

Legislation Details (With Text)

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| File #: | 2024-6227 | Name: | |
| Type: | Public Hearing - Sworn | Status: | Presented |
| File created: | 4/4/2024 | In control: | City Council - Regular Session |
| On agenda: | 6/4/2024 | Final action: | 6/4/2024 |
| Title: | Public Hearing: Application #PL2024-072 - Unified Development Ordinance (UDO) Amendment - Updates for temporary signage standards to Article 9 Signs; City of Lee's Summit, applicant. | | |
| Sponsors: | Development Services | | |
| Indexes: | | | |
| Code sections: | | | |
| Attachments: | 1. PC Action Report, 2. Staff Report, 3. Art 9, Div III Sec 9.070 Sign Definitions mark up 4.3.24, 4. Art 9, Div V Sec 9.220 Temporary Signs Mark Up 4.04.24, 5. Art 9, Div V Sec 9.220 Temporary Signs Clean Proposed 4.04.24, 6. Art 9, Div IX Sec 9.260 Permitted Permanent Signs Mark Up 11.21.23, 7. Staff Presentation | | |

| Date | Ver. | Action By | Action | Result |
|----------|------|--------------------------------|--------------------------|--------|
| 6/4/2024 | 1 | City Council - Regular Session | presented | |
| 5/9/2024 | 1 | Planning Commission | recommended for approval | Pass |

Public Hearing: Application #PL2024-072 - Unified Development Ordinance (UDO) Amendment - Updates for temporary signage standards to Article 9 Signs; City of Lee's Summit, applicant.

Issue/Request:

The intent of the proposed UDO amendment is to clarify existing temporary sign requirements, establish a time duration for temporary signs and to update the City's requirements so the focus of the temporary sign regulations is on the sign design type as opposed to sign content.

Article 9 provides the standards and requirements for all temporary signs. The UDO defines a temporary sign as "a sign displayed for an activity having a specific duration, or the end of which is related to a specific action, usually lasting for less than 12 months at a time (Article 9, Div. III, Section 9.070.B.86)." These signs may include, but are not limited to, real estate signs, garage sale signs, political signs and grand opening signs. The UDO currently does not provide a uniform time limit for temporary signs, and in some instances allows temporary signs to remain permanently. In addition, the permitted temporary signs table is not located within the code with the other temporary sign regulations, making it difficult for the public to understand the requirements.

Another area for updating is how the UDO classifies or categorizes temporary signs. Article 9 currently regulates many temporary signs by classifying them according to their message or content instead of by sign style or type. Recent US Supreme Court case decisions have affirmed that municipalities' sign regulations must be *content neutral*, meaning a municipality cannot treat certain types of signs differently than others based on their content, message or subject matter. Sign codes can regulate location, height, duration, size and number of signs, provided these regulations are not tied to the message of the sign (*Reed v. Town of Gilbert* (2015) and *City of Austin v. Reagan National Advertising of Austin, LLC* (2022)).

Aimee Nassif, AICP, Deputy Director of Development Services

Staff recommends approval of the proposed updates to the temporary signage standards under Article 9 of the UDO.

On a motion by Mr. Trafton, seconded by Mr. Benbrook, the Planning Commission unanimously voted on May 9, 2024, to recommend approval of Appl. #PL2024-072 - UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENT - Updates for temporary signage standards to Article 9 Signs; City of Lee's Summit, applicant.