

1. Meeting Agenda (PDF)

Documents: [07-25-2013 AGENDA \(PDF\).PDF](#)

2. July 11, 2013 Minutes (PDF)

Documents: [JULY 11, 2013 \(PDF\).PDF](#)

3. Zoning Text Amendment, Sign Ordinance Changes (PDF)

Documents: [ZONING TEXT AMENDMENT SIGN ORDINANCE CHANGES \(PDF\).PDF](#)

4. Urban Service Area Exception (PDF)

Documents: [URBAN SERVICE AREA EXCEPTION \(PDF\).PDF](#)

Planning & Zoning Commission Agenda

July 25, 2013 - 6:30 p.m.

Members

Matt Edwards (Chair), King Coltrin (Vice-Chair), Jay McClelland, Jim Hansen, Jason Ray, Gabrielle White, Phil Young, Tom Baird, IV, Shelby Lawhon

Roll Call

Approval of Minutes: July 11, 2013

Communications

Finalization and Approval of Consent Items

(These consent cases will be approved by Commission unless a Commissioner or someone else wished to speak to them. If so, those cases will be moved to the appropriate place on the agenda and they may be spoken to, and voted on, at that time.)

Hearings:

Zoning Text Amendments:

- | | |
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| 1. Zoning Text Amendment Sign Ordinance Changes
(City-Wide) | City of Springfield |
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Other Business:

- | | |
|--|---------------------|
| 1. Urban Service Area Exception
(City-Wide) | City of Springfield |
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Any Other Matters Under Commission Jurisdiction

For items for which the public may speak, the Commission Chairperson will invite anyone who wishes to speak to an item after staff makes its presentation. When you address Commission, please step to the microphone at the podium and state your name and address. All meetings are televised live and tape recorded. Please limit your remarks to five (5) minutes unless Commission allows a longer time. In accordance with ADA guidelines, if you need special accommodations when attending any City meeting, please notify the city Clerk's Office at 417-864-1443 at least three (3) days prior to the scheduled meeting.

MINUTES OF THE PLANNING AND ZONING COMMISSION

DATE: July 11, 2013

TIME: 6:30 pm

The regular meeting and public hearing of the Planning and Zoning Commission was held on the above date and time in City Council Chambers, third floor of City Hall with the following members: Matt Edwards (Chair), King Coltrin (Vice-Chair), Jay McClelland, Jim Hansen, Tom Baird, Jason Ray, Shelby Lawhon and Gabrielle White; Staff in attendance: Bob Hosmer, Principal Planner; Ralph Rognstad, Director, Nancy Yendes, City Attorney; Dawne Gardner and Ron Colson, Public Works; Sandy Goddard, Administrative Assistant.

ROLL CALL:

APPROVAL OF MINUTES: The minutes of May 30, 2013, were approved unanimously.

COMMUNICATIONS:

Mr. Hosmer introduced Storm Water Engineer Rodney Colson as the newest member of City Staff to the Board members.

HEARINGS:

1. Vacation 757
(1540 South Enterprise Avenue)

Bob Norton

Mr. Hosmer stated the purpose of this request is to vacate a portion of a cul-de-sac generally located on the east side of the 1500 block of South Enterprise Avenue. The vacation would facilitate the construction of a new addition onto the west side of the existing laundry facility. The sidewalk has been reconstructed and grass restored at the proposed new right of way line. City Utilities will retain the easements in that area. Staff is recommending approval.

Mr. Baird asked if they review this previously.

Mr. Hosmer said yes, the applicant did not finish the project and there was additional right-of-way acquired and that is why this is being heard again.

Mr. Edwards opened the public hearing.

Mr. Steve Mumert, Olsson Associates at 550 St. Louis Street, stated he representing the applicant and is available for questions.

Mr. Hansen clarified that the only addition to this request is the strip of property at the north end.

Mr. Mumert stated that part was not vacated previously and is being addressed tonight as one unit this time.

Mr. Edwards closed the public hearing.

Mr. Lawhon motioned to **approve** Vacation 757. Mr. Ray **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, Hansen, Baird, Ray, Lawhon, Young, and White. Nays: None. Abstain: None. Absent: None.

Zoning

2. Z-12-2013 w/Conditional Overlay District No. 61 (777 East Battlefield Road)

Todd Johnson

Mr. Edwards recused himself from the case. Mr. Coltrin, Vice-Chair, continued the hearing.

Mr. Hosmer said the purpose of this request is to rezone approximately 1.44 acres of property generally located at 777 East Battlefield Road from an O-1, Office District to a GR, General Retail District and establishing Conditional Overlay District #61. Existing use is an office building and parking lot. This application includes a Conditional Overlay District to prohibit certain uses including the entertainment-oriented use group, funeral homes and mortuaries, household resource recovery centers and private clubs and lodges and provide for additional right-of-way on adjacent streets and provide for additional plantings within the bufferyard along the north property line. The proposed development is a convenience store with fuel pumps, however any use permitted in the GR district could be located on the site unless prohibited by the Conditional Overlay District. The Growth Management and Land Use Plan element of the Comprehensive Plan identifies this as an appropriate area for high intensity retail, office or housing. General Retail (GR) district is one of the zoning districts recommended in these areas. The proposed convenience store would be considered a Neighborhood-Scale Business as described in the Comprehensive Plan. Staff believes the subject site with the proposed Conditional Overlay District and requirements and restrictions contained within the GR district including those for buffering and building height meet the recommendations of the City's Comprehensive Plan and intent of the General Retail District. The approval of GR zoning will expand the GR zoning to the northeast corner of this intersection as the southeast and southwest quadrants are currently zoned GR. Approval of this request will provide for increased intensity in this area where investment has already been made in public services and infrastructure. This development will provide goods and services to the adjacent residential and commercial areas. Additional requirements include right of way on Kimbrough must be 30 feet from centerline. It appears approximately 5 feet will be needed. Right of way on Battlefield must be 50 feet from the centerline. It appears between 5 feet and 8 feet will be needed. Sidewalk already exists on both Kimbrough and Battlefield. A 30 feet X 30 feet right of way sight triangle is required at the intersection of Kimbrough and Battlefield. Access on Battlefield can remain, but cannot be shifted any closer to Kimbrough. Access on Kimbrough can remain. It must not be shifted any closer than 100 feet to Battlefield. A Traffic Study is not required. Public Works Storm Water division does not have any concerns regarding this application. Fourteen (14) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. Staff has received several phone calls and visits from nearby property owners expressing concern over the request. In addition to the required bufferyards, all structures developed on this property must remain below a thirty (30) degree bulk plane measured from the boundary of the R-SF district to the north. As part of the redevelopment of this site, additional green space will be provided. The existing site has approximately 0.27 acres, or seventeen (17) percent of the site, of green space. The applicant plans to add approximately 0.25 acres of green space for a total of 0.52 acres or thirty-three (33) percent of the site. The GR district requires a minimum of twenty (20) percent

open space. This request for GR zoning will provide for the redevelopment of this site and is consistent with the City's policies to promote infill development and increased intensity where investments have already been made in public services and infrastructure. The proposed Conditional Overlay District will restrict uses, provide for additional right-of-way on adjacent roadways and provide for additional plantings along the north property line. Staff is recommending approval. Additional information has been provided to Commission by the neighborhood summary meeting as well as comments from the Police Department who has some concerns about the convenience store across the street. Mr. Hosmer stated he would answer any questions.

Mr. Hansen asked Mr. Hosmer about the content of the phone calls received from the public; what their concerns were.

Mr. Hosmer stated they expressed concerns about the uses, the convenience store and hours of operation.

Mr. Hansen asked if they expressed any specific objections, stating he did not see anything in the staff report regarding that information.

Mr. Hosmer said objections to the site, yes. They objected to the rezoning.

Mr. McClelland asked what the allowable distance of selling alcoholic beverages near a school; Kum & Go will be selling closed beverages; are there any footage requirements.

Mr. Hosmer stated it is two hundred feet and Council can grant exception.

Mr. McClelland commented the school exceeds the two hundred feet distance so it is not an issue.

Mr. Coltrin opened the public hearing.

Mr. Josh House, representing Kum & Go, LLC, 6400 Westown Parkway, West Des Moines, IA, 50266, commented that he had provided packets of information to give general information and the proposed design of the store. They are currently in the process of rebuilding multiple stores within the City and have completed one at National and Division and ready to break ground on Kimbrough and Elm. This will be a replacement store for a current store located to the east off of Jefferson and Battlefield. Mr. House stated this opportunity presented itself with a great location and commented he would be available for questions.

Mr. Baird referenced neighborhood and police concerns for noise and security asking Mr. House how their organization responds to those concerns and how they will address that situation in this location.

Mr. House stated that neighborhood concerns were the noise and the visibility of the store from the neighborhood and they take extra care in blocking the property from the neighborhood, so there will be a six (6) foot tall fence as well landscape plantings, trees and shrubs toward the rear of the property to help shield the business from the adjacent neighborhood. This is a common practice for Kum & Go. There are security cameras placed all the way around their existing buildings and well lit sites to emphasize safety to customers which is how they address the security issue.

Mr. Baird asked if the privacy fence will be wood, if the fence will be located on the north and east boundary and if there will be a cut-through in the fence for the apartments and neighborhood behind.

Mr. House stated the fence will be solid wood and referred to pictures of a current store on National and Division. It will be located on the north and east boundary and commented they have not gotten that far in the design process, but as they work with City staff, if that is a request per the neighborhood, they would be willing to accommodate that; if not, they would not make that accessible to the store. The fence would be like a cedar plank fence that runs the expanse of the property to block any views of the store from the neighborhood.

Mr. Lawhon asked about the sidewalk along the west side of the property; will the side walk remain.

Mr. House said yes.

Mr. Baird commented there appears to be a sidewalk on the north side as well...

Mr. House stated the sidewalk is not on their property, lying outside the property line to the north. The connection from the cul-de-sac to Kimbrough is actually not on the property.

Ms. Kathleen Irmen, 809 East Guinevere, Springfield; Ms. Irmen stated she is one of the property owners within one hundred eighty-five feet of the proposed store. The walkway that lies outside the property goes in back of where the parking lot to this property is now and all the neighborhood kids walk to school along that route to get to Cowden Elementary. Right across the street from where this proposed store is located is Cowden Park which is a large playground with nice equipment with children always present. There is not a fence on the Kimbrough side at this point although there was one put in on the Battlefield side. With the new proposed store, concerns are the increased traffic, the noise and the lighting even with the six (6) foot privacy fence, increased possibility of more crime and the proximity to the elementary school. Ms. Irmen asked if Springfield Public Schools had been notified because if they had, she would be surprised if they had no objections to the convenience store. Ms. Irmen commented it has always been a nice quiet neighborhood and she would like it to stay that way.

Mr. Coltrin asked staff if the school had been notified.

Mr. Hosmer stated they had been notified as they are within the one hundred eighty-five feet area. Mr. Hosmer stated staff has received no objections from the school at this time.

Mr. William Cheek, 705 East Cambridge, Springfield, stated he is located up the street from the proposed convenience store area. Mr. Cheek feels if the zoning change is allowed, it will adversely impact the adjacent residential area, and would emphasize two areas in his opposition in asking for denial of the proposed zoning change. First, the proposed change to GR, General Retail is less than appropriate for this particular property than the current office zoning. The property in question is adjacent to existing residential on the east and north and across the street from an existing park and school as was pointed out. This will be an isolated retail location. The existing income producing office classification and use is a more appropriate land use adjacent to single-family residential than the proposed general retail zoning. It is mentioned in the staff report, more than once, that the current office zoning is an appropriate use for this type of intersection in question. The current office building has served as an appropriate transition from the concentrated retail development along the south side of Battlefield and the existing residential area to the north for a number of years. The existing residential area has existed for decades, long before the more recent development south of Battlefield. Mr. Cheek reviewed the permitted uses in the overlay district

and what future uses might be used if the owner should change his mind regarding use. There are currently six (6) convenience stores, four which are owned and or operated by Kum & Go within one road mile of this property. It is doubtful the nearby residents will suffer should another one not be built. The second reason for opposition concerns the provision of the overlay listed as quote, "adequate for mitigating potential impacts on the proposed development on adjoining properties". Mr. Cheek said those provisions are not adequate and provided a few examples. Mr. Cheek discussed the stormwater comments from the staff report and the current runoff of from the area during heavy storms and discussed the buffering between the proposed use and adjacent properties and green space. The residential area would see the backside of a wood fence, not additional plantings. Part of the City's efforts is to maintain and enhance existing neighborhoods and asked Commission to deny the request.

Mr. Hansen asked Mr. Cheek what would be more amenable than the proposed stockade fence.

Mr. Cheek asked if it is the best design to have the fence directly at the property line, so the residents that you are supposedly protecting with the fence, actually see that backside of a wood fence.

Mr. Edward House, 911 South 12 Avenue, Ozark, commented he is not related to the previous Mr. House that spoke. Mr. House stated he is in opposition to the request, adding he is representing Eagle Stop Convenience Store, a resident of the area, who will be adversely affected by approval of the rezoning. Mr. House stated many of the reasons for opposition to the request were stated earlier, noise and light pollution, traffic and security; he is asking Commission to support local businesses. Eagle Stop is a chain of convenience stores with ownership located in Missouri with the corporate headquarters being located to East Republic Road. With that, they bring additional jobs and have and will continue to heavily invest in the local area, adding they are asking for the support of the Commission as a local company. Kum & Go is not a local company and the dollars spent by the residents of Springfield residents and visitors do not stay in Springfield. Mr. House commented he is available for questions.

Mr. Lawhon asked Mr. House if he could be specific in what the adverse effects would be on the Eagle Stop.

Mr. House stated he has not put that to pen and paper but with obviously with a large station directly across the street having another station on the other side of Battlefield would obviously have some adverse affects; while they feel like they are positioned to compete with Kum & Go, it would affect the business as it would any other industry with a competitor going across the street.

Mr. Brad Thessing, 8410 Interlochen Dr, Nixa, Missouri, commented he represents the current land owner and landlord of the property, commented he wanted to address the lighting which will be much better than it currently is today and referred to the current fencing located there today. The office located there currently is fifty (50) percent leased and Battlefield is becoming more of a retail destination more than an office destination. There will be security cameras in place at the proposed store that surround the whole property that are not there today.

Mr. Coltrin closed the public hearing.

Mr. Baird asked staff or the Kum & Go representative if there is data available for the number of trips that will be generated northbound on Kimbrough. With the north being a residential neighborhood and the school, he is concerned about the kids getting across the street.

Ms. Gardner stated the applicant was not required to provide a traffic study, which means that the use that they are proposing will not generate enough traffic to invoke a traffic study from the uses there currently; adding staff does not have an exact of the number of the trips. Ms. Gardner stated she can get that information.

Mr. Hosmer asked to clarify an issue on the question about the alcohol; they are within two hundred (200) feet, the school park is owned by the school.

Mr. McClelland asked what that does for the liquor sales.

Mr. Hosmer stated the applicant would have to go before City Council to get approval for liquor sales.

Mr. Coltrin asked if the issue of the north fence and the green space, this being an overlay, gives the flexibility then to set where we would like that fence and the layout of the planting.

Mr. Hosmer stated that is correct.

Mr. Hansen stated this is a more intense use than what exists now and is a real consideration for him. The blank fence verses a nice landscaping border is a concern as well. There are repeated police calls to the convenience store across the street, which would lead him to believe that there will be increased police to this corner if made into a convenience store. There is nothing around this property that is anything like a c-store; it is residential and park. Mr. Hansen stated there is not a compelling need for another c-store across the street from one, so as this stands right now, he would not be in favor of the rezoning.

Mr. Young asked where the closest crosswalk is for the students.

A member of the public stated the crosswalk is at Woodland.

Mr. Baird asked where the kids from the apartment complex along Battlefield, Guinevere and Cambridge cross the street. Mr. Baird referred to the picture showing the current fence asking Ms. Irmen the benefit of the privacy fence and the plantings.

Ms. Irmen asked if that would be enough to convince her that building it is a good idea; no. Ms. Irmen commented she agrees with Mr. Hansen the need to have another convenience store at that location. You don't have to travel very far to purchase a variety of goods from a variety of places for your needs.

Mr. Baird referred to point number five (5) under Stormwater comments of the staff report, to try and direct some runoff into the drainage system on Battlefield Road in-lieu of draining all runoff directly onto Kimbrough Avenue. It appears there are some neighborhood concerns about stormwater in this area asking staff to speak address that.

Mr. Colson commented they spoke to the engineer in reference to the comment and they had some concerns that the system on Battlefield wouldn't carry the one hundred (100) year storm event, but we told them that it would be better to put more stormwater into that system and have less on Kimbrough and we let the applicant know we want them to do that.

Mr. Baird asked if the impervious area would increase or decrease with the construction of this facility.

Mr. Colson stated they were going to decrease the amount of impervious area which will decrease the total amount of runoff while still maintaining the existing detention that is on site.

Mr. Lawhon commented the current building is in rapid decline; the dilapidated fence is one tangible example of that. One of the reasons why some of the tenants have left the building is in anticipation of what is before Commission tonight, figuring this would be approved. If the building is left alone it will become just another vacant building on Battlefield. The wisdom of having two convenience stores across the street from each other is beyond his area of expertise, but that is what the customers would decide. There are some misgivings about the lights and traffic, but the kids already have the sidewalks available to get to school and one actually controlled by a crossing guard so that is not an issue for the kids getting to and from school. This is a zoning issue and this is a positive addition to the neighborhood. It meets the zoning requirements of the Comprehensive Plan and he supports the request.

Mr. McClelland stated the gentleman representing Eagle Stop confused him because he pointed out the issues that will happen if Kum & Go builds there with the same issues they have currently at Eagle Stop. Possibly if another store is built across the street from them it might lower the number of problems at his place. We are here to determine if this request falls within the guidelines of the City's codes. Mr. McClelland said staff has recommended approval and all guidelines have been met so he is in favor of the zoning request.

Mr. Young stated that as a member of Commission, the information presented comes through a filter from a design perspective which is who he is and what he does. As he looks at this through the zoning ordinances and the Comprehensive Plan, he looks through his life experiences of design. We are trying to approve a zoning request to change an Office District to a General Retail District in this one location. We have this throughout the City in many locations; it doesn't mean it's good or right and this is a concern to him as a designer having residential next to gas stations especially with the lights. This has always been a concern, and it is a concern here. Mr. Young said with the police issues at the Eagle Stop, maybe it may solve some problems having another convenience store located here, but that is speculative. He is concerned about the vacation of the building; rehabbing where you are currently at would be a better use of what is going on as you can demo that and make it work and from a design position, it would be a better use of that building so that one doesn't sit vacant. Mr. Young stated he is not in support of this request.

Mr. Coltrin commented they are not here to choose if this is proper or improper, we are here to look at the zoning case and if this is an appropriate zoning use sitting on the frontage of Battlefield. It is always bad when it backs up to a neighborhood and we have the same issues; at the same time if you have been on this property and water falls on this property, it goes nowhere but off this property. This property is asphalt. Any green space brought to this property by the new development is more green space than what it has today. Our job is not to decide if this business will hurt that business. Commission is to decide if this site and the zoning requested a proper use or issue for this zoning. In order to be consistent, this sits on Battlefield Road, which is a major arterial. Mr. Coltrin stated he supports this request.

Mr. Lawhon motioned to **approve** Z-12-2013 w/ Conditional Overlay District No. 61. Mr. McClelland **seconded** the motion. The motion **carried** as follows: Ayes: Coltrin, McClelland, Baird, Ray, Lawhon, and White. Nays: Young and Hansen. Abstain: Edwards. Absent: None.

ZONING TEXT AMENDMENTS:

1. Official Zoning Map and Zoning Certificate Amendments (City-Wide)

City of Springfield

Mr. Hosmer stated this request is to amend *Sections 1-1600*, Official Zoning Map and Rules for Interpretation, and *3-1200*, Zoning Certificate, in the Springfield Zoning Ordinance. City Council initiated amendments to the official zoning map and zoning certificates at their meeting on March 21, 2011. The processes for adopting the official zoning map and preparing zoning certificates need to be updated to reflect the current practices and to provide greater convenience to the general public.

The zoning certificate section of the ordinance will be modified to remove the language that makes the Director of Building Development Services responsible for certifying zoning. Instead, as currently practiced, the Director of Planning and Development, or their designated representative, will process zoning certification applications. This will allow the zoning certification process to be expedited since both Directors are currently required to sign the application. The Official Zoning Map section in the Zoning Ordinance will be modified to provide for an official adoption process and to allow the utilization of our digital GIS mapping database as a resource for staff to provide zoning information to the general public. The Development Issues Input Group (DIIG), Urban Districts Alliance (UDA), Environmental Advisory Board (EAB), Commercial Club and all registered neighborhoods were notified of these amendments and have made no objections to date. Staff recommends approval.

Mr. Hansen asked who the Secretary of the Planning and Zoning Commission is.

Mr. Hosmer stated Ralph Rognstad. It is in the by-laws and the City Charter as well.

Mr. Baird asked if this responsibility being transferred from the BDS to Planning and Development.

Mr. Hosmer stated the application would now be processed by the Planning Department in conjunction with Building Development Services Department.

Mr. Edwards opened the public hearing. As there were no speakers to the issue, the public hearing was closed.

Mr. Hansen motioned to **approve** Official Zoning Map and Zoning Certificate Amendments. Mr. Coltrin **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, Hansen, Baird, Ray, Lawhon, Young, and White. Nays: None. Abstain: None. Absent: None.

2. Live/Work Overlay District Amendment (City-Wide)

City of Springfield

Mr. Rognstad stated this is a proposed new Zoning District that would be added to the existing Zoning Districts. This establishes the ability to rezone property to this overlay district and this is the result of a proposal by the Woodland Heights Neighborhood to establish the Moon City Creative District. The neighborhood is currently working on a strategic plan that would encourage artists to live in the neighborhood by allowing them to have small art galleries in their homes where they can sell their work. There is a section in the Building Code specifically for Live/Work Units. It has standards set for Live/Work

Units. Because of size limitations the building code requirements are less than what would be required for a normal commercial type business. We do have live/work situations but currently they tend to be in Commercial areas and you can do this in a Commercial area, and that is a big difference. Mr. Rognstad went on to explain how this would work. This amendment creates the proposed overlay district that would be used in combination with the underlying residential zoning district. Additional public hearings will be required to zone specific areas of the city. A neighborhood or developer will have to prepare a plan for an area or property that will be the basis for the specific uses and development criteria adopted for their overlay district. The uses are not limited to artist studios. Each overlay district will probably be unique in terms of uses permitted and the development criteria. When an area is set up, the first thing to determine is what particular uses would be allowed in that district. Attachment B is an example of the provisions for an overlay district used in combination with a single-family residential zoning district. Live/work units can be established in existing dwellings or specifically constructed structures. With a home occupation you cannot have employees, and you can't have a sign, while being limited on the work area. You can also do some conditional uses and it would go through the same criteria and in that case we just put that no additional conditional uses are permitted while adding use limitations. Mr. Rognstad reviewed parking requirements, signage, and the design standards for the Live/Work District. Mr. Rognstad stated he is available for questions.

Mr. Coltrin asked for clarification on the number of employees.

Mr. Rognstad stated that in the Building Code it is the number on site at the time.

Mr. McClelland asked how this will be tracked; will this be when they come back to rezone.

Mr. Rognstad stated yes, it will be put on the Zoning Map, like a regular zoning district and this would be included as an overlay district. It may require a permit or not depending on what they are going to do. They would have to have a business license so we would know from the permit they have a business there.

Mr. Edwards asked about if there was some background information Mr. Rognstad could provide as to where they may have gotten the ideas to draft this concept.

Mr. Rognstad stated they did not look at any other ordinances because when looking at the building code, it was pretty clear. There is a live/work area in Phoenix; they are doing some stuff in Paducah; Eureka Springs has the artist areas and a lot of them are art oriented. We had to work within the structure of our ordinance because what you are doing is modifying the residential districts. Mostly we listened through the meetings with Woodland Heights about the concerns people had so we could figure out where we need to be able to address different issues; for example, signage or parking.

Mr. Edwards opened the public hearing.

Ms. Phyllis Ferguson, 1920 N. Robberson, Springfield. Ms. Ferguson stated this is in the proposed Moon City Creative District and Woodland Heights neighborhood adding they are very excited and support the work that staff done on the overlay district. Mr. Ferguson stated they have met several times with City Staff and neighbors at neighborhood meetings, Facebook chats and other forms of communication and 99.7 percent of the neighborhood is excited and supportive of the overlay district. Ms. Ferguson stated she is available for questions about what they see as the vision and what they will be bringing back to

Commission as the Strategic Plan.

Mr. McClelland asked if the group that is currently meeting aware this will raise their taxation thirty-three (33) percent.

Ms. Ferguson stated she does not know if they have looked specifically at those numbers, but if they are generating revenue from that residence, she would expect that they would.

Mr. McClelland stated he called Mr. Kessinger's office and the business portion of this proposal is taxed at thirty-two (32) percent and the residential is taxed at nineteen (19) percent. That is about a thirty-three (33) percent increase and these people need to know this.

Ms. Ferguson stated they are not finished talking because it is a neighborhood issue but you might understand if you've done much driving through Woodland Heights that a three thousand (3000) square foot house is pretty palatial in the neighborhood. The bungalows tend to be somewhere more in the twelve hundred (1200) to fifteen (1500) hundred square foot range so what we are potential looking at is one room in someone's house that they would be using.

Mr. Edwards asked why the neighborhood decided they needed this and how this will work with Commercial Street; this will meld them together if this happens.

Ms. Ferguson stated she knew the area needed some revitalization and there are some really good maintained properties and some that are not as committed to that, so we looked at some different things to do to make the neighborhood a better, safer healthier place to live. She has heard many ideas about new development and we can't build anything new in Woodland Heights because there is no vacant land. What we can do is take what we have and try and do some reinvention with it. We saw a strong development in Commercial Street area during lean economic times; we see a strong collaboration with Historic C-Street and think of the Jefferson Avenue footbridge as a hinge for a great opportunity for both districts. Ms. Ferguson stated one of thing they see as a very real and tangible interest of having the district is that if you look at the ninety plus districts that are scattered throughout the United States, it shows in many of them that having a creative district creates a safer neighborhood because you have folks coming into the neighborhood, not vacating it during the day, and more eyes on what is going on.

Mr. Edwards closed the public hearing.

Mr. Coltrin stated that this is a great opportunity for Woodland Heights area to get together and make something great out of the neighborhood. It's nice to see someone doing something for themselves instead of looking to the City to do something for them, adding he commends everyone for the hard work this proposal has required.

Mr. Edwards stated he would like to echo Mr. Coltrin's thoughts; looking back at what downtown was like fifteen (15) years ago or so and now it has spread across downtown and he has always felt that artists and those types of communities are the groundwork for development to bring people in. We have seen that in downtown; it's starting to happen in C-Street albeit challenges through the recession, but this seems to go so well with what we are trying to do there and there is not a better neighborhood group than Woodland Heights. They represent themselves very well no matter what the issue. Mr. Edwards stated he would be supporting this proposal and looking forward to the presentation on the district.

Mr. Ray motioned to **approve** Live/Work Overlay District Amendment. Mr. Lawhon **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, Hansen, Baird, Ray, Lawhon, Young, and White. Nays: None. Abstain: None. Absent: None.

OTHER PUBLIC HEARINGS:

3. Street Name Change 74

City of Springfield

(East Monroe, between Kimbrough and Jefferson Avenue)

Mr. Hosmer stated the purpose of this request is to change the name of East Monroe Street between Kimbrough and Jefferson Avenues to Bear Boulevard generally located at the 400 – 500 blocks of East Monroe Street. The segment to the east came before Commission and it was a recommendation of Commission to rename the remaining portion between Jefferson and Kimbrough to Bear Boulevard. Mr. Hosmer stated he would answer any questions.

Mr. Baird clarified that this would extend Bear Boulevard from Jefferson all the way to National, is that correct.

Mr. Hosmer stated correct; it would make it one continuous name all the way through the University.

Mr. Hansen asked if there have been comments from the neighborhood between Kimbrough and Jefferson and if there was notification of the neighborhood.

Mr. Hosmer stated no comments have been received from the neighborhood.

Mr. Edwards opened the public hearing. As there were no speakers, the public hearing was closed.

Mr. McClelland motioned to **approve** Street Name Change No. 74. Mr. Baird **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, Hansen, Baird, Ray, Lawhon, Young, and White. Nays: None. Abstain: None. Absent: None.

Subdivisions

4. Holly Ridge Subdivision

Diversity Commercial Investments, LLC

(2157 East Grand Street)

Mr. Hosmer stated the purpose of this request is approve a preliminary plat to subdivide 0.83 acres into a five (5) lot residential subdivision including two subdivision variances generally located at 2157 East Grand Street. The applicant is Diversity Commercial Investments. The applicant's proposal, with conditions listed and approval of the subdivision variance is consistent with the City's Subdivision Regulations. The first requested variance (Attachment B (1)) will reduce the amount of right-of-way dedicated for Belmont Street to prevent creating a non-conforming structure and the other variance (Attachment B (2)) will allow residential driveways onto Barnes Avenue, a collector street. Currently the Code does not allow driveways along collector streets. Staff and Public Work Traffic are in support of this variance to allow each lot a

driveway access, but the access needs to be at least fifty (50) feet away from the intersection. Staff supports the request.

Mr. Edwards asked the driveways on collector streets. There are a lot of driveways on that street, so how did they get there.

Mr. Hosmer stated possibly before the ordinance was in place.

Ms. Gardner stated they allow driveways on collectors, but it is the spacing between the driveways they are looking at. The spacing between the driveways was the variance.

Mr. Edwards opened the public hearing.

Mr. Wayne Diebold, 2404 State Hwy 248, Suite 4, Branson, Missouri; commented he is the engineer representing the developer for this project.

Mr. Edwards asked if they were the ones who recently built the house on the lot to the north.

Mr. Diebold stated yes it is the same developer.

Mr. Edwards closed the public hearing.

Mr. Coltrin motioned to **approve** Holly Ridge Subdivision. Mr. Baird **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, Hansen, Baird, Ray, Lawhon, Young, and White. Nays: None. Abstain: None. Absent: None.

Mr. Hosmer clarified with Commission that there were two Variances that were part of the request they were approving.

Mr. Edwards stated that since they were not listed, he assumed they were part of the Subdivision.

OTHER BUSINESS:

7. Initiate Zoning Text Amendment Medical Offices in IC District (City-Wide)

City of Springfield

Mr. Hosmer stated that currently, all commercial zoning districts including the office district allow the Medical Office Use Group. The IC, Industrial Commercial District, is intended to allow industrial operations and activities in combination with commercial uses. This was an oversight. Staff believes that allowing Medical Office use group in the IC District perfect sense.

Staff proposes that the IC District with its concentration on high-intensity uses should have the same ability to develop or redevelop as medical offices as any other commercial zoning district. Staff believes that amendments to the Zoning Ordinance, to permit medical office uses, should be initiated to facilitate discussion and consideration of these changes.

Mr. Edwards asked if there was a request for this.

Mr. Hosmer stated there are several people who are requesting to have medical offices in the IC district and have run into problems.

Mr. Hansen clarified this is to initiate this amendment.

Mr. Hosmer stated that is correct. This is not a public hearing just an initiation. The public hearing will be held on August 8.

Mr. Hansen motioned to **initiate** Zoning Text Amendment Medical Office in IC District. Mr. Ray **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, Hansen, Baird, Ray, Lawhon, Young, and White. Nays: None. Abstain: None. Absent: None.

There being no further business, the meeting was adjourned at approximately 8:00 p.m.

Bob Hosmer, AICP
Principal Planner

EXPLANATION TO COUNCIL BILL NO. 2013-_____

FILED: _____

ORIGINATING DEPARTMENTS: Planning and Development
Building Development Services

PURPOSE: To repeal Section 5-1400, Signs, and replace it with a new Section 5-1400, Signs, in the *Springfield Zoning Ordinance* (Planning and Zoning Commission and Staff recommend approval).

BACKGROUND INFORMATION:

The current sign ordinance is not a user-friendly document because requirements are in different sections throughout the zoning ordinance and not codified in one self-contained section. There are also outdated requirements in our current sign ordinance due to new sign technology. After initiation by City Council, staff assembled a citizen's task force to create a new ordinance. The task force consisted of one member of the Chamber of Commerce, two citizens, one member of the Urban Districts Alliance, two from the development community, and three members from commercial sign companies. Over a period of one year, the task force reviewed the current sign ordinance language and worked with staff to prepare a series of recommendations and desired changes to the current language (see summary of changes in Exhibit A). Staff then prepared a new sign ordinance that was reviewed and approved by the task force. The Plans and Policies Committee recommended approval of the ordinance concept at their meeting on June 25, 2013.

The Development Issues Input Group (DIIG), Urban Districts Alliance (UDA), Environmental Advisory Board (EAB), all registered neighborhoods, and thirteen local sign companies were notified of the new sign ordinance. There have been no comments except from one member of the Developers Issues Input Group (DIIG), which had questions relating to content neutral advertising changes for detached signs.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing, on August 8, 2013, and recommended _____, by a vote of ____ to ____ of the proposed changes to the Zoning Ordinance described in attached Council Bill.

The Departments of Planning and Development and Building Development Services staff recommend **approval** of the proposed amendment.

FINDINGS FOR STAFF RECOMMENTAITON:

The proposed amendment:

1. Reflects the desires of the community and provides greater convenience to the public by providing a user-friendly sign ordinance that consolidates sign requirements in one section of the Zoning Ordinance;
2. Improves staffs ability to enforce the sign ordinance; and
3. Updates the sign ordinance language to reflect changes in new sign technology.

Submitted by:

Ralph Rognstad
Director, Planning and Development

Greg Burris, City Manager

Christopher L. Straw
Director, Building Development Services

EXHIBIT A – PROPOSED SIGN ORDINANCE

This exhibit has been created to identify the specific differences between the current sign ordinance language and the new proposed language. This document will also provide a reasoning statement regarding why each change was made.

Section 5-1401 Purpose: All of the proposed language presented is identical to the current language except as follows:

5-1401.A Safety: (deleted): Do not create traffic hazards by confusing or distracting motorist.

5-1401.C Landscape: (deleted): Do otherwise protect and preserve a quality landscape in the city; and do otherwise enhance the appearance and economy of the city.

Reason: The deleted language was redundant, based on the specific requirements of the proposed ordinance.

Section 5-1402 Definitions: This is a new section consolidating the current definitions found in the body of the current ordinance as well as in the definitions section of the zoning ordinance. The following definitions are new in the proposed ordinance.

Electronic-Message Sign: A sign that can be electronically or mechanically changed by remote or automatic means.

Flashing: A pattern of changing light illumination where the sign illumination alternates suddenly between fully illuminated and fully non-illuminated for the purpose of drawing attention to the sign.

Frame Effect: A visual effect on an electronic-message-center sign applied to a single frame to transition from one message to the next.

Off-Premise Sign: A sign advertising goods and services not located on the premise where the sign is located.

Reason: This new section was created to consolidate the definitions found in the text of the current document and the zoning ordinance. This consolidation creates a more developer friendly document.

Section 5-1403 General Sign Provisions: The language presented in this section is the same as found in the current ordinance and is scattered throughout the entire ordinance.

Reason: With this consolidation of the general provisions it is felt that a more developer friendly document has been created.

5-1404 Exempt Signs: This section is a consolidation of 2 sections (5-1402 and 5-1402.M) found in the current ordinance identified as exempt signs and miscellaneous exempt signs. The following changes have been made to the current language.

Political Signs: The 24 hour limitation found in item number 6 has been changed to 48 hours.

Real Estate Sale, Lessee, and Construction Signs: Line 4 has been added reading "The sign must be located on the premise of the sale, lessee or construction."

Vehicular Signs: Graphic representation has been added to clarify the language.

Window Signs: (New language) "Lettering on the exterior face of a window stating the days and times that a business is open."

Reason: The current language identifies exempt and miscellaneous signs separately. A review as to why this was done cannot be found. In order to provide clarity they have been consolidated. The new window sign language was implied language within the language of the current ordinance and is now clearly stated as an exempt sign.

Section 5-1405 Temporary Signs: The proposed language is found in the current language except as noted below. It has been consolidated from the various sections of the current ordinance.

Section 5-1405.C Temporary Signs in Business Areas – Unusual Situations: Line 4 is new language which reads as follows.

Section 5-1405.C.4 "In business areas, a temporary business located on a temporary vendor site may have temporary signs when the vendor is on the site. The signs must be located on the temporary vendor site. No permit will be required for these signs."

Reason: This consolidation will provide a more developer friendly document. The new language has been added to address signage for temporary vendors. The current language does not address this issue.

Section 5-1406 Sign Measurement Effective Area Criteria: This section is a consolidation of the current language found throughout the text of the current language dealing with how the effective area of a sign is to be determined. The graphics have been added to show how various sign shapes are to be measured for effective area. The graphics are identical to those used by staff when determining the effective area.

Reason: This consolidation will provide a more developer friendly document.

Section 5-1407 Sign Height Criteria: This is a consolidation of the current language dealing with sign height requirements.

Section 5-1407.C: The minimum height of a detached sign has been set at sixteen (16) feet to allow them to project over the drive lanes of the private parking lot. The current language does not allow them to project over the drive lanes.

Reason: This consolidation will provide a more developer friendly document. The new language regarding the minimum clearance height will allow greater flexibility for sign location on small sites.

Section 5-1407.E: This is new language which reads as follows: "A detached sign may extend above the allowable height and the design width for the purpose of sign structure enhancement or embellishment only if such extension does not exceed twelve (12) inches on any side."

Reason: The new section has been developed in order to encourage architectural design and reduce the "sign on a post" architectural effect.

Section 5-1408 Sign Illumination: This section is new language dealing with electronic-message-center signs. The current language implies some of this criteria but is difficult to understand is based on outdated technology. The new image hold times have been established based on location and better readability while not sacrificing the purpose requirements of the ordinance.

A. Provisions for Non-Business Areas

1. Electronic-message-center signs fronting on a local or collector street shall be subject to a conditional use permit for non-residential uses, subject to the following limitations:
 - a. Such signs shall be limited to static images only. Such static images shall hold on the display for a period of at least 6 seconds before transitioning to another static image. The uses of frame effects and animation are prohibited.
 - b. The use of flashing is specifically prohibited in all locations.
 - c. Such signs shall come equipped with automatic dimming technology that automatically adjusts the sign's brightness in direct correlation with ambient light conditions.
 - d. No such signs shall exceed a brightness level of 0.3 foot candles above ambient light as measured using a foot-candle meter at a preset distance depending on sign size. The

measuring distance shall be determined using the following equation: the square root of the product of the sign-copy area and 100. (Example using a 12 square-foot sign: square root of the product 12x100 equals 34.6 feet measuring distance).

B. Provisions for Signs in Business Areas

1. Electronic-message-center signs shall be permitted in all business areas subject to all applicable provisions of this ordinance as well as the following provisions:
 - a. Animated, electronic-message-center signs shall be limited to at least 10 feet above street grade and shall not be utilized within 100 linear feet of a non-business area.
 - b. Electronic-message-center signs within 100 linear feet of a non-business area shall display static copy that stays on the display for at least 3 seconds per copy frame, but may utilize frame effects to transition from one static image to the next. Transitions shall last no longer than 2 seconds.
 - c. All electronic-message-center signs placed less than 10 feet above street grade shall be limited to static images only. Such static images shall hold on the display for a period of at least 3 seconds before transitioning to another static image. The uses of frame effect and animation are prohibited.
 - d. The use of flashing is specifically prohibited in all locations. All electronic-message-center signs shall come equipped with automatic-dimming technology that automatically adjusts the sign's brightness in direct correlation with ambient-light conditions.
 - e. No electronic-message-center sign shall exceed a brightness level of 0.3 foot candles above ambient light as measured using a foot candle meter at a preset distance depending on sign size. The measuring distance shall be determined using the following equation: the product of the square root of the sign copy area times 100.

Reason: New technology has outdated the current sign illumination language. This new language is based on the latest technology and has been created with the assistance of the sign industry while providing provisions that can be enforced.

Section 5-1409 Sign Maintenance: This language has not been changed from the current ordinance. It has only been relocated by section number.

Reason: The relocation was done to provide a more developer friendly document.

Section 5-1410 Legal Non-Conforming Signs: This language has not been changed from the current ordinance except for the criteria dealing with abandoned signs found in section 5-1410.6.

Section 5-141.6 “Abandoned or discontinued, which occurs whenever:

- a. A detached sign and sign structure is not removed within 6 months of the removal of the structure and a new building permit has not been issued.
- b. The sign faces have been removed for a period of 6 months.”

Reason: The new language provides staff with an enforceable tool to deal with abandoned or discontinued signs. The current language is not enforceable.

Section 5-1411 Signs at Street Intersections and Driveways: This language is the same as found in the current language. It has been located under a new section number and graphics have been added to clarify the written language.

Reason: The relocation was done to provide a more developer friendly document.

Section 5-1412 Historic Landmark Signs: This language was formally located in the miscellaneous sign section of the ordinance. It has been duplicated from the current ordinance and established as a specific section of the new ordinance.

Reason: The relocation was done to provide a more developer friendly document.

Section 5-1413 Neighborhood-Identification Signs: This language was formally located in the temporary sign section of the ordinance. It has been duplicated from the current ordinance and established as a specific section of the new ordinance.

Reason: The relocation was done to provide a more developer friendly document.

Section 5-1414 Directional Signs: This language has not been changed from the current ordinance. It has only been relocated by section number (formally 5-1407).

Reason: The relocation was done to provide a more developer friendly document.

Section 5-1415 Landscape-Wall Signs: The following language is new in the proposed ordinance.

“A landscape-wall sign shall consist of individual letters mounted on a screen or perimeter wall which may be attached or detached from an building, but which is architecturally integrated with the overall development.

Multiple signs are permitted, however, the percentage of wall surface area occupied by the sign or signs, shall not exceed 40% of the background area provided on the

landscape wall. All such signs are counted in the aggregate, building-mounted-wall signs allowed.”

Reason: This new language deals with an issue that is not covered in the current ordinance.

Section 5-1416 Provisions for Non-Business Areas: This language is the same as found in the current ordinance except for 2 issues which will be corrected with the new language below.

Section 5-1416.B.1.a. The language has been written as follows. “Premises with more than 425 feet of frontage along a single public street may have 1 additional detached sign.”

Reason: The current language under sub-section B.1.a states that the frontage must be a minimum of 750 feet. Non-business uses in residential districts, such as schools, have desired to have two detached signs to identify them and locate them on multiple streets of their premise.

Section 5-1416.C The language is currently written as one long statement. It has been rewritten to clarify the existing language with a point by point format.

Reason: The rewrite was done to provide a more developer friendly document.

Section 1417 Provisions for Signs in Business Areas: Section 5-1417 A.8 (formally 5-1404.C.5) as presented below has been modified to include the COM 1 (Commercial Street District) and the proposed College Street Corridor. Additional language has been added to deal with a single business located on a single premise.

Section 5-1417.A.8: “In the Center City (CC) and COM1 zoning districts and along College Street between Grant and Nettleton Avenue, each premise which has multiple businesses located on the ground floor with direct exterior public access shall be allowed a projecting sign not to exceed 10 square feet in size per business, provided it meets the provisions of Subsection 5-1403.B regardless of detached signs that are allowed on the premise. If the premise consists of only 1 business located on the ground floor with direct public access, a projection sign not to exceed 20 square feet in size shall be permitted. The minimum clearance shall be 10 feet above the highest level of the ground below the sign.”

Reason: The added language dealing with a single business on a single premise was removed by accident when language dealing with multiple businesses on a single premise was created. This action will remove the legal non-conformity that was created when it was removed.

Section 1417.B.3 Detached Signs has been amended by adding the last sentence to the text presented below.

Section 1417.B.3 “If the premise is a corner lot and the sign is located an equal distance from the edges of 2 intersecting streets, the street with the highest classification as defined by the *Major Thoroughfare Plan* shall be used to size the effective area of the sign. If the streets are of the same classification, the street with the longest frontage shall be used to size the effective area of the sign.”

Reason: The current language does not clearly state how the effective area of a sign is to be calculated when it is located at the intersecting corner of two streets with the same classification. This language provides clear direction.

Section 1417.B Detached Signs: As part of the rewrite of this section of the proposed ordinance the task force discussed and unanimously endorsed the concept of content neutral signage.

The current sign ordinance defines a detached sign as either an on-premise or off-premise based entirely on sign content. Many of the off-premise signs commonly referred to as billboards are by definition in the current language as an off-premise sign. The current language allows off-premise signs to be located on only state routes and under state regulations. The current ordinance language often times does not allow a developer to have his own detached sign due to the presence of an existing off-premise sign and street frontage. Many of the current legal non-conforming signs that are only allowed to advertise off-premise advertising were allowed when the frontage street was a state controlled route or were allowed before the current ordinance was enacted in 1995. This issue has caused some properties within the city to remain undeveloped because of the need and or desire to have an on-premise detached sign. The concept neutral approach would resolve this issue for future signs. Additional language has been developed which would deal with those sites which currently have signs that are defined as off-premise advertising.

The concept of content neutral was developed under the idea that a developer should have the right to a detached sign. The proposed language dealing with size, location and height is based on the current language that deals with an on-premise signs. This language requires smaller signs then that allowed if the sign were defined as an off-premise sign.

Another concept of the content neutral idea comes from the development of the electronic- message-signs which sell advertising as time. The content neutral approach would allow a developer to provide a sign of this type for his tenants and allow him to sell time to other businesses not located in the lease space of his tenants. This is

purely a business decision on the part of the developer that allows him the ability to better afford the cost of this type of sign without an increase in the number of signs..

As a part of this proposal all of the current language found in this section of the current ordinance dealing with off-premise signage has been removed from the proposed ordinance.

Section 1417.B.6 Detached Signs is new language which read as follows:

“If the premise is located on a state-controlled route and contains a state-allowed, detached, off-premise sign or signs, as defined by the state and as originally permitted, 1 additional detached sign advertising the on-site businesses shall be permitted.

- a. The sign shall be located as remote as possible from the off-premise sign or signs subject to the approval of the Director of Building Development Services.
- b. The maximum height shall be 25 feet.
- c. The maximum effective area shall be 250 feet.”

Reason: This new language would allow a developer to provide a small detached sign for his tenants to advertise on when the property is located on a state controlled route and currently contains a state allowed off-premise sign.

Section 1417.B.7 Detached Signs is new language which reads as follows.

“If the premise is located on a non-state-controlled route and contains an existing legal, non-conforming, detached off-premise sign or signs, as originally permitted as a state defined off-premise sign, 1 additional detached sign advertising the on-site businesses shall be permitted.

- a. The sign shall be located as remote as possible from the off-premise sign or signs subject to the approval of the Director of Building Development Services.
- b. The maximum height shall be 25 feet.
- c. The maximum effective area shall be 250 feet.”

Reason: This new language would allow a developer to provide a small detached sign for his tenants to advertise on when the property is located on a non-state controlled route and currently contains a legal non-conforming off-premise sign.

Section 1417.C Attached Signs is new language which reads as follows:

Section 1417.C.4 Attached Signs “Individual channel letters located along a roof edge, which is not the primary roof of a structure, shall be considered a wall sign. If a sign bar is utilized it shall be located at the base of the letters and shall not exceed 6 inches in

height. The maximum allowable height of the individual letters shall not exceed 12 inches.

Reason: The new language has been created to deal with contemporary style structures that wish to provide contemporary signage along the edge of a roof without being classified as a roof sign. The current language allows this type of sign only for the purpose of directing a person to a specific element of a building, such as the main entry.

Section 1417.C.7 Attached Signs is new language which reads as follows:

“A sign mounted on the lower 1/3 of a mansard roof shall be considered a wall sign. The sign shall not project above the top of the roof feature on which it is placed.”

Reason: The current language does not clearly define how to classify a sign on a mansard roof which may or may not be the primary roof structure. The new language will clarify this issue.

Section 1417.D Suspended Signs is new language which reads as follows:

Section 1417.D “A sign attached to the underside of a lintel, arch or other overhead spanning member of a porch or walkway, and which is hung either perpendicular or parallel to a vertical wall surface shall have a minimum clearance of 7 feet above the walking surface.”

Reason: The current language does not provide guidance on how to ensure a minimum level of safety for the public.

Section 5-1418 Relocating signs due to Public Improvement Projects: This language has not been changed from the current ordinance. It has only been relocated by section number (formally 5-1403.M).

Reason: The relocation was done to provide a more developer friendly document.

Section 5-1419 Interstate Highway Commercial Sign District: This language has not been changed from the current ordinance. It has only been relocated by section number (formally 5-1408).

Reason: The relocation was done to provide a more developer friendly document.

Section 5-1420 Scenic Corridor Overlay District: This language has not been changed from the current ordinance. It has only been relocated by section number (formally 5-1409). It must be noted that the requirements for off-premise advertising has not been changed from the original document.

Reason: The relocation was done to provide a more developer friendly document. The scenic corridor overlay district was created as a part of the Vision 20/20 Program. This section was added to the original ordinance in 2002 by special ordinance and included a great deal of community and neighborhood involvement. The task force felt that the current language should remain without change.

Section 5-1421 Master Sign Plan: This language has not been changed from the current ordinance. It has only been relocated by section number (formally 5-1410). The only modification was the conversion of the written language to a table as found in 5-1421.B.5 of the proposed ordinance.

Reason: The relocation was done to provide a more developer friendly document.

Section 5-1422 Sign Permits and Inspection: This language has not been changed from the current ordinance. It has only been relocated by section number (formally 5-1411).

Reason: The relocation was done to provide a more developer friendly document.

Emer. _____
P. Hrngs. _____
Pgs. _____
Filed: _____

Sponsored by: _____

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. _____

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING the Springfield Land Development Code, Chapter 36, Article I, Zoning
2 Ordinance, by repealing 5-1400 Signs, and enacting in lieu thereof a new
3 5-1400, Signs.
4 _____

5
6 WHEREAS, City Council initiated amendments to the Zoning Ordinance to
7 modify the sign ordinance; and,
8

9 WHEREAS, following proper notice, a public hearing of said amendments was
10 held before the Planning and Zoning Commission on August 8, 2013, and the
11 Commission made its recommendation with respect to such amendments; and
12

13 WHEREAS, each recommendation from the Planning and Zoning Commission is
14 incorporated below in codified form.
15

16 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
17 SPRINGFIELD, MISSOURI, as follows, that:
18

19 Section 1 – The Land Development Code, Article I, Zoning Ordinance, Division
20 V, Section 5-1400, Signs, is hereby amended as follows:
21

22 **Section 5-1400. Signs**

23
24 **5-1401 Purpose.** Signs use private land and the sight line created by public
25 rights-of-way to inform and persuade the general public by publishing a
26 message. This section provides standards for the erection and
27 maintenance of signs. All signs shall be erected and maintained in
28 accordance with these standards. The general purpose of these
29 standards is to promote, preserve, and protect the health, safety, general
30 welfare, convenience and enjoyment of the public, to preserve and protect
31 the aesthetic quality of Springfield, and to achieve the following:
32

33 A. **Safety.** To promote the safety of persons and property by providing
34 that signs do not:

- 35 1. create a hazard due to collapse, fire, collision, decay,
36 abandonment or other safety considerations;
- 37 2. obstruct fire fighting or police surveillance;
- 38 3. impair the driver's ability to see pedestrians, obstacles or other
39 vehicles, or to read traffic signs and signals; and
- 40 4. otherwise interfere with or detract from the safety of persons or
41 property.

42 B. **Communications Efficiency.** To promote the efficient transfer of
43 information in sign messages by providing that:

- 44 1. Customers and other persons may locate a business or service;
- 45 2. No person or group is arbitrarily denied the use of the sight lines
46 from the public right-of-way for communication purposes; and
- 47 3. The messages in signs may otherwise be communicated efficiently.

48 C. **Landscape Quality and Preservation.** To protect the public welfare
49 and to enhance the appearance and economy of the city, by providing
50 that signs:

- 51 1. Do not interfere with scenic views;
- 52 2. Do not create a nuisance to persons using the public rights-of-way;
- 53 3. Do not constitute a nuisance due to their brightness, size, height or
54 movement;
- 55 4. Do not overwhelm people by the number of messages presented,
56 and do not interfere with the exercise of freedom of choice to
57 observe or ignore said messages, according to the observer's
58 purpose;
- 59 5. Do not negatively affect the city's tourism industry;
- 60 6. Do contribute to the special character of a particular area or district
61 within the city, helping the observer to understand the city and be
62 oriented within it;

79 7. Do otherwise protect and preserve a quality landscape in the city;
80 and

81
82 8. Do otherwise enhance the appearance and economy of the city.
83

84 **5-1402 Definitions.**

85
86 **Animation:** Any action or motion other than flashing lights, automatic
87 changeable copy, or indexing that attempts to develop a pictorial scene
88 through the movement of lights or parts of a sign.
89

90 **Attached Sign:** Any sign substantially and permanently attached to,
91 applied to, applied on, structurally connected to, painted on, engraved on,
92 etched on, or supported by, any part of a building.
93

94 **Copy:** The letters, figures, characters, representation, pictures or wording
95 on a sign, including any identification, description, symbol, trademark,
96 object, design, logo, illustration, or device illuminated or non-illuminated
97 which directs attention to a product, service, place, activity, person,
98 institution, business, or solicitation, including any permanently installed or
99 situated merchandise; or, any emblem or painting designed to advertise,
100 communicate, identify, or convey information.
101

102 **Detached Sign:** Any sign other than an attached sign, including any
103 inoperable vehicle or any trailer located for the primary purpose of
104 advertising.
105

106 **Directional Sign:** Any sign which serves solely to designate the location
107 of, or direction to, any premise or area.
108

109 **Electronic-Message Sign:** A sign that can be electronically or
110 mechanically changed by remote or automatic means.
111

112 **Flag:** A single piece of flexible material displaying a design, symbol or
113 script that signifies a nation, state, political subdivision, or entity.
114

115 **Flashing:** A pattern of changing light illumination where the sign
116 illumination alternates suddenly between fully illuminated and fully non-
117 illuminated for the purpose of drawing attention to the sign.
118

119 **Frame Effect:** A visual effect on an electronic-message-center sign
120 applied to a single frame to transition from one message to the next.
121

122 **Inflatable Display Object:** A device designed to be inflated and erected
123 to attract public attention.
124

Off-Premise Sign: A sign advertising goods and services not located on the premise where the sign is located.

Sign: Any words, numbers, figures, devices or trademarks (by which anything is made known) used to designate an individual, a professional firm, a business, or a commodity, visible from any public street.

Sign Structure: Any device which supports, or is designed to support a sign, including any decorative cover, exclusive of any copy.

Street Grade: The highest altitude of the street vertically under any portion of the sign or its supports.

Streamers: Multiple pieces of fabric, plastic, tinsel or other material designed to either flap, move, wiggle or spin in the wind, which are suspended outdoors from a single structure, pole, rope, wire or string, for the purpose of attracting public attention to the site where they are displayed.

5-1403

General Sign Provisions. The provisions of this section shall apply to all signs in the city, without regard to their location in a residential or commercial zoning district.

A. **General Prohibition.** All signs are prohibited except as allowed by this Article.

B. **Public Areas.** No sign other than a government sign or a neighborhood-identification sign reviewed and approved by the Director of Public Works shall be allowed within or over public property or right-of-way. When the building is located on or within three (3) feet of the right-of-way line, signs may project into the right-of-way as follows:

1. A horizontal separation of 2 feet from the inside curb line to the closest edge of the sign shall be maintained.
2. The sign shall be at least 10 feet above the highest level of the ground under the sign's lowest point.
3. A license agreement shall be executed between the sign owner and/or the property owner and the City of Springfield.

C. **Parking Spaces.** No detached sign shall occupy a parking space necessary to satisfy the minimum off-street parking requirements nor shall it project over the rooftop or wall of a building.

171 D. **Prohibited Signs.** The following signs are prohibited, which:
172

- 173 1. Concern unlawful activity;
174
175 2. Operate or employ any motion picture projection in conjunction with
176 any advertisements;

177
178 Employ any searchlights or strobe lights; May be confused with or
179 construed as a traffic control sign, signal, or device, or the light of
180 an emergency or road equipment vehicle by reason of their size,
181 location, movement, content, coloring, or manner of illumination;

182
183 Hide from the view of those to whom the device is directed, any
184 traffic or street sign or signal or similar device;

185
186 Are temporary, except as specifically allowed in this code.
187

188 E. **Compliance with Building Codes.** All signs shall be erected or
189 affixed and maintained in compliance with the Building Codes and this
190 Article. In the case of conflict, the more restrictive Article or Code shall
191 apply.
192

193 F. **Streamers.** Streamers are prohibited regardless of color, design, or
194 script displayed on the streamers.
195

196 G. Wall signs do not include signs on the inside of a window.
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198 H. Any sign permitted in this Article may contain ideological or non-
199 commercial copy in lieu of any other copy.
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201 **5-1404. Exempt Signs.** The following signs do not require a sign permit, but must
202 conform to all other sign regulations and the Building Code. These signs
203 are allowed in all zoning districts in addition to all other signs allowed
204 under this Article.
205

206 **A. Political Signs.**
207

- 208 1. The maximum effective area allowed in a non-business area shall
209 be 6 square feet. For purposes of this section, non-business areas
210 are properties zoned residential (R-SF, R-TH, R-LD, R-MD, R-HD
211 or R-MHC). A premise that has 250 feet or more frontage along
212 one street or 5 acres or more, may have a sign up to 34 square feet
213 in size.
214

2. The maximum effective area allowed in a business area shall be 34 square feet. Business areas are those properties with zoning other than residential.
3. Signs are prohibited in the City's right-of-way.
4. Sign illumination is prohibited.
5. Signs shall not be located within the required sight triangles.
6. Signs must be removed within 48 hours after the election to which they were directed.

B. Directional Signs. Detached directional signs shall not exceed 5 square feet in effective area. No part of the sign shall exceed 4 feet in height above street grade. If the grade level at the base of the sign is greater than 12 inches above the street grade, the sign shall not exceed 4 feet in height. Any logo, business name, product, or service identification, or other advertising shall not exceed 20 percent of the effective area.

C. Flag. Flags may be displayed to show allegiance, respect, or patriotism to the particular symbol or person displayed on the flag. They may not be displayed for advertising or to attract public attention to a particular site.

D. Government Signs. Any sign erected or maintained by or for any agency for any governmental function or required or authorized by law, ordinance, or governmental regulation.

E. Internal Signs. Any sign, the copy of which is not legible from a street right-of-way or adjoining residential property, but excluding mall signs as covered by the Building Codes. The sign copy shall be considered legible if the sign content exceeds 1 inch per 30 feet of distance from the public right-of-way.

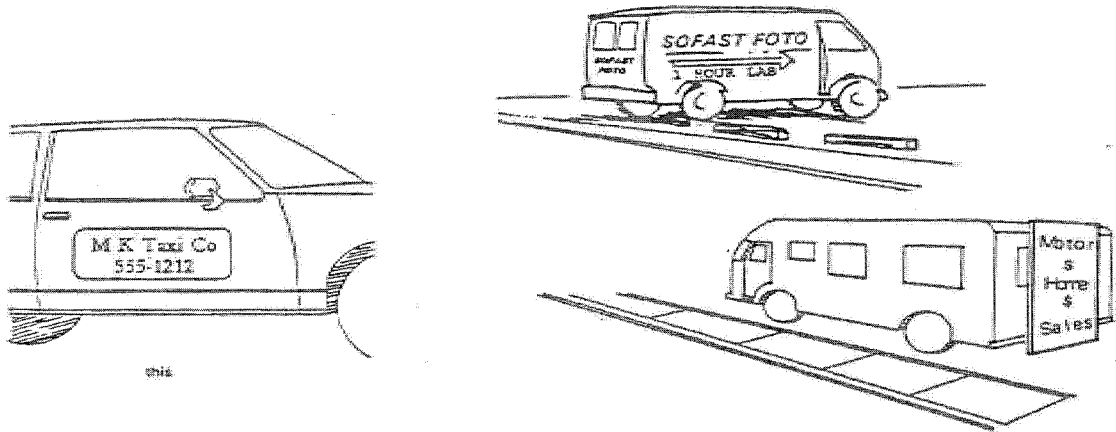
F. Real Estate Sale, Lessee, and Construction Signs. A non-illuminated, temporary, sign pertaining to the construction, sale, or lease, of that premise is allowed as follows:

1. The sign shall not exceed 34 square feet in effective area in all zoning districts except the residential, single-family-zoning district (R-SF).
2. The sign shall not exceed 6 square feet in effective area in the residential, single-family-zoning district (R-SF).

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3. All signs shall be removed within 14 days after the closing of the sale or lease or within 30 days after the issuance of an occupancy permit or erection of a permanent sign, whichever occurs first.
 4. The sign must be located on the premise of the sale, lessee or construction.

G. "Now hiring" signs shall not exceed 6 square feet in size.

H. Vehicular Signs. A vehicular sign must not contain any flashing or blinking lights, nor any animation. The sign may not increase the size of the surface area or alter the shape of the motor vehicle, except that a roof sign-not to exceed 2 square feet in effective area-shall be allowed. This exemption shall not include signs in transit to a site or permanent use. However, nothing in this section shall limit the use, size or shape of political signs on vehicles. A vehicle that is permitted by right in a residential district containing vehicular signage as prescribed in this section shall be considered as legal signage.



such devices as gasoline pumps or vending machines, which devices do not increase the size of the surface area or alter the shape of the machine or equipment. Such signage shall advertise products sold on the premises where the machines are located.

- J. Parking-Lot-Light-Pole Banners.** Parking-lot-light-pole banners shall be located a minimum of 50 feet from any public right-of-way, and not exceed a total of 10 square feet in effective area. The bottom of the banner shall be a minimum of 10 feet above the parking lot grade.
- K. City-Park Sign.** A Sign on facilities located in city parks that provides information incidental to a sponsored activity, such as scoreboards, time clocks, benches, or signs in concessions stands.

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L. Special-Event, Temporary Sign: A temporary sign not exceeding 10 square feet (residential districts) and 34 square feet (commercial districts) in background-area-advertising drives, grand openings, or events of a civic, philanthropic, educational, religious, political or similar nature, provided that said sign is posted only during said drive or event for no more than 30 days per year and is removed within 24 hours after an event.

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M. Attached, Incidental Signs. Signs that pertain to goods, products, services, or facilities available on the premises where the sign is located, but only tangentially related to the main activities or purposes of the business. These signs may not exceed a total of 4 square feet in effective area per business.

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N. Window Signs: Lettering on the exterior face of a window stating the days and times that the business is open.

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5-1405. Temporary Signs.

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A. Temporary Signs in non-Business Areas, General Provisions.
Any premise in a non-business area may display one non-illuminated, temporary sign of up to 4 square feet in effective area for up to 2 consecutive days twice each calendar year. No permit is required for this sign. No other temporary signs may be used in non-business areas except those specifically allowed under Section 5-1404.

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B. Temporary Signs in Business Areas – General Provisions

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1. Any premise in a business area may use a banner sign composed of highly flexible, lightweight material, up to 4 square feet in effective area for not more than 30 days per calendar year, without obtaining a permit.
 2. Except for Exempt Signs under Subsection 5-1404, a permit is required for each temporary sign. A permit allows a temporary sign to be displayed for 15 or 30 days. Each premise containing more than one business, and each business, may have up to 6 permits each calendar year.
 3. Each business may display 1 temporary sign of no more than 35 square feet in effective area.
 4. All temporary signs shall either be attached to a building as an attached sign or be attached at each side or corner within the supports of the sign structure for a permanent sign.

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5. No person shall erect, maintain, or display an inflatable-display object with or without sign copy outdoors for commercial purposes at the same site in any 3 month period for more than 7 days. The inflatable-display object shall be located on grade and appropriately anchored. A temporary sign permit is required.

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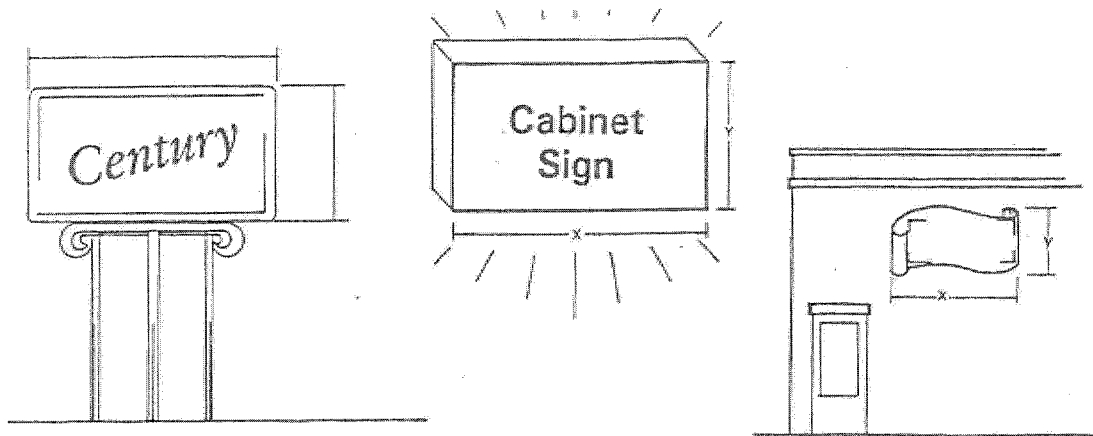
C. Temporary Signs in Business Areas – Unusual Situations.

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1. In business areas, a temporary business with a valid business license and a temporary building permit may apply for and obtain a special permit to allow the use of a temporary sign for the period of the building permit. Such sign must be attached to a temporary or permanent structure.
 2. In business areas, a temporary business with a valid business license but no structure may apply for and obtain a special permit to allow the use of a temporary sign. Such sign must be attached to a nearby temporary or permanent structure, or attached to the business' vehicle. This attachment to the permanent sign structure or to the vehicle must be done in a workmanlike manner, with adequate bolting, welding, and strapping to support the sign with clearance from grade so that the support is totally gained from the permanent structure or from the vehicle.
 3. In the event a sign or business is substantially damaged through fire, flood, act of God, insurrection, riot, or similar emergency beyond the control of the business owner or occupant, a temporary sign shall be allowed for a period of time not to exceed 60 days, unless the time period is extended by the Director of Building Development Services for a continuing hardship.
 4. In business areas, a temporary business located on a temporary vendor site may have temporary signs when the vendor is on the site. The signs must be located on the temporary vendor site. No permit will be required for these signs.

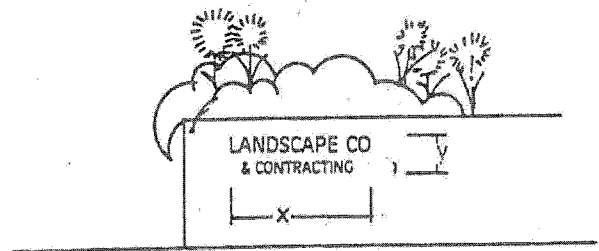
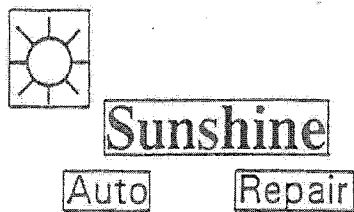
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5-1406. Sign Measurement Effective Area Criteria: These criteria may be subject to the specific type of sign and location restrictions.

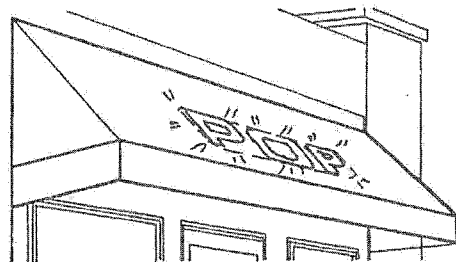
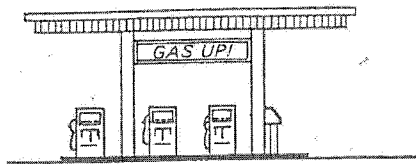
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- A.** Sign copy mounted, affixed or painted on a background panel or area distinctively painted, textured, or constructed as a background for the sign copy, is measured as that area contained within the sum of the smallest rectangle(s) that will enclose both the sign copy and the background.



- B. Sign copy mounted as individual letters or graphics against a wall, fascia, mansard, or parapet of a building or surface of another structure, that has not been painted, textured, or otherwise altered to provide a distinctive background for a sign copy, is measured as a sum of the smallest rectangle(s) that will enclose each word and each graphic in the total sign

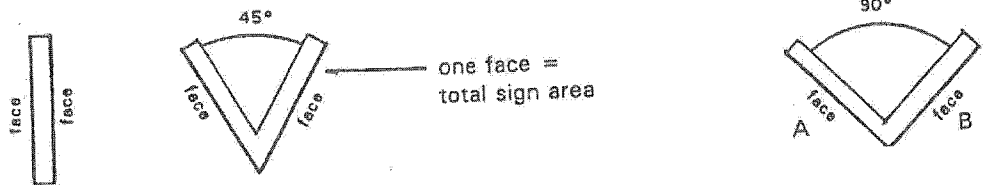


- C. Sign copy mounted, affixed, or painted on an illuminated surface or illuminated element of a building or structure, is measured as the entire illuminated surface or illuminated element which contains copy. Such elements may include, but are not limited to, lit canopy fascia signs, spanner board signs, and/or interior lit awnings.



- D. Multi-face signs are measured as follows:

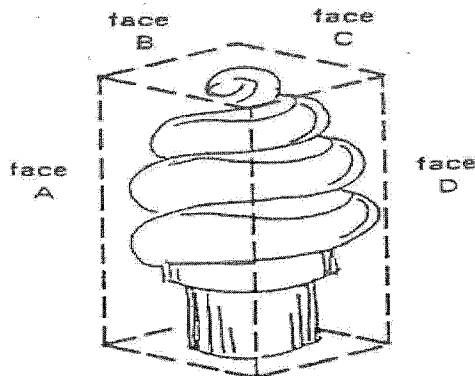
- 408 1. If the interior angle between the 2 sign faces is 45 degrees or less,
 409 the sign area has only 1 face. If the angle of the 2 sign faces is over 45
 410 degrees, the sign area is the sum of the areas of the 2 sign faces.



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 413 2. For 3 or 4 face signs, the sign area shall be calculated at 50% of all
 414 sign faces.

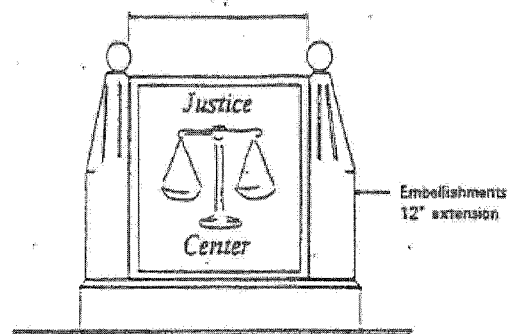
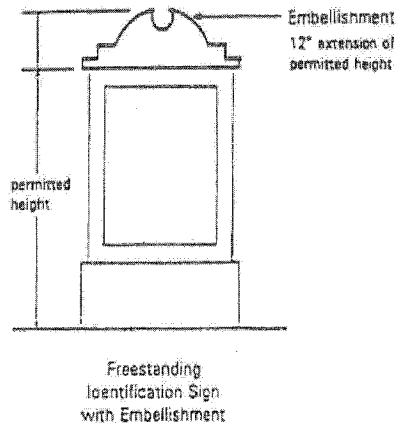


- 422 3. Spherical, free-form, sculptural, or other non-planar sign area is
 423 50% of the sum of the areas using only the 4 vertical sides of the
 424 smallest four-sided polyhedron that will encompass the sign
 425 structure. Signs with greater than 4 faces are prohibited.



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 432 **5-1407. Sign Height Criteria:** These criteria may be subject to sign and location
 433 restrictions.
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- A. Sign height is the distance measured from grade at the base of a sign to the topmost portion of a sign excluding decorative embellishments as permitted in Section 5-1407.E. The height of any monument sign base or other structure erected to support or adorn the sign shall be measured as part of the sign height.
- B. Exit and entrance ramps from a freeway or expressway are part of a freeway or expressway. For purposes of determining the sign height, the elevation of the right-of-way line nearest to the sign shall be utilized.
- C. The minimum height to the bottom of a detached sign over an on-site drive aisle or required parking space shall be sixteen (16) feet above the finished pavement.
- D. No part of a detached sign or sign structure shall exceed a height of 40 feet from the grade of the highest paved portion of right-of-way adjacent to the property where the sign is installed or located. Where the natural grade of the sign structure location is more than 20 feet higher than the adjacent street grade, no part of the sign or sign structure shall exceed a height of 20 feet from natural grade.
- E. A detached sign may extend above the allowable height and the design width for the purposes of sign structure enhancement or embellishment only if such extension does not exceed twelve (12) inches on any side.



5-1408.

Sign Illumination: Illuminated signs shall be designed, located, and constructed to eliminate or significantly reduce glare and shall not increase the lighting intensity upon adjoining premises under different ownership and control.

471
472 **A. Provisions for Non-Business Areas**
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- 474 1. Electronic-message-center signs fronting on a local or collector
475 street shall be subject to a conditional use permit for non-
476 residential uses, subject to the following limitations:
477
478 a. Such signs shall be limited to static images only. Such static
479 images shall hold on the display for a period of at least 6
480 seconds before transitioning to another static image. The uses
481 of frame effects and animation are prohibited.
482
483 b. The use of flashing is specifically prohibited in all locations.
484
485 c. Such signs shall come equipped with automatic dimming
486 technology that automatically adjusts the sign's brightness in
487 direct correlation with ambient light conditions.
488
489 d. No such signs shall exceed a brightness level of 0.3 foot
490 candles above ambient light as measured using a foot-candle
491 meter at a preset distance depending on sign size. The
492 measuring distance shall be determined using the following
493 equation: the square root of the product of the sign-copy area
494 and 100. (Example using a 12 square-foot sign: square root of
495 the product 12x100 equals 34.6 feet measuring distance).
496

497 **B. Provisions for Signs in Business Areas**
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- 499 1. Electronic-message-center signs shall be permitted in all business
500 areas subject to all applicable provisions of this ordinance as well
501 as the following provisions:
502

503 Animated, electronic-message-center signs shall be limited to at
504 least 10- feet above street grade and shall not be utilized within 100
505 linear feet of a non-business area.
506

507 Electronic-message-center signs within 100 linear feet of a non-
508 business area shall display static copy that stays on the display for
509 at least 3 second per copy frame, but may utilize frame effects to
510 transition from one static image to the next. Transitions shall last
511 no longer than 2 seconds.
512

513 All electronic-message-center signs placed less than 10 feet above
514 street grade shall be limited to static images only. Such static
515 images shall hold on the display for a period of at least 3 seconds

before transitioning to another static image. The uses of frame effect and animation are prohibited.

The use of flashing is specifically prohibited in all locations.

All electronic-message-center signs shall come equipped with automatic-dimming technology that automatically adjusts the sign's brightness in direct correlation with ambient-light conditions.

No electronic-message-center sign shall exceed a brightness level of 0.3 foot candles above ambient light as measured using a foot candle meter at a preset distance depending on sign size. The measuring distance shall be determined using the following equation: the product of the square root of the sign copy area times 100.

5-1409. Sign Maintenance

No person shall maintain or allow to be maintained on any premises owned or controlled by that person, any dangerous or defective sign.

- A. All signs, together with all their supports, braces, connections, or anchors, shall be kept in good repair.
- B. Unsafe signs, damaged, or deteriorated signs, or signs in danger of breaking apart or falling, shall be removed or repaired by their owner.
- C. Any fading, chipping, peeling, or flaking of paint, plastic, or glass; or any mechanical, electrical, or structural defect shall be corrected upon written notice by the Director of Building Development Services.

5-1410. Legal Non-Conforming Signs

- A. Any sign which was lawfully erected or affixed prior to such time as it came within the purview of this Article and which sign complied with all regulations in force at the time it was erected or affixed, but which fails to conform to all applicable regulations and restrictions of this Article, shall be considered a legal non-conforming sign. A legal non-conforming sign may be continued and shall be maintained in good condition, but shall not be:

- 1. Structurally altered (except to meet safety requirements) to prolong the life of the sign. Sign-composition materials may not be changed after the date the sign becomes a non-conforming sign;
- 2. Altered so as to increase the degree of nonconformity of the sign;

3. Expanded in size or effective area;
 4. Relocated;
 5. Repaired if materials and labor repair costs in any continuous 12-month period would exceed 75% of the depreciated value of the sign. Upon written request, the sign owner must submit to the Director of Building Development Services specified substantiating information or documentation sufficient for the Director of Building Development Services to determine the percentage of value expended for repair;
 6. Abandoned or discontinued, which occurs whenever:
 - a. A detached sign and sign structure is not removed within 6 months of the removal of the structure and a new building permit has not been issued.
 - b. The sign faces have been removed for a period of 6 months.
- B. Signs that are non-conforming because of their illumination shall be brought into compliance with this Article within 60 days after the effective date of this Article. Non-conforming, temporary signs shall also be brought into compliance within 60 days.
- C. A legal non-conforming sign may be structurally altered if the:
1. Height of the sign is reduced to meet the requirements of Section 5-1400, which will make it a conforming sign.
 2. If the non-conformity is the size of the effective area of the sign, the effective area shall be reduced in size to meet the requirements of Section 5-1400. If this is done the sign shall be classified as a conforming sign.
 3. If the non-conformity is the spacing between signs, number of signs on the premise, or location of the sign, the sign shall be relocated to meet the requirements of Section 5-1400 or the effective area shall be reduced to 75% of the allowable effective area of a conforming sign. If the effective area of the sign is reduced to seventy-five (75) percent of the allowable effective area of a conforming sign, the sign continues to be classified as a non-conforming sign, but structural alterations shall be permitted. All structural alterations must meet the requirements of Section 5-1400.

5-1411. Signs at Street Intersections and Driveways

Standards for sight triangles at street intersections shall reflect the street classification as identified in the *Major Thoroughfare Plan*. The conditions below indicate the minimum requirements for sight triangles as measured along the required right-of-way. The City Traffic Engineer may require additional triangle area for clear sight and safety as determined by a traffic study or special condition.

With the approval of said engineer, signs may be erected in the:

- A. street intersection sight triangles only if such sign is at least 10 feet above street grade, except for supports, which may not exceed 1 foot in width or diameter or be spaced less than 10 feet apart from any other stationary object; or,
- B. Street/driveway sight triangles. Any sign must be at least 10 feet above street grade except for supports, which may not exceed 1 foot in width or diameter or be spaced less than 10 feet apart from any other stationary object.

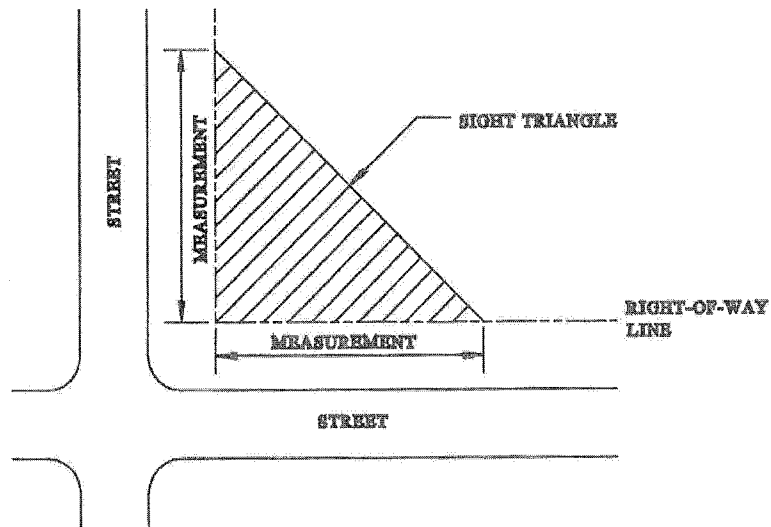
Sight Triangle Requirements

Intersecting Streets	Express- WayArterial	Primary Arterial	Secondary Collector	Major Collector	Residential Local	Commercial Industrial Local	Residential
Expressway	A	A	A	B	B	B	B
Primary Arterial	A	A	A	B	B	B	C
Secondary Arterial	A	A	B	B	C	C	C
Collector	B	B	B	C	C	C	C
Commercial/ Industrial Local	B	B	C	C	C	C	C
Residential Local	B	C	C	C	C	C	C

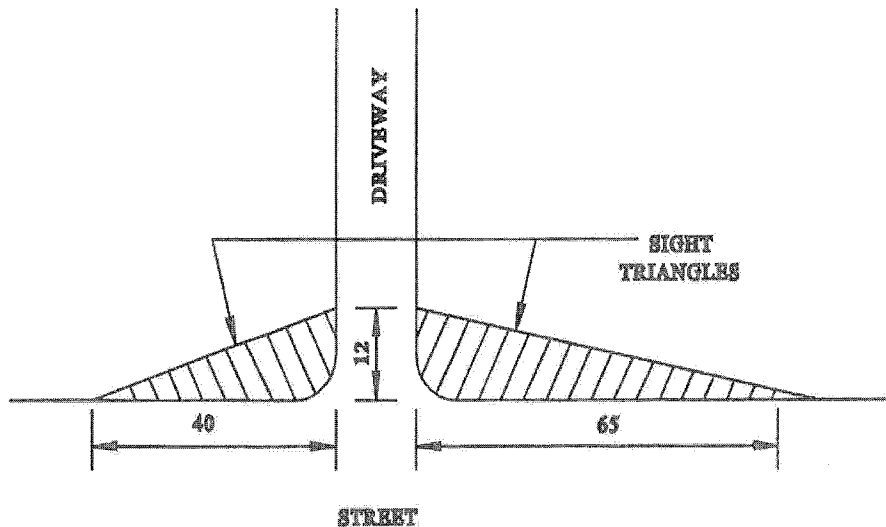
Key: A – 100' x 100' Sight Triangle
B – 30' x 30' Sight Triangle
C – 10' x 10' Sight Triangle

- A. Any sign permitted under this Article may contain ideological or non-commercial copy in lieu of any other copy.
- B. Exit and Entrance Ramps. Exit and entrance ramps from a freeway or expressway shall be treated as part of a freeway or expressway. For

purposes of determining the elevation, the elevation of the right-of-way line which is nearest to the sign shall be utilized.



- C. On the right side of a driveway a street/driveway-sight triangle has these 3 sides:
1. the edge of the pavement, curb, roadway, or projection extending 40 feet down the street from the right edge of the driveway when facing the street;
 2. the edge of the driveway moving 12 feet towards the house from the same spot as 1; and,
 3. A third, imaginary line connecting the extremities of the other 2 without overlaying the pavement.
- D. On the left side of a driveway, the triangle has the same 3 sides, except the side along the street is 65 feet.



5-1412. Historic Landmark Signs.

One free-standing or façade-mounted sign identifying a premise of historical significance located in any locally or nationally-designated historic district in the City of Springfield and at any duly-designated Historic Site, Historic Landmark or Interior Landmark located elsewhere within the City of Springfield. All such signs shall, at a minimum, identify the original owner, the current owner, and circa the year the house was built. No such sign may be more or less than 2 square feet in sign area. Lettering styles, logos, and design motifs should be black on a white background and in keeping with the character of the era in which the building was constructed.

- A. All signage illumination must be provided from the exterior, and the lighting should be done in a manner which does not result in any glare (either directly from the light fixture or indirectly off the sign), and which minimizes the visibility of the light fixture used to illuminate the subject sign.
- B. Façade-mounted signs must be in harmony with the design of the corresponding façade and should not obscure any significant architectural elements. Such signs shall not extend completely to the edge of any façade.
- C. Free-standing signs are only permitted for structures having a front year setback of 20 feet or more. Such signs must have a minimum setback of two 2 feet from the public right-of-way line or any lot line, may not interfere with sight distances at street intersections, and may not have a height greater than 30 inches.

5-1413. Neighborhood-Identification Signs.

A neighborhood-identification sign shall be a detached sign, masonry wall, landscaping or similar material or features that are combined to form a display for neighborhood or tract identification, provided that the legend of such display shall identify the neighborhood, tract or historic district.

A. These signs may only be located in R-SF and R-TH zoning districts.

B. The maximum effective area of the sign shall be 50 square feet.

C. The maximum height of the sign shall be 5 feet. The maximum height may exceed 5 feet if the sign is mounted on a wall being used as a retaining wall for the site.

5-1414. Directional Signs.

Detached, directional signs in excess of 5 square feet of effective area shall be allowed in any area, provided such signs do not name or advertise any product, service, or business, and the total allowable effective area of detached signs on the premise is not exceeded. A site plan locating all detached signs, including existing and proposed directional or instructional signs, shall be required prior to issuance of a sign permit.

5-1415. Landscape-Wall Signs.

A landscape-wall sign shall consist of individual letters mounted on a screen or perimeter wall which may be attached or detached from a building, but which is architecturally integrated with the overall development.

Multiple signs are permitted, however, the percentage of wall surface area occupied by the sign or signs, shall not exceed 40% of the background area provided on the landscape wall. All such signs are counted in the aggregate, building-mounted-wall signs allowed.



758 **5-1416. Provisions for Non-Business Areas.**

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760 A. **General Provisions.** These provisions shall apply to permanent signs
761 in non-business areas:

- 762
763 1. Dwelling units in the R-SF and R-TH zoning districts shall be
764 allowed to utilize any non-business sign described in Subsection 5-
765 1404, but shall not be allowed to display any other sign.
766
767 2. Flashing lights and animation are not allowed.
768

769 B. **Detached Signs.** Detached signs are allowed in non-business areas
770 as follows:

- 771
772 1. Each premise containing a multi-family use, permitted non-
773 residential use, or legal non-conforming use shall be allowed 1
774 detached sign.
775
776 a. Premises with more than 425 feet of frontage along a single
777 public street may have 1 additional detached sign.
778
779 b. A minimum of 300 feet of separation must be maintained
780 between signs.
781
782 c. A minimum setback of 25 feet from adjacent property line shall
783 be maintained for all signs.
784
785 d. No sign shall exceed 25 feet in height above street grade.
786
787 2. The size of the detached sign shall be based on 1 square foot of
788 effective area per linear foot of street frontage on which the sign is
789 located, with the following limitations: the maximum permitted size
790 shall be as designated by the City's *Major Thoroughfare Plan*.
791
792 a. 100 square feet on local and collector streets;
793 b. 200 square feet on secondary arterial streets;
794 c. 250 square feet on primary arterial streets.
795 d. In the case where the street adjacent to the sign is a
796 frontage street between the site and a freeway, as
797 designated by the City's *Major Thoroughfare Plan*, the
798 maximum size sign permitted shall be 250 square feet.
799
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802

C. **Attached Signs.** Attached signs are allowed in non-business areas as follows:

Each premise containing a multi-family use, permitted non-residential use, or a legal non-conforming use shall be allowed 1 wall sign per wall.

1. The sign may contain the name and logo of the establishment, business, or use and nothing else.
2. The sign shall project no further than 18 inches from the wall.
3. A wall sign shall not project beyond the wall edge.
4. When the premise has no detached sign, the total effective area of all wall signs shall not exceed 2 square feet per lineal foot of the wall length along the street or streets upon which the business fronts.
5. When the premise has a detached sign, the total effective area of all wall signs shall not exceed 1 square foot per lineal foot of the wall length along the street or streets upon which the business fronts.
6. Roof signs shall be prohibited.

5-1417. Provisions for Signs in Business Areas.

A. **General Provisions.** These provisions shall apply to all permanent signs in business areas as defined in the Article.

1. A sign in a business area shall conform to regulations for a sign in a non-business area if any part of the sign or sign structure is within 25 feet of a non-business area.
2. Animation or flashing lights shall be located a minimum of 10 feet above street grade.
3. Sign regulations enforced by the Missouri Highway and Transportation Commission along the interstate and primary highway system in the city shall take precedence over any less restrictive requirements of this Article.
4. Each premise with frontage on any street shall be allowed at least 1 permanent detached sign.

5. Premises which have more than 425 feet of frontage along a street may have 1 additional detached sign for each additional 425 feet of frontage or fraction thereof, provided a minimum of 300 feet of separation is maintained between all detached signs on a given premise. This 300 foot spacing of all detached signs on a given premise shall be measured radially from the center of the sign.
 6. A premise with frontage along both an expressway and an arterial, an expressway and a freeway, a freeway and an arterial, 2 expressways, 2 freeways or 2 arterials as designated by the *Major Thoroughfare Plan*, shall be allowed 1 detached sign per street provided such location meets the separation requirements of Subsection 5-1417.A.5 above. In the event a second detached sign is permitted by the application of Subsection 5-1416.A.5 above, this subsection shall not be construed to allow any additional detached signs.
 7. All sign illumination shall conform to Section 5-1408 Sign Illumination.
 8. In the Center City (CC) and COM1 zoning districts and along College Street between Grant and Nettleton Avenue, each premise which has multiple businesses located on the ground floor with direct exterior public access shall be allowed a projecting sign not to exceed 10 square feet in size per business, provided it meets the provisions of Subsection 5-1403.B regardless of detached signs that are allowed on the premise. If the premise consists of only 1 business located on the ground floor with direct public access, a projection sign not to exceed 20 square feet in size shall be permitted. The minimum clearance shall be 10 feet above the highest level of the ground below the sign.
 9. Signs that are located on a designated historic building or are located in a designated historic district must be approved by Building Development Services before submittal and approval by the Landmarks Board.
- B. **Detached Signs.** Detached signs are allowed in business areas, based upon the classification of the street they front upon as designated in the *Major Thoroughfare Plan*, as follows:
1. A premise fronting on a local or collector street shall be allowed a detached sign with an effective area determined by adding 50 square feet to a ratio of 1 square foot of effective area per lineal foot of frontage along the local or collector street. In the case of a

double-frontage premise, only the frontage on which the sign is placed shall be used in calculating the effective area.

2. A premise fronting on an arterial, expressway, or freeway shall be allowed a detached sign with an effective area determined by adding 100 square feet to a ratio of 2 square feet of effective area per lineal foot of frontage along the arterial expressway or freeway. In the case of a double-frontage lot, only the frontage on which the sign is placed shall be used in calculating the effective area.
3. If the premise is a corner lot and the sign is located an equal distance from the edges of 2 intersecting streets, the street with the highest classification as defined by the *Major Thoroughfare Plan* shall be used to size the effective area of the sign. If the streets are of the same classification, the street with the longest frontage shall be used to size the effective area of the sign.
4. The maximum effective area for any on-premise detached business sign shall be 350 square feet.
5. A tract identification sign shall be considered the same as a detached sign.
6. If the premise is located on a state-controlled route and contains a state-allowed, detached, off-premise sign or signs, as defined by the state and as originally permitted before the effective date of this ordinance, 1 additional detached sign advertising the on-site businesses shall be permitted.
 - a. The sign shall be located as remote as possible from the off-premise sign subject to the approval of the Director of Building Development Services.
 - b. The maximum height shall be 25 feet.
 - c. The maximum effective area shall be 250 feet.
7. If the premise is located on a non-state-controlled route and contains an existing legal, non-conforming, detached off-premise sign or signs, as originally permitted as a state defined, off-premise sign before the effective date of this ordinance, 1 additional detached sign advertising the on-site businesses shall be permitted.

a. The sign shall be located as remote as possible from the off-premise sign or signs subject to the approval of the Director of Building Development Services.

b. The maximum height shall be 25 feet.

c. The maximum effective area shall be 250 feet.

C. **Attached Signs.** Attached signs are allowed in business areas in accordance with the following provisions:

1. Each business shall be allowed wall signs on any wall. In the event the business does not front on a street, it shall be allowed signage as if it fronted on a local street.

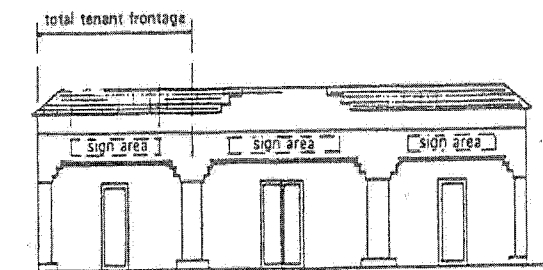
a. These signs shall extend no further than 18 inches from the wall.

b. A wall sign shall not extend beyond the wall edge.

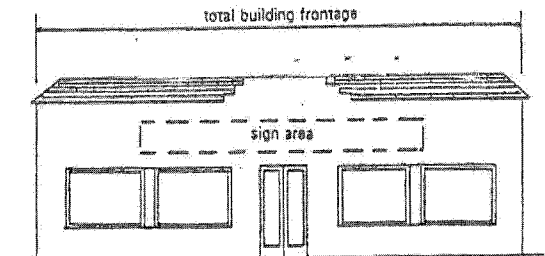
c. Wall signs do not include signs on the inside of windows.

d. Wall signs on the exterior face of windows are not permitted. Lettering on the exterior face of a window stating the days and times that the business is open is permitted.

3. The total effective area of all wall signs allowed for a business shall be calculated based upon the lineal footage of each wall having frontage on a public or private street. The effective area shall not exceed 3 square feet per lineal foot of the wall length.



Multiple Store Fronts

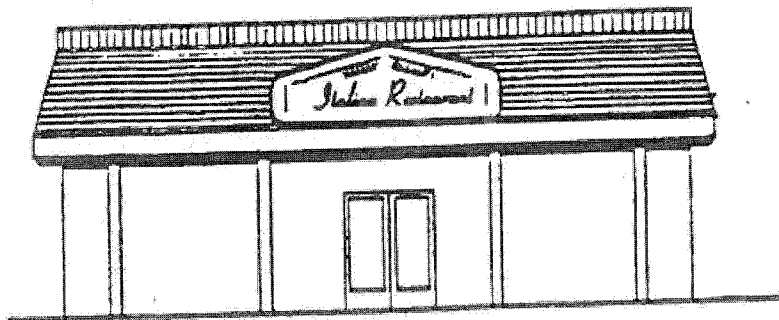


Wall Mounted Sign Length

4. Individual channel letters located along a roof edge, which is not the primary roof of a structure, shall be considered a wall sign. If a sign bar is utilized it shall be located at the base of the letters and

shall not exceed 6 inches in height. The maximum allowable height of the individual letters shall not exceed 12 inches.

5. A premise may have a roof sign only if it does not have a detached or projecting sign. A roof sign is any sign erected upon, against or directly above a roof. Roof signs shall be set back from the outside walls of the building no less than 4 feet and no part of the sign shall extend beyond any roof edge. The methodology used to determine the effective area allowed for detached signs shall be used to calculate the effective area allowed for roof signs. All roof signage shall comply with appendix H of the adopted edition of the International Building Code.
6. A business may have a projecting sign only if it does not have a roof sign or a maximum number of allowable detached signs for that premise. A projecting sign is a sign which is attached to and projects from a surface or building face. Where a premise frontage would allow the use of 2 or more detached signs, a projecting sign may be substituted for 1 of the detached signs. Projecting signs shall have a minimum clearance of 10 feet above the highest level of the ground under the sign at the sign's lowest point and shall not exceed 20 square feet in effective area.
7. A sign mounted on the lower 1/3 of a mansard roof shall be considered a wall sign. The sign shall not project above the top of the roof feature on which it is placed.



D. Suspended Signs: A sign attached to the underside of a lintel, arch or other overhead spanning member of a porch or walkway, and which is hung either perpendicular or parallel to a vertical wall surface shall have a minimum clearance of 7 feet above the walking surface

5-1418. Relocating signs due to Public Improvement Projects.

Detached signs that must be removed because of a public-improvement project may be relocated provided that a permit is issued at the discretion of the Administrative Review Committee (ARC) upon a finding that the requirements of this section are met. If the detached sign is located in a business area, the sign may be considered for relocation whether the sign is currently a conforming or non-conforming sign. If the detached sign is located in a non-business area, the sign may only be considered for relocation if it is a conforming sign. Relocation of a detached sign may only be approved if:

1. The sign will be relocated on the same lot of record;
2. Its effective area is altered only to conform to the requirements of this section;
3. No electronic or digital media is included as a part of the sign, other than that existing at the time of relocation;
4. The sign is lighted only with lighting that existed prior to the relocation;
5. Any lighting from the sign in the relocated site does not create a nuisance for any residentially-zoned properties;
6. The sign pole is replaced only if ARC determines that to be necessary in order to accomplish sign relocation ;
7. The relocated-sign height does not exceed the originally-located-sign height in relation to the roadway grade, as measured from the roadway the sign is oriented towards. The height is to be determined from the roadway as rebuilt or the State or City's approved, engineered design for a roadway under construction, if such roadway is not already in place at the time of relocation; and,
8. There has been no determination by the City that the sign in question is a dangerous structure or should be removed due to blighting of adjacent properties, unrelated to the public-improvement project.

The ARC shall review all proposed sign relocations for conformance with this subsection. A conforming sign may become legal non-conforming as a result of such relocation. The creation of any additional non-conformity on the lot of record as a result of such relocation, such as reduced parking or perimeter landscaping, should be minimized to the greatest extent practical in the determination of the ARC. A relocated sign shall be considered legal non-conforming if it does not conform to the provisions of this section. If the ARC determines that it is in the best interest of the

community that the sign should not be relocated under this subsection, the sign shall not be relocated without approval of the Planning and Zoning Commission. The decision of the Planning and Zoning Commission shall be subject only to city council review. If the sign is allowed to be relocated, the provision of Subsection 5-1421 shall not apply to the sign, except as provided in this subsection. This subsection does not accrue property rights for individual property owners or owners of signs affected by the public-improvement project to require relocation of any sign, but shall only provide an opportunity for review and possible relocation if, in the discretion of the ARC, or Planning and Zoning Commission, or city council, when the issue is before one of those bodies, the requirements of this subsection are met.

5-1419. Interstate Highway Commercial Sign District

A. **Purpose.** The purpose of the “Interstate Highway Commercial Sign District” is to permit detached signs in proximity to the intersection of qualifying major commercial streets with an interstate highway. Larger and taller detached signs are deemed appropriate in these areas due to the orientation of the commercial activity located at these intersections.

B. **General Provisions.** All signs located in Interstate Highway Commercial Sign Districts shall conform to *Subsection 5-1417* except for the following:

1. The maximum effective area for any detached sign in a business area shall be 600 square feet.
2. The maximum height for any detached sign in a business area shall be 70 feet in height above street grade of the closest street to the sign.
3. Any premise in the “Glenstone Avenue Interstate Highway Commercial Sign District” created under *Subsection 5-1419.C.2* may erect 2 detached signs, provided one sign is over 50 feet in height and the other is not more than 25 feet in height. The total effective area permitted for the premise shall not be considered in reviewing the shorter sign, which may have an effective area up to 100 square feet.
4. Any premise having frontage along Schoolcraft Freeway, in the “Schoolcraft Freeway/I-44 Interstate Highway Commercial Sign District” created under *Subsection 5-1419. C.3*, is permitted to erect

- 1112 a. one detached sign with a maximum effective area of 450
1113 square feet and a maximum height of 60 feet above adjacent
1114 street grade; and,
1115
1116 b. one additional detached sign with a maximum height of 60 feet
1117 above adjacent street grade.
1118
1119 This provision shall not apply to any additional premise or lot
1120 created as the result of any subdivision action taken after the
1121 passage of the amendment.
1122

1123 C. Location. The following areas are designated as “Interstate Highway
1124 Commercial Sign Districts”:

- 1125
1126 1. Property within a 660 foot radius from the intersection of the rights-
1127 of-way of:
1128
1129 a. Interstate 44 and Kansas Expressway;
1130
1131 b. Kearney Street and Schoolcraft Freeway (U.S. 65);
1132
1133 c. Sunshine Street and Schoolcraft Freeway (U.S. 65); and,
1134
1135 d. The southwest quadrant of Chestnut Expressway and
1136 Schoolcraft Freeway.
1137
1138 2. Property with frontage on Glenstone Avenue between the northern
1139 right-of-way of Kearney Street and 100 feet north of the northern
1140 right-of-way of McClernon Street, plus property within a 1,800 foot
1141 radius from the center of the intersection of the rights-of-way of
1142 Interstate 44 and Glenstone Avenue.
1143
1144 3. Property at the southwest quadrant of Interstate Highway 44 and
1145 U.S. Highway 65 within a 1,800 foot radius from the center of the
1146 intersection of the rights-of-way of these 2 highways.
1147

1148 **5-1420. Scenic Corridor Overlay District.**
1149

1150 A. **Purpose.** The Scenic Corridor Overlay District is intended to promote
1151 the health, safety, and general welfare of the public by encouraging the
1152 conservation, preservation and enhancement of the scenic qualities
1153 and landscape of scenic roadway areas. The purposes of this district
1154 are to:

- 1155
1156 1. preserve the scenic character of designated roadways and, where
1157 possible, preserve scenic views from the roadways and to

1158 implement the parkway concept as set forth in the city's
1159 comprehensive plan;

- 1160
- 1161 2. maintain the natural beauty of the landscape as it currently exists
1162 along designated roadways;
- 1163
- 1164 3. encourage development this is compatible with and, where
1165 possible, enhances such natural beauty; and,
1166
- 1167 4. encourage safe and efficient traffic flow along designated scenic
1168 roadways for all modes of travel.
1169

1170 B. **General Provisions.** Off-premise signs located within a scenic
1171 overlay district shall conform to the standards and regulations set forth
1172 in Subsections 5-1417. A and D unless such regulations are in conflict
1173 with the regulations set forth in this section. In the event of a conflict in
1174 regulations, the regulations contained in this section shall control. No
1175 off-premise advertizing shall be oriented toward James River
1176 Expressway.
1177

1178 C. **Location.** These regulations shall apply to any property within 660
1179 feet off the nearest edge of the right-of-way of the designated scenic
1180 roadway, notwithstanding any other provision of this Article. Off-
1181 premise detached signs that would be oriented towards streets other
1182 than the designated scenic corridor are permitted only if the signs
1183 surface containing copy is not visible or oriented towards the
1184 designated scenic corridor. ARC, in consultation with the Missouri
1185 Highway and Transportation Department, shall publish a map showing
1186 those properties falling within the 660 feet of the right-of-way within the
1187 scenic corridors.
1188

- 1189 1. No off-premise sign along any scenic corridor shall be closer than
1190 2,500 feet from any other off-premise sign including those outside
1191 the Scenic Corridor Overlay District as measured radially from the
1192 nearest portion of the signs or sign structures.
1193
- 1194 2. The maximum effective area of the sign shall be 128 square feet.
1195
- 1196 3. The maximum height of an off-premise sign and sign structure
1197 along any designated scenic corridor shall be 20 feet above the
1198 highest paved portion of right-of-way adjacent to the property where
1199 the sign is installed.
1200
- 1201 4. These roadways where the city is mandated by state law to allow
1202 off-premise signs shall be included in the "Scenic Corridor Overlay
1203 District":

- 1204
1205 a. James River Freeway and U.S. 60;
1206
1207 b. West-By Pass and U.S. 160; and,
1208
1209 c. Kansas Expressway north of the nearest paved area of I-44 and
1210 south of the nearest paved area of the James River Freeway
1211 and U.S. 60.
1212

1213 **D. Exceptions.**
1214

- 1215 1. Detached signs that would be oriented towards streets not within
1216 the "Scenic Corridor Overlay District" shall be permitted within any
1217 Scenic Corridor Overlay District. ARC shall review all proposed
1218 detached signs within the "Scenic Corridor Overlay District" to
1219 determine whether the requirements of this section are met. A
1220 detached sign shall be permitted if it is oriented generally
1221 perpendicular to a street not within the "Scenic Corridor Overlay
1222 District" and the sign cannot be read from a roadway within the
1223 "Scenic Corridor Overlay District" down its length for an extended
1224 distance.
1225
1226 2. The City shall have the option to allow the relocation of existing off-
1227 premise detached signs impacted by a State or City highway-
1228 improvement project within the "Scenic Corridor Overlay District,"
1229 irrespective of the provisions of Subsection 5-1421, based on the
1230 requirements of Subsection 5-1418. If the sign is allowed to be
1231 relocated, the provisions of Subsection 5-1421 shall not apply to
1232 the sign, except as provided in Subsection 5-1417.
1233

1234 **5-1421. Master-Sign Plans.**
1235

1236 A. **Purpose.** A Master-Sign Plan application may be approved for the
1237 purpose of establishing consistent, logical, and equitable signage for:
1238

- 1239 1. Multiple uses on a single property;
1240
1241 2. A building group of a single use or multiple uses that may involve
1242 multiple properties; or,
1243
1244 3. A large tract that contains a single use with multiple services.
1245

1246 The main intent of a Master-Sign Plan is to provide clarity of
1247 communication regarding tenants and services to users of the
1248 premises or building group. A Master-Sign Plan is not intended to
1249 provide special or additional signage allowance in terms of total

effective area than would otherwise be permitted by *Section 5-1400, Signs*.

B. General Provisions.

1. The Planning and Zoning Commission may, by resolution, approve the establishment of a Master-Sign Plan for:
 - a. 2 or more commercial, office, or industrial uses on a single property;
 - b. An identifiable building group, such as a medical, university or college campus, industrial or office park, or shopping center; or,
 - c. Any other site containing at least 5 acres of land area.
2. Except for specifically permitted variations from the spacing and number of signs in the approved Master-Sign Plan, all other signs within the area defined within the plan shall comply with all provisions of this Article.
3. Master-Sign Plans shall prescribe the size, number, and types of signage permitted. No other signs shall be permitted, except exempt signs, which are listed under *Subsection 5-1404*.
4. No detached sign shall exceed the maximum effective area permitted by *Section 5-1400, Signs*, nor shall the total effective area of detached, projecting, and roof signs exceed what *Section 5-1400, Signs*, would otherwise permit.
5. No sign shall exceed the maximum 40-foot height permitted by *Section 5-1400, Signs*. If signs are spaced closer than 300 feet, the first sign may be up to 40 feet high and additional signs must comply with this table:

# of signs	Maximum height in feet
1	20
2	15
3	10
4	8

No more than 5 additional signs are permitted within a distance of 300 feet.

6. The provisions of this subsection only apply to signs relating to activities within the area that the Master-Sign Plan is to serve.

1291
1292 7. The support structure for detached signs shall be constructed of
1293 similar materials or be of a similar design if the construction
1294 materials are coordinated with the buildings the signs serve.
1295 Detached signs supported by a pole are not permitted unless the
1296 pole is concealed. Different types of signs, as identified by the
1297 specific Master-Sign Plan (development identification, tenant
1298 identification, directional, etc.), may be constructed of different
1299 materials.
1300

1301 8. Any electronic-message-center sign shall be subject to all
1302 applicable provisions for the area in which it is placed.
1303

1304 C. **Contents of Application.** All applications shall be filed at least 31
1305 days prior to a regularly scheduled, public meeting where the
1306 application will be reviewed by the Planning and Zoning Commission.
1307 The application shall contain the following information as well as such
1308 additional information as may be described by rule of the Planning and
1309 Zoning Commission or the Director of Planning and Development:
1310

- 1311 1. The applicant's name and address and his legal interest in the
1312 subject property;
1313
1314 2. The owner's name and address, including trustees, and, if different
1315 than the applicant, the owner's signed consent to the filing of the
1316 application and authorization for the applicant to act in his behalf;
1317
1318 3. The street address(es) (or common description) and a copy of the
1319 deed of record or legal description(s) of the property as prepared by
1320 a certified-land surveyor or attorney;
1321
1322 4. The zoning classification(s) of the subject property(ies);
1323
1324 5. The current and proposed use of the subject property(ies);
1325
1326 6. A statement from the applicant describing how the proposed
1327 Master-Sign Plan:
1328
1329 a. Addresses the eight (8) review criteria listed in paragraph D,
1330 below; and
1331 b. Provides more consistent, logical, and equitable signage than
1332 would be permitted by applying the sign requirements of *Section*
1333 *5-1400 Signs*.
1334
1335 7. A scaled-site plan showing:
1336

- 1337 a. Location of the buildings, parking lots, property lines,
1338 easements, driveways and landscaped areas on the subject
1339 property(ies);
1340 b. Any additional information necessary to address the eight (8)
1341 review criteria listed in paragraph D, such as significant natural
1342 topographic or physical features of the site; and
1343
1344 c. The proposed location of each current and proposed sign of
1345 type.
1346

1347 8. The standards of consistency among all signs with regard to:
1348

- 1349 a. General location of each sign on buildings and structures;
1350
1351 b. Effective area limitations, which may be based on length of
1352 street frontage, area of building, or some other form of
1353 calculation; and
1354
1355 c. Materials to be used for detached, sign-support structures.
1356

1357 **D. Review of Master-Sign-Plan Application.** The Planning and Zoning
1358 Commission shall review and either approve, deny, or amend all
1359 applications for Master-Sign Plans. No review of a Master-Sign Plan
1360 application shall be done by the Planning and Zoning Commission
1361 unless the Director of Planning and Development, or his duly
1362 designated delegate, has certified to the Planning and Zoning
1363 Commission that the application is complete (based on the information
1364 required by paragraph C, above) and does not contain or reveal
1365 violations of this Article or other applicable regulations. The Planning
1366 and Zoning Commission in considering whether or not to approve,
1367 deny or amend an application for a Master-Sign Plan shall be guided
1368 by the general purpose of this section and the following:
1369

- 1370 1. The proposed Master-Sign Plan will be consistent with the adopted
1371 policies of the Springfield Comprehensive Plan;
1372
1373 2. The proposed Master-Sign Plan has the potential to improve the
1374 safety and convenience of the motoring public and of pedestrians
1375 using the property and the area immediately surrounding the
1376 property;
1377
1378 3. The location, lighting and type of signs proposed and the
1379 relationship of signs to traffic control is appropriate for the property;
1380
1381 4. The proposed signs will be constructed, arranged and operated so
1382 as not to dominate the immediate vicinity or to interfere with the

development and use of neighboring property in accordance with the applicable district regulations;

5. The proposed signs, as shown by the application, will not destroy, damage, detrimentally modify, or interfere with the enjoyment or function of any significant natural topographic or physical features of the site;
6. The proposed signs will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance;
7. The proposed signs, as shown by the application, will not interfere with any easements, roadways, rail lines, utilities, and public or private rights-of-way;
8. The proposed signs will not have any substantial or undue adverse effect upon, or will not lack amenity or be incompatible with, the use or enjoyment of adjacent and surrounding property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety, and general welfare; and,
9. Review and approval by Building Development Services must be granted before review by the Planning and Zoning Commission.

E. Conditions and Restrictions. In approving a Master-Sign Plan application, the Planning and Zoning Commission may impose conditions and safeguards to comply with the requirements of this Article or to avoid, minimize, or mitigate any potentially adverse or injurious effect of such Master-Sign Plan upon other property in the neighborhood, and to carry out the general purpose and intent of this Article. Such conditions shall be set out in the resolution approving the Master-Sign Plan application.

F. Decisions and Records. The Planning and Zoning Commission shall, within 30 days after the public hearing is concluded, approve by resolution, or deny, an application for a Master-Sign Plan. If the application is denied, the Planning and Zoning Commission shall state the reasons for denial in writing to the applicant and shall also make suggestions in regard to appropriate changes. In the event that an application is denied, the applicant may:

1. Resubmit a revised application within 10 working days of denial by the Commission for reconsideration by the Commission; or

- 1429 2. File an appeal to the City Council within 15 days of the denial by
1430 the Planning and Zoning Commission.
1431

1432 The secretary of the Planning and Zoning Commission shall maintain
1433 complete records of all actions of the Commission with respect to
1434 applications for Master-Sign Plans.
1435

1436 **G. Effect of Approval of a Master-Sign-Plan Application.**
1437

- 1438 1. After approval of a Master-Sign Plan application, no sign shall be
1439 erected, placed, reconstructed, structurally altered, or moved
1440 except in conformance with the Master-Sign Plan.
1441
1442 2. ARC may approve new signs not specifically identified on the
1443 Master-Sign Plan provided the new signs comply with all standards
1444 established by the Master-Sign Plan. If a new sign involves
1445 expansion of a Master-Sign Plan to include additional property, the
1446 Master-Sign Plan must first be amended as prescribed below.
1447
1448 3. The approval of a Master-Sign Plan application shall not authorize
1449 the erection, placement, reconstruction, structural alteration, or
1450 moving of any sign, but shall merely authorize the preparation,
1451 filing, and processing of applications for any permits or approvals,
1452 which may be required by the codes and ordinances of the City,
1453 including, but not limited to, a building or sign permit. Each sign
1454 shall be required to have a separate permit.
1455
1456 4. In case of any conflict between the provisions of a Master-Sign
1457 Plan and any other provisions of this Article, the Article shall
1458 prevail.
1459

- 1460 H. A Master Sign Plan may be amended by filing a new Master-Sign Plan
1461 application that conforms to all requirements of this Article.
1462

1463 **5-1422 Sign Permits and Inspection.**
1464

1465 **A. Permits Required.**
1466

- 1467 1. Except as otherwise provided in this code, it shall be unlawful for any
1468 person to erect, repair, improve, maintain or convert, any sign, or cause
1469 the same to be done, without first obtaining a sign permit for each such
1470 sign from the Director of Building Development Services. No sign permit
1471 shall be issued except to a person licensed to do business in the City of
1472 Springfield or to a person exempt from the City licensing provisions.
1473

2. Every sign permit issued by the Director of Building Development Services shall become null and void if work on the sign is not commenced within 180 days from the date of such permit. If work authorized by such permit is suspended or abandoned for 90 days after the work is commenced, the sign shall be considered abandoned unless a new permit shall be first obtained to proceed with the work on the sign, and the fee will be 1/2 the original fee, provided that no changes have been made in the original plans.

B. **License.** No person shall perform any work or service for any person or for any government entity in connection with the erection, repair, improvement, maintenance, conversion, or manufacture of any sign in the city, or any work or service in connection with causing any such work to be done, unless such person shall first have obtained a business license and paid the license fees provided for by the City, or shall be represented by a duly-licensed person.

C. **Application for Permit.** Application for a permit shall be made to the Director of Building Development Services upon a form provided by the Director of Building Development Services, and shall be accompanied by such information as may be required to insure compliance with all appropriate laws and regulations of the City.

The Director of Building Development Services shall issue a permit for work to be done on a sign when an application therefore has been properly made and the sign complies with all appropriate laws and regulations of the City.

D. **Denial or Revocation.** The Director of Building Development Services may, in writing, suspend, deny, or revoke a permit issued under provisions of this section whenever the permit is issued on the basis of a misstatement of fact, fraud, or noncompliance with this Article.

When a sign permit is denied by the Director of Building Development Services, he shall give written notice of the denial to the applicant, together with a brief written statement of the reason for the denial. Such denials shall refer to the section of the sign code or other pertinent code used as the basis of denial.

E. **Exempt Operations.** The following operations shall not require the issuance of a sign permit.

1. Changing of the copy describing products or services on an existing permitted sign which is specifically designed for the use of manually or automatically changeable copy including billboard panels and posters; but, not including changes in the structure, size, placement, or location of the sign.

- 1520 2. Maintenance, including repainting, cleaning, or other normal repair of a
1521 sign not involving structural changes. Maintenance includes all face
1522 changes, but does not include changes in the structure, size, placement,
1523 materials, or location of the sign.

1524 Section 3 – This ordinance shall be in full force and effect from and after
1525 passage.

1526
1527 Passed at meeting: _____

1528
1529
1530 _____
1531 Mayor

1532
1533 Attest: _____, City Clerk

1534
1535 Filed as Resolution: _____

1536
1537 Approved as to form: _____, Assistant City Attorney

1538
1539 Approved for Council action: _____, City Manager
1540

Zoning & Subdivision Report

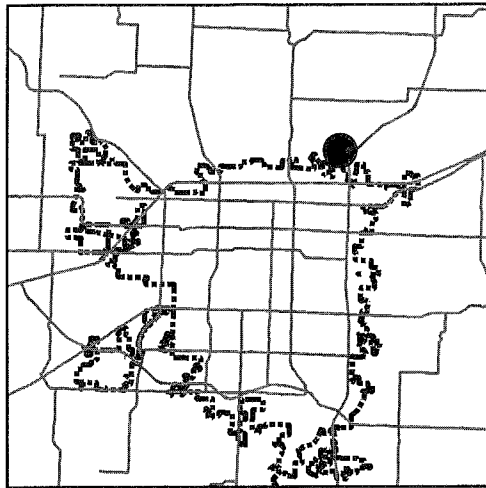
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Urban Service Area (USA) Exception

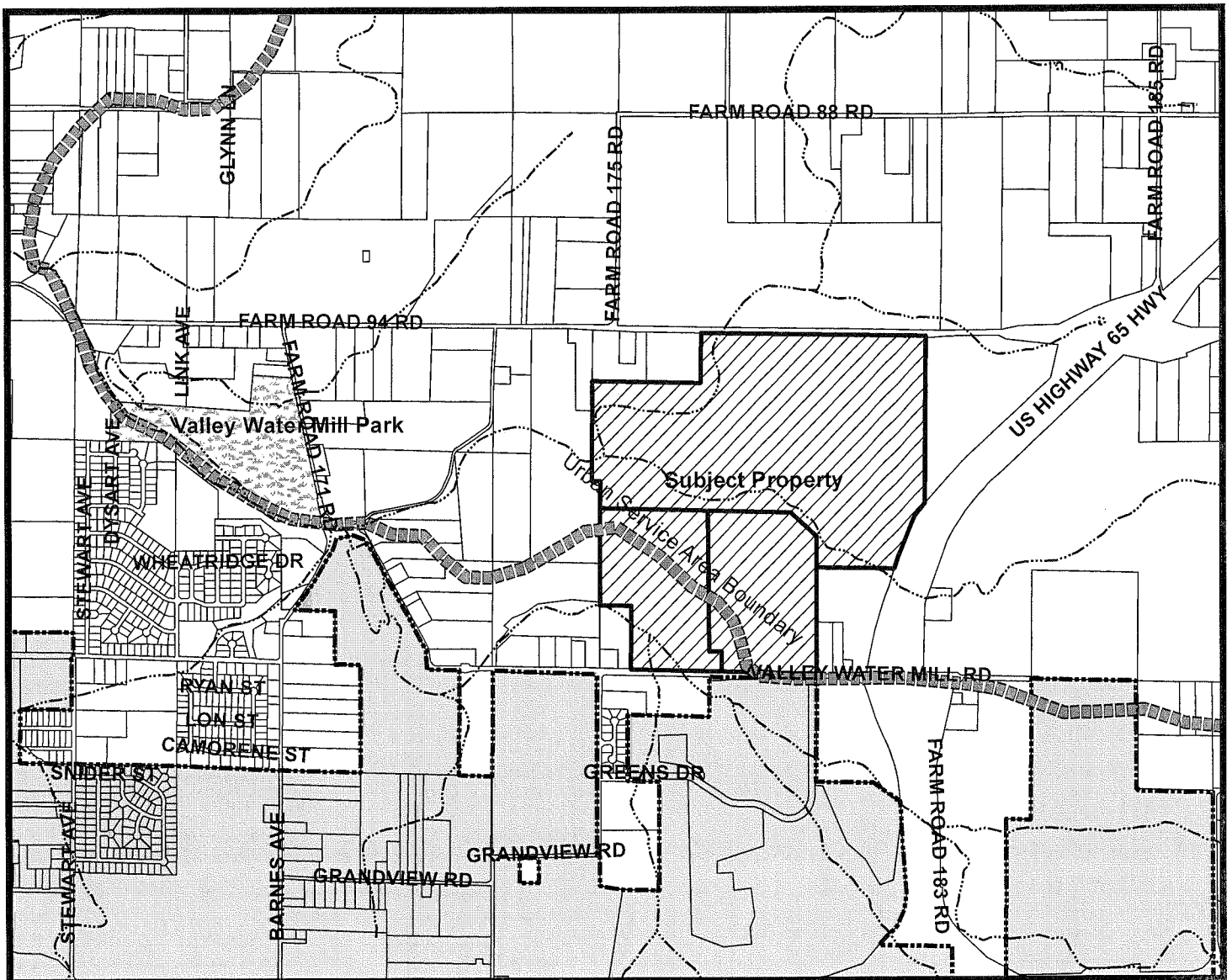
Location: 3105 E Valley Water Mill Road,
2975 E Farm Rd 112 and 3170 E Farm Rd 94

Current Zoning: County Zoning

Proposed Zoning: NA



LOCATION SKETCH

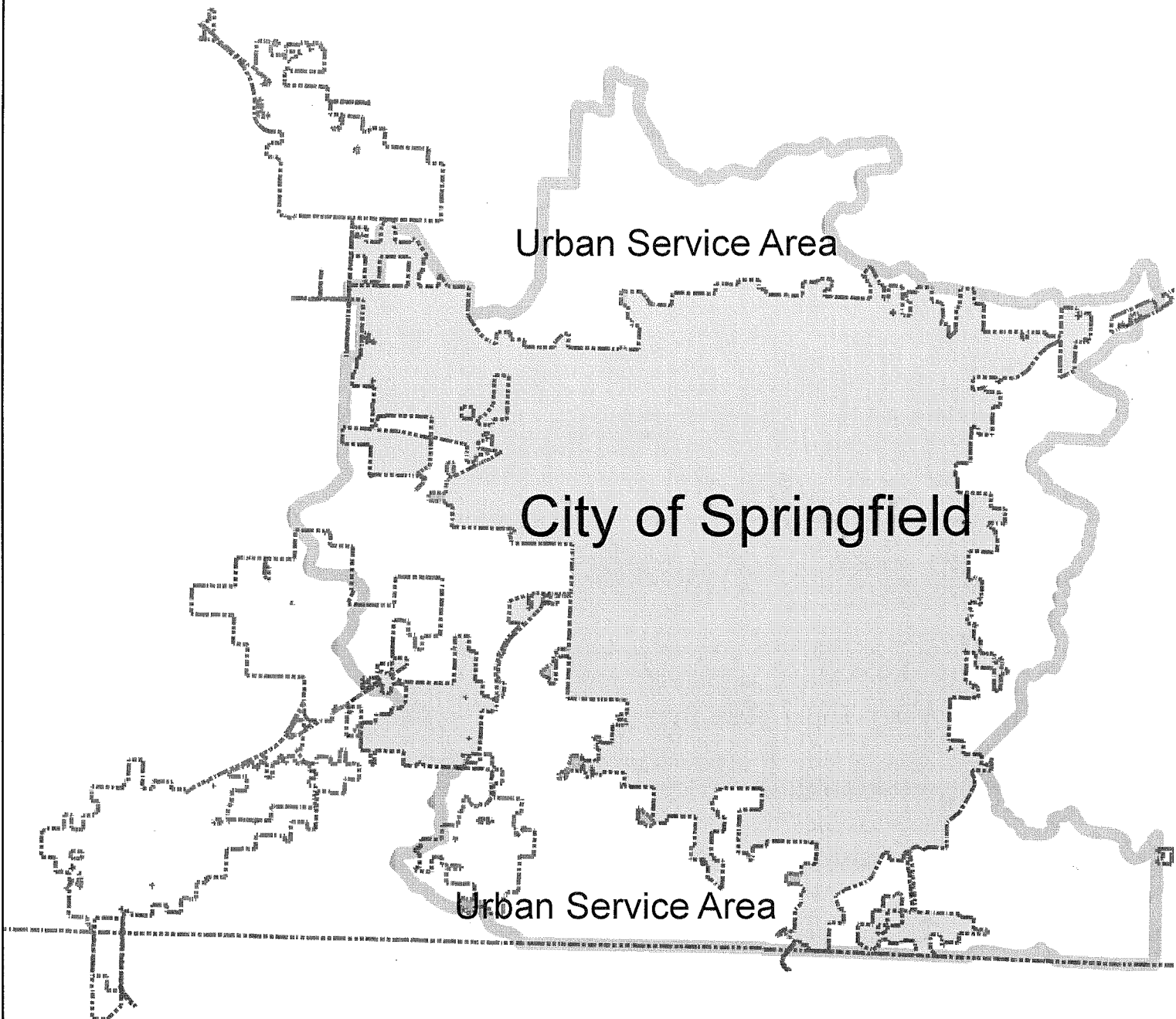


- Area of Proposal

12000

Feet

1 inch = 2,000 feet



Urban Service Area

City of Springfield

Urban Service Area



City of Springfield, Missouri

0 3,750 7,500 15,000 22,500 30,000 Feet

SCALE: 1:163,603



EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development Department.

PURPOSE: To approve a resolution to authorize an exception to the Urban Service Area to provide sanitary sewer service to the properties located at 3105 East Valley Water Mill Road, 2975 East Farm Road 112 and 3170 East Farm Road 94, which are contiguous to the Urban Service Area, subject to certain conditions. (Staff recommends approval).

BACKGROUND INFORMATION:

The Urban Service Area is the area outside the city limits of Springfield where municipal sanitary sewer service will be available (with certain limitations) to all users who request the service and where urban transportation improvements will be focused. (Exhibit A)

The applicant's property contains an existing residential structure located on the 209-acre parcel proposed to be served by sanitary sewer (Exhibit B). There are no public streets or public water connections requested with this proposal. There are two additional residential structures that are proposed to be constructed on this property, one of which will have approximately 40,000 square feet of living area. Wastewater flow rates from these residential structures are anticipated to be highly variable making municipal sanitary sewer a better solution than on-site wastewater systems. Additionally, the South Dry Sac River flows through this property. The South Dry Sac River supplies a portion of the flow for Fulbright Spring, a drinking water source for the City of Springfield. The South Dry Sac River provides about 65% of the daily flow to Fulbright Spring, which in turn supplies about 15% of the community's annual drinking water needs for the City of Springfield. The South Dry Sac River is a losing stream. Most or all of the flow normally enters the groundwater system directly. Runoff can have negative impact on Fulbright Spring and the drinking water supply. Any potential groundwater contamination due to karsts features can be a threat to the communities drinking water supply.

The Urban Service Area policy allows exceptions for areas that are contiguous to the Urban Service Area boundary under the following conditions:

1. There is adequate capacity in the water and sewer system to handle the projected population and development within the proposed transition area.
2. The provision of sanitary sewer or urban transportation service into the proposed transition area must be undertaken without any expenditure of public funds unless the expenditure is consistent with the City of Springfield's Capital Improvements Program, Greene County's Capital Improvements Program and the Comprehensive Plans for Springfield and Greene County.

3. Transportation service into the proposed transition area must be undertaken without any major alteration of the existing system unless approved by the service provider(s), and
4. The provision of sanitary sewer or urban transportation service into the proposed transition area must be consistent with the stated purpose of the Urban Service Area Policy and those standards and criteria set forth for the eight subareas surrounding the Urban Service Area.

The Department of Environmental Services and Public Works Department has reviewed the proposed exception to the Urban Service Area and there is adequate capacity to handle the proposed sewer connection. The cost of the infrastructure and connection fees will be the responsibility of the property owner.

Development in this area has been identified as a potential environmental concern for the headwaters of the South Dry Sac River subarea that flows into the Fulbright Spring and Stockton Lake drainage area, which are a major source of drinking water for the City of Springfield.

Granting this exception allows the City of Springfield to protect the headwaters of the South Dry Sac River subarea by managing potential pollutant sources proactively, without promoting high-density urban development and expenditure of public funds. This exception supports the intent of the Urban Service Area Policy.

The Urban Service Area Policy also states that an exception will not change the boundary of the Urban Service Area when it is contiguous to the current boundary. This exception will not change the Urban Service Area Boundary. For this exception to be granted it must be approved by the Springfield Planning and Zoning Commission and the Greene County Planning Board. The Watershed Committee of the Ozarks must comment on this exception before it goes to City Council and the Greene County Commission. The Springfield City Council must approve this exception by a 2/3 vote. The Greene County Commission will be meeting on August 5, 2013 and the Watershed Committee of the Ozarks Board will be reviewing the exception to the Urban Service Area on July 9, 2013.

REMARKS:

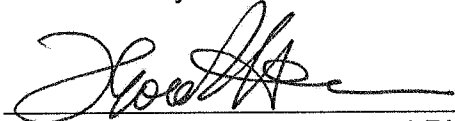
City Staff recommends approval of the exception to the Urban Service Area Policy for the properties at 3105 East Valley Water Mill Road, 2975 East Farm Road 112, and 3170 East Farm Road 94 with the following conditions;

1. All three tracts of property will be combined into one tract.
2. There will be a consent to annexation for all properties,
3. Covenants or agreements restricting changes of uses and intensity of uses without the written consent of the City Manager, Director of Environmental Services and the Stormwater Engineer,

4. All cost of infrastructure and connection fees shall be the responsibility of the property owner; and
5. All infrastructure will be built to City of Springfield Standards

All agreements will be subject to approval by the City of Springfield Attorney.

Submitted by:

A handwritten signature in black ink, appearing to read 'Bob Hosmer', written over a horizontal line.

Bob Hosmer, AICP, Principal Planner

Greg Burris, City Manager