



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

**Sign Code Task Force
MINUTES
Wednesday, January 15, 2020**

A meeting of the Sign Code Task Force was held in the City Hall 210 Training Conference Room located at 903 W Main Street on Wednesday, January 15, 2020 with the following members and staff in attendance:

ATTENDANCE

Jerry Kaylor, Councilmember Dist. 1
Kent Edmondson, Councilmember Dist. 2
Travis Graham, Planning Commission
Lara Vermillion, Chamber of Commerce
Jeff Grote, Chief, CJCFPD
Jason Woolf, Blue Springs School District
Byron Craddolph, Planning Commission
Cindy Miller, Downtown Alive!
Nancy Yendes, Co-Chairperson
Dave Meyer, Co-Chairperson

STAFF / OTHERS

Matt Wright, Acting Assistant Director, Community Development
Nathan Jurey, Senior Planner
Jackie Sommer, City Attorney
Karen Findora, Liaison / Recording Secretary

Susan Culpepper, Councilmember Dist. 3
Galen Ericson, Councilmember Dist. 1
Evelyn Ericson, Resident

ABSENT

Ron Fowler, Councilmember Dist. 3
Cynthia Savel, Public Safety Citizen Advisory Board
Mike Mallon, Acting Director, Community Development

CALL TO ORDER

Dave Meyer, Co-Chairperson officially called the meeting to order at 6:03 p.m.

**1.A MOTION TO
APPROVE
DECEMBER 19, 2019
MINUTES**

Jeff Grote moved to approve the December 19, 2019, meeting minutes.
Seconded by Kent Edmondson.
(APPROVED 10-Aye, 0-No)

**DISCUSSION OF
FEEDBACK FROM
COMMISSIONS**

- a. Public Art
Commission**
- b. Development
Advisory
Commission**
- c. Historic
Preservation
Commission**

Nathan Jurey, Senior Planner, stated that based on the Sign Code Task Force meeting on December 19, 2019, staff made changes to the following:

- Vehicle Signs are exempt if parked for 48 hours or less.
- The sign area of 3D Signage is measured only using the area of the 2 largest sides.
- The applicant must request the City to make a Final Inspection after installation of any permanent sign.
- Illustrations were added to clarify the “Illumination” standards for measurement.

Mr. Jurey informed the Sign Code Task Force that he and staff have met with several boards and commissions to discuss the Sign Code.

On Wednesday, January 8, 2020, the Public Art Commission suggested amending the proposed standards for “Murals.”

- Murals shall meet the following criteria...
~~Adds artistic value to~~ **Complements** the existing collection of public art **by being of artistic value.**

Susan Culpepper, Councilmember, questioned who would make the determination weather the mural is of artistic value. Mr. Jurey stated that the Public Art Commission would make a recommendation to the Planning Commission, and they will make the final determination.

- **Not be overtly commercial** ~~Be non-commercial~~ in nature, when viewed in its entirety and in relation to the underlying use on the property; and
- Be maintained for the duration of its display and removed in its entirety after said duration or if it **loses its effectiveness as a mural or** falls into a state of disrepair. A maintenance and removal plan must be provided. Said plan should outline the entity responsible for maintenance over the entire life of the mural, what constitutes disrepair, and the date or event when the sign will be removed (e.g. change in ownership, demolition of building, etc.). **This plan should comply with and address any issue created by the Visual Artist Rights Act (VARA).**

Nancy Yendes, Co-Chair, was concerned that placing the VARA clause in the Code would place responsibility on the City to verify that the proposed plan meets VARA. She believes the property owner or applicant should be responsible for determining that the plan complies with VARA.

Jeff Grote, Chief, was concerned that clause stating a mural must be removed when it “loses its effectiveness” is difficult to enforce. Kent Edmondson, Councilmember, agreed that ‘effectiveness’ is very subjective. He believed that the “state of disrepair” removal clause is more measurable and enforces what the City wants to enforce. There was consensus to remove the “effectiveness” language.

Cindy Miller, Downtown Alive, voiced a concern that the proposed Code prohibits Murals from being painted directly on a building. Mr. Jurey stated that the proposed Code prohibits signs painted directly on a building due to concerns over VARA and graffiti. Nancy Yendes thought the graffiti issue is a minimal risk. There was a consensus to allow signs painted directly on a building.

On Friday, January 10, 2020, the Development Advisory Commission (DAC) recommended approval of the proposed Sign Code with no changes. However, there was discussion on the following:

- Pole Signs: where they should be allowed in the I-70 Corridor.
- Max. Number of Temporary Signs: allow four (4) temporary building mounted signs per business per year and four (4) temporary ground-mounted (or non-building) mounted signs per property per year is allowing too much Temporary Signage in the City.
- Feather Flags: they questioned if Feather Flags are an acceptable Sign Type in the City.

Evelyn Ericson, asked if a business is allowed four (4) temporary signs a year, how much time does it take to get a sign down if it exceeds its limit? Mr. Jurey stated that the applicant has a 30-day permit. If the business doesn't remove the sign in 30-days then staff sends a written due notice, which turns into a violation / citation. A violation/citation may be up to a \$500 fine, and 30-days in jail according to Section 100.080 and as imposed by court order. Mr. Jurey stated that the current code also reads, "The Administrator has the allowance to say that, if a business has a sign up for more than 30-days without a permit then the Administrator has the authority to withhold permits."

Mr. Jurey stated that there are two exempt signs that staff added, one is a grand opening package, and the second is a building permit package. If a business gets a building permit, then they can place signs on their temporary construction fence, (not a permanent fence) and they will get one (1) 32 sq. ft. sign that can go anywhere on the property if it doesn't infringe on traffic safety.

On Tuesday, January 14, 2020 the Historic Preservation Commission (HPC) met and had one comment on Historic signs, they thought the artistic quality, creativity, and innovation was a little stifling. They wanted to make sure it was an, "**and – or**" innovation. That way if a historic sign was unique or rare the sign may be retained. The HPC wanted the allowance and flexibility to allow a Historic sign if it met the unique or rare surveying example but may or may not meet all three (3) of the artistic quality, creativity, and innovation.

At the last Sign Code Task Force meeting on December 19th the topic of temporary – political signs allowed on agricultural property was discussed. Staff recommends changing this to allow "large" residentially zoned properties to have any number of 8 sq. ft. signs and one 32 sq. ft. sign provided they do not exceed 80 sq. ft. cumulatively.

Lara Vermillion, Chamber of Commerce, wanted clarification on who's responsibility is it to say if a sign is finished, and does a sign company have to wait on site once a permitted sign has been installed and called in for an inspection. She asked what kind of penalty would be imposed on the sign company if they don't call in for an inspection. Mr. Jurey stated that if the sign

company doesn't call in for an inspection and the permit expires, the fee to renew the permit is half the total permit fee. The sign company doesn't have to wait on site to be inspected, but they do need to call in an inspection.

Evelyn Ericson asked if signs in the right-of-way will be confiscated. Mr. Jurey stated that the code reads, "may confiscate the sign." Typically, signs are confiscated in the right-of-way when a citizen calls and complains. Ms. Ericson asked if confiscation of sign includes giving the sign back to the owner. Mr. Jurey stated that the codes reads, "properly disposed of," staff places the signs in a dumpster. Ms. Ericson had concerns with the up-coming elections and all the signs that may be placed in the right-of-way. Mr. Jurey stated that the street right-of-way is a traditional public form. Thus, if the political sign is in the right-of-way staff will have to either pull all signs or no signs at all or risk an infringement on free speech. Ms. Ericson stated that personally she would like to see all signs pulled in the right-of-way so that the city looks cleaner.

Mr. Jurey stated that a policy on Sign Code enforcement should be adopted. The policy should be consistent and defensible in a court of law. This may include a consistent plan to pull all signs in the right-of-way on specific roads, regardless of content. However, due to limited staff time and resources, this should only occur at a consistent interval of time, such as once a week or month.

**RECOMMENDATION TO
COUNCIL OF
PROPOSED SIGN CODE**

Jeff Grote recommended the approval of the Sign Code Updates as presented, discussed, and amended tonight.

SECONDED

Seconded by Byron Craddolph.

VOTE

(APPROVED 10 - Aye, 0 - No)

**FUTURE ACTIONS /
NEXT STEPS**

- a. January 27, 2020, Planning Commission Recommendation to Council
- b. February 3, 2020, City Council Adoption of Sign Code Update
- c. Approval of the minutes from tonight's (Jan. 15) meeting will be approved by e-mail.

OTHER BUSINESS

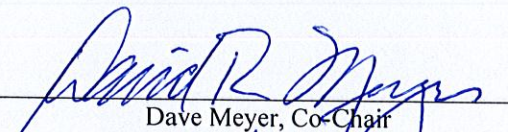
No other business.

ADJOURN

With no further discussion, the meeting adjourned at 7:11 p.m.



Respectfully Submitted by
Karen Findora, Recording Secretary



Dave Meyer, Co-Chair

1/28/20
Date