

**Planning & Zoning Commission
Council Chambers
Hall of Waters Building
201 East Broadway
Excelsior Springs, MO**



Meeting Notice

April 29, 2024 at 6:00 PM

Join via Google: Zoom.US
Meeting ID: 831 3363 5337
Passcode: 156892

Agenda

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MEETING SUMMARY- February 26, 2024 and March 25, 2024
 - a. February 26, 2024
 - b. March 25, 2024
4. COMMENTS OF VISITORS
5. RZ-24-002 - An application by Eden Village of Excelsior Springs for the rezoning from "C-3" - Service Business District to "R-4" - Medium Density Residential District at 1112 Tracy Avenue, Excelsior Springs, Missouri. (Public Hearing)
 - a. RZ-24-002
6. ZTA-24-001 - An application by the City of Excelsior Springs to amend Chapter 403 Sign Regulations in the Zoning Regulations of the Excelsior Springs City Code. (Public Hearing)
 - a. ZTA-24-001
7. STAFF COMMENTS
8. COMMENTS OF COMMISSIONERS
9. ADJOURN

Copies of this notice are available by contacting the Community Development Department at 201 E. Broadway, Excelsior Springs, MO 64024. 816-630-0756

Date and Time Posted: April 24, 2024 at 2:30 p.m.



**Community Development
Planning and Zoning Commission - 4/29/2024**

To: Commission Members
From:
Date
RE: February 26, 2024

ATTACHMENTS:

Description	Type	Upload Date
February 26, 2024	Cover Memo	4/25/2024

PLANNING AND ZONING COMMISSION

MEETING SUMMARY

February 26, 2024

1. CALL TO ORDER

Chairman Simmons called the meeting to order at 6:00 p.m.

2. ROLL CALL

PRESENT: Jake Simmons, Dustin Borchert, Bob Gerdes, Julia Goldstein and Jason Van Till.

STAFF PRESENT: Doug Hermes, Melinda Mehaffy, Shantele Frie and Lisa Morgan.

VISITORS: Reggie St. John, Jason Cole, Marilyn Gerdes, Debra Hopkins, Sonya and Chuck Duckworth, Joseph Ruckman and John Clark (via Zoom).

3. APPROVAL OF MEETING SUMMARY- December 19, 2023

Commissioner Gerdes made a motion to approve the December 19, 2023 meeting summary

Commissioner Goldstein seconded. Motion carried.

Vote: Motion passed 5-0-0

Yes: Commissioners: Simmons, Borchert, Gerdes, Goldstein and Van Till.

No: None

Abstain: None

4. COMMENTS OF VISITORS: There were none.

5. ZTA-23-002 – An application by the City of Excelsior Springs to amend Chapter 400.230 Special Use Permits in the Zoning Regulations, pertaining to Short Term Rental Properties, of the Excelsior Springs City Code as part of the City’s Code Review Process. (Public Hearing)

Chairman Simmons asked for the staff report.

Mr. Hermes presented the information in the staff report.

Chairman Simmons asked the commission if they had any questions.

Commissioner Van Till said it had been a while, but he thought that a previously presented map of existing, known short-term rentals indicated that establishing a 1,000 foot distance separation requirement would indeed affect some of the existing, known short-term rentals.

Commissioner Goldstein said that she remembers that a 3,000 foot distance separation requirement would impact existing short-term rentals.

Ms. Mehaffy said City staff reviewed a 1,000-foot distance separation, particularly evaluating the area at St Louis, Cypress and Old Orchard Streets where it would have been of primary concern, and there was no overlap.

Ms. Frie said the only overlap of existing, known short-term rentals is in the Downtown Tourist Area.

Mr. Hermes said existing short-term rentals that had been approved with a Special Use Permit with no time limit would be considered okay as pre-existing. If they are still under a Special Use Permit with a two-year time period, there could be some discretion or discussion if they came back for Special Use Permit renewal and did not meet a new 1,000 distance separation standard.

Hearing no further questions from the commission, Chairman Simmons opened the public hearing at 6:11.

Chairman Simmons asked if anyone would like to address the commission for this case to step to the podium and provide their name and address.

Reggie St John, 160 Rockbridge Parkway, said that the City Council did amend the initial short-term rental ordinance as recommended by the commission by changing the definition to 27 days to avoid any possible confusion with regular month-to-month long-term rentals. Everything else about the initial ordinance he said he likes and with this separation standard amendment he asks the commission to approve it. Mr. St. John said he likes that it basically limits short-term rentals to basically a maximum of one per block.

Joseph Ruckman, 205 S. Francis Street, said he wants to make sure he understands this is not going to affect existing short-term rentals. Also, he wanted to talk about the short-term rental located at 608 Benton. He said it was one of the best kept properties in the neighborhood and everyone that has stayed there has been very nice and friendly people.

Chairman Simmons that is correct about the short-term rentals that are existing. He also thanked Mr. Ruckman for coming and speaking for one of the downtown neighborhoods.

Chairman Simmons asked if anyone else would like to share their comments. Hearing none, the public hearing was closed at 6:15.

Chairman Simmons asked if Commissioners had any further discussion or questions. Hearing none, he called for a motion.

Commissioner Goldstein made the motion to approve Case No. ZTA-23-002 as presented.
Commissioner Gerdes seconded the motion.
Motion carried.

Vote: Motion passed 5-0-0

Yes: Commissioners Simmons, Borchert, Gerdes, Goldstein and Van Till.

No: Commissioner: None

Abstain: None

6. SUP-24-001 – An application by Sara Pelis for a renewal of Special Use Permit for the use of a short-term rental in the R-2 Two Family residential district located at 608 Benton Avenue. (Public Hearing)

Chairman Simmons asked for the staff report.

Ms. Frie presented the information in the staff report.

Chairman Simmons asked the commission if they had any questions.

Hearing no questions, Chairman Simmons opened the public hearing at 6:20.

Chairman Simmons asked if there was anyone in the audience that wanted to provide comments during the public hearing.

Hearing none, Chairman Simmons closed the public hearing at 6:21.

Chairman Simmons asked for commission discussion on the application. Hearing none, he called for a motion.

Commissioner Borchart made the motion to approve Case No. SUP-24-001 with no time limit.

Commissioner Gerdes seconded the motion.

Motion carried.

Vote: Motion passed 5-0-0

Yes: Commissioners Simmons, Borchert, Gerdes, Goldstein and Van Till.

No: Commissioner: None

Abstain: None

7. **SUP-24-002 – An application by Kirk Dutcher for a renewal of Special Use Permit for the use of a short-term rental in R-1 single-family residential district at 1012 Sunset Strip. (Public Hearing)**

Chairman Simmons asked for the staff report.

Ms. Frie presented the information in the staff report.

Chairman Simmons asked the commission if they had any questions of City staff.

Hearing none, Chairman Simmons opened the public hearing at 6:23.

Chairman Simmons asked if there was anyone in the audience that wanted to provide comments during the public hearing.

Hearing none, Chairman Simmons closed the public hearing at 6:24.

Chairman Simmons asked for commission discussion on the application. Hearing none, he called for a motion.

Commissioner Gerdes made the motion to approve the renewal of Case No. SUP-24-002 with no time limit.

Commissioner Borchert seconded the motion.

Motion carried.

Vote: Motion passed 5-0-0

Yes: Commissioners Simmons, Borchert Gerdes, Goldstein and Van Till.

No: Commissioner: None

Abstain: None

8. **RZ-24-001 — An application by TD Sylla LLC-RA: Chuck Duckworth to rezone a tract of land located at 517 S Kansas City Avenue from District “C-2A”-Special Business District to District “C-3”-Service Business District. (Public Hearing)**

Chairman Simmons asked for the staff report.

Ms. Frie presented the information in the staff report.

Chairman Simmons asked the commission if they had any questions.

Commissioner Goldstein asked to confirm that everything on the site will remain the same and the commission is just asked to consider rezoning the parking area at this time. Ms. Frie said yes, the application is only for the rezoning.

Chairman Simmons asked if there were any more questions from commissioners. There were none.

Chairman Simmons opened the public hearing at 6:28.

Debra Hopkins, 529 Elms Blvd., asked if there is going to be a barrier between the parking lot and the residential property to the south, for example some type of fence? She asked what will separate the commercial zoning from the residential zoning to the south?

Ms. Frie read a letter from John and Jill Clark, 519 S Kansas City Avenue. Ms. Frie said they said they are not able to attend the meeting in person.

Mrs. Sonya Duckworth, 624 Patrick Drive, said she is the applicant and the plan is requesting the rezoning in order to do a Lot Split combining the two lots into one. She said they want to restore the property so it will be beautiful. Ms. Duckworth said there will be no large trash dumpster placed at the back of the property as previously mentioned. She said the plan is to put a fence on the property so it is not a hindrance to any of the residents in the area. She said they want to be considerate to the residents around them and actually want to make it look very pretty. She said they have discussed this topic with the residents to the south and the goal is to make it pretty. Ms. Duckworth said they will be coming back to the Historic Preservation Commission for consideration of other site improvements in the future.

Commissioner Goldstein asked where would the proposed fence be situated in relationship to the shared drive?

Mrs. Duckworth replied that she did not think it was actually a shared drive but that adjacent residents were using her property. She said they are going to be doing a survey to determine where the real property line is and that is where they would want to locate the fence. She said the residents next door asked if they could use the property to park on and they said yes. Ms. Duckworth said she thinks the fear is that their driveway is on her property and the survey will identify where the true property line is and that will determine where the fence will go.

Commissioner Van Till said at one time prior to the house being demolished at 517 S Kansas City there most likely was a shared drive and that changed when the parking lot was put in its place.

Jason Cole, 518 Elms Blvd., said he lives right behind the location being discussed. He said his understanding from a survey done a long time ago showed it as a shared drive. All the houses on Elms Blvd, he said, are the same way they have a shared driveway between the houses.

Ms. Frie said a survey is required.

Ms. Hopkins said as long as she has lived there, there has always been a shared driveway, and the previous owner, Evelyn Coursen, told her the intention was for it to remain a shared driveway when she sold it.

Mr. Duckworth said their intentions are a complete survey of the property, and based on the results of the survey that is where the line will be drawn and that is where the fence will be built.

Commissioner Goldstein asked is there is a reason the rezoning has to take place prior to a survey.

Ms. Frie said the rezoning is first then the survey so it can be a seamless process and both parcels would be located in the same zoning district. Then the lot split can be done to combine it all into one lot.

Commissioner Van Till asked that once the rezoning and survey are completed can the fence be installed.

Ms. Frie said the fence would require Historic Preservation Commission consideration and once approved and a survey is provided, a fence permit can be issued.

Chairman Simmons asked if there were any further public comments during the public hearing.

Hearing no further comments or questions, Chairman Simmons closed the public hearing at 6:43.

Chairman Simmons asked for any further commission comments regarding the application. Hearing none, he called for a motion.

Commissioner Borchert made the motion to approve case No. RZ-24-001.

Commissioner Van Till seconded the motion.

Motion carried.

Vote: Motion passed 4-1-0

Yes: Commissioners Simmons, Borchert, Gerdes and Van Till.

No: Commissioner: Goldstein

Abstain: None

Chairman Simmons asked Commissioner Goldstein if she would like to explain the reason for her vote.

Commissioner Goldstein said she voted no on the motion as she feels the current zoning of the property is most appropriate for the neighborhood.

9. STAFF COMMENTS:

Melinda Mehaffy said that the City's volunteer dinner will be on April 18th at 6:00 pm and all the Commissioners should be receiving an invitation.

10. COMMISSION COMMENTS: None

11. ADJOURN The meeting was adjourned at 6:46 p.m.



**Community Development
Planning and Zoning Commission - 4/29/2024**

To: Commission Members
From:
Date
RE: March 25, 2024

ATTACHMENTS:

Description	Type	Upload Date
March 25, 2024	Cover Memo	4/25/2024

PLANNING AND ZONING COMMISSION

MEETING SUMMARY

March 25, 2024

1. CALL TO ORDER

Chairman Simmons called the meeting to order at 6:01 p.m.

2. ROLL CALL

PRESENT: Jake Simmons, Bob Gerdes and Jason Van Till.

STAFF PRESENT: Molly McGovern, Melinda Mehaffy, Shantele Frie and Lisa Morgan.

VISITORS: Marilyn Gerdes, Brenda Kelley, Mark Donovan, Melody Donovan, Kandi Harrison, Kelly Anderson, Melanie Grooms Vivian Grittan, Shila Gartlin.

3. APPROVAL OF MEETING SUMMARY- February 26, 2024

Chairman Simmon said due to lack of quorum the meeting summary vote would be carried forward to the April 29th meeting.

4. COMMENTS OF VISITORS: There were none.

5. RZ –24-002 An application by Eden Village of Excelsior Springs for the rezoning from “C-3” -Service Business District to “R-4” – Medium Density residential District at 1112 Tracy Avenue, Excelsior Springs. (Public Hearing)

Chairman Simmons opened the public hearing at 6:03 and continued the application until the April 29th 2024 Planning and Zoning meeting due to lack of quorum.

6. ZTA-24-001 – An application by the City of Excelsior Springs to amend Chapter 403 sign Regulation in the Zoning Regulations of the Excelsior Springs City Code. (Public Hearing) (Continued to later Planning and Zoning Meeting)

Chairman Simmons opened the public hearing at 6:04. This will remain open until our April 29th 2024 meeting.

7. STAFF COMMENTS:

Melinda Mehaffy said she was sorry we couldn't hear the applications this evening, we know you were counting on it, the flu seems to be getting everybody this season. We will continue it and if you have signed in and we have your email we will keep you up to date on what we are doing.

Melinda Mehaffy said that the City's volunteer dinner will be on April 18th at 6:00 pm and all the Commissioners should be receiving an invitation. Please let her know if you will be able to attend. And on April 28th we are having pizza and planning for the Comprehensive Plan in the Council Chambers at 4:00 p.m.

8. COMMISSION COMMENTS: None

9. ADJOURN The meeting was adjourned at 6:07 p.m.

Not approved until next meeting



**Community Development
Planning and Zoning Commission - 4/29/2024**

To: Commission Members
From:
Date
RE: RZ-24-002

ATTACHMENTS:

Description	Type	Upload Date
RZ-24-002	Cover Memo	4/25/2024

Community Development Department Planning & Zoning

Phone: 816-630-0756; Fax: 816-630-9572



April 29, 2024

To: Chairman and Commissioners
Planning & Zoning Commission

Re: **Staff Report for Case No. RZ-24-002**– An application by Eden Village of Excelsior Springs for the rezoning from “C-3”-Service Business District to “R-4”-Medium Density Residential District at 1112 Tracy Avenue, Excelsior Springs (*Public Hearing*)

Applicant: Eden Village of Excelsior Springs-Kelly Anderson

General Information:

Address: 1112 Tracy Avenue **Parcel ID: 08918000800700**
Current Zoning: C-3, Service Business District
Current Land Use: Vacant lot

Surrounding Zoning & Land Use: North – C-3; Service Business District
East – C-3; Service Business District
South – R-4; Medium Density Residential District
West – C-3; Service Business District

Background:

The subject property, located at 1112 Tracy Avenue, is a vacant lot spanning approximately 3.98 acres. The applicant is proposing the rezoning to “R-4”- Medium Density Residential District. This site is a proposed development by Eden Village of Excelsior Springs, a planned gated duplex community. This development is to offer a living environment for individuals who have been classified as chronically homeless and disabled individuals. The development plan includes 20-units of housing and a community center for residents which will provide services needed by their residents. If the rezoning application is approved, the development proposal will then need to go through a formal final plat and site plan process for approval.

This staff report on the proposed zoning changes for this specific parcel of land emphasizes the need to review its historical zoning classification and assess the impact of the proposal. On March 9, 1978, Ordinance #6612 established initial zoning regulations for the City, classifying this particular parcel of land as R-3, which permitted cluster housing, townhouses, or garden apartments. Subsequent amendments altered this classification; notably, Ordinance #85-11-3, approved on November 11, 1985, reclassified the tract from R-3 to B-4, designating it as a General Business District. Further zoning updates were made with the adoption of the City of Excelsior Spring Zoning Map on May 16, 1988, under Ordinance #88-5-5. A significant reclassification occurred on July 6, 1993, via Ordinance 85-5-5, which changed the zoning from R-4 Medium Density Residential District to C-3 Service District. Historical zoning records and detailed research confirm that this particular parcel of land has experience multiple zoning

changes, oscillating primarily between R-3 and R-4 residential classifications before its subsequent commercial designations. Notably, the parcel has remained vacant since the initial zoning regulations were established in 1978.

Public Infrastructure:

Streets: The current site is well-served in terms of transportation infrastructure. Tracy Avenue, classified as a collector street, provides adequate access to the site, facilitating efficient movement of traffic to and from the area. Additionally, the site benefits from its proximity to N Hwy 69 to the west, which functions as the arterial street, offering broader connectivity to the surrounding regions. The presence of existing trails in the vicinity further enhances the site's accessibility, providing additional options for pedestrian and non-motorized traffic.

Public Water: An engineering analysis of the water distribution network in the area indicates that certain improvements will need to be made to obtain adequate public water pressure and fire flow. The applicant proposes to construct the water main improvements and has submitted a "Letter of Intent" indicating their commitment to constructing the necessary watermain improvements essential for the site's future development. The watermain public works plans would be considered through a Final Plat application. The commitment aligns with city standards for sustainable development and adheres to the community's infrastructure standards.

Sanitary Sewer: The proposed water main improvements will provide adequate sanitary sewer to the site.

Stormwater Management: Stormwater on the site generally flows to the south into the open drainage along Tracy Avenue. Future potential development will require a stormwater management plan and improvements to retain on-site any increase in stormwater flow.

Comprehensive Plan:

The Comprehensive Plan Land Use Principles call for creating housing opportunities and choices within the community. The Future Land Use Map identifies this area for future mixed-use development which includes a variety of commercial uses, including large-scale buildings and parking areas for major retailers, multi-use shopping centers, restaurants, and other services. This also includes uses with impact compatible with major retailing, including high-density residential, hotels and lodging, and offices. (*Comp Plan page 52*)

Staff Analysis:

The current zoning classification for this parcel is "C-3"-Service Business District. This zoning classification focuses on service-based businesses and commercial activities such as: shops and stores catering to both retail and wholesale markets, operation of services for assembly and meeting halls/clubs/hotel/motels and manufacturing products sold on the premises.

The "R-4"-Medium Density Residential District is structured to offer a diverse range of housing types within a controlled framework. This district allows for single-family residences as per "R-1" District standards, two-family dwelling in accordance with "R-2" District regulations, and also includes housing forms permitted under the "R-3" designation, such as garden apartments and townhouses. Additionally, it supports innovative housing models like patio houses, zero lot line homes, and mixed housing systems, permitted under the Planned Development zoning standards.

Apartments and duplexes are not subject to the 1,100 square foot size requirement and may include small units.

Most post-war commercial development in Excelsior Springs was concentrated along Jesse James Road, with more recent growth centered around the Highway 69 corridor. Since 2009, residential expansions have predominantly occurred west of this highway. The area's residential development over various periods have filled available spaces between the traditional core and the transportation corridor, with significant commercial activity traditionally along the Highway 69/Jesse James corridor. The current comprehensive plan highlights the necessity for adequate commercial space to meet market demands, cautioning that excessive commercial zoning could lead to inefficient land use patterns and dispersed urban development. Additionally, it suggests that the growing population will require more commercial services, emphasizing commercial expansion as crucial to the city's economic strategy. The plan recommends designating land 1.5 times greater than the "hard demand" for commercial purposes and proposes setting aside at least 80 acres for future commercial use, noting that this allocation would involve reclassifying 3.98 acres of currently developable commercial land.

The Comprehensive Plan for Excelsior Springs outlines key land use principles and concepts aimed at guiding growth and development. It recommends that new growth be located adjacent to existing developments or maximize the potential of underutilized "infill" areas. Incorporating a mix of compatible uses within modern settings enhances community interest and efficiency. Such planning also allows for greater flexibility in community building, addressing the evolving housing needs and preferences with a variety of housing types. Additionally, residential developments may be integrated into mixed-use projects to minimize the separation between living spaces and activity centers. The plan includes infrastructure improvements, such as the RAISE grant, which will enhance traffic signals at the Tracy Ave/HWY 69 intersection and extend the walk trail between Lynn Road and HWY 69. This will create vital connections between schools, hospitals, and the westside commercial district, promoting accessibility throughout the city for residents at all stages of life.

The comprehensive plan establishes a framework for policy districts, with this particular parcel of land situated within the "Corridors" district. This district is envisioned as a linear area that connects major commercial, civic, and residential developments with each other and the broader city neighborhoods. The plan advocates for mixed-use development on strategically important sites, including along Tracy Avenue. The potential rezoning to R-4 would maintain the possibility for mixed-use developments within and around this corridor. Medium-density residential projects are encouraged to be integrated into mixed-use and planned developments. Commercial zoning is recommended along arterial roads or major streets and should be isolated from residential areas, parks, and sensitive zones to mitigate conflicts. This parcel is located behind a single-family home which is zoned R-4 and directly opposite of The Flats at Coach Crossing, also zoned R-4. Three houses located in front of The Flats at Coach Crossing are similarly zoned R-4. Rezoning this parcel to R-4 would align with the existing zoning patterns and encourages mixed-use developments.

Staff Recommendation/Action Requested:

City staff feels that the Planning Commission may find that the application is consistent with the Comprehensive Plan and the impact to surrounding properties can be adequately addressed through the Site Plan review process. Adequate public infrastructure is either available or can be reasonably provided to serve possible future development of the site.

Respectfully submitted,

Shantele Frie
City Planner
City of Excelsior Springs

Attachments:

Exhibit A-Letter of Intent



Eden Village of Excelsior Springs

PQ Box 301
Excelsior Springs, MO64024
edenvillageofes@gmail.com

March 20, 2024

Dear Ms. Frie,

This is a letter of intent for the proposed project at 1112 Tracy Avenue, Excelsior Springs, MO. Eden Village of Springs intends to construct the water main improvements, as outlined in the documents provided, necessary for the future development of our proposed site, to ensure that adequate water utilities are available to our residential units, the community building and fire hydrants. Eden Village of Excelsior Springs acknowledges that we bear the full financial responsibility for the cost of the water main improvements. We understand, should The Flats development not commence first, that we will be required to construct an 8" water main along the main roadway, as a contingency requirement, irrespective of the sequencing of nearby projects.

Sincerely,

Kelly Anderson

Board President



**Community Development
Planning and Zoning Commission - 4/29/2024**

To: Commission Members
From:
Date
RE: ZTA-24-001

ATTACHMENTS:

Description	Type	Upload Date
ZTA-24-001	Cover Memo	4/25/2024

**Community Development Department
Planning & Zoning**

Phone: 816-630-0756; Fax: 816-630-9572



April 29, 2024

To: Chairman and Commissioners
Planning & Zoning Commission

Re: Staff Report for Case No. ZTA-24-001 – Application by the City of Excelsior Springs to amend Chapter 403 Sign Regulations in the Zoning Regulations of the Excelsior Springs City Code. (*Public Hearing*)

Applicant: City of Excelsior Springs

General Information:

This application is the result of the City's Code Review Process.

Background:

This application represents the final proposed modifications to the City's development standards as addressed in the City's Code Review Process.

A City Code review process focusing on the Zoning & Subdivision Regulations and development-related code sections had been identified as an action item in the Community Development Department Work Plan. The review process began in 2022. This application represents the final code review proposal.

This code review process focused on updating and correcting the current Zoning & Subdivision Regulations and other development related code sections to fix conflicting language, clarify areas of ambiguity, and modernize regulatory steps to reflect current best practices in administration. The process reflected existing City land use and development policy in the Comprehensive Plan.

As previously discussed with the Planning and Zoning Commission in a Study Session last year, City staff continued working on potential modifications to Chapter 403 Sign Regulations pending community engagement with downtown merchants and Chamber of Commerce stakeholders. Subsequently, City staff met with the Downtown Excelsior Partnership and the Excelsior Springs Chamber Westside Committee to discuss temporary signage standards.

This application proposes certain clarifications to temporary signage definitions, addresses temporary signage permitted in the Central Business District, and provides for greater flexibility for temporary sign permitting.

Discussion:

The application basically consists of three primary amendments.

Sign Definitions – The Definitions section is amended by adding definitions for “Sandwich Board”, “Feather Sign” and “Banners”, including size limitations for both sandwich boards and feathers signs. The amendment also clarifies that feather signs, as defined, are not considered “Attention Attracting Devices” which are not permitted.

Central Business District – Under the sign standards for District “C-2”, the amendment creates specific accommodation for the Central Business District, as defined. Along with other signage permitted in the “C-2” zoning district, one sandwich board would be permitted per business within the Central Business District. These sandwich boards may be placed on-site or on the public sidewalk in front of a business not less than one (1) foot from the street and not impeding reasonable pedestrian and disability access. No sign permit would be required for sandwich boards in the Central Business District. With this accommodation for sandwich board signage, no feather signs would be permitted in the Central Business District.

Temporary Signs – Current regulations permit a maximum of four (4) temporary sign permits for thirty (30) days each per business, per calendar year. Merchant stakeholders requested greater flexibility in the use of temporary signs while maintaining limits on duration. The amendment would modify the number and timing of temporary signs by permitting a maximum of eight (8) temporary sign permits for fifteen (15) days each per business, per calendar year. Under current standards, temporary sign permits may be issued to run consecutively, and up to five (4) temporary signs may be included under one temporary sign permit. Outside of the Central Business District, temporary sign permits could be used for sandwich boards and feather signs, under the number and timing standards.

Staff Analysis:

Sign standards are a way a community creates a balance between desired character and appearance with the ability of local businesses to identify location and advertise services. The proposed amendment focuses on cleaning up certain areas of ambiguity around the existing sign regulations and reflects suggestions from the local business community. These amendments will aid in the administration of the sign standards and allow for a more consistent approach to signage types and duration in certain areas of the community.

The new Comprehensive Plan may contain policy recommendations on the City's sign standards. At that time, a more comprehensive review of the Sign Regulations can occur with full engagement of public stakeholders.

Staff Recommendation/Action Requested:

The Planning and Zoning Commission has been diligently working on the Code Review Process for well over two years. City staff believes the proposed Sign Regulations amendments accurately reflect the feedback received from Commission study sessions and community stakeholder input and will aid in the efficient and equitable administration of sign standards throughout the community.

Staff recommends approval of the application.

Respectfully submitted,

Doug Hermes
Planning Consultant
City of Excelsior Springs

Attachments: Chapter 403 Sign Regulations – proposed amendments

Chapter 403 Sign Regulations – Proposed amendments

Section 403.020 **Definitions**

Sign

Amend Par. 2.c. Attention Attracting Device. Any flasher, blinker, animation, **banner**, animal or human replica, or other object designated or intended to attract the attention of the public to an establishment or to a sign. Any illuminated sign on which the artificial light is not constant in intensity and color at all times. For the purpose of this regulation, any revolving, rotating, moving, animated sign with moving lights or signs which create the illusion of movement shall be considered flashing signs. Electronic message centers are not considered attention attracting devices for the purposes of this section. **Feather Signs are not considered attention attracting devices for the purposes of this section.**

Amend Par. 5 by adding: **f. Sandwich Board. A framed sign consisting of two (2) faces, hinged together at one end that is self-supported, easily moved, and not affixed to a building, base structure, or the ground. Sandwich Board signs may not exceed six (6) square feet in total sign area and may not exceed three (3) feet in height.**

Amend Par. 5 by adding: **g. Feather Sign. A generally narrow vertical temporary sign made of flexible material with or without copy where the sign is mounted onto a pole or individual mounting device with the intent of utilizing natural or man-made air movement. Feather Signs may not exceed twenty-five (25) square feet in total sign area and may not exceed twelve (12) feet in height.**

Amend Par. 5 by adding: **h. Banners. A sign composed of light weight material without framing, either attached to a building, pole or free-standing in a non-permanent setting.**

Section 403.080 **District “C-2” General Business District – Signs Permitted.**

Add new Par. A.7. Central Business District

In addition to other signs permitted, within the Central Business District as defined in Section 400.280 Par. H, one Sandwich Board located on-site or on the public sidewalk, under the following standards:

1. Sandwich Board may not exceed six (6) square feet in total sign area and may not exceed three (3) feet in height.
2. Sandwich Board may be located on the public sidewalk only so that it does not impede reasonable pedestrian and disability access and located not less than one (1) foot from the public street curb.
3. No sign permit shall be required for Sandwich Boards.

The one Sandwich board is in addition to the total number of signs permitted in District “C-2” as described above in Paragraphs A.1-6 inclusive.

Within the Central Business District as defined in Section 400.280 Par. H, feather signs are not permitted.

Section 403.120. **Additional Regulations.**

Par. D. Temporary Signs

Amend Par. D.2. Number And Timing. A maximum of eight (8) temporary sign permits for fifteen (15) days each may be issued for the same business, upon property owner approval, at the same location per calendar year. Temporary sign permits may be issued to run consecutively. Up to five (5) temporary signs may be included under one temporary sign permit. Major and minor shopping centers may be allowed up to two (2) temporary sign permits at any one time. Each temporary sign application shall be accompanied by a permit fee as specified in the Schedule of Fees, Title I, Appendix A. All temporary signs shall be removed at the end of the day's business on the day such permit expires. Additional temporary sign permits shall not be issued for the same business at the same location within fourteen (14) days following the expiration of a previously issued temporary sign permit. Failure to comply with any specification, regulation, or control placed on a temporary sign permit set for by the office of the Building Official will immediately void said permit.

Amend Par. D.3. Types. a. Banners; b. Non-projecting wall signs; c. Secured ground signs; d. Sandwich boards; ~~e. Portable and wheeled signs;~~ and e f. Inflatable devices; and ~~f g. Feather signs~~

Amend Section 403.130 **Total Exemptions.** Par. B. Exemptions From Sign Permit. 5. ~~Temporary signs to include garage sale signs, banners, and changeable-copy signs.~~