sale, rent or lease of the specific lot, building or portion of a building upon which the sign is posted.

SIGN, ROOF

Any sign erected, constructed and maintained upon the roof or wholly or partially above a vertical wall of a building.

SIGN, SNIPE

Any sign of a material such as cardboard, paper, pressed wood, plastic or metal which is attached to a fence, window, tree, utility pole or temporary structure or any sign which is not permanently fastened to a building or firmly anchored to the ground.

SIGN, TEMPORARY

A sign that by its nature or content is intended for posting for a short period of time, is typically constructed from non-durable materials such as paper, cardboard, cloth, plastic and/or wallboard, is not permanently installed, and does not constitute a structure subject to the City’s Building Code or Zoning Code provisions.

SIGN, WALL

Any sign attached to and erected parallel to and within one (1) foot of the face or wall of a building, including signs painted on the walls of buildings. Awnings which are backlighted shall be considered wall signs.

SIGN, WINDOW

A non-illuminated sign of a permanent nature applied directly on either the interior or exterior surface of a building’s glazed surface including but not limited to windows and doors.

SIGN ALTERATION

The replacement, enlargement, reduction, reshaping or adding to a sign, frame, pole, brackets or any supporting member.

SIGN AREA

The entire face of a sign including any framing, trim, or molding, but not including the supporting structure.

SIGN HEIGHT

The vertical distance measured from the average ground level to the highest point of the sign or sign structure.

SIGN MAINTENANCE

The normal care and minor repair that is necessary to retain a safe, attractive and finished structure, frame, ~~supportspole~~, brackets or surface. Changing copy or logo without increasing sign dimensions shall be considered maintenance if the information, product or service depicted remains the same and if the sign is to serve the identical establishment using the same business firm name as before the change. Maintenance may include a change in name on the sign due to corporate merger, consolidation or other legal name change.

SIGN REFACING

Changing or replacing the words, numerals or other surface of the sign to serve a different establishment or business or to create a substantially different visual effect without altering, moving or replacing the structure, frame, ~~pole~~ supports, or bracket supporting the sign.

SIGN SUPPORT

The supporting members of the sign such as frame, poles, brackets or structures by which a sign is mounted on or affixed to a building or the ground.

~~SNIFE SIGN~~

~~Any sign of a material such as cardboard, paper, pressed wood, plastic or metal which is attached to a fence, window, tree, utility pole or temporary structure or any sign which is not permanently securely fastened to a building or firmly anchored to the ground.~~

~~TEMPORARY SIGN~~

~~A sign that by its nature or content is intended for posting for a temporary period of time posting on public or private property, is typically constructed from non durable materials such as paper, cardboard, cloth, plastic and/or wallboard and does not constitute a structure subject to the City's Building Code or Zoning Code provisions.~~

TIME AND/OR TEMPERATURE INSTRUMENT

A sign displaying only time and/or temperature information with no additional advertising or comments.

~~TWO FACED SIGN~~

~~A sign with two (2) sign faces where the angle of separation of the faces is not greater than ninety percent (90%).~~

~~WALL SIGN~~

~~Any sign attached to and erected parallel to and within one (1) foot of the face or wall of a building, including signs painted on the walls of buildings. Awnings which are backlighted shall be considered wall signs.~~

WINDOW SIGN

~~A non-illuminated sign of a permanent nature applied directly on glass. A window sign does not include placards or poster board panels leaning in windows, which are prohibited, except for open/closed signs that shall be no larger than one (1) square foot.~~

WINDOW DISPLAY

A window, storefront, or opening in the exterior wall of any portion of a building through which merchandise, services, or business are displayed or advertised.

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Section 430.030. Generally.

[Ord. No. 1091 §§1 – 3(App. A §430.030), 9-24-2003; Ord. No. 1259 §3, 5-21-2008]

Other than lawful non-conforming signs, no signs shall be permitted in any district except in accordance with the provisions of this Chapter. Signs placed in the public right-of-way or on publicly owned land and which are not in compliance with the regulations of this Chapter are subject to removal by the City without notice or compensation. Signs placed on private property that are not in compliance with the regulations of this Chapter ~~are shall be removed~~ subject to removal by the property owner or the property owner's agent without notice or compensation. In addition, any sign that is not in compliance with the regulations of this Chapter is subject to the penalty provisions of Section **400.100**. These provisions may be applied to the person or business placing such sign, business or organization advertised in such sign or the owner of the property or vehicle on which such sign is placed.

Section 430.040. Permit Required.

[Ord. No. 1091 §§1 – 3(App. A §430.040), 9-24-2003]

~~B.A.~~ Except as otherwise provided in this Chapter, no sign shall be installed, erected or set in place until a sign permit has been issued by the ~~City Public Works Department~~ in accordance with Section **103.040(C)**.

~~C.B.~~ Applications for sign permits shall be filed upon forms prescribed by the City, accompanied by ~~two-one (12)~~ sets of ~~plans plats~~ drawn to scale indicating the sign size, location, method of illumination, content, colors, materials of the sign and structure, and method of attachment.

~~D.~~ All signs hereafter installed shall have permanently affixed thereto a label clearly visible at all times indicating the number of the sign permit issued therefor.

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~~E.C.~~ All signs are to be designed, fabricated and installed in a professional manner by a qualified and City licensed sign professional, except that temporary ~~signs banners~~ may also be installed by a business or property owner.

~~F.D.~~ With the exception of temporary signs, all materials and finishes are expected to be of high quality with an anticipated life span of ten (10) years or more. All electrical signs must have a UL label.

Section 430.050. Signs Excluded From Regulation.

[Ord. No. 1091 §§1 – 3(App. A §430.050), 9-24-2003; Ord. No.1259 §4, 5-21-2008]

- A. Except for the provisions of Subsections (A), (B), (C) and (D) of Section 430.110, ~~and Subsection (E) of Section 430.090,~~ the following signs are excluded from regulation under this Chapter:
1. Signs not exceeding four (4) square feet in area that are customarily associated with residential use, limited to signs giving property identification names or numbers, names of residents, signs on mailboxes or newspaper tubes, signs posted on private property relating to private parking or signs warning the public against trespassing or danger from animals.
 2. Signs erected by or on behalf of or pursuant to the authorization of a governmental body, including legal notices, identification and informational signs and traffic, directional or regulatory signs.
 3. Official signs of a non-commercial nature erected by public utility companies.
 4. Flags, pennants or insignia of any governmental body when not displayed in connection with a commercial promotion or as an advertising device and provided that not more than three (3) governmental flags, pennants or insignia shall be displayed on any property.
 5. Integral decorative or architectural features of buildings or works of art, so long as such features or works do not contain letters, trademarks, moving parts or lights.
 6. Signs on or adjacent to doors of commercial or industrial buildings displaying information such as the names and address of the occupant, the hours of operation or instructions for deliveries. Such signs shall not exceed four (4) square feet in area, shall not contain letters exceeding six (6) inches in height, ~~and shall not be illuminated.~~ Where multiple tenants share the same door, the sign may display the names and address of each tenant.
 7. Signs painted on or otherwise permanently attached to currently licensed motor vehicles, which vehicles are operable and not primarily used as signs.

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~~7. Window Temporary signs.~~

8. Signs at construction sites that are either:
- a. Posted at the entrance to the job site explaining rules for contractors and others entering the site; or
 - b. Signs posted on construction site or painted onto construction trailers actively being used on the site, provided such signs are limited to the name, logo, address and phone number of a contractor working at the site. This provision is not intended to allow any signs that advertise a particular project, developer, owner or other business, nor is it intended to allow any sales, leasing or hiring information to be displayed.

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Section 430.060. Prohibited Signs.

[Ord. No.1091 §§1 – 3(App. A §430.060), 9-24-2003; Ord. No. 1142 §18, 12-8-2004; Ord. No.1259 §5, 5-21-2008; Ord. No. 1303 §2, 9-23-2009]

- A. The following signs are prohibited except as stated below or as otherwise specifically provided hereinafter:
- 1. Outdoor advertising (such as poster panels, billboards and off-site promotional signs), except where a special use permit has been obtained for such sign.
 - 2. Attention-attracting devices, ~~pennants and streamers.~~
 - 3. Snipe signs, portable signs, placards or poster board panels leaning in windows, or similar signs that are not permanently affixed to a building, structure or the ground, other than temporary signs as specifically permitted by this Chapter.
 - 4. Directly illuminated signs, except when used with fixtures specifically designed to illuminate signs or with marquee signs. All direct lighting must be shielded and confined to the sign surface and must not be a nuisance to neighboring residential properties.
 - 5. Electronic message signs, other than time and/or temperature instruments or fuel pricing displays.
 - 6. Pole signs, ~~except that an existing business as of 2003 within one thousand (1,000) feet of the intersection of Johnson Drive and Metcalf Avenue are permitted to maintain, reface or replace existing pole signs for which a valid sign permit has previously been issued. New signs that replace existing pole signs must reduce the non-conforming height, area or setback of the previously issued sign permit.~~
 - 7. Roof signs.

8. Signs in the public right-of-way; except for governmental signs, traffic signs, temporary signs as allowed in this Chapter and signs specifically allowed in the right-of-way by the provisions of this Chapter.
9. Obsolete signs.
10. Obscene signs. "Obscene" is defined as any material that: (a) whether the average person applying contemporary community standards would find that the work, taken as a whole, appeals to the prurient interest; (b) whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable State law; and (c) whether the work, taken as a whole, lacks serious ~~literacy~~literary, artistic, political or scientific value.
11. Abandoned ~~non-conforming~~ signs.
12. Signs containing false or misleading advertising.
13. Signs falsely stating that property is zoned for specified land uses or signs stating that property will be zoned for specified land uses in the future.
14. Signs declaring that property is reserved for or is being held for a future land use which is inconsistent with the then existing zoning classification for the land.

Section 430.070. Signs Permitted in All Districts.

[Ord. No. 1091 §§1 – 3(App. A §430.070), 9-24-2003; Ord. No. 1142 §19, 12-8-2004; Ord. No. 1259 §6, 5-21-2008]

- A. Churches, schools, libraries, community centers or other public/semi-public facilities shall be allowed two (2) wall signs with not more than one (1) on a facade. No such sign shall have an overall area exceeding thirty-two (32) square feet. In lieu of one (1) of the wall signs, one (1) ~~detached~~ monument sign shall be permitted. Such monument sign shall be located on the premises and not less than ten (10) feet from the street right-of-way and each sign face shall not exceed fifty (50) square feet in area. The height of such sign shall not exceed six (6) feet above the average grade or six (6) feet above the nearest adjacent street grade, whichever is greater; provided that for each two (2) foot setback from the street right-of-way in excess of ten (10) feet, an additional foot may be added to the height of the sign to a maximum of eight (8) feet. These institutions shall be exempt from the requirement of payment of fees as indicated in Section **103.040(C)**.
- B. One (1) construction site identification sign of ~~good~~professional quality may be permitted during the development of any project. Such sign may identify the project, the owner or developer, future tenants, the architects, engineers, realtors, contractors and subcontractors involved, funding sources and may contain related information including, but not limited to, sale or leasing information. Such sign shall not exceed six (6) feet in height or thirty-two feet (32) square feet per face with a maximum of two (2) faces and shall be set back at least ten (10) feet from the street right-of-way. All such signs shall be

removed prior to issuance of any certificate of occupancy, temporary or final, for the last building in each phase of the project. Sign permits shall not be required for such signs.

- C. One (1) ~~parking lot~~ directional sign shall be permitted at each entrance to a building site, at key intersections within the site and at each entrance to a drive-through facility. Ground-mounted signs shall not exceed five (5) feet in height, shall not exceed four (4) square feet of sign area per face and may be single- or double-faced. Wall-mounted signs shall not exceed two (2) square feet of sign area and shall be single-faced. Such signs may indicate entrances, exits, addresses, direction of traffic flow and the location of loading docks, parking areas, leasing offices, ATMs, delivery doors, drive-through lanes and similar facilities. Up to twenty-five percent (25%) of the area of the sign may be used to display the name or logo of the developer, building or principal tenant. Sign permits shall not be required for such signs.
- D. *Substitution Of Messages.* Subject to the land owner's consent, a non-commercial message of any type may be substituted for any duly permitted or allowed commercial message or any duly permitted or allowed non-commercial message, provided that the sign or sign structure is legal without consideration of message content. This substitution of message may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech or favoring of any particular non-commercial message over any other non-commercial message. This provision does not create a right to increase the total amount of signage on a parcel or land use, nor does it affect the requirement that a sign structure or mounting device be properly permitted. This provision does not allow for the substitution of an off-site commercial message in place of an on-site commercial message.
- ~~E. *Variances.* Any person seeking minor adjustments to the strict application of this Section to the posting of a temporary sign shall file an "application for variance" in accordance with Section 440.310 of the Zoning Code.~~
- ~~F.E. *Penalties.* Violations of the provisions of this Section shall be a civil infraction and punishable by a minimum fine of fifty dollars (\$50.00) and up to five hundred dollars (\$500.00). Each day of a continued violation shall constitute a separate violation for the purposes of applying the penalty provision of this Section.~~
- ~~G.F. *Severability.* Severability is intended throughout and within the provisions of this ChapterSection. If any Section, Subsection, sentence, clause, phrase or portion of this ChapterSection is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Chapter Section.~~

Section 430.080. Signs Permitted in Residential Districts.

[Ord. No. 1091 §§1 – 3(App. A §430.080), 9-24-2003; Ord. No. 1259 §7, 5-21-2008]

- A. In lieu of any sign permitted under ~~this Section, Subsection (A)~~, a structure being used as a residential real estate sales or leasing office may be permitted one (1) non-illuminated, detached sign. Such sign shall be not more than twelve (12) square feet in area with a maximum height of six (6) feet above grade and shall be set back a minimum of ten (10) feet from the street right-of-way. Sign permits shall not be required for such signs.
- B. In addition to construction site identification signs, each multi-family project may have one (1) banner-type sign not exceeding fifty (50) square feet. Such banners may be located only on the roof or walls of the project clubhouse or on one (1) of the individual multi-family buildings within the project. Said banner shall be in place for a maximum time period of sixty (60) days from the issuance of the sign permit and may not be renewed except that each complex may obtain additional permits for the above described banners after a three (3) year time period has passed from the issuance of previous sign permits for a banner for the subject multi-family project. Any such banners may only contain the words “now renting” or “now leasing” or “for sale”, along with the name of the complex, address or location, phone numbers, development company or owner and directional symbols.
- ~~C. Project identification signs for a subdivision or residential project may be permitted at each entrance to the subdivision or project. All project identification signs shall be monument signs and, except as hereinafter provided, shall be located on the premises. Such signs shall not exceed six (6) feet in height above the average grade and the sign face shall not exceed fifty (50) square feet in area per face. If not sitting within the landscaped setback, the sign base shall be located within a curbed landscaped area extending a minimum of three (3) feet on all sides of the sign base. Where a project is situated on both sides of a public or private street, one (1) project identification sign may be located on each side of the street or, alternatively, one (1) project identification sign may be located in a landscaped median with the approval of the Planning Commission. Where a project identification sign is to be located in the public right-of-way, plans shall be submitted to the Planning Commission indicating the location, size and design of the project identification sign as well as a copy of the bylaws or other documentation of the association which will have permanent responsibility for maintenance of the sign and required landscaping.~~ ~~In addition to project identification signs permitted at entrances to the subdivision or project, project identification signs may be permitted on the premises adjacent to the intersection of two (2) thoroughfares or the intersection of a thoroughfare and a collector street.~~
- ~~D. Window signs covering no more than 50% of the glazing on any façade of a building.~~

Section 430.090. Signs Permitted in Commercial and Industrial Districts.

[Ord. No. 1091 §§1 – 3(App. A §430.090), 9-24-2003; Ord. No. 1142 §20, 12-8-2004; Ord. No. 1259 §8, 5-21-2008]

- A. To the extent that the residential land use is permitted in a commercial or industrial district, signs for a residential land use shall be permitted as in the applicable residential district.

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B. *Districts “C-O” And “CP-O.”*

1. In Districts “C-O” and “CP-O”, wall signs are permitted on three (3) facades, The total area of signs on each facade shall not exceed five percent (5%) of the area of the wall upon which it is mounted.
2. In lieu of one (1) of the wall signs, one (1) ~~detached~~ monument sign for each building shall be permitted. Such sign shall not exceed six (6) feet in height above the average grade and the sign face shall not exceed fifty (50) square feet in area per face if located at least ten (10) feet from the public street right-of-way or private street curb line. For each additional two (2) foot setback from the public street right-of-way or private street curb line over ten (10) feet, one ~~60~~ additional foot may be added to the height of the sign to a maximum of ten (10) feet. If not sitting within the landscaped setback, the sign base shall be located within a curbed landscaped area extending a minimum of three (3) feet on all sides of the sign base.
- ~~2.3.~~ Window signs covering no more than 50% of the glazing on any façade of a building.

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C. *Districts “C-1” And “CP-1.”*

1. Each business or commercial establishment shall be permitted not more than three (3) wall signs, not more than one (1) on each business facade. The area of such sign shall not exceed five percent (5%) of the total area of the business facade on which it is placed. Alternatively, multi-story buildings may be permitted three (3) wall signs per building, not more than one (1) sign per building facade, as indicated above for Districts “C-O” and “CP-O”. Such signs shall not extend above the height of the wall upon which they are mounted. In addition, one (1) non-illuminated wall sign, not more than nine (9) square feet in area, may be placed at each major entrance to a multi-tenant building.
2. In lieu of one (1) wall sign, one (1) projecting sign of the same area as the wall sign replaced shall be permitted, provided that no projecting sign shall extend more than three (3) feet from the face of the building. The lowest point of such sign must be a minimum of seven (7) feet above the ground or sidewalk.
3. Except in the case of a shopping center designed as one (1) ~~project development~~ unified entity and consisting of one (1) or several buildings, either attached or freestanding, one (1) ~~detached~~ monument sign shall be permitted in lieu of one (1) wall sign for each commercial building, which sign shall conform to the height, size and setback requirements applicable to monument signs in Districts “C-O” and “C P-O”.
4. In the case of a shopping center designed as one (1) ~~project development~~ unified entity and consisting of one (1) or several buildings, either attached or freestanding, one (1) additional ~~detached~~ monument sign may be permitted identifying the entire center. Such sign shall conform to the height, size and

setback requirements applicable to monument signs in Districts “C-O” and “CP-O”.

5. For buildings with a non-retractable awning, canopy or covered walkway along one (1) or more sides of the building, a sign may be hung or mounted under the canopy or covered walkway identifying each business with an exterior ground floor entrance. Such signs shall be located at or near the business entrance, shall be oriented toward pedestrians on the walkway and shall not exceed three (3) square feet in sign area per face. One (1) sign shall be permitted per business entry.

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5-6. Window signs covering no more than 50% of the glazing on any façade of a building.

D. *Districts “C-2, “CP-2”, “C-2B”, “CP-2B” And Industrial Districts.*

1. Each business or commercial establishment shall be permitted not more than three (3) wall ~~or marquee~~ signs, not more than one (1) on each business facade, the area of which sign shall not exceed ten percent (10%) of the total area of the facade upon which it is placed. Such sign shall not extend above the height of the wall ~~or marquee~~ on which it is mounted. In addition, one (1) non-illuminated wall sign, not more than nine (9) square feet in area, may be placed at each major entrance to a multi-tenant building. Alternatively, multi-story buildings may be permitted three (3) wall signs per building, not more than one (1) sign per building facade, as indicated above for Districts “C-O” and “CP-O”.

2. In lieu of any or all of the wall signs, up to three (3) marquee signs, not more than one (1) on each marquee façade, shall be permitted for each establishment. Marquee signs may incorporate direct illumination into their design.

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2-3. In lieu of one (1) of the attached signs, one (1) projecting sign shall be permitted for each establishment, provided that the area of such projecting sign shall not exceed ten percent (10%) of the total area of the facade upon which it is attached and shall not extend above the roof level of the building where the sign is located. The lowest point of such sign must be a minimum of seven (7) feet above the ground or sidewalk.

3-4. Except in the case of a shopping center designed as one (1) project development unified entity and consisting of one (1) or several buildings, either attached or freestanding, one (1) ~~detached~~ monument sign shall be permitted for each commercial building in lieu of one (1) wall sign or projecting sign. Such sign shall conform to the height, size and setback requirements applicable to monument signs in Districts “C-O” and “CP-O”

~~4.5.~~ In the case of a shopping center designed as one (1) ~~project-development unified entity~~ and consisting of one (1) or several buildings, either attached or freestanding, one (1) additional ~~monument detached~~ sign may be permitted identifying the entire center. A gasoline service station, designed as part of the center, may also have a ~~detached-monument~~ sign. All other signs in the center shall consist of wall, projecting or marquee signs. The ~~detached-monument~~ sign shall conform to the height, size and setback requirements applicable to monument signs in Districts “C-O” and “CP-O”.

~~5.6.~~ Drive-through restaurants and car washes may have two (2) menu boards located in conjunction with each drive-through lane. Such sign shall not exceed eight (8) feet in height or thirty-two (32) square feet of sign area per face. Drive-in restaurants or food service establishments with walk-up service windows may have one (1) menu board per order station. Menu boards for drive-in service shall not exceed eight (8) square feet of sign area per face and menu boards for walk-up service shall not exceed thirty-two (32) square feet of sign area per face. All menu boards shall be oriented toward the location of the vehicle or pedestrian being served and shall not contain lettering that exceeds six (6) inches in height.

7. For buildings with a non-retractable awning, canopy or covered walkway along one (1) or more sides of the building, a sign may be hung or mounted under the canopy or covered walkway identifying each business with an exterior ground-floor entrance. Such signs shall be located at or near the business entrance, shall be oriented toward pedestrians on the walkway and shall not exceed three (3) square feet in sign area per face. One (1) sign shall be permitted per business entry.

~~6.8.~~ Window signs covering no more than 50% of the glazing on any façade of a building.

E. Districts “C-2A”, MSI” And “MS2”.

~~1.~~ ~~Each business or commercial establishment shall be permitted signage as follows:~~

~~a.1.~~ ~~Each business or commercial establishment shall be permitted three (3) wall signs, not more than one (1) on a facade, provided that the area of each sign shall not exceed ten percent (10%) of the total area of the facade upon which it is placed. Such signs shall not extend above the height of the wall upon which they are mounted.~~

~~b.2.~~ In lieu of one (1) of the wall signs, one (1) projecting sign shall be permitted for each establishment, provided that the area of such projecting sign does not exceed ten percent (10%) of the total area of the facade upon which it is attached or ten (10) square feet, whichever is more, and does not extend above the roof level of the building where the sign is located. The lowest point of such sign must be a minimum of seven (7) feet above the ground or sidewalk.

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3. A combination of a wall sign and projecting sign shall also be allowed, in which case the total area of both signs shall not exceed ten percent (10%) of the total area of the facade upon which the signs are attached. The projecting sign shall not be more than ten (10) square feet.

4. In lieu of any or all of the wall signs, up to three (3) marquee signs, not more than one (1) on each marquee façade, shall be permitted for each establishment. Marquee signs may incorporate direct illumination into their design

e. Except in the case of a shopping center designed as one (1) project and consisting of one (1) or several buildings, either attached or freestanding, one (1) monument sign shall be permitted in lieu of one (1) wall sign for each commercial building, which sign shall conform to the height, size and setback requirements applicable to monument signs in Districts “C-O” and “C P-O” and be subject to the following restriction:

6. The minimum distance from the right-of-way line to the closest building or buildings on the portion of the property where the sign is to be located must be equal to or greater than fifteen (15) feet.

7. In the case of a shopping center designed as one (1) project and consisting of one (1) or several buildings, either attached or freestanding, one (1) additional monument sign may be permitted identifying the entire center. Such sign shall conform to the height, size and setback requirements applicable to monument signs in Districts “C-O” and “CP-O”.

2-8. In addition to the permitted wall signs, one (1) pedestrian oriented sign per business entry shall be permitted to be placed beneath a non-retractable awning and/or canopy that extends from the building. Such sign shall be limited to three (3) square feet in area and may be internally illuminated. The lowest point of such sign must be a minimum of seven (7) feet above the ground or sidewalk. In lieu of said pedestrian oriented sign, one (1) non-illuminated identification sign, not more than three (3) square feet in area, may be placed on the wall at each major entrance to the building. The highest point of the sign may be no higher than seven (7) feet above the sidewalk.

3-9. Project identification signs for a residential project may be permitted at each entrance to the project. All project identification signs shall be monument signs and, except as hereinafter provided, shall be located on the premises. Such signs shall not exceed six (6) feet in height above the average grade and the sign face shall not exceed fifty (50) square feet in area per face. If not sitting within the landscaped setback, the sign base shall be located within a curbed landscaped area extending a minimum of three (3) feet on all sides of the sign base. Where a project is situated on both sides of a public or private street, one (1) project identification sign may be located on each side of the street or, alternatively, one (1) project identification sign may be located in a landscaped median with the approval of the Planning Commission. Where a project identification sign is to be

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located in the public right-of-way, plans shall be submitted to the Planning Commission indicating the location, size and design of the project identification sign as well as a copy of the bylaws or other documentation of the association which will have permanent responsibility for maintenance of the sign and required landscaping.

~~4. On property zoned "MS2", monument signs are permitted subject to the following restrictions;~~

~~a. One (1) detached monument sign shall be permitted for each building in lieu of one (1) wall sign or projecting sign; provided however, that in the case of a shopping center designed as one (1) unified entity and consisting of one (1) or several buildings, either attached or freestanding, one (1) detached monument sign shall be permitted for the entire center.~~

~~b. The minimum setback from the right-of-way line to the closest building or buildings on the lot must be equal to or greater than fifteen (15) feet.~~

~~e. Such sign shall not exceed six (6) feet in height above average grade and the sign face shall not exceed fifty (50) square feet in area per face. If not sitting within the landscaped setback, the sign base shall be located within a curbed landscaped area which is equal to or greater than two hundred (200) square feet.~~

~~d. The minimum setback for the monument sign is ten (10) feet.~~

~~5. Monument signs are not permitted in the "C-2A" and "MS1" Districts unless a minimum sufficient ten (10) foot setback exists for such a sign.~~

~~6-10. Window signs covering no more than 50% of the glazing of any façade of a building except in the area defined in Section 410.330 as the Downtown District, the following requirements shall apply:~~

~~a. Window signs are geared towards pedestrians and therefore should be no larger than ten percent (10%) of the storefront glazing. Signs should be of a permanent nature applied directly on the glass. No placards or poster board panels leaning in windows are allowed, except for open/closed signs that shall be no larger than one (1) square foot.~~

~~b. No canopies, panels or awnings which span through two (2) or more storefronts shall be allowed. Backlit awnings are permitted only if the awning is opaque. If a portion of a backlit awning is not opaque, then that portion shall be considered a "sign".~~

F. *Districts "C-1", "CP-1", "C-2", "CP-2", "C-2A", "C-2B", "CP-2B", "MS1" And "MS2". Where one (1) retail establishment (the "subtenant") leases space and conducts business within another retail establishment (the "primary tenant") but does not have an*

exterior business facade and an exterior door leading directly to the subtenant space, one ~~CO~~ exterior wall sign may be permitted if all of the following conditions are met:

1. The subtenant's business establishment occupies at least one hundred (100) square feet of floor area and is staffed and open for business during predetermined hours.
2. The primary tenant's business establishment occupies at least twenty-five thousand (25,000) square feet of floor area.
3. The subtenant's business is a separate legal entity from the primary tenant's business, as opposed to a department, division or subsidiary of the primary tenant's business. The application may be required to include a copy of the lease agreement between the subtenant and the primary tenant or other documentation acceptable to the City Attorney to establish that the two (2) businesses are separate legal entities.
4. A private sign criteria for the building or shopping center has been submitted to and approved by the Planning Commission which specifically provides for subtenant signage, including standards for the sign location, size, style, color and content. Such sign criteria shall include scale drawings of the facades of all primary tenants where subtenant signs are authorized showing the permitted locations for subtenant signs.
5. The total area for all signs on the same facade does not exceed the allowable signage area for that district. The sign permit application for a subtenant sign shall include a scale drawing of the primary tenant's facade showing the location and size of the subtenant sign and all other signage on that facade. ~~The application shall also include a copy of the lease agreement between the subtenant and the primary tenant or other documentation acceptable to the City Attorney that the two (2) businesses are separate legal entities.~~ The provisions of this Section for subtenant signs shall not apply to businesses within an enclosed shopping mall or to businesses that are conducted primarily by automated machines.

- G. ~~Interior n~~ Neon signs or tubes ~~as defined in this Subsection~~ shall only be allowed when they are placed inside a building and be allowed only in Districts "C-1", "CP-1", "C-2", "CP-2", "C-2A", "MS1", "MS2", "MP" and "M-1". If such signs or tubes are within forty-eight (48) inches of any window or door and visible from outside the building, then such sign or tubing shall not occupy an area greater than ten (10) square feet and only one (1) such neon sign area shall be allowed per business; provided however, that such signs under three (3) square feet shall not be required to have a sign permit. All such neon signs or tubes shall not blink, flash or otherwise be used to display intermittent lighting sequences or to simulate motion. Permitted neon tubes or signs shall be installed, wired and inspected in accordance with the adopted building codes of the City of Mission. Neon signs shall not be oriented addressed towards residential areas.
- H. Any neon sign or tubes removed for other than repair shall not be replaced with any other sign or surface which is not in compliance with existing laws and requirements.

- I. In districts where automated teller machines (ATMs) are permitted, up to three (3) signs are permitted, no more than one (1) per machine/canopy face, identifying the ATM or the bank, financial institution or ATM network associated with that machine. Such signs shall not exceed eight (8) square feet in area. In addition, one (1) non-illuminated sign is permitted per ATM to identify the types of ATM cards accepted or special instructions to ATM users. Such sign shall not exceed four (4) square feet in area, shall be mounted flush to the side of the machine and shall not require a sign permit.

J. ~~Only the portion of an awning which is backlit and transparent shall be considered a sign.~~

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Section 430.100. Signs Permitted in Conjunction With Special Use Permits.

[Ord. No. 1091 §§1 – 3(App. A §430.100), 9-24-2003]

- A. In the case of ~~signs permitted by the issuance of a~~ special use permit ~~uses~~, all ~~wall and detached~~ signs shall be approved by City Council after recommendation from the Planning Commission, except where private sign criteria have been previously approved for the ~~project development~~.
- B. The special use permit for signage shall be processed as required in Sections **440.050** through **440.140**.
- C. Where appropriate, the sign regulations of the underlying zoning district or the most analogous zoning district ~~shall~~ may be followed.

Section 430.110. Additional Regulations Applicable To All Districts.

[Ord. No. 1091 §§1 – 3(App. A §430.110), 9-24-2003; Ord. No. 1142 §21, 12-8-2004; Ord. No. 1259 §9, 5-21-2008]

- A. No sign may be located such that it substantially interferes with the view necessary for motorists to proceed safely through intersections or to enter onto or exit from public or private streets or driveways. No detached sign ~~ground-mounted sign with a height of more than thirty six (36) inches above the road level~~ shall be located in the sight distance triangle on a corner lot, ~~the short leg of which shall be twenty (20) feet and the long leg of which shall be one hundred forty (140) feet measured along the curb line or edge of pavement~~.
- B. No sign may be erected such that by its location, color, size or shape, it would tend to obstruct the view of or be confused with traffic signals or other signs erected by governmental agencies.
- C. All signs shall be of sound structural quality, be maintained in good repair and have a clean and neat appearance. Land adjacent to such signs shall be kept free from debris, weeds and trash. If signs are not being maintained as described and the ~~City Director of Public Works~~ deems them a public hazard or nuisance, such signs shall be ordered repaired or removed.

D. No part of any sign shall be located closer than ten (10) feet from any side or rear property line.

~~E.~~ Time and/or temperature instruments may be permitted provided they are designed in harmony with the building and are architecturally compatible. ~~Such signs shall be subject to approval by the approved by City Council.~~

~~F.E.~~ The dimensions of a backlighted sign, canopy or panel shall be measured by constructing a rectangle from the highest, lowest and widest points of such object, display or surface which displays a light source, except that the opaque surfaces immediately related to or a part of that same sign or panel shall also be calculated in the dimensions of the sign. Provided further, in calculating the dimensions of a continuous panel which spans at least eighty percent (80%) of any one (1) facade of a single or common structure with multiple tenants, the continuous opaque areas between, over and below the lighted areas for such independent operations shall not be calculated to determine the dimensions of the signs, canopies or panels.

~~F.~~ The dimensions of a ~~wall~~ sign shall be measured by constructing a rectangle from the highest, lowest and widest points of such object, display or surface.

~~H.~~ ~~Any pole sign existing on January 1, 2016 shall be removed no later than December 31, 2023, it being the legislative finding of the Governing Body that a period of seven (7) years is a reasonable time in which to require removal.~~

Section 430.120. Private Sign Criteria.

[Ord. No. 1091 §§1 – 3(App. A §430.120), 9-24-2003]

All hotels and motor hotels and shopping centers, business parks, office parks, ~~or~~ industrial parks and MXD developments shall be required to prepare a set of sign criteria governing all exterior signs in the development to assure harmony and visual quality throughout the development. As an alternative to the specific sign requirements of any commercial or industrial district, the owner may seek approval of an alternate set of sign criteria. Such criteria shall be binding upon all subsequent purchasers or lessees within the development. The size, colors, materials, styles of lettering, appearance of logos, types of illumination and location of signs shall be set out in such criteria. ~~In all respects, the criteria shall be within the regulations set out in this Code and shall be for the purpose of assuring harmony and visual quality throughout the development.~~ Final development plans ~~(in the case of a planned zoning district) or building permits (in the case of a conventional zoning district)~~ shall not be approved until the Planning Commission has approved the sign criteria. No sign permit shall be issued for a sign that does not conform to the criteria. For purposes of this Section, the terms “*shopping centers, business parks, office parks, ~~or~~ industrial parks, or MXD developments*” shall mean a project of one (1) or more buildings that has been planned as an integrated unit or cluster on property under unified control or ownership at the time that zoning was approved by the City. The sale, subdivision or other partition of the site after zoning approval does not exempt the project or portions thereof from complying with these regulations relative to the number of detached signs, harmony and visual quality of signs to be installed. Where the ownership of the development is divided among two (2) or more owners,

proposed amendments to the sign criteria must have written support from all owners or be specifically designed to affect on the property owned or represented by the applicant. Provided, however, that approved sign criteria shall in no event include prohibited signs.

Section 430.130. (Reserved)

[1] *Editor's Note – Ord. no. 1259 §10, adopted May 21, 2008, repealed section 430.130 "political signs" in its entirety. Former section 430.130 derived from ord. no. 1091 §§7 – 3(App. A §430.730), 9-24-03. At the editor's discretion, this section has been reserved for the city's future use.*

Section 430.140. Removal of Obsolete or Abandoned Signs.

[Ord. No. 1091 §§1 – 3(App. A §430.140), 9-24-2003; Ord. No. 1259 §ii, 5-21-2008]

- A. If a building, structure or premise is vacated for a six (6) month period of time, any off-site or on-site signs in connection therewith shall be deemed obsolete and abandoned. ~~The~~ owner of said property shall be responsible for removing any ~~such off-site or on-site~~ signs with the exception of advertisements dealing with the sale or leasing of the facility. In addition, the owner shall be responsible for restoring the facade of the building, structure or premise.
- B. If the time period set forth in Subsection (A) has elapsed and the sign or signs have not been removed, the ~~Code Enforcement Officer~~ City shall send written notification by certified mail, return receipt requested, to the property owner of record demanding indicating that the sign shall be removed. If the sign has not been removed within thirty (30) days after the receipt of the notice, the City may have the sign removed and the cost assessed to the property owner.
- C. Where a sign has been removed by the City pursuant to Subsection (B), the City ~~Clerk~~ shall mail a statement of the cost of removal of said sign or signs to the last known address of the owner of record or person in charge of such property. If such costs are not paid within ten (10~~0~~) days from the mailing of such notice, a record of the costs of abatement shall be certified to the City Clerk who shall cause such costs to be assessed against the particular lot or piece of land on which such sign or signs were so removed. The City Clerk shall certify the assessment to the County Clerk at the time other special assessments are certified for spread on the tax rolls of the County. ~~the Governing Body shall proceed to pass an ordinance levying a special assessment for such cost against the lot or piece of land and the City Clerk shall certify such assessment to the County Clerk for collection and payment the same as other assessments and taxes are collected and paid to the City.~~

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Section 430.150. Temporary Signs.

[Ord. No. 1259 §12, 5-21-2008]

A. *Purpose And Findings.* The City of Mission is enacting this Section to establish reasonable regulations for the posting of temporary signs on public and private property. Temporary signs left completely unregulated can become a threat to public safety as a traffic hazard and detriment to property values as an aesthetic nuisance. By implementing these regulations, the City intends to:

1. Balance the rights of individuals to convey their messages through temporary signs and the right of the public to be protected against the unrestricted proliferation of signs;
2. Further the objectives of the City's Comprehensive Plan;
3. Protect the public health, safety and welfare;
4. Reduce traffic and pedestrian hazards;
5. Protect property values by minimizing the possible adverse effects and visual blight caused by signs;
6. Promote economic development; and
7. Ensure the fair and consistent enforcement of the temporary sign regulations specified in the following provisions.

B. *Temporary Signs Permitted In All Zones.*

1. Temporary signs may be posted on property in all zones of the City, subject to the following requirements and those applicable provisions stated elsewhere in the City's sign ordinance. ▲

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~~2.~~ Permits for temporary signs are not required in the R-1, R-2 or R-3 Districts.

3. The total square footage for temporary signs in any district per business or commercial establishment, in the aggregate, shall not exceed forty-eight (48) square feet, with no individual sign exceeding sixteen (16) square feet. The total square footage of a sign is measured to include all of the visible display area of only one (1) side of the sign and only the area of one (1) side of a double sign is included in the aggregate calculation. ▲

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4. Such signs shall not exceed six (6) feet in height. ▲

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~~2-5.~~ Such signs shall maintain a setback at least three (3) feet from the property line.

~~3-6.~~ No temporary sign shall obstruct or impair access to a public sidewalk, public or private street or driveway, traffic control sign, bus stop, fire hydrant or any other type of street improvements furniture or otherwise create a hazard, including a tripping hazard.

~~4-7.~~ No temporary sign shall be illuminated or painted with a light-reflecting paint.

~~5-8.~~ A temporary sign shall only be posted with the consent of the property owner ~~or applicant.~~

9. Temporary signs may be posted for the following periods of time not to exceed a total of 90 days per calendar year.

a. Up to 3,7,15,30, or 60 consecutive days; or

b. Up to 30 or 60 non-consecutive days. A temporary sign may be posted for a period of up to sixty (60) days, at which time the sign shall be removed for a period of at least sixty (60) days;

~~6-c.~~ Except for real estate signs advertising property for sale or lease, which may remain until the property is sold or leased.

C. *Authorization Required For Posting Temporary Signs In The Public Rights-Of-Way.*

Temporary signs shall not be posted in the public rights-of-way without obtaining a permit for such posting from the ~~Director of Community Development or the Director of Community Development's designee~~ City and pursuant to the ~~Department of Community Development's~~ City policy regarding the posting of signs in the public rights-of-way. This restriction includes the posting of temporary signs on trees, utility poles and other structures within the rights-of-way.

D. *Removal Or Replacement Of Temporary Signs.*

1. The person who has posted or directed the posting of a temporary sign is responsible for the removal or replacement of that sign in accordance with this Section.
2. If that person does not remove or replace the temporary sign in accordance with this Section, then the property owner or occupant of the building lot where the sign is posted is responsible for the sign's removal or replacement.
3. If the ~~Director Of Community Development or the Director of Community Development's designee~~ City finds that any sign is posted in violation of these regulations on private property, ~~then(s)he shall give~~ written notice shall be given to the person who has posted or directed the posting of the sign. If that person fails to remove or replace the sign so as to comply with the standards herein set forth within seventy-two (72) hours after such notice, an action may be commenced under Section 430.070(E). such sign may be removed by the Director.
4. The ~~Director of Community Development or the Director of Community Development's designee~~ City may immediately remove temporary signs posted on public property or rights-of-way in violation of this Section and commence an action under Section 430.070(E); file a civil complaint against the person who posted the sign to recover the cost of removing the sign.

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Chapter 420. Accessory Uses, Prohibited Uses and Non-Conforming Uses

Article IV. Non-Conforming Situations and Vested Rights

Section 420.220 Non-Conforming Signs.

[Ord. No. 1142 §14, 12-8-2004; Ord. No. 1259 §1, 5-21-2008]

- A. Subject to the remaining restrictions of this Section and the provisions of Section **420.200**, non-conforming signs that were otherwise lawful on the effective date of this Article may be continued.
- B. No person may engage in any activity that causes an increase in the extent of non-conformity of a non-conforming sign. Without limiting the generality of the foregoing, no non-conforming sign may be enlarged or altered in such a manner as to aggravate the non-conforming condition, nor may illumination be added to any non-conforming sign.
- C. A non-conforming sign may not be moved or replaced and the message may not be changed, except to bring the sign into complete conformity with this Article, except for "sign maintenance" as defined in Section **430.020**. In conducting "sign maintenance" to a non-conforming sign, a new sign permit is required any time a sign is ~~altered~~refaced.
- D. Subject to the other provisions of this Section, non-conforming signs may be maintained and repaired so long as the cost of such work within any twelve (12) month period does not exceed fifty percent (50%) of the value (tax value if listed for tax purposes) of such sign. No such work shall be done without the person proposing to do such work first submitting such information as may be required to satisfy the Public Works Director that the cost of such work would not exceed fifty percent (50%) of the value of the sign.
- E. If a non-conforming sign other than a billboard advertises a business, service, commodity, accommodation, attraction or other enterprise or activity that is no longer operating or being offered or conducted, that sign shall be deemed abandoned and shall be removed (including support structure) within thirty (30) days after such abandonment by the sign owner, owner of the property where the sign is located or other person having control over such sign.
- F. If a non-conforming billboard remains blank for a continuous period of one hundred eighty (180) days, that billboard shall be deemed abandoned and shall, within thirty (30) days after such abandonment, be altered to comply with this Article or be removed by the sign owner, owner of the property where the sign is located or other person having control over such sign. For purposes of this Section, a sign is "blank" if:
 1. It advertises a business, service, commodity, accommodation, attraction or other enterprise or activity that is no longer operating or being offered or conducted; or
 2. The advertising message it displays becomes illegible in whole or substantial part; or
 3. The advertising copy paid for by a person other than the sign owner or promoting an interest other than the rental of the sign has been removed.
- G. Sales or leasing signs existing on the effective date of this Article which do not conform to the requirements of Section **430.080(C)** or not previously in compliance with applicable regulations shall be removed by July 1, 2005.

Chapter 445. Building Permits, Special Use Permits and Certificate of Occupancy

Article III. Special Use Permits

Section 445.180. Designated Use.

[Ord. No. 1007 §16-220.01, 1-24-2001; Ord. No. 1013 §1, 6-27-2001; Ord. No. 1045 §16-220.01, 8-14-2002; Ord. No. 1091 §§1 — 3(App. A §445.180), 9-24-2003; Ord. No. 1124 §26, 8-25-2004]

A. The following uses may be located in any district with the issuance of a Special Use Permit, except in those districts listed after each use, after a public hearing and upon recommendation of the Planning Commission and approval of the City Council and subject to such regulations, restrictions and conditions within the district and any other conditions of zoning or use so stipulated or imposed:

Use	Use to be Excluded from following districts
Automobile parking lot properly landscaped, surfaced, drained and screened	Residential districts
<u>Billboard Signs</u>	<u>Residential districts</u>
Cemeteries	C-2A, MS1, MS2, DND
Dog kennel — veterinary	None
Electric power substations	None
Discount store or superstore	Residential districts
Hospital	Residential districts, C-2A, MS1, MS2
Motels and hotels	Residential districts
Nurseries	Residential districts
Nursing homes	None
Radio, television and microwave towers and antennae, and in cases where such devices cannot conform to height, area or other standards of Chapter 415	None
Clubs, private where alcoholic beverages are consumed on the premises. These include taverns, beer halls, discotheques, dance clubs and the like	Residential districts
Refuse dump or land fill	Residential districts, C-2A, MS1, MS2
Reservoirs — underground	None
Sewage pumping stations	None
Water tanks	None

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B. In addition, temporary use of land or building for a use that is not otherwise permitted for that premises provided such temporary use shall conform to the following conditions:

1. The use is temporary in nature and will not require major change or addition to an existing building or structure.

2. The use will not be offensive or damaging to surrounding properties by way of noise, traffic generation, commotion, storage of materials or equipment, or visual effects which are in contrast to and not in harmony with the surrounding neighborhood.

3. The use can readily be terminated and any equipment, appurtenances and materials removed immediately upon expiration or repeal of the special use permit.

4. No special use permit for a temporary use shall be valid for more than six (6) months but may be renewed by the same process as the original special use permit.

C. The Planning Commission and City Council may designate such other uses as appropriate for a special use permit upon a finding that the use is appropriate in a certain location but is not listed as allowed in any district or is only allowed in a district which contains other uses inappropriate in this subject location.

RESOLUTION NO. ____

A RESOLUTION ESTABLISHING A SIGN PERMIT FEE SCHEDULE

WHEREAS, the City deems it necessary and prudent to require sign permits and other permits related to construction of signs to ensure the compliance with adopted codes and standards and;

WHEREAS, the City deems it necessary and prudent to require fees in conjunction with the filing of applications for permits to further ensure the compliance with adopted codes and standards and;

WHEREAS, the City requires a fee to paid for such permits.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MISSION, KANSAS, as follows:

SIGN PERMIT FEES

1. Temporary Signs:

Consecutive Days

- 3 consecutive days- \$20
- 7 consecutive days- \$25
- 15 consecutive days- \$40
- 30 consecutive days- \$75
- 60 consecutive days-\$150

Non-Consecutive Days

- 30 non-consecutive days- \$100
- 60 non-consecutive days- \$200

- 2. Charitable institutions and entities are exempt from temporary permit fees.**
- 3. Permanent Signs: \$25.00, plus \$1.50 per square foot or fraction thereof of projected sign surface area.
- 4. Sign Refacing: \$25.00, plus \$.50 per square foot or fraction thereof of projected sign surface area.
- 5. On signs with more than one (1) face the fee shall be based upon the sum of the areas of all sign faces.

Sign Professional/Contractor Occupational License Fees

Sign professionals/contractor occupational license fee: \$50.00

PASSED AND APPROVED BY THE CITY COUNCIL this __ day of ____, 2017.

SIGNED AND APPROVED BY THE MAYOR this __ day of ____, 2017.

Steve Schowengerdt, Mayor

ATTEST:

Martha Sumrall, City Clerk



To: Mission Planning Commission
From: Danielle Murray, City Planner
Date: November 21, 2016
Re: Case # 16-07 Sign Code Changes

Background

Over time, staff has received various comments and complaints about signs in the commercial districts of the City. Sometimes these complaints have been about the maintenance of permanent signs or awnings, but more often they have involved the location and appearance of temporary signs and/or window signs. In 2012, in an attempt to encourage voluntary compliance with the existing sign code, staff began providing reminders of sign code requirements with the annual business license renewal process. In early 2015, in response to increased feedback by the community and City Council, staff proposed a process to **conduct an inventory of existing signs, examine the current sign code regulations**, and to **propose possible changes** before beginning an **expanded sign code enforcement** effort.

Sign Code Regulation

Mission regulates signs through Sign Code Ordinances in Chapter 430 of the Land Use Regulations or Zoning Code of the Municipal Code. The Sign Code defines the various types of signs allowed and explains the physical conditions for their installation including:

- 1) Where they may be installed
- 2) Limitations on size and number
- 3) How long they may be in place
- 4) If a sign permit is required prior to installation

Signs are a form of speech and expression and, as such, are protected by the First Amendment to the Constitution. Various court cases across the country have affirmed a City's power to regulate signs only in a content-neutral fashion. Generally, that means cities may make rules about the **"time, place and manner"** of signs as long as those rules don't make any distinction based on what the sign says. The First Amendment does not protect false claims or otherwise unlawful activity.

As a component of the zoning code, state statute requires that changes to the sign code be reviewed by the Planning Commission and receive a public hearing before being referred on to the City Council for final adoption. The City's sign code is developed in consultation with legal counsel and has been reviewed by the City's land use attorney.

Sign Code Enforcement

In Mission, sign permits are required for most but not every sign type. When they are required, permit applications are reviewed and issued by the City Planner. Historically, sign

code enforcement has also been conducted by the planner, primarily on a complaint driven basis. Occasional special sweeps to address seasonal sign issues (elections, tax preparation, post storm event repairs, etc) have also been conducted. Recently, the role of Neighborhood Services staff has been expanded to include a more direct role in building and zoning issues. This realignment will allow for an increase in the capacity to provide regular, proactive sign code enforcement.

As with any enforcement activity, staff attempts to gain voluntary compliance first through informal communication and education. If voluntary compliance is not possible, the more formal process of issuing citations to appear in court can be implemented under the current code. In some specific circumstances signs can be removed by staff or abated by a professional contractor. Penalties such as fines can only be assigned by the municipal judge, and multiple court hearings are often required. Involuntary enforcement generally takes more staff resources and may not be as effective in resolving a problem in the long term.

Sign Code Change Process

In consultation with the City Council staff developed the following steps to assess and document the current situation, educate local business and property owners, and evaluate the strengths and weaknesses of our existing sign code. The goal is to create a sign code enforcement program that is fair and predictable for Mission residents and merchants and that can be sustained with available staff resources.

- Conduct a sign audit to document what signs are already “on the ground” and in permit files. Visit every commercial property in the city, including apartment complexes and churches, to inventory the existing signs. To do this the City acquired a temporary software subscription that could be accessed from mobile devices by the Neighborhood Services Officers.
- Create a comprehensive inventory database of the audit information.
- Analyze audit data for patterns and trends. Determine how many possible sign code violations exist and what general categories they fall into. (i.e. signs without permits, signs in wrong locations, sign duration violations, sign numbers, sign size)
- Solicit input regarding the best ways to address issues identified. Are sign code changes needed to achieve the preferred outcomes? Staff has communicated with the City Council as audits, analysis, and proposed code changes were developed. A letter summarizing the proposed changes and inviting comment on them was sent to every business currently holding an occupation license. The entire text of the proposed changes and a brief memo describing them was also posted to the City’s website. Staff held two meetings in November with business and property owners to explain the proposed changes and solicit feedback. Comments have been summarized and are included in the packet for Planning Commission and City Council review.
- Communicate intentions to the community. Continue education efforts for businesses and local sign companies through various media and personalized correspondence.

- Design a system of continuous sign code enforcement that can be consistently implemented across the entire city.

Sign Inventory and Code Analysis

The sign inventory documented **817 signs** throughout Mission. The four most common sign types were: wall signs (315), window signs (199), temporary signs (91), and monument signs (87). Full descriptions of each sign type are presented in the attached handout and specifically discussed in the following pages. In commercially zoned areas, the typical business has only **two or three signs**.

Number of Signs by Zoning District	Signs	
	#	%
Residential Districts (<i>R-x, RP-x, DND</i>)	52	6%
Light Commercial Districts (<i>C-1, CP-1</i>)	32	4%
Downtown Districts (<i>MS1, MS2</i>)	444	54%
Office Districts (<i>C-O, CP-O</i>)	55	7%
Heavy Commercial / Industrial Districts (<i>All other districts</i>)	234	29%
TOTAL	817 signs	

Pole Signs

There are currently **23** pole signs within the City. The installation and replacement of pole signs has been prohibited since September 2003. Existing pole signs are regulated as non-conforming uses and investment is limited to maintenance only, with the intent being the eventual elimination of all pole signs.

POLE SIGN

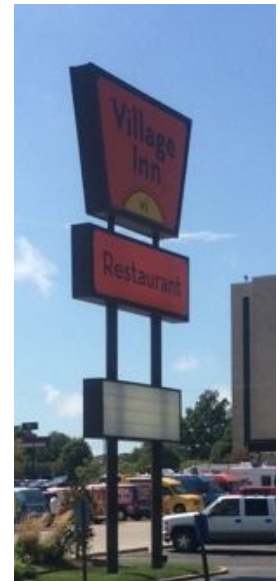
A sign which is supported by one (1) or more poles, uprights or braces in the ground so that the bottom edge of the sign face is more than ten (10) feet above the ground.

Since 2009, nine (9) existing pole signs have been removed throughout the City. This was accomplished through a combination of voluntary compliance with zoning code enforcement notices, City abatement, or normal business practices. Pole sign regulations were last amended in 2009 to allow existing pole signs in the vicinity of Johnson Drive and Metcalf Avenue under certain conditions. There are three signs that continue to meet these conditions (Village Inn, Johnny's BBQ, and Popeye's).

At the Community Development Committee's December 2015 meeting, the Committee communicated a preference to continue the prohibition on pole signs and to explore implementation of ordinance changes that would establish a deadline for property owners to actively remove all pole signs within the City. Additional discussion surrounding pole sign code revisions asked the following questions.

Decision Points (Time, Place, Manner)

- Does the City Council still desire to implement these changes in the near future, or include them in a larger discussion of sign code revisions?
- Should the City require by ordinance that pole signs be removed by a certain date (an amortization policy)? If so, how long should businesses have to remove these signs?



Temporary Signs

The results of the sign inventory show **91** temporary commercial signs were in place throughout Mission during the sign inventory, with about one-quarter (23) of those being used for purposes related to real estate and project development (purposes treated differently under our sign code).



Number of Temporary Signs by Zoning District	Signs	
	#	%
Residential Districts <i>(R-x, RP-x, DND)</i>	10	11%
Light Commercial Districts <i>(C-1, CP-1)</i>	40	44%
Downtown Districts <i>(MS1, MS2)</i>	7	8%
Office Districts <i>(C-O, CP-O)</i>	4	4%
Heavy Commercial / Industrial Districts <i>(All other districts)</i>	30	33%
TOTAL	91 signs	

Temporary signs can be used for any purpose under our code, but often are used to fulfill one of the following needs:

- Political signs
- Contractor projects
- Special events
- Garage sales
- Sales and promotions



The current sign code does not require a sign permit for temporary signs, allows an unlimited number of signs but restricts the overall square footages, and limits any one sign's duration to 60 days before the sign must be removed for at least 60 days. Signs which advertise property for sale are limited in duration to the period of time for which the property is on the market for sale.

While these are reasonable restrictions, they are very difficult to enforce. Staff would have to proactively monitor properties for the appearance of temporary signs, document them when seen, and spend time comparing current signs to historical signs or documenting that a sign has been in place for longer than 60 days. Proving that someone is using more than the gross allowable square footage would require staff to locate and measure each individual sign. The typical policy solution to these type of concerns is to require permits - but that may be seen as too burdensome for these signs.



Beyond issues with these restrictions, temporary signs are being used throughout the City in ways that were not intended when the code was authored. It would be difficult for enforcement alone to resolve concerns about temporary signage within the current code.

For example, in the City's business districts, many of the signs inventoried were used purely to identify or draw attention to a business - rather than to recognize a sale or some other special or temporary event. While our code should not make any distinctions between these uses, these needs would be more appropriately satisfied by permanent signage. However, temporary signs often come at a lower cost to produce, provide greater flexibility to the business, and allow for more sign space than would otherwise be allowed to an individual business.



Similarly, the sign code allows signs advertising a property for sale or lease to remain until that property is leased or sold. However, in the case of larger multi-family developments, there is virtually always *some* level of vacancy that triggers this exception in our code. Additional discussion surrounding temporary signs asked the following questions.

Decision Points (Time, Place, Manner)

- Should the City require a permit for temporary signs?
- How long should signs be allowed to stay out? Should the City impose any other form of time restriction, i.e. limiting temporary signs to certain events each year?
- Is the quality of these signs an issue that the code should address?
- Should we change how we count or limit signs? Should we focus on the number of signs per tenant or per parcel, rather than the aggregate size?



Window Signs

The current sign code only allows window signs in the Downtown District - generally, the Johnson Drive corridor from Lamar Avenue to Nall Avenue. Such signs are intended to communicate with pedestrians walking through the district, at a slower speed than vehicle traffic. Accordingly, they are limited in size to 10% of the window glass of the facade. The current code also specifies that they should be affixed to the glass in a permanent manner rather than as copy that is changed frequently. A sign permit is required for a window sign. Window displays and lettering that identifies a business, address, or hours of operation are exempt from the sign code.

However, a large number of properties have window signs without permits and or are located outside of the downtown and are technically out of conformance with the current code. For many businesses, permanent or rotating window signage is a common business practice. Many surrounding/peer communities either limit window signs to a certain area percentage (often 50%) or exclude them from sign regulation entirely. Additional discussion surrounding window signs asked the following questions.

Decision Points (Time, Place, Manner)

- Should we allow and provide specific criteria for these signs?
- Where should these signs be allowed? Should the Downtown District be treated differently than other areas of the City?
- Should the code prescribe any “quality” requirements for these signs, such as that they must be printed on durable materials?





New / Emerging Sign Practices to Regulate

Mission currently does not have a significant number of vehicular signs or people hired to act as sign holders in the public right of way. In the past, mobile, dedicated sign trucks have circulated town on public streets and parked in underused or vacant parking lots visible to major thoroughfares. While regulating these types of advertising are difficult, many communities and people view them as a nuisance.

Decision Points (Time, Place, Manner)

- Should the city be proactive in enacting regulations to prohibit these signs?

Other Legal Concerns

In June of 2015, the U.S. Supreme Court issued a decision in *Reed v. Town of Gilbert* that rules unconstitutional many of the categories used by cities to regulate signs. These concerns are not unique to the City of Mission; indeed, they affect most cities in the United States.

In addition, the Kansas Legislature recently prevented cities from regulating the placement or number of *political* signs posted for the period of time surrounding an election. The position of the League of Kansas Municipalities is that this law is unconstitutional under *Reed* as a content-based discrimination in speech; however, this has not yet been tested before a court.

The City considered the proposed sign code revisions in consultation with our city attorney to address these conflicts with case law and state law. Significant interpretation or testing of the impacts of the *Reed* decision is not yet available, however our land use attorney is comfortable with the proposed changes.

Proposed Sign Code Changes

In February 2016 Staff presented final analysis of the inventory and asked for direction to prepare code changes to respond to identified problems. Council's direction to staff at the worksession and subsequent committee meeting was to:

- Continue to prohibit pole signs throughout the City
- Require pole signs to be removed within a certain number of years
- Establish stricter regulations for temporary signage

- Expand the allowance of window signs by right, subject to reasonable restrictions

In addition, staff also considered any other necessary changes to the code to improve enforcement, to address other issues identified through the inventory, or to comply with recent case law. Attached is a redline copy of the proposed code changes as well as a table showing the impact by zoning district and sign type. If adopted as proposed, very little of the existing sign code standards will change. Most businesses will continue to be allowed the same number, size and type of signs as they are now. The changes in the proposed code that are most likely to impact business are as follows:

- Allow marquee signs by right in three additional commercial zoning districts
- Allow monument signs by right in the Main Street District 1 and Pedestrian Oriented Business District zoning districts under certain conditions
- Allow window signs anywhere in Mission with a limit on coverage of windows in the downtown district of 50% of the window glazing
- Allow electronic signs for the display of prices for fuel
- Require sign permits for temporary signs
- Limit the posting of temporary signs to no more than three 60-day periods per year per business
- Prohibit costumed characters as attention attracting devices
- Eliminate all pole signs by December 31, 2023 through an amortization process.
- Streamline the approval process for electronic time/temperature instruments
- Standardize the processes of placing liens against properties that have been abated by the City

Staff Recommendation

The Planning Commission should consider the proposed final draft of code changes and open the required public hearing for any comment. At the conclusion of the meeting, the Commission should continue the public hearing to their January 23, 2017 meeting to accommodate any changes to the proposed code the Commission may recommend and to allow for additional public comment after the holidays. Staff recommends adoption of the code changes as currently proposed.

City of Mission	Item Number:	6a.
ACTION ITEM SUMMARY	Date:	April 13, 2017
Administration	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

RE: Ordinance Creating Redevelopment District - The Place at Mission Apartments (6201 Johnson Drive).

RECOMMENDATION: Approve an ordinance making certain findings with respect to the establishment of a redevelopment district in the City of Mission and establishing a redevelopment district pursuant to K.S.A. 12-1770, *et. seq.* (the “Act”), as amended, in the area generally known as 6201 Johnson Drive, and all adjacent rights of way.

DETAILS: The City Council adopted a Predevelopment Agreement with EPC Real Estate Group on March 15, 2017. The agreement designated them as the “Developer of Record” for a period of one hundred and twenty (120) days, during which time the City agreed to explore project feasibility, opportunities for partnership in the form of financial incentives, and approval of development plans.

The Predevelopment Agreement contemplated consideration of Tax Increment Financing (TIF) by the City Council. Award of TIF involves a two step process. The first step is the establishment of the physical boundaries of the Redevelopment District (TIF District), and the second provides for approval of a specific project plan(s) within the established district. Both steps have specific timelines and processes outlined by State statute and Mission’s TIF Policy.

In accordance with the required procedures, a public hearing on creation of the Redevelopment District was advertised by Resolution 978 and will be held at the City Council meeting on April 19, 2017. Following the public hearing, the City Council has the authority to approve an ordinance making such findings as are required by the statutes and establishing a Redevelopment District at the site.

According to state statutes, certain minimum criteria must be met in order for an area to qualify as a Redevelopment (TIF) District. When Resolution 978 was approved it contemplated a district which included the 6201 Johnson Drive parcel as well as the parcels immediately east (The Bar) and west (Salvation Army) of the subject site. In preparing the conservation study, neither of the adjacent parcels were able to meet enough criteria to qualify under the guidelines established in the State statutes. Therefore, the recommendation is to reduce the size of the redevelopment district from what was originally planned to include the 6201 Johnson Drive parcel only.

Staff and the City’s legal team have reviewed the TIF Application and supporting documentation, and substantially concur with the findings regarding eligibility for creation of a Redevelopment District at this location. The findings determine that (a) the area is a “conservation area” because the area comprises less than 15% of the land area within the City, has 50% or more of the structures of an age of 35 years or more, and meets at least two of the statutory factors described in K.S.A. 12-1770a(d), making it an “eligible area” under the Act, and

Related Statute/City Ordinance:	K.S.A. 12-770, <i>et. seq.</i> , as amended
Line Item Code/Description:	N/A
Available Budget:	N/A

City of Mission	Item Number:	6a.
ACTION ITEM SUMMARY	Date:	April 13, 2017
Administration	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

(b) the conservation, development and redevelopment of such area is necessary to promote the general and economic welfare of the City.

The developer and/or their representatives will make a brief presentation regarding the Redevelopment District Plan and Conservation Study which are included in the packet.

If the ordinance is approved by the City Council, the School District and the County will have thirty (30) days following its adoption to exercise their veto powers. If approved, the next steps would be the consideration of the TIF Project Plan and a Redevelopment Agreement.

CFAA CONSIDERATIONS/IMPACTS: NA

Related Statute/City Ordinance:	K.S.A. 12-770, <i>et. seq</i> , as amended
Line Item Code/Description:	N/A
Available Budget:	N/A

ORDINANCE NO. _____

AN ORDINANCE MAKING CERTAIN FINDINGS WITH RESPECT TO THE ESTABLISHMENT OF A REDEVELOPMENT DISTRICT IN THE CITY OF MISSION, KANSAS AND ESTABLISHING A REDEVELOPMENT DISTRICT (THE PLACE AT MISSION APARTMENTS).

WHEREAS, the City of Mission, Kansas (the “City”), has conducted a public hearing to consider the establishment of a redevelopment district in the City pursuant to K.S.A. 12-1770 *et seq.*, as amended (the “Act”), and Resolution No. 978 of the City adopted on March 15, 2017 (the “Resolution”); and

WHEREAS, the Act provides that upon the conclusion of the public hearing the Governing Body of the City may pass an ordinance making such findings as are required by the Act and establishing a redevelopment district; and

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS, AS FOLLOWS:

Section 1. The Governing Body of the City hereby finds and determines that the area proposed to be included as a redevelopment district is as follows:

A parcel within the City of Mission, Kansas, depicted on the attached Exhibit A and legally described on Exhibit B.

Section 2. The Governing Body of the City hereby finds and determines that (a) the area described in Section 1 of this Ordinance is a “conservation area” because the area comprises less than 15% of the land area within the City, has 50% or more of the structures of an age of 35 years or more, and meets at least two of the statutory factors described in K.S.A. 12-1770a(d), making it an “eligible area” under the Act, and (b) the conservation, development and redevelopment of such area is necessary to promote the general and economic welfare of the City.

Section 3. In accordance with the Act and the Resolution, a redevelopment district is hereby established in the City encompassing the area described in Section 1 of this Ordinance. The redevelopment district does not contain any property not referenced in the Resolution which provided notice of the public hearing. The district plan is attached hereto as Exhibit C.

Section 4. No privately owned property subject to ad valorem taxation within the redevelopment district shall be acquired and redeveloped pursuant to the Act, if the Board of County Commissioners of Johnson County or the Board of Education of Unified School District No. 512 determines by resolution adopted within thirty days following the public hearing held by the City on this date, that the redevelopment district will have an adverse effect on Johnson County or Unified School District No. 512, respectively.

Section 5. The Act authorizes the issuance by the City of bonds to finance all or a portion of the costs of implementing the district plan. Said bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of passage of this Resolution, pursuant to Treasury Regulation §1.150-2 in the maximum principal amount of \$1,000,000.

Section 6. The Mayor, City Administrator, Finance Director, City Clerk and other officials and employees of the City, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Ordinance.

Section 7. This Ordinance shall be in full force and effect from and after its passage by the Governing Body of the City and publication once in the official City newspaper.

ADOPTED by the City Council of the City of Mission, Kansas on April 19, 2017.

Steve Schowengerdt, Mayor

ATTEST:

Martha Sumrall, City Clerk

APPROVED AS TO FORM ONLY:

David K. Martin, City Attorney

EXHIBIT A
DEPICTION



EXHIBIT B

LEGAL DESCRIPTION

ALL THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW 1/4 SE 1/4) OF SECTION 8, TOWNSHIP 12, RANGE 25, IN MISSION, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID 1/4 1/4 SECTION 825 FEET WEST OF THE NORTHEAST CORNER THEREOF; THENCE WEST ALONG SAID NORTH LINE 330 FEET; THENCE SOUTH PARALLEL TO THE EAST LINE OF SAID 1/4 1/4 SECTION 300 FEET; THENCE WEST PARALLEL TO THE SAID NORTH LINE 167.13 FEET, MORE OR LESS, TO THE WEST LINE OF SAID 1/4 1/4 SECTION; THENCE SOUTH 75 FEET ALONG SAID WEST LINE; THENCE EAST PARALLEL TO SAID NORTH LINE 636.73 FEET, MORE OR LESS, TO A POINT 685 FEET WEST OF THE SAID EAST LINE; THENCE NORTH PARALLEL TO SAID EAST LINE 165 FEET; THENCE WEST PARALLEL TO SAID NORTH LINE 140 FEET; THENCE NORTH 210 FEET TO THE POINT OF BEGINNING, EXCEPT ANY PART TAKEN, USED OR DEDICATED FOR ROADS OR PUBLIC RIGHT OF WAYS.

EXCEPT THAT PART IN JOHNSON DRIVE, AND EXCEPT THAT PART DESCRIBED AS FOLLOWS:

ALL THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW 1/4 SE 1/4) OF SECTION 8, TOWNSHIP 12, RANGE 25, IN MISSION, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

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EXHIBIT C

DISTRICT PLAN
(see attached)

REDEVELOPMENT DISTRICT PLAN

FOR

THE PLACE AT MISSION APARTMENTS REDEVELOPMENT DISTRICT

April 5, 2017

DESCRIPTION OF DISTRICT PLAN

K.S.A. 12-1770 et seq., as amended, authorizes cities to establish redevelopment districts to promote the general and economic welfare of the city. The general boundaries of the proposed redevelopment district (the "District") are as follows: the western line is approximately 137 feet east of Lamar Avenue; the northern line is Johnson Drive; the eastern line is Beverly Avenue; and the southern line is approximately 315 feet south of Johnson Drive. The proposed redevelopment district includes any adjacent right-of-way, however excludes a tract of approximately 140 feet by 140 feet at the southwest corner of Johnson Drive and Beverly Avenue.

A map depicting the boundaries of the District is attached hereto as **Exhibit A**, and a legal description of the District is attached hereto as **Exhibit B**, both of which are incorporated by reference.

This redevelopment district plan, (the "**District Plan**") consists of the design and construction of the following improvements:

The District shall consist of one (1) redevelopment project area with boundaries that are identical to those of the District.

The proposed improvements within the District include, without limitation, one (1) mixed-use building including retail and market rate apartments as well as one parking garage, utility and stormwater improvements, landscaping and project amenities.

EXHIBIT A

District Boundary Map



Exhibit B

ALL THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW 1/4 SE 1/4) OF SECTION 8, TOWNSHIP 12, RANGE 25, IN MISSION, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

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Conservation Area Study

6201 Johnson Drive, Mission, Kansas

March 2017



Prepared by:
SA Legal Advisors LC

CONSERVATION AREA STUDY
6201 Johnson Drive, Mission, Kansas

Introduction

The City of Mission, Kansas (the “City”), is considering the creation of a tax increment financing district to use as a redevelopment tool for the 2.74 acre-site at 6201 Johnson Drive, Mission, Kansas (the “Study Area”).

A TIF District must qualify as an “eligible area” within the meaning of K.S.A. 12-1770 et seq. which is known as the Kansas TIF statutes (the “Act”). An eligible area includes a “conservation area.” The purpose of this study is to demonstrate that the Study Area constitutes a conservation area.

Study Area

The Study Area is comprised of a single tax parcel located at 6201 Johnson Drive, Mission, Kansas. The Study Area contains one single-story vacant office building with a basement totaling 46,200 sq. ft. The Study Area consists of a 2.74 acre site.

A legal description of the Study Area is attached as **Exhibit A**. The boundaries of the Study Area are generally outlined below in black marking:



Statutory Analysis

In order for tax increment financing to be available for a project, the project must be located in an “eligible area.” K.S.A. 12-1770a(g) defines “eligible area” as follows:

“Eligible area” means a blighted area, conservation area, enterprise zone, intermodal transportation area, major tourism area or a major commercial entertainment and tourism area or bioscience development area.

The Study Area is not in an enterprise zone, intermodal transportation area, major tourism area, major commercial entertainment and tourism area or bioscience development area. The Study Area has also not been designated as a blighted area.

The Study Area is located in a conservation area. K.S.A. 12-1770a(d) defines “conservation area” as follows:

(d) “Conservation area” means any improved area comprising 15% or less of the land area within the corporate limits of a city in which 50% or more of the structures in the area have an age of 35 years or more, which area is not yet blighted, but may become a blighted area due to the existence of a combination of two or more of the following factors:

- (1) Dilapidation, obsolescence or deterioration of the structures;
- (2) illegal use of individual structures;
- (3) the presence of structures below minimum code standards;
- (4) building abandonment;
- (5) excessive vacancies;
- (6) overcrowding of structures and community facilities; or
- (7) inadequate utilities and infrastructure.

Analysis of Study Area Per Conservation Area Designation Requirements

A. Land Area

The first requirement for conservation area designation, set forth in K.S.A. 12-1770a(d), the definition of conservation area, is that the property in the proposed Redevelopment District must be less than 15% of the land area within the City. The land area of the City is approximately 1,600 acres. Fifteen percent of 1,600 acres is 240 acres. The property in the Study Area is approximately 2.7 acres, which is less than two-tenths of one percent of the land area within the City.

B. Age of Structures

The second requirement for conservation area designation, set forth in K.S.A. 12-1770a(d), the definition of conservation area, is that 50% or more of the structures in the area have an age of 35 years or more, which means the structures must have existed prior to 1979.

There is one building located within the Study Area. The existing building was constructed in 1960. See the Johnson County Appraiser's online land record report attached as **Exhibit B**. Accordingly, 100% of the structures within the Study Area have an age greater than 35 years.

C. Potential for Blight

The third requirement for conservation area designation as set forth in the statutory definition, is that the area is not yet blighted but may become a blighted area due to the existence of a combination of two or more of the factors listed in K.S.A. 12-1770a(d) and as set forth above.

The Study Area has not been designated as blighted. While the area is not blighted, the potential for blight certainly exists. There are several factors that support the potential for blight. The following observations demonstrate how the Study Area meets several of the factors listed in K.S.A. 12-1770a(d) that show potential for blight.

(1) Dilapidation, Obsolescence or Deterioration of the Structure

Potential for blight can be shown by any of the following three factors -- dilapidation, obsolescence or deterioration. The building within the Study Area it is showing clear signs of deterioration and dilapidation.

The outside of the building shows signs of deterioration and dilapidation. As the three pictures below show, the roof of the building is starting to decay and windows have been broken and not replaced:





The inside of the building also is dilapidated. As the two pictures below show, the drop ceiling has been removed and wires hang from the ceiling:



The following three pictures show examples of the numerous holes that are in the ceiling throughout the building:



The windows are in poor condition. Windows have wood covering some of the openings, are cracked and there are several what appear to be BB gun holes in the windows. Three pictures are below:



There are holes in the walls throughout the building. Several pictures are below:



The parking lot contains cracks and areas that need replaced. Three pictures are below:



The landscaping has started to deteriorate as the following picture shows:



There are metal bench bases with screws sticking up as the following picture shows:



(2) Below Minimum Code Standards

Potential for blight can also be shown because the building is below minimum code standards in several areas. The building has four primary code deficiencies.

First, the building does not have a sprinkler system. Any significant investment in the building will require the owner to install a sprinkler system. A sprinkler system is a significant financial investment.

Second, the building lacks many ADA requirements. First, several of the exits are not ADA accessible as the following two pictures show:



Most of the exits will need to be torn out and replaced because of accessibility and slope issues.

The bathrooms also fail to comply with ADA standards. None of the bathrooms contain a handicap accessible stall. Two pictures are below:



Third, any significant investment in the building will require an energy analysis. The windows on the building are single pane instead of double pane. Additionally, the windows are not low E argon filled. The building contains a substantial number of windows which will need to be replaced with new windows.



Fourth, any significant investment in the building will require storm water improvements. Currently, water runoff from the parking lot drains downhill into the street as the following picture shows:



(3) Building Vacancy

Potential for blight can also be shown because the building is vacant. The following two pictures show that the building is completely vacant:



Because the building is vacant and has been vacant for over five years, the owner has little incentive to maintain it which makes it more likely that the building will become blighted.

Conclusion

The Study Area meets the first and second requirements for designation as a conservation area set forth in K.S.A. 12-1770a(d), as it constitutes less than 15% of the area of the City of Mission and at least 50% of the structures in the area are at least 35 years old.

The Study Area also meets three of the seven factors set forth in K.S.A. 12-1770a(d) for a conservation area designation, including:

1. Dilapidation, obsolescence or deterioration of the structures;
2. The presence of structures below minimum code standards; and
3. Excessive vacancies.

K.S.A. 12-1770a(d) requires that at least two of the criteria be satisfied, and the Study Area has satisfied three of such criteria.

In conclusion, the Study Area satisfies the requirements for designation as a conservation area under the requirements of K.S.A. 12-1770a(d).

Exhibit A

Study Area Legal Description

ALL THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW 1/4 SE 1/4) OF SECTION 8, TOWNSHIP 12, RANGE 25, IN MISSION, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

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EXHIBIT B

JOHNSON COUNTY LAND RECORDS PROPERTY SUMMARY



Appraiser

Phone: 913-715-9000 Contact

11811 S, Sunset Drive, Suite 2100, Olathe, Kansas 66061 Directions

Cost Report may error due to size of report. If so, contact Appraiser Office for printout.

Land Records Property Summary

6201 JOHNSON DR
MISSION, Kansas

Land Records Property Summary

Parcel ID: KF251208-4005
KUP #: 046-063-08-0-40-07-002.00-0
Quick Ref: R75904
Descrip.: General office buildings (1-4 stories)
Value: \$1,748,000
Sq. Ft.: 46,200 sq. ft. *
Year Built: 1960
Land Sq. Ft: 2.74 acre



046-063-08-0-40-07-002.00-0 02/12/2016

[Click to enlarge image](#)

*includes basement, if any

Taxes and Values

Year	Appraised Value	Assessed Value	Appraised Change
2017	\$1,748,000	\$437,001	20.63%
2016	\$1,449,000	\$362,250	

Property Totals

Total Bldg Area: 46,200 sq. ft.
Total Land Area: 2.74 acre
Number of Units: 1
Total support Area: 0.00 acre
Total Improved Value: \$674,810
Total Land Value: \$1,073,190

Record Number: 1

Property Specifics

Land Use: General office buildings (1-4 stories)
Property Class: Commercial & Industrial - C
Building Name: CERES GROUP INC.
Year Built: 1960
Structure Type: Office building (low rise 1-4 stories)
of Stories: 1
Construct Type: Stud -Brick Veneer
Construct Grade:
Basement: 6,047 sq. ft.
Gross Building Area: 46,200 sq. ft.

Components

Description	Units	Percent
Canopy, Retail Wood Frame	952	0

Overhead Door, Additional Electric Operation	1	0
Overhead Door, Sectionals, Manual Operation	100	0
Package Unit	0	100
Stud -Brick Veneer	0	100



City of Mission	Item Number:	6b.
ACTION ITEM SUMMARY	Date:	March 23, 2017
ADMINISTRATION	From:	Emily Randel

Action items require a vote to recommend the item to full City Council for further action.

RE: Addition of student members on various boards and commissions.

RECOMMENDATION: Approve the ordinance amending Chapters 230 and 260 to add two student members on the Parks, Recreation, and Tree Commission and the Sustainability Commission.

DETAILS: One of the goals of the Communities for All Ages work has been to encourage intergenerational conversations and activities. Increasing the age diversity on the City's boards and commissions is one way to strengthen relationships and widen perspectives across the age spectrum. Encouraging participation of high school students from area schools on the Parks, Recreation, and Tree Commission and Sustainability Commission is an important step in accomplishing these objectives.

Membership make-up: The current membership for the Parks, Recreation, and Tree Commission allows for 13 members, one of whom may be a non-resident. The Sustainability Commission allows for 9 members, one of whom may be a non-resident. The ordinances also require that both groups have at least one representative from each of Mission's four wards. The addition of youth members would increase the total allowable number of members to 15 and 11 respectively.

Youth membership requirements: Exposing younger members of the community to this style of volunteerism is valuable preparation for the next generation of civic leaders. Participation could be open to sophomores, juniors and seniors from area high schools, both public, private and home schools. A student would be required to submit a letter of reference and the attached application to be considered. Students would be required to maintain regular attendance and to participate actively. Additional suggested requirements of volunteering with special events and projects or attending a City Council or committee might also be considered.

Process: If approved, staff will inform/meet with area high school principals and key faculty members to introduce the program and advise that the City will be inviting applications beginning before the end of the current school year. Applications will be reviewed by the Mayor and staff, with the goal of placing students in September 2017. Fall classes begin August 14, 2017.

CFAA CONSIDERATIONS/IMPACTS: Including residents of all ages in community and civic conversations is a key piece of the Communities for All Ages Toolkit.

Related Statute/City Ordinance:	230.010 Parks, Recreation, and Tree Commission; 260.020 Sustainability Commission
Line Item Code/Description:	N/A
Available Budget:	N/A

CITY OF MISSION
ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 230 AND CHAPTER 260 OF THE CODE OF THE CITY OF MISSION, KANSAS TO REFLECT THE ADDITION OF TWO YOUTH MEMBERS TO BOTH THE PARKS, RECREATION, AND TREE COMMISSION AND THE SUSTAINABILITY COMMISSION.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the City of Mission, Kansas:

SECTION I: Chapter 230 of the code of the City of Mission is amended as follows:

Section 230.010 COMMISSION ESTABLISHED - MEMBERSHIP.

In order to provide citizen input and interaction with City services, the City of Mission Parks, Recreation, and Tree Commission is hereby established. The Parks, Recreation, and Tree Commission shall consist of 15 members, one (1) of whom may be a non-resident of the City of Mission two (2) of whom may be youth members. At least one (1) member shall be from each ward. The Mayor, with the consent of the Council, shall appoint the members of the Parks, Recreation, and Tree Commission. Members shall be appointed for terms of two (2) years each except youth members who shall be appointed for one (1) year and except otherwise herein provided. Vacancies shall be filled by appointment for the unexpired term only. The number of members may not be reduced unless a vacancy exists or unless the reduction takes effect at the end of a term. Members of the Parks, Recreation, and Tree Commission shall be appointed at the first (1st) regular meeting of the Governing Body in January. Members shall serve without compensation.

SECTION II: Chapter 260 of the code of the City of Mission is amended as follows:

Section 260.020 MEMBERSHIP.

The Sustainability Commission shall consist of nine (9) members, one (1) of whom may be a non-resident of the City of Mission. At least one (1) member shall be from each ward. Two (2) members may be youth members.

SECTION III: This Ordinance shall take effect and be in full force from and after its publication as provided by law.

PASSED AND APPROVED BY THE CITY COUNCIL this 19th day of April 2017.

APPROVED BY THE MAYOR this 19th day of April 2017.

(SEAL)

Steve Schowengerdt, Mayor

ATTEST:

Martha M. Sumrall, City Clerk

APPROVED AS TO FORM:

PAYNE & JONES, CHTD.

David K. Martin, City Attorney
11000 King, Suite 200
P. O. Box 25625
Overland Park, KS 66225-5625
Tel: (913) 469-4100
Fax: (913) 469-8182

City of Mission	Item Number:	6c.
ACTION ITEM SUMMARY	Date:	March 16, 2017
Public Works Department	From:	John Belger

Action items require a vote to recommend the item to full City Council for further action.

RE: Resolution Approving 2018-2022 CARS Project List

RECOMMENDATION: Approve the Resolution adopting the Five Year City/County Street Improvement Program for the City of Mission.

DETAILS: Using a combination of state gas tax dollars and County General Fund revenues, the CARS program provides funds to cities to construct and maintain eligible streets. Each year, cities submit a 5-year road improvement plan to the County. The County scores projects and selects those which will receive funding (up to 50% of the project's construction and construction inspection costs). Cities are responsible for design, right-of-way, and utility relocation costs. Mission's CARS-eligible streets include:

- Lamar (Foxridge to 67th)
- 51st (Lamar east to City Limit)
- Foxridge (56th to Lamar)
- Johnson Drive (Metcalf to Roe)
- Roe (Johnson Drive to 63rd)
- Nall (Johnson Drive to 67th)
- Martway (Metcalf to Roeland)
- Roeland Dr (Johnson Drive to SMP)
- Broadmoor (Johnson Drive to Martway)*

*Following the recent traffic study at Martway/Broadmoor, staff submitted the data required to have Broadmoor designated as a CARS eligible route.

Similar to the City's CIP, this document primarily serves as a budgeting and forecasting tool. Each City is required to pass a resolution adopting a 5-year plan based on their own unique goals and objectives. These plans are reviewed by CARS staff, who program projects for the next fiscal year.

The projects are presented to the Board of County Commissioners, and ultimately adopted as part of their annual budget process. The final commitment of funds for both the County and participating cities occurs through the approval of a specific inter-local agreement for a project. Staff recommends the following CARS projects be included in the 2018-2022 planning cycle:

Related Statute/City Ordinance:	N/A
Line Item Code/Description:	Various
Available Budget:	Included in 2018-2022 CIP and funded with Street Sales Tax revenues and/or the mill levy designated for streets.

City of Mission	Item Number:	6c.
ACTION ITEM SUMMARY	Date:	March 16, 2017
Public Works Department	From:	John Belger

Action items require a vote to recommend the item to full City Council for further action.

2018	2019	2020	2021	2022
None	Broadmoor (Johnson Drive to Martway)	Foxridge Phase II (51st to Lamar Ave)	None	Johnson Drive (Metcalf to Lamar)

The project details include:

Broadmoor- Johnson Drive to Martway: Full reconstruction, including new curb, storm sewer infrastructure, ADA improvements, pavement, pavement markings, and street signs. Installation of a new traffic signal at Johnson Drive and Broadmoor. Total estimated project cost: \$1,329,855

Foxridge Phase II: Foxridge Drive between 51st Street and Lamar Avenue is a two lane, 32 ft. wide, minor collector serving multi-family, residential, commercial and industrial traffic. Due to the location of the street being at the bottom of a hill, there is a significant amount of water damage to the surface of the pavement, subgrade, and curb and gutter. This section of Foxridge Drive lacks sidewalks, leaving pedestrians to walk in the street. Proposed improvements call for full depth pavement replacement, replacement of curb and gutter, and new stormwater infrastructure. An underdrain system will be installed to better handle runoff. Pedestrian improvements will be made. Total estimated project cost: \$5,575,314

Johnson Drive- Metcalf to Lamar: Full depth street rehabilitation and Johnson Drive stormwater interceptor, new catch basins, storm sewers, curb/gutter, sidewalks, pavement markings, street signs, ADA ramps, street lights, and traffic signals. Total estimated project cost: \$10,815,685

Approval of the attached resolution does not specifically commit to any expenditure of funds and its purpose is to communicate to the County the CARS eligible projects the City is considering over the 2018-2022 planning horizon.

CFAA CONSIDERATIONS/IMPACTS: These projects support a number of the checklist items in the Transportation and Mobility category. They will address ADA compliance and sidewalk connectivity to provide pedestrian modes of transportation. Street lighting will be evaluated to ensure adequate lighting in these areas.

Related Statute/City Ordinance:	N/A
Line Item Code/Description:	Various
Available Budget:	Included in 2018-2022 CIP and funded with Street Sales Tax revenues and/or the mill levy designated for streets.

**CITY OF MISSION
RESOLUTION NO. _____**

A RESOLUTION APPROVING A FIVE-YEAR CITY/COUNTY STREET IMPROVEMENT PROGRAM.

WHEREAS, The City of Mission desires to obtain County funds for certain street improvement projects within the City; and

WHEREAS, in order to have projects considered for the CARS Program by the Johnson County Board of Commissioners, the Governing Body must submit a written five-year road improvement program request; and

WHEREAS, all requests must be accompanied by a resolution which provides that included projects have been reviewed and approved by the Governing Body; and

WHEREAS, the 2018-2022 CARS Program is an important budgeting and planning document for both the City of Mission and Johnson County; and

WHEREAS, submission of the 2018-2022 CARS program does not specifically commit any expenditures on behalf of the City of Mission.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS:

SECTION 1. That the attached Five-Year City/County Street Improvement Program has been reviewed and approved for submittal to the Johnson County Board of Commissioners as the City's 2018-2022 CARS Program request.

THIS RESOLUTION IS PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MISSION, THIS 19th DAY OF APRIL 2017.

THIS RESOLUTION IS APPROVED BY THE MAYOR THIS 19th DAY OF APRIL 2017.

Steve Schowengerdt, Mayor

ATTEST: (Seal)

Martha Sumrall, City Clerk

County Assistance Road System												
2018-2022 Five Year Program												
Participating City: Mission												
Priority	Project Location	Proposed Start/ Finish	Project Description	CARS Route Classification		CARS Program Funding Request	CARS Participation Eligible		Comprehensive Project Budget Total	Mission Total	Estimate Update	Updated Comprehensive Cost
				Major	Minor		Yes	No				
2018	No Project	N/A	N/A			-	-	-	-	-		
2019	Broadmoor (Johnson Drive to Martway)	3/19-12/19	Full reconstruction, including new curb, storm sewer infrastructure, ADA improvements, pavement, pavement markings, and street signs. Installation of a new traffic signal at Johnson Drive and Broadmoor.		X	\$470,000	\$949,054	\$150,000	\$1,099,054	\$629,054	5/7/2012	\$1,329,855
2020	Foxridge (51st to Lamar)	3/18-12/18	Full reconstruction, including new curb/gutter, catch basin, storm sewer, sidewalks, ADA ramps, pavement markings, and street signs, and installation of a 1,000-1,500 ft. under-drain to catch downhill runoff		X	\$2,000,000	\$4,017,405	\$788,900	\$4,806,305	\$2,806,305	7/5/2016	\$5,575,314
2021	No Project	N/A	N/A			-	-	-	-	-		
2022	Johnson Drive (Metcalf to Lamar)	3/22-12/22	Full depth street rehabilitation and Johnson Drive stormwater interceptor, new catch basins, storm sewers, curb/gutter, sidewalks, pavement markings, street signs, ADA ramps, street lights, and traffic signals	X		\$1,500,000	\$7,242,342	\$1,749,193	\$8,722,327	\$7,187,305	3/27/2013	\$10,815,685
TOTALS:						\$3,970,000	\$12,208,801	\$2,688,093	\$14,627,686	\$10,622,664		\$17,720,854.62

City of Mission	Item Number:	6d.
ACTION ITEM SUMMARY	Date:	March 28, 2017
Public Works	From:	John Belger

Action items require a vote to recommend the item to full City Council for further action.

RE: Traffic Signal Modifications - Martway / Broadmoor

RECOMMENDATION: Authorize staff to execute any and all documents necessary to complete modification of the traffic signal at Martway / Broadmoor to accommodate protected left turns in all directions.

DETAILS: In 2013, the traffic signal at Martway / Broadmoor was installed in connection with the Martway Street Rehabilitation project. The intersection had previously been controlled by a four-way stop. Prior to the installation, a traffic signal warrant analysis was performed to determine the correct movements and phasing of this intersection. At that time, the only portion of the intersection that warranted a left turn phase (protected left turn) was westbound Martway.

At the direction of Council, a traffic signal analysis was completed earlier this year to determine if protected left turn phases were warranted for southbound traffic on Broadmoor. The traffic analysis was conducted in March 2017, and is included in the packet. The study results show that protected left movements could now be considered for **all** directions. Staff recommendS installation of protected / permissive movements for all remaining left turn movements.

Design of the signal modifications was covered in an existing task order approved for Olsson Associates. Their plans will be provided to the City's on-call traffic signal contractor to install and program the required equipment to make these changes. Staff has requested total estimated costs to complete the modifications to the traffic signal, but the information was not available at the time the packet was finalized. **Total Electric will complete the signal modifications for a cost of \$4,679.**

CFAA Considerations: This analysis will optimize the functionality of the traffic signal, in turn making it easier for motorists to navigate this intersection.

Related Statute/City Ordinance:	N/A
Line Item Code/Description:	Engineer/Architect Services 01-20-207-03
Available Budget:	\$45,000

MEMO



<input type="checkbox"/>	Overnight
<input type="checkbox"/>	Regular Mail
<input type="checkbox"/>	Hand Delivery
<input checked="" type="checkbox"/>	Other: e-mail

TO: City of Mission
FROM: Todd Fredericksen, PE, PTOE
 Jeremy Stretz, PE, PTOE
RE: Martway Street and Broadmoor Left-turn Signal
 Phasing Warrant Analysis
DATE: March 24, 2017
PROJECT: 014-3299
PHASE: 130

This memo addresses the request from the City of Mission, Kansas for Olsson Associates to investigate the appropriate left-turn phasing at the intersection of Martway Street and Broadmoor Street. The City requested that the southbound left-turn movement, specifically, be analyzed to see if it could operate with the addition of protected left-turn phasing. However, to complete a comprehensive review of the intersection all left-turn movements were analyzed to evaluate whether they should or could operate as permissive, protected/permissive, or a protected only left-turn movement. Currently the westbound left-turn movement operates as protected/permissive phasing with all other left-turn movements operating with permissive phasing only.

Field Review and Data Collection

Martway Street is an east/west two-lane undivided roadway in the section between Lamar Avenue and Nall Avenue with a posted speed limit of 30 mph. Broadmoor Street is a north/south two-lane roadway with a posted speed limit of 30 mph.

24-hour traffic counts were collected by Olsson Associates during a typical weekday beginning at 7:00 AM on Tuesday, February 21st, 2017 and ending at 7:00 AM on Wednesday, February 22nd, 2017. The Mid-day and PM peak hour periods were found to be the highest peak hours taking place from 11:45 AM to 12:45 PM and 5:00 PM to 6:00 PM respectively. The weekday peak hour counts provide a basis for evaluating the traffic operations of the intersection during typical conditions. Based on data collected, the average daily traffic (ADT) is approximately 7,419 vehicles/day along Broadmoor Street and 9,985 vehicles/day along Martway Street. Full traffic count data is provided in the **Appendix**.

Left-Turn Phasing Determination

There are several acceptable standards by which to review appropriate left-turn signal phasing at intersections. For the purposes of this study, neighboring jurisdictional practices were reviewed and the MoDOT Engineering Policy Guide (EPG) criteria was used to evaluate the signal's left-turn phasing options since in our opinion it provides a well-defined and reasonable methodology that we have used in numerous studies and locations throughout the Midwest. Specifically, the Guidelines for Variable Left-Turn Phasing from the MoDOT EPG was used. Included in these guidelines are criteria for movements to determine if permissive only, protected/permissive, and protected only phasing are appropriate given safety criteria review and capacity criteria review. The specific criteria reviewed using the MoDOT guidelines are provided below with review comments provided beneath the criteria:

Safety Criteria:

The base assumption for review of safety criteria is that the intersection operates under permissive phasing without issue. The following safety criteria provide guidelines for evaluating other phasing options including Protected/Permissive and Protected Only phasing modes. Some criteria are evaluated by the observation of conflicts at an intersection as described below:

Conflicts occur when motorists on the OPPOSITE APPROACH must respond to the actions of motorists making the subject left-turn movement. Therefore, conflicts should be measured by observing the intersection from the opposite approach. Only those approaches satisfying the criteria should be upgraded

Protected/Permissive:

A. Number of Observed Traffic Conflicts \geq 29 Conflicts / 11 Hour Day

The intersection was observed at all approaches for an hour during the morning peak period with no identifiable conflicts. The sight distance for left-turn movements provides adequate time and spacing for motorists to make a determination of the gap available and avoid conflicts in all directions. Traffic reviewed during field observations of the morning peak period appeared to provided adequate gaps for vehicles attempting to make left-turn maneuvers during the permissive left-turn phase.

Protected Only:

A. Number of Opposing Through Lanes \geq 3

There is only 1 opposing through lane in each direction.

B. Sight Distance requirement for left-turns

- a. < 125' for 20 mph
- b. < 150' for 25 mph
- c. < 200' for 30 mph**
- d. < 250' for 35 mph
- e. < 325' for 40 mph
- f. < 400' for 45 mph
- g. < 475' for 50 mph
- h. < 550' for 55 mph

The sight distance exceeded the minimum stopping sight distance of 200' in all directions.

C. Number of Correctable Accidents by Upgrading to Protected Only Phasing ≥ 5 over 12 months. (The 5 correctable accidents should involve the SAME left-turn approach. Only those approaches satisfying that criteria should be upgraded.)

Crashes were not a part of the scope of this study and thus were not reviewed. If accident history is a concern in the future, it is recommended that the left-turn accident trends be monitored.

D. Number of Observed Traffic Conflicts ≥ 48 Conflicts / 11 Hour Day

Similar to the safety criteria for protected/permmissive, the intersection was observed for an hour with no identifiable conflicts, also the sight distance for left-turn movements should provide adequate time and spacing to avoid conflicts.

E. Speed (prevailing) ≥ 50 mph

The posted speed limit is 30 mph and from previous studies completed the 85th percentile speed is greater than the post speed limit but is less than 50 mph.

F. Number of Lanes for Left-Turns on the Approach ≥ 2

There is only one dedicated left-turn lane on each approach at the study intersection, thus this criterion is not applicable.

G. Unusual Intersection Geometrics That Make Permissive Left-Turns Difficult

There are no unusual geometrics at the study intersection that will make permissive left-turns difficult.

None of the above safety criteria are met that would require protected/permmissive or protected only left-turn phasing. Thus, the capacity criteria was also evaluated.

Capacity Criteria:

As with the Safety Criteria review, the base assumption of the capacity criteria is that the intersection operates under permmissive phasing without issue. The following capacity criteria provide guidelines for evaluating other phasing options including Protected/Permmissive and

Protected Only phasing modes. The following terms are used within these guidelines and their abbreviations are listed below:

V_{LT} = The left turn volume per hour per approach.

$(V_{LT})_{pp}$ = The number of vehicles attempting to make permissive left turns during the permissive part of a protected/permissive left turn per hour per approach.

V_o = The opposing volume per hour per approach per lane (excluding free right turn volume and volume serviced by a separate right turn phase).

c_p = The cycle length (in seconds) when those volumes occur using permissive-only phasing*.

c_{pp} = The cycle length (in seconds) when those volumes occur using protected/permissive phasing*.

g_p = The green time (in seconds) common to both V_{LT} and V_o during that cycle using permissive-only phasing*.

g_{pp} = The green time (in seconds) common to both $(V_{LT})_{pp}$ and V_o during that cycle using protected/permissive phasing*.

T_p = The time allocated to the protected left turn movement using protected/permissive phasing*.

*These green times are used in the calculations regardless of the existing phasing. For phasing configurations not currently used the modeling program, Synchro (Version 9), was used to produce realistic cycle lengths and green times at the intersection of Martway Street and Broadmoor Street using potential phasing options.

A calculation spreadsheet was utilized to review the capacity criteria and the results are **Attached**.

Protected/ Permissive:

A. Protected/Permissive left turns should at least be provided when one of the criteria in (a.) is satisfied in conjunction with one of the criteria in (b.).

a. $V_{LT} > 100$ Vehicles per Hour **AND** $V_o > 100$ Vehicles per Hour

$V_{LT} > 2$ Vehicles per Cycle* **AND** $V_o > 100$ Vehicles per Hour

$V_{LT} + V_o \geq 600 \times (g_p/c_p)$

*These criteria are only valid if observations at the intersection show that drivers tend to make left turns during the clearance interval on a regular basis. These field checks should be made during the hour(s) in which either the highest left turn volume or the highest opposing volume occurs.

b. $(V_{LT})_{pp} + V_o < 1200 \times (g_{pp}/c_{pp})$

$(V_{LT})_{pp} \times V_o < 50,000$

Criteria for both a. and b. are met in the capacity criteria for the AM, Midday, and PM peak hour periods reviewed for all intersection approach directions. Thus, protected/permissive left-turn phasing could be utilized in all directions.

Protected Only:

- A. Protected-Only left turns should be provided when any one of the following criteria are satisfied.
 - a. $(V_{LT})_{pp} + V_o \geq 1200 \times (g_{pp}/C_{pp})$ for 3 or more hours if considering permanent phasing change
 - b. $(V_{LT})_{pp} \times V_o \geq 50,000$ for 3 or more hours if considering permanent phasing change

Neither the criteria for a. nor b. are met in the capacity criteria for any of the intersections, thus it is not recommended to utilize protected phasing on any approach. It should be noted that the southbound left-turn is nearing the threshold for these warranting conditions and at a minimum should be considered the top candidate for adding the protected left-turn phase in addition to the permissive phase present currently.

Summary

The MoDOT EPG criteria was reviewed at the intersection of Broadmoor Street and Martway Street for all left-turn movements. Based on this criterion, protected/permissive capacity criteria are currently met for all intersection approaches, whereas the protected only is not. Per the criteria, the phasing not only for the southbound, but for all left-turn movements to function as protected/permissive could be implemented. However, the southbound left-turn movement meets the greatest need for a protected phase addition.

The existing infrastructure was also reviewed to determine what improvements would be required if the reviewed phasing changes warranted are installed. Based on review of plans, the existing infrastructure is in place to achieve phasing modifications with minimal modifications including changes to the existing signal faces on the mast arm and installation of overhead signing.

We hope that we have provided adequate information for your request. If you have additional questions, please contact us at 913.381.1170.

Broadmoor & Martway - TMC

Tue Feb 21, 2017

Full Length (7AM-7AM(+1))

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks)

All Movements

ID: 383779, Location: 39.020556, -94.665654

Leg Direction Time	Broadmoor St Southbound						Martway St Westbound						Broamoor St Northbound						Martway St Eastbound						Int
	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	
2017-02-21																									
7:00AM	7	12	20	0	39	-	2	17	20	0	39	-	22	15	2	0	39	-	1	15	8	0	24	-	141
7:15AM	7	23	34	0	64	-	12	23	21	0	56	-	38	12	4	0	54	-	3	16	14	0	33	-	207
7:30AM	9	20	18	0	47	-	6	25	25	0	56	-	29	12	6	0	47	-	1	12	11	0	24	-	174
7:45AM	20	28	15	0	63	-	8	24	23	0	55	-	36	18	3	0	57	-	3	12	11	0	26	-	201
Hourly Total	43	83	87	0	213	-	28	89	89	0	206	-	125	57	15	0	197	-	8	55	44	0	107	-	723
8:00AM	7	26	20	0	53	-	5	15	30	0	50	-	21	12	4	0	37	-	2	25	11	0	38	-	178
8:15AM	12	28	22	0	62	-	5	13	27	0	45	-	28	21	4	0	53	-	2	18	10	0	30	-	190
8:30AM	9	20	10	0	39	-	9	18	32	0	59	-	23	28	4	0	55	-	0	21	17	0	38	-	191
8:45AM	3	15	12	0	30	-	10	20	21	0	51	-	25	21	4	0	50	-	2	21	13	0	36	-	167
Hourly Total	31	89	64	0	184	-	29	66	110	0	205	-	97	82	16	0	195	-	6	85	51	0	142	-	726
9:00AM	6	12	10	0	28	-	7	16	22	0	45	-	31	28	5	0	64	-	2	18	12	0	32	-	169
9:15AM	6	29	11	0	46	-	11	15	38	0	64	-	44	17	6	0	67	-	2	10	6	0	18	-	195
9:30AM	6	23	15	0	44	-	13	17	26	0	56	-	37	18	6	0	61	-	2	15	4	0	21	-	182
9:45AM	5	18	13	0	36	-	13	28	41	0	82	-	36	18	6	0	60	-	2	9	11	0	22	-	200
Hourly Total	23	82	49	0	154	-	44	76	127	0	247	-	148	81	23	0	252	-	8	52	33	0	93	-	746
10:00AM	9	35	13	0	57	-	15	15	34	0	64	-	46	22	5	0	73	-	3	8	9	0	20	-	214
10:15AM	7	34	17	0	58	-	8	24	38	0	70	-	42	30	13	0	85	-	6	12	4	0	22	-	235
10:30AM	8	36	13	0	57	-	18	30	48	0	96	-	37	44	6	0	87	-	1	19	12	0	32	-	272
10:45AM	10	38	15	0	63	-	14	23	39	0	76	-	45	26	8	0	79	-	6	19	14	0	39	-	257
Hourly Total	34	143	58	0	235	-	55	92	159	0	306	-	170	122	32	0	324	-	16	58	39	0	113	-	978
11:00AM	11	18	15	0	44	-	15	32	27	0	74	-	49	24	10	0	83	-	2	18	12	0	32	-	233
11:15AM	19	37	16	0	72	-	13	31	53	0	97	-	49	37	6	0	92	-	4	23	18	0	45	-	306
11:30AM	25	38	17	0	80	-	18	41	46	0	105	-	55	36	12	0	103	-	4	28	23	0	55	-	343
11:45AM	28	53	19	0	100	-	21	35	58	0	114	-	40	43	16	0	99	-	4	40	31	0	75	-	388
Hourly Total	83	146	67	0	296	-	67	139	184	0	390	-	193	140	44	0	377	-	14	109	84	0	207	-	1270
12:00PM	27	55	22	0	104	-	30	41	56	0	127	-	58	53	6	0	117	-	8	41	26	0	75	-	423
12:15PM	28	38	27	0	93	-	35	46	60	0	141	-	50	45	12	0	107	-	6	26	26	0	58	-	399
12:30PM	19	35	19	0	73	-	23	51	62	0	136	-	54	51	7	0	112	-	5	38	24	0	67	-	388
12:45PM	16	48	16	0	80	-	26	44	55	0	125	-	49	37	6	0	92	-	4	43	27	0	74	-	371
Hourly Total	90	176	84	0	350	-	114	182	233	0	529	-	211	186	31	0	428	-	23	148	103	0	274	-	1581
1:00PM	19	41	22	0	82	-	24	37	54	0	115	-	53	30	10	0	93	-	5	31	11	0	47	-	337
1:15PM	18	47	11	0	76	-	20	33	54	0	107	-	44	43	8	0	95	-	5	19	21	0	45	-	323
1:30PM	15	42	13	0	70	-	24	31	57	0	112	-	47	30	9	0	86	-	3	22	22	0	47	-	315
1:45PM	23	35	12	0	70	-	17	21	39	0	77	-	48	34	11	0	93	-	3	26	16	0	45	-	285
Hourly Total	75	165	58	0	298	-	85	122	204	0	411	-	192	137	38	0	367	-	16	98	70	0	184	-	1260
2:00PM	11	37	11	0	59	-	23	39	40	0	102	-	54	26	5	0	85	-	5	16	14	0	35	-	281
2:15PM	8	41	15	0	64	-	25	30	49	0	104	-	45	38	7	0	90	-	2	18	10	0	30	-	288
2:30PM	11	32	11	0	54	-	10	28	45	0	83	-	49	34	10	0	93	-	4	21	15	0	40	-	270
2:45PM	12	40	16	0	68	-	7	25	39	0	71	-	45	31	5	0	81	-	1	19	15	0	35	-	255
Hourly Total	42	150	53	0	245	-	65	122	173	0	360	-	193	129	27	0	349	-	12	74	54	0	140	-	1094
3:00PM	11	35	8	0	54	-	22	28	51	0	101	-	43	26	5	0	74	-	1	14	11	0	26	-	255
3:15PM	12	27	11	0	50	-	25	43	45	0	113	-	58	39	3	0	100	-	1	17	15	0	33	-	296
3:30PM	20	20	18	0	58	-	20	30	40	0	90	-	57	28	4	0	89	-	6	19	15	0	40	-	277
3:45PM	13	44	16	0	73	-	19	28	46	0	93	-	59	31	6	0	96	-	2	15	13	0	30	-	292
Hourly Total	56	126	53	0	235	-	86	129	182	0	397	-	217	124	18	0	359	-	10	65	54	0	129	-	1120
4:00PM	14	36	18	0	68	-	20	42	49	0	111	-	53	35	6	0	94	-	5	30	8	0	43	-	316
4:15PM	14	30	14	0	58	-	17	36	37	0	90	-	32	31	6	0	69	-	3	22	10	0	35	-	252
4:30PM	9	44	21	0	74	-	24	34	51	0	109	-	52	43	8	0	103	-	3	26	24	0	53	-	339
4:45PM	8	56	21	0	85	-	34	33	52	0	119	-	67	48	6	0	121	-	3	25	10	0	38	-	363
Hourly Total	45	166	74	0	285	-	95	145	189	0	429	-	204	157	26	0	387	-	14	103	52	0	169	-	1270
5:00PM	13	50	17	0	80	-	32	51	51	0	134	-	59	39	9	0	107	-	2	30	20	0	52	-	373
5:15PM	15	61	21	0	97	-	34	33	65	0	132	-	63	38	9	0	110	-	2	23	11	0	36	-	375
5:30PM	14	42	11	0	67	-	29	42	46	0	117	-	53	45	6	0	104	-	4	30	20	0	54	-	342
5:45PM	22	46	13	0	81	-	39	47	49	0	135	-	51	47	6	0	104	-	1	23	21	0	45	-	365
Hourly Total	64	199	62	0	325	-	134	173	211	0	518	-	226	169	30	0	425	-	9	106	72	0	187	-	1455

Leg Direction	Broadmoor St Southbound					Martway St Westbound					Broamoor St Northbound					Martway St Eastbound					Int
	R	T	L	U	App Ped*	R	T	L	U	App Ped*	R	T	L	U	App Ped*	R	T	L	U	App Ped*	
6:00PM	27	51	18	0	96	25	25	45	0	95	66	38	6	0	110	3	29	20	0	52	353
6:15PM	9	33	18	0	60	23	41	50	0	114	50	38	3	0	91	0	19	24	0	43	308
6:30PM	14	34	15	0	63	25	61	38	0	124	35	33	5	0	73	2	30	21	0	53	313
6:45PM	14	38	19	0	71	22	29	46	0	97	37	28	6	0	71	2	18	17	0	37	276
Hourly Total	64	156	70	0	290	95	156	179	0	430	188	137	20	0	345	7	96	82	0	185	1250
7:00PM	21	31	11	0	63	23	32	26	0	81	26	28	3	0	57	4	13	20	0	37	238
7:15PM	15	34	9	0	58	15	27	30	0	72	26	26	0	0	52	2	24	12	0	38	220
7:30PM	11	18	16	0	45	15	25	36	0	76	29	24	1	0	54	3	23	14	0	40	215
7:45PM	5	18	13	0	36	13	26	17	0	56	23	31	3	0	57	1	14	9	0	24	173
Hourly Total	52	101	49	0	202	66	110	109	0	285	104	109	7	0	220	10	74	55	0	139	846
8:00PM	7	28	9	1	45	6	16	24	0	46	16	19	2	0	37	2	9	10	0	21	149
8:15PM	15	12	10	0	37	7	20	26	0	53	24	14	2	0	40	0	14	7	0	21	151
8:30PM	7	19	6	0	32	6	15	22	0	43	24	15	2	0	41	0	13	9	0	22	138
8:45PM	17	16	2	0	35	8	13	15	0	36	15	20	3	0	38	2	7	9	0	18	127
Hourly Total	46	75	27	1	149	27	64	87	0	178	79	68	9	0	156	4	43	35	0	82	565
9:00PM	9	9	5	0	23	8	13	16	0	37	15	7	2	0	24	3	9	8	0	20	104
9:15PM	3	7	4	0	14	2	15	14	0	31	12	12	0	0	24	0	7	7	0	14	83
9:30PM	3	7	5	0	15	5	13	8	0	26	3	10	1	0	14	0	8	5	0	13	68
9:45PM	2	8	4	0	14	7	16	15	0	38	8	8	0	0	16	0	6	2	0	8	76
Hourly Total	17	31	18	0	66	22	57	53	0	132	38	37	3	0	78	3	30	22	0	55	331
10:00PM	0	2	3	0	5	6	15	16	0	37	8	5	0	0	13	0	2	1	0	3	58
10:15PM	2	6	4	0	12	2	3	7	0	12	9	3	0	0	12	2	2	3	0	7	43
10:30PM	0	1	4	0	5	0	4	5	0	9	7	6	2	0	15	0	2	2	0	4	33
10:45PM	0	3	1	0	4	2	6	2	0	10	2	5	0	0	7	0	0	0	0	0	21
Hourly Total	2	12	12	0	26	10	28	30	0	68	26	19	2	0	47	2	6	6	0	14	155
11:00PM	0	2	2	0	4	1	5	3	0	9	6	5	0	0	11	0	0	1	0	1	25
11:15PM	0	0	1	0	1	1	4	4	0	9	4	0	0	0	4	0	0	1	0	1	15
11:30PM	1	1	2	0	4	2	4	2	0	8	3	5	0	0	8	0	1	0	0	1	21
11:45PM	1	1	0	0	2	1	2	2	0	5	3	1	1	0	5	0	0	2	0	2	14
Hourly Total	2	4	5	0	11	5	15	11	0	31	16	11	1	0	28	0	1	4	0	5	75
2017-02-22																					
12:00AM	1	0	0	0	1	1	3	1	0	5	4	2	0	0	6	0	2	1	0	3	15
12:15AM	0	0	0	0	0	0	3	2	0	5	2	3	0	0	5	0	2	0	0	2	12
12:30AM	0	0	0	0	0	0	3	1	0	4	2	1	0	0	3	0	0	0	0	0	7
12:45AM	0	0	0	0	0	1	1	1	0	3	0	0	0	0	0	0	1	0	0	1	4
Hourly Total	1	0	0	0	1	2	10	5	0	17	8	6	0	0	14	0	5	1	0	6	38
1:00AM	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	1
1:15AM	0	0	1	0	1	0	0	1	0	1	1	0	0	0	1	0	0	0	0	0	3
1:30AM	0	0	0	0	0	1	1	0	0	2	2	0	0	0	2	0	0	0	0	0	4
1:45AM	0	0	0	0	0	1	0	0	0	1	3	0	0	0	3	0	0	0	0	0	4
Hourly Total	0	0	1	0	1	2	2	1	0	5	6	0	0	0	6	0	0	0	0	0	12
2:00AM	0	0	0	0	0	2	0	0	0	2	1	0	0	0	1	0	0	0	0	0	3
2:15AM	1	0	1	0	2	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	3
2:30AM	1	0	0	0	1	0	1	1	0	2	1	1	0	0	2	0	0	1	0	1	6
2:45AM	0	1	2	0	3	0	0	1	0	1	0	0	0	0	0	1	0	1	0	2	6
Hourly Total	2	1	3	0	6	2	2	2	0	6	2	1	0	0	3	1	0	2	0	3	18
3:00AM	0	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	1	0	0	1	2
3:15AM	0	1	0	0	1	0	1	1	0	2	0	0	0	0	0	0	0	0	0	0	3
3:30AM	0	1	1	0	2	0	0	0	0	0	0	1	1	0	2	0	2	0	0	2	6
3:45AM	0	2	1	0	3	0	0	0	0	0	1	0	0	0	1	0	2	0	0	2	6
Hourly Total	0	4	2	0	6	0	1	2	0	3	1	1	1	0	3	0	5	0	0	5	17
4:00AM	0	0	0	0	0	0	2	2	0	4	1	0	0	0	1	0	1	0	0	1	6
4:15AM	0	2	1	0	3	1	0	0	0	1	1	0	0	0	1	0	0	0	0	0	5
4:30AM	1	1	0	0	2	1	2	0	0	3	1	0	1	0	2	0	0	1	0	1	8
4:45AM	0	1	4	0	5	0	1	2	0	3	3	1	1	0	5	0	3	1	0	4	17
Hourly Total	1	4	5	0	10	2	5	4	0	11	6	1	2	0	9	0	4	2	0	6	36
5:00AM	1	0	0	0	1	0	1	1	0	2	6	0	1	0	7	0	2	1	0	3	13
5:15AM	1	0	1	0	2	0	1	0	0	1	4	3	0	0	7	0	2	0	0	2	12
5:30AM	0	4	4	0	8	2	1	3	0	6	3	1	2	0	6	2	7	0	0	9	29
5:45AM	2	2	4	0	8	1	5	4	0	10	9	4	1	0	14	0	6	0	0	6	38

Leg Direction	Broadmoor St Southbound						Martway St Westbound						Broamoor St Northbound						Martway St Eastbound						
Time	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	R	T	L	U	App	Ped*	Int
Hourly Total	4	6	9	0	19	-	3	8	8	0	19	-	22	8	4	0	34	-	2	17	1	0	20	-	92
6:00AM	1	4	8	0	13	-	1	8	5	0	14	-	8	3	3	0	14	-	0	3	4	0	7	-	48
6:15AM	0	8	7	0	15	-	1	8	9	0	18	-	11	4	2	0	17	-	1	8	1	0	10	-	60
6:30AM	4	7	8	0	19	-	3	8	7	0	18	-	7	5	3	0	15	-	1	6	5	0	12	-	64
6:45AM	2	9	17	0	28	-	2	16	10	0	28	-	14	16	2	0	32	-	0	11	5	0	16	-	104
Hourly Total	7	28	40	0	75	-	7	40	31	0	78	-	40	28	10	0	78	-	2	28	15	0	45	-	276
Total	784	1947	950	1	3682	-	1045	1833	2383	0	5261	-	2512	1810	359	0	4681	-	167	1262	881	0	2310	-	15934
% Approach	21.3%	52.9%	25.8%	0%	-	-	19.9%	34.8%	45.3%	0%	-	-	53.7%	38.7%	7.7%	0%	-	-	7.2%	54.6%	38.1%	0%	-	-	-
% Total	4.9%	12.2%	6.0%	0%	23.1%	-	6.6%	11.5%	15.0%	0%	33.0%	-	15.8%	11.4%	2.3%	0%	29.4%	-	1.0%	7.9%	5.5%	0%	14.5%	-	-
Lights	777	1925	941	1	3644	-	1036	1816	2355	0	5207	-	2503	1787	358	0	4648	-	164	1233	874	0	2271	-	15770
% Lights	99.1%	98.9%	99.1%	100%	99.0%	-	99.1%	99.1%	98.8%	0%	99.0%	-	99.6%	98.7%	99.7%	0%	99.3%	-	98.2%	97.7%	99.2%	0%	98.3%	-	99.0%
Articulated Trucks	2	2	1	0	5	-	0	5	1	0	6	-	1	0	1	0	2	-	0	2	0	0	2	-	15
% Articulated Trucks	0.3%	0.1%	0.1%	0%	0.1%	-	0%	0.3%	0%	0%	0.1%	-	0%	0%	0.3%	0%	0%	-	0%	0.2%	0%	0%	0.1%	-	0.1%
Buses and Single-Unit Trucks	5	20	8	0	33	-	9	12	27	0	48	-	8	23	0	0	31	-	3	27	7	0	37	-	149
% Buses and Single-Unit Trucks	0.6%	1.0%	0.8%	0%	0.9%	-	0.9%	0.7%	1.1%	0%	0.9%	-	0.3%	1.3%	0%	0%	0.7%	-	1.8%	2.1%	0.8%	0%	1.6%	-	0.9%

*Pedestrians and Bicycles on Crosswalk. L: Left, R: Right, T: Thru, U: U-Turn

Broadmoor & Martway - TMC

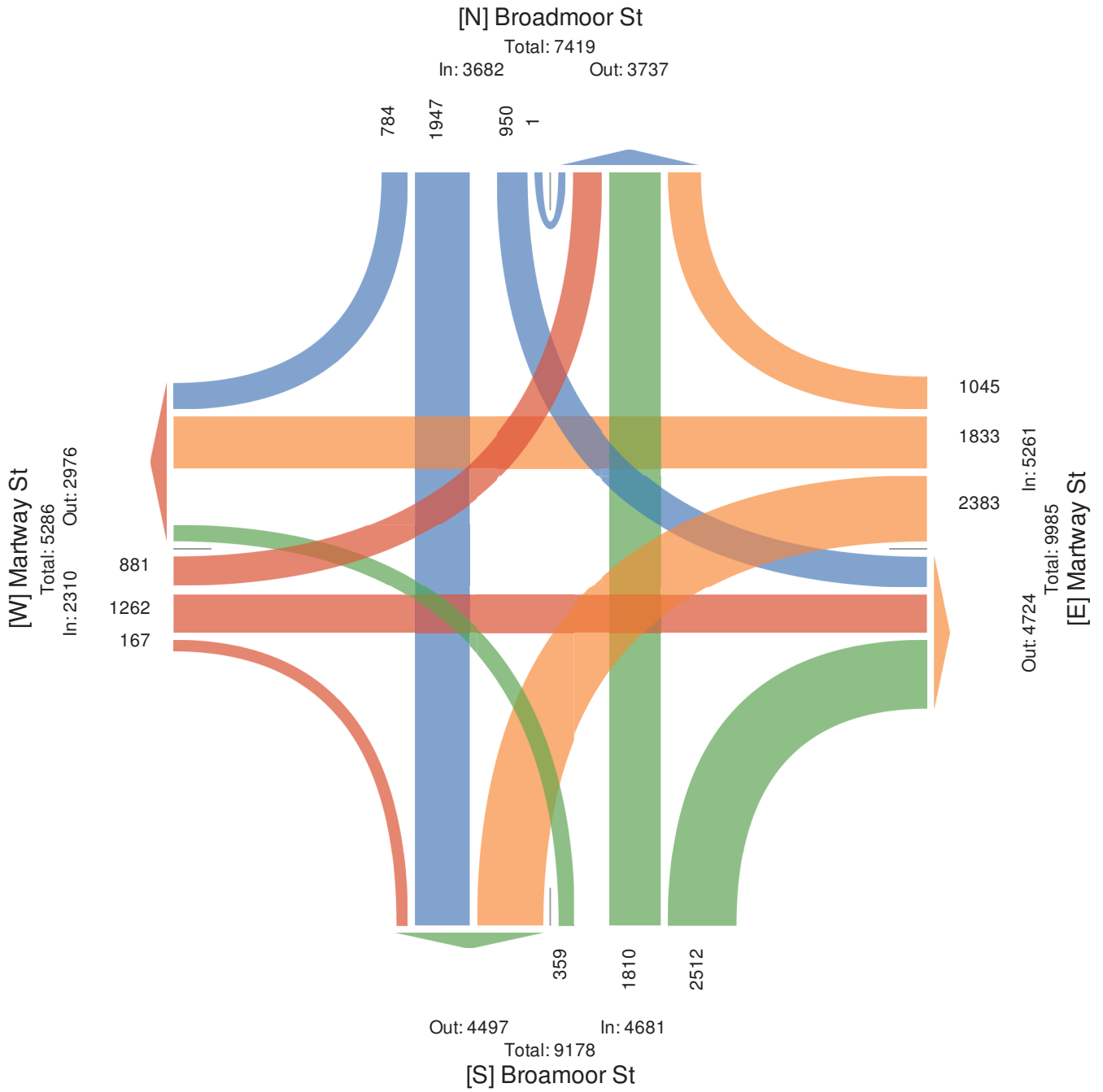
Tue Feb 21, 2017

Full Length (7AM-7AM(+1))

All Classes (Lights, Articulated Trucks, Buses and Single-Unit Trucks)

All Movements

ID: 383779, Location: 39.020556, -94.665654



WORKSHEET FOR VARIABLE LEFT TURN PHASING CAPACITY WARRANTS

Fill in the needed color shaded cells

COUNTY: **Johnson** ROUTE: **Martway S** AT: **Broadmoor**

LEFT TURN MOVEMENT: **Southbound**

DATE: **3/6/2017** ANALYZED BY: **JMP**

TIME PERIOD CHECKED:

VLT:

VLT(Sneakers)*:

Vo:

Tp:

cp:

cpp:

gp:

gpp:

WARRANTED
PHASING:

AM	Midday	PM
87	63	62
N/A	N/A	N/A
394	321	395
7.5	7.5	7.5
75	75	75
100	100	100
17.5	17.5	17.5
23.5	23.5	23.5
Prot./Perm Prot.Only	Prot./Perm	Prot./Perm Prot.Only

WORKSHEET FOR VARIABLE LEFT TURN PHASING CAPACITY WARRANTS

Fill in the needed color shaded cells

COUNTY: **Johnson** ROUTE: **Martway St** AT: **Broadmoor**

LEFT TURN MOVEMENT: **Northbound**

DATE: **3/6/2017** ANALYZED BY: **JMP**

TIME PERIOD CHECKED:	AM	Midday	PM
VLT:	41	36	30
VLT(Sneakers)*:	N/A	N/A	N/A
Vo:	181	131	199
Tp:	19.5	19.5	19.5
cp:	75	75	75
cpc:	100	100	100
gp:	19.5	19.5	19.5
gpc:	19.5	19.5	19.5
WARRANTED PHASING:	Prot./Perm	Prot./Perm	Prot./Perm

WORKSHEET FOR VARIABLE LEFT TURN PHASING CAPACITY WARRANTS

Fill in the needed color shaded cells

COUNTY: **Johnson** ROUTE: **Martway St** AT: **Broadmoor**

LEFT TURN MOVEMENT: **Eastbound**

DATE: **3/6/2017** ANALYZED BY: **JMP**

TIME PERIOD CHECKED:	AM	Midday	PM
VLT:	107	67	72
VLT(Sneakers)*:	N/A	N/A	N/A
Vo:	173	127	173
Tp:	19.3	19.3	19.3
cp:	75	75	75
cpp:	100	100	100
gp:	19.3	19.3	19.3
gpp:	19.3	19.3	19.3
WARRANTED PHASING:	Prot./Perm	Prot./Perm	Prot./Perm