

CITY OF SHAWNEE
ORDINANCE NO. 3293

AN ORDINANCE AMENDING SECTION 5.64.050 OF THE SHAWNEE MUNICIPAL CODE.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SHAWNEE, KANSAS:

PARAGRAPH 1. Section 5.64.050 of the Shawnee Municipal Code is hereby amended to read as follows:

5.64.050 Allowed signs which require permits.

Rules and regulations pertaining to allowed signs which require permits shall be as follows:

A. Monument Signs.

1. One detached monument sign shall be permitted on each street frontage in all office, commercial, multi-family residential, and industrial zoning districts. One monument sign as described above is allowed for a shopping center as defined in Section 5.64.030(D). Each business within a shopping center is not allowed its own monument sign. Such sign and base shall not cumulatively exceed seven feet in height above the average grade and the sign face shall not exceed fifty square feet in area per face. If not sitting within the landscaped setback the sign base shall be located within a curbed landscape area, extending a minimum of three feet on all sides of the sign base.
2. Landscaping shall be maintained in a neat, clean and healthy condition. This shall include proper pruning, mowing of grass, weeding and removal of litter. Landscape plantings that perish shall be replaced no later than the next planting season, if current weather conditions prohibit immediate replacement.
3. The sign shall bear the name and/or the logogram of the premises for which the sign is located. A phone number or web site address may be displayed provided it is subordinate to the name of the business. In the case of a shopping center the sign shall state the name of the shopping center and may provide individual panels for tenants. An address may also be provided.
4. One monument sign, which may include a changeable price sign, business identification sign and logogram shall be permitted for a gasoline service station. The sign may be double-faced, however, the price sign shall not exceed ten square feet. This sign is not in addition to the monument sign for a development as a whole.

5. Shopping centers with a total gross floor area of space set forth in an approved site plan between 100,000 and 149,999 square feet may have a monument sign that exceeds the requirements set forth in subsection (A)(1) of this section. The sign may list the name of the shopping center and any or all of the shopping center tenants. The height of this sign may not exceed 15 feet. Where the sign is located across the street from a property zoned for single family residences or duplexes the maximum height shall be as provided in subsection (A)(1) of this section. The sign face on the monument sign may be 100 square feet in size and may increase in size one square foot of sign area for each 1,000 square feet of gross floor area set forth in an approved site plan in excess of 100,000 square feet. The total sign face area shall not exceed 150 square feet. A shopping center which has more than one street frontage may place two monument signs on any one street frontage, provided that a sign which would be permitted on the other street frontage will not be allowed.
6. Shopping centers with a total gross floor area of space set forth in an approved site plan exceeding 150,000 square feet may have a monument sign that exceeds the requirements set forth in subsection (A)(1) of this section. The sign may list the name of the shopping center and any or all of the shopping center tenants. The height of this sign may not exceed 20 feet. The height of the sign may be increased to a height of 30 feet; provided, that the nearest edge of the sign is setback from the property line two feet for each additional one foot in height per street frontage on those frontages which face properties zoned for uses other than single-family residences or duplexes or are greater than two hundred feet from such properties not separated by a street with speeds in excess of thirty-five miles per hour. Where the sign is located across the street from a property zoned for single family residences or duplexes the maximum height shall be as provided in subsection (A)(1) of this section. The City Planning Commission may consider a variance for the height of the monument sign to exceed these limits provided that the applicant satisfies the Planning Commission that such signage would be harmonious on the site. The total sign face area shall not exceed 150 square feet, unless a variance is granted by the Planning Commission. A shopping center which has more than one street frontage may place two monument signs on any one street frontage, provided that the total number of monument signs shall not exceed the number of street frontages.

B. Wall Signs.

1. In all commercial, office and industrial zoning districts, each occupant may display one wall sign on each street frontage. The cumulative area of a wall sign (or signs on a multiple

tenant building where each business does not have its own separate entrance) on each frontage shall not exceed seven percent of the signable area. In cases where a shopping center has a total gross floor area in excess of 400,000 square feet, the owner/developer may request a variance for wall signs placed on businesses with a front wall width of no less than 150 linear feet. In such instances the Planning Commission may allow an increase in sign size, but shall not exceed ten percent of the wall area. The applicant for such a variance shall submit a drawing of the building elevation and location of signage, dimensioned and drawn to scale, with a calculation of the wall area of the frontage covered by the sign.

2. In addition to the above wall signs, a wall sign may also be displayed on the side or rear of a building adjacent to an off-street parking area or two way driving aisle with adjacent off-street parking if the off-street parking area and/or two way driving aisle is forty feet or more in width. Provided, this development does not abut a single-family and/or duplex zoning district or existing single family, duplex, townhome or condominium residence, regardless of the zoning district.
3. In calculating the signable area of a wall, which is the portion of the facade used in determining the percentage of coverage allowed, the amount of wall from ground level to the eaves of a pitch roof or the top of the parapet for other types of roofs shall be used. The width to be used is the actual width of the area leased or owned by the business along the wall the sign will be installed.
4. The wall sign shall be located flat against the wall of the building or as flat as is possible allowing the sign to remain perpendicular to the ground. In no case shall the face of the sign extend more than 18 inches from the wall, except in the Townsquare zoning district where projecting signs (blade signs) may be placed as noted in Chapter 5.64.050(G).
5. The supporting members of the sign (angle iron, guy wires, cable, bracing, etc.) shall be covered in such a way so that the members of the sign appear as an integral or architectural part of the sign.
6. Wall signs shall not interrupt any architectural details of a building or block or obstruct any doors or windows.
7. Wall signs may be placed on an awning, provided the area of the sign does not exceed five percent of the wall area, on which the awning is placed.

C. Canopy Signs.

1. Free-Standing Canopy Signs. Signs may be placed on free-standing canopies provided they meet the requirements for wall signs on buildings. Only the fascia of the canopy for which the sign is placed shall be used for determining the size of the sign. Total sign area cannot exceed ten percent of the area of the fascia of the canopy upon which it is placed. Use of a free

standing canopy sign is in lieu of an additional wall sign on the building.

2. Wall Mounted Canopy Signs. On canopies which are placed along the width of a building, extending toward the ground no more than 25 percent of the height of the building, verbiage may be placed on the canopy provided it meets the standards of a wall sign. Applications for canopies or canopy signs may be referred to the Planning Commission for site plan review in the event the canopy substantially changes the architectural integrity of the building elevation upon which the canopy is placed.
- D. Sign Bands or Sign Panels. For signs installed in a sign band or sign panel as outlined in Section 5.64.030(O), the sign copy area cannot exceed five percent of the signable area.
- E. Marquee signs. Marquee signs are allowed for motion picture and performing arts theaters. Changeable copy is allowed in a marquee sign only to indicate the movies or other live performances being shown or performed, as well as the times for such performances. The marquee shall be approved by the Planning Commission in review of the site plan. The marquee shall be placed above grade so as to not interfere with pedestrian and vehicular traffic, and shall not extend further than the sidewalk area in front of the building. The structural elements of the sign must be approved by the Codes Administration Division, prior to issuance of the sign permit.
- F. Temporary Signs.
 1. Grand opening and temporary signs: may be permitted subject to the following limitations:
 - a. A permit must be obtained for each individual sign placed on a street frontage. Signage may be placed on walls of the business adjacent to street frontages or a temporary sign in the form of a banner or feather sign in the yard area of the lot or parcel upon which the business is located. No detached temporary sign may be placed within any street right of way or off-premise.
 - b. Size shall not exceed 32 square feet per face for a wall mounted sign. However, if the sign is placed on the wall adjacent to a business that is longer than 150 linear feet in length a temporary banner that exceeds 32 square feet but is no larger than 150 square feet in size may be placed on the wall based upon the calculation of 7% of the wall area. The size of a detached banner or feather sign shall not exceed 20 square feet, however such a sign no greater than 32 square feet may be placed on frontages as prescribed above on streets with a posted speed limit of 55 mph or greater.
 - c. One grand opening sign may be permitted during the first year the business is open. The sign permit shall be valid for a period of thirty days. Such a sign may be used by a business which has changed its name and

ownership and has also obtained a new occupational license.

- d. Effective January 1, 2011, temporary signs (whether attached or detached) may be permitted for up to a total of 90 days (cumulative of all sign permits obtained) in a calendar year.
- e. Internally illuminated signs are permitted.
- f. Pennants shall be permitted, however both ends of the pennant string must be attached to the wall of the building.
- g. Cold or hot air balloons are permitted. Such balloons must be directly attached to the wall or roof of the building in the area where the business is located.
- h. Now Hiring signs attached to buildings in the Planned Industrial zoning district placed on walls longer than 150 feet in width may be up to 300 square feet in size. Permits for these signs may be obtained for up to 120 days in a calendar year.

G. Projecting Signs

1. Applicability

- a. Projecting signs are only permitted within Townsquare Zoning District for ground floor tenants and multi-story, multi-family residential as described in Chapter 5.64.050.G.2.b.
- b. For all properties located within the Townsquare Zoning District, additional sign design standards are provided in the Downtown Design Guidelines for the Pedestrian Zone and the South Nieman Zone. All sign alterations, improvements (excluding maintenance), and new signage, shall be in accordance with the Downtown Design Guidelines for the Pedestrian Zone and the South Nieman Road Zone.

2. Location and Number

- a. Each ground floor tenant space may display one (1) projecting sign on each street frontage, as well as one (1) on the side or rear of a building when adjacent to a driving aisle and/or off-street parking area where there is also a public entrance.
- b. For a mixed-use building with commercial tenants on the ground floor and three or more stories, one projecting sign is permitted for multi-story multi-family residential on each street frontage.
- c. A secondary projecting sign is permitted in addition to a wall sign with size restrictions noted in Chapter 5.64.050.G.3.e, and shall be located within eight feet of a public entrance.
- d. A projecting sign may be placed under an awning or canopy, and the awning or canopy may contain signage.

- e. A projecting sign may extend above the roofline of the building with site plan approval of the Planning Commission.
 - f. The bottom of the sign must be at least eight (8) feet from grade.
 - g. Projecting signs shall not interrupt any architectural details of a building or block or obstruct any doors or windows.
3. Size
- a. When in lieu of a wall, awning, canopy, or other building mounted sign, the cumulative area of a projecting sign shall not exceed seven (7) percent of the signable area.
 - b. In calculating the signable area of a wall, which is the portion of the facade used in determining the percentage of coverage allowed, the width to be used is the actual width of the area leased or owned by the business along the exterior wall the sign will be installed. For single-story buildings, the height to be used is the amount of wall from ground level to the eaves of a pitch roof or the top of the parapet for other types of roofs shall be used. For multi-story buildings, the height to be used is the actual height of the stories included in the area leased or owned by the business along the wall the sign will be installed.
 - c. Projecting signs may not extend into or occupy more than two-thirds the width of an adjacent walkway, as measured from the building, or no more than 6 feet, whichever is less.
 - d. A projecting sign cannot extend below a canopy or awning more than two feet, or less than eight feet from the sidewalk.
 - e. Secondary projecting signs in addition to wall sign:
 - i. Maximum sign area of 12 square feet.
 - ii. Maximum sign width of 18 inches.
4. Illumination
- a. Internal illumination is acceptable with an opaque background.
 - b. Illumination is permitted provided, the sign does not directly face a single-family and/or duplex zoning district or existing single family, duplex, or townhome residence, regardless of the zoning district.
 - c. External illumination is permitted when fully shielded and directed at the sign.
 - d. Electronic message center signs, even with a stationary or static message or image, are prohibited.
 - e. Bare bulb illumination is allowed with landmark or historical designation with Variance approval by the

Planning Commission as permitted in Chapter 5.65.100.

5. Additional
 - a. The supporting members of the sign (angle iron, guy wires, cable, bracing, etc.) shall be covered in such a way so that the members of the sign appear as an integral or architectural part of the sign.
 - b. Multi-tenant projecting signs are prohibited.

PARAGRAPH 2. Upon the effective date of this Ordinance, the previously existing Section 5.64.050 of the Shawnee Municipal Code is hereby repealed.

PARAGRAPH 3. If any part or parts of this Ordinance shall be held to be invalid, such invalidity shall not affect the validity of the remaining parts of this Ordinance. The Governing Body hereby declares that it would have passed the remaining parts of this Ordinance if it would have known that such part or parts thereof would be declared invalid.

PARAGRAPH 4. This Ordinance shall take effect and be in force from and after its passage and publication as required by law.

PASSED by the Governing Body this 23rd day of September, 2019.

APPROVED AND SIGNED by the Mayor this 23rd day of September, 2019



CITY OF SHAWNEE, KANSAS

By: _____

Michelle Distler, Mayor

ATTEST:

By: _____

Stephanie Zaldivar, City Clerk

APPROVED AS TO FORM:

By: _____

M. Ellis Rainey, II, City Attorney