

STATE OF KANSAS)
WYANDOTTE COUNTY)) SS
CITY OF KANSAS CITY, KS)

REGULAR SESSION
THURSDAY, MAY 5, 2016

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, May 5, 2016, with ten members present: Bynum, Commissioner At-Large First District; Walker, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Murguia, Commissioner Third District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Holland, Mayor/CEO presiding (left the meeting at 7:03 p.m.) Commissioner Johnson, Commissioner Fourth District; was absent. The following officials were also in attendance: Gordon Criswell, Assistant County Administrator; Joe Connor, Assistant County Administrator; Melissa Mundt, Assistant County Administrator; Ken Moore, Chief Legal Counsel; Bridgette Cobbins, Unified Government Clerk; Rob Richardson, Director of Planning; Kathleen VonAchen, Chief Financial Officer; Marlon Goff, Urban Redevelopment Manager; Lindsay Behgam, Executive Coordinator to the Mayor; and Captain Randall Balliett, Sergeant-at-Arms.

MAYOR HOLLAND called the meeting to order.

ROLL CALL: Bynum, Walker, Townsend, McKiernan, Murguia, Kane, Markley, Walters, Philbrook, Holland.

INVOCATION was given by Sister Therese Bangert, Our Lady St. Rose Catholic Church.

Mayor Holland said, Ms. Cobbins, are there any revisions to tonight's agenda. **Bridgette Cobbins, Unified Government Clerk**, stated yes, a blue sheet has been distributed. Under Section 7, Consent Agenda, we have clerical error for Item No. 4, which is a joint ordinance/resolution to amend the election process; correct Section 5 regarding Ordinance 2-382 (c) changing the "odd-numbered years" to "even number years," making the terms of the Commission appointments to the boards and committees coincide with the Commission

elections. It also clarifies that local elections take place on Tuesday succeeding their first Monday in odd numbered years.

Under the Administrator's Agenda, we have additional information. It is Item No. 1. That information contains a copy of a signature page of the MOU for the IBEW from December 31, 2014 – January 2, 2015, in the MOU that's effective January 1, 2015 – December 31, 2017.

MAYOR'S AGENDA

No items

CONSENT AGENDA

Mayor Holland asked if there were any set-asides to the Consent Agenda. There were no set-asides.

Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the Consent Agenda. Roll call was taken on the motion and there were nine "Ayes," Bynum, Walker, Townsend, McKiernan, Murguia, Kane, Markley, Walters, Philbrook.

ITEM NO. 1 – 16542...REQUEST: HONORARY STREET NAMES

SYNOPSIS: A communication from KMDI Inc., 400 Funston Road, KCK, in Fairfax, requesting the following two honorary street name designations, submitted by Brent Thompson, County Surveyor. On April 25, 2016, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

- Richard Kester Blvd. or R. Kester Blvd. at the NW corner of Fiberglass & Funston
- Charlie Morton Ave. or C. Morton Ave. at the SW corner of Fiberglass & Sunshine

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve.** Roll call was taken on the motion and there were nine "Ayes," Bynum, Walker, Townsend, McKiernan, Murguia, Kane, Markley, Walters, Philbrook.

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ITEM NO. 2 – 16532...RESOLUTIONS: AUTHORIZE SURVEYS OF LANDS

SYNOPSIS: Resolutions declaring the following projects to be necessary and authorizing a survey and descriptions of land for said projects, submitted by Lideana Laboy, Engineer Supervisor. On April 25, 2016, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

- Reconstruction of Leavenworth Rd., 38th St. to 63rd St., CMIP 1224
- Reconstruction of the intersection at Central Ave., 18th St. & Park Dr., CMIP 1223

Action: **RESOLUTION NO. R-45-16**, “A resolution declaring the necessity and authorizing a survey and descriptions of lands necessary to be condemned for the reconstruction of Leavenworth Road from 38th Street to 63rd Street, including construction of new through lanes and turning lanes, curbs, gutters, sidewalks, storm sewers, street lighting, and traffic signals (KDOT Project No. 105-N-0640-01), all in Kansas City, Wyandotte County, Kansas.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to adopt the resolution.** Roll call was taken on the motion and there were nine “Ayes,” Bynum, Walker, Townsend, McKiernan, Murguia, Kane, Markley, Walters, Philbrook.

RESOLUTION NO. R-46-16, “A resolution declaring the necessity and authorizing a survey and descriptions of lands necessary to be condemned for the reconstruction of the intersection at Central Avenue, 18th Street and Park Drive, including construction of new through lanes and turning lanes, curbs, gutters, sidewalks, storm sewers, all in Kansas City, Wyandotte County, Kansas.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to adopt the resolution.** Roll call was taken on the motion and there were nine “Ayes,” Bynum, Walker, Townsend, McKiernan, Murguia, Kane, Markley, Walters, Philbrook.

ITEM NO. 3 – 16543...RESOLUTION: DISPOSITION OF FIRE DEPT. AUTOMATIC EXTERNAL DEFIBILLATORS (AEDS)

SYNOPSIS: A resolution authorizing establishment of a procedure for the disposition and transfer of 22 Zoll Automatic External Defibrillators (AEDs) to any local not-for-profit, 501(c)(3) organization in need of AEDs on behalf of the UG, submitted by Ryan Haga, Attorney. The AEDs are outdated for Fire Dept. purposes, but are still otherwise operable and usable. On April 25, 2016, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-47-16**, “A resolution authorizing the Chief of the Kansas City, Kansas, Fire Department and County Administrator’s Office to establish a procedure for the distribution and transfer of the Zoll AEDs to any local not-for-profit, 501(c)(3) organization in need of AEDs on behalf of the Unified Government, and the County Administrator is hereby authorized to take any action required and necessary to implement and satisfy the intent of this resolution.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to adopt the resolution.** Roll call was taken on the motion and there were nine “Ayes,” Bynum, Walker, Townsend, McKiernan, Murguia, Kane, Markley, Walters, Philbrook.

ITEM NO. 4 – 16541...JOINT ORDINANCE/RESOLUTION: AMEND ELECTION PROCESS

SYNOPSIS: A joint ordinance/resolution amending Code sections to define terms of office, set dates for fall elections, and specify that the elections are nonpartisan, submitted by Ryan Carpenter, Attorney. On April 25, 2016, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Action: **ORDINANCE NO. O-23-16**, “An ordinance relating to Chapter 2, Administration, amending Sections 2-51, 2-52, 2-57, 2-141, and 2-382 of the Unified Government Code, and repealing original Sections 2-51, 2-52, 2-57, 2-141, and 2-382.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken on

the motion and there were nine “Ayes,” Bynum, Walker, Townsend, McKiernan, Murguia, Kane, Markley, Walters, Philbrook.

Action: **RESOLUTION NO. R-48-16**, “A resolution relating to Chapter 2, Administration, amending Sections 2-51, 2-52, 2-57, 2-141, and 2-382 of the Unified Government Code, and repealing original Sections 2-51, 2-52, 2-57, 2-141, and 2-382.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to adopt the resolution.** Roll call was taken on the motion and there were nine “Ayes,” Bynum, Walker, Townsend, McKiernan, Murguia, Kane, Markley, Walters, Philbrook.

ITEM NO. 5 – 16546...RECOMMENDATION: RETURNED PREVIOUSLY AWARDED 2015 UG-HOLLYWOOD CASINO GRANT FUNDS

SYNOPSIS: Recommend the \$5,000 from the 2015 UG-Hollywood Casino grant funds that were returned by a grantee be added back to Commissioner Townsend to be included in her 2016 UG-Hollywood Casino Grant Fund allocation, submitted by Joe Connor, Assistant County Administrator. On April 25, 2016, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve.** Roll call was taken on the motion and there were nine “Ayes,” Bynum, Walker, Townsend, McKiernan, Murguia, Kane, Markley, Walters, Philbrook.

ITEM NO. 6 – 16578...RESOLUTION: REACH HEALTHCARE FOUNDATION GRANT

SYNOPSIS: A resolution authorizing the Unified Government to enter into a contract with the REACH Healthcare Foundation to accept a \$65,000 grant that supports the AmeriCorps VISTA members, the Healthy Campus project and the Choice Neighborhoods Grant process. No Unified Government match is required. The resolution authorizes the Mayor and County

Administrator to execute a contract setting out the requirements of the grant, submitted by Melissa Mundt, Assistant County Administrator.

Action: **RESOLUTION NO. R-49-16**, “A resolution authorizing the Unified Government Board of Commission of Wyandotte County, County Administrator’s Office and Mayor’s Office to negotiate and execute a Grant Agreement 16-060-O1-SSN, with REACH Healthcare Foundation to fund the Healthy Campus Project.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to adopt the resolution.** Roll call was taken on the motion and there were nine “Ayes,” Bynum, Walker, Townsend, McKiernan, Murguia, Kane, Markley, Walters, Philbrook.

ITEM NO. 7 – 16583...PLAT: LEGENDS AUTO PLAZA SECOND PLAT

SYNOPSIS: Plat of Legends Auto Plaza Second Plat, located at 98th Street & Parallel Parkway, and being developed by Schlitterbahn Water Parks and Resorts, submitted by Brent Thompson, County Surveyor, and Wayne Moody, Interim County Engineer.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve and authorize Mayor to sign said plat.** Roll call was taken on the motion and there were nine “Ayes,” Bynum, Walker, Townsend, McKiernan, Murguia, Kane, Markley, Walters, Philbrook.

ITEM NO. 8 – MINUTES

SYNOPSIS: Minutes from regular sessions of March 10 and 31, 2016; and special session April 18, 2016.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve.** Roll call was taken on the motion and there were nine “Ayes,” Bynum, Walker, Townsend, McKiernan, Murguia, Kane, Markley, Walters, Philbrook.

ITEM NO. 9 – WEEKLY BUSINESS MATERIAL

SYNOPSIS: Weekly business material dated April 28, 2016.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve.** Roll call was taken on the motion and there were nine “Ayes,” Bynum, Walker, Townsend, McKiernan, Murguia, Kane, Markley, Walters, Philbrook.

COMMISSIONERS' AGENDA**ITEM NO. 3 – 16582... TRAVEL REQUEST: COMMISSIONER TOWNSEND**

SYNOPSIS: Request to travel to Las Vegas, NV, to attend the ICSC RECon Convention, submitted by Commissioner Townsend.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve.** Roll call was taken on the motion and there were nine “Ayes,” Bynum, Walker, Townsend, McKiernan, Murguia, Kane, Markley, Walters, Philbrook.

PUBLIC HEARING AGENDA

No items

STANDING COMMITTEES' AGENDA**ITEM NO. 1 – 16567... RESOLUTION: MUNICIPAL PARKING GARAGE, 625 STATE AVENUE**

SYNOPSIS: A resolution authorizing the County Administrator to execute a purchase and redevelopment agreement with Carojoto, LLC to acquire, renovate and operate the municipally-owned parking garage at 625 State Avenue, submitted by Marlon Goff, Urban Redevelopment Manager. The \$1M project would return up to 300 parking stalls for commercial tenants, residents and visitors to the central business district. This item was scheduled to appear before the Economic Development and Finance Standing Committee, chaired by Commissioner

McKiernan, on May 2, 2016. It was requested, and approved by the Mayor, to fast track this item to the May 5, 2016 full commission meeting.

Action: **RESOLUTION NO. R-50-16**, “A resolution that the UG Board of Commissioners hereby approves the sale of property and authorizing the County Administrator to execute a purchase and redevelopment agreement with Carojoto, LLC to acquire, renovate and operate the municipally-owned parking garage at 625 State Avenue, Parcel 082635 for consideration of the sum of One Dollar.”
Commissioner McKiernan made a motion, seconded by Commissioner Kane, to adopt the resolution. Roll call was taken on the motion and there were nine “Ayes,” Bynum, Walker, Townsend, McKiernan, Murguia, Kane, Markley, Walters, Philbrook.

ADMINISTRATOR'S AGENDA

Mayor Holland said I have a question for Legal. Can we adopt both of these with a single vote?
Ken Moore, Chief Legal Counsel, said yes, it is one resolution containing both items.

ITEM NO. 1 – 16539... RESOLUTION: MEMORANDUMS OF AGREEMENT WITH THE IBEW, LOCAL #53

SYNOPSIS: A resolution authorizing the County Administrator to execute the following Memorandums of Agreement (MOA) between the UG and the International Brotherhood of Electrical Workers (IBEW), Local #53, submitted by Joe Connor, Assistant County Administrator. This contract is the 12th of 13 labor unions ratified and when factoring in the non-union workforce, represents 81% of all Unified Government employees under contract or with the new compensation plan.

- Addendum to MOU effective January 1, 2014 – December 31, 2014
- MOU effective January 1, 2015 – December 31, 2017

Additional information forthcoming.

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Action: **RESOLUTION NO. R-51-16**, “A resolution authorizing the County Administrator to execute the Addendum to the Memorandum of Agreement between the Unified Government of Wyandotte County/Kansas City, Kansas, and the International Brotherhood of Electrical Workers Local #53, effective January 1, 2014 through December 31, 2014; and Memorandum of Agreement between the Unified Government of Wyandotte County/Kansas City, Kansas, and International Brotherhood of Electrical Workers Local #53, effective January 1, 2015 through December 31, 2017.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to adopt the resolution.** Roll call was taken on the motion and there were nine “Ayes,” Bynum, Walker, Townsend, McKiernan, Murguia, Kane, Markley, Walters, Philbrook.

ITEM NO. 2 – 16523... UPDATE: K-32 CORRIDOR PLAN, ROSEDALE MASTER PLAN AND REWRITE OF SIGN CODE

SYNOPSIS: Update on K-32 Corridor Plan, Rosedale Master Plan and Rewrite of Sign Code, by Robin H. Richardson, AICP, Director of Planning.

Three Ongoing Projects

- K-32 Transportation and Redevelopment Study with Quiet Zone Analysis
- Rosedale Master Plan
- Sign Code Rewrite

Robin H. Richardson, AICP, Director of Planning, said as you know we have three ongoing projects. We have the K-32 Transportation Redevelopment Study with the Quiet Zone Analysis. We have the Rosedale Master Plan and the Sign Code Rewrite. I’m going to briefly touch on the

K-32 and the Rosedale Master Plan and then as the Sign Code is going to be before the Planning Commission on Monday, I thought I would give a more in-depth review of that this evening.

K-32 Transportation & Redevelopment Plan with Quiet Zone Analysis

- The consulting team is working with each City on particular jurisdictional issues
- June 6, 2016 Next Advisory Committee
 - 6 PM Edwardsville Training Room
- June 29 and June 30 final Public Meetings
 - 6 PM 6/29 UG Neighborhood Resource Center
 - 4 PM 6/30 Edwardsville Community Center
 - Planning Commission and UG Commission in August

Currently, on the K-32 Study, the consulting team is working with the various cities on the issues relevant to each particular jurisdiction. On June 6th they'll have their next Advisory Committee meeting at 6 p.m. in Edwardsville. On June 29th and June 30th they'll have their final public meetings on the Transportation & Redevelopment Plans. One will be at the Neighborhood Resource Center and the other will be at the Edwardsville Community Center.

Rosedale Master Plan

- Status
 - Consultant working on final details
 - Currently in the midst of the last public meetings
 - Narrowed issues significantly

Moving on to the Rosedale Master Plan, the consultant is working on some final details related to different big ideas that the document has. They haven't really started writing all the final text

but a lot of the conceptual things are in to final detail mode. We are in the midst of our last series of public hearings/meetings on this. We held one yesterday and we will hold two more next Thursday. One will be at noon at the Our Savior Lutheran Church. The other will be at 6:30 p.m. at the Rosedale Middle School. The noon meeting that day is an added meeting. We had a glitch in sending the postcards out and so we did that meeting yesterday, but I'm going to redo it just to make sure that everyone has notice throughout the community.

Rosedale Master Plan

- Remaining Issues
 - Mission Cliffs Density
 - Road diet configuration for 43rd and 47th Street
 - Density (Height) on Rainbow south of 43rd
 - Density from Rainbow to State Line on 43rd
 - Configuration of Rainbow (1 way pairs/road diet)

For remaining issues and these aren't necessarily in any order, but I would say Mission Cliffs' Density in the Mission Cliffs area, that's a current issue that there are kind of two proposals. One is more single-family and one that's more medium density, townhouses to lower density apartments. They're voting on those in the public meetings. They're trying to figure out the right road diet for 43rd and 47th St. Some of the merchants along 47th Street, for instance, would like more on-street parking and the citizens would prefer bike lanes I think, so we're trying to sort that out. South of 43rd on Rainbow, you know that the east side of the street there is more single-family in nature. We're talking about density, but really height in those areas along Rainbow between 43rd Street and then 46th Street where essentially the Woodside Project is under construction and a future phase will be completed.

There is also a question on 43rd St. from Rainbow to State Line about density there because there there's currently commercial zoning for most of that even though there are several houses along the way there and in the future, obviously, some of that retail there is probably right for some

type of redevelopment in the near future and so what kind of density would be appropriate in that area.

Rosedale Master Plan

- Remaining Issues
 - How to address congestion at Southwest Boulevard and Rainbow
 - Alt intersection style
 - Northbound flyover
 - New rail flyover from Cambridge Circle to 31st Street
 - Appropriate location for bike lanes

We also have different options for Rainbow Boulevard from 39th to the County Line. One of those options is two one way pairs, so the existing Rainbow would be the southbound lanes and then you would split out to Adams. I'm sorry, the existing Rainbow would be the northbound lanes. It's hard for me to say north and go downhill, you always go up north and that confuses me. Sorry about that. The northbound lanes would go on existing Rainbow down the hill and then you would split the—did I say that wrong again. **Mayor Pro Tem Walker** said no, you got it right. **Mr. Richardson** said to go south you would be on Adams to approximately Olathe or just beyond Olathe. At Southwest Boulevard & Rainbow, there are a couple of issues there. One is the congestion there is going to increase as the medical center entities add a million square feet of new development just north of Rainbow Boulevard. Traffic is going to increase and our studies indicate that 75% - 80% of that traffic is going to come from the south which means it will enter the area through this intersection. The consulting team has proposed three different traffic mechanisms to potentially resolve that. One, is an alternate intersection style, where the left-hand turns from southbound Rainbow onto Southwest Boulevard would be moved up on the bridge farther so that you could separate the signal timings there and allow those left turns to make their turn during another phase of the signal without adding a phase to the signal at Southwest Boulevard & Rainbow. Another option would be a northbound flyover, so you would somewhere around Rainbow Extension, if you were going to continue north on Rainbow without

getting on to Southwest Boulevard, you would actually flyover the intersection and rejoin the bridge right about the grain elevator. The third option there is a new rail flyover that would cross the railroad tracks from Cambridge Circle to 31st Street. Much of the congestion at Southwest Boulevard & Rainbow is due to people turning left from southbound Rainbow to eastbound Southwest Boulevard to go to 31st Street or the Crossroads or downtown Kansas City, MO. This would move some of that traffic down to a more appropriate intersection, divide the traffic up and allow both intersections to operate at a reasonable level of service. Obviously, each of these has a price tag with it that we would have to work through in the future. You're all aware that you saw a presentation I believe last week regarding the new hotel facility and Applebee's redevelopment. The first two of these make a pedestrian walkable environment there without moving into that property pretty difficult because you're going to be starting bridges and flyovers and expanding the intersection. The flyover on Cambridge would allow that to be more appropriately pedestrian friendly/bicycle friendly in that area. Another issue we have is and it was discussed quite extensively yesterday were the appropriate locations for bike lanes; whether those should be on Rainbow or on Adams or on another street and how we should design the bike circulation through the area. We actually had some lively discussion yesterday. We haven't had that much in any of our public meetings; they've been pretty cordial but that was one of the issues that we addressed.

Rosedale Master Plan

- Public Meetings
 - Yesterday
 - Next Thursday May 12
 - Noon Our Savior Lutheran Church
 - 6:30 PM Rosedale Middle School
 - Planning Commission July 11
 - Board of Commissioners July 28

The future of public meetings here, as I said we held one yesterday and we will hold two meetings next Thursday, one at noon at Our Savior Lutheran and one at 6:30 at the Rosedale

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Middle School. It's scheduled to be presented to the Planning Commission on July 11th and the Board of Commissioners on July 28th.

Sign Code Rewrite - Background

- Summer 2015 REED V GILBERT
- Existing code old and difficult to use
- Advisory Committee – 5 meetings
 - Each Commissioner appointed a Business and Neighborhood Representative
- 4 rounds of public meetings (low attendance)
- Draft codes widely distributed over the last month
- Very little comment
- White & Smith LLC - Consultant

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On to the Sign Code Rewrite, a little bit of background, in the summer of 2015 the Supreme Court decided the Reed vs. Gilbert case which basically changed 100 years of how we've dealt with signs and sign codes and made portions of our code unconstitutional. In addition to that our old code was fairly difficult to use and confusing. To some degree sign codes are that way, zoning codes were that way, but it was particularly confusing than most. You all appointed an Advisory Committee. Each commissioner appointed a business representative and a neighborhood representative to that committee and they've had five meetings. We've had four

rounds of public meetings that generally had very low attendance but we did have at each of those meetings or at each round of those meetings representatives of the sign industry, representatives from Luminous Neon, a lobbying group in Kansas and Young Sign Company was represented at each of those rounds. We have distributed the drafts of the code widely over the last three or four weeks. You all should have received with today's email that you may not have seen yet, three versions of the sign code. You all received this afternoon the draft that I'm discussing this evening but it is a big change.

Sign Code Rewrite - Format

- Examples of new format
 - Definitions
 - Written description
 - Pictures
 - Chart

There's a lot of detail to it and we wanted to make sure you all had plenty of time to soak it in before it came to you for a vote. We've had very little comment on it but I think we've been able to resolve all the comment that we've had so far. I don't know of any negative comments to date but like I said our public involvement has been pretty low. Quite frankly, the Advisory Committee attendance hasn't been great but those that have been there, especially Tony Privitera with Mark One Electric, a major property owner, has been very helpful in discussing different issues and I think that you'll see several members of the Advisory Committee testifying at Planning Commission. I would also note that White Smith, LLC has been our consultant in helping develop the sign code.

Sign Code Rewrite - Format

(f) Awning / Canopy / Marquee Signs

a. Definitions

Awning Sign	A sign that is painted, stenciled or attached to the surface of an awning. An "awning" means a roof-like cover that projects from the wall of a building to shield a doorway, walkway, or window from inclement weather or the sun. Awnings are often made of fabric or flexible plastic supported by a rigid frame and may be attached into the face of the building.	
Canopy Sign	A sign attached to the surface of a canopy. A "canopy" means an overhead structure made of solid material, other than an awning, that is either attached to a building wall and extends at least twelve (12) inches from the face of the building or a freestanding overhead structure supported by posts.	
Marquee Sign	A sign attached to the facade of marquee. A "Marquee" means a hood or awning of permanent construction without pillars or posts which is supported from a building wall and extends beyond the building, building line, or property line. A sign attached to the bottom of a Marquee is considered an Under-Canopy Sign.	
Over Canopy Sign	A sign on the top of a roof overhang of a covered porch or walkway which identifies the tenant of the adjoining space.	
Under Canopy Sign	A sign suspended from the underside of a canopy, a covered porch or a walkway.	

Our purpose in the sign code has been to assure that we're constitutional and to read in other laws and court cases. The new ordinance will regulate the structure and placement of signs, not what I would call the copy, the words, the text or what the sign says. We want it to be more flexible. We want to provide clear definitions and code requirements. A really significant issue when you rewrite a code is creating non-conformities and we think we've developed we created a code that does not create additional non-conformities. That is something I don't have the staff time to deal with. They're confusing and quite frankly just a pain in most cases for everyone involved. We did not want to create any non-conformities. We wanted to keep the field leveled. We didn't want to people building signs you know—if you assumed that this was passed in May and somebody is building a sign in June, you don't want them to have additional rights to signage that someone in May didn't have, necessarily. We want to reduce variance requests and special use permit requests, quite frankly for that matter and I'll talk about a couple of those provisions as well.

The format of this is that we have extensively expanded the definitions of signs so that it's clear what we're talking about. When this goes into our Encode system that we're working on that


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allows people to go out and find properties that would be available for sale or lease where they want to start a business, it will also do sign calculations, but all the definitions will be hyperlinks so if you come into the code through Encode and you see a word that's defined, it will hyperlink to that definition. We have a written description and we have pictures and charts that help to clarify what we're talking about. This is an example of how we've done definitions with awnings, canopies and marquees. You see there's the word that you would be looking for, the text description and then a picture that would describe what that sign is; this is far and beyond what we have today to help us navigate the sign code.

Sign Code Rewrite - Format

maximum attached sign allowance

Table VIII 11.3 Awnings / Canopy / Marquee Signs



Requirements	Zoning Districts / TSD T-Zone =							
	A-1, R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, R-9, R-10, R-11, R-12, R-13, R-14, R-15, R-16, R-17, R-18, R-19, R-20, R-21, R-22, R-23, R-24, R-25, R-26, R-27, R-28, R-29, R-30, R-31, R-32, R-33, R-34, R-35, R-36, R-37, R-38, R-39, R-40, R-41, R-42, R-43, R-44, R-45, R-46, R-47, R-48, R-49, R-50, R-51, R-52, R-53, R-54, R-55, R-56, R-57, R-58, R-59, R-60, R-61, R-62, R-63, R-64, R-65, R-66, R-67, R-68, R-69, R-70, R-71, R-72, R-73, R-74, R-75, R-76, R-77, R-78, R-79, R-80, R-81, R-82, R-83, R-84, R-85, R-86, R-87, R-88, R-89, R-90, R-91, R-92, R-93, R-94, R-95, R-96, R-97, R-98, R-99, R-100							
1. Permitted?	NO	Yes	Yes	Yes	Yes	Yes	Yes	Yes
2. Permit required?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
3. Number per street frontage	-	-	-	-	-	-	-	-
4. Number per each business or institution (occupying a multi-tenant building which has its own ground floor entryway or stairwell (not...))	1	1	1	1	1	1	1	1
5. Number total per single-tenant building or multi-tenant building with a single entry (not...)	1	1	1	1	1	1	1	1
6. Number total (not...)	-	-	-	-	-	-	-	-
Dimensions								
7. Sign area (maximum - sf)	40	40	100	150	150	150	150	150
8. Height (maximum - ft)	2	2	2	6	2	6	6	6
Location								
9. Property Line Setback (maximum - ft)	2	2	2	2	2	2	2	2
10. Spacing between other signs (minimum - ft)	-	-	-	-	-	-	-	-
Design Characteristics								
11. Digital	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes
12. Illumination, Internal	Yes	No	No	Yes	Yes	Yes	Yes	Yes
13. Illumination, External	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes
14. Illumination, Halo Lit	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
15. Channel Letters	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
16. Changeable copy	Yes	No	No	Yes	Yes	Yes	Yes	Yes

Rules of Interpretation: Yes = the sign type or characteristic is permitted. No = the sign type or characteristic is not permitted. R = the sign type or characteristic is required. NR = the sign type is permitted for non-residential uses only. - = the standard does not apply. Z = as established for the principal building by the applicable zoning district.

Each one also has a chart so you'll see across the top the various districts, whether it's permitted, whether you have to get a permit for that sign, if there's a number regulated per street frontage, how many each business can have. If you're in a single-family district, single-tenant building or a multi-tenant building if those sign requirements are different, the dimensions of the signs, the locations and whether or not it can be digital, how it can be illuminated, very descriptive about how that sign can be developed. The other thing I will say, and I'll talk about this a little bit more in a few minutes, but right now in our code we say you can have one sign on each side of

the building and the new code will give you an allocation that says you have up to four signs and you can decide how and where you put them. This would say that if you're going to have a sign on your awnings, then that would count as one of your signs, part of your allocation, table, how big it can be and then you subtract that from your total allocation, but I'll describe that a little bit in more depth in just a moment.

Sign Code Rewrite – Key Policy Changes

- Prohibited signs
 - Pole signs
 - No new pole signs. Only one in last 13 years.
 - Refacing requires a pole cover to enhance the aesthetics
- Permits
 - Display permit information on the sign
- No change to recent Billboard rules
- Allocation vs define and allow various types
- Sign measurement

I want to talk about some key policy changes. One of them is in the prohibited sign category. To my knowledge I think we've only issued one sign permit for a pole sign in the community since I've been here and that was for the self-storage at 78th & I-70. They look old, most new businesses don't want to build the old signs, they want to look new and modern. We've added those to the prohibited list because there hasn't been a demand for them. The sign companies didn't object to that. We've added a requirement, if you're going to reface a pole sign, like you're going to take the old sign out, put a new face in it that you would put a pole cover on the pole itself that would enhance the look of the pole and help with the maintenance of that pole so it's not just a paint chipped pole that we have out there.

This isn't necessarily a new requirement, but I would just note that when you put up a sign that the permit number or the sign permit needs to be placed on the sign. We didn't make any changes to the recent billboard codes that we changed to allow the digital conversions. Those are remaining as they are. I mentioned a little bit that we're moving to an allocation system versus defining and allowing various types of signs and this really hits home in what you would refer to as a garage sale sign, a political sign or a grand opening sign. I'll talk about that

more later. We have an allocation for temporary—incidental signs now versus allowing them by type. Another big change that I think was very positive for the folks from the sign industry was that currently, if you put signs on your building, we measure a square box around the outside of all your signage and that has to be 7%.

Now we're allowing in the proposed code up to four signs on the on the façade, each one would have a box around that sign but the total would be 7%. For instance, Walmart got a variance, I believe they did. They either got a variance or figured out a way to fit within the 7 % so they could have Walmart, their star and food and home on the front of the building. This would allow that to happen without a variance. We haven't ever denied one of those. One of the things that we look at when we write the code is when we've have several variance requests and we haven't denied them, they should become part of the code.

Sign Code Rewrite – Key Policy Changes

- Murals allowed with conditions
- Projecting signs allowed with conditions
- Roof signs allowed with conditions
- Sandwich/Aframes allowed with conditions
- Flags regulated as signs
- Feather signs allowed
- Variances should consider legibility based on street speed

Murals will not be allowed by conditions. We don't currently allow murals but we have several of them in different ways. I think this will be—this will also allow some districts to create some character. Along Central Avenue, for instance, we talked about doing a special district for Central Avenue but I think this condition allowing murals with the conditions associated with it will allow them to create that district without having a special district or additional regulation.

We allow projecting signs now with conditions, roof signs are allowed now with conditions. Sandwich board for commercial businesses along the sidewalk would be allowed with certain conditions. One of the touchier things with the way the Supreme Court decision came out is flags. Flags will now be regulated as signs. Everyone will be allowed to have flags

but we won't regulate what those flags say. One place that will appreciate this is the Startup Village because they can now have their Startup Village flags and we don't regulate what it says or anything. You can have an American flag, Startup Village flag, Royals flag or whatever you want; we don't regulate the copy of it.

We define Feather signs. The phone companies are infamous for their Feather signs. We do allow them with some restrictions now. They're very popular. The sign companies didn't really care because most of the people buy those out of a catalogue so it's really not any local business here. From the business community they do like those for temporary advertising. We've also added a criteria that when seeking a variance that part of the variance analysis would be that if your sign—for instance, you've got a big name and your sign allocation is small, you can ask for a variance because you couldn't print your name at a scale that was legible. You would need a bigger sign because you know—for instance, Schlitterbahn has a really long name versus Wendy's and the sign allocation may not allow them to build a sign that was visible and legible based on the speed of the road that people were traveling next to them. That gives us a good criteria to look at when looking at variances.

Sign Code Rewrite – Key Policy Changes

- Digital illumination
 - Now generally allowed
 - 8 second hold with immediate change in copy
 - No flashing, fade or wipe
 - No movement within the image
 - Auto shut-off for failures
 - Auto brightness adjustment
 - Can't be on a mobile platform
 - Turn off at night (11PM-6AM)when adjacent to residential

Another key policy change is digital illumination. As you know, now anybody who wants to do a digital sign has to come through for a special use permit. We would now generally allow digital illumination with the criteria that you see there. One of them interestingly that the neighborhood groups talked about was they don't want the—those signs are generally brighter, even when you turn them down at night than our other signage. If you're going to have a digital

sign adjacent to a residential area, you turn the sign off from 11 p.m. to 6 a.m. and you see the other features there. Those are kind of similar to what you've seen in other staff reports on special use permits.

Commissioner Murguia said, Rob, I just have a question for you really quick. When you're talking about digital signs and having to turn them off next to residential areas. I see that a little bit but then I also see other urban neighborhoods you know where there are big cities; that there are condos and flashing neon signs 24/7. Did you get complaints about that or something? I'm not objecting I'm just saying. **Mr. Richardson** said we've heard a little bit in other meetings but if you're going to—you live in a house and a business wants to convert their sign and then it goes from an internally illuminated sign or a sign that has a floodlight on it that doesn't create a lot of extra lumens across the property lines to one that is very bright and shines right at your window, that's a change. Now if somebody were to build a sign and the sign was there and then we have an apartment building moving next to it; I wouldn't make the commercial business change because somebody moved in next to them, but when you're moving the new bright sign in next to somebody's existing home, I think it will avoid conflict that way. From 11 p.m. to 6 a.m. is not—we debated the timing of that and when it should start and quite frankly we could probably modify that a little bit, but it seemed like the neighborhood representatives on the Advisory Committee and the sign company thought that was a good compromise. **Commissioner Murguia** said I don't want to take away from urban living versus suburban living. You know you look at Times Square, I mean I know it's much bigger but you look at Time's Square, you look at Chicago, any major metropolitan area in the urban setting; that's the great thing about it, there's nightlife 24/7, there's something going on and people choose to live there. You would think they'd be buying into that lifestyle. **Mr. Richardson** said and I think we can come up with a way to do that if we had that type of a district but you know, if it's a church on 55th Street and you've got a subdivision next to you, that's kind of always suburban. **Commissioner Murguia** said as long as there's some flexibility, professional discretion there.

Sign Code Rewrite – Key Policy Changes

- Incidental signs
 - *Note: Examples include real estate signs, election signs, opinion signs, placards, construction signs, or signs that advertise a grand opening or special event. This paragraph is provided to clarify the regulations and does not limit the content of incidental signs.*

Sign Code Rewrite – Key Policy Changes

Standards

- Generally
 - Generally. Temporary and Incidental signs shall comply with Table VIII-11-12 Temporary & Incidental Signs (Generally) and this section.
 - Height. The height of temporary or incidental signs shall not exceed three feet at the minimum setback line, and may increase 1 foot for every additional 10 feet that the sign is set back up to the maximum height permitted in Table VIII-11-12 Temporary & Incidental Signs (Generally).
 - Temporary Signs.
 - » Holidays. During the following time periods, the number of temporary signs may increase to 5 in the residential districts, C-O, C-D district and TND T-6, the sign allocation shall increase by 50 percent, and the internal illumination is permitted:
 - the fourth Thursday in November to January 2, and
 - July 1 – 5.
 - » Materials. Temporary signs shall include a vinyl or plastic face, or a material of similar durability.
 - » Display Period. A detached temporary sign may be erected for the following maximum continuous time periods:
 - Signs Mounted with Standard Wire Stakes or T-Posts: 30 days.
 - Signs Mounted with Metal or Wood Frames, or Mounting Methods of Similar Durability: 90 days.
 - » Setbacks. Temporary sign shall be located at least 10 feet from another detached sign.

Mr. Richardson said I'm going to highlight incidental signs pretty extensively here because if you note the definition here in examples, these are real estate signs, election signs, opinions, placards, constructions signs, grand openings and special events. This isn't to limit what those are but just as when you're changing the code and trying to let people understand what we're talking about; when we say incidental signs, this is what we're talking about. As politicians I thought you might be interested in this. For the standards and these are pretty small but it kind of defines what they are. These are the little yard signs basically. During holidays, display periods, setbacks and other things we talk about that in the standards for the signs but we also have a

table that I'm going to flip to here in just a second that I think more particularly describes where the interest would be. You see they can get bigger the farther set back they are etc.

Sign Code Rewrite – Key Policy Changes

Table VIII-11-12 Temporary & Incidental Signs (Generally)

Requirements	Zoning Districts / TND F-Zone =							
	A-C, R, R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, R-9, R-10, R-11, R-12, R-13, R-14, R-15, R-16, R-17, R-18, R-19, R-20, R-21, R-22, R-23, R-24, R-25, R-26, R-27, R-28, R-29, R-30, R-31, R-32, R-33, R-34, R-35, R-36, R-37, R-38, R-39, R-40, R-41, R-42, R-43, R-44, R-45, R-46, R-47, R-48, R-49, R-50, R-51, R-52, R-53, R-54, R-55, R-56, R-57, R-58, R-59, R-60, R-61, R-62, R-63, R-64, R-65, R-66, R-67, R-68, R-69, R-70, R-71, R-72, R-73, R-74, R-75, R-76, R-77, R-78, R-79, R-80, R-81, R-82, R-83, R-84, R-85, R-86, R-87, R-88, R-89, R-90, R-91, R-92, R-93, R-94, R-95, R-96, R-97, R-98, R-99, R-100, R-101, R-102, R-103, R-104, R-105, R-106, R-107, R-108, R-109, R-110, R-111, R-112, R-113, R-114, R-115, R-116, R-117, R-118, R-119, R-120, R-121, R-122, R-123, R-124, R-125, R-126, R-127, R-128, R-129, R-130, R-131, R-132, R-133, R-134, R-135, R-136, R-137, R-138, R-139, R-140, R-141, R-142, R-143, R-144, R-145, R-146, R-147, R-148, R-149, R-150, R-151, R-152, R-153, R-154, R-155, R-156, R-157, R-158, R-159, R-160, R-161, R-162, R-163, R-164, R-165, R-166, R-167, R-168, R-169, R-170, R-171, R-172, R-173, R-174, R-175, R-176, R-177, R-178, R-179, R-180, R-181, R-182, R-183, R-184, R-185, R-186, R-187, R-188, R-189, R-190, R-191, R-192, R-193, R-194, R-195, R-196, R-197, R-198, R-199, R-200, R-201, R-202, R-203, R-204, R-205, R-206, R-207, R-208, R-209, R-210, R-211, R-212, R-213, R-214, R-215, R-216, R-217, R-218, R-219, R-220, R-221, R-222, R-223, R-224, R-225, R-226, R-227, R-228, R-229, R-230, R-231, R-232, R-233, R-234, R-235, R-236, R-237, R-238, R-239, R-240, R-241, R-242, R-243, R-244, R-245, R-246, R-247, R-248, R-249, R-250, R-251, R-252, R-253, R-254, R-255, R-256, R-257, R-258, R-259, R-260, R-261, R-262, R-263, R-264, R-265, R-266, R-267, R-268, R-269, R-270, R-271, R-272, R-273, R-274, R-275, R-276, R-277, R-278, R-279, R-280, R-281, R-282, R-283, R-284, R-285, R-286, R-287, R-288, R-289, R-290, R-291, R-292, R-293, R-294, R-295, R-296, R-297, R-298, R-299, R-300, R-301, R-302, R-303, R-304, R-305, R-306, R-307, R-308, R-309, R-310, R-311, R-312, R-313, R-314, R-315, R-316, R-317, R-318, R-319, R-320, R-321, R-322, R-323, R-324, R-325, R-326, R-327, R-328, R-329, R-330, R-331, R-332, R-333, R-334, R-335, R-336, R-337, R-338, R-339, R-340, R-341, R-342, R-343, R-344, R-345, R-346, R-347, R-348, R-349, R-350, R-351, R-352, R-353, R-354, R-355, R-356, R-357, R-358, R-359, R-360, R-361, R-362, R-363, R-364, R-365, R-366, R-367, R-368, R-369, R-370, R-371, R-372, R-373, R-374, R-375, R-376, R-377, R-378, R-379, R-380, R-381, R-382, R-383, R-384, R-385, R-386, R-387, R-388, R-389, R-390, R-391, R-392, R-393, R-394, R-395, R-396, R-397, R-398, R-399, R-400, R-401, R-402, R-403, R-404, R-405, R-406, R-407, R-408, R-409, R-410, R-411, R-412, R-413, R-414, R-415, R-416, R-417, R-418, R-419, R-420, R-421, R-422, R-423, R-424, R-425, R-426, R-427, R-428, R-429, R-430, R-431, R-432, R-433, R-434, R-435, R-436, R-437, R-438, R-439, R-440, R-441, R-442, R-443, R-444, R-445, R-446, R-447, R-448, R-449, R-450, R-451, R-452, R-453, R-454, R-455, R-456, R-457, R-458, R-459, R-460, R-461, R-462, R-463, R-464, R-465, R-466, R-467, R-468, R-469, R-470, R-471, R-472, R-473, R-474, R-475, R-476, R-477, R-478, R-479, R-480, R-481, R-482, R-483, R-484, R-485, R-486, R-487, R-488, R-489, R-490, R-491, R-492, R-493, R-494, R-495, R-496, R-497, R-498, R-499, R-500, R-501, R-502, R-503, R-504, R-505, R-506, R-507, R-508, R-509, R-510, R-511, R-512, R-513, R-514, R-515, R-516, R-517, R-518, R-519, R-520, R-521, R-522, R-523, R-524, R-525, R-526, R-527, R-528, R-529, R-530, R-531, R-532, R-533, R-534, R-535, R-536, R-537, R-538, R-539, R-540, R-541, R-542, R-543, R-544, R-545, R-546, R-547, R-548, R-549, R-550, R-551, R-552, R-553, R-554, R-555, R-556, R-557, R-558, R-559, R-560, R-561, R-562, R-563, R-564, R-565, R-566, R-567, R-568, R-569, R-570, R-571, R-572, R-573, R-574, R-575, R-576, R-577, R-578, R-579, R-580, R-581, R-582, R-583, R-584, R-585, R-586, R-587, R-588, R-589, R-590, R-591, R-592, R-593, R-594, R-595, R-596, R-597, R-598, R-599, R-600, R-601, R-602, R-603, R-604, R-605, R-606, R-607, R-608, R-609, R-610, R-611, R-612, R-613, R-614, R-615, R-616, R-617, R-618, R-619, R-620, R-621, R-622, R-623, R-624, R-625, R-626, R-627, R-628, R-629, R-630, R-631, R-632, R-633, R-634, R-635, R-636, R-637, R-638, R-639, R-640, R-641, R-642, R-643, R-644, R-645, R-646, R-647, R-648, R-649, R-650, R-651, R-652, R-653, R-654, R-655, R-656, R-657, R-658, R-659, R-660, R-661, R-662, R-663, R-664, R-665, R-666, R-667, R-668, R-669, R-670, R-671, R-672, R-673, R-674, R-675, R-676, R-677, R-678, R-679, R-680, R-681, R-682, R-683, R-684, R-685, R-686, R-687, R-688, R-689, R-690, R-691, R-692, R-693, R-694, R-695, R-696, R-697, R-698, R-699, R-700, R-701, R-702, R-703, R-704, R-705, R-706, R-707, R-708, R-709, R-710, R-711, R-712, R-713, R-714, R-715, R-716, R-717, R-718, R-719, R-720, R-721, R-722, R-723, R-724, R-725, R-726, R-727, R-728, R-729, R-730, R-731, R-732, R-733, R-734, R-735, R-736, R-737, R-738, R-739, R-740, R-741, R-742, R-743, R-744, R-745, R-746, R-747, R-748, R-749, R-750, R-751, R-752, R-753, R-754, R-755, R-756, R-757, R-758, R-759, R-760, R-761, R-762, R-763, R-764, R-765, R-766, R-767, R-768, R-769, R-770, R-771, R-772, R-773, R-774, R-775, R-776, R-777, R-778, R-779, R-780, R-781, R-782, R-783, R-784, R-785, R-786, R-787, R-788, R-789, R-790, R-791, R-792, R-793, R-794, R-795, R-796, R-797, R-798, R-799, R-800, R-801, R-802, R-803, R-804, R-805, R-806, R-807, R-808, R-809, R-810, R-811, R-812, R-813, R-814, R-815, R-816, R-817, R-818, R-819, R-820, R-821, R-822, R-823, R-824, R-825, R-826, R-827, R-828, R-829, R-830, R-831, R-832, R-833, R-834, R-835, R-836, R-837, R-838, R-839, R-840, R-841, R-842, R-843, R-844, R-845, R-846, R-847, R-848, R-849, R-850, R-851, R-852, R-853, R-854, R-855, R-856, R-857, R-858, R-859, R-860, R-861, R-862, R-863, R-864, R-865, R-866, R-867, R-868, R-869, R-870, R-871, R-872, R-873, R-874, R-875, R-876, R-877, R-878, R-879, R-880, R-881, R-882, R-883, R-884, R-885, R-886, R-887, R-888, R-889, R-890, R-891, R-892, R-893, R-894, R-895, R-896, R-897, R-898, R-899, R-900, R-901, R-902, R-903, R-904, R-905, R-906, R-907, R-908, R-909, R-910, R-911, R-912, R-913, R-914, R-915, R-916, R-917, R-918, R-919, R-920, R-921, R-922, R-923, R-924, R-925, R-926, R-927, R-928, R-929, R-930, R-931, R-932, R-933, R-934, R-935, R-936, R-937, R-938, R-939, R-940, R-941, R-942, R-943, R-944, R-945, R-946, R-947, R-948, R-949, R-950, R-951, R-952, R-953, R-954, R-955, R-956, R-957, R-958, R-959, R-960, R-961, R-962, R-963, R-964, R-965, R-966, R-967, R-968, R-969, R-970, R-971, R-972, R-973, R-974, R-975, R-976, R-977, R-978, R-979, R-980, R-981, R-982, R-983, R-984, R-985, R-986, R-987, R-988, R-989, R-990, R-991, R-992, R-993, R-994, R-995, R-996, R-997, R-998, R-999, R-1000, M-1, M-2, M-3							
1. Permitted?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
2. Permit required for temporary signs?	No	No	No	No	No	No	No	No
3. Permit required for incidental signs?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
4. Number total (max.)	2	2	2	—	—	—	—	—
Dimensions								
5. Sign area (maximum - ft) to the maximum area listed here or 10% of the primary building facade, whichever is less	36	48	48	100	150	300	300	300
6. Height (maximum-fee)	4	4	4	6	4	6	6	6
Location								
7. Property Line Setback (minimum-fee)	5	5	5	5	5	5	5	5
8. Spacing between other signs (minimum-fee)	—	—	—	—	—	—	—	—
Design Characteristics								
9. Digital	No	No	No	No	No	No	No	No
10. Illumination, Internal	No	No	No	No	No	No	No	No
11. Illumination, External	No	No	No	No	No	No	No	No
12. Illumination, Halo Lit	No	No	No	No	No	No	No	No
13. Channel Letters	No	No	No	No	No	No	No	No
14. Changeable copy	No	No	No	No	No	No	No	No

Rules of Interpretation: Yes = the sign type or characteristic is permitted. No = the sign type or characteristic is not permitted. R = the sign type or characteristic is required. NR = the sign type is permitted for non-residential uses only. -- = the standard does not apply. Z = as established for the principal building by the applicable zoning district.

This table and I'm going to draw your attention particularly to line number four and the number of allowed. For basically the residential districts and the residential traditional neighborhood design districts and office districts, basically we say there is a limited number of two incidental signs and that the sign area for those in the lower residential districts would be combined 36 square feet and then as you go up, they would go to 48 square feet. I suppose if you wanted to have a longer sign that was 3 feet tall so you could put three signs next to each other and you would stay under your 32 feet, there's a way to put more than one politician's yard sign in the yard and still stay under the two sign maximum. I was a little worried about 36 square feet. A typical yard sign is about 6 square feet and this is all the time, every day of the year, 24/7. Now most people are not going to do that but it's difficult to say that during the political season you can have more incidental signs because we're afraid the court is going to say, you're just regulating political signs differently because there are no other reasons for your to have that and quite frankly, for instance, this year the political season would go from whenever the first primary was through the general election. It's pretty much nine months that you would have the signs up potentially.

Like I said, the number of those, the temporary and incidental signs, the number of those are regulated by allocation in the commercial districts and I'll show you that in just a moment.

It's really by allocation and not by numbers. If you're a M2, you could have a 300 square foot sign but generally M2 and M3 you have huge lots, the setbacks are larger and so we thought that the variation there would be different. In the commercial districts you have more demand for temporary and incidental signs. I think 36 square feet is probably a little high on the residential all the time because if you have a neighbor that has a bone to pick, they're going to have signs out all the time, but we have to balance that with people's need for other types of speech during other times of the year. Under the new Supreme Court case, for instance, Merry Christmas is a sign. It just has to be because we can't regulate what it says, we just have to say that it's a sign. We thought that would cover Christmas and political season and everything else at 36 square feet but it definitely could have a downside but this is kind of what the court has left us with.

Sign Code Rewrite Previous Sign Table

District (Includes Planned District Designation)	Wall Signs		Detached Signs						
	Number (Maximum of One Per Lot)	Area (In Percent of Lot)	Number ()	Area (Per Sign)	Height (Per Sign)	Setback (From Street)	Area (Per Sign)	Height (From Street)	Setback (From Street)
C-1	3	7 percent	1 (in line of one percent of wall sign)	30 square feet	15 feet	15 feet	40 square feet	5 feet	5 feet (Same as C-1 requirements)
C-2, C-3, M-1	3	7 percent	1 (in line of one percent of wall sign)	75 square feet	15 feet	15 feet	40 square feet	5 feet	5 feet For each one foot additional setback, one foot additional height and three square feet in area are permitted up to the maximum for pole or pylon signs
M-2, M-3	3	10 percent	1 (in line of one percent of wall sign)	100 square feet	20 feet	15 feet	40 square feet	5 feet	5 feet For each one foot additional setback, one foot additional height and five square feet in area are permitted up to the maximum for pole or pylon signs

Sign Code Rewrite Proposed Sign Table

Table VIII-11-1 Sign Allocation System

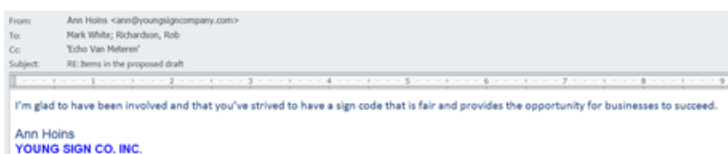
District (Exclude Planned District Applications)	On-Field Signs (See Sec. 27-722(a))		On-Field Signs (See Sec. 27-722(a))		Temporary / Incidental (See Sec. 27-722)	
	Number per Façade	Area (% Per Sign/Sign/Wall Area)	Number	Area (Per Sign/Façade) (sq ft)	Number	Area (Total/sq ft)
D-1, D-2, D-3, D-10, D-11, D-12, D-13, D-14, D-15, D-16, D-17, D-18, D-19, D-20, D-21, D-22, D-23, D-24, D-25, D-26, D-27, D-28, D-29, D-30, D-31, D-32, D-33, D-34, D-35, D-36, D-37, D-38, D-39, D-40, D-41, D-42, D-43, D-44, D-45, D-46, D-47, D-48, D-49, D-50, D-51, D-52, D-53, D-54, D-55, D-56, D-57, D-58, D-59, D-60, D-61, D-62, D-63, D-64, D-65, D-66, D-67, D-68, D-69, D-70, D-71, D-72, D-73, D-74, D-75, D-76, D-77, D-78, D-79, D-80, D-81, D-82, D-83, D-84, D-85, D-86, D-87, D-88, D-89, D-90, D-91, D-92, D-93, D-94, D-95, D-96, D-97, D-98, D-99, D-100	1	2%	1*	40	2	80
D-1, D-2, D-3, D-10, D-11, D-12, D-13, D-14, D-15, D-16, D-17, D-18, D-19, D-20, D-21, D-22, D-23, D-24, D-25, D-26, D-27, D-28, D-29, D-30, D-31, D-32, D-33, D-34, D-35, D-36, D-37, D-38, D-39, D-40, D-41, D-42, D-43, D-44, D-45, D-46, D-47, D-48, D-49, D-50, D-51, D-52, D-53, D-54, D-55, D-56, D-57, D-58, D-59, D-60, D-61, D-62, D-63, D-64, D-65, D-66, D-67, D-68, D-69, D-70, D-71, D-72, D-73, D-74, D-75, D-76, D-77, D-78, D-79, D-80, D-81, D-82, D-83, D-84, D-85, D-86, D-87, D-88, D-89, D-90, D-91, D-92, D-93, D-94, D-95, D-96, D-97, D-98, D-99, D-100	1	2%	1*	20	1	40
D-1	4	2%	See 27-722(b)	20	2	40
D-1, D-2, D-3	4	7%	See 27-722(b)	20		200
D-1, D-2, D-3, D-4	4	7%	See 27-722(b)	20		200
D-1, D-2, D-3, D-4, D-5	4	7%	See 27-722(b)	20		200
D-1, D-2, D-3, D-4, D-5, D-6	4	7%	See 27-722(b)	20		200
D-1, D-2, D-3, D-4, D-5, D-6, D-7	4	7%	See 27-722(b)	20		200
D-1, D-2, D-3, D-4, D-5, D-6, D-7, D-8	4	10%	See 27-722(b)	200		800

I put the previous sign code table up here. You can see it really deals with wall signs and detached signs and there are different categories and everything within each one of those, lots of special requirements and divisions that are hard to read but if you go to the new code, you basically have attached signs, how many you can have per façade and the area of those. Detached, how many you can have, the area of the sign and there are a couple of notes associated with this, but in general. Temporary signs, this is the chart that we just looked at basically, how many you can have and the area of those and if it's blank then the number is not limited. This is kind of the most referred to part of the sign code, this table. You can see how much simpler it is than the previous code, not that there's not a lot of detail and other definitions and things of the code but when people want to know how do I do my signs on the front of my building, you can have four, they can be 7%, that's it, you're done. That's where we get most of our questions. I think this is an easier way to do that and it's constitutional under the new code. We don't talk about what the sign says. It's either attached to the building, detached from the building or it's a temporary incidental sign and they're regulated independently, not by what they might say.

Sign Code Rewrite - Schedule

- May 9, 6:30 PM, Planning Commission Public Hearing
- May 26, 7 PM, Board of Commissioners Public Hearing
- Any comments can be sent to:

rrichardson@wycokck.org



The schedule from here, Monday May 9th we'll be at Planning Commission for a public hearing. On the 26th, I'm assuming we'll be here before you for your review and public comment. If anyone has any comments relating to the sign code or if anybody watching on TV would like to get a copy of the proposed code, it will be on the Planning Commission web agenda that's going to be out tomorrow afternoon or you can email me and I can send you a copy of it. The last thing I put on here was a comment from Ann with Young Sign Company saying she had been glad and involved and she thought we strived to have a code that was fair and provides opportunity for the businesses in our community to succeed. She said I could include that for you all tonight and I thought that was a pretty good summative comment from our public involvement.

Commissioner Bynum said I just wanted to say could you tell the committee of citizens that have worked on this from all of us a sincere thank you because that's a lot of work and I bet it's not always very exciting. I'm delighted by it, but I sincerely want to thank those folks who spent their time working with you and your staff through this process. I did have a question on the master planning, if we can go back to that. I don't know where we are in your presentation. **Mr. Richardson** said I believe that was the last slide. Where do you want to go back to? **Commissioner Bynum** said you had talked about some traffic mitigating at Rainbow and Southwest Boulevard and a concept for dealing with that traffic, especially turning eastbound. I might be getting ahead of myself but a lot of what happens there are those folks coming off of I-

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35 onto southbound 7th Street, they just start jockeying, you know so they're jockeying to get over to the left and I'm trying to get to Rosedale Barbeque so I'm jockeying to get to the right and I might be getting ahead of myself but does what you describe deal with that? **Mr. Richardson** said yes, to some degree. The alternate intersection style would not do so much for the southbound. The flyover would not do so much for the southbound, but if you did the Cambridge Circle change that would be something that would prevent a lot of that jockeying. We also think that with the Cambridge Circle change we might be able to have some bi-state cooperation with that because we think it would really help their businesses to let people get to them more expeditiously than fighting the traffic at 7th & Southwest Boulevard and then another stoplight on the way. The phenomenon that you're describing is very true. If you're going to Rosedale Barbeque or somewhere on that and you're coming from the downtown side because from here it's easier to go I-35 than down 7th Street, it's a little bit faster so then you're doing all the crisscross with all the southbound traffic. It does get a little hairy, especially in rush hour.

Mayor Pro Tem Walker asked is that it. **Mr. Richardson** said that concludes my presentation. **Mayor Pro Tem Walker** asked do any of the commissioners have anything else to bring before the body, any questions.

Action: For information only.

LAND BANK BOARD OF TRUSTEES' AGENDA

No items

PUBLIC ANNOUNCEMENTS

No items

**MAYOR PRO TEM WALKER
ADJOURNED THE MEETING AT 7:36 P.M.
May 5, 2016**

Bridgette D. Cobbins
Unified Government Clerk

tpl

May 5, 2016